

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR



September 27, 2017

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

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 17-7ESR**.

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 **October 25, 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

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Rick Scott
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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: September 27, 2017

SUBJECT: EXPEDITED STATE REVIEW PROCESS

COMMENTS FOR PROPOSED COMPREHENSIVE PLAN AMENDMENT

LOCAL GOVERNMENT/ STATE LAND PLANNING AGENCY AMENDMENT #:

Lee County 17-7ESR

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.

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September 22, 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
September 20, 2017 Transmittal Hearing

Dear Mr. Eubanks:

In accordance with the provisions of F.S. Chapter 163, please find attached the proposed Comprehensive Plan Amendments, known locally as CPA2016-00009 (Verdana), CPA2017-00003 (Capital Improvements/Water Supply Mgt), and CPA2017-00004 (North Fort Myers Overlay Expansion). The proposed amendments are being submitted through the expedited state review process as described in Chapter 163.3184. The amendments are as follows:

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; Maps 6 and 7 to include the property within the Future Potable Water and Sewer Service area; and 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 south of Corkscrew Road and to change the time that agricultural uses must be ceased.

CPA2017-00003, Capital Improvements/Water Supply Mgt: Amend the Lee Plan to align provisions within Lee Plan Goals 2, 4, 53, 54, 55, 56, 67, 58, 60, 61, 62, 64, 66, 67, 76, 79, 82, 83, 84, 95, 115, and 117 with the Board of County Commissioners strategic policy priority of managing growth (provision of adequate public facilities and services). The amendments will also reduce redundancies; align with state statutes; and, provide better organization of the Lee Plan.

CPA2017-00004, North Fort Myers Overlay Expansion: Amend Lee Plan Map 1, Page 6, to expand the Mixed Use Overlay on 56 properties, approximately 287.57 acres, located at the intersections of US 41 and Diplomat and Littleton Roads, and the intersection of North Tamiami Trail and Pine Island Road along North Key Drive in North Fort Myers.

The Local Planning Agency held a public hearing for CPA2016-00009 and CPA2017-00003 on June 26th, and held a hearing for CPA2017-00004 on August 28th. The Board of County Commissioners transmittal hearing was held on September 20, 2017. At the transmittal hearing, the Board of County Commissioners voted to transmit the attached Lee Plan amendments. The proposed amendments are not applicable to an area of critical state concern. The Board of County Commissioners has stated its intent to hold an adoption hearing following the receipt of the review agencies' comments.

RECEIVED
Div. of Community Planning and Growth
SEP 25 2017
Div. of Community Development
Dept. Economic Opportunity

The name, title, address, telephone number, facsimile number, and email address of the person for the local government who is most familiar with the proposed amendments is as follows:

Mr. Brandon Dunn, Principal Planner
Lee County Planning Section
P.O. Box 398
Fort Myers, Florida 33902-0398
(239) 533-8809
Fax (239) 485-8319
Email: bdunn@leegov.com

Included with this package are one paper copy and two CD ROM copies, in PDF format, of the proposed amendment and supporting data and analysis. By copy of this letter and its attachments, I certify that this amendment and supporting data and analysis have been sent on this date to the agencies listed below.

Sincerely,



Mikki Rozdolski, Planning Manager
Department of Community Development
Planning Section

All documents and reports attendant to this transmittal are also being sent, by copy of this cover in 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

October 26, 2017

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. 17-7ESR) which was received on September 26, 2017. We have reviewed the proposed amendment pursuant to the expedited state review process in Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comments related to important state resources and facilities within the Department'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 reviewing agency comments could form the basis for a challenge to the amendment after adoption.

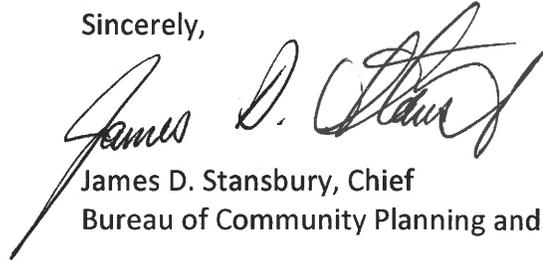
The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second 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 and any affected party that provided comment on the amendment.

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If you have any questions concerning this review, please contact Diana Elsner, Planning Analyst, by telephone at (850) 717-8489 or by email at diana.elsner@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with a long, sweeping underline that extends to the left.

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

JDS/de

Enclosure(s): Procedures for Adoption

cc: Brandon Dunn, Principal Planner, Lee County Planning Section
Margaret Wuerstle, Executive Director, Southwest 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: Dunn, Brandon
Sent: Tuesday, October 17, 2017 3:05 PM
To: Rozdolski, Mikki; Miller, Janet
Subject: FW: Lee County 17-7ESR Proposed

Please see correspondence from FDEP concerning the proposed Verdana CPA.

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: Tuesday, October 17, 2017 2:57 PM
To: Dunn, Brandon; DCPexternalagencycomments
Cc: Plan_Review; 'Oblaczynski, Deborah'
Subject: Lee County 17-7ESR Proposed

To: Brandon Dunn, Principal Planner

Re: Lee County 17-7ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

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

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

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction. The Department does, however, agree with the LPA's proposed changes to Policy 33.3.4.2i., regarding agricultural row-crop usage within the property.

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

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

Suzanne E. Ray



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 Transportation

RICK SCOTT
GOVERNOR

10041 Daniels Parkway
Fort Myers, FL 33913

MIKE DEW
SECRETARY

October 23, 2017

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

RE: Lee County 17-7ESR 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 the Lee County 17-7ESR Proposed Comprehensive Plan Amendment (CPA). The CPA package includes three independent amendments, including CPA2016-00009 (Verdana), CPA2017-00004 (North Fort Myers Overlay Expansion), and CPA2017-00003 (Capital Improvements/Water Supply Management). The proposed package was transmitted by the Lee County Board of County Commissioners in accordance with the requirements of Florida Statutes Chapter 163. Below is a description for each independent CPA followed by FDOT technical assistance comments as appropriate.

