



LEE COUNTY BOARD OF COUNTY COMMISSIONERS
ZONING HEARING
and
COMPREHENSIVE PLAN AMENDMENT
AGENDA

Wednesday, May 22, 2019
9:30AM

DRI2018-10004 CYPRESS TRACE DRI, #2001-00002
Z-19-012

DCI2018-00016 THREE OAKS MARKETPLACE
Z-18-037

DCI2018-00009 TAMIAMI RV BOAT STORAGE CPD
Z-18-036

DRI2017-00008 DEEP LAGOON MARINA DRI
Z-19-013

DCI2017-00012 MARINEMAX DEEP LAGOON MARINA
Z-18-014

CPA2018-10010 OLD CORKSCREW GOLF CLUB – ADOPTION

CPA2018-10008 OLD CORKSCREW COMMERCIAL – TRANSMITTAL

CPA2019-00001* IMPACTED WETLANDS – TRANSMITTAL

* Continued to 5/22/19 by Board action on 4/2/19 (originally continued to 4/17/19 from the 3/20/19 BCC hearing)

**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, May 22, 2019. 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:

CPA2018-10010 Old Corkscrew Golf Club: Amend Map 6, Lee County
Utilities Future Water Service Areas, to add 259 acres to the service area.

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 ADArequests@leegov.com, at least five business days in advance.

CPA2018-10010

OLD CORKSCREW
GOLF CLUB

Summary Sheet

Old Corkscrew Golf Club Map 6

CPA2018-10010

Request:

Amend Map 6 to add 259 ± acres to the Lee County Utilities Future Water Service Areas.

Transmittal Hearing:

A motion was made to transmit CPA2018-10010 as recommended by staff. The motion was passed 4 to 0.

Public Comments:

There was no public comment concerning the proposed amendment.

State Reviewing Agency Objections, Recommendations, and Comments:

Lee County received responses from the following review agencies addressing the transmitted amendment: South Florida Water Management District (SFWMD); Florida Fish and Wildlife Conservation Commission (FWC); Florida Department of Environmental Protection (FDEP); Florida Department of Agriculture and Consumer Services, and, Florida Department of Economic Opportunity (DEO).

There were no objections concerning the proposed amendments.

Staff Recommendation:

Staff recommends that the BoCC adopt the proposed amendment as provided in Attachment 1.

LEE COUNTY ORDINANCE NO. _____
(Old Corkscrew Golf Club)
(CPA2018-10010)

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 AMENDMENT PERTAINING TO THE OLD CORKSCREW GOLF CLUB (CPA2018-10010) 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”) 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 February 25, 2019; and,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on March 20, 2019. At that hearing, the Board approved a motion to send, and did later send, proposed amendment pertaining to Old Corkscrew Golf Club (CPA2018-10010) to the reviewing agencies set forth in Section 163.3184(1)(c), F.S. for review and comment; and,

WHEREAS, at the March 20, 2019 meeting, the Board announced its intention to hold a public hearing after the receipt of the reviewing agencies’ written comments; and,

WHEREAS, on May 22, 2019, 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 "Old Corkscrew Golf Club Ordinance (CPA2018-10010)."**

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 Map 6, Lee County Utilities Future Water Service Areas, known as Old Corkscrew Golf Club (CPA2018-10010).

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 Manning	_____
Cecil Pendergrass	_____
Vacant	_____
Brian Hamman	_____
Frank Mann	_____

DONE AND ADOPTED this 22nd day of May, 2019.

