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CPA2005-16

**SAN CARLOS/ESTERO PLANNING
COMMUNITY BOUNDARIES
BoCC SPONSORED AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Adoption Document

Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 479-8585

May 16, 2007

LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2005-16

☐

Text Amendment

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Map Amendment

This Document Contains the Following Reviews:	
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
✓	Board of County Commissioners Hearing for Transmittal
✓	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
✓	Board of County Commissioners Hearing for Adoption

PREPARATION DATE: June 20, 2006

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVE:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

2. REQUEST:

Amend the Future Land Use Map Series, Map 16, Lee County Planning Communities, to adjust the boundary between the Estero and San Carlos Planning Communities west of U.S. 41.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Planning staff recommends the Board of County Commissioners transmit the proposed amendment to Map 16. This amendment realigns the southern boundary San Carlos Planning Community to follow the fire district border between the Breckenridge neighborhood and the Estero Bay Buffer Preserve (see attachment 1).

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Planning Community Map (Map 16) was amended in 2002 and the Estero Planning Community was created from the San Carlos/Estero and Bonita Springs Planning Communities.
- Residents of the Vines Country Club community submitted a letter to the Planning Division requesting this community be included in the Estero Planning Community.
- The citizens involved in the Estero Community Plan effort chose the Estero Planning Community boundary as the boundary for this plan which was adopted during the same plan amendment cycle.
- Pine Rd was selected as the border between the Estero and San Carlos Planning Communities to reduce the gerrymandering of the line.
- In 2005 the residents in the Pine Rd area requested the area south of Pine Road to the southern boundary of the San Carlos Fire District be moved to the San Carlos Planning Community.
- At the August 2005 Management and Planning meeting the Board of County Commissioners directed staff to initiate an amendment to change the border between the Estero and San Carlos Planning Communities.

C. BACKGROUND INFORMATION

The Planning Community Map (Map 16) and Lee Plan Table 1(b) were created to replace the 2010 Overlay which was proposed for deletion in the 1994 Evaluation and Appraisal Report. The EAR was found to be not in compliance and the resulting Final Order required that the 2010 overlay component of the Lee Plan be retained. The issue of the 2010 Overlay was a topic for the EAR Addendum. An issue with the 2010 Overlay was the number of districts (115) and the exactness that was required of the land use projections used to administer the Overlay. Therefore, the planning community map was to have no more than 20 areas designated on the map. The consensus for creating these areas was to create a map that identified "communities" within the county. It was not intended that these community boundaries would mirror any existing geography. For data collection purposes, when possible, traffic analysis zones and census geography was followed but not when they contrasted with the goal of mapping communities in the county. In order to meet the goal of limiting the new overlay map to 20 communities, the Estero, San Carlos Park, Island Park and adjoining neighborhoods were combined into one community on the map. The developments of The Brooks (originally known as "Brooks of Bonita") and Pelican Landing were included in the Bonita Springs Planning Community.

When the city of Bonita Springs incorporated, it was decided that adjustments to the Planning Community map should be made to reflect changes since its original adoption.

PAM/T99-20 included a recommendation to create two new communities, Bayshore and Estero and to rename the San Carlos/Estero Community to San Carlos. The southern boundary of the new Estero Planning Community was the new Bonita Springs city limit line. Staff considered delineating the northern boundary of the Estero Planning Community following the Estero Fire District boundary. However, residents of the Vines Country Club submitted a letter to the Planning Division Staff asking to be included in the Estero Planning Community. The Vines is a gated golf course community which is the predominant development style in the rest of the Estero area. To the south and east of the Vines are additional gated communities that were in the planning stages when the new planning community boundary was proposed. West of US 41, the existing Breckenridge development (a gated community) extends north to Pine Road and is split by the fire district line with the majority of the development being located in the Estero Fire District (see attachment 2). Staff recommended that the Estero Planning Community include the approved and proposed planned developments lying to the north of the Estero/San Carlos Fire District border. To reduce the meandering of northern boundary of the new Estero Community the border was established along Pine Road. A decision was made to include the entire Estero Buffer Preserve (AKA SHADEV, Inc. property) in the Estero Planning Community. The staff recommended changes creating the separate San Carlos and Estero Planning Communities were adopted by the Board of County Commissioners on January 10, 2002.

An amendment to redesignate 60 acres at the end of Pine Road from Rural and Wetlands to Outlying Suburban and Wetlands was submitted for the 1998/1999 plan amendment cycle. This amendment request was denied by the BoCC. A second request for this property was submitted for this property for review in the 2002/2003 plan amendment cycle. This amendment was adopted on October 23, 2003. Subsequently, a planned development rezoning case was filed and approval of the zoning case was granted November 21, 2005. During this process, residents along Pine Road expressed concern that their neighborhoods were within the Estero Planning Community. They felt that these neighborhoods should be in the San Carlos Planning Community. The stated preference was that the boundary between the Estero and San Carlos Planning Communities be realigned to follow the fire district boundaries. Per BoCC direction, staff attended 6 meetings in the area to determine the preferences of the residents living in the area of the Estero Planning Community that is within the San Carlos Fire District. Following these meetings, petitions were distributed throughout the community to measure preferences. The outcome of these meetings and petitions was the communities of the Vines, Breckenridge, and Belle Lago preferred to remain in the Estero Planning Community and the residents south of Pine Road preferred to be part of the San Carlos Planning Community.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

The Planning Community Map (Map 16) is used in the administration of the 2020 land use allocations. The allocations are regulatory for commercial, industrial, and residential developments at the development order stage. The community map is also used for reporting data such as population estimates, development trends, and population projections. In a few instances, these boundaries have been used as the boundary for a Community Planning effort. This is the case with the Estero, Boca Grande, and Bayshore community plans. The Pine Island, Captiva, Caloosahatchee Shores, Palm Beach Blvd., Buckingham, and Page Park planning efforts did not utilize the Planning Community boundaries. Changes to these boundaries do not impact the regulatory aspect of the allocations, once the allocations are revised to reflect boundary changes; however, changes do reduce the ability to compare data reported in the past with current and projected data. For this reason, staff is conservative when recommending changes to this map.

The map was also envisioned as a mechanism to identify areas in Lee County that were similar in character. The original map was limited to 20 communities so identifying all of the communities within Lee County was not possible, even if a list could have been agreed upon. The 20 community policy was relaxed after the original map was adopted and since then, 2 new communities have been mapped. Since the concept is to identify communities, the county will evaluate suggestions from citizen groups regarding their neighborhoods. This was the situation that was presented to the county in 2005 when the residents of Pine Road approached the county to adjust the San Carlos Planning Community boundary to follow the San Carlos Fire District line. At the June 14, 2005 BoCC meeting, the board directed staff to meet with the residents in the area and report the findings. Staff generated 3 options to present to the citizens and attended 6 meetings in the area to gather input on the options. Option 1 was to make no changes to Map 16. Option 2 amended the boundary to include the neighborhoods south of Pine Road in the San Carlos Planning Community while leaving the gated communities of Breckenridge, Belle Lago, The Vines, and The Reserve in the Estero Planning Community. Option 3 amended the boundary between the two planning communities to follow the fire district line. At the August 1, 2005 Management and Planning Meeting, Planning staff reported the preferred option was "Option 2" (see Attachment 3 pages 2 & 3). Option 1 was objected to by the Pine Road neighborhoods and Option 3 was opposed by the residents of Breckenridge, Belle Lago, and The Vines (The Reserve had no residents in the summer of 2005). The Board discussion at the Management and Planning Meeting concluded with an agreement to direct staff to amend the map as depicted in Option 2. (See Attachment 4)

One outcome of the change reflected in Option 2 is the splitting of the Estero Bay Buffer Preserve into both the San Carlos and Estero Planning Communities. (see Attachment 3 page 5 of 6) The tract of land purchased from SHADEV, Inc. to be included in the preserve is currently entirely within the Estero Planning Community. Since this property is to be preserved staff has concluded there is no benefit in splitting the property to include the northern half in the San Carlos Planning Community.

A second outcome of this amendment will be the need for a change in the allocation table (Lee Plan Table 1(b)) to reflect the shift of 176± acres from the Estero Planning Community to the San Carlos Planning Community. Since a countywide evaluation of the allocations is being conducted in a separate amendment within this plan amendment cycle, staff has deferred this issue to be resolved in that amendment. Staff's primary concern on this topic is that the change in the boundary will result in 55± acres of land with an Outlying Suburban land use designation being included in the San Carlos Planning Community. Currently there are no properties within the San Carlos Planning Community designated Outlying Suburban and therefore, no acreage has been allocated for this designation.

B. CONCLUSIONS

Map 16, Lee County Planning Communities, should be amended to reflect the consensus of the residents in the area of the Estero Planning Community also within the San Carlos Fire District. This amendment was directed by the Lee County Board of County Commissioners at their August 1, 2005 Management and Planning Meeting and Initiated at the September 9, 2005 BoCC Meeting. To reduce the total area being changed from the Estero Planning Community to the San Carlos Planning Community, staff recommends that the Estero Bay Buffer Preserve (AKA SHADEV, Inc. parcel) remain in the Estero Planning Community. If the preserve property were included in the change, approximately 1,300 acres would be shifted between communities. Removing the preserve from the change reduces the amount of acres to 176±. Staff recommends the area of the Estero Planning Community south of Pine Road east of the Estero Bay Buffer Preserve west of US 41 excluding the Breckenridge neighborhood.

C. STAFF RECOMMENDATION

Planning staff recommends the Board of County Commissioners transmit the proposed amendment to Map 16. This amendment realigns the southern boundary San Carlos Planning Community to follow the fire district border between the Breckenridge neighborhood and the Estero Bay Buffer Preserve (see attachment 1).

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

PUBLIC HEARING DATE. June 26, 2006

A. LOCAL PLANNING AGENCY REVIEW

Planning Staff provided a summary of the proposed amendment including a history of community meetings and three options that were discussed by the communities that lead to the initiation of this amendment. Staff discussed the one difference between the recommendation and the option agreed upon by the interested neighborhoods which is to include the Estero Bay Buffer Preserve entirely in the Estero Planning Community. Staff also stated that no acreage allocation changes were being proposed in this change due to the accommodation allocation amendment that is also under review in this amendment cycle.

The one of the Local Planning Agency members stated her concern that this amendment might start a precedent for future changes to the planning community map.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** The LPA recommends that the Board of County Commissioners transmit the proposed amendment.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA advances the findings of fact presented by staff.

C. VOTE:

NOEL ANDRESS	Aye
DEREK BURR	Aye
RONALD INGE	Aye
RAYMOND SCHUMANN, ESQ	Aye
CARLETON RYFFELL	Absent
RAY ANN WESEL	Aye

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: December 13, 2006

A. BOARD REVIEW

This amendment was pulled from the consent agenda by the county commission. There was a question regarding which map was proposed for adoption and clarification was needed to ensure that the entire Estero Bay Buffer Preserve was to remain in the Estero Planning Community. Staff confirmed that this was the recommendation.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:** The Board voted to transmit the proposed amendment, as recommended by the staff and local planning agency, to the Florida Department of Community Affairs for their review.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of facts as advanced by the staff report.

C. VOTE:

A. BRIAN BIGELOW	AYE
TAMMARA HALL	AYE
BOB JANES	AYE
RAY JUDAH	AYE
FRANKLIN B. MANN	AYE

**PART V – DEPARTMENT OF COMMUNITY AFFAIRS
OBJECTIONS, RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: March 2, 2007

- A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS:** The Department of Community Affairs had no objections, recommendations, or comments on concerning this amendment.
- B. STAFF RESPONSE:** Adopt this amendment as transmitted.

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: May 16, 2007

A. BOARD REVIEW: Several area residents commented on this item that was placed on the "consent agenda". These residents were in support of keeping their communities in the Estero Planning Community, but also spoke highly of the San Carlos Fire Department. This item was pulled from the consent agenda. A question of staff was asked to clarify which option was being proposed for adoption. The Board voted to adopt the proposed changes to the Lee County Planning Communities Map (Map 16) depicted on Attachment 1, as recommended by the staff, the local planning agency, and transmitted to the Florida Department of Community Affairs.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

- 1. BOARD ACTION:** The Board of County Commissioners voted to adopt the proposed plan amendment.
- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board of County Commissioners accepted the facts advanced by staff and the LPA.

C. VOTE:

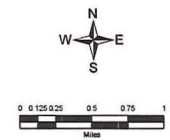
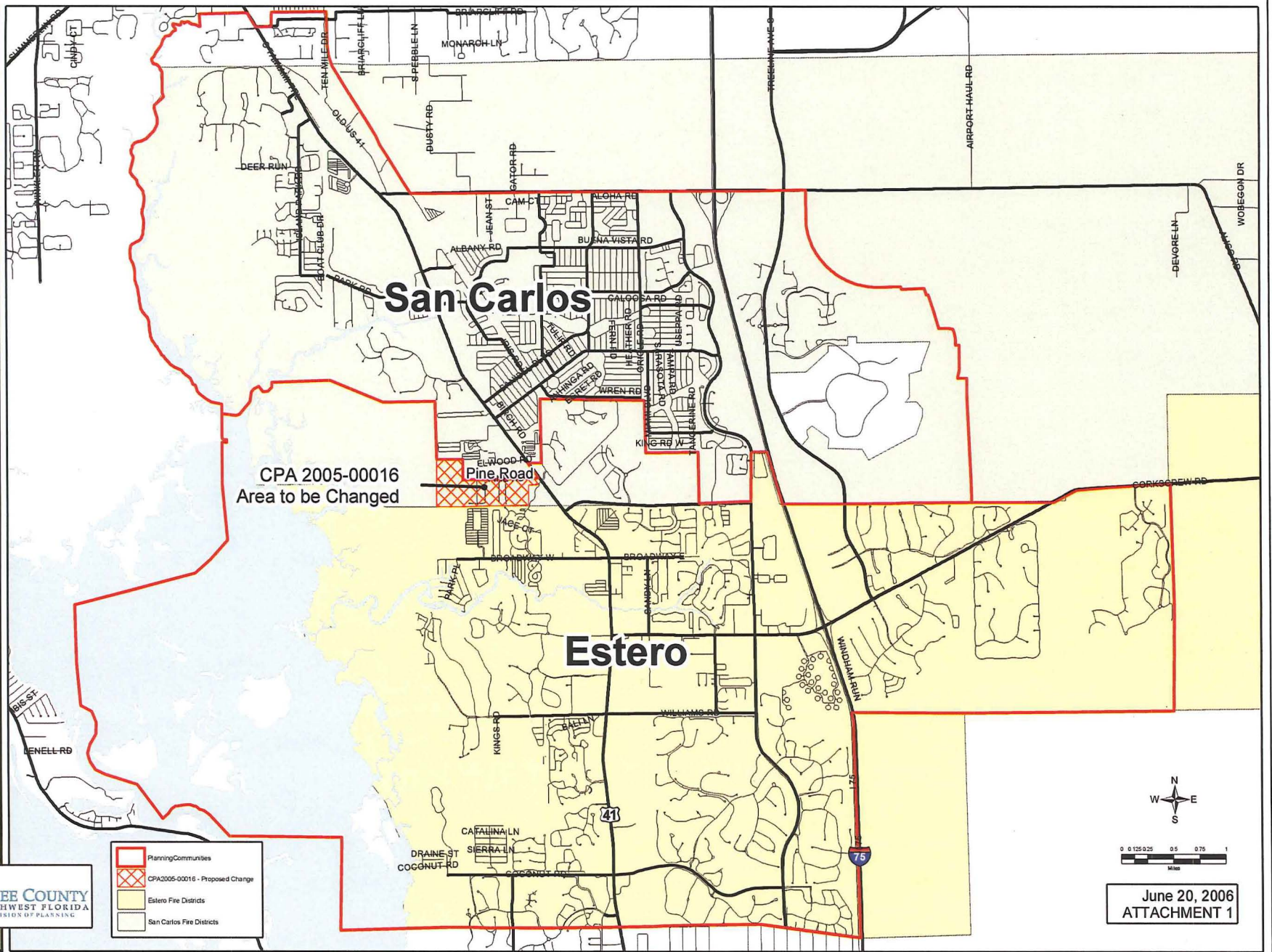
A. BRIAN BIGELOW	<u>AYE</u>
TAMMARA HALL	<u>AYE</u>
BOB JANES	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
FRANKLIN B. MANN	<u>AYE</u>

CPA2005-00016

(Proposed Change in Planning Community Boundaries)



- Planning Communities
- CPA2005-00016 - Proposed Change
- Estero Fire Districts
- San Carlos Fire Districts



June 20, 2006
ATTACHMENT 1

CPA2005-00016

(Developments in the Area Considered for Change)



- CPA2005-00016 - Proposed Change
- Estero Fire Districts
- San Carlos Fire Districts
- Planning Communities
- Planned Developments

San Carlos Planning Community

**Estero Bay
Buffer
Preserve**

**Hideaway
Cove**

**CPA 2005-00016
Area to be Changed**

Breckenridge

Estero Planning Community

**The
Vines**

**Bella
Lago**

**The
Reserve**

June 20, 2006
ATTACHMENT 2

**MANAGEMENT & PLANNING COMMITTEE
AGENDA REQUEST FORM
COMMISSION DISTRICT # 3 & 5**

PRESENTED BY: Jim Mudd
Division of Planning

REQUESTED BY: BOCC

TITLE OF ITEM FOR THE AGENDA: San Carlos Park and Estero Planning Community Boundaries.