1. CPA2016-00009 (VERDANA) – MAP AND TEXT AMENDMENTS:

The Verdana property is a 1,460+/- acre property located along Corkscrew Road, approximately 10-miles east of I-75. The CPA proposes the following changes:

- Amend Map 17, Southeast Density Reduction / Groundwater Resource (DR/GR) Residential Overlay to designate the 1,460+/- acre property as an Environmental Enhancement and Preservation Community.
- Amend Maps 6 and 7 to include the property within the Future Potable Water and Sewer Service areas.
- 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 two miles south of Corkscrew Road and to change the time that agricultural uses must be ceased.



According to the adopted Lee Plan DR/GR Overlay, the maximum development that could occur on the 1,460± acres is 146 dwelling units (DUs), which would result in approximately 1,488 daily or 148 p.m. peak hour trips. The proposed amendment would result in a maximum of 1,460 single-family DUs, which would result in approximately 12,373 daily trips or 1,173 p.m. peak hour trips. As indicated in the table below, the proposed development could result in a net increase of 10,885 daily or 1,025 p.m. peak hour trips.

TRIP GENERATION COMPARISON

| Scenario | Land Use Designation | Maximum Allowed Density / Intensity | ITE Land Use Code | Size of Development | | Daily Trips ¹ | PM Peak Trips ¹ |
|------------------------|--|-------------------------------------|-------------------|---------------------|---------------------|--------------------------|----------------------------|
| | | | | Acres | Allowed Development | | |
| Approved | DR/GR | 1 DU/10 Acres ¹ | 210 | 1,460 | 146 DU | 1,488 | 148 |
| Proposed | Environmental Enhancement and Preservation Overlay | 1 DU/Acre | 210 | 1,460 | 1,460 DU | 12,373 | 1,173 |
| Change in Trips | | | | | | +10,885 | +1,025 |

1. Trip generation based on the rates and 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 near the project will operate at their adopted level of service (LOS) standards, as identified within the Lee County's comprehensive plan during the existing (2016), short-term (2022), and long term (2040) horizon year conditions.

YEAR 2016 EXISTING ROADWAY CONDITIONS

| Roadway | From | To | SIS? | LOS Std. | 2016 Conditions | | | | |
|-------------|------------------------|------------------------|-----------------|----------|-----------------|-----------------------------|---------|-----|-------------|
| | | | | | No. of Lanes | Service ² Volume | AADT | LOS | Acceptable? |
| SR 93/ I-75 | CR 865/Bonita Beach Rd | CR 850/ Corkscrew Rd | Y | D | 6 | 111,800 | 100,500 | D | Yes |
| SR 93/ I-75 | CR 850/ Corkscrew Rd | Alico Rd | Y | D | 6 | 111,800 | 100,500 | D | Yes |
| SR 93/ I-75 | Alico Rd | Terminal Access Rd | Y | D | 6 ³ | 151,800 | 98,964 | B | Yes |
| Alico Road | I-75 | Ben Hill Griffin Pkwy. | SC ¹ | E | 6 | 56,606 | 23,925 | C | Yes |

1. SC = SIS Highway Connector
2. Service Volume at the Lee County Adopted LOS Standard
3. Includes auxiliary lanes

YEAR 2022 SHORT-TERM HORIZON ROADWAY CONDITIONS

| Roadway | From | To | LOS Std. | 2022 Conditions | | | | | | | |
|------------|------------------------|------------------------|----------|-----------------|-----------------------------|---------------------------------|---------------|------------------------------|------------|-----|-------------|
| | | | | No. of Lanes | Service Volume ¹ | Background Traffic ² | Project Dist. | Project Traffic ³ | Total AADT | LOS | Acceptable? |
| SR 93/I-75 | CR 865/Bonita Beach Rd | CR 850/Corkscrew Rd | D | 6 | 111,800 | 109,823 | 15% | 1,633 | 111,456 | D | Yes |
| SR 93/I-75 | CR 850/Corkscrew Rd | Alico Rd | D | 6 | 111,800 | 108,772 | 20% | 2,177 | 110,949 | D | Yes |
| SR 93/I-75 | Alico Rd | Terminal Access Rd | D | 6 ⁴ | 151,800 | 110,126 | 10% | 1,089 | 111,215 | C | Yes |
| Alico Road | I-75 | Ben Hill Griffin Pkwy. | E | 6 | 56,606 | 25,678 | 15% | 1,633 | 27,310 | C | Yes |

1. Service Volume at the Lee County Adopted LOS Standard.
2. The short-term planning horizon year 2022 background volume was obtained based on interpolation between 2016 and 2040 volumes.
3. Distributions based on Verdana Comprehensive Plan Amendment Traffic Study, Revised Exhibits (December 1, 2016) and engineering judgement.
4. Includes auxiliary lanes

YEAR 2040 LONG-TERM HORIZON ROADWAY CONDITIONS

| Roadway | From | To | LOS Std. | 2040 Conditions | | | | | | | |
|------------|------------------------|------------------------|----------|-----------------|-----------------------------|---------------------------------|---------------|------------------------------|------------|-----|-------------|
| | | | | No. of Lanes | Service Volume ¹ | Background Traffic ² | Project Dist. | Project Traffic ³ | Total AADT | LOS | Acceptable? |
| SR 93/I-75 | CR 865/Bonita Beach Rd | CR 850/Corkscrew Rd | D | 6 | 111,800 | 137,791 | 15% | 1,633 | 139,424 | F | No |
| SR 93/I-75 | CR 850/Corkscrew Rd | Alico Rd | D | 6 | 111,800 | 133,586 | 20% | 2,177 | 135,763 | F | No |
| SR 93/I-75 | Alico Rd | Terminal Access Rd | D | 6 ⁴ | 151,800 | 143,613 | 10% | 1,089 | 144,702 | D | Yes |
| Alico Road | I-75 | Ben Hill Griffin Pkwy. | E | 6 | 56,606 | 30,935 | 15% | 1,633 | 32,568 | C | Yes |