ATTEST:
LINDA DOGGETT, CLERK

LEE COUNTY BOARD OF
COUNTY COMMISSIONERS

BY: _____
Deputy Clerk

BY: _____
Brian Hamman, Vice Chair

DATE: _____

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

County Attorney's Office

Exhibit A: Adopted revisions to Map 6 (Adopted by BOCC May 22, 2019)



CAO Draft _____

EXHIBIT A


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

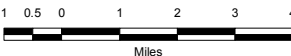
LEE COUNTY UTILITIES FUTURE WATER SERVICE AREAS

Legend

-  City Limits
-  Future Water Service Areas

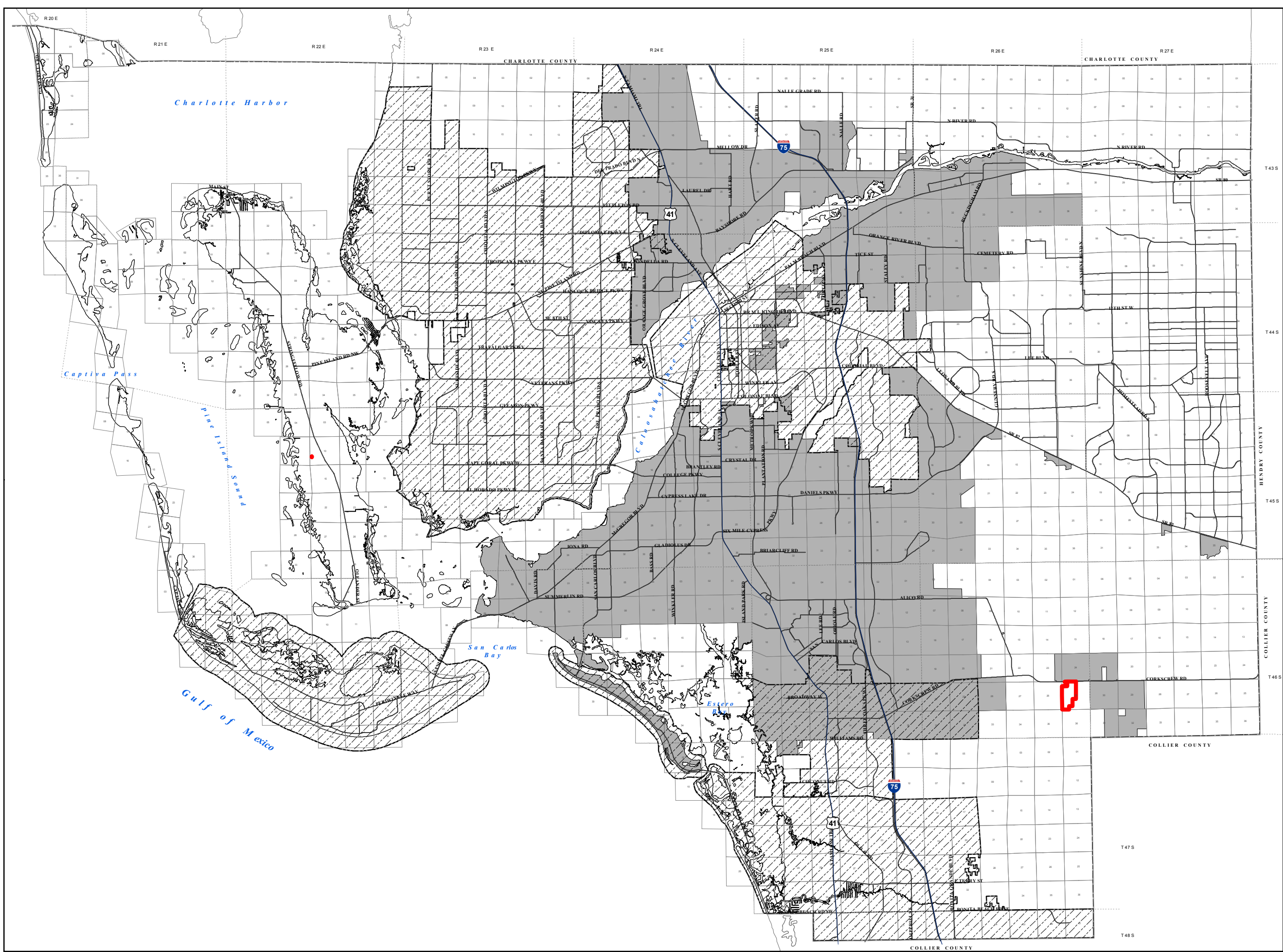
CPA2018-10010
OLD CORKSCREW GOLF CLUB

 Extend the existing
service area to cover
subject property



Map Generated: January 2019
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, 17-06, 17-23

