



LEE COUNTY BOARD OF COUNTY COMMISSIONERS

LEE COUNTY ZONING HEARING

and

COMPREHENSIVE PLAN AGENDA

Wednesday, December 20, 2017

9:30AM

DCI2017-00008
Z-17-024

HERITAGE GULF LAKES

DCI2017-00007
Z-17-027

ISLAND STORAGE SUITES IPD

CPA2016-00007

TIMBER CREEK

DCI2016-00015
Z-17-019

TIMBER CREEK

CPA2016-00009

VERDANA

NOTICE OF PUBLIC HEARING

The Lee County Board of County Commissioners will hold a public hearing at 9:30 am on Wednesday, December 20, 2017 in the Board Chambers at 2120 Main St., Ft. Myers, FL, to review the written recommendations made by the Hearing Examiner and make a final decision on the cases below.

DCI2017-00008 / HERITAGE GULF LAKES

Amend the existing Mixed-Use Planned Development (MPD) to increase commercial intensity from 30,000 to 85,000 square feet and add an access point to Pine Ridge Road from the multiple-family residential area.

Located at 16851 Pine Ridge Rd., Iona/McGregor Planning Community, Lee County, FL.

DCI2017-00007 / ISLAND STORAGE SUITES IPD

Rezone 8.95± acres from Commercial (C-1A) and Residential Multiple-Family (RM-2) to Industrial Planned Development (IPD) to allow two optional development plans: 112,000 square feet maximum of hybrid warehouse, public and mini-warehouse uses and a maximum 14,000 square feet on a one-acre outparcel; or a maximum of 125,800 square feet of hybrid warehouse, public and mini-warehouse uses. Maximum height requested is 35 feet.

Located at 10950 Old South Way, Iona/McGregor Planning Community, Lee County, FL.

DCI2016-00015 / TIMBER CREEK

Rezone 695± acres from Agricultural (AG-2) to Residential Planned Development (RPD) on 655± acres with a maximum of 1,315 dwelling units; and Mixed Use Planned Development (MPD) on 40± acres with a maximum of 50 multiple-family dwelling units, 250,000 square feet of commercial floor area, and 150 hotel rooms. Maximum building height proposed is 45 feet for residential uses, 55 feet for commercial uses and 65 feet for hotels. Also, see CPA2016-00007 (Comprehensive Plan Amendment).

Located at the Southwest corner of State Road 82 and Daniels Parkway, Southeast Lee County and Lehigh Acres Planning Community, Lee County FL.

Copies of the Hearing Examiner's recommendation may be obtained or the file reviewed at the Zoning Section, 1500 Monroe St., Ft. Myers, FL. Telephone 239-533-8585 for additional information.

If you did not appear before the Hearing Examiner or otherwise become a participant for that case in which you wish to testify, the law does not permit you to address the Board of County Commissioners.

Statements before the Board of County Commissioners regarding the zoning case will be strictly limited to testimony presented to the Hearing Examiner, testimony concerning the correctness of the findings of fact or conclusions of law contained in the record, or to allege the discovery of new, relevant information which was not available at the time of the hearing before the Hearing Examiner.

If a participant decides to appeal a decision made by the Board of County Commissioners with respect to any matter considered at this hearing, a verbatim record of the proceeding will be necessary to appeal a decision made at this hearing.

Lee County will not discriminate Lee County will not discriminate against individuals with disabilities. To request an accommodation, contact Joan LaGuardia, 239-533-2314, Florida Relay Service 711, or jlguardia@leegov.com, at least 5 business days in advance.

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

The Lee County Board of County Commissioners will hold a public hearing to consider the adoption of proposed amendments to the Lee County Comprehensive Land Use Plan (Lee Plan) on Wednesday, December 20, 2017. The hearing will commence at 9:30 a.m., or as soon thereafter as can be heard, in the Board Chambers, 2120 Main Street in Downtown Fort Myers.

The Board proposes to adopt an ordinance amending the Lee Plan as follows:

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.

CPA2016-00009, Verdana: Amend Map 17, Southeast DR/GR Residential Overlay, to designate a 1,460 +/- acre property along Corkscrew Road as an "Environmental Enhancement and Preservation Community;" Amend Maps 6 and 7 to include the property within the Future Potable Water and Sewer Service area; and, Amend Policy 33.3.4 to allow Tier 1 properties with access to Corkscrew Road to extend the Environmental Enhancement and Preservation Communities Overlay up to 2 miles to the south. The property is located approximately 4 miles east of the intersection of Alico and Corkscrew Roads. The requested amendments will allow the property to be developed with a residential community pending the property being rezoned.

Copies of this Notice and the proposed ordinance are available for inspection or copying during regular business hours at the Minutes Office of the Clerk of Courts of Lee County, located in the Courthouse Administration Building, 2115 Second Street, Fort Myers, Florida. 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 Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

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.

CPA2016-00007

Timber Creek

Summary Sheet

Timber Creek, CPA2016-07

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.

LPA Motion:

A motion was made to recommend that the Board of County Commissioners transmit CPA2016-0007. The motion was passed 6 to 0.

Transmittal Hearing:

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

Public Comment:

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

State Reviewing Agency Objections, Recommendations, and Comments:

Lee County received responses from the following review agencies:

- Florida Department of Economic Opportunity,
- Florida Department of Transportation,
- Florida Department of Environmental Protection,
- Florida Fish and Wildlife Conservation Commission,
- Florida Department of Agriculture and Consumer Services, and
- South Florida Water Management District.

There were no objections to the proposed amendments.

Staff Recommendation:

Staff recommends that the Board of County Commissioners adopt the amendments as they were transmitted to the state reviewing agencies.

LEE COUNTY ORDINANCE NO. _____

Timber Creek
(CPA2016-00007)

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE “LEE PLAN,” ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENTS PERTAINING TO THE TIMBER CREEK (CPA2016-00007) APPROVED DURING A PUBLIC HEARING; PROVIDING FOR PURPOSE, INTENT, AND SHORT TITLE; AMENDMENTS TO ADOPTED MAP AND TEXT; LEGAL EFFECT OF “THE LEE PLAN”; PERTAINING TO MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER’S ERRORS, AND AN EFFECTIVE DATE.

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

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

WHEREAS, the Lee County Local Planning Agency (“LPA”) held a public hearing on the proposed amendment in accordance with Florida Statutes and the Lee County Administrative Code on March 27, 2017; and,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on August 2, 2017. At that hearing, the Board approved a motion to send, and did later send, proposed amendment pertaining to Timber Creek (CPA2016-00007) to the reviewing agencies set forth in Section 163.3184(1)(c), F.S. for review and comment; and,

WHEREAS, at the August 2, 2017 meeting, the Board announced its intention to hold a public hearing after the receipt of the reviewing agencies’ written comments; and,

WHEREAS, on December 20, 2017, the Board held a public hearing and adopted the proposed amendment to the Lee Plan set forth herein.

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

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt map and text amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." **This amending ordinance may be referred to as the "Timber Creek Ordinance (CPA2016-00007)."**

SECTION TWO: ADOPTION OF COMPREHENSIVE PLAN AMENDMENT

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment, which amends the Future Land Use Maps 1 and 6, Table 1(b), Lee Plan Map 1, Pages 2 and 4, Map 4, Map 6, Map 7, Map 14, Map 16, Map 17, Map 20 and Map 25, known as Timber Creek (CPA2016-00007).

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

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

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

SECTION FOUR: MODIFICATION

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

SECTION FIVE: GEOGRAPHIC APPLICABILITY

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

SECTION SIX: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the powers herein provided. If any of the provisions of this ordinance are held

unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board that this ordinance would have been adopted had the unconstitutional provisions not been included therein.

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

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

SECTION EIGHT: EFFECTIVE DATE

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

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

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

DONE AND ADOPTED this 20th day of December, 2017.

ATTEST:
LINDA DOGGETT, CLERK

LEE COUNTY BOARD OF
COUNTY COMMISSIONERS

BY: _____
Deputy Clerk

BY: _____
_____, Chair

DATE: _____

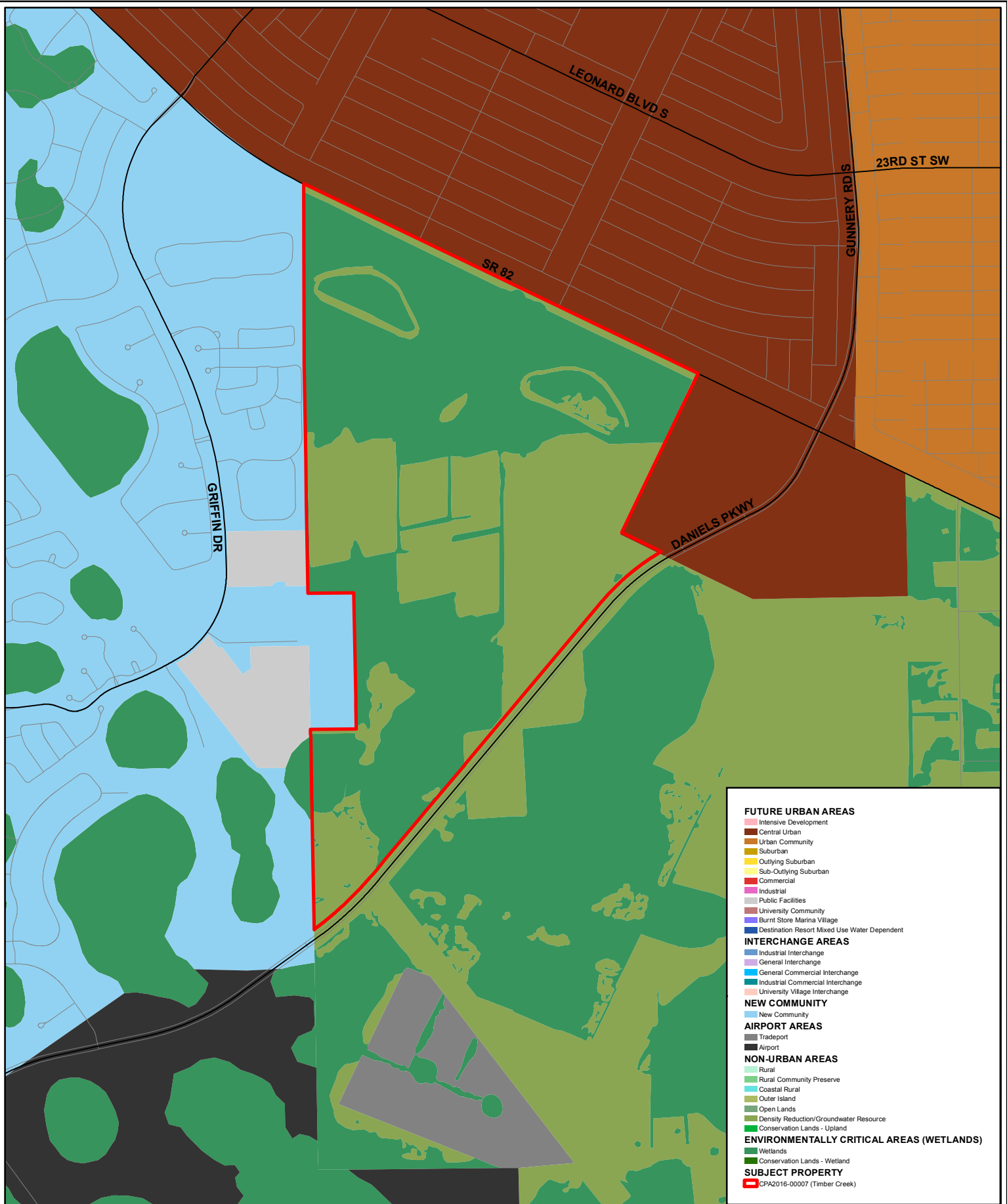
APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

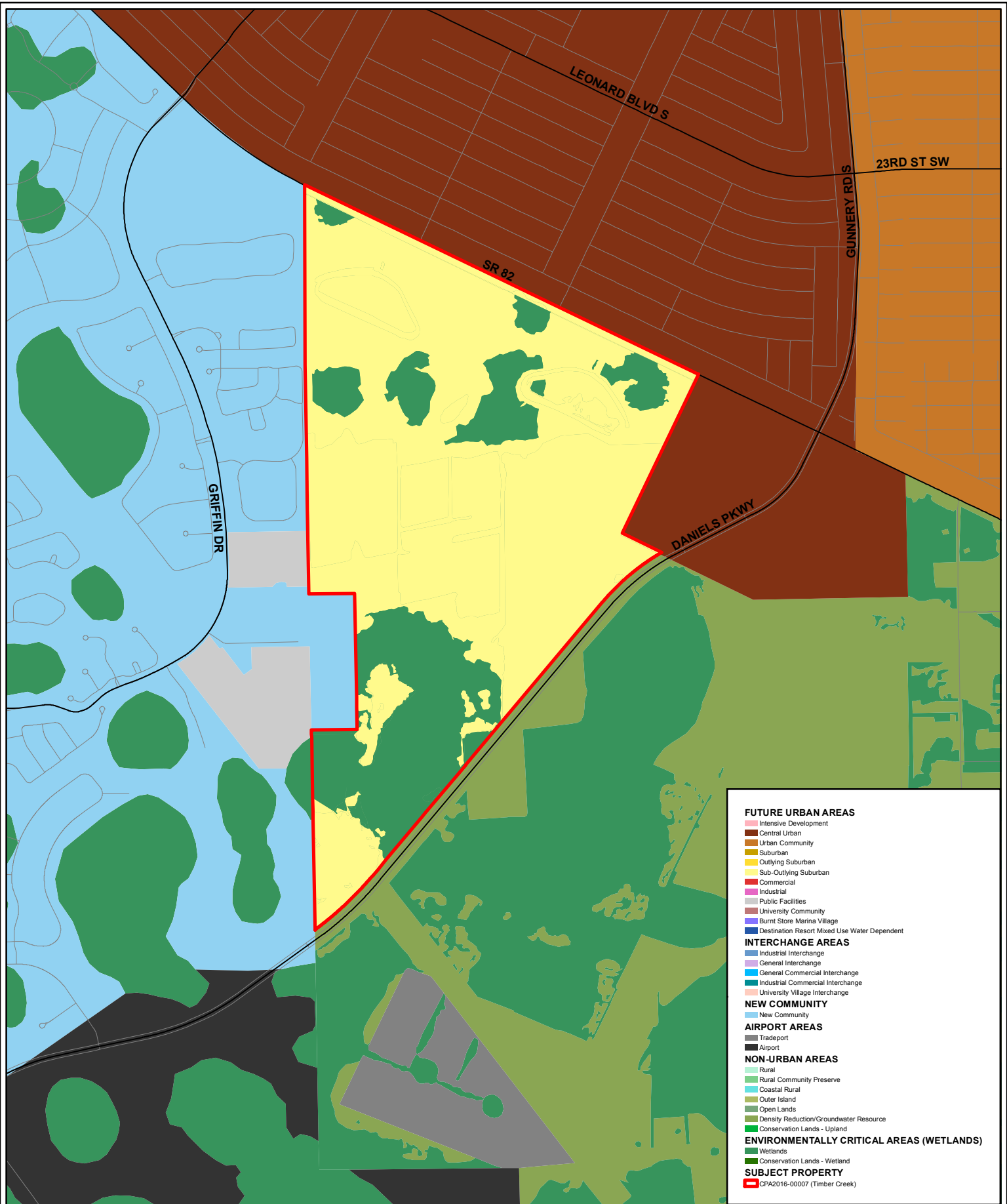
County Attorney's Office

Exhibit A: Adopted revisions to Future Land Use Map, Table 1(b), Lee Plan Map 1,
 Pages 2 and 4, Map 4, Map 6, Map 7, Map 14, Map 16, Map 17, Map 20 and
 Map 25
 (Adopted by BOCC December 20, 2017)

EXHIBIT A

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

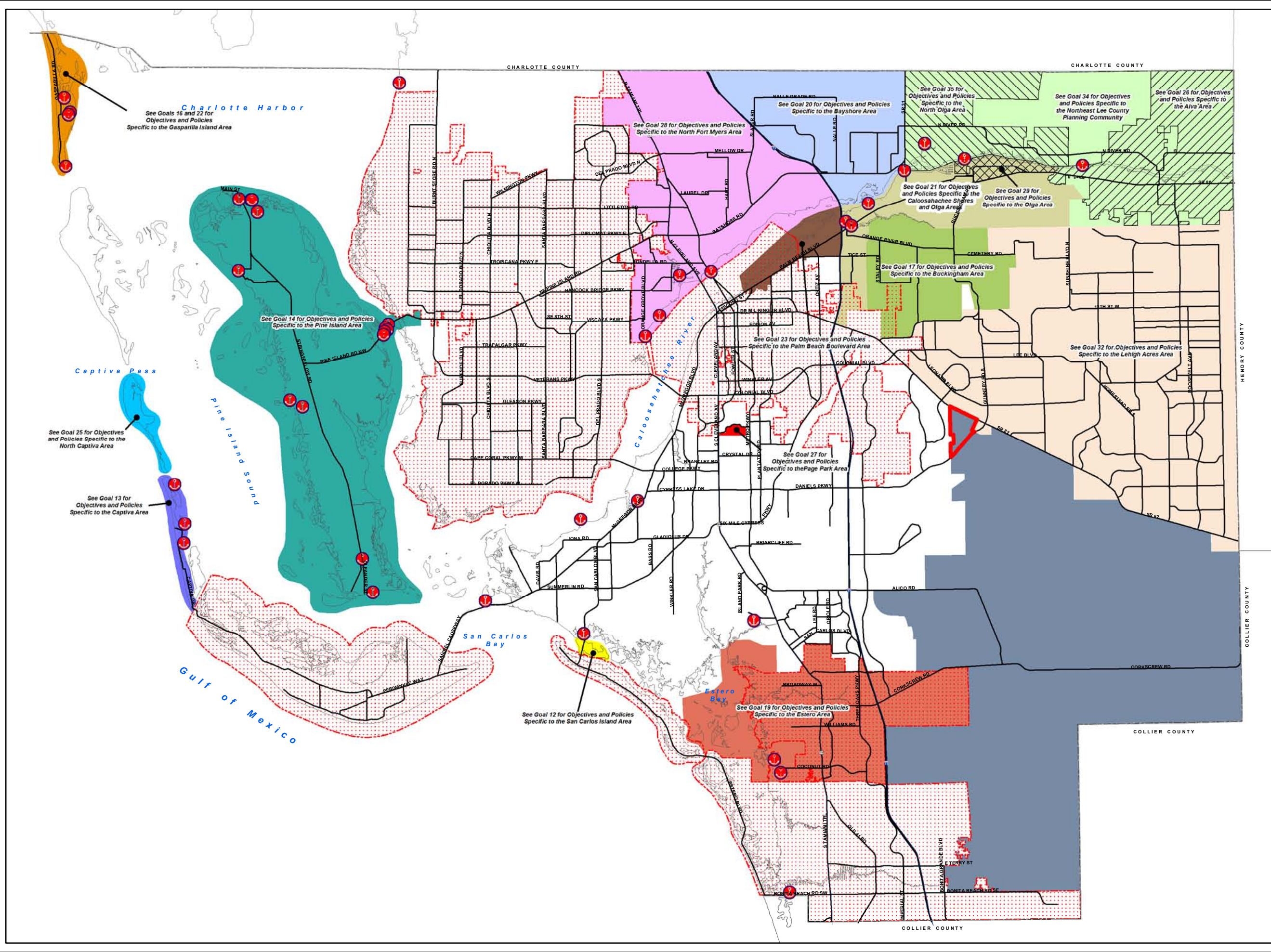




Map Generated March 2017



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

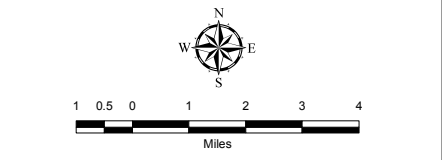
Adopted by Ord. 89-02, 1/31/1989
Amended by Ordinance Nos.
02-02, 03-01, 03-02, 03-04, 03-21, 07-09, 08-05,
09-07, 09-08, 09-09, 09-10, 09-11, 10-16, 11-14,
11-21, 11-24

