

# AGENCY COMMENTS

CPA2018-10010

OLD CORKSCREW  
GOLF CLUB MAP 6

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  
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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](mailto: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 Growth  
APR -1 2019  
Div. of Community Development  
Department of Transportation

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

**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.

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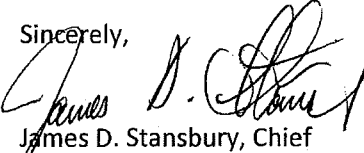
The Honorable Larry Kiker, Chairman

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](mailto:scott.rogers@deo.myflorida.com).

Sincerely,



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.

**Miller, Janet**

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**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](mailto:bdunn@leegov.com)  
239.533.8585

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**From:** Hight, Jason [<mailto:Jason.Hight@MyFWC.com>]  
**Sent:** Monday, April 15, 2019 1:52 PM  
**To:** Dunn, Brandon; [DCPexternalagencycomments@deo.myflorida.com](mailto: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](mailto: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](mailto: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**

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**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](mailto:bdunn@leegov.com)  
239.533.8585

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**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](mailto:DCPexternalagencycomments@deo.myflorida.com)); Dunn, Brandon; Barbara Powell ([barbara.powell@deo.myflorida.com](mailto: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](mailto: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](mailto:tmanning@sfwmd.gov)

**Miller, Janet**

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**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.

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**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](mailto: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](mailto: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.



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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.

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 NICOLE "NIKKI" FRIED

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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)