Lee Plan Map 6



STAFF REPORT FOR
CPA2018-10010: OLD CORKSCREW GOLF CLUB MAP 6
Privately Initiated Map Amendment to the Lee Plan



Applicants:

Old Corkscrew
Development
Group, LLC

Representative:

Dan Delisi, AICP

Size:

259± acres

Location:

SE Lee County

Commissioner

District: #3

FLUM Category:

DR/GR and
Wetlands

Attachments:

Map 6 Proposed

Hearing Dates:

LPA: 2/25/2019

BOCC: 3/20/2019

BoCC: 5/22/2019

REQUEST

Amend Map 6 to add 259 ± acres to the Lee County Utilities Future Water Service Areas.

PROJECT LOCATION

The subject property's address is 17310 Corkscrew Road and is generally located on the south side of Corkscrew Road, about two miles east of Alico Road.

FIGURE A
AERIAL LOCATION MAP



PURPOSE

The proposed amendment will allow the Old Corkscrew Gulf Club to connect to public water supply, provided by Lee County Utilities, for non-irrigation purposes.

RECOMMENDATION

Staff recommends that the Board of County Commissioners **transmit** the amendment, as identified in Attachment 1, to add 259 +/- acres to Lee Plan Map 6 based on the analysis and findings in this staff report.

PART 1
PROPERTY INFORMATION

History:

The Old Corkscrew Golf Club (f/k/a The Retreat) Private Recreational Facility Planned Development (PRFPD) is located on the 259± acre subject property. The Old Corkscrew Golf Club is an 18-hole golf course that was originally approved in 2001 and then amended in 2011. The PRFPD is also approved for a 7 bedroom Bed & Breakfast facility and a maximum of 25 fractional ownership/timeshare units. The approvals were codified and are contained in Zoning Resolution Z-11-014 (DCI2010-00014).

The subject property is located on the south side of Corkscrew Road, about two miles east of Alico Road. It is located in the Southeast Lee County Community Plan area.

Southeast Lee Vision Statement:

The subject property is within the Southeast Lee County Community Plan area. The area is anticipated to develop at very low densities and is mostly within the DR/GR, Wetlands and Conservation future land use categories.

Current Future Land Use Category - Density Reduction/Groundwater Resource (DR/GR) and Wetlands:

The subject property is designated as DR/GR and Wetlands on the Future Land Use Map. The DR/GR future land use category is limited to very low density residential development with a maximum of one dwelling unit per 10 acres. Agriculture, mining and public and private recreational facilities, such as the Old Corkscrew Golf Club are allowed.

The Wetlands Future Land Use category is limited to a maximum of one dwelling unit per 20 acres and passive recreational uses that do not affect the ecological function of the wetlands.

Surrounding Properties:

The surrounding properties are within the DR/GR and Wetlands future land use categories and are zoned Residential Planned Development (RPD), Private Recreational Facilities Planned Development (PRFPD) and Agriculture (AG-2). Table 1 provides detailed information on the surrounding properties.