 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

**CPA2016-00007
TIMBER CREEK**
















 Remove from
Southeast Lee County




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

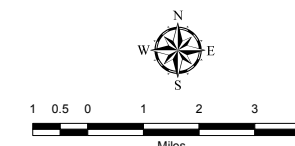
SPECIAL TREATMENT AREAS

Legend

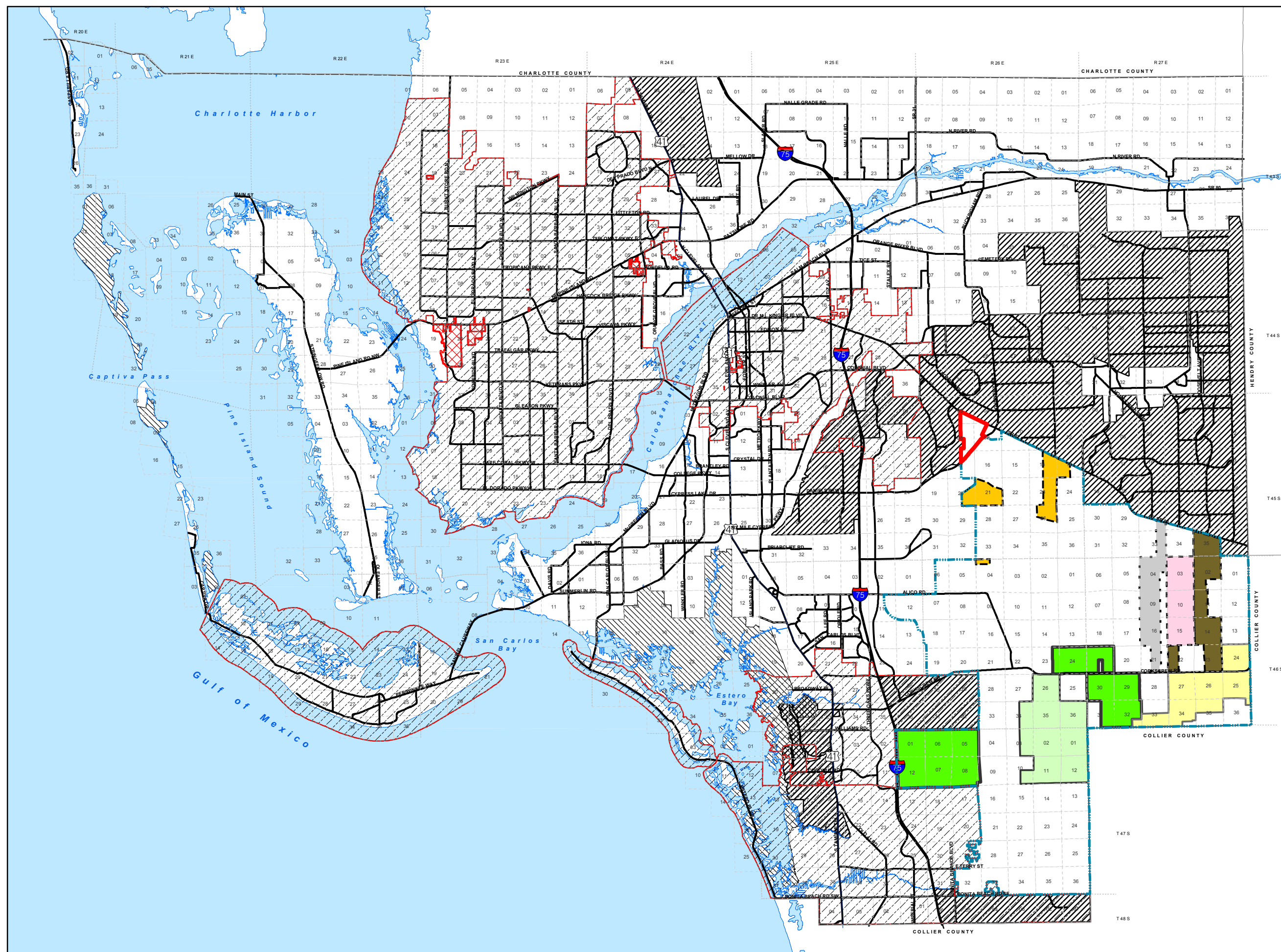
- County Line
-  Southeast Lee County
-  City Limits
-  Section Lines
-  Major Roads
-  Minor Roads
-  **Urban Reserve**
Adopted by Ord 89-02, 1/31/1989
Amended by Ord 93-25
-  **Privately Funded Infrastructure**
Adopted by Ord 89-02, 1/31/1989
Amended by Ord 92-35
-  **Public Acquisition***
Adopted 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

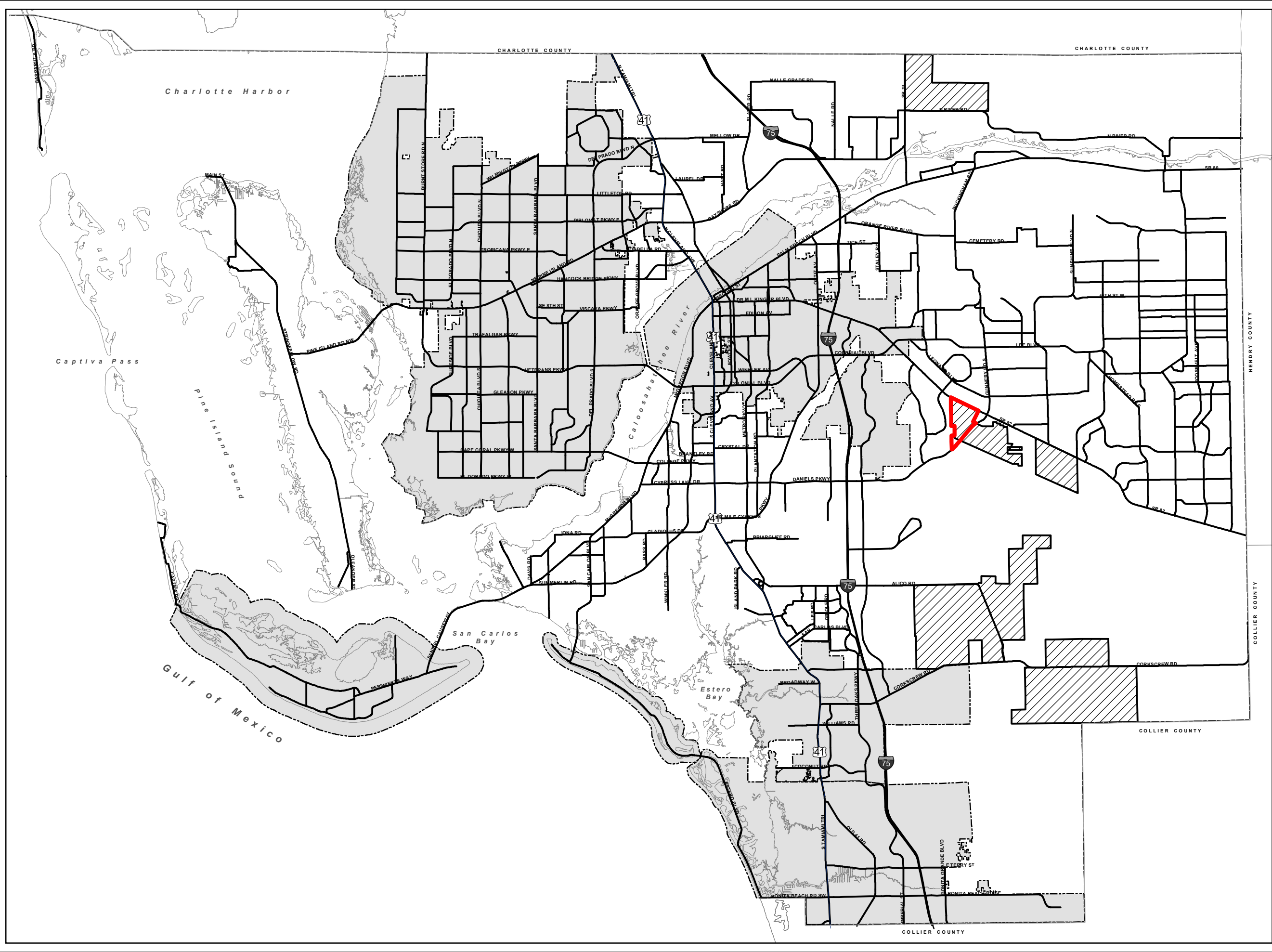
**CPA2016-00007
TIMBER CREEK**

 Remove from
Southeast Lee County



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






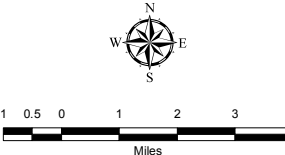
PRIVATE RECREATIONAL FACILITIES OVERLAY MAP

LEGEND

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

CPA2016-00007
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

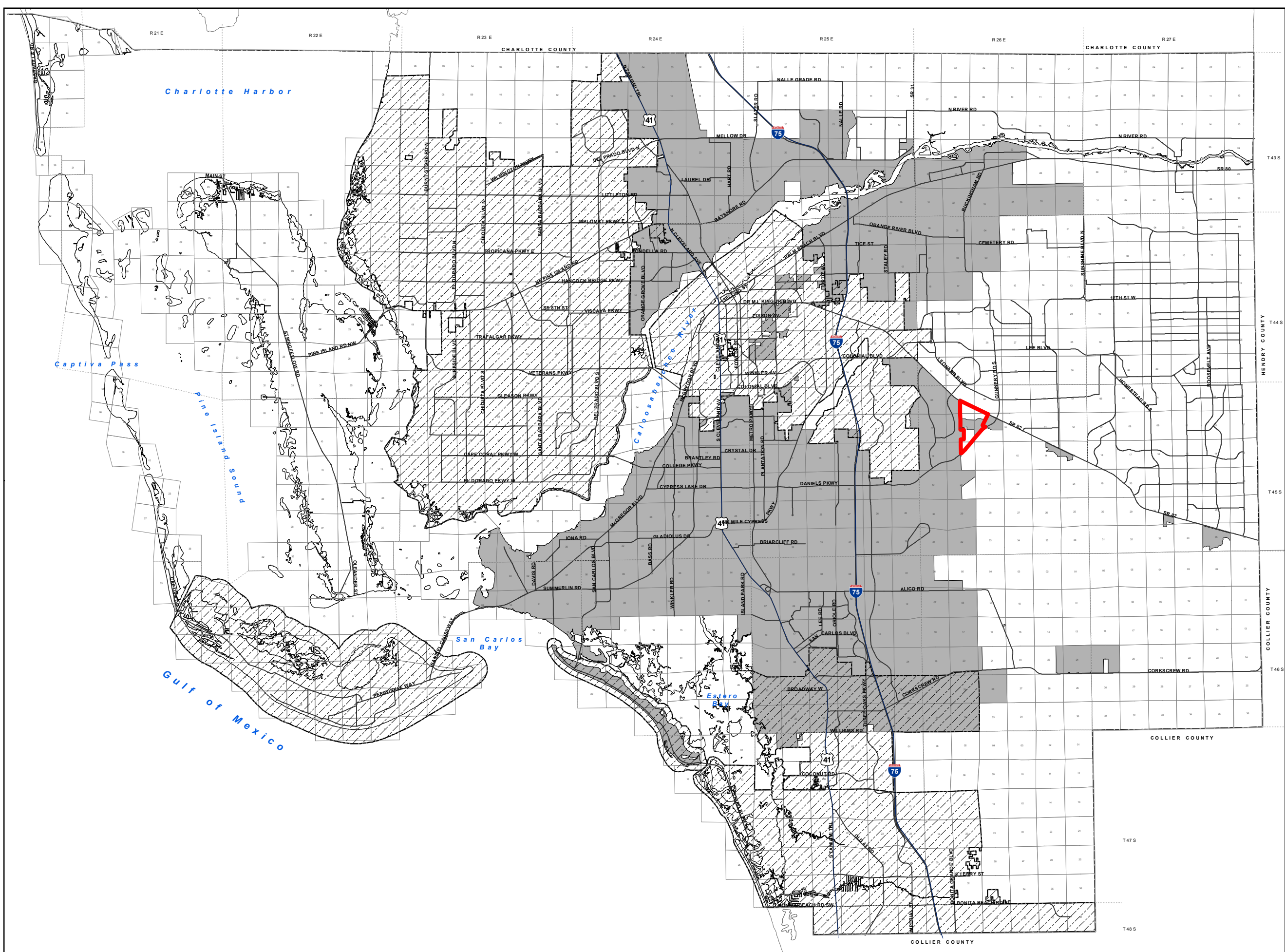
**CPA2016-00007
TIMBER CREEK**

 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, 10-06, 10-40, 10-43, 12-24, 13-16, 14-21, 15-13, 15-14

Lee Plan Map 6




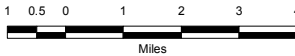
LEE COUNTY UTILITIES FUTURE SEWER SERVICE AREAS

Legend

-  City Limits
-  Future Sewer Service Areas

**CPA2016-00007
TIMBER CREEK**

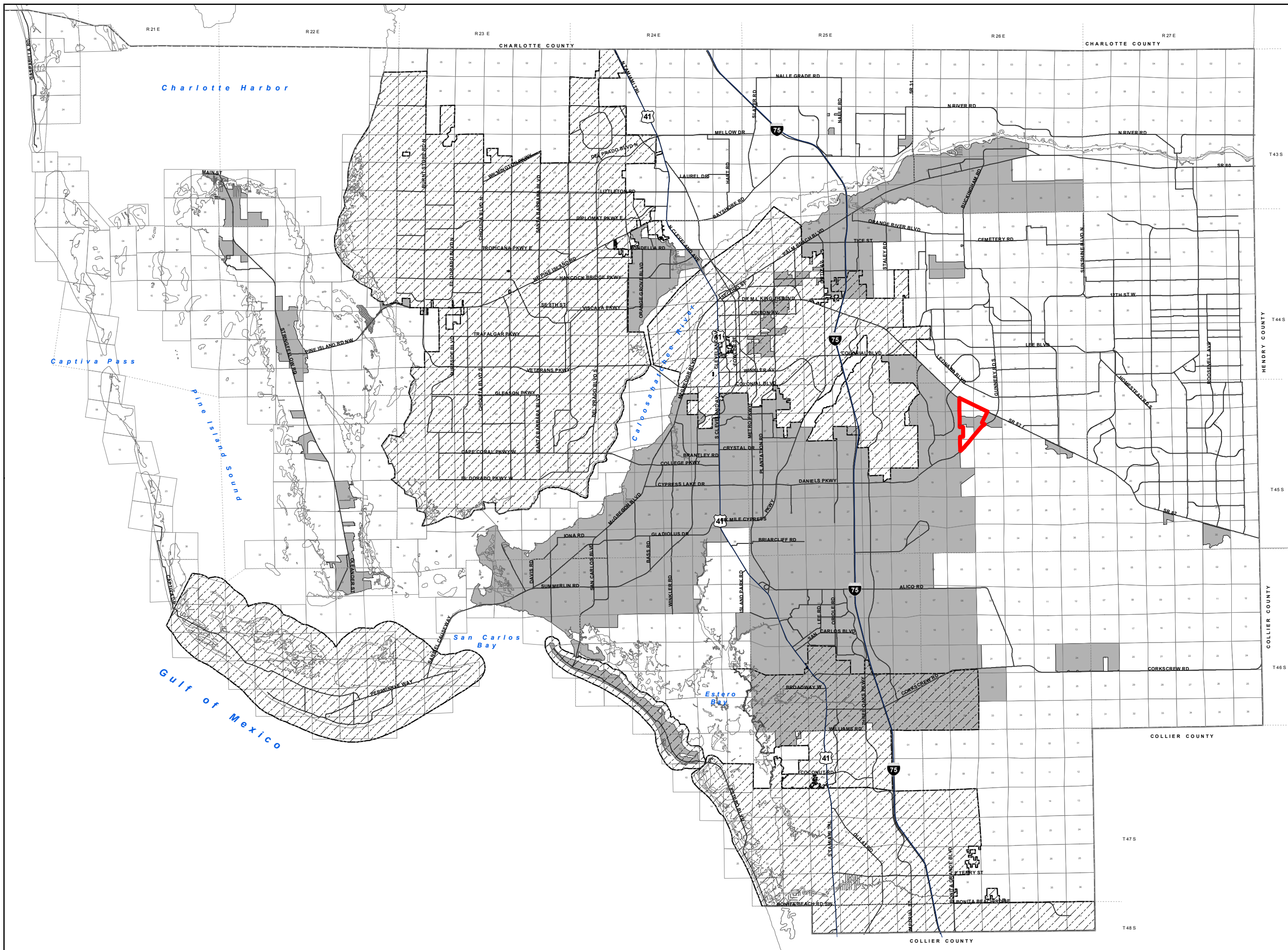
 Extend the existing service area to cover subject property

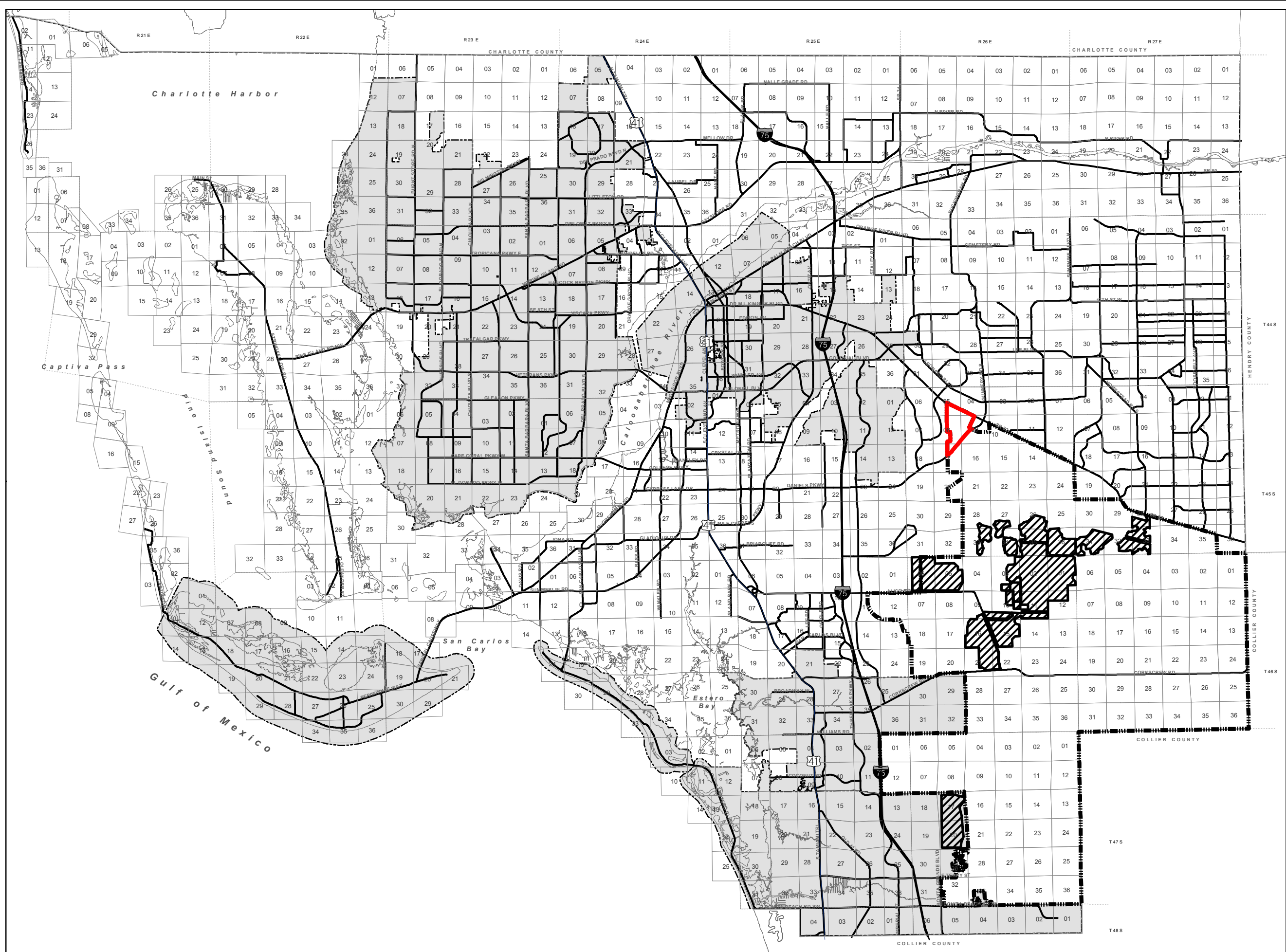


Map Generated: March 2017
Produced By: DCD/Division of Planning
City Limits current to date of map generation

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






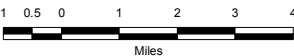
FUTURE LIMEROCK MINING OVERLAY

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

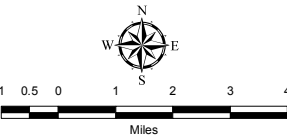
- 1. Northeast Lee County
- 2. Boca Grande
- 3. Bonita Springs
- 4. Fort Myers Shores
- 5. Burnt Store
- 6. Cape Coral
- 7. Captiva
- 8. Fort Myers
- 9. Fort Myers Beach
- 10. Gateway/Airport
- 11. Daniels Parkway
- 12. Iona/McGregor
- 13. San Carlos
- 14. Sanibel
- 15. South Fort Myers
- 16. Pine Island
- 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.