1. Service Volume at the Lee County Adopted LOS Standard.
2. The long-term planning horizon year 2040 background volume is based on an average of trends analysis and model volumes.
3. Distributions based on Verdana Comprehensive Plan Amendment Traffic Study, Revised Exhibits (December 1, 2016) and engineering judgement.
4. Includes auxiliary lanes

Based on the planning level analysis, the segment of I-75 from CR 865/Bonita Beach Road to Alico Road is expected to operate below acceptable conditions during the long-term planning horizon, without the project trips.

The Lee County MPO 2040 Long-Range Transportation Plan (LRTP) Needs Plan Projects (Table C-1) identifies the segment of I-75 from the Lee/Collier County Line to Lockett Road as a needed widening project from 6-lanes to an 8-lane facility.

Based on the review, FDOT offers the following technical assistance comments.

FDOT Technical Assistance Comment #1:

The State and SIS transportation facilities that serve this part of the County 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 notes that there are currently no transit facilities in place to serve the proposed development associated with this CPA. As this eastern portion of the County continues to grow, FDOT encourages Lee County to promote multimodal connectivity between existing and future development areas and to coordinate with Lee Tran to assess the demand for transit connections. FDOT supports this type of collaboration, as enhanced multi-modal facilities help with the reduction of automobile dependency on the local and regional roadway network.

FDOT Technical Assistance Comment #2:

FDOT notes that Alico Road has been identified in the Lee County MPO 2040 Transportation Plan as a Tier Two Freight Facility. The segment of Alico Road from Airport Haul Road to the Alico Connector is home to several large mining operations such as Vulcan Materials-Florida Rock and Youngquist Brothers Rock. Based on 2016 traffic count data (FDOT Florida Traffic Online, 2016), Alico Road east of Ben Hill Griffin Parkway has a high volume of truck traffic (approximately 3,400 trucks daily), which accounts for approximately 53% of the total daily traffic along this segment.

The high growth in residential developments within this area, along with this proposed project, will cumulatively generate a significant amount of automobile vehicle trips along the roadway blending with a high volume of truck traffic. This increases the potential for truck/car conflicts. In addition to the programmed widening projects, other operational improvements should be investigated to minimize the potential for conflicts between cars and trucks

FDOT Technical Assistance Comment #3:

As previously noted, the various developments approved and planned along Corkscrew Road are large residential areas. FDOT notes that these developments do not include specific language regarding the use of multimodal transportation alternatives (pedestrian, bicycle and transit use). Pedestrian and bicycle paths/trails and a robust transit network can help to decrease overall passenger vehicle trips on local and State/SIS roadways. The use of multimodal alternatives aid in mitigating potential transportation impacts, promote safety and economic development, and improve quality of life for all communities in the County. This context sensitive approach promotes healthy, safe, and economically viable communities that encourages quality of life, incorporating all modes of transportation.

FDOT welcomes the opportunity to partner with, and provide technical assistance to Lee County to minimize potential future transportation impacts on nearby State and SIS transportation facilities, and offers several initiatives that complement the goals expressed

in the County's Comprehensive Plan, such as "Complete Streets"¹, modern roundabouts², and a commitment to bicycle and pedestrian safety³.

FDOT Technical Assistance Comment #4:

FDOT recognizes and supports Lee County in conducting the traffic study identified under Policy 38.1.9 (Environmental Enhancement Communities Preservation Overlay (EECPO) Traffic Study), which includes cumulative traffic impacts of approved developments and planned developments under review, including WildBlue, Corkscrew Farms, Pepperland Ranch, and the subject to this amendment (Verdana). As part of the EECPO Study, FDOT has encouraged the County to expand the boundaries of the EECPO Traffic Study to include the following State/SIS facilities:

- *I-75 from Bonita Beach Road to Corkscrew Road*
- *SR 82 from Corkscrew Road to Daniels Parkway*

Per email correspondence with Lee County on July 6, 2017, the requested segments of I-75 and SR-82 will be included in upcoming analyses. FDOT looks forward to continued cooperation on this project with Lee County.

FDOT Technical Assistance Comment #5:

As defined in Lee Plan Policy 38.1.9, the EECPO traffic study cumulatively assesses the traffic impacts of the various developments proposed in the area, including Verdana, WildBlue, Corkscrew Farms, and Pepperland Ranch. Per Policy 38.1.19, the study will include a financing strategy for the identified improvements, including participation in a Proportionate Fair Share Program.

Pending the results of the EECPO study, FDOT reserves the right to provide future comments on CPA2016-00009 (Verdana), as well as WildBlue, Corkscrew Farms and Pepperland, as it relates to adverse impacts on State and SIS transportation facilities, and mitigation of any identified impact(s).

2. CPA2017-00004 (NORTH FORT MYERS OVERLAY EXPANSION – MAP AMENDMENT):

CPA2017-00004 (North Fort Myers Overlay Expansion) proposes to Amend Lee Plan Map 1, Page 6, to expand the Mixed-Use Overlay on 56 properties which encompass 287.57± acres. The amendment would add properties located in North Fort Myers to the Mixed Use Overlay, which incentivizes properties in conventional zoning districts to maximize their development potential by allowing density/intensity calculations to be based on both the residential and non-residential areas of developments.