1. DESCRIPTION AND OBJECTIVE OF THE ISSUE

The Board directed staff to meet with San Carlos Park and Estero residents who have expressed concerns about the current boundary between the two Planning Communities and to report the results of those meetings at the August 1st M&P.

2. PROPOSED POLICY, PROCEDURE OR PLAN OF ACTION

See the attached summary of the meetings including maps of the three options.

3. OPTIONS (List Advantages/Disadvantages of Each Option Listed)

Option 1: Make no changes to the San Carlos Park and Estero Planning Community Boundaries. This option would not require amendments to the Lee Plan or to the Land Development Code. Residents of the Pine Road neighborhood have indicated that they would be opposed to this option.

Option 2: Change the boundary between the San Carlos Park and Estero Planning Communities to place all of the Pine Road neighborhood within the San Carlos Park Planning Community. Option 2 is acceptable to all residents that staff has discussed the issue with. The Pine Road neighborhood would no longer be subject to the regulations that apply to the Estero planning community and a public informational meeting would not be required for rezoning requests or development proposals within their neighborhood. Option 2 would require amendments to the Lee Plan and the Land Development Code.

Option 3: Change the boundary of the San Carlos Park and Estero Planning Communities to conform with the San Carlos Park and Estero Fire District Boundaries from Hendry Creek to the eastern edge of the Reserve at Estero RPD. Option 3 is preferred by those residents of the Pine Road neighborhood that have met with staff; however it is not supported by those residents of The Vines, Belle Lago and Breckenridge that staff has talked to. Option 3 would require amendments to the Lee Plan and the Land Development Code.

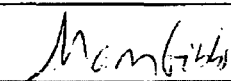
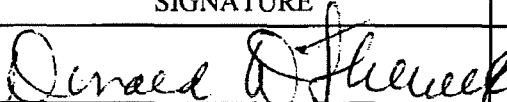
4. FINANCIAL IMPACTS/FUNDING SOURCE

N/A

5. STAFF RECOMMENDATIONS, AND JUSTIFICATION FOR RECOMMENDATIONS

Staff recommends Option 2. Option 1 is opposed by residents of the Pine Road neighborhood and Option 3 is opposed by residents of The Vines, Belle Lago and Breckenridge.

6. MANDATED? Y N BY WHAT AUTHORITY?

DEPARTMENT DIRECTOR SIGNATURE	COUNTY ADMINISTRATOR SIGNATURE	MEETING DATE	TIME REQUIRED
		08/01/05	10 minutes

MEETING SUMMARY

SAN CARLOS PARK AND ESTERO PLANNING COMMUNITY BOUNDARY

BACKGROUND: Residents of the Pine Road neighborhood have recently expressed concern that their neighborhood is located within the Estero Planning Community Boundary. They believe their neighborhood should be located within the San Carlos Park Planning Community. Further, they have expressed a desire for the County to place all of the property within the San Carlos Park Fire District, from Hendry Creek to the eastern edge of the Reserve at Estero RPD, into the San Carlos Park Planning Community.

At the June 14, 2005 BoCC meeting, the Board directed staff to meet with residents of both San Carlos Park and Estero and report the results of those meetings to the Board at the August, 2005 Management and Planning meeting.

SUMMARY OF MEETINGS: As directed, staff has met with residents of San Carlos Park and Estero with concerns about the planning community boundaries. There were six meetings in the various neighborhoods and numerous phone conversations and correspondence. Following are summaries of the six meetings.

July 27: San Carlos Park - Haney's Café: Staff discussed the planning community boundary and community planning with six residents of San Carlos Park. Two of those residents are members of the San Carlos Park Civic Association.

The residents indicated that they wanted the planning community boundary changed to correspond with the San Carlos Park Fire District boundary from Hendry Creek, east to the eastern edge of the Reserve at Estero. They also expressed an interest in developing a community plan for San Carlos Park.

July 29 - San Carlos Park - Gumpert residence: Staff discussed several options for the planning community boundary with five residents of San Carlos Park. They were clear that their preference would be for the boundary to be changed to correspond with the Fire District Boundary, but would support a change for only the Pine Road neighborhood if that decision was made.

June 30 - Belle Lago - Belle Lago Clubhouse: There were 48 residents from the Belle Lago community present at a special meeting to discuss the San Carlos Park and Estero Planning Community boundaries. The residents voted unanimously to remain within the Estero Planning Community. Staff also received six letters and e-mails from out of town residents of Belle Lago in support of remaining within the Estero Planning Community.

July 1 - The Vines - Vines Clubhouse: Staff met with four members of The Vines Community Association. They confirmed their position that The Vines would like to remain in the Estero

Planning Community, for now. They were also clear that they had not spoken with all of the residents of The Vines, but had support from both the Community Association and the Country Club Board of Directors.

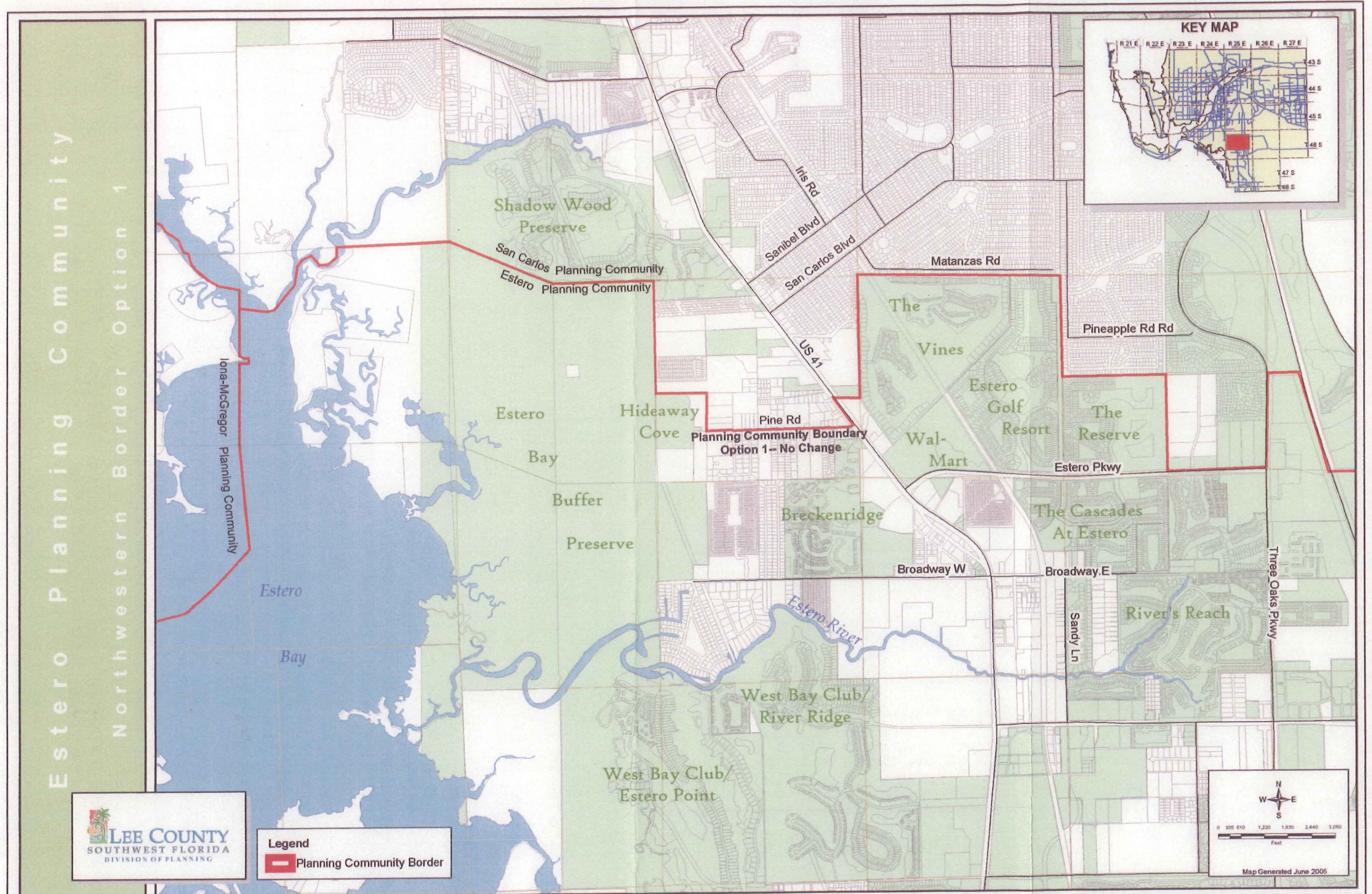
After the meeting, one resident approached staff and stated that he was not entirely pleased with the Estero Planning Panel, but was not suggesting that The Vines be removed from the Estero Planning Community. He indicated he was concerned with the Estero Planning Panel's handling of the Wal-Mart rezoning.

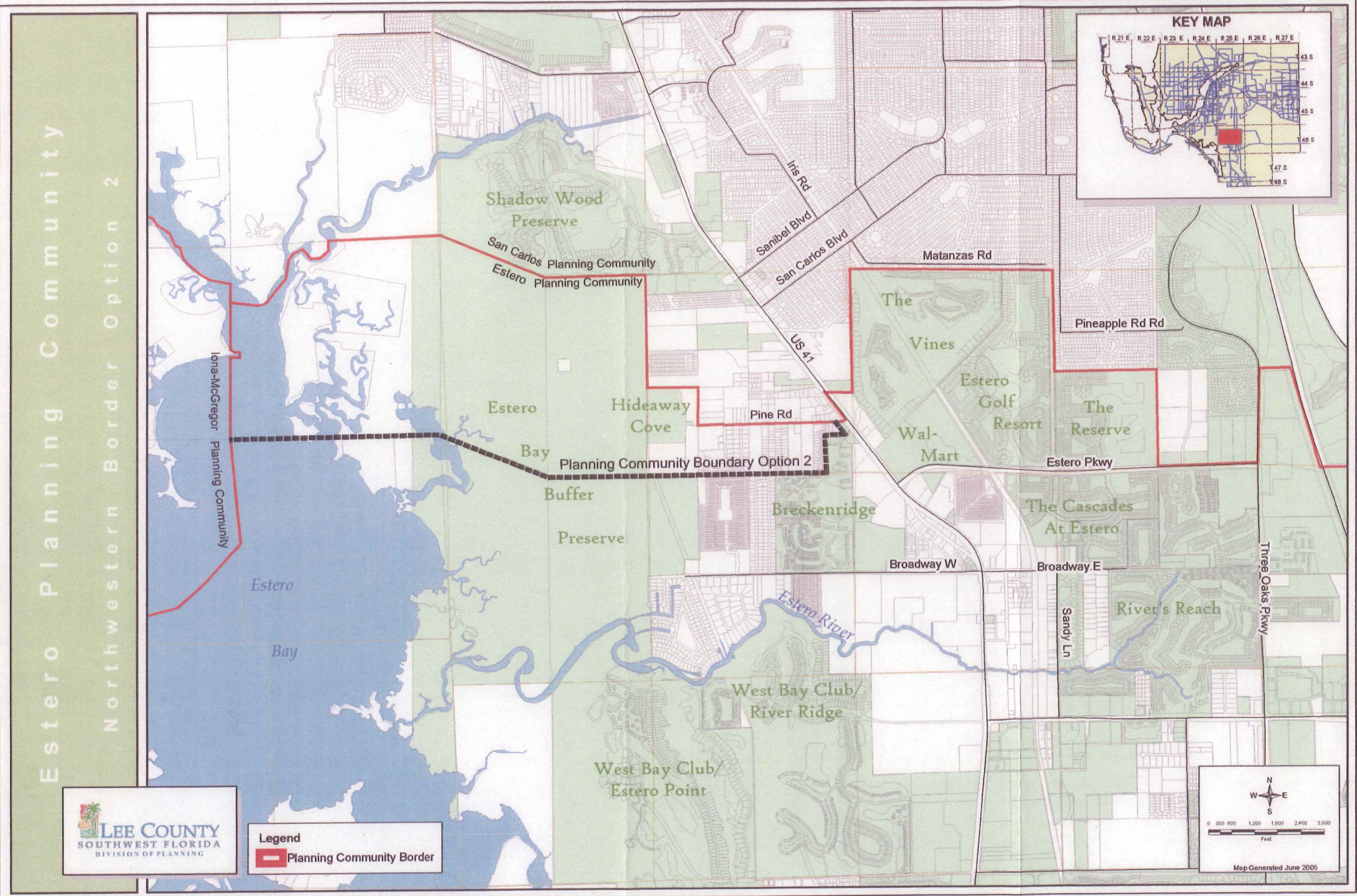
July 19 - Breckenridge - Breckenridge Clubhouse: There were 38 residents of Breckenridge present for the Breckenridge Master Board workshop. The residents voted unanimously to support Option 2 that staff was recommending. Option 2 would place all of the Pine Road neighborhood in the San Carlos Park Planning Community, but would not affect Breckenridge, the Wal-Mart site, Osprey Cove, The Vines or the Reserve at Estero.

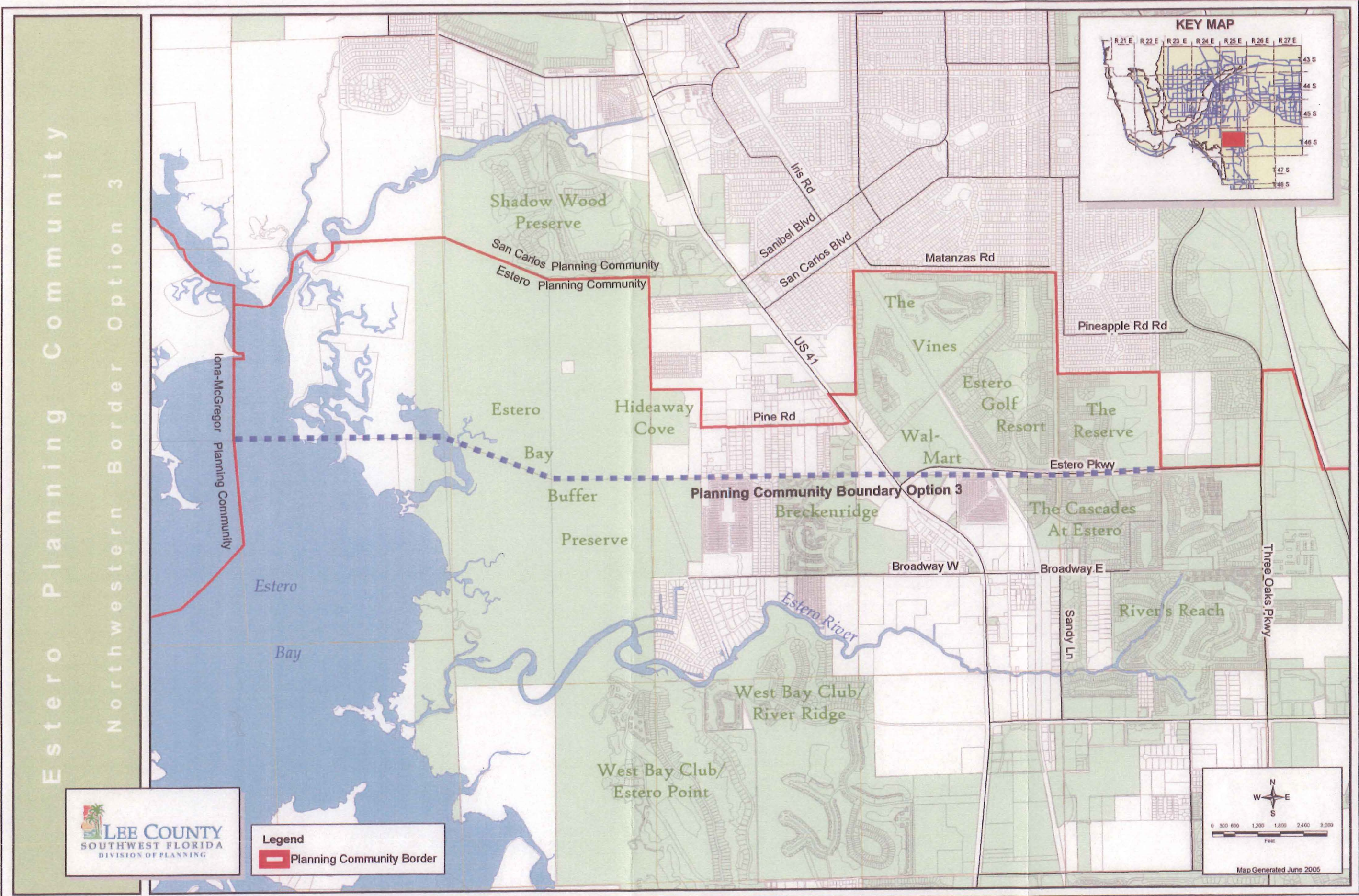
Staff did not talk to any representative from Wal-Mart. Osprey Cove and the Reserve at Estero are under construction. Following the meeting with Belle Lago, staff was approached by a realtor who had sold one of the lots in the Reserve at Estero to his son. He indicated that his son was aware his property was located in the Estero Planning Community and that he wanted to remain there.

July 21- San Carlos Park - Gumpert residence: Staff explained the outcomes of meetings with residents of The Vines, Belle Lago and Breckenridge to eight residents of the Pine Road neighborhood. Three options for the San Carlos Park and Estero Planning Community boundaries were also discussed. Staff indicated that they were recommending Option 2, which would place all of the Pine Road neighborhood into the San Carlos Park Planning Community. Option 2 would not change the boundary for Breckenridge, the Wal-Mart site, Osprey Cove, The Vines, Belle Lago or the Reserve at Estero.