CPA2016-00007
TIMBER CREEK

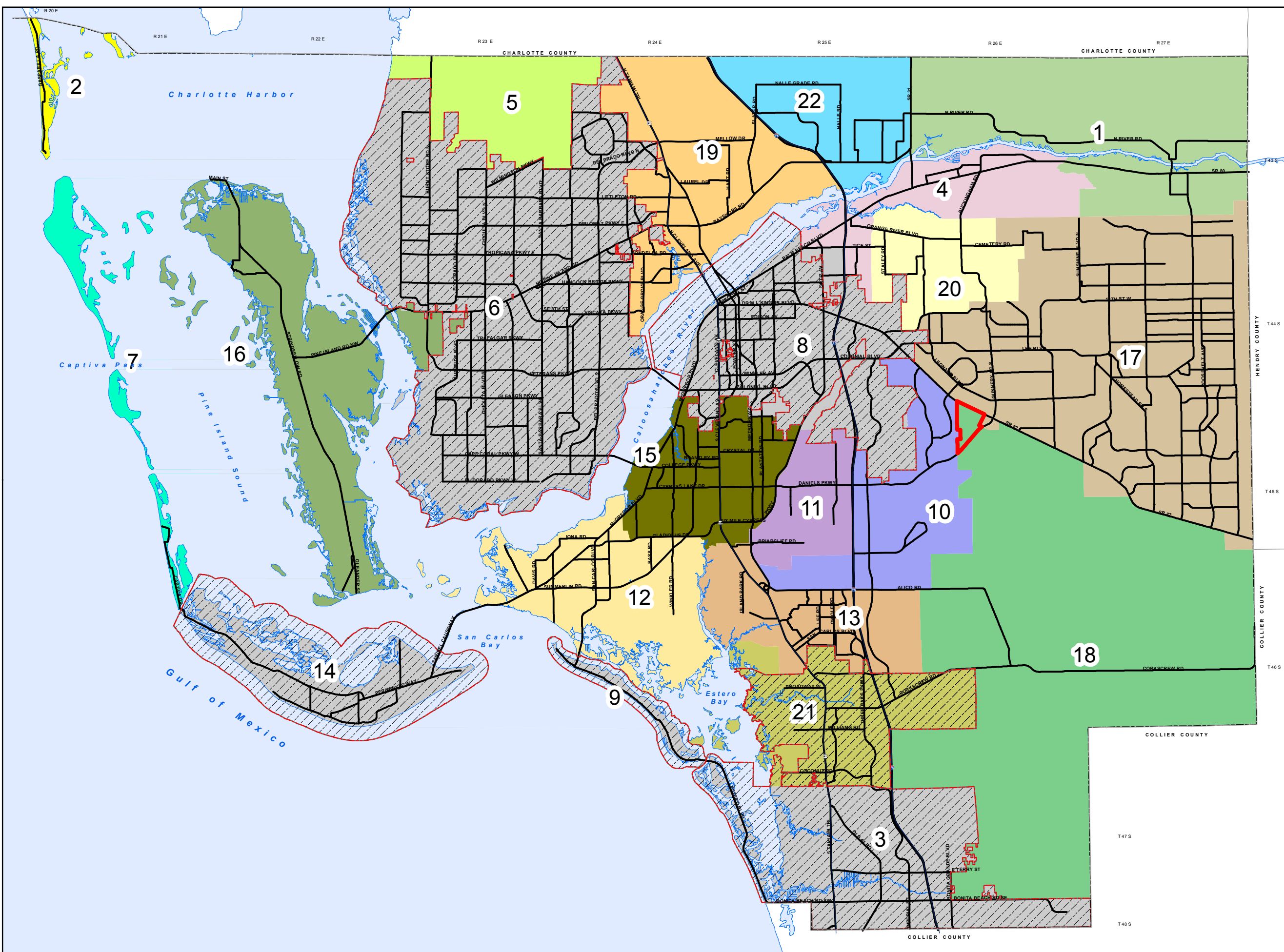
Add to Gateway/Airport
Planning Community

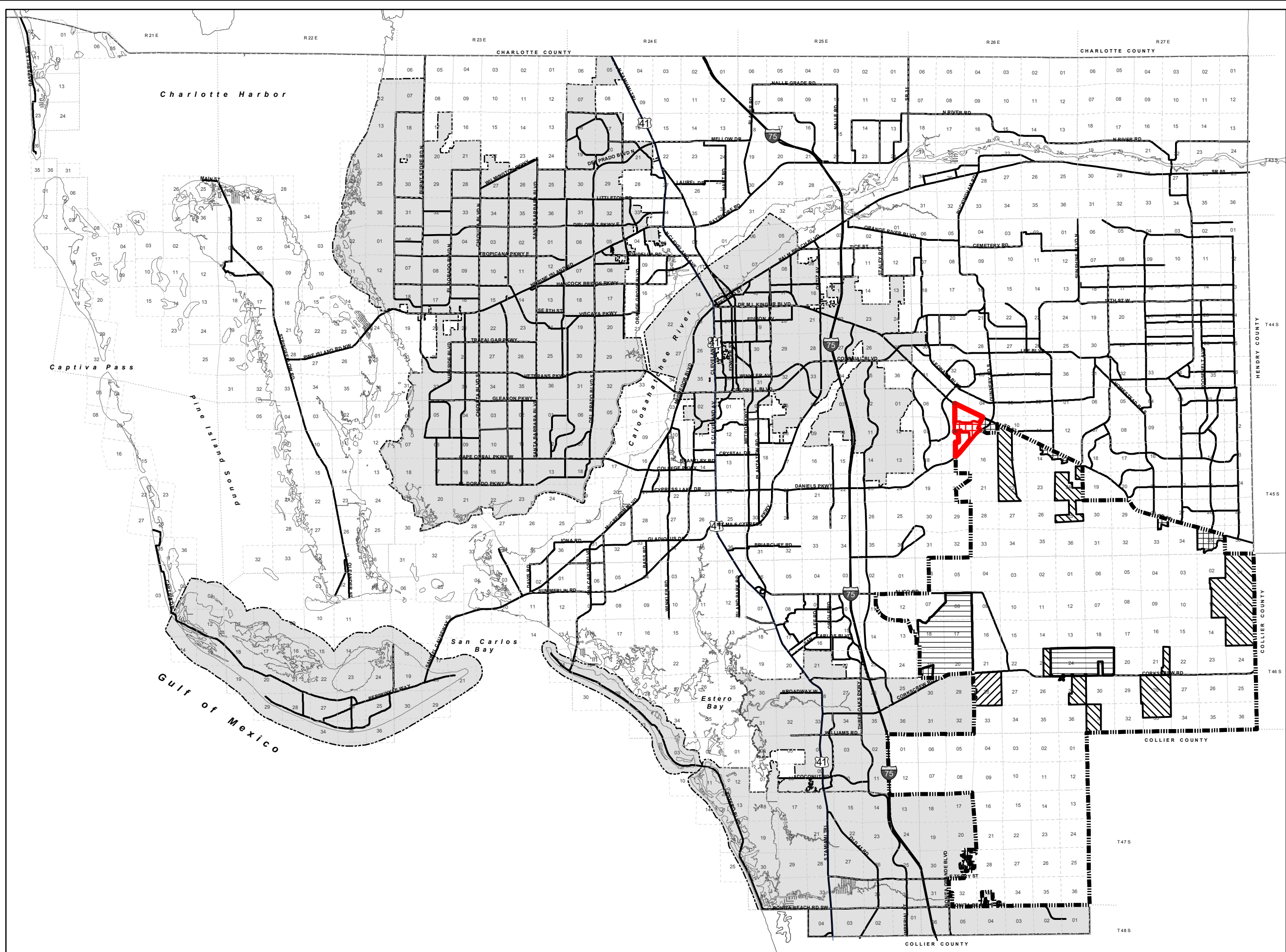


Map Generated: March 2017
City Limits current to date of map generation

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

CPA2016-00007
TIMBER CREEK

- Remove from Overlay
- Remove from Southeast Lee County

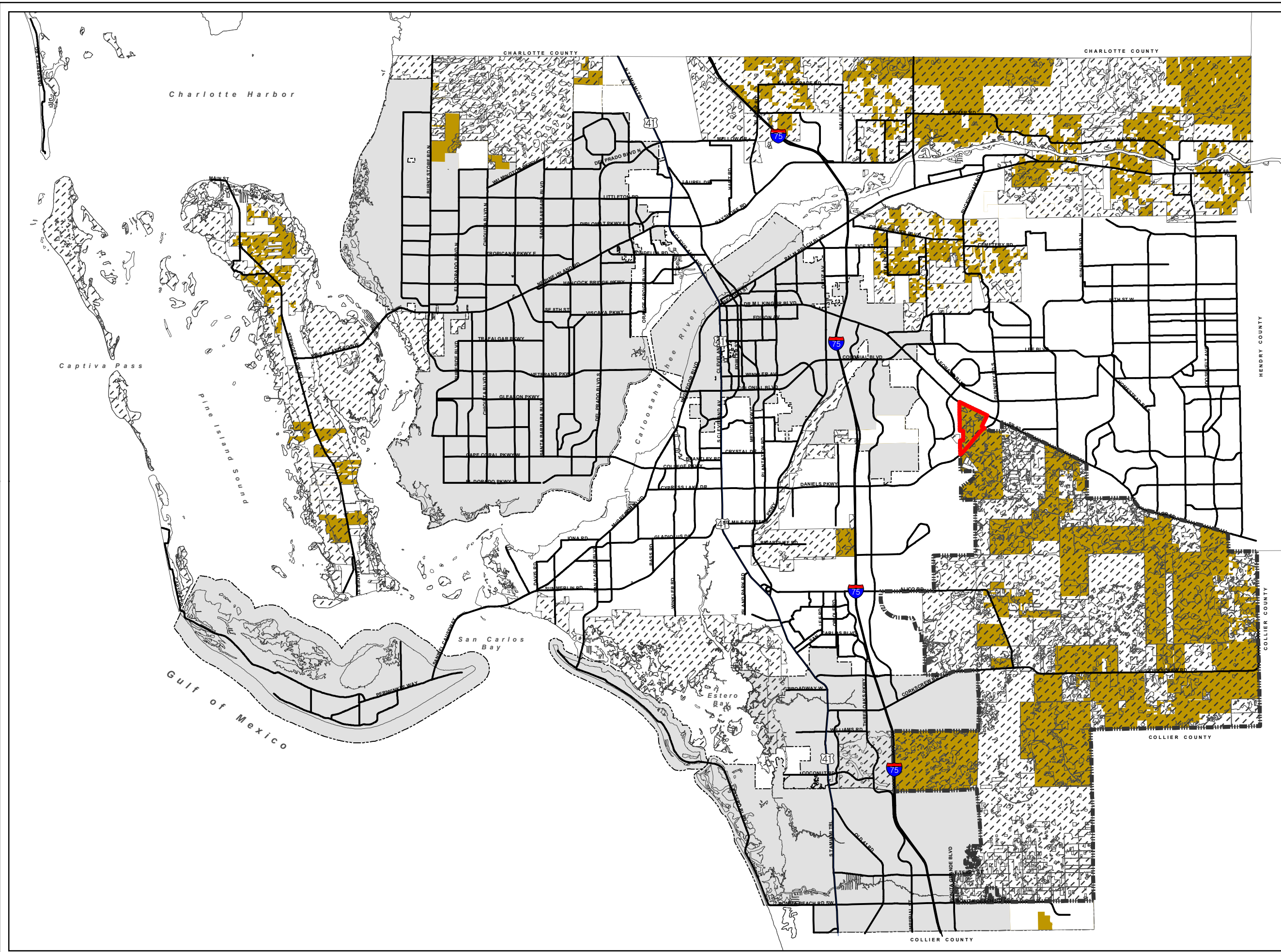


Map Generated: March 2017
City Limits current to date of map generation

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



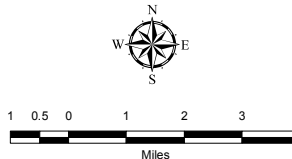
CONTIGUOUS AGRICULTURAL PARCELS OVER 100 ACRES IN NON-URBAN FUTURE LAND USE CATEGORIES

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

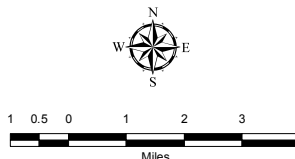
Historic Surface and Groundwater Levels

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

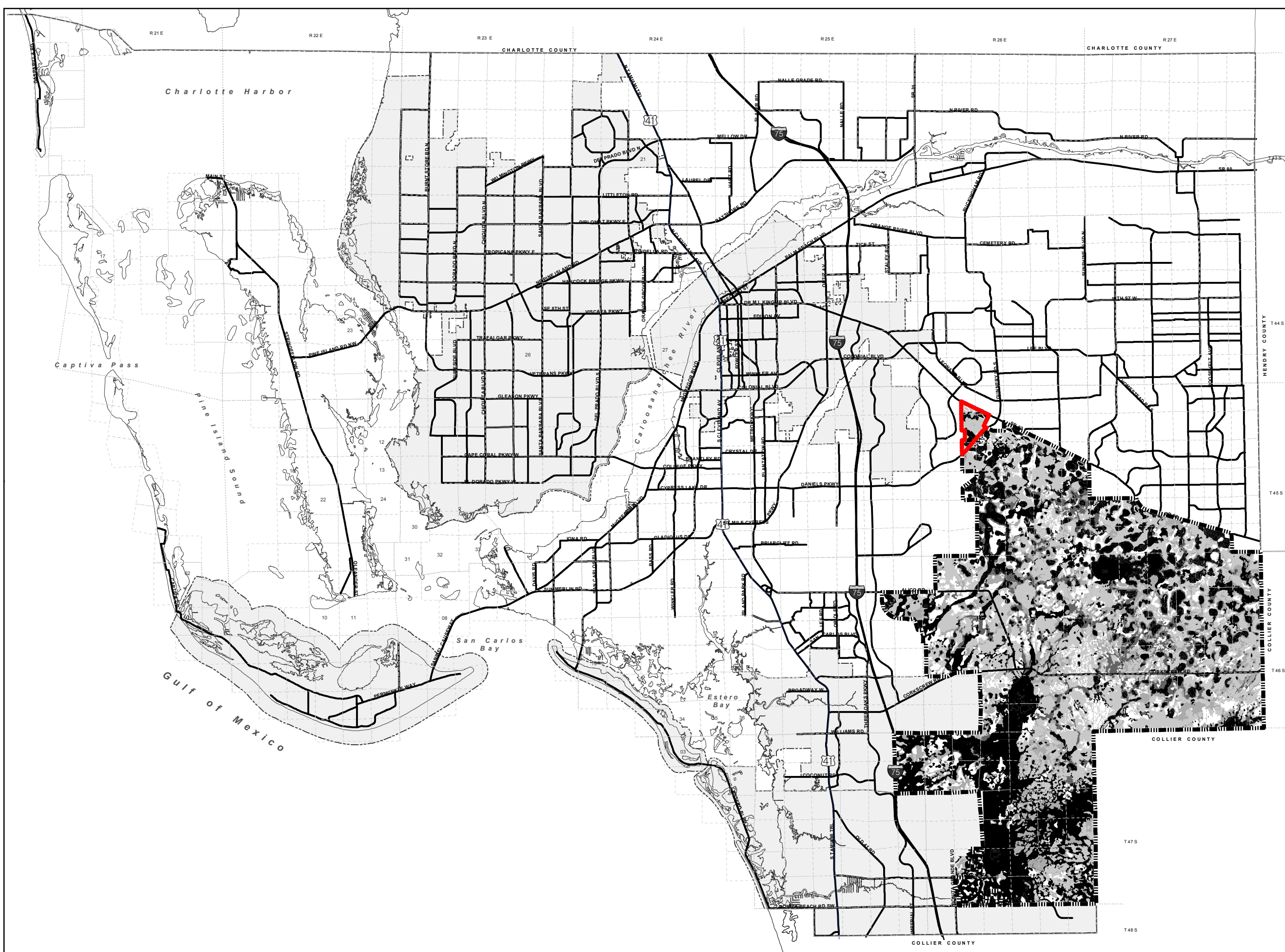


TABLE 1(b)
Year 2030 Allocation

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	
0	Intensive Development	<u>1,376</u>	<u>1,376</u>				20		27		250				
	Central Urban	<u>14,766</u>	<u>14,766</u>				225				230				
	Urban Community	<u>18,084</u>	<u>17,621</u>	520	485		637						250	<u>250</u>	
	Suburban	<u>16,623</u>	<u>16,623</u>				1,810				85				
	Outlying Suburban	<u>3,957</u>	<u>3,957</u>	30			40	20	2	500					1,552
	Sub-Outlying Suburban	<u>1,548</u>	<u>1,775</u>				367							<u>227</u>	
	Commercial														
	Industrial	<u>79</u>	<u>79</u>								39		20	<u>20</u>	
	Public Facilities	<u>1</u>	<u>1</u>							1					
	University Community	<u>850</u>	<u>850</u>												
	Destination Resort Mixed Use Water Dependent	<u>8</u>	<u>8</u>												
	Burnt Store Marina Village	<u>4</u>	<u>4</u>					4							
	Industrial Interchange														
	General Interchange	<u>125</u>	<u>125</u>										11	<u>11</u>	32
	General Commercial Interchange														
	Industrial Commercial Interchange														
	University Village Interchange														
	Mixed Use Interchange														
	New Community	<u>900</u>	<u>900</u>										900	<u>900</u>	
	Airport														
	Tradeport	<u>9</u>	<u>9</u>										9	<u>9</u>	
	Rural	<u>8,313</u>	<u>8,313</u>	1,948			1,400	636							1,500
	Rural Community Preserve	<u>3,100</u>	<u>3,100</u>												
	Coastal Rural	<u>1,300</u>	<u>1,300</u>												
	Outer Island	<u>202</u>	<u>202</u>	5			1			150					
	Open Lands	<u>2,805</u>	<u>2,805</u>	250				590							120
	Density Reduction/ Groundwater Resource	<u>6,905</u>	<u>6,905</u>	711									94	<u>94</u>	
	Conservation Lands Upland														
	Wetlands														
	Conservation Lands Wetland														
Unincorporated County Total Residential		<u>80,955</u>	<u>80,719</u>	3,464	485		4,500	1,250	29	651	604		1,284	1,511	3,204
Commercial		<u>12,793</u>	<u>12,793</u>	57	52		400	50	17	125	150		1,100	<u>1,100</u>	440
Industrial		<u>13,801</u>	<u>13,801</u>	26	3		400	5	26		300		3,100	<u>3,100</u>	10
Non Regulatory Allocations															
Public		<u>82,313</u>	<u>82,565</u>	7,100	421		2,000	7,000	20	1,961	350		7,500	<u>7,752</u>	2,477
Active AG		<u>17,027</u>	<u>17,027</u>	5,100			550	150							20
Passive AG		<u>45,585</u>	<u>45,106</u>	13,549			2,500	109					1,241	<u>1,241</u>	20
Conservation		<u>81,933</u>	<u>81,933</u>	2,214	611		1,142	3,236	133	1,603	748		2,798	<u>2,947</u>	1,733
Vacant		<u>22,768</u>	<u>23,231</u>	1,953			226	931	34		45		300	<u>300</u>	63
Total		<u>357,175</u>	<u>357,175</u>	33,463	1,572		11,718	12,731	259	4,340	2,197		17,323	<u>17,951</u>	7,967
Population Distribution (unincorporated Lee County)		<u>495,000</u>	<u>495,000</u>	5,090	1,531		30,861	3,270	225	530	5,744		15,115	<u>18,332</u>	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				
0	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 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