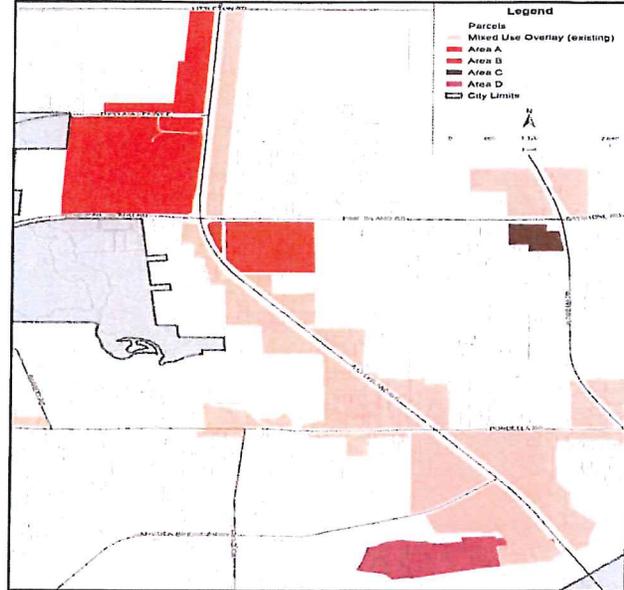
¹ <http://www.flcompletestreets.com/>

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

³ <http://www.alerttodayflorida.com/>

The properties proposed to be added to the North Fort Myers Mixed Use Overlay are in four distinct areas, including the following:

- **Area “A”:** This area is located south of Littleton Road and extends to Pine Island Road on the west side of US 41. The adopted Future Land Use Category is predominantly Central Urban, except for two properties at the southern end, which are Intensive Development.
- **Area B:** This area is located at the southeast corner of the intersection of Pine Island Road and US 41. The adopted Future Land Use Category is entirely Intensive Development.
- **Area C:** This area is located at the southwest corner of Business 41 and Pine Island Road. The adopted Future Land Use Category is mostly Central Urban, except for 41 Pine Island Road, which is Intensive Development.
- **Area D:** This area is located along North Key Drive just north of the Caloosahatchee River. The adopted Future Land Use Category is Intensive Development.



According to the staff report the intent of the Mixed Use Overlay is to allow residential uses in designated areas where commercial activity can occur. In addition, the staff report also notes that “The inclusion of these properties within the Mixed-Use Overlay does not increase the density or intensity allowable by the Lee Plan”. Based on our review, FDOT offers no comments on the proposed CPA2017-00004 (North Fort Myers Overlay Expansion – Map Amendment). *FDOT does however, offer the following technical assistance comments, which are not grounds for objection.*

FDOT Technical Assistance Comment #6:

The subject properties are located along several State facilities, including SR 78/Pine Island Road, SR 45/US 41, and SR 739/US 41 Business/N. Tamiami Trail. Any access to these facilities will be subject to the FDOT permitting process as described in Rule 14-96 FAC. FDOT may require that the applicant provide mitigation for any potential impacts as a condition of a permit.

FDOT Technical Assistance Comment #7:

The properties included in the plan amendment are each within a half-mile of a Lee Tran bus stop. FDOT notes that the use of multimodal transportation alternatives which include transit, bicycle and pedestrian facilities that serve the proposed Mixed Use Overlay areas can help to decrease overall passenger vehicle trips on local and State/SIS roadways. To

reduce personal automobile trips on SIS transportation facilities, State roadways are planned, designed and constructed in harmony with the surrounding land use characteristics. This context sensitive approach promotes healthy, safe, and economically viable communities that encourages quality of life, and incorporates all modes of transportation.

3. CPA2017-00003 (CAPITAL IMPROVEMENTS/WATER SUPPLY MANAGEMENT)

CPA2017-00003 proposes to amend the Lee Plan to align provisions within Lee Plan Goals 2, 4, 53, 54, 55, 56, 67, 58, 60, 61, 62, 64, 66, 67, 76, 79, 82, 83, 84, 95, J 15, and 117 with the Board of County Commissioners strategic policy priority of managing growth (provision of adequate public facilities and services). The amendments reduce redundancies, align with state statutes, and provide better organization of the Lee Plan.

FDOT offers no comments on the changes associated with CPA2017-0003.

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,



Sarah Catala
SIS/Growth Management Coordinator
FDOT District One

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

OFFICE OF THE COMMISSIONER
(850) 617-7700



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

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

October 23, 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 # -- 20170925-977
Lee County CPA2016-00009, CPA2017-00003, CPA2017-00004
Submission dated September 22, 2017

Dear Mr. Dunn:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on September 25, 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,

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

cc: Florida Department of Economic Opportunity
(SLPA #: Lee County 17-7 ESR)

1400 Colonial Blvd., Suite 1
Fort Myers, FL 33907



P: 239.938.1813 | F: 239.938.1817
www.swfpc.org

November 22, 2017

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

Re: Lee County CPA2016-00009, CPA2017-00003, & CPA2017-00004 / DEO 17-7ESR

Dear Ms. Rozdolski:

The staff of the Southwest Florida Regional Planning Council has reviewed the proposed amendment (DEO 17-7ESR) to the Lee County Comprehensive Plan. The review was performed according to the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

The Council will review the proposed amendment and the staff recommendations at its next meeting (date TBD). Council staff is recommending that the request be found not regionally significant. Council staff is also recommending that the proposed changes are consistent with the SRPP and do not produce extra-jurisdictional impacts that are inconsistent with the Comprehensive Plans of other local governments.

A copy of the official staff report explaining the Council staff's recommendation is attached. If Council action differs from the staff recommendation, we will notify you.