TABLE 1
SURROUNDING PROPERTIES INFORMATION

	Future Land Use	Zoning	Existing Use
North	DR/GR Wetlands	RPD	The Place RPD, approved for 1,325 units, 50,000 SF residential amenities, conservation, parks and water management.
East	DR/GR Wetlands	AG-2	Large lot single family residences
South	DR/GR Wetlands	AG-2	Citrus Groves; 21 large lot single family residences
West	DR/GR (1 unit/10 ac) Wetlands (1 unit/20 ac)	AG-2	Citrus Groves

PART 2

STAFF DISCUSSION AND ANALYSIS OF PROPOSED AMENDMENTS

The applicant desires to connect the Old Corkscrew Golf Club to public water supply, provided by Lee County Utilities (LCU), for non-irrigation purposes. The Lee Plan requires that areas to be served by Lee County Utilities are identified on Map 6: Lee County Utilities Future Water Service Areas. Therefore, the applicant is proposing to amend Map 6 to include the Old Corkscrew Golf Club in the Future Water Service Area. The Lee Plan, in Standard 4.1.1 (6), allows a developer/owner to request to be added to a water service area. Standard 4.1.1(6) is provided below:

6. If a development lies outside any service area as described above, the developer may:
 - request that the service area of Lee County Utilities or an adjacent water utility be extended to incorporate the property;
 - establish a community water system for the development; or
 - develop at an intensity that does not require a community water system.

The applicant has stated that the golf course will not use LCU potable water for irrigation. Irrigation will be provided via existing on-site wells.

LCU has indicated in a letter dated August 23, 2018 that potable water lines are in operation adjacent to the property and there is currently adequate availability to serve the estimated flow of approximately 1,871 gallons per day.

Lee Plan Consistency

Protection of Water Resources

The request is consistent with Goal 33: Southeast Lee County, which in part, seeks to protect the groundwater resource area for long-term water storage. This is supported by the requirements found in Goal 13, Objective 13.4, Policy 13.4.2, Goal 63, Objective 63.1, and other applicable Lee Plan provisions. These provisions address general water resource protection and wellfield protection requirements. Lee County has a wellfield that extends along Corkscrew Road adjacent to the subject property. Extending Map 6 will help to reduce the number of individual wells and help protect the adjacent Lee County wellfield and aquifers.

Source of Irrigation Water

Policy 61.1.6 establishes preferred irrigation sources in Lee County, and in part states *“Where reuse water is not available, surface water or low quality groundwater should be utilized for irrigation. All other potential water sources must be eliminated prior to selecting potable water as the sole source for meeting the irrigation needs of a development.”* In the event the golf course should decide to use potable water for irrigation, it would be inconsistent with Policy 61.1.6. However, the applicant has stated that the golf course will not use potable water and will continue to use the on-site well to irrigate which is consistent with Policy 61.1.6.

Identifying the subject property within the Future Water Service Area on Map 6 will not change the existing land use or densities. The PRFPD approved in 2001 and later amended in 2011 was deemed consistent with Goal 33 (Southeast Lee County), Goal 1.4.5 (DR/GR), and Goal 13 (Private Recreation

Facilities in the DR/GR). Any changes to the Old Corkscrew Golf Course must continue to be consistent with all applicable requirements of the Lee Plan, including those identified in this report.

Infrastructure and Service Analysis

The applicant is not proposing any changes to the allowable uses or densities on the subject property as part of this application. Therefore, granting the request will have minimal impact, if any, on services needed to support the existing golf course development.

Transportation

Access to the property is from Corkscrew Road which is a paved two-lane arterial roadway. I-75 is located approximately 7 miles west of the subject property. I-75 is a six-lane median divided freeway maintained by State.

Mass Transit

The closest bus route is Route 60 along Corkscrew Road. The nearest bus stop is over 6 miles from the subject property. The property is not within ¼ mile of a fixed route corridor or ¾ miles of the Passport corridor (ADA Service). The 2016 Transit Development Plan does not have any routes or extensions planned near this site.

Utilities

The subject property is not currently located within the LCU Potable water or wastewater service areas. Potable water and wastewater lines are in operation adjacent to the property. Potable water capacity is available from the Corkscrew Water Treatment Plant. The applicant is not proposing to connect to public wastewater service. The applicant will be required to pay for the extension of any necessary water lines, consistent with Lee Plan Policy 53.1.8 and 53.1.9.

Solid Waste

The subject property has access to solid waste services. Solid waste collection services will be provided by Lee County using the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill.