The residents at the meeting agreed that Option 2 was acceptable, but indicated that their preference was Option 3. That option would place all of the property located within the San Carlos Park Fire District, from Hendry Creek to the eastern edge of the Reserve at Estero, within the San Carlos Park Planning Community. One resident stated that Option 3 was also preferred by the San Carlos Park Civic Association.







Excerpt from
A Workshop Meeting of the Board of Lee County Commissioners
sitting as the Board Management and Planning Committee
Date of Meeting: August 1, 2005

6. SAN CARLOS PARK AND ESTERO PLANNING COMMUNITY BOUNDARIES

Review staff's report regarding meetings held to address the concerns of San Carlos Park and Estero residents about the current boundary between the two Planning Communities.

OPTIONS:

1. Make no changes to the existing San Carlos Park and Estero Planning Community boundaries.
2. Change the boundary between the San Carlos Park and Estero Planning Communities to place the entire Pine Road neighborhood within the San Carlos Planning Community.
3. Change the boundary between the San Carlos Park and Estero Planning Communities to conform with the San Carlos Park and Estero Fire District boundaries from Hendry Creek to the eastern edge of the Reserve at Estero RPD.

RECOMMENDATION:

Staff recommends Option 2. Option 1 is opposed by residents of the Pine Road neighborhood; and Option 3 is opposed by residents of The Vines, Belle Lago, and Breckenridge.

After briefly reviewing the item, Planning Division Community Planner Jim Mudd stated that he had met with residents of the Pine Road neighborhood, and those that he had spoken with would prefer that all the property located within the San Carlos Park Fire District, along its southern edge, be included in a San Carlos Park Planning Community (SCPPC); and pointed out that this was Option 3 on the map that was provided to the Board. He further stated that he had met with residents of The Vines, Belle Lago, and Breckenridge; and noted that of the three options that have been presented to the Board, Option 2 is the only Option that no one had objected to, and would not affect Breckenridge, Ospery Cove, the Vines, Belle Lago, or the Reserve at Estero. At the request of Commissioner Judah, Mr. Mudd stated that staff recommended Option 2, and further noted that Option 2 would require an amendment to the Lee Plan and the Land Development Code. In response to Commissioner Albion's opinion that the San Carlos decision regarding the Community Planning should be based on Fire district boundaries, Mr. Mudd stated he believed the Pine Road residents are interested in developing a planning council. Commissioner St. Cerny commended Mr. Mudd on a job well done in forming a consensus. In response to Commissioner Albion's request for Board consensus on the boundaries of a SCPPC following the boundaries of the San Carlos Park Fire District, Mr. Mudd described the boundaries of the fire district as extending several miles east into the DRGR from the edge of the planning community line and a mile north; and noted that the residents of Pine Road haven't made any mention of that area, they only seem interested in the southern edge corresponding with the fire district boundaries. Commissioner Hall expressed concern with setting a precedent where the community planning districts boundaries would have to meet the fire district boundaries; stated that she felt this was a unique situation, and confirmed she was in support of Option 2 as written. In response to Commissioner Hall's comments, Commissioner Albion noted that from his involvement in the San Carlos area he could foresee a boarder war, and noted that some of the residents see this as a major movement toward incorporation. In response to Commissioner Judah's inquiry, Mr. Mudd stated if the Board initiated option two at the end of September, which is the deadline for Comprehensive Plan amendments, it would take one year. The Board was in agreement with Option two.

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BoCC SPONSORED AMENDMENT
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DCA Transmittal Hearing Document

Lee County Planning Division
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December 18, 2006

LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2004-15

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Text Amendment

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Map Amendment

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- Residents of the Vines Country Club community submitted a letter to the Planning Division requesting this community be included in the Estero Planning Community.
- The citizens involved in the Estero Community Plan effort chose the Estero Planning Community boundary as the boundary for this plan which was adopted during the same plan amendment cycle.
- Pine Rd was selected as the border between the Estero and San Carlos Planning Communities to reduce the gerrymandering of the line.
- In 2005 the residents in the Pine Rd area requested the area south of Pine Road to the southern boundary of the San Carlos Fire District be moved to the San Carlos Planning Community.
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When the city of Bonita Springs incorporated, it was decided that adjustments to the Planning Community map should be made to reflect changes since its original adoption.

PAM/T99-20 included a recommendation to create two new communities, Bayshore and Estero and to rename the San Carlos/Estero Community to San Carlos. The southern boundary of the new Estero Planning Community was the new Bonita Springs city limit line. Staff considered delineating the northern boundary of the Estero Planning Community following the Estero Fire District boundary. However, residents of the Vines Country Club submitted a letter to the Planning Division Staff asking to be included in the Estero Planning Community. The Vines is a gated golf course community which is the predominant development style in the rest of the Estero area. To the south and east of the Vines are additional gated communities that were in the planning stages when the new planning community boundary was proposed. West of US 41, the existing Breckenridge development (a gated community) extends north to Pine Road and is split by the fire district line with the majority of the development being located in the Estero Fire District (see attachment 2). Staff recommended that the Estero Planning Community include the approved and proposed planned developments lying to the north of the Estero/San Carlos Fire District border. To reduce the meandering of northern boundary of the new Estero Community the border was established along Pine Road. A decision was made to include the entire Estero Buffer Preserve (AKA SHADEV, Inc. property) in the Estero Planning Community. The staff recommended changes creating the separate San Carlos and Estero Planning Communities were adopted by the Board of County Commissioners on January 10, 2002.

An amendment to redesignate 60 acres at the end of Pine Road from Rural and Wetlands to Outlying Suburban and Wetlands was submitted for the 1998/1999 plan amendment cycle. This amendment request was denied by the BoCC. A second request for this property was submitted for this property for review in the 2002/2003 plan amendment cycle. This amendment was adopted on October 23, 2003. Subsequently, a planned development rezoning case was filed and approval of the zoning case was granted November 21, 2005. During this process, residents along Pine Road expressed concern that their neighborhoods were within the Estero Planning Community. They felt that these neighborhoods should be in the San Carlos Planning Community. The stated preference was that the boundary between the Estero and San Carlos Planning Communities be realigned to follow the fire district boundaries. Per BoCC direction, staff attended 6 meetings in the area to determine the preferences of the residents living in the area of the Estero Planning Community that is within the San Carlos Fire District. Following these meetings, petitions were distributed throughout the community to measure preferences. The outcome of these meetings and petitions was the communities of the Vines, Breckenridge, and Belle Lago preferred to remain in the Estero Planning Community and the residents south of Pine Road preferred to be part of the San Carlos Planning Community.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

The Planning Community Map (Map 16) is used in the administration of the 2020 land use allocations. The allocations are regulatory for commercial, industrial, and residential developments at the development order stage. The community map is also used for reporting data such as population estimates, development trends, and population projections. In a few instances, these boundaries have been used as the boundary for a Community Planning effort. This is the case with the Estero, Boca Grande, and Bayshore community plans. The Pine Island, Captiva, Caloosahatchee Shores, Palm Beach Blvd., Buckingham, and Page Park planning efforts did not utilize the Planning Community boundaries. Changes to these boundaries do not impact the regulatory aspect of the allocations, once the allocations are revised to reflect boundary changes; however, changes do reduce the ability to compare data reported in the past with current and projected data. For this reason, staff is conservative when recommending changes to this map.

The map was also envisioned as a mechanism to identify areas in Lee County that were similar in character. The original map was limited to 20 communities so identifying all of the communities within Lee County was not possible, even if a list could have been agreed upon. The 20 community policy was relaxed after the original map was adopted and since then, 2 new communities have been mapped. Since the concept is to identify communities, the county will evaluate suggestions from citizen groups regarding their neighborhoods. This was the situation that was presented to the county in 2005 when the residents of Pine Road approached the county to adjust the San Carlos Planning Community boundary to follow the San Carlos Fire District line. At the June 14, 2005 BoCC meeting, the board directed staff to meet with the residents in the area and report the findings. Staff generated 3 options to present to the citizens and attended 6 meetings in the area to gather input on the options. Option 1 was to make no changes to Map 16. Option 2 amended the boundary to include the neighborhoods south of Pine Road in the San Carlos Planning Community while leaving the gated communities of Breckenridge, Belle Lago, The Vines, and The Reserve in the Estero Planning Community. Option 3 amended the boundary between the two planning communities to follow the fire district line. At the August 1, 2005 Management and Planning Meeting, Planning staff reported the preferred option was "Option 2" (see Attachment 3 pages 2 & 3). Option 1 was objected to by the Pine Road neighborhoods and Option 3 was opposed by the residents of Breckenridge, Belle Lago, and The Vines (The Reserve had no residents in the summer of 2005). The Board discussion at the Management and Planning Meeting concluded with an agreement to direct staff to amend the map as depicted in Option 2. (See Attachment 4)

One outcome of the change reflected in Option 2 is the splitting of the Estero Bay Buffer Preserve into both the San Carlos and Estero Planning Communities. (see Attachment 3 page 5 of 6) The tract of land purchased from SHADEV, Inc. to be included in the preserve is currently entirely within the Estero Planning Community. Since this property is to be preserved staff has concluded there is no benefit in splitting the property to include the northern half in the San Carlos Planning Community.

A second outcome of this amendment will be the need for a change in the allocation table (Lee Plan Table 1(b)) to reflect the shift of 176± acres from the Estero Planning Community to the San Carlos Planning Community. Since a countywide evaluation of the allocations is being conducted in a separate amendment within this plan amendment cycle, staff has deferred this issue to be resolved in that amendment. Staff's primary concern on this topic is that the change in the boundary will result in 55± acres of land with an Outlying Suburban land use designation being included in the San Carlos Planning Community. Currently there are no properties within the San Carlos Planning Community designated Outlying Suburban and therefore, no acreage has been allocated for this designation.

B. CONCLUSIONS

Map 16, Lee County Planning Communities, should be amended to reflect the consensus of the residents in the area of the Estero Planning Community also within the San Carlos Fire District. This amendment was directed by the Lee County Board of County Commissioners at their August 1, 2005 Management and Planning Meeting and Initiated at the September 9, 2005 BoCC Meeting. To reduce the total area being changed from the Estero Planning Community to the San Carlos Planning Community, staff recommends that the Estero Bay Buffer Preserve (AKA SHADEV, Inc. parcel) remain in the Estero Planning Community. If the preserve property were included in the change, approximately 1,300 acres would be shifted between communities. Removing the preserve from the change reduces the amount of acres to 176±. Staff recommends the area of the Estero Planning Community south of Pine Road east of the Estero Bay Buffer Preserve west of US 41 excluding the Breckenridge neighborhood.

C. STAFF RECOMMENDATION

Planning staff recommends the Board of County Commissioners transmit the proposed amendment to Map 16. This amendment realigns the southern boundary San Carlos Planning Community to follow the fire district border between the Breckenridge neighborhood and the Estero Bay Buffer Preserve (see attachment 1).

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

PUBLIC HEARING DATE. June 26, 2006

A. LOCAL PLANNING AGENCY REVIEW

Planning Staff provided a summary of the proposed amendment including a history of community meetings and three options that were discussed by the communities that lead to the initiation of this amendment. Staff discussed the one difference between the recommendation and the option agreed upon by the interested neighborhoods which is to include the Estero Bay Buffer Preserve entirely in the Estero Planning Community. Staff also stated that no acreage allocation changes were being proposed in this change due to the accommodation allocation amendment that is also under review in this amendment cycle.

The one of the Local Planning Agency members stated her concern that this amendment might start a precedent for future changes to the planning community map.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** The LPA recommends that the Board of County Commissioners transmit the proposed amendment.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA advances the findings of fact presented by staff.

C. VOTE:

NOEL ANDRESS	Aye
DEREK BURR	Aye
RONALD INGE	Aye
RAYMOND SCHUMANN, ESQ	Aye
CARLETON RYFFELL	Absent
RAY ANN WESEL	Aye

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: December 13th 2006

A. BOARD REVIEW

This amendment was pulled from the consent agenda by the county commission. There was a question regarding which map was proposed for adoption and clarification was needed to ensure that the entire Estero Bay Buffer Preserve was to remain in the Estero Planning Community. Staff confirmed that this was the recommendation.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

- 1. BOARD ACTION:** The Board voted to transmit the proposed amendment, as recommended by the staff and local planning agency, to the Florida Department of Community Affairs for their review.
- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of facts as advanced by the staff report.

C. VOTE:

BRIAN BIGELOW	AYE
TAMMARA HALL	AYE
BOB JANES	AYE
RAY JUDAH	AYE
FRANK MANN	AYE

**PART V – DEPARTMENT OF COMMUNITY AFFAIRS
OBJECTIONS, RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT:

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

B. STAFF RESPONSE:

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING:

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

BRIAN BIGELOW

TAMMARA HALL

BOB JANES

RAY JUDAH

FRANK MANN

CPA2005-00016

(Proposed Change in Planning Community Boundaries)



- Planning Communities
- CPA2005-00016 - Proposed Change
- Estero Fire Districts
- San Carlos Fire Districts

CPA 2005-00016
Area to be Changed

San Carlos

Estero

Pine Road



0 0.125 0.25 0.5 0.75 1
Miles

June 20, 2006
ATTACHMENT 1

CPA 2005-00016

(Developments in the Area Considered for Change)

San Carlos Planning Community

**Estero Bay
Buffer
Preserve**

**Hideaway
Cove**

**CPA 2005-00016
Area to be Changed**

**The
Vines**

**Bella
Lago**

**The
Reserve**

Breckenridge

Estero Planning Community

- CPA 2005-00016 - Proposed Change
- Estero Fire Districts
- San Carlos Fire Districts
- Planning Communities
- Planned Developments



June 20, 2006
ATTACHMENT 2

**MANAGEMENT & PLANNING COMMITTEE
AGENDA REQUEST FORM
COMMISSION DISTRICT # 3 & 5**

PRESENTED BY: Jim Mudd
Division of Planning

REQUESTED BY: BOCC 112

TITLE OF ITEM FOR THE AGENDA: San Carlos Park and Estero Planning Community Boundaries.

1. DESCRIPTION AND OBJECTIVE OF THE ISSUE

The Board directed staff to meet with San Carlos Park and Estero residents who have expressed concerns about the current boundary between the two Planning Communities and to report the results of those meetings at the August 1st M&P.

2. PROPOSED POLICY, PROCEDURE OR PLAN OF ACTION

See the attached summary of the meetings including maps of the three options.

3. OPTIONS (List Advantages/Disadvantages of Each Option Listed)

Option 1: Make no changes to the San Carlos Park and Estero Planning Community Boundaries. This option would not require amendments to the Lee Plan or to the Land Development Code. Residents of the Pine Road neighborhood have indicated that they would be opposed to this option.

Option 2: Change the boundary between the San Carlos Park and Estero Planning Communities to place all of the Pine Road neighborhood within the San Carlos Park Planning Community. Option 2 is acceptable to all residents that staff has discussed the issue with. The Pine Road neighborhood would no longer be subject to the regulations that apply to the Estero planning community and a public informational meeting would not be required for rezoning requests or development proposals within their neighborhood. Option 2 would require amendments to the Lee Plan and the Land Development Code.

Option 3: Change the boundary of the San Carlos Park and Estero Planning Communities to conform with the San Carlos Park and Estero Fire District Boundaries from Hendry Creek to the eastern edge of the Reserve at Estero RPD. Option 3 is preferred by those residents of the Pine Road neighborhood that have met with staff; however it is not supported by those residents of The Vines, Belle Lago and Breckenridge that staff has talked to. Option 3 would require amendments to the Lee Plan and the Land Development Code.

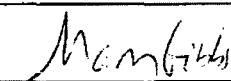
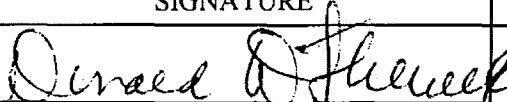
4. FINANCIAL IMPACTS/FUNDING SOURCE

N/A

5. STAFF RECOMMENDATIONS, AND JUSTIFICATION FOR RECOMMENDATIONS

Staff recommends Option 2. Option 1 is opposed by residents of the Pine Road neighborhood and Option 3 is opposed by residents of The Vines, Belle Lago and Breckenridge.

6. MANDATED? Y N BY WHAT AUTHORITY?

DEPARTMENT DIRECTOR SIGNATURE	COUNTY ADMINISTRATOR SIGNATURE	MEETING DATE	TIME REQUIRED
		08/01/05	10 minutes

MEETING SUMMARY

SAN CARLOS PARK AND ESTERO PLANNING COMMUNITY BOUNDARY

BACKGROUND: Residents of the Pine Road neighborhood have recently expressed concern that their neighborhood is located within the Estero Planning Community Boundary. They believe their neighborhood should be located within the San Carlos Park Planning Community. Further, they have expressed a desire for the County to place all of the property within the San Carlos Park Fire District, from Hendry Creek to the eastern edge of the Reserve at Estero RPD, into the San Carlos Park Planning Community.

At the June 14, 2005 BoCC meeting, the Board directed staff to meet with residents of both San Carlos Park and Estero and report the results of those meetings to the Board at the August, 2005 Management and Planning meeting.

SUMMARY OF MEETINGS: As directed, staff has met with residents of San Carlos Park and Estero with concerns about the planning community boundaries. There were six meetings in the various neighborhoods and numerous phone conversations and correspondence. Following are summaries of the six meetings.

July 27: San Carlos Park - Haney's Café: Staff discussed the planning community boundary and community planning with six residents of San Carlos Park. Two of those residents are members of the San Carlos Park Civic Association.