Sincerely,
Southwest Florida Regional Planning Council

Margaret Wuerstle, AICP
Executive Director

MW/DEC
Attachment

Cc: Mr. Eubanks, Administrator, Plan Review and Processing, Department of Economic Development

RECEIVED
NOV 27 2017

COMMUNITY DEVELOPMENT



LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS LEE COUNTY

The Council staff has reviewed the proposed evaluation and appraisal based amendments to the Lee County Comprehensive Plan (DEO 17-7ESR). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

| <u>Proposed Amendment</u> | <u>Factors of Regional Significance</u> | | | <u>Consistent</u> |
|-------------------------------|---|------------------|------------------|--|
| | <u>Location</u> | <u>Magnitude</u> | <u>Character</u> | |
| DEO 17-7ESR | No | No | No | (1) Not regionally significant (2) Consistent with SRPP |

RECOMMENDED ACTION:

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Lee County

COMMUNITY PLANNING ACT

Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda

Collier County, Everglades City, Marco Island, Naples

Glades County, Moore Haven

Hendry County, Clewiston, LaBelle

Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel

Sarasota County, Longboat Key, North Port, Sarasota, Venice

COMPREHENSIVE PLAN AMENDMENTS

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

Regional Planning Council Review

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government".

After receipt of comments from the Regional Planning Council and other reviewing agencies, DEO has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.

LEE COUNTY COMPREHENSIVE PLAN AMENDMENT (DEO 17-7ESR)**Summary of Proposed Amendment**

Lee County DEO 17-7ESR consists of three amendments:

CPA2016-00009, Verdana: Amend Map 17, Southwest DR/GR Residential Overlay, to designate a 1,460 +/- acre property along Corkscrew Road as an Environmentally Enhancement and Preservation Community; Maps 6 and 7 to include the property within the Future Potable Water and Sewer Service area; and 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 south of Corkscrew Road and to change the time that agricultural uses must be ceased.

The property is approximately 1,460 acres, located 4 miles east of the intersection of Alico and Corkscrew Roads. The requested amendments would allow a low density residential development with a maximum of one dwelling unit per acre with accessory commercial development pending the property being rezoned. The project, if properly zoned, will add 875 acres (or 60% of the subject property) for open space and conservation/restoration to the already extensive public and private conservation land within Southeast Lee County and Collier County.

CPA2017-00003, Capital Improvements/Water Supply Mgt: Amend the Lee Plan to align provisions within Lee Plan Goals 2, 4, 53, 54, 55, 56, 67, 58, 60, 61, 62, 64, 66, 67, 76, 79, 82, 83, 84, 95, 115, and 117 with the Board of County Commissioners strategic policy priority of managing growth (provision of adequate public facilities and services). The amendments will also reduce redundancies; align with state statutes; and, provide better organization of the Lee Plan.

Capital Improvement Element Changes:

- Align capital improvement prioritization methods with those implemented by the BOCC.
- Prioritize investment in infrastructure that support infill and redevelopment is designated Future Urban Areas.
- Update level of service standards to reflect current state statutes and demand on public infrastructure and services.

Water Supply Management Changes:

- Establish hierarchy of water sources based on different uses.
 - Require that irrigation demands be met by reuse water, if available.
 - Require alternative design options if reuse water is not available.
 - Require implementation through the Land Development Code.
- Encourage expansion of reuse water infrastructure.

CPA2017-00004, North Fort Myers Overlay Expansion: Amend Lee Plan Map 1, Page 6, to expand the Mixed Use Overlay on 56 properties, approximately 287.57 acres, located at the intersections of US 41 and Diplomat and Littleton Roads, and the intersections of North Tamiami Trail and Pine Island Road along North Key Drive in North Fort Myers.

The amendment would add properties located in North Fort Myers to the Mixed Use Overlay. The overlay was designed to encourage mixed use development in areas of the county suitable for combination of commercial and residential uses. The Mixed Use Overlay incentivizes properties in conventional zoning districts to maximize their development potential by allowing density/intensity calculations to be based on both the residential and non-residential areas of developments.

Regional Impacts

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant regional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

Extra-Jurisdictional Impacts

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

Conclusion

No adverse effects on regional resources or facilities and no extra-jurisdictional impacts have been identified. Staff finds that this project is not regionally significant.

Recommended Action

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Lee County.