BoCC Adoption:
12/20/2017

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 AMEDEMMENT 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 Allico 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:

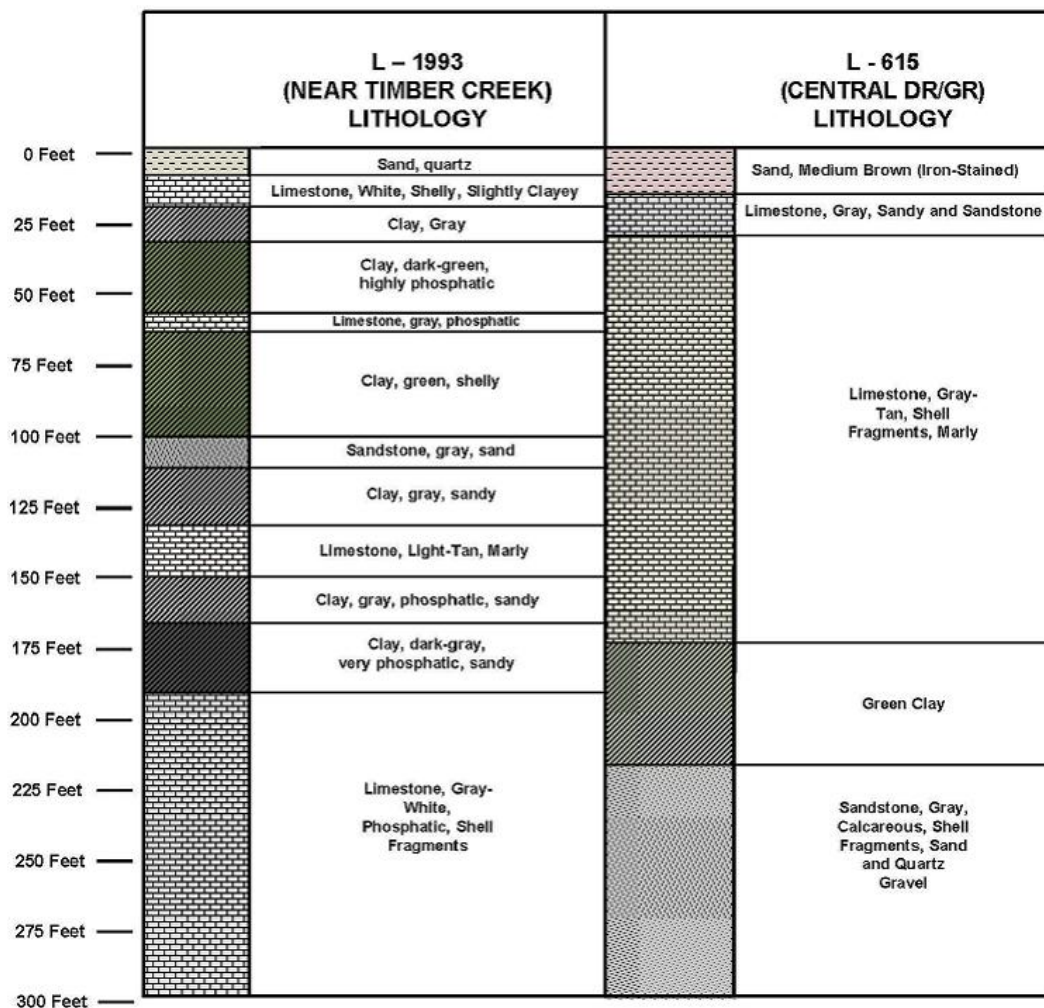


Figure 1: Stratigraphic Column near subject property (L-1993) and in east central Southeast Lee County (L-615) (provided in application materials on 11-15-2016).

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.

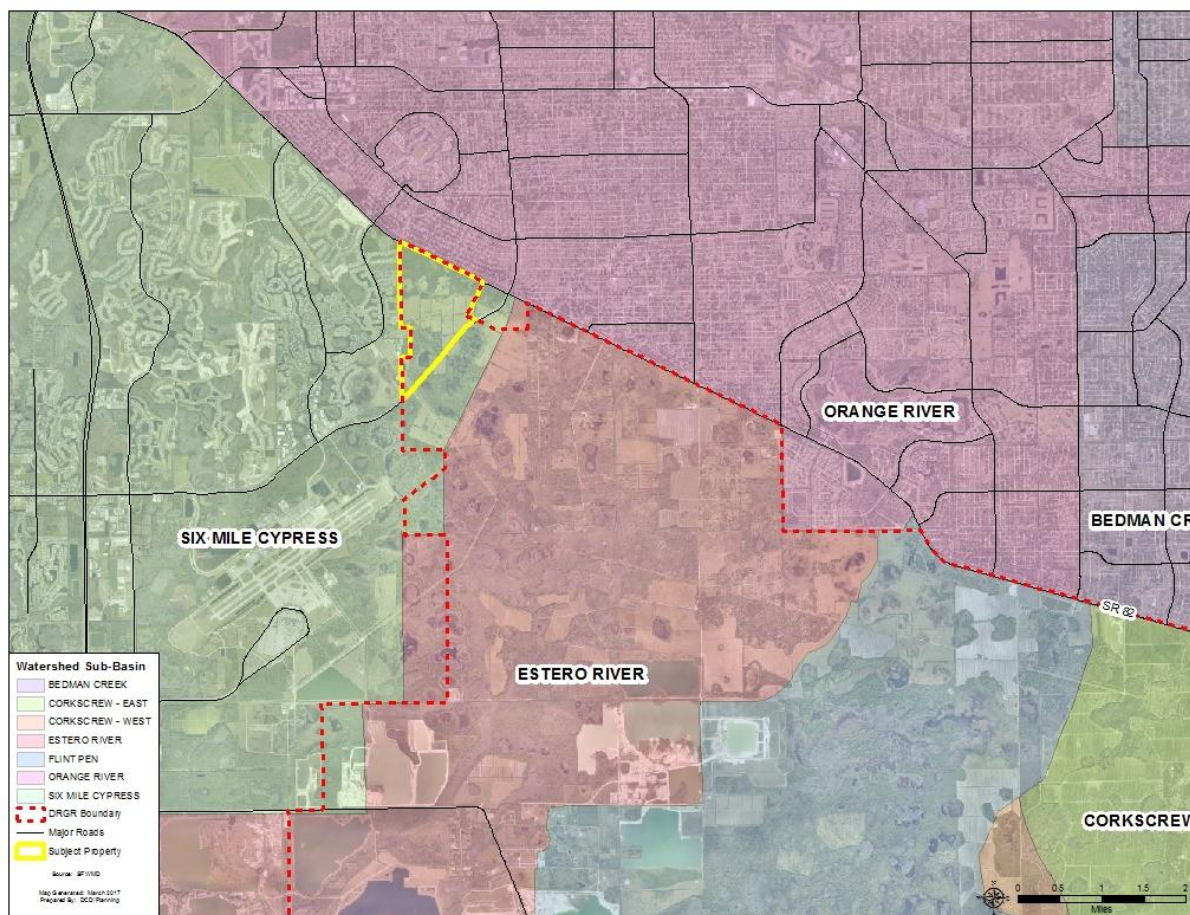


Figure 2: Lee County Watershed Sub-Basins in relation to the subject property and Southeast Lee County.

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	AYE
DENNIS CHURCH	AYE
JIM GREEN	AYE
CHRISTINE SMALE	AYE
STAN STOUDE	AYE
GARY TASMAN	ABSENT
JUSTIN THIBAUT	AYE

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

PART 8
STATE REVIEWING AGENCIES'
OBJECTIONS, RECOMMENDATIONS, AND COMMENTS

Comments from the State Reviewing Agencies were due to Lee County by September 10, 2017.

A. OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

Lee County received responses from the following review agencies addressing the transmitted amendment:

- Florida Department of Economic Opportunity,
- Florida Department of Transportation,
- Florida Department of Environmental Protection,
- Florida Fish and Wildlife Conservation Commission,
- Florida Department of Agriculture and Consumer Services, and
- South Florida Water Management District.

There were **no objections** to the proposed amendments; technical assistance comments were provided by the Florida Department of Transportation and the Florida Fish and Wildlife Conservation Commission.

Florida Department of Transportation (Florida DOT):

FDOT Technical Assistance Comment #1:

The subject property of this CPA is located along the south side of SR 82/Immokalee Road. As noted earlier, the segments of SR 82/Immokalee Road from CR 884/Lee Boulevard to Shawnee Road and from Shawnee Road to Alabama Road, are programmed in the FDOT 5-Year Work Program and the Lee County MPO TIP for widening to 6-lanes under FM numbers 425841-1 and 425841-2. As part of the widening projects, the intersection of SR 82/Immokalee Road and Daniels Parkway/Gunnery Road is being reconstructed as a Continuous Flow Intersection. In addition, based on the information included in a companion rezone application for the Timber Creek Residential and Mixed-Used Planned Developments (case number DCI2016-00015), there are several new connections being proposed to SR 82/Immokalee Road and along Daniels Parkway. Any access to SR 82/Immokalee Road will be subject to the FDOT permitting process as described in Rule 14-96 FAC. Based upon a discussion with FDOT Access Management, it appears there is coordination with Mark Clark, FDOT District One Access Management Specialist to determine the appropriate connection(s) to SR 82 to assure the safe and efficient operation of the roadway, The Department encourages close coordination with the FDOT District One Access Management team.

Lee County agrees that any access to SR 82 will be subject to the FDOT permitting process and will require that the applicant receive FDOT approval prior to construction.

FDOT Technical Assistance Comment #2:

The new trips associated with Lee County 17-6ESR (CPA2016-00007 (Timber Creek)) are expected to serve residential developments. State roadways are planned, designed and constructed in harmony with the surrounding land use characteristics. The programmed

widening projects for the segments of SR 82/Immokalee Road from CR 884/Lee Boulevard Alabama Road will include sidewalks on the north side of SR 82/Immokalee Road, a shared-use path along the south side of SR 82/Immokalee Road, bicycle lanes along both sides of SR 82/Immokalee Road, and lighting improvements. This context sensitive approach promotes healthy, safe, and economically viable communities that encourages quality of life, and incorporates all modes of transportation. FDOT welcomes the opportunity to partner with, and provide technical assistance to Lee County to create these types of multimodal transportation facilities to serve all users, and offers several initiatives that aid in creating quality developments while protecting future mobility on the regional roadway network. These include "Complete Streets", modern roundabouts, and a commitment to bicycle and pedestrian safety.

Lee County staff appreciates the technical guidance provided by Florida Department of Transportation.

FDOT Technical Assistance Comment #3:

There are currently no transit facilities in place that serve the proposed CPA area. FDOT notes that along with this proposed development, the southwest regions of Lee, Hendry and Collier Counties (along SR 82/Immokalee Road) are anticipated to grow significantly in the future. The SIS transportation facilities that serve these regions were developed to accommodate all forms of transportation for moving people and goods, and provides multimodal alternatives to vehicular trips beyond vehicular capacity improvements. FDOT encourages coordination with Lee Tran to assess the demand for transit connections in this area of the County. The use of multimodal transportation alternatives can help to decrease overall passenger vehicle trips on local and State/SIS roadways.

Currently, LeeTran is not operating a route through this intersection and will be budgeting a continuation of current service levels in the immediate future. However, LeeTran does view both SR82 and Daniels/Gunnery Road as strategic areas for growth in both intensity and density and are interested in working with the developer to address future transit accessibility in this area and more specifically with this potential development. There have been some discussions about a possible donation of property to future transit facility expansion which would be able to accommodate pedestrian movements from the proposed development to future transit services. During this discussion, LeeTran did note there would be interested in providing transit service along the major roadways and not within the proposed development site, meaning pedestrian activities/potential transit users would need adequate infrastructure to get them to the outer areas of the development.

In addition, any development is required to comply with Section 10-442 of the Land Development Code. This will require coordination on any sidewalk improvements (pedestrian or bikeway) that could come into contact with potential transit routes.

Florida Fish and Wildlife Conservation Commission (FWC):

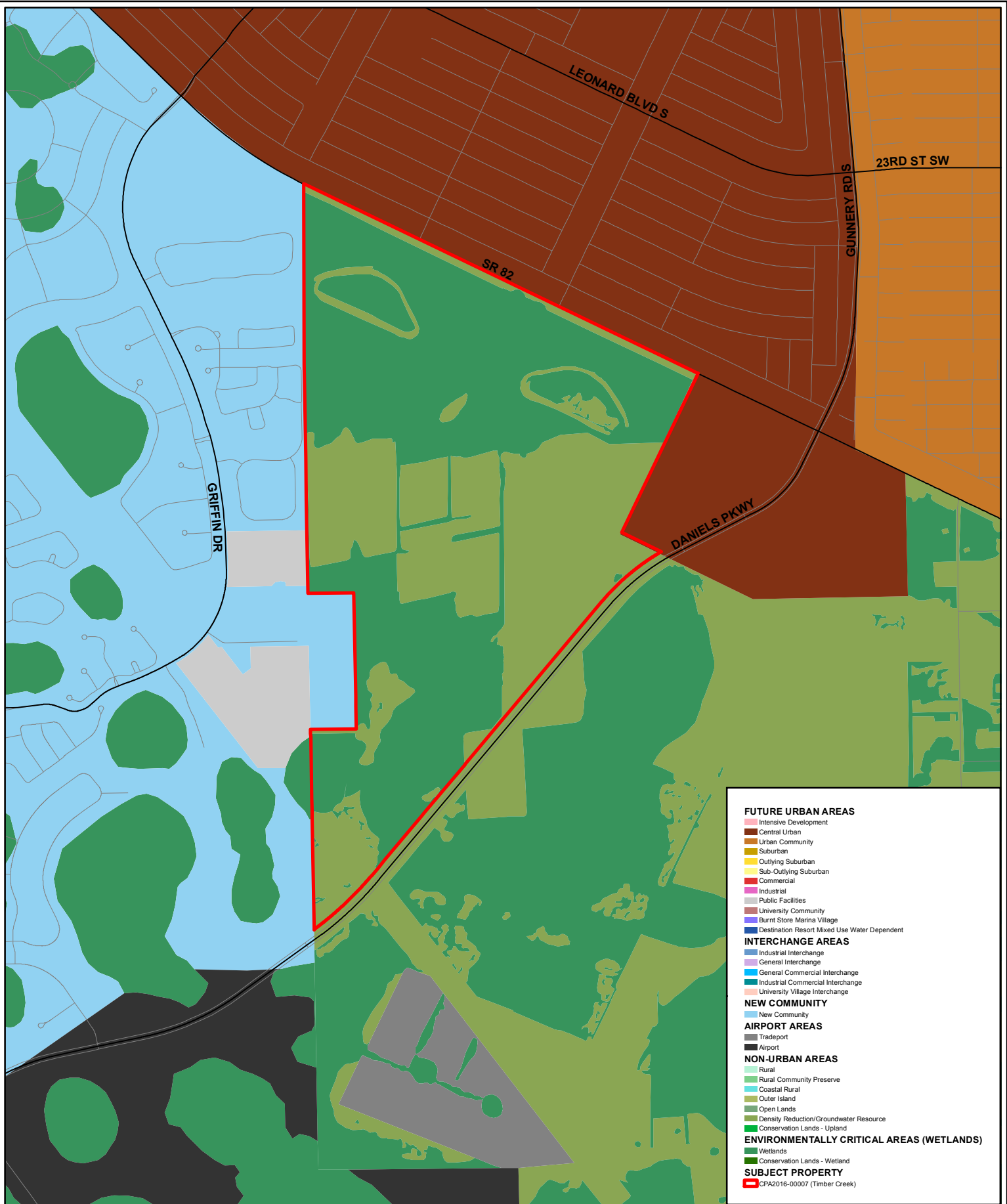
The Florida Fish and Wildlife Conservation Commission did not have any objections to the proposed amendment, but provided a letter dated March 8, 2017 that was provided in a related commenting process for a project related to this amendment. The recommendations contained

in this letter are specific to the subject site and address protected species and prescribed burns that will be used to maintain vegetative communities on the conservation areas.

Lee County staff appreciates the recommendations provided by the Florida Fish and Wildlife Conservation Commission and will consider their recommendations through zoning conditions.