Fire

The Estero Fire Rescue indicated they are capable of providing fire protection.

EMS

The Lee County Division of Emergency Medical Services indicates that they do not object to the request to add the subject property to Map 6 since there are no use or density changes proposed.

Police

The Lee County Sheriff indicated in a letter dated August 22, 2018 that the request will not affect the ability of the Lee County Sheriff's Office to provide core services at this time.

PART 3 CONCLUSIONS

LCU water lines are immediately adjacent to the subject property and LCU currently has adequate capacity to accommodate the request. Granting the expanded Map 6 boundaries will help to protect groundwater resources by reducing the need for individual wells and the potential for contamination. The applicant has stated that the LCU potable water will be for non-irrigation purposes.

The amendment to expand the Lee County Utilities Future Water Service Areas on Map 6 is consistent with the Lee Plan. For the reasons discussed in this staff report, Staff recommends that the Board of County Commissioners **transmit** the proposed amendment as identified in Attachment 1.

PART 4 ATTACHMENTS

Attachment 1:

- Proposed Map 6: Lee County Utilities Future Water Service Areas

Electronic File: <https://www.leegov.com/dcd/planning/cpa/compplansearch?case=CPA2018-10010>

PART 5
LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: February 25, 2019

A. LOCAL PLANNING AGENCY REVIEW:

The Applicant presented an overview of the proposed map amendment and consistency with the Lee Plan. Staff provided a brief presentation for the amendment which covered consistency with the Lee Plan and staff recommendation. No members of the public addressed the LPA concerning this case.

Members of the LPA asked questions about the existing structures to be served by potable water and the potential to include the subject property on Map 7: Lee County Utilities Future Sewer Services Areas.

B. LOCAL PLANNING AGENCY RECOMMENDATION:

A motion was made to find the request consistent with the Lee Plan; encourage the applicant to add the subject property to Map 7: Lee County Utilities Future Sewer Service Area; and, to recommend that the Board of County Commissioners **transmit** CPA2018-10010. The motion passed 7 to 0.

VOTE:

RAYMOND BLACKSMITH	AYE
RHONDA BREWER	AYE
JAMES INK	AYE
DON SCHROTENBOER	AYE
KRISTINE SMALE	AYE
STAN STOUDE	AYE
HENRY ZUBA	AYE

PART 6
BOARD OF COUNTY COMMISSIONERS
TRANSMITTAL HEARING FOR PROPOSED AMENDMENT

DATE OF PUBLIC HEARING: March 20, 2019

A. BOARD REVIEW:

Staff provided a brief presentation for the proposed amendment which covered consistency with the Lee Plan and the LPA and staff recommendation. No members from the public spoke. The Board did not have questions.

B. BOARD ACTION:

A motion was made to transmit CPA2018-10010 as recommended by staff. The motion was passed 4 to 0.

VOTE:

BRIAN HAMMAN	AYE
LARRY KIKER	ABSENT
FRANK MANN	AYE
JOHN MANNING	AYE
CECIL L. PENDERGRASS	AYE

PART 7
STATE REVIEWING AGENCIES'
OBJECTIONS, RECOMMENDATIONS, AND COMMENTS

Comments from the State Reviewing Agencies were due to Lee County by May 1, 2019.

A. OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

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

- Florida Department of Economic Opportunity (DEO)
- Florida Fish and Wildlife Conservation Commission (FWC)
- Florida Department of Environmental Protection (DEP)
- South Florida Water Management District (SFWMD)
- Florida Department of Agriculture and Consumer Services

There were no objections concerning the proposed amendments.

B. STAFF RECOMMENDATION



Staff recommends that the Board of County Commissioners ***adopt*** the amendment to the Lee Plan as transmitted to the State Reviewing Agencies as provided in Attachment 1.