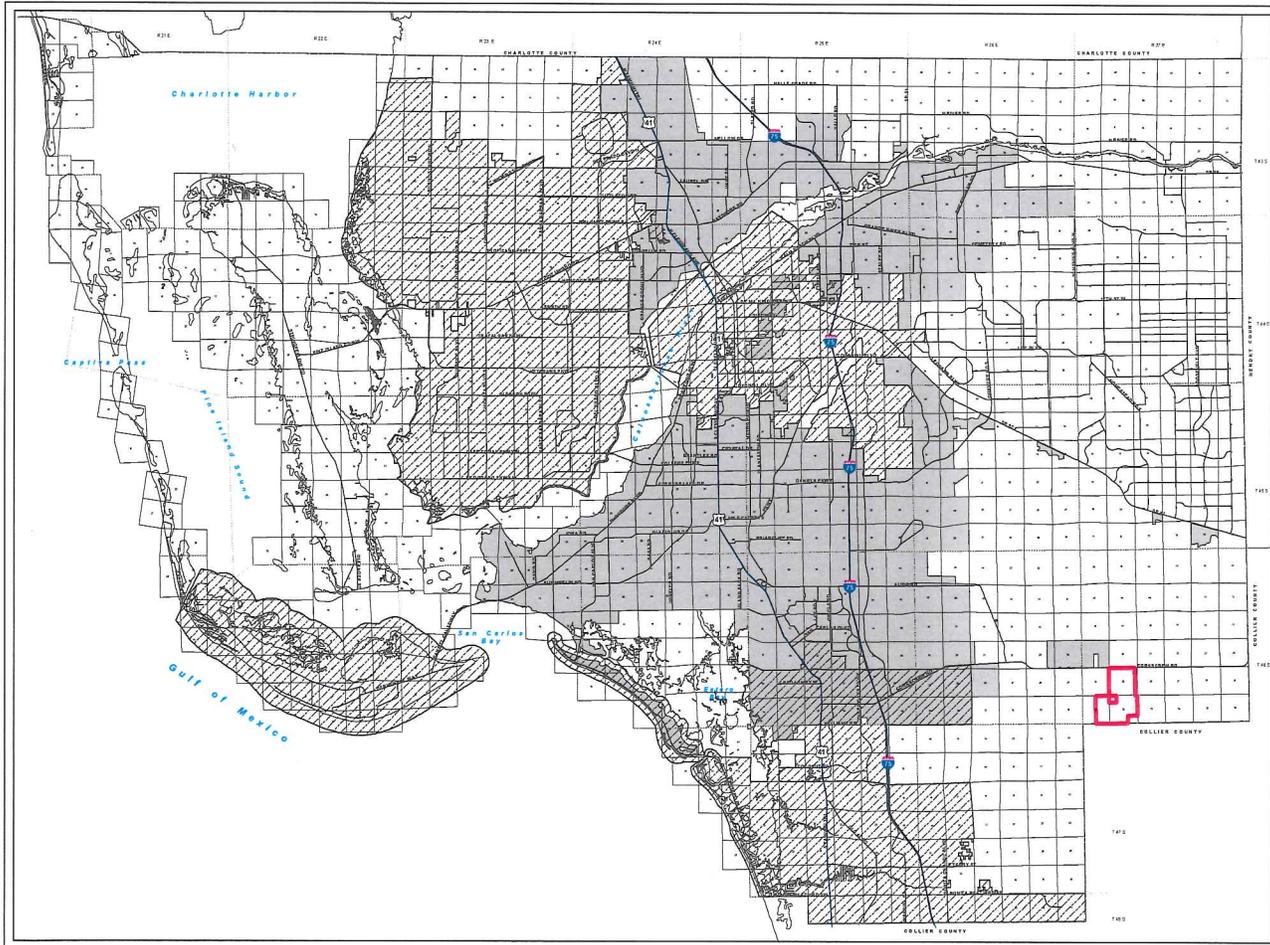
MAPS

Lee County

DEO 17-7ESR

Growth Management Plan

Comprehensive Plan Amendment



LEE COUNTY UTILITIES FUTURE WATER SERVICE AREAS

Legend

-  City Limits
-  Future Water Service Areas

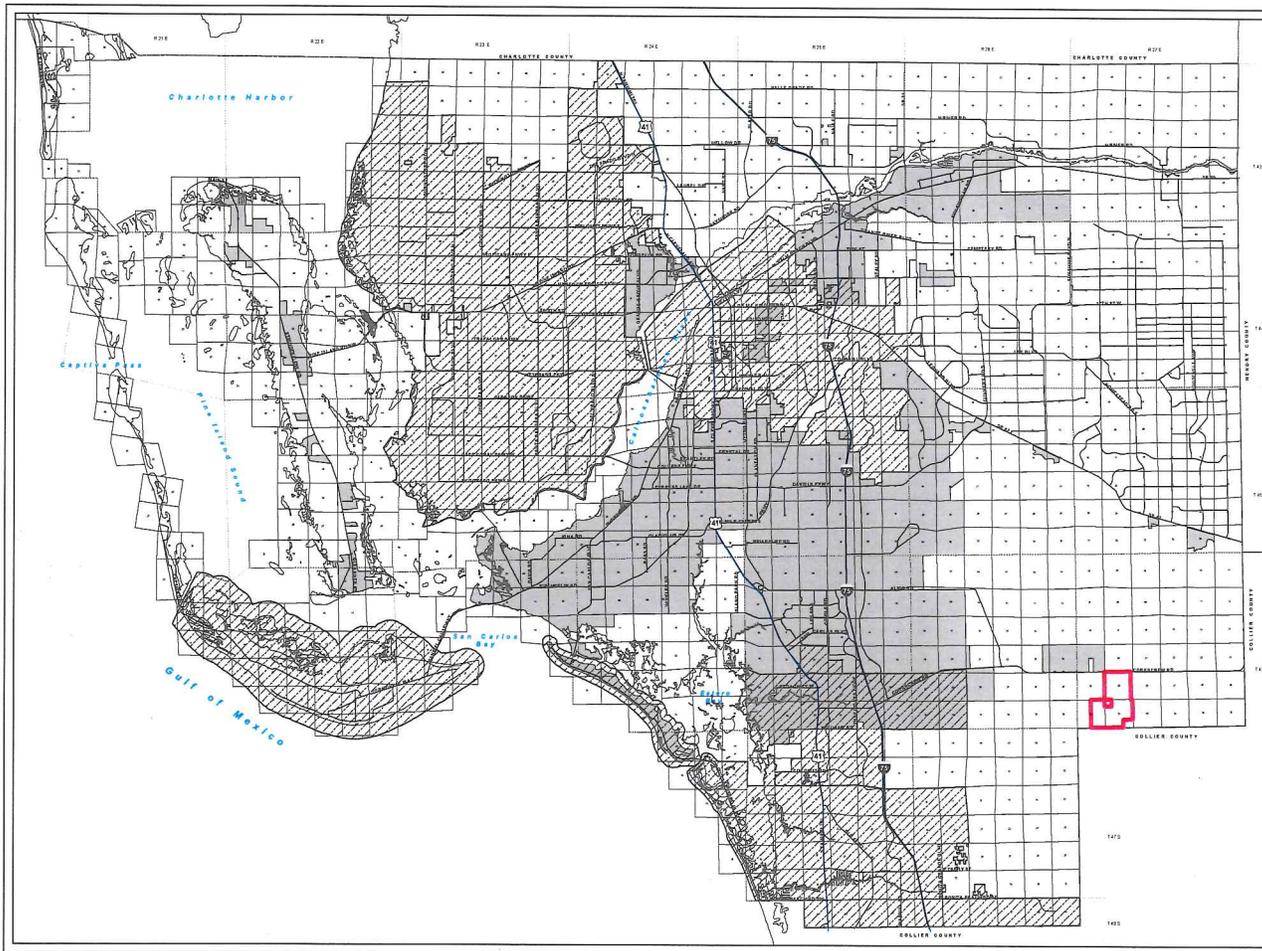
CPA2016-00009
VERDANA

-  Extend the existing service area to cover subject property



Map Generated: June 2017
 Produced by: DCD/Division of Planning
 City Limits current to date of map generation
 Adopted by Ord. No. 86-02, 1/31/1989