B. STAFF RECOMMENDATION

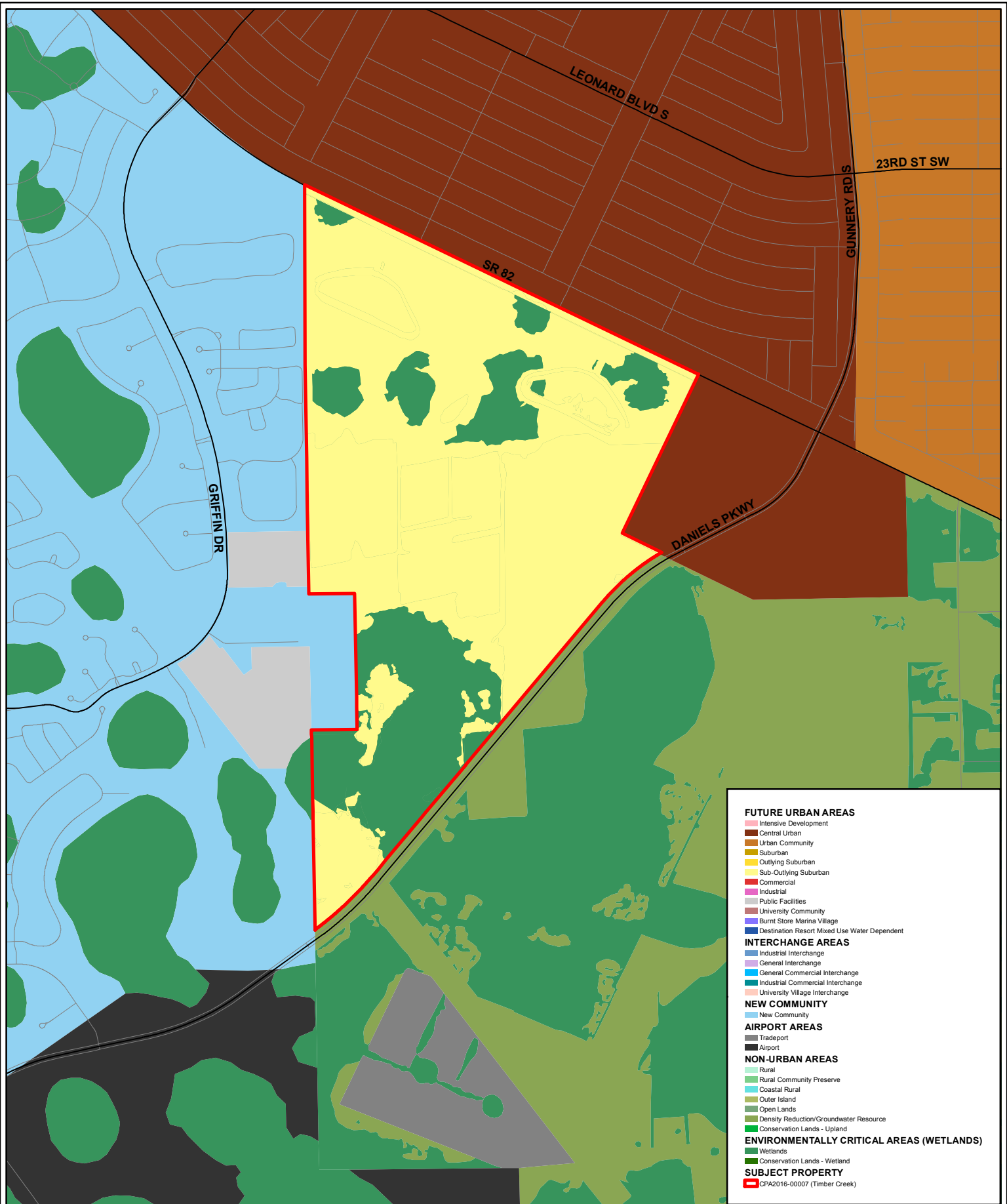
Staff continues to recommend that the Board of County Commissioners ***adopt*** the amendments as proposed by staff to the Lee Plan as provided in Attachment 1.



Map Generated March 2017



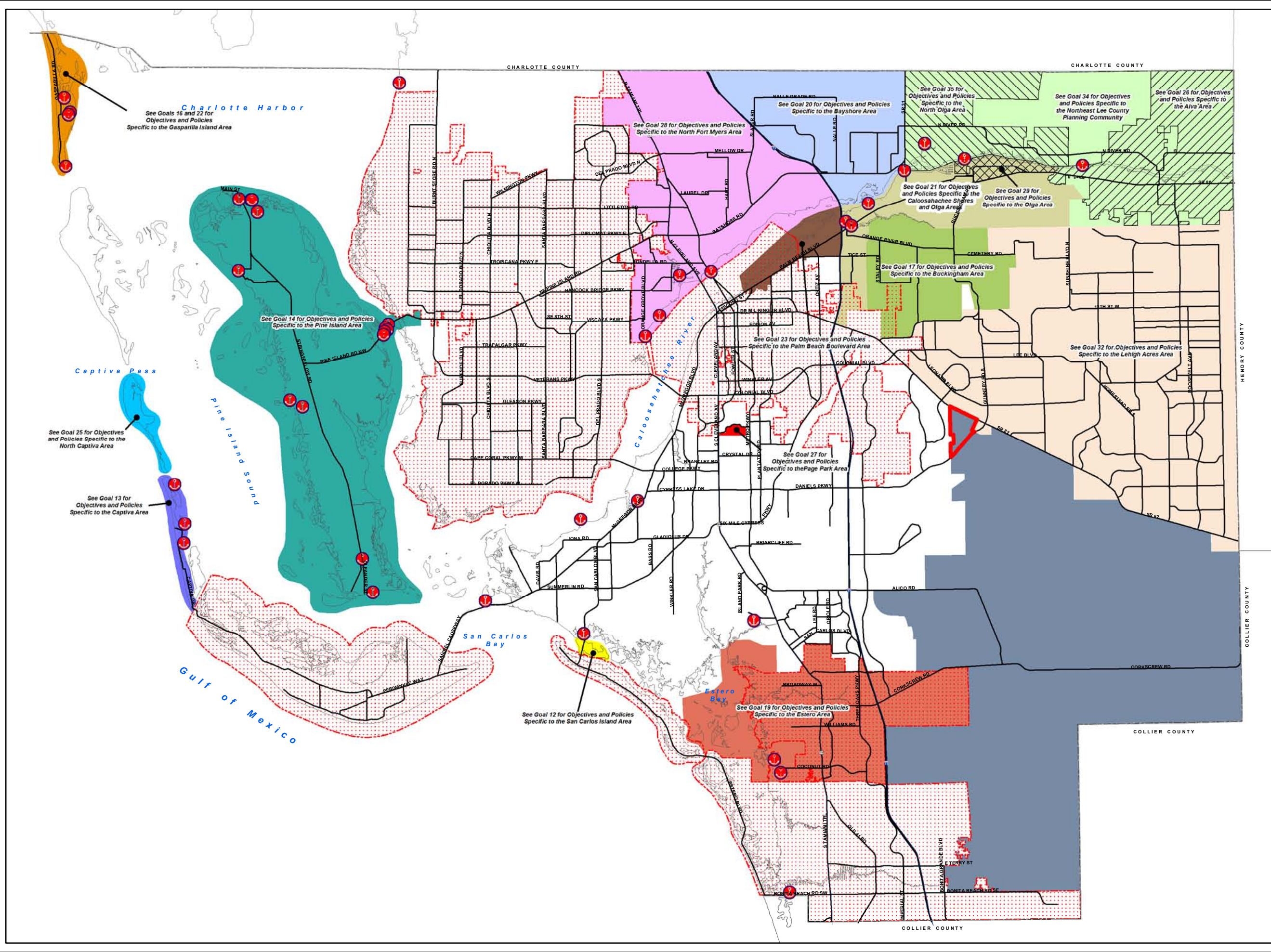
CPA2016-00007
Timber Creek
EXISTING LEE PLAN
FUTURE LAND USE MAP



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

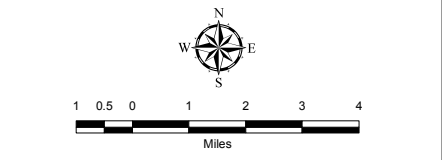
Adopted by Ord. 89-02, 1/31/1989
Amended by Ordinance Nos.
02-02, 03-01, 03-02, 03-04, 03-21, 07-09, 08-05,
09-07, 09-08, 09-09, 09-10, 09-11, 10-16, 11-14,
11-21, 11-24

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

**CPA2016-00007
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

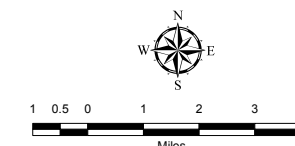
Priority Restoration Strategy See Policies 33.2.2

- Tier 1 (highest priority)
- Tier 2
- Tier 3
- Tier 4
- Tier 5
- Tier 6
- Tier 7

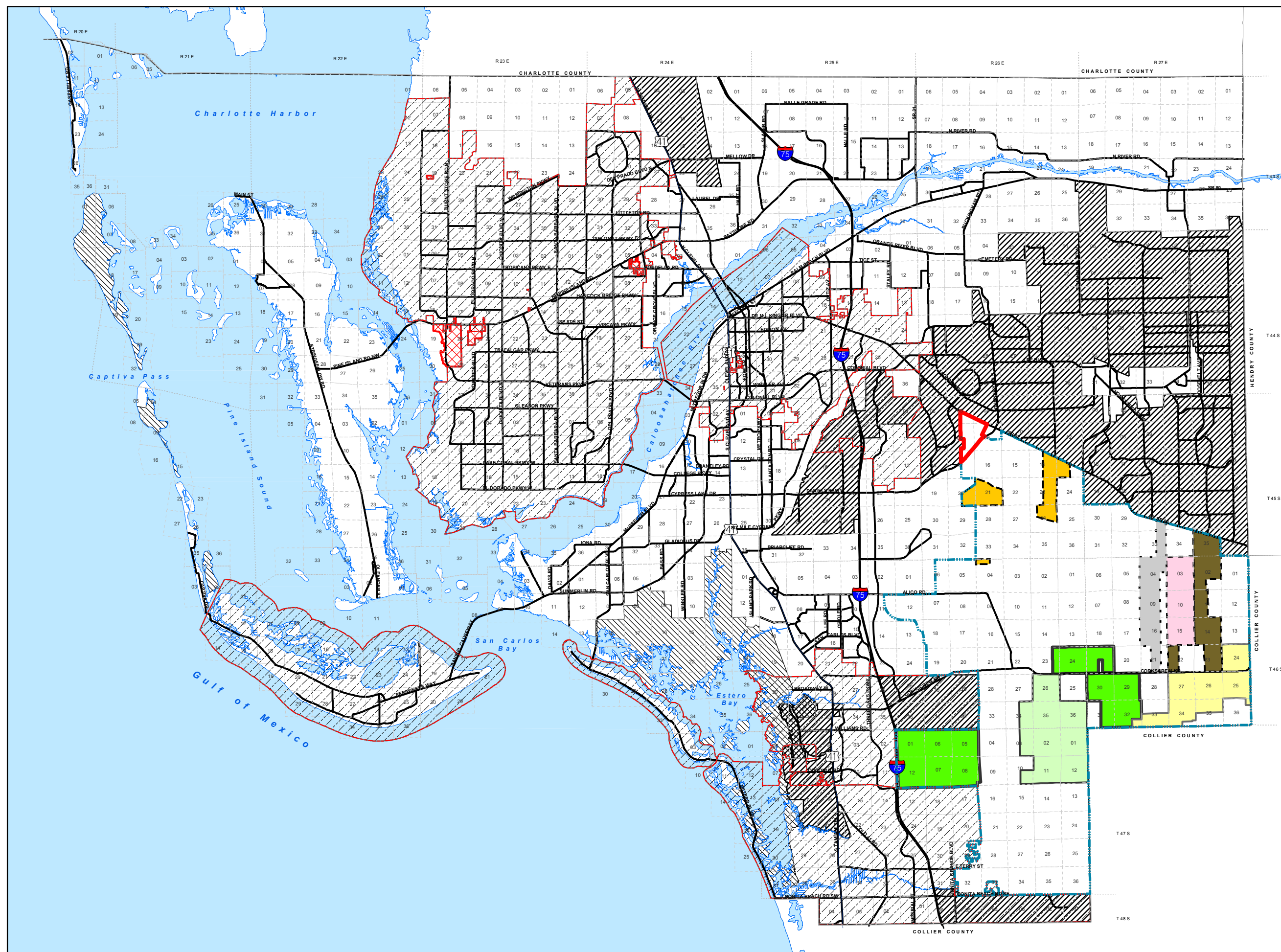
Adopted by Ord 10-19, 3/3/2010

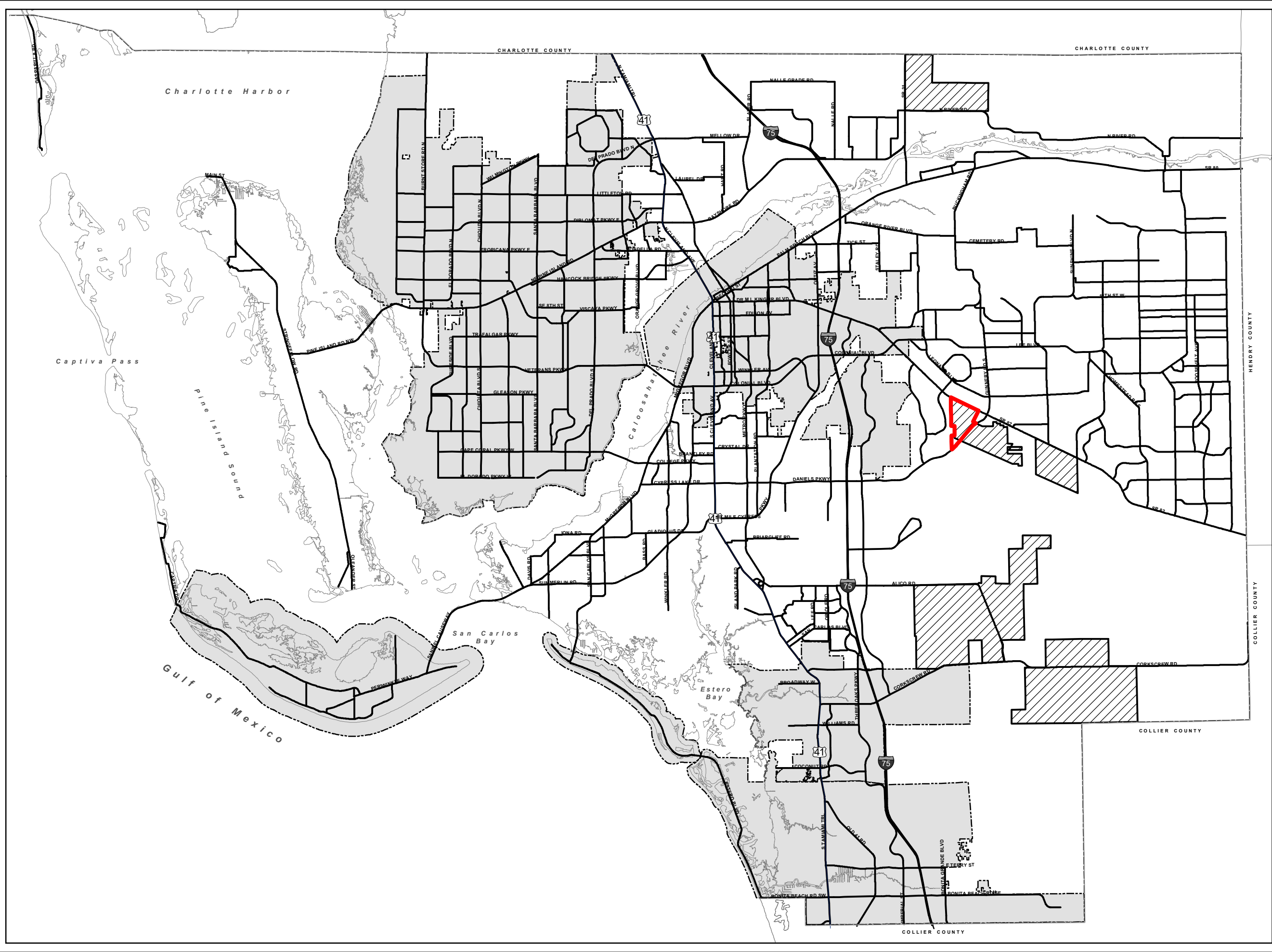
CPA2016-00007 TIMBER CREEK

- Remove from
Southeast Lee County



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





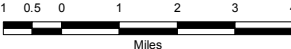
PRIVATE RECREATIONAL FACILITIES OVERLAY MAP

LEGEND

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

CPA2016-00007
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

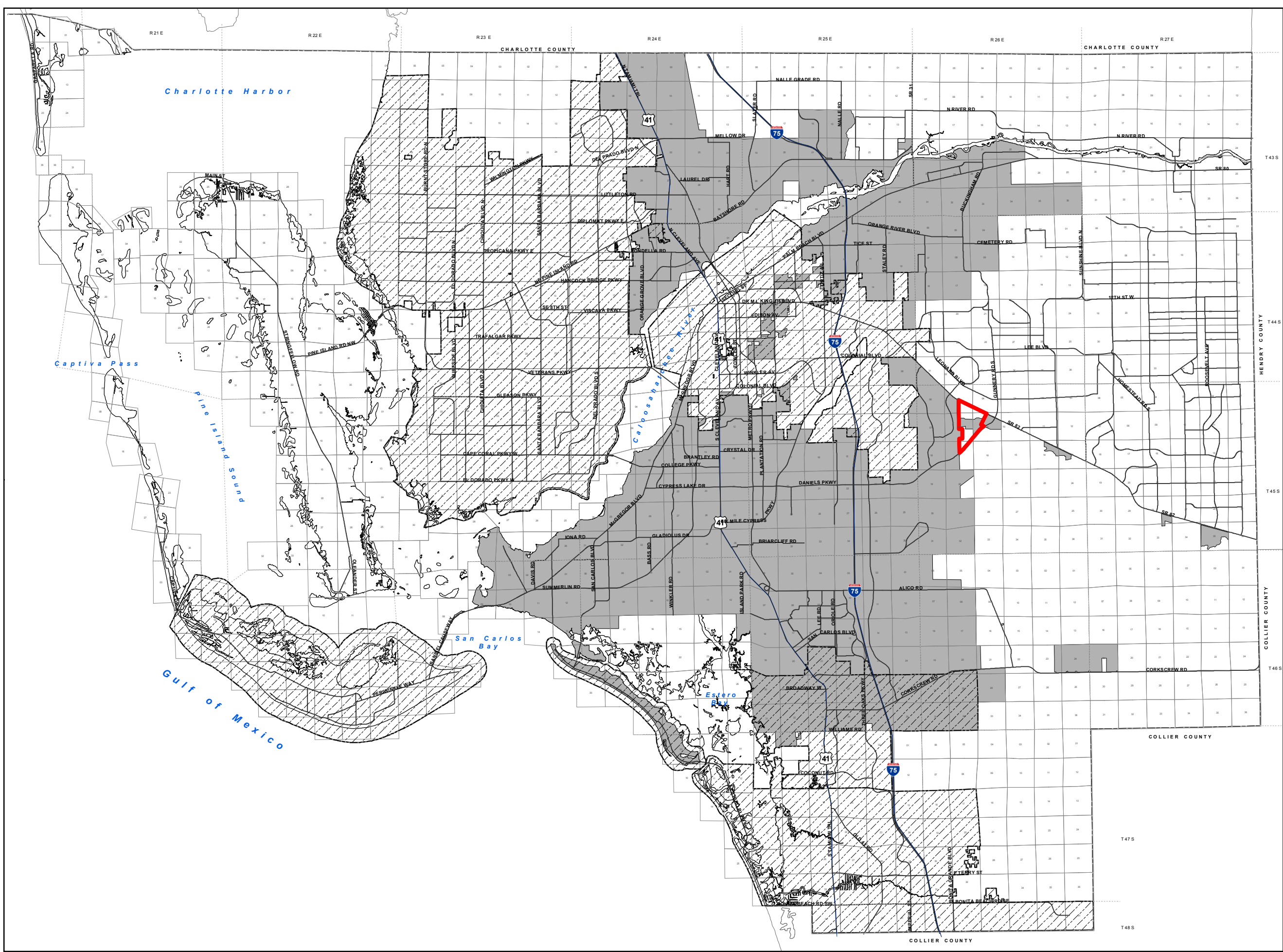
**CPA2016-00007
TIMBER CREEK**

 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, 10-06, 10-40, 10-43,
12-24, 13-16, 14-21, 15-13, 15-14

Lee Plan Map 6




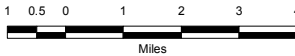
LEE COUNTY UTILITIES FUTURE SEWER SERVICE AREAS