ATTACHMENT 1:


Map 6 Proposed

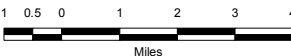
LEE COUNTY UTILITIES FUTURE WATER SERVICE AREAS

Legend

-  City Limits
-  Future Water Service Areas

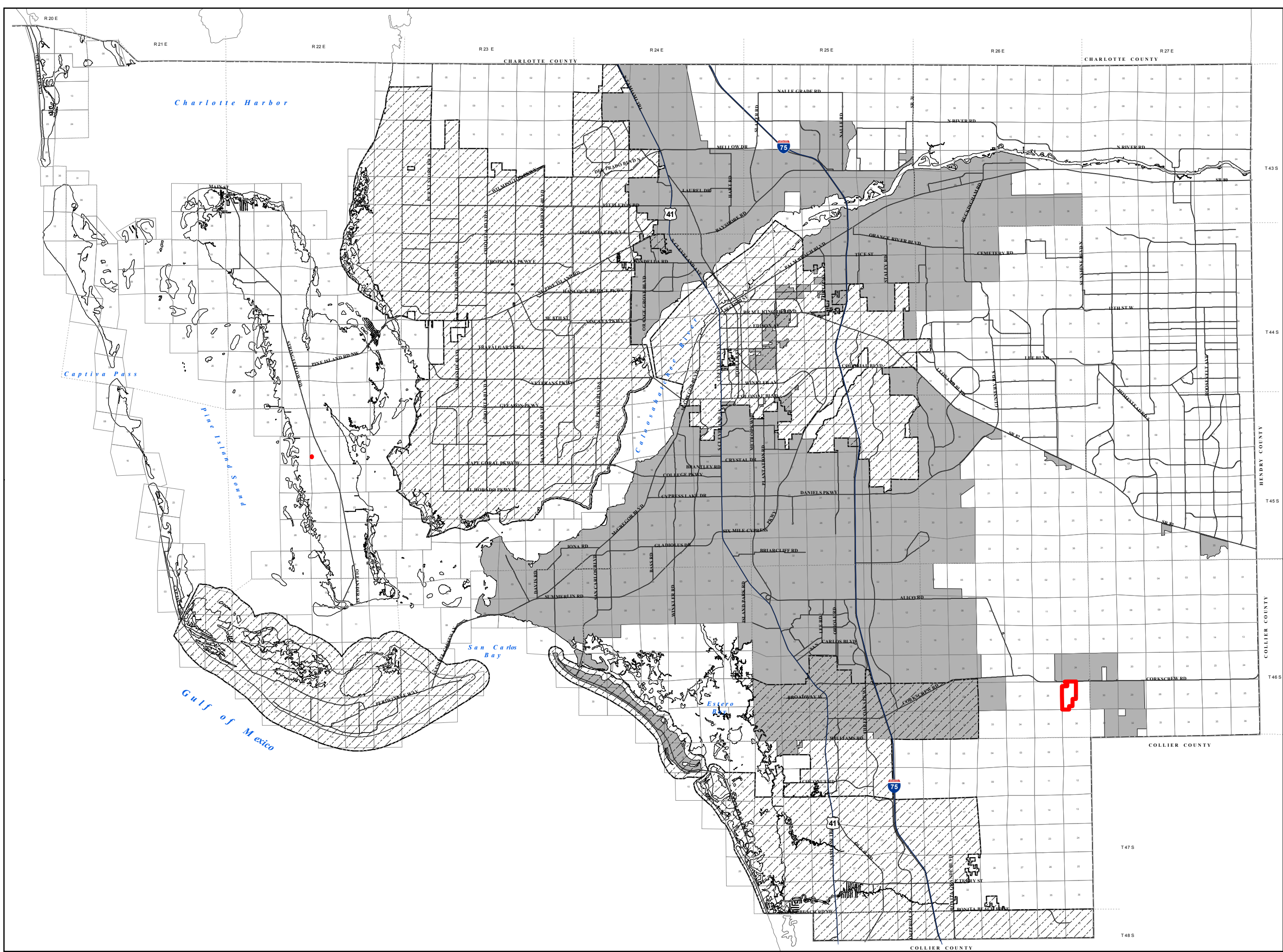
CPA2018-10010
OLD CORKSCREW GOLF CLUB

 Extend the existing
service area to cover
subject property



Map Generated: January 2019
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, 17-06, 17-23