The residents indicated that they wanted the planning community boundary changed to correspond with the San Carlos Park Fire District boundary from Hendry Creek, east to the eastern edge of the Reserve at Estero. They also expressed an interest in developing a community plan for San Carlos Park.

July 29 - San Carlos Park - Gumpert residence: Staff discussed several options for the planning community boundary with five residents of San Carlos Park. They were clear that their preference would be for the boundary to be changed to correspond with the Fire District Boundary, but would support a change for only the Pine Road neighborhood if that decision was made.

June 30 - Belle Lago - Belle Lago Clubhouse: There were 48 residents from the Belle Lago community present at a special meeting to discuss the San Carlos Park and Estero Planning Community boundaries. The residents voted unanimously to remain within the Estero Planning Community. Staff also received six letters and e-mails from out of town residents of Belle Lago in support of remaining within the Estero Planning Community.

July 1 - The Vines - Vines Clubhouse: Staff met with four members of The Vines Community Association. They confirmed their position that The Vines would like to remain in the Estero

July 21, 2005

Page 1 of 2

Planning Community, for now. They were also clear that they had not spoken with all of the residents of The Vines, but had support from both the Community Association and the Country Club Board of Directors.

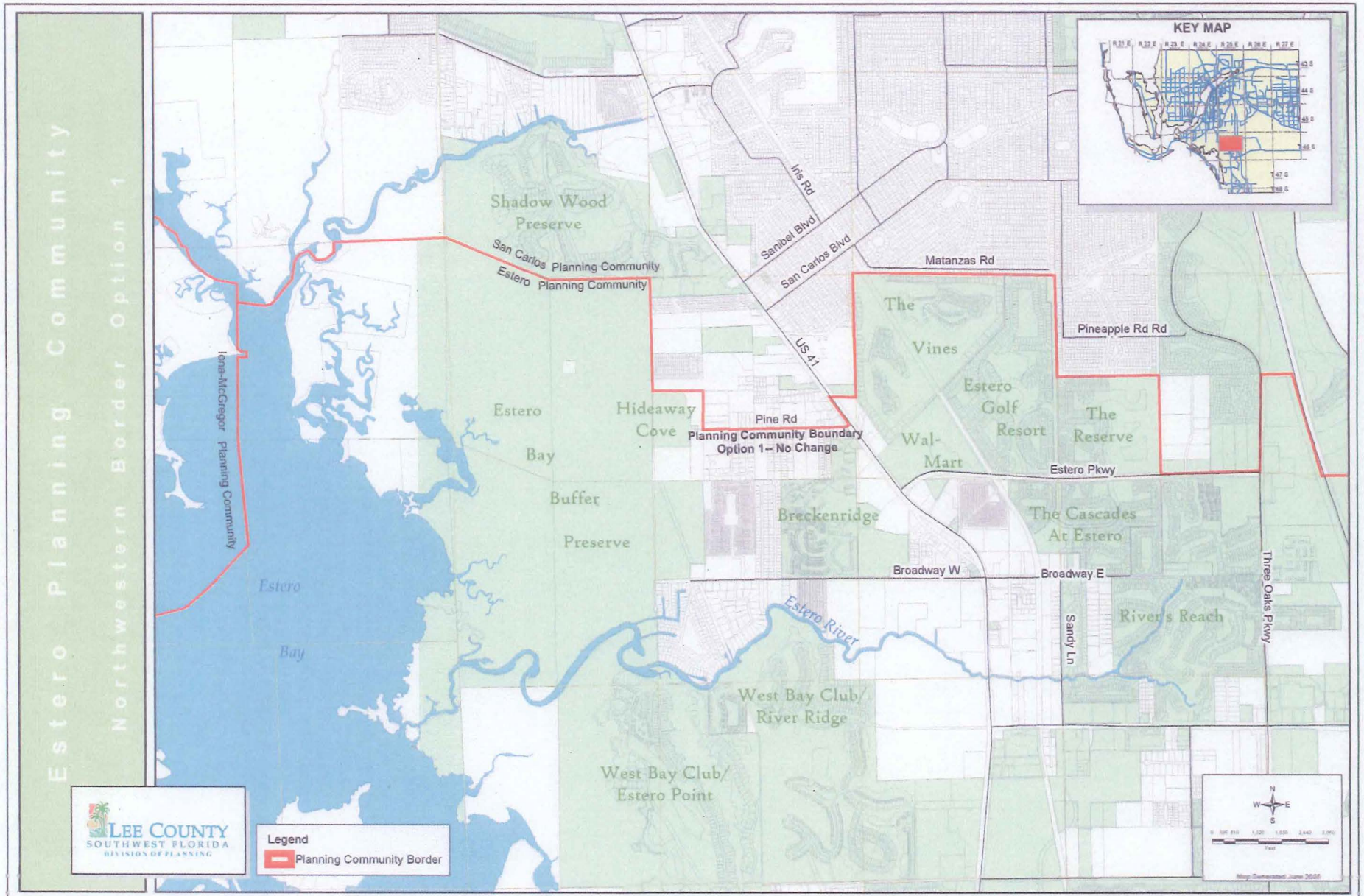
After the meeting, one resident approached staff and stated that he was not entirely pleased with the Estero Planning Panel, but was not suggesting that The Vines be removed from the Estero Planning Community. He indicated he was concerned with the Estero Planning Panel's handling of the Wal-Mart rezoning.

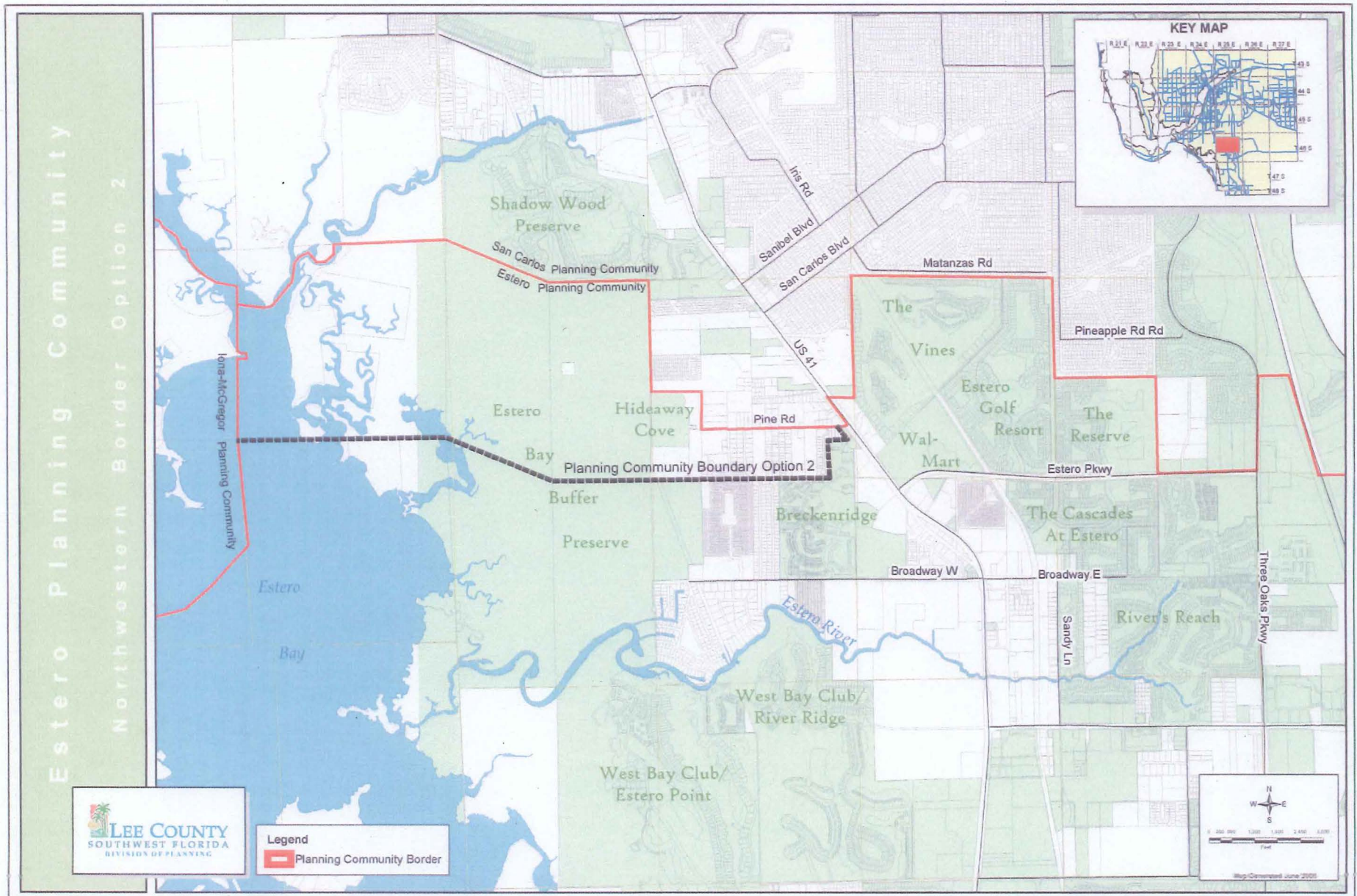
July 19 - Breckenridge - Breckenridge Clubhouse: There were 38 residents of Breckenridge present for the Breckenridge Master Board workshop. The residents voted unanimously to support Option 2 that staff was recommending. Option 2 would place all of the Pine Road neighborhood in the San Carlos Park Planning Community, but would not affect Breckenridge, the Wal-Mart site, Osprey Cove, The Vines or the Reserve at Estero.

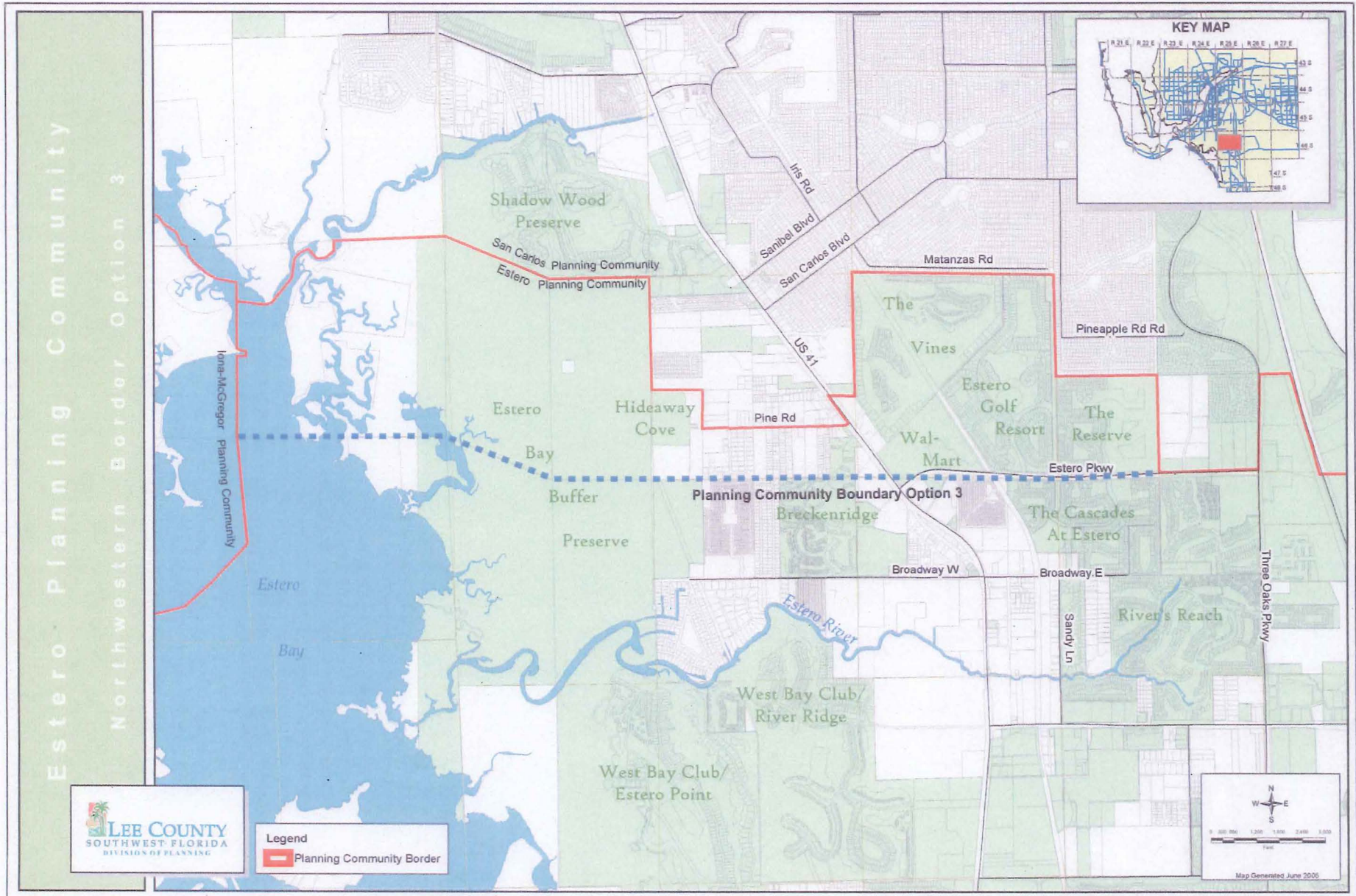
Staff did not talk to any representative from Wal-Mart. Osprey Cove and the Reserve at Estero are under construction. Following the meeting with Belle Lago, staff was approached by a realtor who had sold one of the lots in the Reserve at Estero to his son. He indicated that his son was aware his property was located in the Estero Planning Community and that he wanted to remain there.

July 21- San Carlos Park - Gumpert residence: Staff explained the outcomes of meetings with residents of The Vines, Belle Lago and Breckenridge to eight residents of the Pine Road neighborhood. Three options for the San Carlos Park and Estero Planning Community boundaries were also discussed. Staff indicated that they were recommending Option 2, which would place all of the Pine Road neighborhood into the San Carlos Park Planning Community. Option 2 would not change the boundary for Breckenridge, the Wal-Mart site, Osprey Cove, The Vines, Belle Lago or the Reserve at Estero.

The residents at the meeting agreed that Option 2 was acceptable, but indicated that their preference was Option 3. That option would place all of the property located within the San Carlos Park Fire District, from Hendry Creek to the eastern edge of the Reserve at Estero, within the San Carlos Park Planning Community. One resident stated that Option 3 was also preferred by the San Carlos Park Civic Association.







Excerpt from
A Workshop Meeting of the Board of Lee County Commissioners
sitting as the Board Management and Planning Committee
Date of Meeting: August 1, 2005

6. SAN CARLOS PARK AND ESTERO PLANNING COMMUNITY BOUNDARIES

Review staff's report regarding meetings held to address the concerns of San Carlos Park and Estero residents about the current boundary between the two Planning Communities.

OPTIONS:

1. Make no changes to the existing San Carlos Park and Estero Planning Community boundaries.
2. Change the boundary between the San Carlos Park and Estero Planning Communities to place the entire Pine Road neighborhood within the San Carlos Planning Community.
3. Change the boundary between the San Carlos Park and Estero Planning Communities to conform with the San Carlos Park and Estero Fire District boundaries from Hendry Creek to the eastern edge of the Reserve at Estero RPD.

RECOMMENDATION:

Staff recommends Option 2. Option 1 is opposed by residents of the Pine Road neighborhood; and Option 3 is opposed by residents of The Vines, Belle Lago, and Breckenridge.

After briefly reviewing the item, Planning Division Community Planner Jim Mudd stated that he had met with residents of the Pine Road neighborhood, and those that he had spoken with would prefer that all the property located within the San Carlos Park Fire District, along its southern edge, be included in a San Carlos Park Planning Community (SCPPC); and pointed out that this was Option 3 on the map that was provided to the Board. He further stated that he had met with residents of The Vines, Belle Lago, and Breckenridge; and noted that of the three options that have been presented to the Board, Option 2 is the only Option that no one had objected to, and would not affect Breckenridge, Ospery Cove, the Vines, Belle Lago, or the Reserve at Estero. At the request of Commissioner Judah, Mr. Mudd stated that staff recommended Option 2, and further noted that Option 2 would require an amendment to the Lee Plan and the Land Development Code. In response to Commissioner Albion's opinion that the San Carlos decision regarding the Community Planning should be based on Fire district boundaries, Mr. Mudd stated he believed the Pine Road residents are interested in developing a planning council. Commissioner St. Cerny commended Mr. Mudd on a job well done in forming a consensus. In response to Commissioner Albion's request for Board consensus on the boundaries of a SCPPC following the boundaries of the San Carlos Park Fire District, Mr. Mudd described the boundaries of the fire district as extending several miles east into the DRGR from the edge of the planning community line and a mile north; and noted that the residents of Pine Road haven't made any mention of that area, they only seem interested in the southern edge corresponding with the fire district boundaries. Commissioner Hall expressed concern with setting a precedent where the community planning districts boundaries would have to meet the fire district boundaries; stated that she felt this was a unique situation, and confirmed she was in support of Option 2 as written. In response to Commissioner Hall's comments, Commissioner Albion noted that from his involvement in the San Carlos area he could foresee a boarder war, and noted that some of the residents see this as a major movement toward incorporation. In response to Commissioner Judah's inquiry, Mr. Mudd stated if the Board initiated option two at the end of September, which is the deadline for Comprehensive Plan amendments, it would take one year. The Board was in agreement with Option two.