Legend

-  City Limits
-  Future Sewer Service Areas

**CPA2016-00007
TIMBER CREEK**

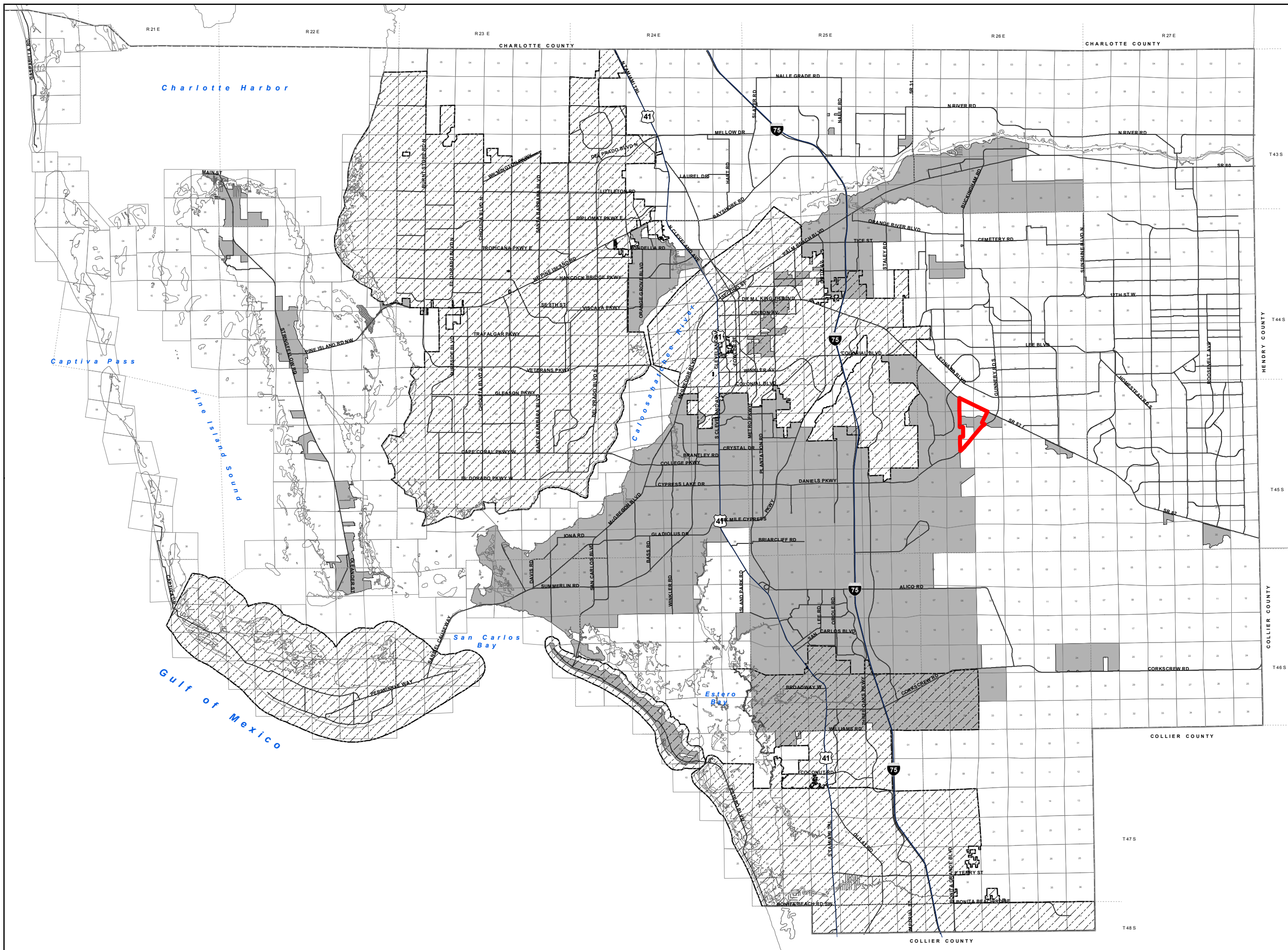
 Extend the existing service area to cover subject property

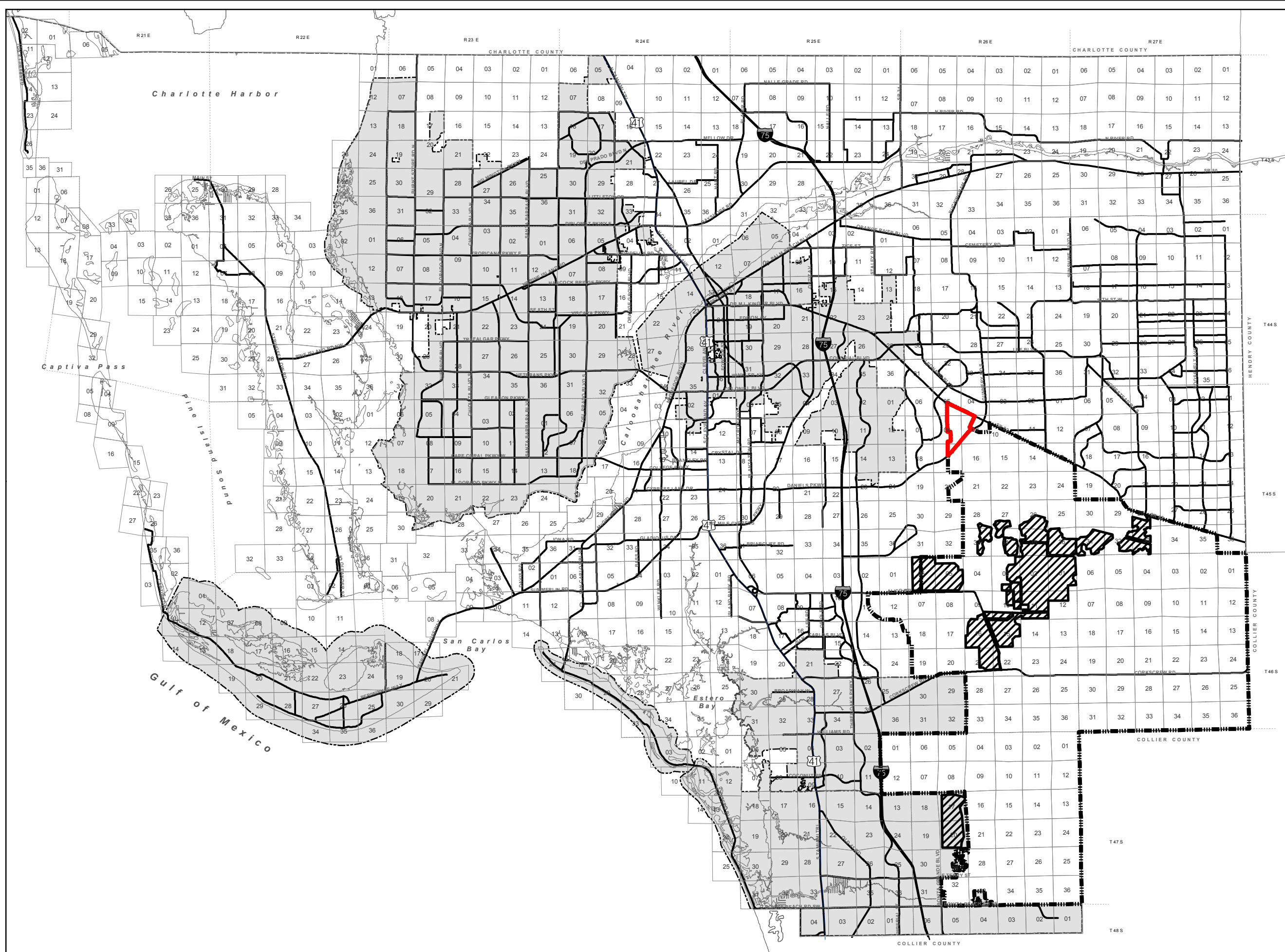


Map Generated: March 2017
Produced By: DCD/Division of Planning
City Limits current to date of map generation

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

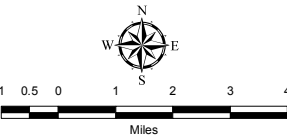
- 1. Northeast Lee County
- 2. Boca Grande
- 3. Bonita Springs
- 4. Fort Myers Shores
- 5. Burnt Store
- 6. Cape Coral
- 7. Captiva
- 8. Fort Myers
- 9. Fort Myers Beach
- 10. Gateway/Airport
- 11. Daniels Parkway
- 12. Iona/McGregor
- 13. San Carlos
- 14. Sanibel
- 15. South Fort Myers
- 16. Pine Island
- 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.

CPA2016-00007
TIMBER CREEK

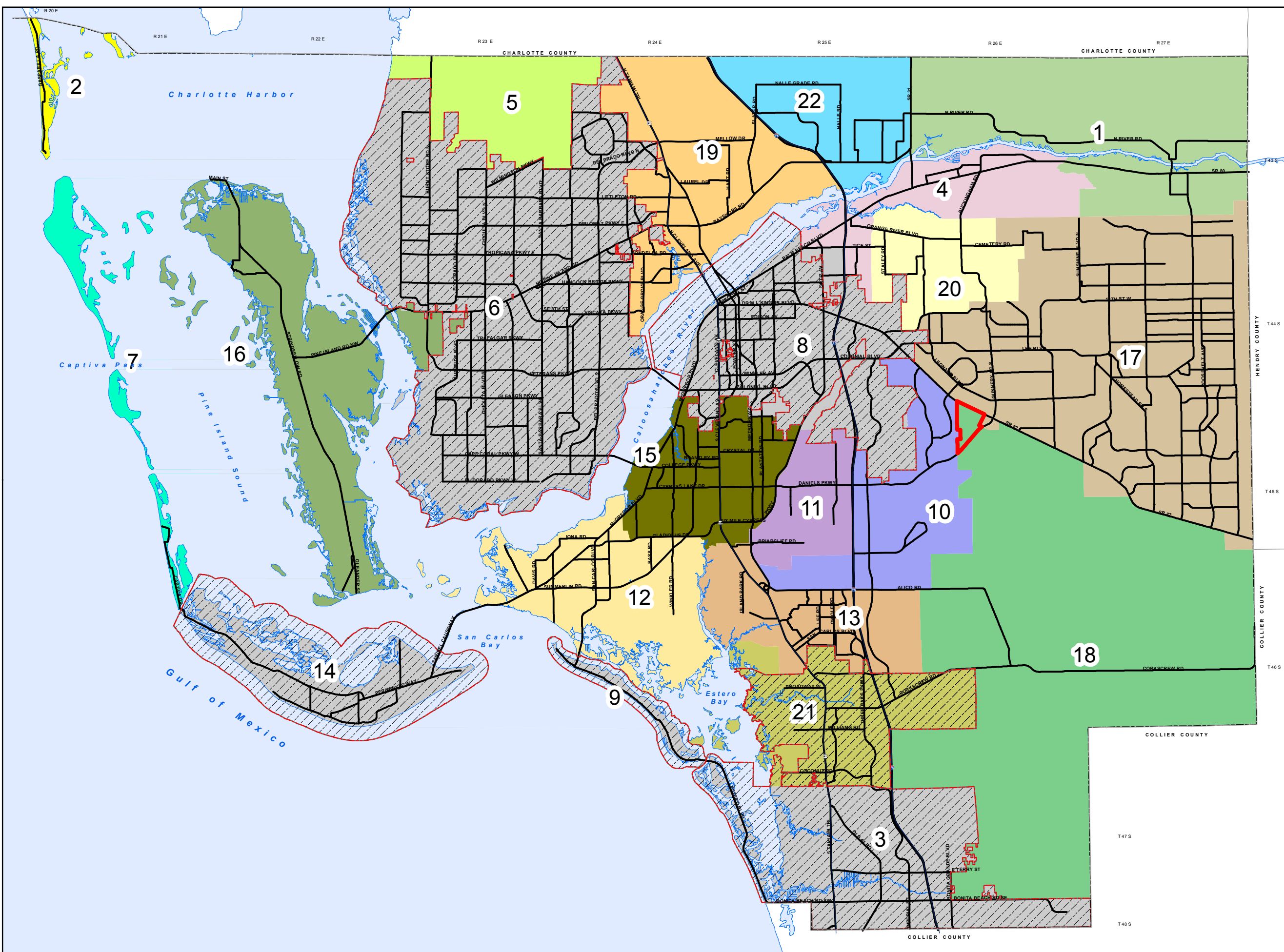
Add to Gateway/Airport
Planning Community

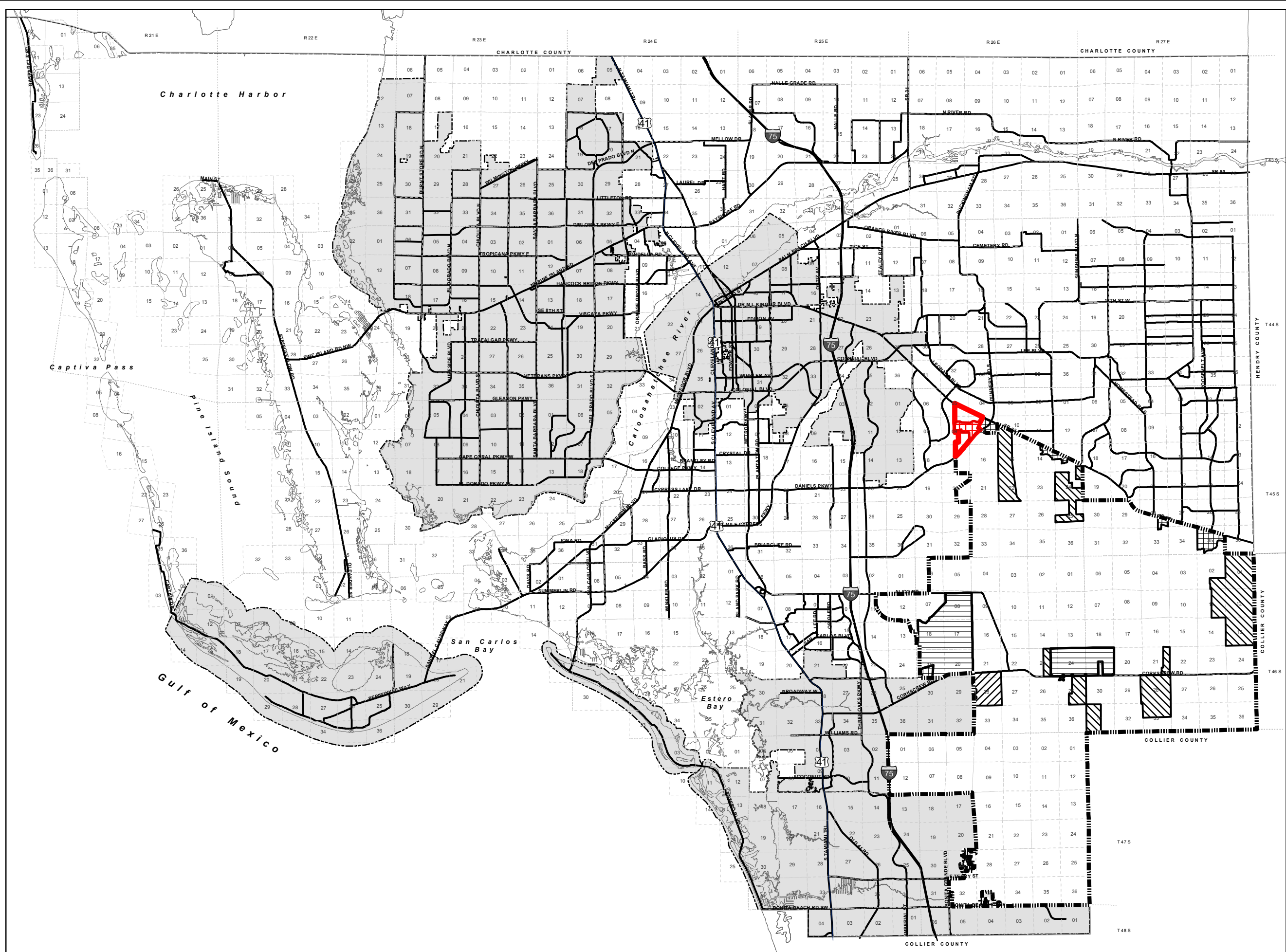


Map Generated: March 2017
City Limits current to date of map generation

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





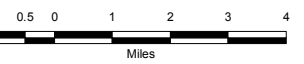
SOUTHEAST DR/GR RESIDENTIAL OVERLAY

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

CPA2016-00007
TIMBER CREEK

- Remove from Overlay
- Remove from Southeast Lee County

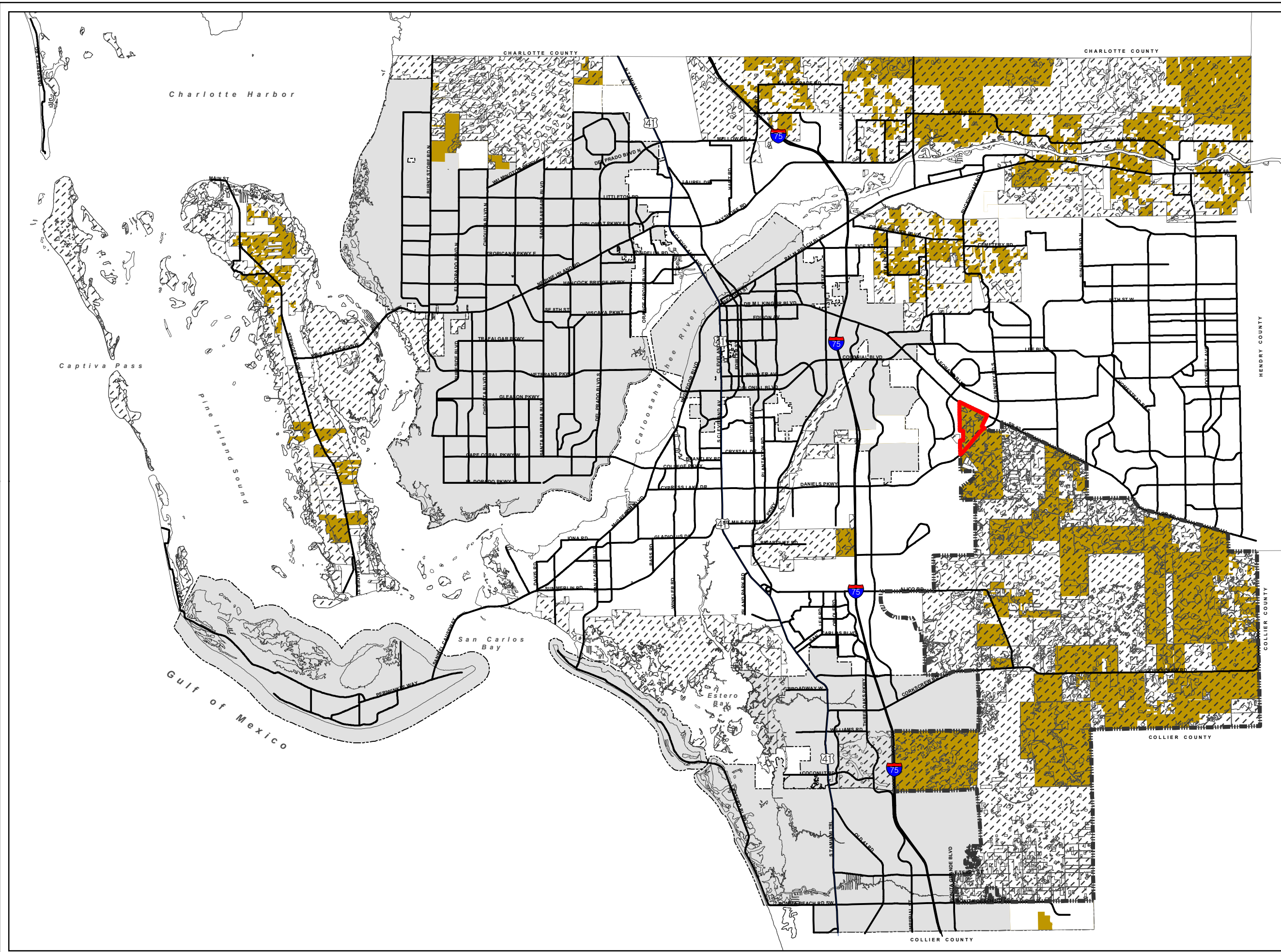


Map Generated: March 2017
City Limits current to date of map generation

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



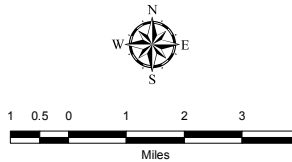
CONTIGUOUS AGRICULTURAL PARCELS OVER 100 ACRES IN NON-URBAN FUTURE LAND USE CATEGORIES

