



STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS  
NOTICE OF INTENT TO FIND THE  
CITY OF FORT MYERS  
COMPREHENSIVE PLAN AMENDMENTS IN COMPLIANCE  
DOCKET NO. 03-1-NOI-3603-(A)-(I)

The Department gives notice of its intent to find the Amendments to the Comprehensive Plan for the City of Fort Myers adopted by Ordinance No. 3119 on May 19, 2003, IN COMPLIANCE, pursuant to Sections 163.3184, 163.3187 and 163.3189, F.S.

The adopted City of Fort Myers Comprehensive Plan Amendments and the Department's Objections, Recommendations and Comments Report, (if any), are available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the City of Fort Myers City Hall, Planning Department, 2<sup>nd</sup> Floor, 2200 Second Street, Fort Myers, Florida 33901.

Any affected person, as defined in Section 163.3184, F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Amendments to the City of Fort Myers Comprehensive Plan are In Compliance, as defined in Subsection 163.3184(1), F.S. The petition must be filed within twenty-one (21) days after publication of this notice, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to the local government. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

After an administrative hearing petition is timely filed, mediation is available pursuant to Subsection 163.3189(3)(a), F.S., to any affected person who is made a party to the proceeding by filing that request with the administrative law judge assigned by the Division of Administrative Hearings. The choice of mediation shall not affect a party's right to an administrative hearing.

-s-Charles Gauthier, AICP

Chief, Bureau of Local Planning

Department of Community Affairs

Division of Community Planning

2555 Shumard Oak Boulevard

Tallahassee, Florida 32399-2100



**LEE COUNTY**  
**SOUTHWEST FLORIDA**

**BOARD OF COUNTY COMMISSIONERS**

(941) 479-8309

Writer's Direct Dial Number: \_\_\_\_\_

Bob Janes  
District One

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Andrew W. Coy  
District Four

John E. Albion  
District Five

Donald D. Stilwell  
County Manager

James G. Yaeger  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

January 23, 2003

Ray Eubank, Administrator  
Florida Department of Community Affairs  
Division of Community Planning  
Bureau of Local Planning  
2555 Shumard Oak Boulevard  
Tallahassee, FL. 32399-2100

Re: Amendments to the Lee Plan  
Adoption Submission Package (DCA No. 02-2) for the 2001/2002 Regular Comprehensive  
Plan Amendment Cycle

Dear Mr. Eubank:

In accordance with the provisions of F.S. Chapter 163.3184 and of 9J-11.011, this submission package constitutes the adopted 2001/2002 Regular Comprehensive Plan Amendment Cycle to the Lee Plan (DCA No. 01-1), known locally as CPA 2001-09, CPA 2001-10, CPA 2001-11, CPA 2001-12, CPA 2001-15, CPA 2001-18, CPA 2001-22, CPA 2001-23, CPA 2001-24, CPA 2001-27, CPA 2001-28, CPA 2001-31, CPA 2001-32, CPA 2001-33, and CPA 2001-35. The adoption hearing for these plan amendments was held at 9:30 am on January 9, 2003.

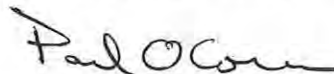
Included with this package, per 9J-11.011(5), are three copies of the adopted amendments, supporting data and analysis, and the following seven adopting ordinances: Ordinance No. 03-01, Ordinance No. 03-02, Ordinance No. 03-03, Ordinance No. 03-04, Ordinance No. 03-05, Ordinance No. 03-06, and Ordinance No. 03-07. Also included, per F.S. 163.3184(7) and (15), is the required sign in form allowing a courtesy informational statement to interested citizens. By copy of this letter and its attachments I certify that this amendment has been sent to the Regional Planning Council, the Florida Department of Transportation (FDOT), the Department of Environmental Protection, the Florida Department of State, the Florida Fish and Wildlife Conservation Commission, the Department of Agriculture and Consumer Services, Division of Forestry, and the South Florida Water Management District.