 Amended by Ord. Nos. 00-22, 03-19, 10-06, 10-40, 10-43, 12-24, 15-16, 14-21, 15-13, 15-14

Lee Plan Map 6



LEE COUNTY UTILITIES FUTURE SEWER SERVICE AREAS

Legend

-  City Limits
-  Future Sewer Service Areas

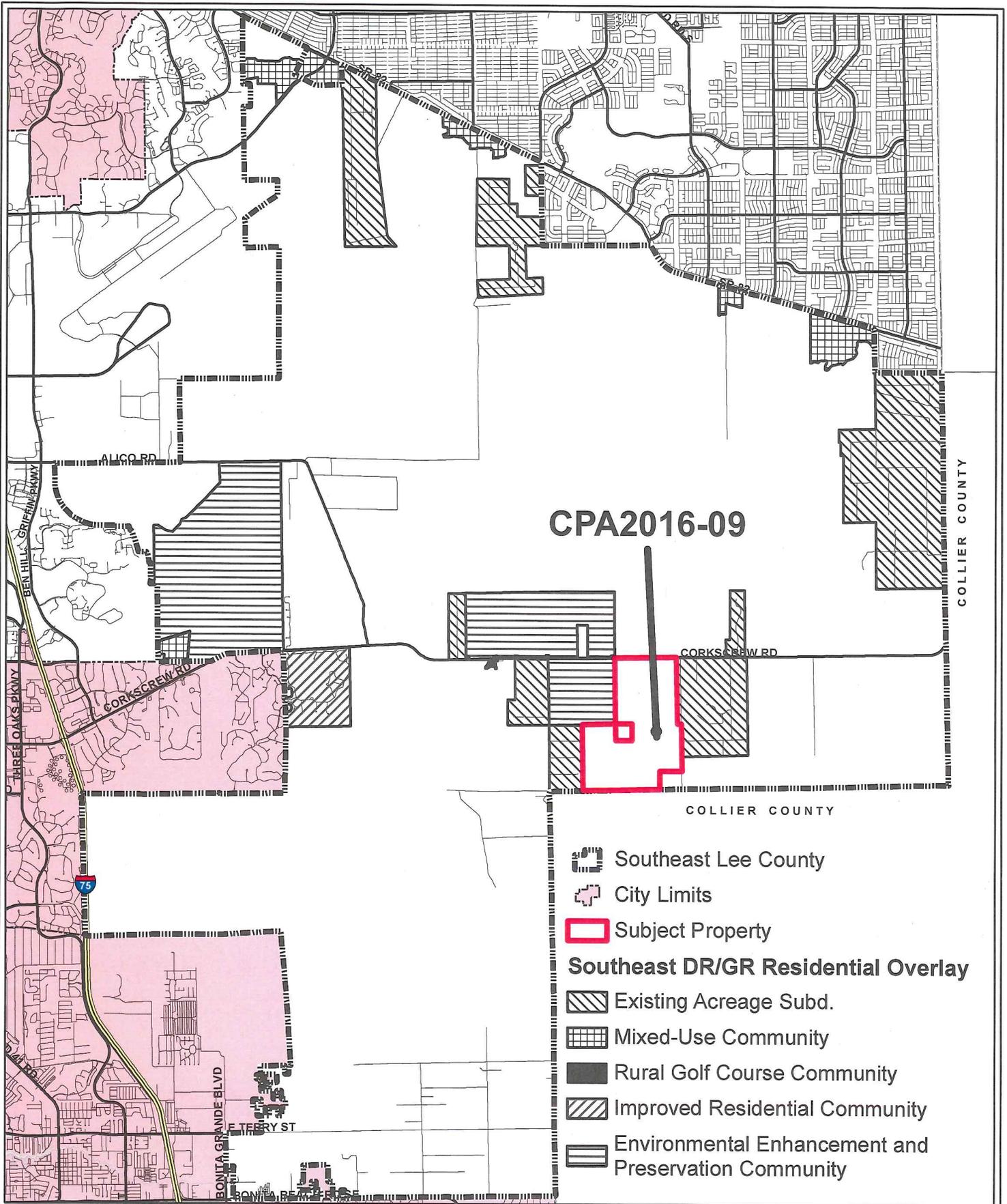
CPA2016-00009
VERDANA

-  Extend the existing service area to cover subject property



Map Generated: June 2017
 Produced By: DCD/Division of Planning
 City Limits current to date of map generation
 Adopted by Ord. No. 88-02, 185/1889
 Amended by Ord. Nos. 02-22, 03-19, 10-07, 10-40, 10-43,
 11-13, 12-24, 14-21, 15-13, 15-14