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

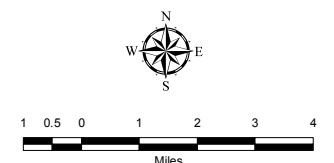
Historic Surface and Groundwater Levels

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

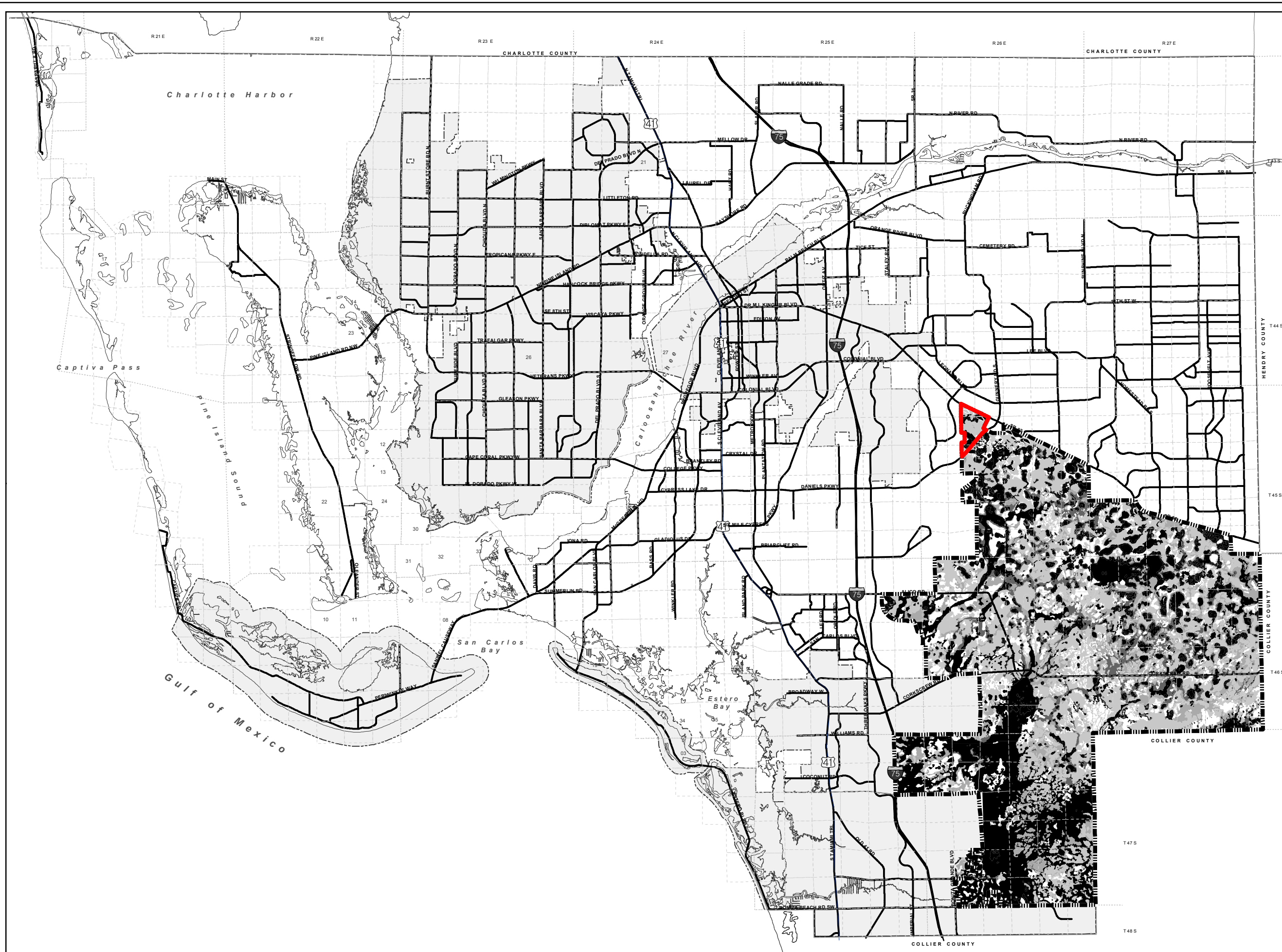


TABLE 1(b)
Year 2030 Allocation

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	
0	Intensive Development	<u>1,376</u>	<u>1,376</u>				20		27		250				
	Central Urban	<u>14,766</u>	<u>14,766</u>				225				230				
	Urban Community	<u>18,084</u>	<u>17,621</u>	520	485		637						250	<u>250</u>	
	Suburban	<u>16,623</u>	<u>16,623</u>				1,810				85				
	Outlying Suburban	<u>3,957</u>	<u>3,957</u>	30			40	20	2	500					1,552
	Sub-Outlying Suburban	<u>1,548</u>	<u>1,775</u>				367							<u>227</u>	
	Commercial														
	Industrial	<u>79</u>	<u>79</u>								39		20	<u>20</u>	
	Public Facilities	<u>1</u>	<u>1</u>							1					
	University Community	<u>850</u>	<u>850</u>												
	Destination Resort Mixed Use Water Dependent	<u>8</u>	<u>8</u>												
	Burnt Store Marina Village	<u>4</u>	<u>4</u>					4							
	Industrial Interchange														
	General Interchange	<u>125</u>	<u>125</u>										11	<u>11</u>	32
	General Commercial Interchange														
	Industrial Commercial Interchange														
	University Village Interchange														
	Mixed Use Interchange														
	New Community	<u>900</u>	<u>900</u>										900	<u>900</u>	
	Airport														
	Tradeport	<u>9</u>	<u>9</u>										9	<u>9</u>	
	Rural	<u>8,313</u>	<u>8,313</u>	1,948			1,400	636							1,500
	Rural Community Preserve	<u>3,100</u>	<u>3,100</u>												
	Coastal Rural	<u>1,300</u>	<u>1,300</u>												
	Outer Island	<u>202</u>	<u>202</u>	5			1			150					
	Open Lands	<u>2,805</u>	<u>2,805</u>	250				590							120
	Density Reduction/ Groundwater Resource	<u>6,905</u>	<u>6,905</u>	711									94	<u>94</u>	
	Conservation Lands Upland														
	Wetlands														
	Conservation Lands Wetland														
Unincorporated County Total Residential		<u>80,955</u>	<u>80,719</u>	3,464	485		4,500	1,250	29	651	604		1,284	1,511	3,204
Commercial		<u>12,793</u>	<u>12,793</u>	57	52		400	50	17	125	150		1,100	<u>1,100</u>	440
Industrial		<u>13,801</u>	<u>13,801</u>	26	3		400	5	26		300		3,100	<u>3,100</u>	10
Non Regulatory Allocations															
Public		<u>82,313</u>	<u>82,565</u>	7,100	421		2,000	7,000	20	1,961	350		7,500	<u>7,752</u>	2,477
Active AG		<u>17,027</u>	<u>17,027</u>	5,100			550	150							20
Passive AG		<u>45,585</u>	<u>45,106</u>	13,549			2,500	109					1,241	<u>1,241</u>	20
Conservation		<u>81,933</u>	<u>81,933</u>	2,214	611		1,142	3,236	133	1,603	748		2,798	<u>2,947</u>	1,733
Vacant		<u>22,768</u>	<u>23,231</u>	1,953			226	931	34		45		300	<u>300</u>	63
Total		<u>357,175</u>	<u>357,175</u>	33,463	1,572		11,718	12,731	259	4,340	2,197		17,323	<u>17,951</u>	7,967
Population Distribution (unincorporated Lee County)		<u>495,000</u>	<u>495,000</u>	5,090	1,531		30,861	3,270	225	530	5,744		15,115	<u>18,332</u>	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				
0	Intensive Development				660	3	42	42			365		9	
	Central Urban	375	17		3,140		8,179	<u>8,179</u>			2,600			
	Urban Community	850	1,000		860	500	12,422	<u>11,959</u>				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	<u>20,194</u>	4,015	<u>4,015</u>	10,753	3,326	3,254	6,230
Commercial		1,100	1,944		2,100	226	1,420	<u>1,420</u>	68	<u>68</u>	1,687	18	1,700	139
Industrial		320	450		900	64	300	<u>300</u>	7,246	<u>7,246</u>	554	5	87	5
Non Regulatory Allocations														
Public		3,550	3,059		3,500	2,100	15,289	<u>15,289</u>	12,000	<u>12,000</u>	4,000	1,486	7,000	1,500
Active AG						2,400			7,171	<u>7,171</u>	200	411	125	900
Passive AG						815			18,000	<u>17,521</u>	1,532	3,619	200	4,000
Conservation		9,306	2,969		188	14,767	1,541	<u>1,541</u>	31,359	<u>31,210</u>	1,317	336	5,068	864
Vacant		975	594		309	3,781	8,697	<u>9,160</u>	470	<u>470</u>	2,060	1,000	800	530
Total		19,355	12,978		12,867	27,466	47,904	<u>47,904</u>	80,329	<u>79,701</u>	22,103	10,201	18,234	14,168
Population Distribution (unincorporated Lee County)		34,538	36,963		58,363	13,265	160,405	<u>157,188</u>	1,270	<u>1,270</u>	71,001	6,117	25,577	8,760

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>

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.

AGENCY COMMENTS

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

August 11, 2017

RECEIVED
AUG 16 2017

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

COMMUNITY DEVELOPMENT

Dear Ms. Rozdolski:

Thank you for submitting Lee County's proposed comprehensive plan amendments submitted for our review pursuant to the Expedited State Review process. The reference number for this amendment package is **Lee County 17-6ESR**.

The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the Department's Comment Letter no later than **September 10, 2017**.

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

Sincerely,

D. Ray Eubanks, Administrator
Plan Review and Processing

DRE

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

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

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

MEMORANDUM

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

DATE: August 11, 2017

SUBJECT: EXPEDITED STATE REVIEW PROCESS

COMMENTS FOR PROPOSED COMPREHENSIVE PLAN AMENDMENT

LOCAL GOVERNMENT / STATE LAND PLANNING AGENCY AMENDMENT #:

Lee County 17-6ESR

STATE LAND PLANNING AGENCY CONTACT PERSON/PHONE NUMBER:

Brenda Winningham/850-717-8516

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

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

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

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

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

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

August 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:

RECEIVED
Div. of Community Planning and Grants

AUG 11 2017

Div. of Community Development
Dept. Economic Opportunity

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

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

September 8, 2017

RECEIVED
SEP 18 2017

COMMUNITY DEVELOPMENT

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

Dear Chairman Manning:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Lee County (Amendment No. 17-6ESR), which was received on August 11, 2017. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Department of Economic Opportunity's authorized scope of review that will be adversely impacted by the amendment if adopted.

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

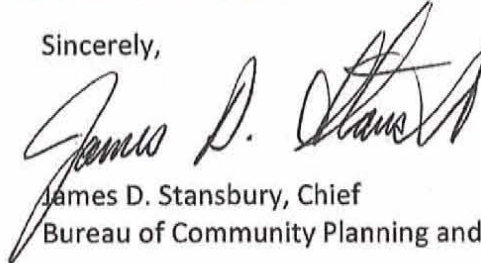
The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn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

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

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

If you have any questions concerning those reviews, please contact Valerie James, at (850) 717-8493, or by email at valerie.james@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with the first name "James" being the most prominent.

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/vj

Enclosure(s): Procedures for Adoption

cc: Brandon Dunn, Principal Planner, Lee County Planning Section
Margaret Wuerstle, Executive Director, Southwest Florida Regional Planning Council

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

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

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

_____ Department of Economic Opportunity identification number for adopted amendment package;

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

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

_____ Ordinance number and adoption date;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Miller, Janet

From: Rozdolski, Mikki
Sent: Tuesday, September 05, 2017 3:09 PM
To: Miller, Janet
Cc: Dunn, Brandon
Subject: FW: Lee County, DEO #17-6ESR Comments on Proposed Comprehensive Plan Amendment Package

Mikki Rozdolski
Manager of Planning
Lee County Community Development
email: mrozdolski@leegov.com
phone: 239-533-8309

From: Oblaczynski, Deborah [<mailto:doblaczy@sfwmd.gov>]
Sent: Tuesday, September 05, 2017 3:06 PM
To: Rozdolski, Mikki
Cc: Dunn, Brandon; Ray Eubanks (DCPexternalagencycomments@deo.myflorida.com); Brenda Winningham (brenda.winningham@deo.myflorida.com); ext-Wuerstle, Margaret (swfrpc.org)
Subject: Lee County, DEO #17-6ESR Comments on Proposed Comprehensive Plan Amendment Package

Dear Ms. Rozdolski:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from Lee County (County). The amendment will allow development of a residential community in the Sub-Outlying Suburban future land use category on 628 acres. The amendment changes the planning community to the Gateway/Airport Planning Community for the subject property. The proposed changes do not appear to adversely impact the water resources in this area; therefore, the District has no comments on the proposed amendment package.

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

Sincerely,

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

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

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



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

September 7, 2017

VIA EMAIL (bdunn@leegov.com)

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

Re: DACS Docket # -- 20170822-979
Lee County CPA2016-00007 (Timber Creek)
Submission dated August 9, 2017

Dear Mr. Dunn:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on August 22, 2017 and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendment(s) are adopted. Based on our review of your county's submission, the Department has no comment on the proposal.

If we may be of further assistance, please do not hesitate to contact me at 850-410-2280.

Sincerely,

A handwritten signature in blue ink, reading "Stormie Knight".

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

cc: Florida Department of Economic Opportunity
(SLPA #: Lee County 17-6 ESR)

Miller, Janet

From: Dunn, Brandon
Sent: Monday, October 23, 2017 9:43 AM
To: Miller, Janet
Subject: FW: Lee County 17-6ESR (CPA2017-00007)
Attachments: Timber Creek_31507_030817.pdf

From: Hight, Jason [<mailto:Jason.Hight@MyFWC.com>]
Sent: Thursday, August 17, 2017 1:56 PM
To: DCPexternalagencycomments@deo.myflorida.com; Dunn, Brandon
Cc: Keltner, James; Wallace, Traci; Chabre, Jane
Subject: Lee County 17-6ESR (CPA2017-00007)

Dear Mr. Dunn:

Florida Fish and Wildlife Conservation Commission (FWC) staff have reviewed the project referenced above. We previously provided comments and recommendations through a related commenting process for this project (see attached). Our previous comments and recommendations for fish and wildlife resources and any potential impacts from this project remain the same.

If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions, please contact Jim Keltner at (239) 332-6972 x9209 or by email at James.Keltner@MyFWC.com.

Thank you,

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

Lee County 17-6ESR_33733

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

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



Florida Fish and Wildlife Conservation Commission

Commissioners
Brian Yablonski
Chairman
Tallahassee

Aliese P. "Liesa" Priddy
Vice Chairman
Immokalee

Ronald M. Bergeron
Fort Lauderdale

Richard Hanas
Oviedo

Bo Rivard
Panama City

Charles W. Roberts III
Tallahassee

Robert A. Spottswood
Key West

Executive Staff
Nick Wiley
Executive Director
Eric Sutton
Assistant Executive Director
Jennifer Fitzwater
Chief of Staff

Office of the
Executive Director
Nick Wiley
Executive Director

(850) 487-3796
(850) 921-5786
FAV

Managing fish and wildlife
resources for their long-term
well-being and the benefit
of people.

620 South Meridian Street
Tallahassee, Florida
32399-1600
Voice: (850) 488-4676

Hearing/speech-impaired:
(800) 955-8771 (T)
(800) 955-8770 (V)

MyFWC.com

March 8, 2017

Jewelene Harris
South Florida Water Management District
2301 McGregor Boulevard
Fort Myers, FL 33901
jharris@sfwmd.gov

RE: Timber Creek, South Florida Water Management District (SFWMD)
Environmental Resource Permit (ERP) Application #160819-1, Lee County

Dear Ms. Harris:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the above-referenced permit application. We provide the following comments and recommendations as technical assistance during your review of the ERP application under Chapter 373, Florida Statutes (F.S.), and in accordance with FWC's authorities under Chapter 379, F.S.

Project Description

The applicant is seeking a conceptual permit to construct a multiphase, residential development and associated infrastructure on approximately 654 acres located southwest of the Daniels Parkway and State Road 82 intersection in Lee County. The dominant land covers on the site consist of improved pasture (268.4 acres), pine flatwoods (147.3 acres), hardwood-conifer mixed (45.9 acres), hydric pine (35.8 acres), freshwater marsh (33.1 acres), wet prairie (23.3 acres), other surface waters (17.5 acres), melaleuca (12.8 acres), shrub wetland (7.5 acres), live oak (6.3 acres), and mixed hardwoods (6.1 acres). Based on the proposed site plan, the applicant intends to impact 0.08 acres of hydric disturbed land, 2.37 acres of low pasture, 0.35 acres of freshwater marsh, 0.48 acres of wet prairie, 12.87 acres of hydric pine, 6.75 acres of melaleuca, 0.70 acres of shrub wetland, and 16.71 acres of other surface waters. The applicant is proposing to preserve and enhance 118.66 acres of wetlands and 33.15 acres of uplands as compensatory mitigation. The applicant has also submitted a permit application (SAJ-2016-01255 [SP-BEM]) to the U.S. Army Corps of Engineers (USACE).

Potentially Affected Resources

According to the *Lee County Protected Species Survey* (August 2016) by Passarella & Associates, Inc., submitted in support of the permit application, listed species surveys were conducted in April 2016. Based on the results of these surveys, little blue heron (*Egretta caerulea*, State Threatened [ST]), Florida sandhill crane (*Antigone canadensis pratensis*, ST), tri-colored heron (*Egretta tricolor*, ST), wood stork (Federally Threatened [FT]), Big Cypress fox squirrel (*Sciurus niger avicennia*, ST), four gopher tortoise (*Gopherus polyphemus*, ST) burrows, and one Florida black bear (*Ursus americanus floridanus*) scratch tree were observed on the property.

FWC staff conducted a geographic information system (GIS) analysis of the project area. Our analysis confirmed the information from the *Lee County Protected Species Survey* and also found that the project area is located near, within, or adjacent to:

- One or more wood stork nesting colony core foraging areas (CFA). The CFA constitutes an 18.6-mile radius around the nesting colony.
- U.S. Fish and Wildlife Service (USFWS) Consultation Area for the following federally listed species:
 - Florida panther (*Puma concolor coryi*, FE - Primary and Secondary Zone)
 - Florida bonneted bat (*Eumops floridanus* FE)
- Potential habitat for state- and federally listed species:
 - Eastern indigo snake (*Drymarchon corais couperi*, FT)
 - Florida pine snake (*Pituophis melanoleucus mugitus*, ST)
 - Florida burrowing owl (*Athene cunicularia*, ST)
 - Southeastern American kestrel (*Falco sparverius paulus*, ST)
 - Least tern (*Sterna antillarum*, ST)
 - Sherman's short-tailed shrew (*Blarina shermani*, ST)
- Potential habitat for the Florida black bear – South Bear Management Unit

Information provided to FWC staff by the USACE as part of permit number SAJ-2016-01255 (SP-BEM) indicates that the USACE has determined the proposed project “may affect, but is not likely to adversely affect” the wood stork or Eastern indigo snake; and “may effect” the Florida bonneted bat and Florida panther. The applicant will also be required to implement the *USFWS Standard Protection Measures for the Eastern Indigo Snake*. The USACE will request initiation of formal consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act.