Lee Plan Map 6



CPA2018-10010

**AGENCY
COMMENTS**

Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

April 26, 2019

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

Dear Chairman Kiker:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for Lee County (Amendment No. 19-02ESR) received on April 1, 2019. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

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. In addition, the County is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the County. **If the County receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or 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 pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the County that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

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.

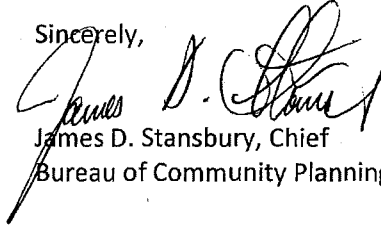
The Honorable Larry Kiker, Chairman

April 26, 2019

Page 2 of 2

If you have any questions concerning this review, please contact Scott Rogers, Planning Analyst, by telephone at (850) 717-8510 or by email at scott.rogers@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury".

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

JDS/sr

Enclosure(s): Procedures for Adoption

cc: David Loveland, Director, Lee County Department of Community Development
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 State Land Planning Agency 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:

_____ State Land Planning Agency 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 state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency 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 State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

April 1, 2019

RECEIVED
APR 04 2019
COMMUNITY DEVELOPMENT

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 19-02ESR**.

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 **May 1, 2019**.

If you have any questions please contact Anita Franklin, Plan Processor at (850) 717-8486 or Barbara Powell, Regional Planning Administrator, whom will be overseeing the review of the amendments, at (850) 717-8504.

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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Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

MEMORANDUM

TO: Florida Department of Environmental Protection
Florida Department of Education
Florida Department of State
Florida Department of Transportation District 1
Southwest Florida Regional Planning Council
South Florida Water Management
Florida Fish and Wildlife Conservation Commission
Florida Department of Agriculture and Consumer Services

DATE: April 1, 2019

SUBJECT: COMMENTS FOR PROPOSED EXPEDITED STATE REVIEW PLAN AMENDMENT

LOCAL GOVERNMENT/ STATE LAND PLANNING AGENCY AMENDMENT #: LEE CO 19-02ESR

STATE LAND PLANNING AGENCY CONTACT PERSON/PHONE NUMBER: Barbara Powell/(850)717-8512

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 to the State Land Planning Agency 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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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

March 27, 2019

Via E-Mail

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
March 20, 2019 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 CPA2018-10010 (Old Corkscrew Golf Club Map 6). The proposed amendment is being submitted through the expedited state review process as described in Chapter 163.3184. The amendment is as follows:

CPA2018-10010: Amend Map 6 to add 259 ± acres to the Lee County Utilities Future Water Service Areas.

The Local Planning Agency held a public hearing for this plan amendment on February 25, 2019. The Board of County Commissioners voted to transmit the amendment on March 20, 2019. The proposed amendment is not applicable to an area of critical state concern. The Board of County Commissioners stated their intent to hold an adoption hearing following the receipt of the review agencies' comments.

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

Mr. Brandon Dunn, Principal Planner
Lee County Planning Section
P.O. Box 398
Fort Myers, Florida 33902-0398
(239) 533-8585
Email: bdunn@leegov.com

RECEIVED
Div. of Community Planning and Development
APR -1 2019
Div. of Community Planning and Development
Dept. of Planning and Development

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 amendment and supporting data and analysis has been sent on this date to the agencies listed below.