CPA2005-16
SAN CARLOS/ESTERO PLANNING
COMMUNITY BOUNDARIES
BoCC SPONSORED AMENDMENT
TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Public Hearing Document
For the
December 13th, 2006 Public Hearing

Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 479-8585

December 1, 2006

LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2004-15

☐

Text Amendment

☒

Map Amendment

This Document Contains the Following Reviews:	
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
	Board of County Commissioners Hearing for Transmittal
	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

PREPARATION DATE: June 20, 2006

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVE:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

2. REQUEST:

Amend the Future Land Use Map Series, Map 16, Lee County Planning Communities, to adjust the boundary between the Estero and San Carlos Planning Communities west of U.S. 41.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Planning staff recommends the Board of County Commissioners transmit the proposed amendment to Map 16. This amendment realigns the southern boundary San Carlos Planning Community to follow the fire district border between the Breckenridge neighborhood and the Estero Bay Buffer Preserve (see attachment 1).

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Planning Community Map (Map 16) was amended in 2002 and the Estero Planning Community was created from the San Carlos/Estero and Bonita Springs Planning Communities.
- Residents of the Vines Country Club community submitted a letter to the Planning Division requesting this community be included in the Estero Planning Community.
- The citizens involved in the Estero Community Plan effort chose the Estero Planning Community boundary as the boundary for this plan which was adopted during the same plan amendment cycle.
- Pine Rd was selected as the border between the Estero and San Carlos Planning Communities to reduce the gerrymandering of the line.
- In 2005 the residents in the Pine Rd area requested the area south of Pine Road to the southern boundary of the San Carlos Fire District be moved to the San Carlos Planning Community.
- At the August 2005 Management and Planning meeting the Board of County Commissioners directed staff to initiate an amendment to change the border between the Estero and San Carlos Planning Communities.

C. BACKGROUND INFORMATION

The Planning Community Map (Map 16) and Lee Plan Table 1(b) were created to replace the 2010 Overlay which was proposed for deletion in the 1994 Evaluation and Appraisal Report. The EAR was found to be not in compliance and the resulting Final Order required that the 2010 overlay component of the Lee Plan be retained. The issue of the 2010 Overlay was a topic for the EAR Addendum. An issue with the 2010 Overlay was the number of districts (115) and the exactness that was required of the land use projections used to administer the Overlay. Therefore, the planning community map was to have no more than 20 areas designated on the map. The consensus for creating these areas was to create a map that identified "communities" within the county. It was not intended that these community boundaries would mirror any existing geography. For data collection purposes, when possible, traffic analysis zones and census geography was followed but not when they contrasted with the goal of mapping communities in the county. In order to meet the goal of limiting the new overlay map to 20 communities, the Estero, San Carlos Park, Island Park and adjoining neighborhoods were combined into one community on the map. The developments of The Brooks (originally known as "Brooks of Bonita") and Pelican Landing were included in the Bonita Springs Planning Community.

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Estero and to rename the San Carlos/Estero Community to San Carlos. The southern boundary of the new Estero Planning Community was the new Bonita Springs city limit line. Staff considered delineating the northern boundary of the Estero Planning Community following the Estero Fire District boundary. However, residents of the Vines Country Club submitted a letter to the Planning Division Staff asking to be included in the Estero Planning Community. The Vines is a gated golf course community which is the predominant development style in the rest of the Estero area. To the south and east of the Vines are additional gated communities that were in the planning stages when the new planning community boundary was proposed. West of US 41, the existing Breckenridge development (a gated community) extends north to Pine Road and is split by the fire district line with the majority of the development being located in the Estero Fire District (see attachment 2). Staff recommended that the Estero Planning Community include the approved and proposed planned developments lying to the north of the Estero/San Carlos Fire District border. To reduce the meandering of northern boundary of the new Estero Community the border was established along Pine Road. A decision was made to include the entire Estero Buffer Preserve (AKA SHADEV, Inc. property) in the Estero Planning Community. The staff recommended changes creating the separate San Carlos and Estero Planning Communities were adopted by the Board of County Commissioners on January 10, 2002.

An amendment to redesignate 60 acres at the end of Pine Road from Rural and Wetlands to Outlying Suburban and Wetlands was submitted for the 1998/1999 plan amendment cycle. This amendment request was denied by the BoCC. A second request for this property was submitted for this property for review in the 2002/2003 plan amendment cycle. This amendment was adopted on October 23, 2003. Subsequently, a planned development rezoning case was filed and approval of the zoning case was granted November 21, 2005. During this process, residents along Pine Road expressed concern that their neighborhoods were within the Estero Planning Community. They felt that these neighborhoods should be in the San Carlos Planning Community. The stated preference was that the boundary between the Estero and San Carlos Planning Communities be realigned to follow the fire district boundaries. Per BoCC direction, staff attended 6 meetings in the area to determine the preferences of the residents living in the area of the Estero Planning Community that is within the San Carlos Fire District. Following these meetings, petitions were distributed throughout the community to measure preferences. The outcome of these meetings and petitions was the communities of the Vines, Breckenridge, and Belle Lago preferred to remain in the Estero Planning Community and the residents south of Pine Road preferred to be part of the San Carlos Planning Community.

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The Planning Community Map (Map 16) is used in the administration of the 2020 land use allocations. The allocations are regulatory for commercial, industrial, and residential developments at the development order stage. The community map is also used for reporting data such as population estimates, development trends, and population projections. In a few instances, these boundaries have been used as the boundary for a Community Planning effort. This is the case with the Estero, Boca Grande, and Bayshore community plans. The Pine Island, Captiva, Caloosahatchee Shores, Palm Beach Blvd., Buckingham, and Page Park planning efforts did not utilize the Planning Community boundaries. Changes to these boundaries do not impact the regulatory aspect of the allocations, once the allocations are revised to reflect boundary changes; however, changes do reduce the ability to compare data reported in the past with current and projected data. For this reason, staff is conservative when recommending changes to this map.

The map was also envisioned as a mechanism to identify areas in Lee County that were similar in character. The original map was limited to 20 communities so identifying all of the communities within Lee County was not possible, even if a list could have been agreed upon. The 20 community policy was relaxed after the original map was adopted and since then, 2 new communities have been mapped. Since the concept is to identify communities, the county will evaluate suggestions from citizen groups regarding their neighborhoods. This was the situation that was presented to the county in 2005 when the residents of Pine Road approached the county to adjust the San Carlos Planning Community boundary to follow the San Carlos Fire District line. At the June 14, 2005 BoCC meeting, the board directed staff to meet with the residents in the area and report the findings. Staff generated 3 options to present to the citizens and attended 6 meetings in the area to gather input on the options. Option 1 was to make no changes to Map 16. Option 2 amended the boundary to include the neighborhoods south of Pine Road in the San Carlos Planning Community while leaving the gated communities of Breckenridge, Belle Lago, The Vines, and The Reserve in the Estero Planning Community. Option 3 amended the boundary between the two planning communities to follow the fire district line. At the August 1, 2005 Management and Planning Meeting, Planning staff reported the preferred option was "Option 2" (see Attachment 3 pages 2 & 3). Option 1 was objected to by the Pine Road neighborhoods and Option 3 was opposed by the residents of Breckenridge, Belle Lago, and The Vines (The Reserve had no residents in the summer of 2005). The Board discussion at the Management and Planning Meeting concluded with an agreement to direct staff to amend the map as depicted in Option 2. (See Attachment 4)

One outcome of the change reflected in Option 2 is the splitting of the Estero Bay Buffer Preserve into both the San Carlos and Estero Planning Communities. (see Attachment 3 page 5 of 6) The tract of land purchased from SHADEV, Inc. to be included in the preserve is currently entirely within the Estero Planning Community. Since this property is to be preserved staff has concluded there is no benefit in splitting the property to include the northern half in the San Carlos Planning Community.

A second outcome of this amendment will be the need for a change in the allocation table (Lee Plan Table 1(b)) to reflect the shift of 176± acres from the Estero Planning Community to the San Carlos Planning Community. Since a countywide evaluation of the allocations is being conducted in a separate amendment within this plan amendment cycle, staff has deferred this issue to be resolved in that amendment. Staff's primary concern on this topic is that the change in the boundary will result in 55± acres of land with an Outlying Suburban land use designation being included in the San Carlos Planning Community. Currently there are no properties within the San Carlos Planning Community designated Outlying Suburban and therefore, no acreage has been allocated for this designation.

B. CONCLUSIONS

Map 16, Lee County Planning Communities, should be amended to reflect the consensus of the residents in the area of the Estero Planning Community also within the San Carlos Fire District. This amendment was directed by the Lee County Board of County Commissioners at their August 1, 2005 Management and Planning Meeting and Initiated at the September 9, 2005 BoCC Meeting. To reduce the total area being changed from the Estero Planning Community to the San Carlos Planning Community, staff recommends that the Estero Bay Buffer Preserve (AKA SHADEV, Inc. parcel) remain in the Estero Planning Community. If the preserve property were included in the change, approximately 1,300 acres would be shifted between communities. Removing the preserve from the change reduces the amount of acres to 176±. Staff recommends the area of the Estero Planning Community south of Pine Road east of the Estero Bay Buffer Preserve west of US 41 excluding the Breckenridge neighborhood.

C. STAFF RECOMMENDATION

Planning staff recommends the Board of County Commissioners transmit the proposed amendment to Map 16. This amendment realigns the southern boundary San Carlos Planning Community to follow the fire district border between the Breckenridge neighborhood and the Estero Bay Buffer Preserve (see attachment 1).

**PART III - LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION**

PUBLIC HEARING DATE. June 26, 2006

A. LOCAL PLANNING AGENCY REVIEW

Planning Staff provided a summary of the proposed amendment including a history of community meetings and three options that were discussed by the communities that lead to the initiation of this amendment. Staff discussed the one difference between the recommendation and the option agreed upon by the interested neighborhoods which is to include the Estero Bay Buffer Preserve entirely in the Estero Planning Community. Staff also stated that no acreage allocation changes were being proposed in this change due to the accommodation allocation amendment that is also under review in this amendment cycle.

The one of the Local Planning Agency members stated her concern that this amendment might start a precedent for future changes to the planning community map.

**B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT
SUMMARY**

1. **RECOMMENDATION:** The LPA recommends that the Board of County Commissioners transmit the proposed amendment.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA advances the findings of fact presented by staff.

C. VOTE:

NOEL ANDRESS	Aye
DEREK BURR	Aye
RONALD INGE	Aye
RAYMOND SCHUMANN, ESQ	Aye
CARLETON RYFFELL	Absent
RAY ANN WESEL	Aye

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: December 13th 2006

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

BRIAN BIGELOW

TAMMARA HALL

BOB JANES

RAY JUDAH

FRANK MANN

**PART V – DEPARTMENT OF COMMUNITY AFFAIRS
OBJECTIONS, RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT:

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

B. STAFF RESPONSE:

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING:

D. BOARD REVIEW:

E. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

F. VOTE:

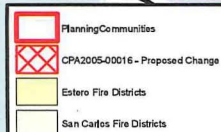
BRIAN BIGELOW

TAMMARA HALL

BOB JANES

RAY JUDAH

FRANK MANN



CPA 2005-00016
Area to be Changed

Pine Road

San Carlos

Estero



June 20, 2006
ATTACHMENT 1

San Carlos Planning Community

**Estero Bay
Buffer
Preserve**

**Hideaway
Cove**

**CPA 2005-00016
Area to be Changed**





Breckenridge

Estero Planning Community

**The
Vines**

**Bella
Lago**

**The
Reserve**

-  CPA2005-00016 - Proposed Change
-  Estero Fire Districts
-  San Carlos Fire Districts
-  Planning Communities
-  Planned Developments



June 20, 2006
ATTACHMENT 2

**MANAGEMENT & PLANNING COMMITTEE
AGENDA REQUEST FORM
COMMISSION DISTRICT # 3 & 5**

PRESENTED BY: Jim Mudd
Division of Planning

REQUESTED BY: BOCC 112

TITLE OF ITEM FOR THE AGENDA: San Carlos Park and Estero Planning Community Boundaries.

1. DESCRIPTION AND OBJECTIVE OF THE ISSUE

The Board directed staff to meet with San Carlos Park and Estero residents who have expressed concerns about the current boundary between the two Planning Communities and to report the results of those meetings at the August 1st M&P.

2. PROPOSED POLICY, PROCEDURE OR PLAN OF ACTION

See the attached summary of the meetings including maps of the three options.

3. OPTIONS (List Advantages/Disadvantages of Each Option Listed)

Option 1: Make no changes to the San Carlos Park and Estero Planning Community Boundaries. This option would not require amendments to the Lee Plan or to the Land Development Code. Residents of the Pine Road neighborhood have indicated that they would be opposed to this option.

Option 2: Change the boundary between the San Carlos Park and Estero Planning Communities to place all of the Pine Road neighborhood within the San Carlos Park Planning Community. Option 2 is acceptable to all residents that staff has discussed the issue with. The Pine Road neighborhood would no longer be subject to the regulations that apply to the Estero planning community and a public informational meeting would not be required for rezoning requests or development proposals within their neighborhood. Option 2 would require amendments to the Lee Plan and the Land Development Code.

Option 3: Change the boundary of the San Carlos Park and Estero Planning Communities to conform with the San Carlos Park and Estero Fire District Boundaries from Hendry Creek to the eastern edge of the Reserve at Estero RPD. Option 3 is preferred by those residents of the Pine Road neighborhood that have met with staff; however it is not supported by those residents of The Vines, Belle Lago and Breckenridge that staff has talked to. Option 3 would require amendments to the Lee Plan and the Land Development Code.

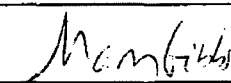
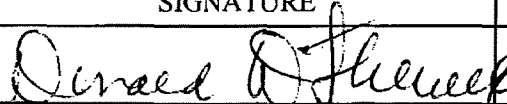
4. FINANCIAL IMPACTS/FUNDING SOURCE

N/A

5. STAFF RECOMMENDATIONS, AND JUSTIFICATION FOR RECOMMENDATIONS

Staff recommends Option 2. Option 1 is opposed by residents of the Pine Road neighborhood and Option 3 is opposed by residents of The Vines, Belle Lago and Breckenridge.

6. MANDATED? Y N BY WHAT AUTHORITY?

DEPARTMENT DIRECTOR SIGNATURE	COUNTY ADMINISTRATOR SIGNATURE	MEETING DATE	TIME REQUIRED
		08/01/05	10 minutes

MEETING SUMMARY SAN CARLOS PARK AND ESTERO PLANNING COMMUNITY BOUNDARY

BACKGROUND: Residents of the Pine Road neighborhood have recently expressed concern that their neighborhood is located within the Estero Planning Community Boundary. They believe their neighborhood should be located within the San Carlos Park Planning Community. Further, they have expressed a desire for the County to place all of the property within the San Carlos Park Fire District, from Hendry Creek to the eastern edge of the Reserve at Estero RPD, into the San Carlos Park Planning Community.

At the June 14, 2005 BoCC meeting, the Board directed staff to meet with residents of both San Carlos Park and Estero and report the results of those meetings to the Board at the August, 2005 Management and Planning meeting.

SUMMARY OF MEETINGS: As directed, staff has met with residents of San Carlos Park and Estero with concerns about the planning community boundaries. There were six meetings in the various neighborhoods and numerous phone conversations and correspondence. Following are summaries of the six meetings.

July 27: San Carlos Park - Haney's Café: Staff discussed the planning community boundary and community planning with six residents of San Carlos Park. Two of those residents are members of the San Carlos Park Civic Association.

The residents indicated that they wanted the planning community boundary changed to correspond with the San Carlos Park Fire District boundary from Hendry Creek, east to the eastern edge of the Reserve at Estero. They also expressed an interest in developing a community plan for San Carlos Park.

July 29 - San Carlos Park - Gumpert residence: Staff discussed several options for the planning community boundary with five residents of San Carlos Park. They were clear that their preference would be for the boundary to be changed to correspond with the Fire District Boundary, but would support a change for only the Pine Road neighborhood if that decision was made.

June 30 - Belle Lago - Belle Lago Clubhouse: There were 48 residents from the Belle Lago community present at a special meeting to discuss the San Carlos Park and Estero Planning Community boundaries. The residents voted unanimously to remain within the Estero Planning Community. Staff also received six letters and e-mails from out of town residents of Belle Lago in support of remaining within the Estero Planning Community.

July 1 - The Vines - Vines Clubhouse: Staff met with four members of The Vines Community Association. They confirmed their position that The Vines would like to remain in the Estero

July 21, 2005

Page 1 of 2

Planning Community, for now. They were also clear that they had not spoken with all of the residents of The Vines, but had support from both the Community Association and the Country Club Board of Directors.