The initial staff reports for the proposed amendments were sent to the DCA with a transmittal cover letter dated September 19, 2002. All amendments previously reviewed by the Department in this current cycle of amendments were adopted by the Board of County Commissioners. Changes have occurred in CPA 2001-12, CPA 2001-10, CPA 2001-27, and CPA 2001-28. CPA 2001-12 has been revised since the time of transmittal. The connection between Three Oaks Parkway and Oriole Road has been revised and has been coordinated with the adjacent property owners. One revision to CPA 2001-10 was made in response to comments raised by the Department in the ORC Report. The Board of County Commissioners adopted the amendment with the deletion of Policy 21.9,

regarding the protection of mangroves on Captiva Island. The Board has directed staff to look further into applying such a policy county wide. In amendment CPA 2001-27 a new Objective and Policy have been added to the Community Facilities and Services Element of the Lee Plan regarding the incorporation of green infrastructure into the surface water management systems of proposed developments as well as providing definitions for green infrastructure and flow-way in the Glossary. Since transmittal, staff has met with the public and state agencies on issues raised at the Transmittal hearing. Staff has revised the transmitted language as a result of those meetings. The revisions to the subject amendment were sent to the DCA for review on November 8, 2002 prior to the issuance of the ORC Report and were adopted by the Board. CPA 2001-28 has added a new table reflecting the new 2003/2007 fiscal year to the CIP. The Board of County Commissioners adopted CPA 2001-12, CPA 2001-10, CPA 2001-27, and CPA 2001-28 with the noted changes.

If you have any questions, or if I can be of any assistance in this matter, please feel free to call me at the above telephone number.

Sincerely,  
**DEPT. OF COMMUNITY DEVELOPMENT**  
**Division of Planning**



Paul O'Connor, AICP  
Director

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

David Burr  
Interim Director  
Southwest Florida Regional Planning Council

Mike Rippe, District Director  
FDOT District One

Executive Director  
South Florida Water Management District

Plan Review Section  
Department of Environmental Protection

Florida Department of State

Florida Fish and Wildlife Conservation Commission

The Department of Agriculture and Consumer Services, Division of Forestry



**Charlie Green**  
**Clerk of Circuit Court**  
**Lee County, Florida**

STATE OF FLORIDA

COUNTY OF LEE

I Charlie Green, Clerk of Circuit Court, Lee County, Florida, and ex-Officio Clerk of the Board of County Commissioners, Lee County, Florida, do hereby Certify that the above and foregoing, is a true and correct copy of Ordinance No. 03-04, adopted by the Board of Lee County Commissioners, at their meeting held on the 9th day of January, 2003.

Given under my hand and seal, at Fort Myers, Florida, this 15th day of January, 2003.

CHARLIE GREEN,  
Clerk of Circuit Court  
Lee County, Florida

By Michelle B Cooper  
Deputy Clerk



FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM  
CODRS CODING FORM

COUNTY: Lee COUNTY ORDINANCE #: 03-02  
(e.g., 93-001)

PRIMARY KEYFIELD  
DESCRIPTOR: Comprehensive Planning

SECONDARY KEYFIELD  
DESCRIPTOR: Land Use Planning

OTHER KEYFIELD  
DESCRIPTOR: Planning

ORDINANCE DESCRIPTION: 2001/2002 Lee Plan Amendment  
(25 Characters Maximum Including Spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT #1: 89-02, as amended AMENDMENT #2: \_\_\_\_\_

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL #1: \_\_\_\_\_ ; REPEAL #3: \_\_\_\_\_  
REPEAL #2: \_\_\_\_\_ ; REPEAL #4: \_\_\_\_\_

(Others Repealed: List All That Apply): \_\_\_\_\_

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: \_\_\_\_\_  
KEYFIELD 1 CODE: \_\_\_\_\_ KEYFIELD 2 CODE: \_\_\_\_\_  
KEYFIELD 3 CODE: \_\_\_\_\_