Comments and Recommendations

The applicant submitted a *Protected Species Management and Human-Wildlife Coexistence Plan* (PSMP) (February 2017) for the Timber Creek project. This plan addresses conservation, avoidance, minimization, and potential mitigation measures for the Eastern indigo snake, American alligator (*Alligator mississippiensis*, FT because of similarity of appearance), Audubon's crested caracara, Florida bonneted bat, Big Cypress fox squirrel, Florida black bear, Florida panther, wood stork, and listed wading birds. According to the PSMP, the applicant intends to conserve approximately 169 acres onsite comprised of 124 acres of wetlands, 44 acres of uplands, and 1 acre of other surface waters following completion of the mitigation activities. The preserve areas will be managed for listed species occurring or potentially occurring on-site based on habitat type. The applicant intends to place a conservation easement over the conservation areas or other equivalent deed restriction with approval granted to Lee County.

In addition, signs identifying the preserve as a “nature preserve area” are anticipated to be placed around preserve areas and should include language stating “No dumping allowed”. Signs will be no closer than 10 feet from residential property. The applicant proposes to

conduct periodic seminars with future residents to further educate the community about the preservation areas, wetland benefits, human wildlife coexistence, and the benefits of prescribed fire. The habitat management, avoidance, minimization, and mitigation measures proposed generally follow accepted guidelines and practices for those species mentioned above. FWC supports the efforts put forth in the PSMP and offers the following recommendations to further the intent of the PSMP.

Least Tern

While the existing conditions onsite likely do not support least tern nesting activity, clearing associated with construction may create conditions conducive for beach-nesting bird nesting. Cleared sites such as areas that have undergone surface scraping may attract ground nesting species such as least terns or other imperiled beach-nesting birds (IBNB) during nesting season. IBNB nests have been documented on a variety of disturbed sites, including construction sites (FWC 2013). Least terns deposit their eggs in shallow depressions or scrapes in the substrate, possibly lined with pebbles, grasses, or coquina shells (FWC 2013). Egg-laying usually begins in late April or early May and colonies may range in size from a few breeding pairs to many hundreds (FWC 2013). FWC staff recommends the following measures to reduce nesting potential during construction:

- Conduct construction activities outside of the breeding season (generally April through August), if feasible,
- Clear the site only when ready to build,
- Avoid leaving cleared areas with little to no activity for an extended amount of time, and
- Monitor daily during the nesting season any cleared sites to ensure no active nests of ground nesting birds are present prior to the commencement of construction activities.

If nesting is observed, we recommend contacting FWC staff to discuss necessary nest buffers and potential permitting alternatives. For additional information, please refer to FWC's Florida Shorebird Alliance located at the following web address:

<http://www.flshorebirdalliance.org/>.

Florida Burrowing Owl

Suitable habitat for Florida burrowing owls may be found in the improved pasture habitat on the project site. Burrowing owls typically occupy open areas with short groundcover like agricultural fields and prairies. We recommend the applicant survey the property for burrowing owls and their burrows prior to construction activities to identify any burrowing owl burrows that occur onsite. If burrowing owl burrows are observed onsite, please coordinate with the FWC staff identified at the close of this letter to discuss avoidance, minimization, and permitting options.

Southeastern American Kestrel

Suitable habitat for Southeastern American kestrels may also be found in the improved pasture within the proposed project area. FWC staff recommends that the applicant conduct kestrel surveys during their nesting season (April to August) within suitable

March 8, 2017

habitat areas. Surveys from May to July are ideal to avoid confusion with the migratory subspecies of American kestrel (*Falco sparverius*). Survey guidelines, reporting criteria, and habitat needs for the Southeastern American kestrel can be found within the Florida Wildlife Conservation Guide (FWCG) at the following website:

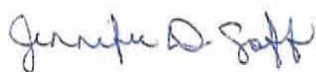
http://fwcg.myfwc.com/docs/American_Kestrel_Technical_Report.pdf. If surveys encounter active nest cavities, we recommend avoiding project activities within 150 meters of the nest tree during the breeding season (mid-March to mid-June). If nesting is discovered after construction has begun or if maintaining the recommended buffer is not possible, we recommend that the applicant contact FWC staff identified below to discuss potential permitting needs. In areas of suitable kestrel habitat, we recommend retaining snags whenever possible.

Florida Pine Snake

Though not referenced in the initial surveys or PSMP, Florida pine snakes may also occur in gopher tortoise burrows or other underground refuges found in the improved pasture and pine flatwoods habitats on the site. Florida pine snakes are naturally secretive and fossorial in nature and can spend up to 80% of their time in hidden or underground refuges like stump holes or burrows of pocket gophers, armadillos, gopher tortoises, and mice. Florida pine snakes are active from March through October but show the greatest activity in May, June, July, and October when they move more frequently and travel farther distances. Florida pine snakes are sensitive to habitat fragmentation and often negatively impacted by roadways. Additional information can be found in the Florida pine snake Species Action Plan on the FWC website at <http://www.myfwc.com/wildlifehabitats/imperiled/species-action-plans/>. If a Florida pine snake is observed during your project, work activities should cease and the snake must be allowed to leave on its own accord. It would also contribute to FWC's research efforts if sightings could be reported to the staff member at the close of this letter, preferably with a photograph and Global Positioning System (GPS) coordinates.

We appreciate the opportunity to review this project. FWC staff is available to provide additional technical assistance with the human-wildlife coexistence plan throughout the project life cycle. If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions regarding the content of this letter, please contact Mark Schulz at (863) 648-3820 or by email at Mark.Schulz@MyFWC.com.

Sincerely,



Jennifer D. Goff
Land Use Planning Program Administrator
Office of Conservation Planning Services

cc: Darin McMurray, Lennar Homes, Darin.McMurray@Lennar.com
Ryan Shute, Morris-Depew Associates, Inc., RShute@M-DA.com
Shane Johnson, Passarella & Associates, Inc., ShaneJ@passarella.net
Bri McGuffie, USACE, Brianne.E.McGuffie@usace.army.mil

Reference Cited

[FWC] Fish and Wildlife Conservation Commission. 2013. A species action plan for four imperiled beach-nesting birds: American oystercatcher (*Haematopus palliatus*), snowy plover (*Charadrius nivosus*), least tern (*Sternula antillarum*), black skimmer (*Rynchops niger*). Tallahassee, FL.



Florida Department of Transportation

RICK SCOTT
GOVERNOR

10041 Daniels Parkway
Fort Myers, FL 33913

MIKE DEW
SECRETARY

August 28, 2017

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

RE: Lee County 17-6ESR Proposed Comprehensive Plan Amendment, Expedited State Review Process – FDOT Technical Assistance Comments

Dear Mr. Dunn:

The Florida Department of Transportation (FDOT), District One, has reviewed Lee County 17-6ESR Proposed Comprehensive Plan Amendment (CPA), locally known as CPA2016-00007 (Timber Creek). The proposed CPA package was transmitted by the Board of County Commissioners in accordance with the requirements of Florida Statutes Chapter 163. FDOT offers the following technical assistance comments.

CPA OVERVIEW

CPA2016-00007 includes both text and map amendments to the Lee Plan for 628± acres generally located south of SR 82 and northwest of Daniels Parkway, east of the Gateway Community. The amendments include the following:

- Amend the Future Land Use (FLU) Map to change 479± acres of the 628± acres subject property from the Density Reduction/Groundwater Resource (DR/GR) FLU category, to Sub-outlying Suburban. The remaining 149± acres of the subject property will retain the Wetlands FLU category.
- Amend FLU Map 1 (Page 2 of 8) to eliminate the subject property from the Special Treatment Area for Community Planning Areas.
- Amend FLU Map 1 (Page 4 of 8) to eliminate the subject property from the Special Treatment Area for Southeast Lee County.



- Amend FLU Map 4 to eliminate the property from the Private Recreational Facilities Overlay Map.
- Amend the FLU Maps 6 and 7 (Lee County Utilities Future Water and Sanitary Sewer Service Areas) to extend the existing service area to cover the remainder of the subject property, and to allow a residential community consistent with the Sub-Outlying Suburban FLU category on the subject property.
- Amend FLU Map 14 to eliminate the 628± acres of the subject property from the Southeast Lee County Area of the Future Limerock Mining Overlay.
- Amend FLU Map 16 to remove 628± acres of the subject property from the Southeast Lee County Planning Community and re-designate this portion of the property to the Gateway/Airport Planning Community.
- Amend FLU Map 17 to remove the subject property from the Southeast DR/GR Residential Overlay.
- Amend FLU Map 20 to remove the subject property from the Southeast Lee County Area of Contiguous AG Parcels over 100 acres in Non-Urban FLU.
- Amend FLU Map 25 to remove the subject property from the Southeast Lee County Area of Historic Surface and Groundwater Levels Map.
- Amend Table 1(b) reallocating the 628± acres from DR/GR to Sub-outlying Suburban FLU.

Per the staff report, the overall intent of the amendments can be generalized into three categories:

1. Amendments to allow relatively low density residential development on the subject property;
2. Amendments to identify the subject property as being in the Gateway/Airport Planning Community; and
3. Amendments to maintain internal consistency within the Lee Plan.

ANALYSIS

As noted earlier, the subject property encompasses approximately 628± acres, of which 479± acres are designated as DR/GR FLU, and the remaining 149± acres are designated as Wetlands. Based on the staff report, the Applicant proposes to re-designate the upland portions (479± acres) of the property from DR/GR to Sub-Outlying Suburban and keep the 149± acres of Wetlands.

According to the currently adopted FLU designation of DR/GR, the maximum development that can occur on the 479± acres is 47 single family dwelling units (1 DU/10 Acres), resulting in 524 daily trips or 53 p.m. peak hour trips. According to the proposed FLU designation of Sub-Outlying Suburban, the maximum development that can occur on the 479± acres is 958 single family dwelling units (2 DUs/Acre), which would result in 8,397 daily trips or 803 p.m. peak hour trips. ***The proposed amendment would result in a net increase of 7,873 daily trips or 750 p.m. peak hour trips.***

The following table summarizes the maximum trip generation potential for the currently adopted and proposed land uses, and the change in trips as a result of the proposed amendment.

TRIP GENERATION COMPARISON FOR LEE COUNTY 17-6ESR

Scenario	Land Use Designation	Maximum Allowed Density / Intensity	Land Use Code	Size of Development		Daily Trips ¹	PM Peak Hour Trips ¹
				Acres	Allowed Development		
Adopted	DR/GR	1 DU/10 Acres	210	479	47 DUs	524	53
Proposed	S-O SUBURBAN	2 DUs/Acre	210	479	958 DUs	8,397	803
Change in Trips						+7,873	+750

1. Trip generation based on the rates and/or equations obtained in the ITE Trip Generation Manual (9th Edition).

As seen in the following tables, a planning level analysis was prepared to establish whether State roadways in the vicinity of the project will operate at their adopted level of service (LOS) standards during the existing (2016), short-term (2022), and long-term (2040) horizon year conditions.

YEAR 2016 EXISTING ROADWAY CONDITIONS

Roadway	From	To	SIS/E-SIS?	LOS Std. ¹	2016 Daily Conditions				
					No. of Lanes	Service Volume	Volume ²	LOS	Acceptable?
SR 82/ Immokalee Rd	Gateway Blvd	Griffin Dr/ Ray Ave S	ES	D	2	19,514	18,900	D	Yes
SR 82/ Immokalee Rd	Griffin Dr/ Ray Ave S	Daniels Pkwy/ Gunnery Rd S	ES	D	2	19,514	17,200	C	Yes
SR 82/ Immokalee Rd	Daniels Pkwy/ Gunnery Rd S	Alabama Rd	ES	D	2	24,200	28,137	E	No

1. Adopted LOS Standard obtained from the Lee County.

2. 2016 Volumes obtained from 2016 FDOT District One LOS Spreadsheet.

YEAR 2022 SHORT-TERM HORIZON ROADWAY CONDITIONS

Roadway	From	To	2022 Daily Conditions (E+C)								
			No. of Lanes ¹	LOS Std. ²	Service Volume	Back-ground Volume ³	Project Trip Dist. ⁴	Project Trips	Total Volume	LOS	Acceptable?
SR 82/ Immokalee Rd	Gateway Blvd	Griffin Dr/ Ray Ave S	6	D	62,895	24,367	50.0%	3,937	28,303	C	Yes
SR 82/ Immokalee Rd	Griffin Dr/ Ray Ave S	Daniels Pkwy/ Gunnery Rd S	6	D	62,895	22,529	50.0%	3,937	26,466	C	Yes
SR 82/ Immokalee Rd	Daniels Pkwy/ Gunnery Rd S	Alabama Rd	6	D	98,300	36,183	50.0%	3,937	40,120	B	Yes

1. Number of Lanes (based on E+C Condition) obtained from 2016 FDOT District One LOS Spreadsheet.

2. Adopted LOS Standard obtained from Lee County.

3. The short-term planning horizon year 2022 background volume was obtained based on interpolation between 2016 and 2040 volumes.

4. Project Trip Distribution was assumed based on the worst case scenario.

YEAR 2040 LONG-TERM HORIZON ROADWAY CONDITIONS

Roadway	From	To	2040 Daily Conditions								
			No. of Lanes ₁	LOS Std. ₂	Service Volume	Back-ground Volume ₃	Project Trip Dist ₄	Project Trips	Total Volume	LOS	Acceptable?
SR 82/ Immokalee Rd	Gateway Blvd	Griffin Dr/ Ray Ave S	6	D	62,895	40,767	50.0%	3,937	44,704	C	Yes
SR 82/ Immokalee Rd	Griffin Dr/ Ray Ave S	Daniels Pkwy/ Gunnery Rd S	6	D	62,895	38,516	50.0%	3,937	42,453	C	Yes
SR 82/ Immokalee Rd	Daniels Pkwy/ Gunnery Rd S	Alabama Rd	6	D	98,300	60,321	50.0%	3,937	64,258	C	Yes

1. Number of Lanes from 2040 District One Regional Planning Cost Feasible Model.
2. Adopted LOS Standard obtained from the Lee County.
3. The long-term planning horizon year 2040 background volume was obtained based on an average of 2040 model volumes and 2040 historical trend volumes.
4. Project Trip Distribution was assumed based on the worst case scenario.

Based on the planning level analysis, all State roadway segments within three miles of the subject property are expected to operate at acceptable Level of Service (LOS) conditions during the existing, short-term, and the long-term planning horizons, with the exception of the segment of SR 82/Immokalee Road from Daniels Parkway/Gunnery Road S. to Alabama Road. This segment of SR 82/Immokalee Road operates at unacceptable LOS conditions in the existing year (2016); however, it is programmed in the FDOT 5-Year Work Program and the Lee County MPO Transportation Improvement Program (TIP) - FY 2017/18 - 2021/22 for widening to 6-lanes under FM #425841-1 for SR 82/Immokalee Road from CR 884/Lee Boulevard to Shawnee Road, and FM #425841-2 for the segment from Shawnee Road to Alabama Road.

As a result, FDOT offers no comments on the proposed CPA map amendment pertaining to the capacity of SR 82. In addition, FDOT offers no comment on the remaining map and text amendments, which are included to maintain internal consistency within the Lee Plan and to identify the subject property within the Gateway/Airport Planning Community. FDOT does however, offer the following technical assistance comments to improve safety, livability and the regional mobility of freight and people, which are not grounds for objection.

FDOT Technical Assistance Comment #1:

The subject property of this CPA is located along the south side of SR 82/Immokalee Road. As noted earlier, the segments of SR 82/Immokalee Road from CR 884/Lee Boulevard to Shawnee Road and from Shawnee Road to Alabama Road, are programmed in the FDOT 5-Year Work Program and the Lee County MPO TIP for widening to 6-lanes under FM numbers 425841-1 and 425841-2. As part of the widening projects, the intersection of SR 82/Immokalee Road and Daniels Parkway/Gunnery Road is being reconstructed as a Continuous Flow Intersection.

In addition, based on the information included in a companion rezone application for the Timber Creek Residential and Mixed-Used Planned Developments (case number DCI2016-00015), there are several new connections being proposed to SR 82/Immokalee Road and along Daniels Parkway. Any access to SR 82/Immokalee Road will be subject to the FDOT permitting process as described in Rule 14-96 FAC. Based upon a discussion with FDOT Access Management, it appears there is coordination with Mark Clark, FDOT District One Access Management Specialist to determine the appropriate connection(s) to SR 82 to assure the safe and efficient operation of the roadway. The Department encourages close coordination with the FDOT District One Access Management team.

FDOT Technical Assistance Comment #2:

The new trips associated with Lee County 17-6ESR (CPA2016-00007 (Timber Creek)) are expected to serve residential developments. State roadways are planned, designed and constructed in harmony with the surrounding land use characteristics. The programmed widening projects for the segments of SR 82/Immokalee Road from CR 884/Lee Boulevard Alabama Road will include sidewalks on the north side of SR 82/Immokalee Road, a shared-use path along the south side of SR 82/Immokalee Road, bicycle lanes along both sides of SR 82/Immokalee Road, and lighting improvements. This context sensitive approach promotes healthy, safe, and economically viable communities that encourages quality of life, and incorporates all modes of transportation.

FDOT welcomes the opportunity to partner with, and provide technical assistance to Lee County to create these types of multimodal transportation facilities to serve all users, and offers several initiatives that aid in creating quality developments while protecting future mobility on the regional roadway network. These include "Complete Streets"¹, modern roundabouts², and a commitment to bicycle and pedestrian safety³.

FDOT Technical Assistance Comment #3:

There are currently no transit facilities in place that serve the proposed CPA area. FDOT notes that along with this proposed development, the southwest regions of Lee, Hendry and Collier Counties (along SR 82/Immokalee Road) are anticipated to grow significantly in the future. The SIS transportation facilities that serve these regions were developed to accommodate all forms of transportation for moving people and goods, and provides multimodal alternatives to vehicular trips beyond vehicular capacity improvements. FDOT encourages coordination with Lee Tran to assess the demand for transit connections in this area of the County. The use of multimodal transportation alternatives can help to decrease overall passenger vehicle trips on local and State/SIS roadways.

¹ <http://www.flcompletestreets.com/>

² <http://www.dot.state.fl.us/rddesign/Roundabouts/Default.shtm>

³ <http://www.alerttodayflorida.com/>

Mr. Brandon Dunn
Lee County 17-6ESR Proposed CPA – FDOT Technical Assistance Comments
August 28, 2017
Page 6 of 6

Thank you for providing FDOT with the opportunity to review and comment on the proposed amendments. If you have any questions or need to discuss these comments further, please contact me at (239) 225-1981 or sarah.catala@dot.state.fl.us.

Sincerely,

A handwritten signature in black ink, appearing to be 'SA' with a stylized flourish extending to the right.

Sarah Catala
SIS/Growth Management Coordinator
FDOT District One

CC: Mr. Ray Eubanks, Florida Department of Economic Opportunity

Miller, Janet

From: Dunn, Brandon
Sent: Wednesday, August 30, 2017 4:30 PM
To: Rozdolski, Mikki; Miller, Janet
Subject: FW: Lee County 17-6ESR Proposed

Please see correspondence below from FDEP concerning Timber Creek (CPA2016-07)

Brandon D. Dunn, Principal Planner
Lee County Department of Community Development
Planning Section
bdunn@leegov.com
239.533.8585

From: Plan_Review [<mailto:Plan.Review@dep.state.fl.us>]
Sent: Wednesday, August 30, 2017 3:48 PM
To: Dunn, Brandon; DCPexternalagencycomments
Cc: Plan_Review
Subject: Lee County 17-6ESR Proposed

To: Brandon Dunn, Principal Planner

Re: Lee County 17-6ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

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

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

Please submit all future amendments by email to plan.review@dep.state.fl.us. If your submittal is too large to send via email or if you need other assistance, contact Suzanne Ray at (850) 717-9037.