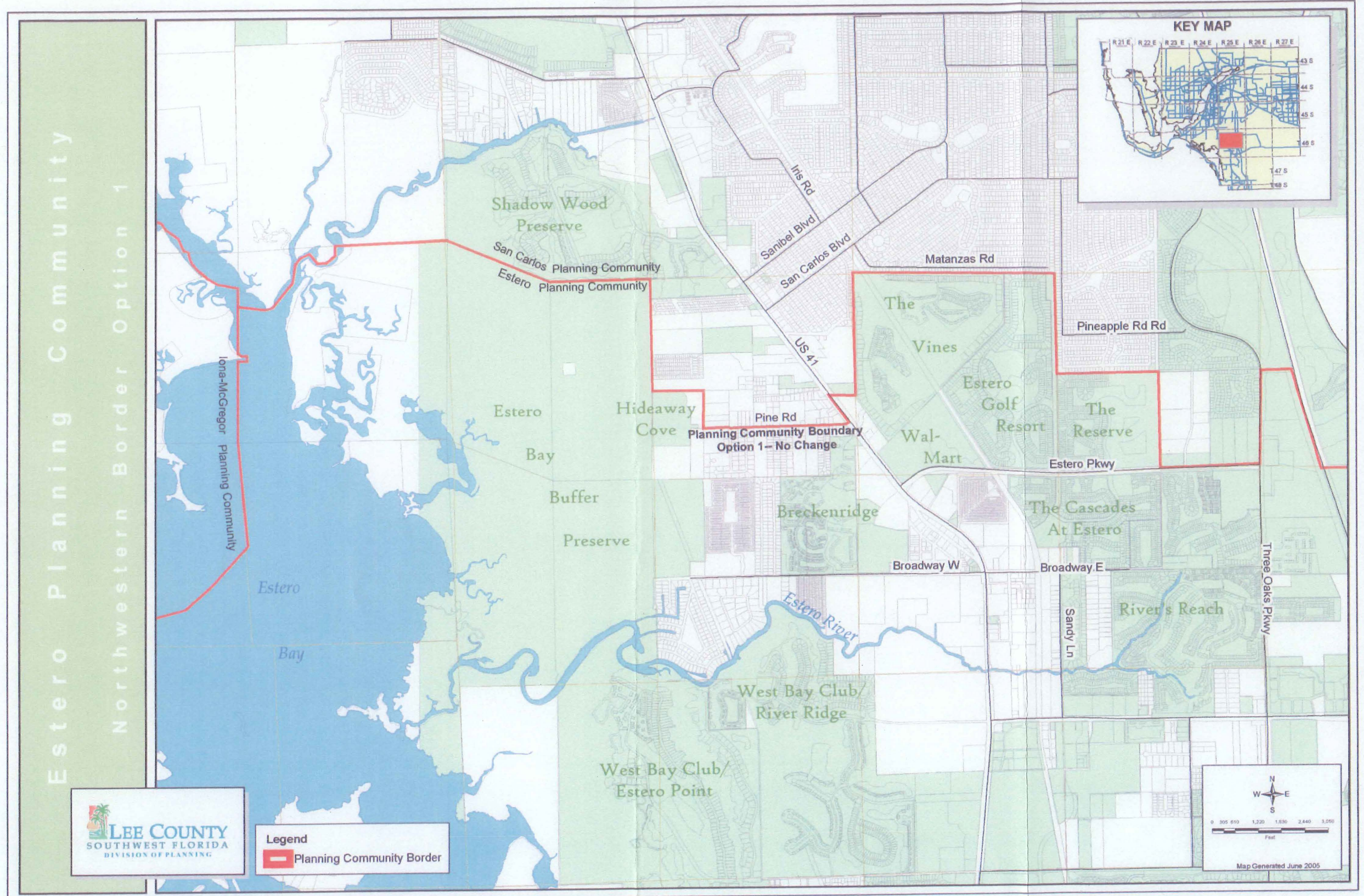
After the meeting, one resident approached staff and stated that he was not entirely pleased with the Estero Planning Panel, but was not suggesting that The Vines be removed from the Estero Planning Community. He indicated he was concerned with the Estero Planning Panel's handling of the Wal-Mart rezoning.

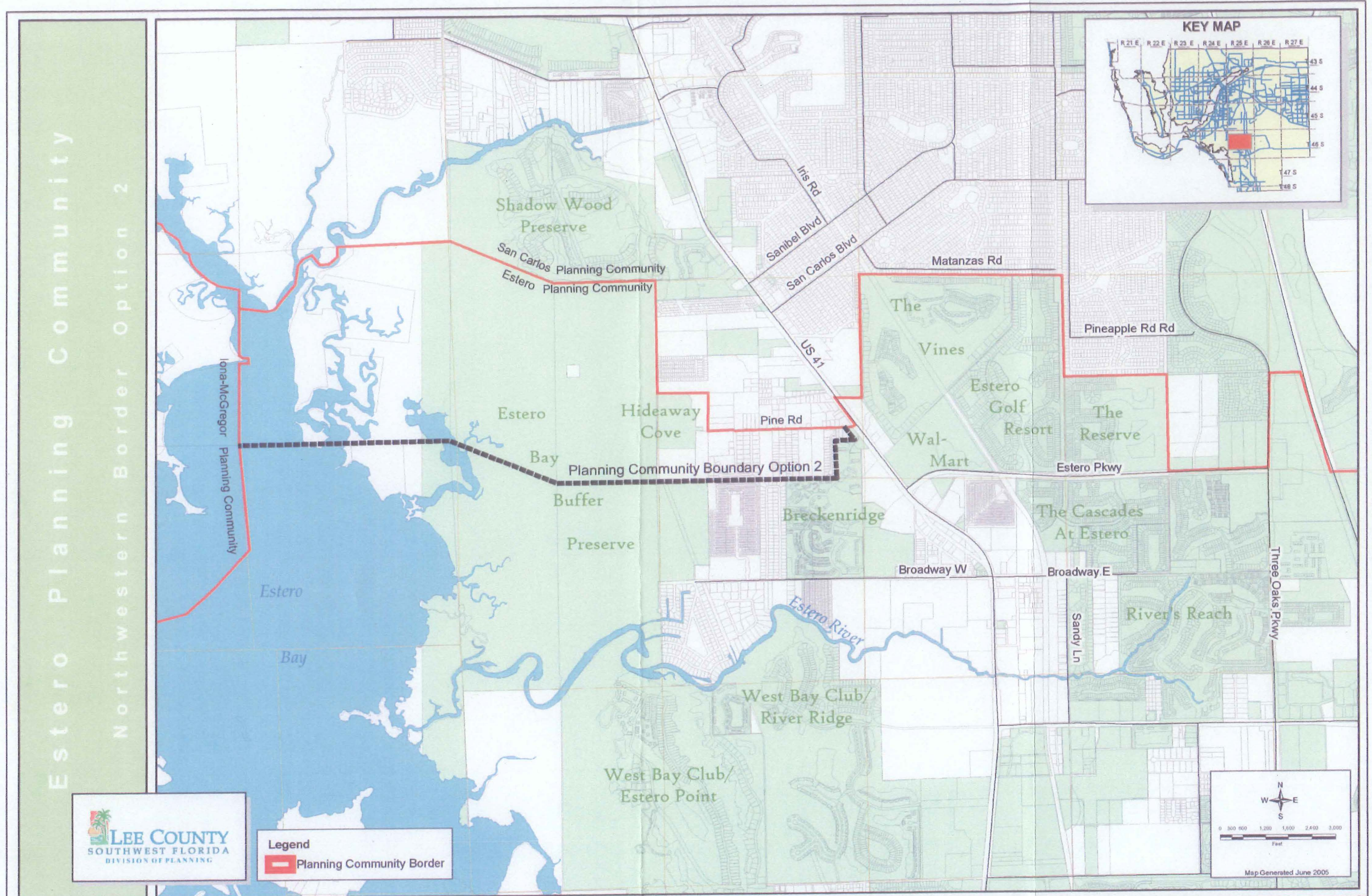
July 19 - Breckenridge - Breckenridge Clubhouse: There were 38 residents of Breckenridge present for the Breckenridge Master Board workshop. The residents voted unanimously to support Option 2 that staff was recommending. Option 2 would place all of the Pine Road neighborhood in the San Carlos Park Planning Community, but would not affect Breckenridge, the Wal-Mart site, Osprey Cove, The Vines or the Reserve at Estero.

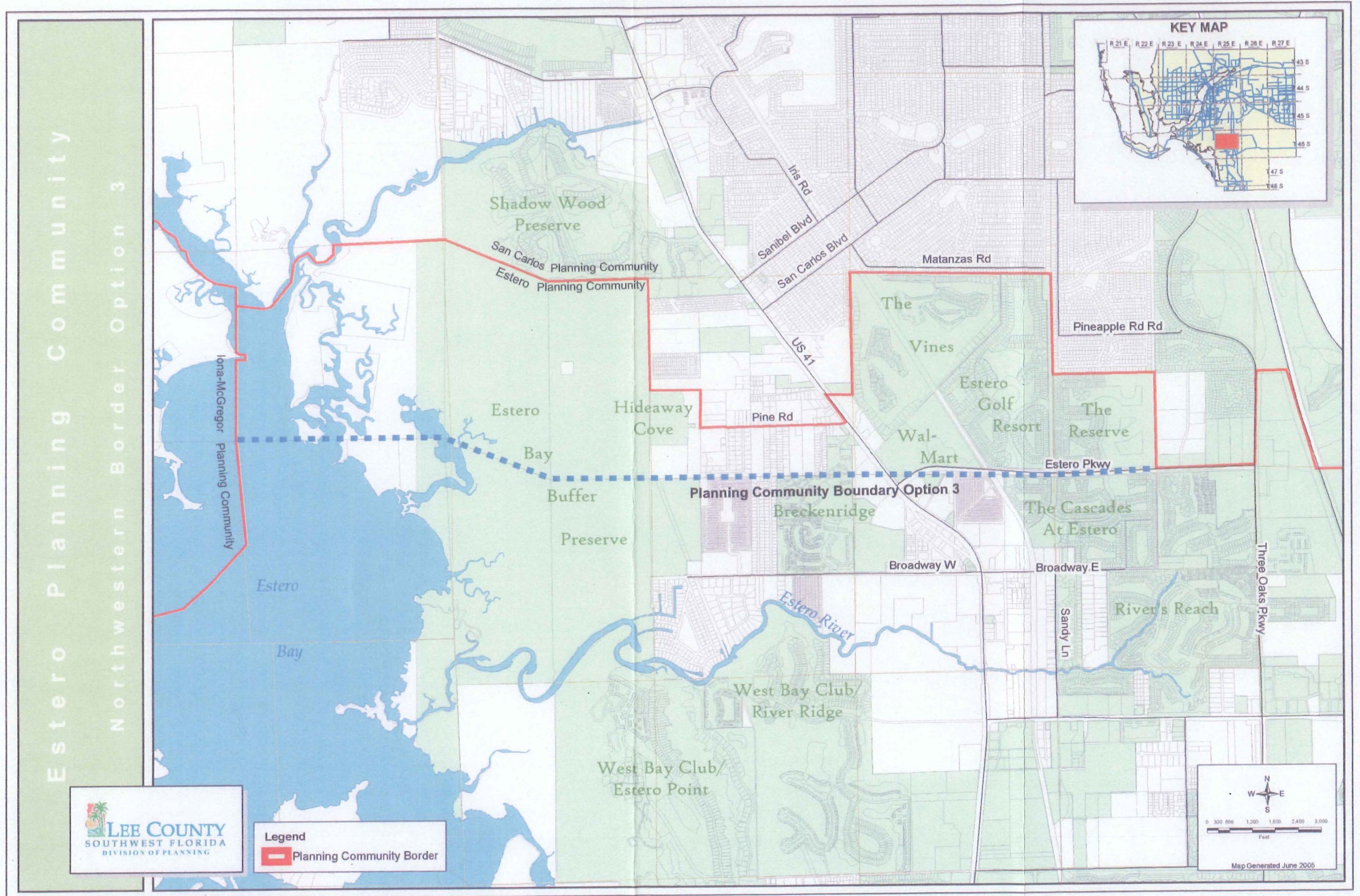
Staff did not talk to any representative from Wal-Mart. Osprey Cove and the Reserve at Estero are under construction. Following the meeting with Belle Lago, staff was approached by a realtor who had sold one of the lots in the Reserve at Estero to his son. He indicated that his son was aware his property was located in the Estero Planning Community and that he wanted to remain there.

July 21- San Carlos Park - Gumpert residence: Staff explained the outcomes of meetings with residents of The Vines, Belle Lago and Breckenridge to eight residents of the Pine Road neighborhood. Three options for the San Carlos Park and Estero Planning Community boundaries were also discussed. Staff indicated that they were recommending Option 2, which would place all of the Pine Road neighborhood into the San Carlos Park Planning Community. Option 2 would not change the boundary for Breckenridge, the Wal-Mart site, Osprey Cove, The Vines, Belle Lago or the Reserve at Estero.

The residents at the meeting agreed that Option 2 was acceptable, but indicated that their preference was Option 3. That option would place all of the property located within the San Carlos Park Fire District, from Hendry Creek to the eastern edge of the Reserve at Estero, within the San Carlos Park Planning Community. One resident stated that Option 3 was also preferred by the San Carlos Park Civic Association.







Excerpt from
A Workshop Meeting of the Board of Lee County Commissioners
sitting as the Board Management and Planning Committee
Date of Meeting: August 1, 2005

6. SAN CARLOS PARK AND ESTERO PLANNING COMMUNITY BOUNDARIES

Review staff's report regarding meetings held to address the concerns of San Carlos Park and Estero residents about the current boundary between the two Planning Communities.

OPTIONS:

1. Make no changes to the existing San Carlos Park and Estero Planning Community boundaries.
2. Change the boundary between the San Carlos Park and Estero Planning Communities to place the entire Pine Road neighborhood within the San Carlos Planning Community.
3. Change the boundary between the San Carlos Park and Estero Planning Communities to conform with the San Carlos Park and Estero Fire District boundaries from Hendry Creek to the eastern edge of the Reserve at Estero RPD.

RECOMMENDATION:

Staff recommends Option 2. Option 1 is opposed by residents of the Pine Road neighborhood; and Option 3 is opposed by residents of The Vines, Belle Lago, and Breckenridge.

After briefly reviewing the item, Planning Division Community Planner Jim Mudd stated that he had met with residents of the Pine Road neighborhood, and those that he had spoken with would prefer that all the property located within the San Carlos Park Fire District, along its southern edge, be included in a San Carlos Park Planning Community (SCPPC); and pointed out that this was Option 3 on the map that was provided to the Board. He further stated that he had met with residents of The Vines, Belle Lago, and Breckenridge; and noted that of the three options that have been presented to the Board, Option 2 is the only Option that no one had objected to, and would not affect Breckenridge, Ospery Cove, the Vines, Belle Lago, or the Reserve at Estero. At the request of Commissioner Judah, Mr. Mudd stated that staff recommended Option 2, and further noted that Option 2 would require an amendment to the Lee Plan and the Land Development Code. In response to Commissioner Albion's opinion that the San Carlos decision regarding the Community Planning should be based on Fire district boundaries, Mr. Mudd stated he believed the Pine Road residents are interested in developing a planning council. Commissioner St. Cerny commended Mr. Mudd on a job well done in forming a consensus. In response to Commissioner Albion's request for Board consensus on the boundaries of a SCPPC following the boundaries of the San Carlos Park Fire District, Mr. Mudd described the boundaries of the fire district as extending several miles east into the DRGR from the edge of the planning community line and a mile north; and noted that the residents of Pine Road haven't made any mention of that area, they only seem interested in the southern edge corresponding with the fire district boundaries. Commissioner Hall expressed concern with setting a precedent where the community planning districts boundaries would have to meet the fire district boundaries; stated that she felt this was a unique situation, and confirmed she was in support of Option 2 as written. In response to Commissioner Hall's comments, Commissioner Albion noted that from his involvement in the San Carlos area he could foresee a boarder war, and noted that some of the residents see this as a major movement toward incorporation. In response to Commissioner Judah's inquiry, Mr. Mudd stated if the Board initiated option two at the end of September, which is the deadline for Comprehensive Plan amendments, it would take one year. The Board was in agreement with Option two.

CPA2005-16
SAN CARLOS/ESTERO PLANNING
COMMUNITY BOUNDARIES
BoCC SPONSORED AMENDMENT
TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Public Hearing Document
for the
April 11th Adoption Hearing

Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 479-8585

March 2, 2007

LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2005-16

☐

Text Amendment

☒

Map Amendment

This Document Contains the Following Reviews:	
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
✓	Board of County Commissioners Hearing for Transmittal
✓	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

PREPARATION DATE: June 20, 2006

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVE:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

2. REQUEST:

Amend the Future Land Use Map Series, Map 16, Lee County Planning Communities, to adjust the boundary between the Estero and San Carlos Planning Communities west of U.S. 41.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Planning staff recommends the Board of County Commissioners transmit the proposed amendment to Map 16. This amendment realigns the southern boundary San Carlos Planning Community to follow the fire district border between the Breckenridge neighborhood and the Estero Bay Buffer Preserve (see attachment 1).

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Planning Community Map (Map 16) was amended in 2002 and the Estero Planning Community was created from the San Carlos/Estero and Bonita Springs Planning Communities.
- Residents of the Vines Country Club community submitted a letter to the Planning Division requesting this community be included in the Estero Planning Community.
- The citizens involved in the Estero Community Plan effort chose the Estero Planning Community boundary as the boundary for this plan which was adopted during the same plan amendment cycle.
- Pine Rd was selected as the border between the Estero and San Carlos Planning Communities to reduce the gerrymandering of the line.
- In 2005 the residents in the Pine Rd area requested the area south of Pine Road to the southern boundary of the San Carlos Fire District be moved to the San Carlos Planning Community.
- At the August 2005 Management and Planning meeting the Board of County Commissioners directed staff to initiate an amendment to change the border between the Estero and San Carlos Planning Communities.