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM  
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DESCRIPTOR: Comprehensive Planning

SECONDARY KEYFIELD  
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AMENDMENT #1: 89-02, as amended AMENDMENT #2: \_\_\_\_\_

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL #1: \_\_\_\_\_ ; REPEAL #3: \_\_\_\_\_  
REPEAL #2: \_\_\_\_\_ ; REPEAL #4: \_\_\_\_\_

(Others Repealed: List All That Apply): \_\_\_\_\_

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: \_\_\_\_\_  
KEYFIELD 1 CODE: \_\_\_\_\_ KEYFIELD 2 CODE: \_\_\_\_\_  
KEYFIELD 3 CODE: \_\_\_\_\_

LEE COUNTY ORDINANCE NO. 03-04  
(Consent Ordinance)

**AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE LAND USE PLAN, COMMONLY KNOWN AS THE "LEE PLAN" ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENTS APPROVED ON THE CONSENT AGENDA DURING THE COUNTY'S 2001/2002 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.**

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

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

WHEREAS, the Lee County Local Planning Agency ( "LPA") held public hearings pursuant to Chapter 163, Part II, Florida Statutes, and the Lee County Administrative Code on March 25, April 22, July 22, and August 26, 2002; and,

WHEREAS, the Board of County Commissioners, pursuant to Florida Statutes and the Lee County Administrative Code held a public hearing for the transmittal of the proposed amendments on September 4 and 5, 2002. At those hearings the Board approved a motion to send, and did later send, the proposed amendment to the Florida Department of Community Affairs ("DCA") for review and comment; and,

WHEREAS, at the transmittal hearings on September 4 and 5, 2002, the Board



announced its intention to hold a public hearing after the receipt of DCA's written comments commonly referred to as the "ORC Report." DCA issued their ORC report on November 22, 2002; and,

WHEREAS, the Board moved to adopt the proposed amendments to the Lee Plan set forth herein during its statutorily prescribed public hearing for the plan amendments on January 9, 2003.

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

**SECTION ONE: PURPOSE, INTENT AND SHORT TITLE**

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted a series of public hearings to consider proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt the certain amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as amended, will continued to be the "Lee Plan." **This ordinance may be referred to as the "2001/2002 Regular Comprehensive Plan Amendment Cycle Consent Ordinance."**

**SECTION TWO: ADOPTION OF LEE COUNTY'S 2000/2001 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE (Consent Agenda Items)**

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting amendments, as revised by the Board of County Commissioners on January 9, 2003, known as: CPA2001-11, CPA2001-15, CPA2001-22, CPA2001-23, CPA2001-24, CPA2001-31, CPA2001-32, CPA2001-33, and CPA2001-35. The aforementioned amendments amend the text of the

Lee Plan including the Future Land Use Map series, the Transportation Map series, and the tables of the Lee Plan. A brief summary of the content of those amendments is set forth below:

**CPA 2001-11**

Amend the Future Land Use Element, Policy 1.2.2, the Airport Commerce descriptor policy, to broaden the allowable uses and to establish relationships and criteria for those uses.

**CPA 2001-15**

Amend the Future Land Use Map series, Map 1, by updating the Conservation Lands land use categories.

**CPA 2001-22**

Amend the Future Land Use Map Series, Map 12, the Water Dependent Overlay (WDO) Zones, by evaluating and updating the status of the overlay areas and the Goals, Objectives, and Policies that pertain to the WDO.

**CPA 2001-23**

Evaluate and amend the Future Land Use Map series, Map 20, the Agricultural Overlay and Goal 9, Agricultural Land Uses, and its subsequent objectives and policies.

**CPA 2001-24**

Update Table 2(b), Recommended Operational Improvements on Constrained Roads.