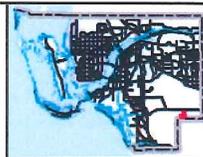
Lee Plan Map 7



CPA2016-09

- Southeast Lee County
- City Limits
- Subject Property
- Southeast DR/GR Residential Overlay**
- Existing Acreage Subd.
- Mixed-Use Community
- Rural Golf Course Community
- Improved Residential Community
- Environmental Enhancement and Preservation Community

Map Generated June 2017
Prepared by Lee County DCD/Planning



**CPA2016-0009 - VERDANA
LEE PLAN MAP 17
SOUTHEAST DR/GR RESIDENTIAL OVERLAY**

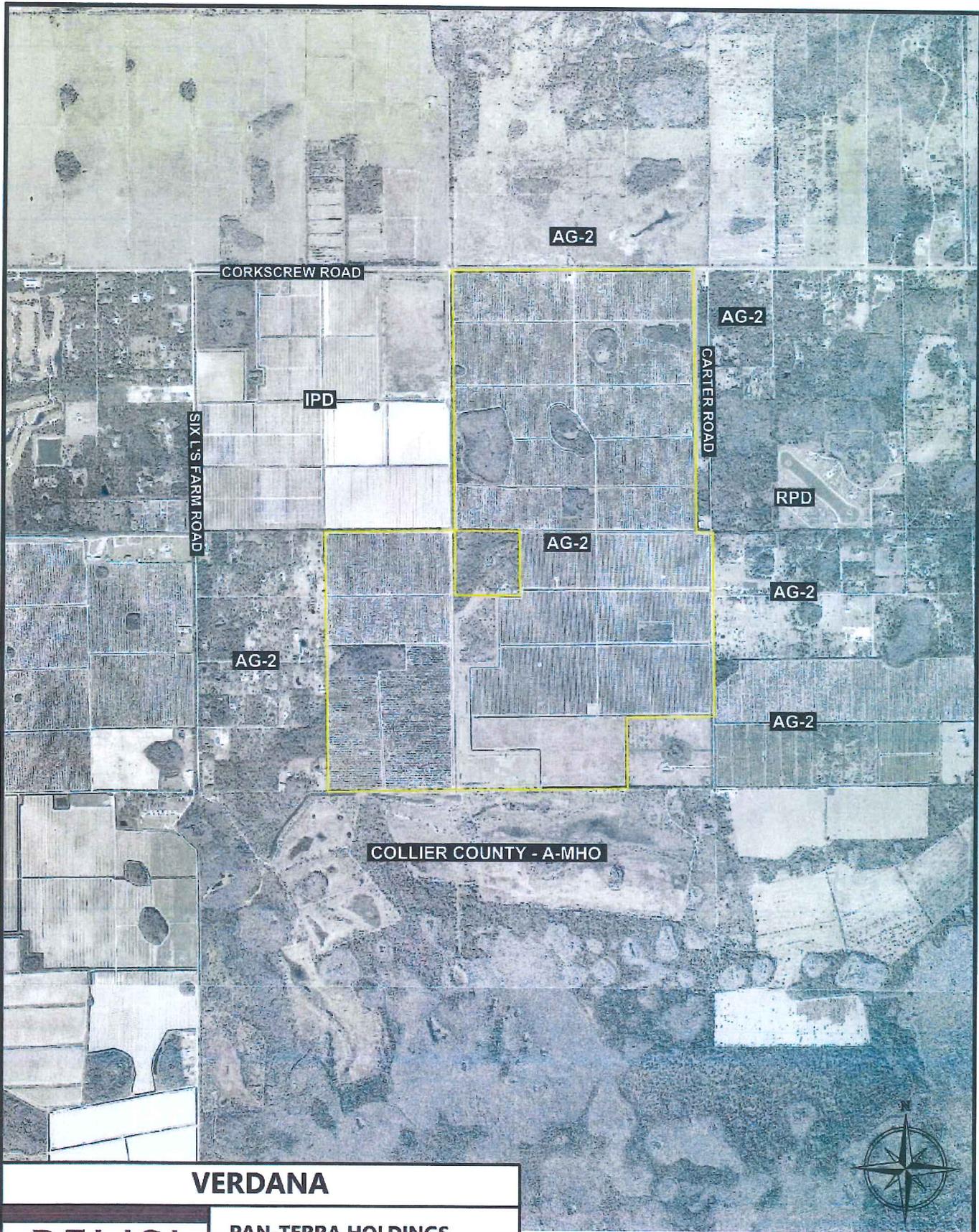
| OPEN SPACE TABLE |
|--|
| INDIGENOUS / CONSERVATION AREA: 805 AC.± (55% MIN. / 803 AC.) |
| TOTAL OPEN SPACE: 60% MIN. / 876 AC. |
| TOTAL PROPERTY AREA: 1,460 AC. |



I:\S\175 - CONSERVATION GROVES\EXHIBITS\COMP PLAN EXHIBIT\SC175-01-OPEN SPACE EXHIBIT.DWG
 8/22/2013 4:12 PM

NOTE:
 THIS MAP IS FOR REFERENCE
 PURPOSES ONLY. DATA PROVIDED IS
 DERIVED FROM MULTIPLE SOURCES
 WITH VARYING LEVELS OF ACCURACY.

| | |
|---|---|
| VERDANA SITE PLAN | |
|  DeLisi FITZGERALD, INC. <i>Planning - Engineering - Project Management</i> |  |
| 1605 Hendry Street Fort Myers, FL 33901 P: (239) 418-0691 F: (239) 418-0692 | Florida Certificate of Authorization: Engineering LB #: 26978 |



VERDANA

DELISI
Land Use Planning & Water Policy
 DAN@DELISI-INC.COM

PAN-TERRA HOLDINGS
 150 ALHAMBRA CIRCLE, SUITE 915
 CORAL GABLES, FL 33134

**MAP IV.A.5
 EXISTING ZONING**