C. BACKGROUND INFORMATION

The Planning Community Map (Map 16) and Lee Plan Table 1(b) were created to replace the 2010 Overlay which was proposed for deletion in the 1994 Evaluation and Appraisal Report. The EAR was found to be not in compliance and the resulting Final Order required that the 2010 overlay component of the Lee Plan be retained. The issue of the 2010 Overlay was a topic for the EAR Addendum. An issue with the 2010 Overlay was the number of districts (115) and the exactness that was required of the land use projections used to administer the Overlay. Therefore, the planning community map was to have no more than 20 areas designated on the map. The consensus for creating these areas was to create a map that identified "communities" within the county. It was not intended that these community boundaries would mirror any existing geography. For data collection purposes, when possible, traffic analysis zones and census geography was followed but not when they contrasted with the goal of mapping communities in the county. In order to meet the goal of limiting the new overlay map to 20 communities, the Estero, San Carlos Park, Island Park and adjoining neighborhoods were combined into one community on the map. The developments of The Brooks (originally known as "Brooks of Bonita") and Pelican Landing were included in the Bonita Springs Planning Community.

When the city of Bonita Springs incorporated, it was decided that adjustments to the Planning Community map should be made to reflect changes since its original adoption.

PAM/T99-20 included a recommendation to create two new communities, Bayshore and Estero and to rename the San Carlos/Estero Community to San Carlos. The southern boundary of the new Estero Planning Community was the new Bonita Springs city limit line. Staff considered delineating the northern boundary of the Estero Planning Community following the Estero Fire District boundary. However, residents of the Vines Country Club submitted a letter to the Planning Division Staff asking to be included in the Estero Planning Community. The Vines is a gated golf course community which is the predominant development style in the rest of the Estero area. To the south and east of the Vines are additional gated communities that were in the planning stages when the new planning community boundary was proposed. West of US 41, the existing Breckenridge development (a gated community) extends north to Pine Road and is split by the fire district line with the majority of the development being located in the Estero Fire District (see attachment 2). Staff recommended that the Estero Planning Community include the approved and proposed planned developments lying to the north of the Estero/San Carlos Fire District border. To reduce the meandering of northern boundary of the new Estero Community the border was established along Pine Road. A decision was made to include the entire Estero Buffer Preserve (AKA SHADEV, Inc. property) in the Estero Planning Community. The staff recommended changes creating the separate San Carlos and Estero Planning Communities were adopted by the Board of County Commissioners on January 10, 2002.

An amendment to redesignate 60 acres at the end of Pine Road from Rural and Wetlands to Outlying Suburban and Wetlands was submitted for the 1998/1999 plan amendment cycle. This amendment request was denied by the BoCC. A second request for this property was submitted for this property for review in the 2002/2003 plan amendment cycle. This amendment was adopted on October 23, 2003. Subsequently, a planned development rezoning case was filed and approval of the zoning case was granted November 21, 2005. During this process, residents along Pine Road expressed concern that their neighborhoods were within the Estero Planning Community. They felt that these neighborhoods should be in the San Carlos Planning Community. The stated preference was that the boundary between the Estero and San Carlos Planning Communities be realigned to follow the fire district boundaries. Per BoCC direction, staff attended 6 meetings in the area to determine the preferences of the residents living in the area of the Estero Planning Community that is within the San Carlos Fire District. Following these meetings, petitions were distributed throughout the community to measure preferences. The outcome of these meetings and petitions was the communities of the Vines, Breckenridge, and Belle Lago preferred to remain in the Estero Planning Community and the residents south of Pine Road preferred to be part of the San Carlos Planning Community.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

The Planning Community Map (Map 16) is used in the administration of the 2020 land use allocations. The allocations are regulatory for commercial, industrial, and residential developments at the development order stage. The community map is also used for reporting data such as population estimates, development trends, and population projections. In a few instances, these boundaries have been used as the boundary for a Community Planning effort. This is the case with the Estero, Boca Grande, and Bayshore community plans. The Pine Island, Captiva, Caloosahatchee Shores, Palm Beach Blvd., Buckingham, and Page Park planning efforts did not utilize the Planning Community boundaries. Changes to these boundaries do not impact the regulatory aspect of the allocations, once the allocations are revised to reflect boundary changes; however, changes do reduce the ability to compare data reported in the past with current and projected data. For this reason, staff is conservative when recommending changes to this map.

The map was also envisioned as a mechanism to identify areas in Lee County that were similar in character. The original map was limited to 20 communities so identifying all of the communities within Lee County was not possible, even if a list could have been agreed upon. The 20 community policy was relaxed after the original map was adopted and since then, 2 new communities have been mapped. Since the concept is to identify communities, the county will evaluate suggestions from citizen groups regarding their neighborhoods. This was the situation that was presented to the county in 2005 when the residents of Pine Road approached the county to adjust the San Carlos Planning Community boundary to follow the San Carlos Fire District line. At the June 14, 2005 BoCC meeting, the board directed staff to meet with the residents in the area and report the findings. Staff generated 3 options to present to the citizens and attended 6 meetings in the area to gather input on the options. Option 1 was to make no changes to Map 16. Option 2 amended the boundary to include the neighborhoods south of Pine Road in the San Carlos Planning Community while leaving the gated communities of Breckenridge, Belle Lago, The Vines, and The Reserve in the Estero Planning Community. Option 3 amended the boundary between the two planning communities to follow the fire district line. At the August 1, 2005 Management and Planning Meeting, Planning staff reported the preferred option was "Option 2" (see Attachment 3 pages 2 & 3). Option 1 was objected to by the Pine Road neighborhoods and Option 3 was opposed by the residents of Breckenridge, Belle Lago, and The Vines (The Reserve had no residents in the summer of 2005). The Board discussion at the Management and Planning Meeting concluded with an agreement to direct staff to amend the map as depicted in Option 2. (See Attachment 4)

One outcome of the change reflected in Option 2 is the splitting of the Estero Bay Buffer Preserve into both the San Carlos and Estero Planning Communities. (see Attachment 3 page 5 of 6) The tract of land purchased from SHADEV, Inc. to be included in the preserve is currently entirely within the Estero Planning Community. Since this property is to be preserved staff has concluded there is no benefit in splitting the property to include the northern half in the San Carlos Planning Community.

A second outcome of this amendment will be the need for a change in the allocation table (Lee Plan Table 1(b)) to reflect the shift of 176± acres from the Estero Planning Community to the San Carlos Planning Community. Since a countywide evaluation of the allocations is being conducted in a separate amendment within this plan amendment cycle, staff has deferred this issue to be resolved in that amendment. Staff's primary concern on this topic is that the change in the boundary will result in 55± acres of land with an Outlying Suburban land use designation being included in the San Carlos Planning Community. Currently there are no properties within the San Carlos Planning Community designated Outlying Suburban and therefore, no acreage has been allocated for this designation.

B. CONCLUSIONS

Map 16, Lee County Planning Communities, should be amended to reflect the consensus of the residents in the area of the Estero Planning Community also within the San Carlos Fire District. This amendment was directed by the Lee County Board of County Commissioners at their August 1, 2005 Management and Planning Meeting and Initiated at the September 9, 2005 BoCC Meeting. To reduce the total area being changed from the Estero Planning Community to the San Carlos Planning Community, staff recommends that the Estero Bay Buffer Preserve (AKA SHADEV, Inc. parcel) remain in the Estero Planning Community. If the preserve property were included in the change, approximately 1,300 acres would be shifted between communities. Removing the preserve from the change reduces the amount of acres to 176±. Staff recommends the area of the Estero Planning Community south of Pine Road east of the Estero Bay Buffer Preserve west of US 41 excluding the Breckenridge neighborhood.

C. STAFF RECOMMENDATION

Planning staff recommends the Board of County Commissioners transmit the proposed amendment to Map 16. This amendment realigns the southern boundary San Carlos Planning Community to follow the fire district border between the Breckenridge neighborhood and the Estero Bay Buffer Preserve (see attachment 1).

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

PUBLIC HEARING DATE. June 26, 2006

A. LOCAL PLANNING AGENCY REVIEW

Planning Staff provided a summary of the proposed amendment including a history of community meetings and three options that were discussed by the communities that lead to the initiation of this amendment. Staff discussed the one difference between the recommendation and the option agreed upon by the interested neighborhoods which is to include the Estero Bay Buffer Preserve entirely in the Estero Planning Community. Staff also stated that no acreage allocation changes were being proposed in this change due to the accommodation allocation amendment that is also under review in this amendment cycle.

The one of the Local Planning Agency members stated her concern that this amendment might start a precedent for future changes to the planning community map.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** The LPA recommends that the Board of County Commissioners transmit the proposed amendment.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA advances the findings of fact presented by staff.

C. VOTE:

NOEL ANDRESS	Aye
DEREK BURR	Aye
RONALD INGE	Aye
RAYMOND SCHUMANN, ESQ	Aye
CARLETON RYFFELL	Absent
RAY ANN WESEL	Aye

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: December 13, 2006

A. BOARD REVIEW

This amendment was pulled from the consent agenda by the county commission. There was a question regarding which map was proposed for adoption and clarification was needed to ensure that the entire Estero Bay Buffer Preserve was to remain in the Estero Planning Community. Staff confirmed that this was the recommendation.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:** The Board voted to transmit the proposed amendment, as recommended by the staff and local planning agency, to the Florida Department of Community Affairs for their review.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of facts as advanced by the staff report.

C. VOTE:

A. BRIAN BIGELOW	AYE
TAMMARA HALL	AYE
BOB JANES	AYE
RAY JUDAH	AYE
FRANKLIN B. MANN	AYE

**PART V – DEPARTMENT OF COMMUNITY AFFAIRS
OBJECTIONS, RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: March 2, 2007

- A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS:** The Department of Community Affairs had no objections, recommendations, or comments on concerning this amendment.

- B. STAFF RESPONSE:** Adopt this amendment as transmitted.

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING:

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

A. BRIAN BIGELOW

TAMMARA HALL

BOB JANES

RAY JUDAH

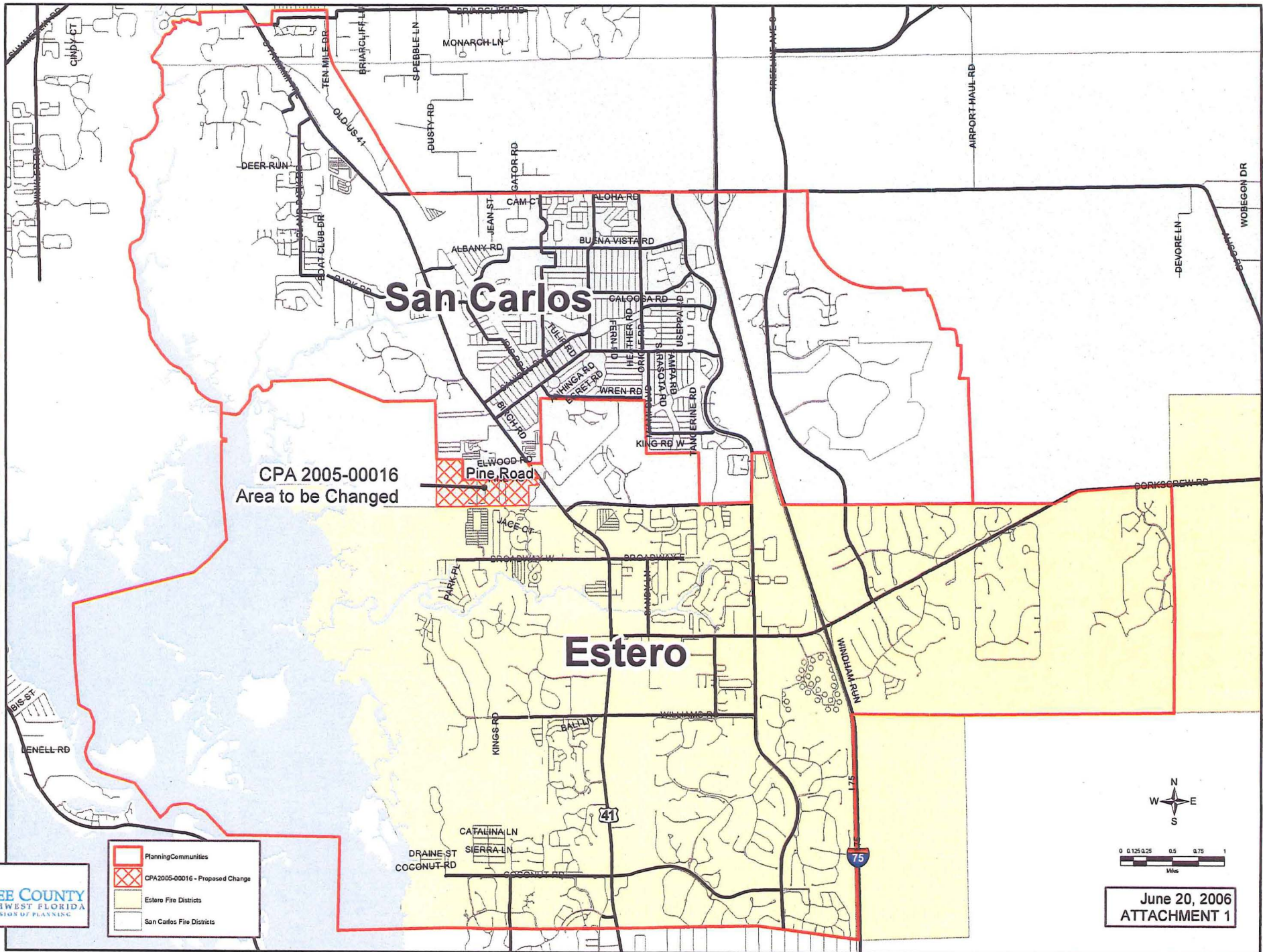
FRANKLIN B. MANN

CPA 2005-00016

(Proposed Change in Planning Community Boundaries)



- Planning Communities
- CPA 2005-00016 - Proposed Change
- Estero Fire Districts
- San Carlos Fire Districts



June 20, 2006
ATTACHMENT 1



- CPA 2005-00016 - Proposed Change
- Estero Fire Districts
- San Carlos Fire Districts
- Planning Communities
- Planned Developments

San Carlos Planning Community

**Estero Bay
Buffer
Preserve**

**Hideaway
Cove**

**CPA 2005-00016
Area to be Changed**

Breckenridge

Estero Planning Community

**The
Vines**

**Bella
Lago**

**The
Reserve**

June 20, 2006
ATTACHMENT 2

**MANAGEMENT & PLANNING COMMITTEE
AGENDA REQUEST FORM
COMMISSION DISTRICT # 3 & 5**

PRESENTED BY: Jim Mudd
Division of Planning

REQUESTED BY: BOCC 1.2

TITLE OF ITEM FOR THE AGENDA: San Carlos Park and Estero Planning Community Boundaries.

1. DESCRIPTION AND OBJECTIVE OF THE ISSUE

The Board directed staff to meet with San Carlos Park and Estero residents who have expressed concerns about the current boundary between the two Planning Communities and to report the results of those meetings at the August 1st M&P.

2. PROPOSED POLICY, PROCEDURE OR PLAN OF ACTION

See the attached summary of the meetings including maps of the three options.

3. OPTIONS (List Advantages/Disadvantages of Each Option Listed)

Option 1: Make no changes to the San Carlos Park and Estero Planning Community Boundaries. This option would not require amendments to the Lee Plan or to the Land Development Code. Residents of the Pine Road neighborhood have indicated that they would be opposed to this option.

Option 2: Change the boundary between the San Carlos Park and Estero Planning Communities to place all of the Pine Road neighborhood within the San Carlos Park Planning Community. Option 2 is acceptable to all residents that staff has discussed the issue with. The Pine Road neighborhood would no longer be subject to the regulations that apply to the Estero planning community and a public informational meeting would not be required for rezoning requests or development proposals within their neighborhood. Option 2 would require amendments to the Lee Plan and the Land Development Code.

Option 3: Change the boundary of the San Carlos Park and Estero Planning Communities to conform with the San Carlos Park and Estero Fire District Boundaries from Hendry Creek to the eastern edge of the Reserve at Estero RPD. Option 3 is preferred by those residents of the Pine Road neighborhood that have met with staff; however it is not supported by those residents of The Vines, Belle Lago and Breckenridge that staff has talked to. Option 3 would require amendments to the Lee Plan and the Land Development Code.

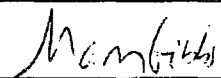
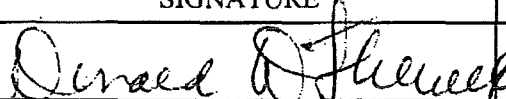
4. FINANCIAL IMPACTS/FUNDING SOURCE

N/A

5. STAFF RECOMMENDATIONS, AND JUSTIFICATION FOR RECOMMENDATIONS

Staff recommends Option 2. Option 1 is opposed by residents of the Pine Road neighborhood and Option 3 is opposed by residents of The Vines, Belle Lago and Breckenridge.

6. MANDATED? Y N BY WHAT AUTHORITY?

DEPARTMENT DIRECTOR SIGNATURE	COUNTY ADMINISTRATOR SIGNATURE	MEETING DATE	TIME REQUIRED
		08/01/05	10 minutes

MEETING SUMMARY

SAN CARLOS PARK AND ESTERO PLANNING COMMUNITY BOUNDARY

BACKGROUND: Residents of the Pine Road neighborhood have recently expressed concern that their neighborhood is located within the Estero Planning Community Boundary. They believe their neighborhood should be located within the San Carlos Park Planning Community. Further, they have expressed a desire for the County to place all of the property within the San Carlos Park Fire District, from Hendry Creek to the eastern edge of the Reserve at Estero RPD, into the San Carlos Park Planning Community.

At the June 14, 2005 BoCC meeting, the Board directed staff to meet with residents of both San Carlos Park and Estero and report the results of those meetings to the Board at the August, 2005 Management and Planning meeting.

SUMMARY OF MEETINGS: As directed, staff has met with residents of San Carlos Park and Estero with concerns about the planning community boundaries. There were six meetings in the various neighborhoods and numerous phone conversations and correspondence. Following are summaries of the six meetings.