Sincerely,

**Lee County Department of Community Development
Planning Section**



Mikki Rozdolski
Manager, Community Development Operations

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

Miller, Janet

From: Dunn, Brandon
Sent: Monday, April 15, 2019 2:03 PM
To: Miller, Janet; Jenkins-Owen, Sharon
Cc: Rozdolski, Mikki
Subject: FW: Lee County 19-2ESR (CPA2018-10010)

Please see correspondence from FWC for the transmitted Old Corkscrew Golf Club Map 6 amendment.

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

From: Hight, Jason [<mailto:Jason.Hight@MyFWC.com>]
Sent: Monday, April 15, 2019 1:52 PM
To: Dunn, Brandon; DCPexternalagencycomments@deo.myflorida.com
Cc: Wallace, Traci; Keltner, James
Subject: [EXTERNAL] Lee County 19-2ESR (CPA2018-10010)

Dear Mr. Dunn:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the proposed comprehensive plan amendment in accordance with Chapter 163.3184(3), Florida Statutes. We have no comments, recommendations, or objections related to listed species and their habitat or other fish and wildlife resources to offer on this amendment.

We appreciate the opportunity to review the proposed project and look forward to working with the applicant throughout the permitting process. If you need any further assistance, please do not hesitate to contact our office 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 19-2ESR_38629

Miller, Janet

From: Dunn, Brandon
Sent: Tuesday, April 16, 2019 7:38 AM
To: Jenkins-Owen, Sharon; Miller, Janet
Cc: Rozdolski, Mikki
Subject: FW: Lee County, DEO #19-2ESR Comments on Proposed Comprehensive Plan Amendment Package

Please see correspondence concerning the Old Corkscrew Golf Club Map 6 amendment.

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

From: Manning, Terese [<mailto:tmanning@sfwmd.gov>]
Sent: Monday, April 15, 2019 4:29 PM
To: Rozdolski, Mikki
Cc: Ray Eubanks (DCPexternalagencycomments@deo.myflorida.com); Dunn, Brandon; Barbara Powell (barbara.powell@deo.myflorida.com); ext-Wuerstle, Margaret (swfrpc.org)
Subject: Lee County, DEO #19-2ESR 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 package proposes revisions to Map 6, Lee County Utilities Future Water Service Areas. 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 its 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 Deb Oblaczynski at (561) 682-2544 or doblaczy@sfwmd.gov if you need assistance or additional information.

Sincerely,

Ms. Terry Manning, Policy and Planning Analyst
South Florida Water Management District
Water Supply Implementation Unit
3301 Gun Club Road
West Palm Beach, FL 33406
Phone: 561-682-6779
Fax: 561-681-6264
E-Mail: tmanning@sfwmd.gov

Miller, Janet

From: Dunn, Brandon
Sent: Thursday, April 25, 2019 2:57 PM
To: Jenkins-Owen, Sharon; Miller, Janet
Cc: Rozdolski, Mikki
Subject: FW: Lee County 19-2ESR Proposed

Please see correspondence below concerning Old Corkscrew Golf Course Map 6 amendments.

From: Plan_Review [<mailto:Plan.Review@dep.state.fl.us>]
Sent: Thursday, April 25, 2019 2:47 PM
To: Dunn, Brandon; DCPexternalagencycomments@deo.myflorida.com
Cc: Plan_Review
Subject: Lee County 19-2ESR Proposed

To: Brandon Dunn, Principal Planner

Re: Lee County 19-2ESR – 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@FloridaDEP.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.

Lindsay Weaver



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 NICOLE "NIKKI" FRIED

April 26, 2019

VIA EMAIL (bdunn@leegov.com)

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

Re: DACS Docket # -- 20190329-44
Lee County CPA2018-10010
Submission dated April 1, 2019

Dear Mr. Brandon:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on March 29, 2019, 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 850-410-2282.

Sincerely,

Gail Lolley
Sr. Management Analyst II
Office of Policy and Budget

cc: Florida Department of Economic Opportunity
(SLPA #: Lee County 19-02ESR)

FOR ADDITIONAL SUPPORT
DOCUMENTATION, CLICK THE LINK
BELOW:

[Click Here](#)