July 27: San Carlos Park - Haney's Café: Staff discussed the planning community boundary and community planning with six residents of San Carlos Park. Two of those residents are members of the San Carlos Park Civic Association.

The residents indicated that they wanted the planning community boundary changed to correspond with the San Carlos Park Fire District boundary from Hendry Creek, east to the eastern edge of the Reserve at Estero. They also expressed an interest in developing a community plan for San Carlos Park.

July 29 - San Carlos Park - Gumpert residence: Staff discussed several options for the planning community boundary with five residents of San Carlos Park. They were clear that their preference would be for the boundary to be changed to correspond with the Fire District Boundary, but would support a change for only the Pine Road neighborhood if that decision was made.

June 30 - Belle Lago - Belle Lago Clubhouse: There were 48 residents from the Belle Lago community present at a special meeting to discuss the San Carlos Park and Estero Planning Community boundaries. The residents voted unanimously to remain within the Estero Planning Community. Staff also received six letters and e-mails from out of town residents of Belle Lago in support of remaining within the Estero Planning Community.

July 1 - The Vines - Vines Clubhouse: Staff met with four members of The Vines Community Association. They confirmed their position that The Vines would like to remain in the Estero

July 21, 2005

Page 1 of 2

Planning Community, for now. They were also clear that they had not spoken with all of the residents of The Vines, but had support from both the Community Association and the Country Club Board of Directors.

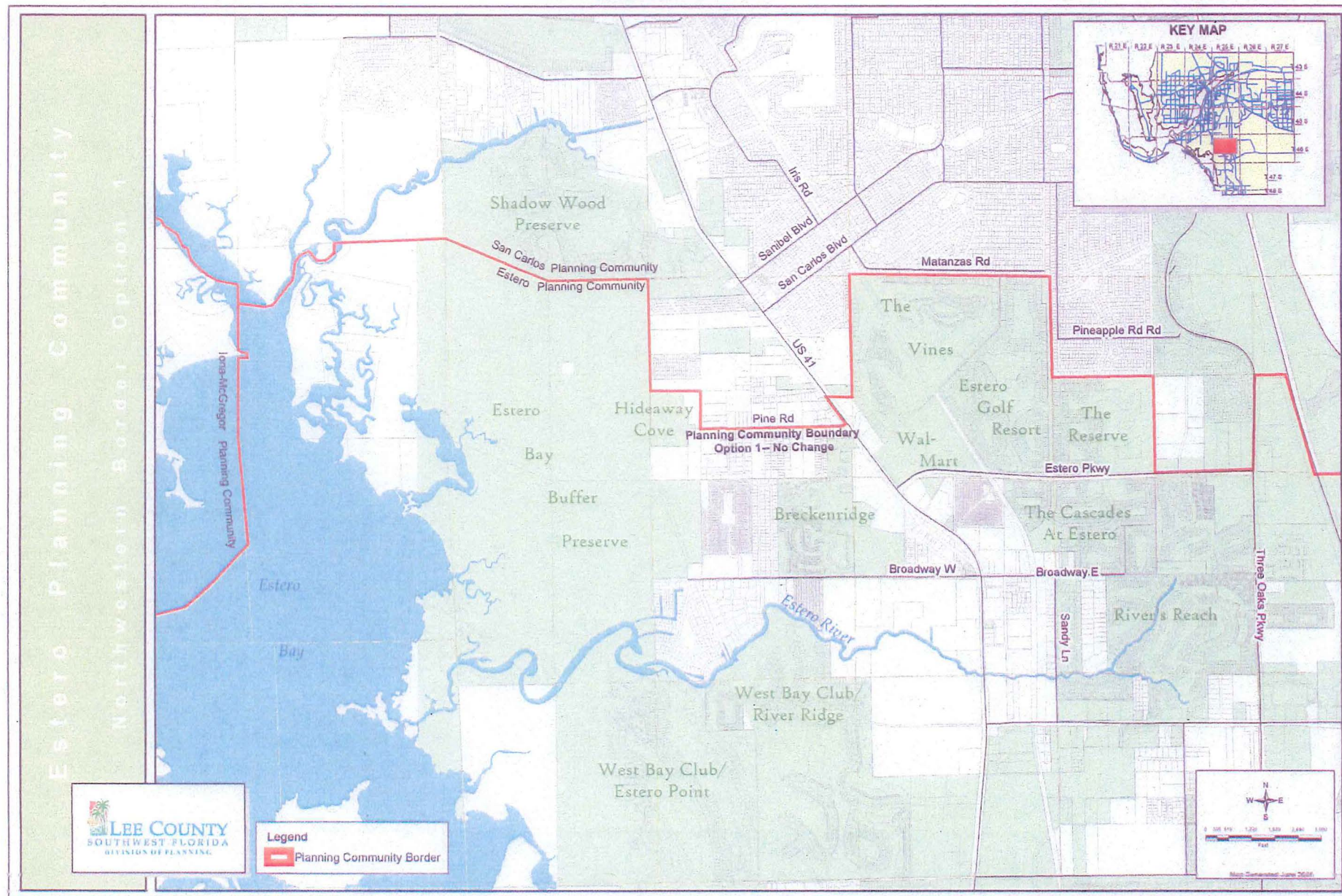
After the meeting, one resident approached staff and stated that he was not entirely pleased with the Estero Planning Panel, but was not suggesting that The Vines be removed from the Estero Planning Community. He indicated he was concerned with the Estero Planning Panel's handling of the Wal-Mart rezoning.

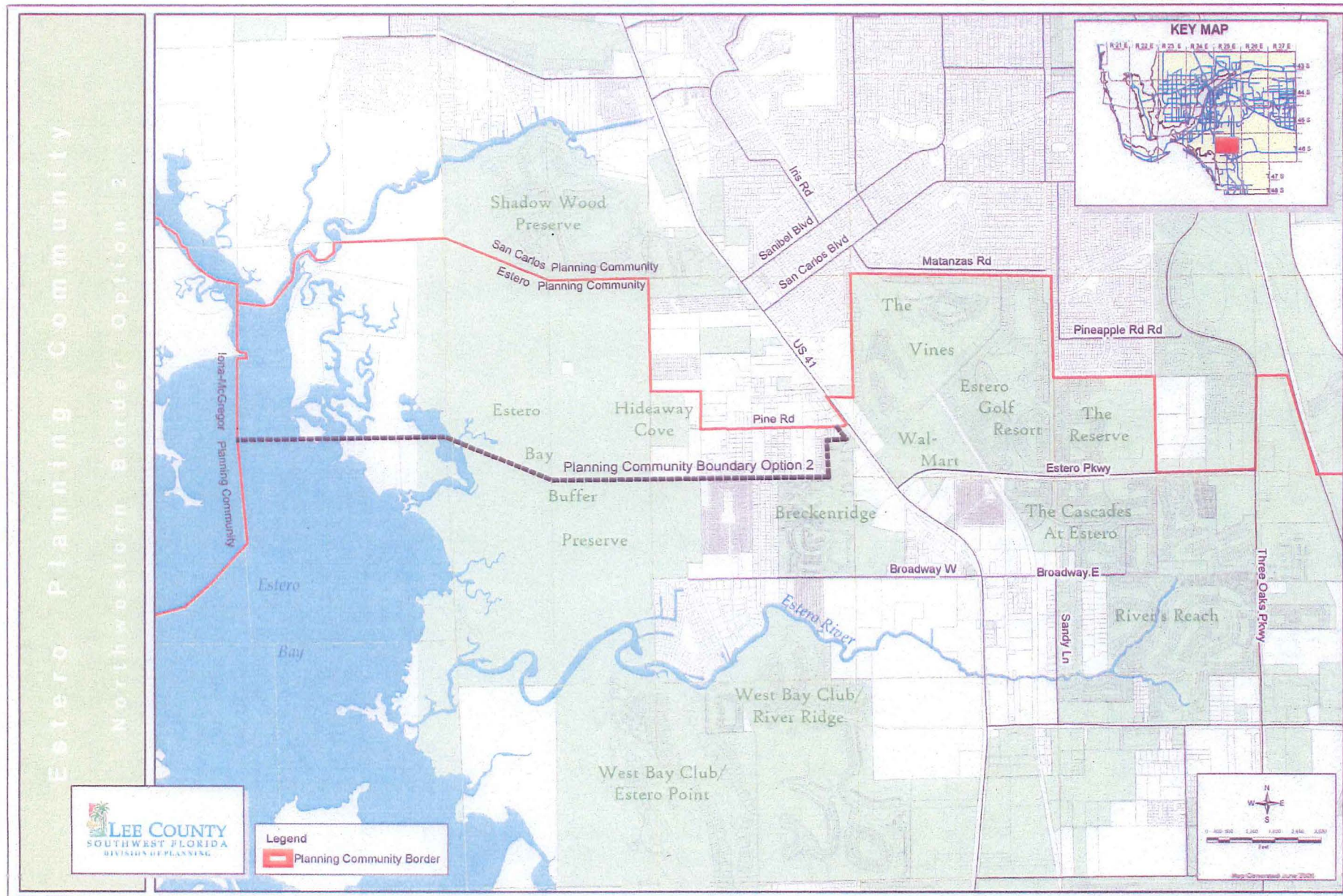
July 19 - Breckenridge - Breckenridge Clubhouse: There were 38 residents of Breckenridge present for the Breckenridge Master Board workshop. The residents voted unanimously to support Option 2 that staff was recommending. Option 2 would place all of the Pine Road neighborhood in the San Carlos Park Planning Community, but would not affect Breckenridge, the Wal-Mart site, Osprey Cove, The Vines or the Reserve at Estero.

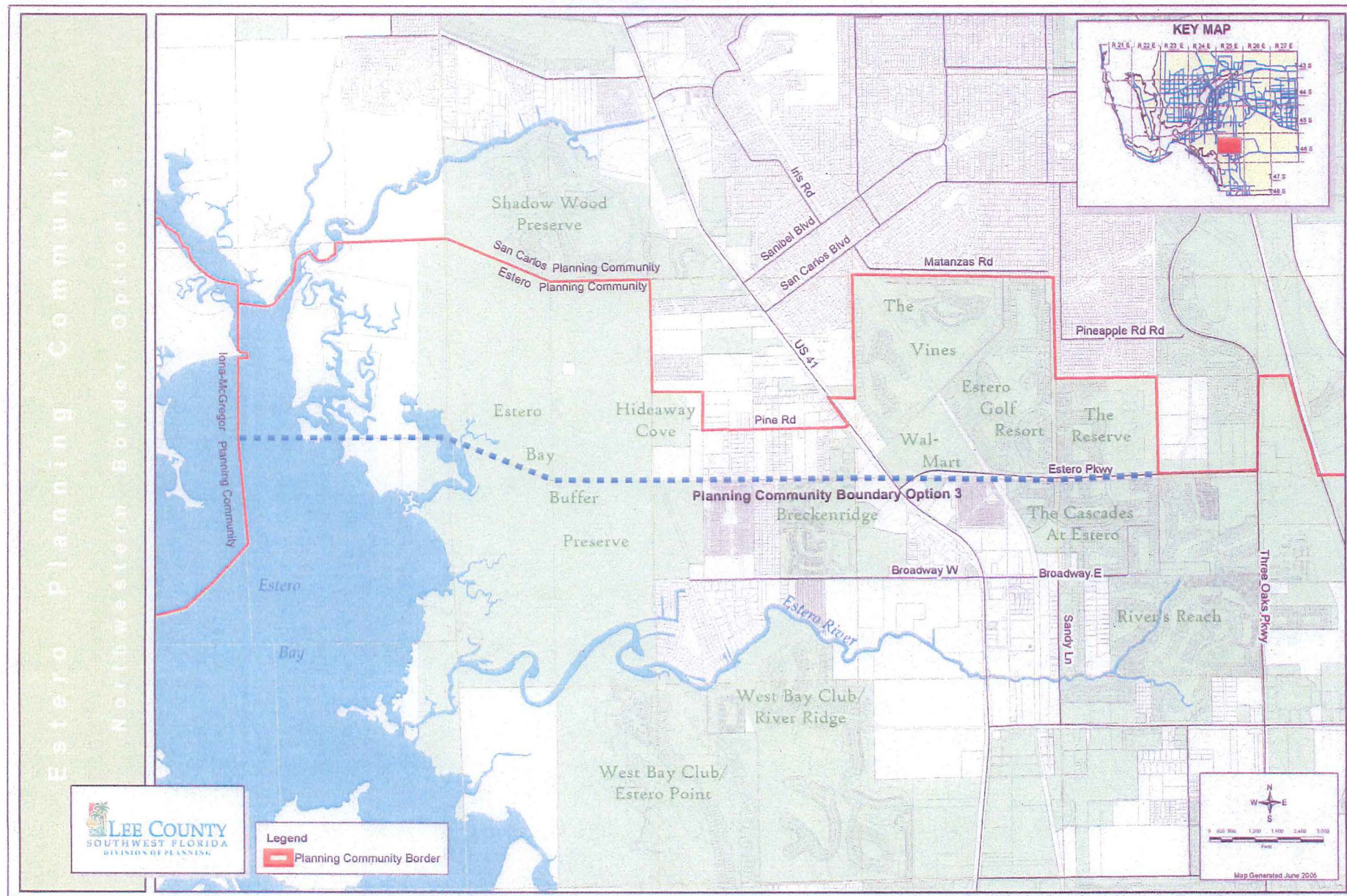
Staff did not talk to any representative from Wal-Mart. Osprey Cove and the Reserve at Estero are under construction. Following the meeting with Belle Lago, staff was approached by a realtor who had sold one of the lots in the Reserve at Estero to his son. He indicated that his son was aware his property was located in the Estero Planning Community and that he wanted to remain there.

July 21- San Carlos Park - Gumpert residence: Staff explained the outcomes of meetings with residents of The Vines, Belle Lago and Breckenridge to eight residents of the Pine Road neighborhood. Three options for the San Carlos Park and Estero Planning Community boundaries were also discussed. Staff indicated that they were recommending Option 2, which would place all of the Pine Road neighborhood into the San Carlos Park Planning Community. Option 2 would not change the boundary for Breckenridge, the Wal-Mart site, Osprey Cove, The Vines, Belle Lago or the Reserve at Estero.

The residents at the meeting agreed that Option 2 was acceptable, but indicated that their preference was Option 3. That option would place all of the property located within the San Carlos Park Fire District, from Hendry Creek to the eastern edge of the Reserve at Estero, within the San Carlos Park Planning Community. One resident stated that Option 3 was also preferred by the San Carlos Park Civic Association.







Excerpt from
A Workshop Meeting of the Board of Lee County Commissioners
sitting as the Board Management and Planning Committee
Date of Meeting: August 1, 2005

6. SAN CARLOS PARK AND ESTERO PLANNING COMMUNITY BOUNDARIES

Review staff's report regarding meetings held to address the concerns of San Carlos Park and Estero residents about the current boundary between the two Planning Communities.

OPTIONS:

1. Make no changes to the existing San Carlos Park and Estero Planning Community boundaries.
2. Change the boundary between the San Carlos Park and Estero Planning Communities to place the entire Pine Road neighborhood within the San Carlos Planning Community.
3. Change the boundary between the San Carlos Park and Estero Planning Communities to conform with the San Carlos Park and Estero Fire District boundaries from Hendry Creek to the eastern edge of the Reserve at Estero RPD.

RECOMMENDATION:

Staff recommends Option 2. Option 1 is opposed by residents of the Pine Road neighborhood; and Option 3 is opposed by residents of The Vines, Belle Lago, and Breckenridge.

After briefly reviewing the item, Planning Division Community Planner Jim Mudd stated that he had met with residents of the Pine Road neighborhood, and those that he had spoken with would prefer that all the property located within the San Carlos Park Fire District, along its southern edge, be included in a San Carlos Park Planning Community (SCPPC); and pointed out that this was Option 3 on the map that was provided to the Board. He further stated that he had met with residents of The Vines, Belle Lago, and Breckenridge; and noted that of the three options that have been presented to the Board, Option 2 is the only Option that no one had objected to, and would not affect Breckenridge, Ospery Cove, the Vines, Belle Lago, or the Reserve at Estero. At the request of Commissioner Judah, Mr. Mudd stated that staff recommended Option 2, and further noted that Option 2 would require an amendment to the Lee Plan and the Land Development Code. In response to Commissioner Albion's opinion that the San Carlos decision regarding the Community Planning should be based on Fire district boundaries, Mr. Mudd stated he believed the Pine Road residents are interested in developing a planning council. Commissioner St. Cerny commended Mr. Mudd on a job well done in forming a consensus. In response to Commissioner Albion's request for Board consensus on the boundaries of a SCPPC following the boundaries of the San Carlos Park Fire District, Mr. Mudd described the boundaries of the fire district as extending several miles east into the DRGR from the edge of the planning community line and a mile north; and noted that the residents of Pine Road haven't made any mention of that area, they only seem interested in the southern edge corresponding with the fire district boundaries. Commissioner Hall expressed concern with setting a precedent where the community planning districts boundaries would have to meet the fire district boundaries; stated that she felt this was a unique situation, and confirmed she was in support of Option 2 as written. In response to Commissioner Hall's comments, Commissioner Albion noted that from his involvement in the San Carlos area he could foresee a boarder war, and noted that some of the residents see this as a major movement toward incorporation. In response to Commissioner Judah's inquiry, Mr. Mudd stated if the Board initiated option two at the end of September, which is the deadline for Comprehensive Plan amendments, it would take one year. The Board was in agreement with Option two.