**CPA 2001-31**

Amend Policy 80.1.7 of the Conservation and Coastal Management Element by updating the policy to reflect a new percentage for replacement values and revising the target date when development regulations will require implementation of this policy.

### **CPA 2001-32**

Amend the Intergovernmental Coordination Element and the Community Facilities Element to bring the elements into compliance with the provisions of F.S. Chapter 163.3177

### **CPA 2001-33**

Amend the Build Back Policy of the Procedures and Administration Element by replacing references to the term "cost" with the term "value."

### **CPA 2001-35**

Review all elements of the Lee Plan, and replace, where applicable, references to the Lee County Regional Water Supply Authority with Lee County Utilities or the Division of Natural Resources in conjunction with the County taking over the responsibilities of the Water Supply Authority.

The corresponding Staff Reports and Analysis, along with all attachments for these amendments are adopted as "Support Documentation" for the Lee Plan.

### **SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"**

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

### **SECTION FOUR: GEOGRAPHIC APPLICABILITY**

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

### **SECTION FIVE: SEVERABILITY**

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

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

#### SECTION SIX: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

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

#### SECTION SEVEN: EFFECTIVE DATE

The plan amendments adopted herein are not effective until a final order is issued by the DCA or Administrative Commission finding the amendment in compliance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status. A copy of such resolution will be sent to the DCA, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

THE FOREGOING ORDINANCE was offered by Commissioner Albion, who moved its adoption. The motion was seconded by Commissioner Janes, and, when put to a vote, the vote was as follows:

Robert P. Janes	Aye
Douglas St. Cerny	Aye
Ray Judah	Aye
Andrew Coy	Aye
John Albion	Aye

DONE AND ADOPTED this 9<sup>th</sup> day of January 2003.

ATTEST:  
CHARLIE GREEN, CLERK

LEE COUNTY  
BOARD OF COUNTY COMMISSIONERS

BY: Michelle S. Cooper  
Deputy Clerk

BY: Ray Judah  
Chairman

DATE: 1/9/03

Approved as to form by:

Donna Marie Collins  
Donna Marie Collins  
County Attorney's Office





**CPA2001-24-T  
BoCC SPONSORED  
AMENDMENT  
TO THE**

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LEE COUNTY COMPREHENSIVE PLAN

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**THE LEE PLAN**

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BoCC Adoption Document

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*Lee County Planning Division  
1500 Monroe Street  
P.O. Box 398  
Fort Myers, FL 33902-0398  
(941) 479-8585*

**January 9, 2003**

**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2001-24-T**

☒

Text Amendment

☐

Map Amendment

✓	<b>This Document Contains the Following Reviews:</b>
✓	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

STAFF REPORT PREPARATION DATE: July 1, 2002

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. APPLICANT:**

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING AND LEE COUNTY  
DEPARTMENT OF TRANSPORTATION

**2. REQUEST:**

Update Table 2(b), Recommended Operational Improvements on Constrained Roads.

**B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:**

**1. RECOMMENDATION:** Planning and DOT staff recommends that the Board of County Commissioners transmit the proposed amendment incorporating the changes identified in the attached update of Table 2(b), as provided under Part IIC, the Staff Recommendation portion of this report.

## 2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- Objective 22.2 indicates that certain roadway segments have been deemed “constrained” due to scenic, historic, environmental, aesthetic, and right-of-way characteristics and considerations, and will not be widened.
- Reduced peak hour levels of service are accepted on the constrained roads as a trade-off for the preservation of the scenic, historic, environmental, and aesthetic character of the community.
- Policy 22.2.3 indicates that for each constrained road segment, an operational improvement program is established which identifies operational and capacity-enhancing improvements that can still be implemented within the context of the constrained system.
- The Operational Improvement Program for constrained roads is identified in Table 2(b).
- Table 2(b) was last updated in the 1999 round of amendments, and includes some improvements that have been completed or are no longer contemplated.
- Table 2(b) needs to be updated to remove the improvements that are no longer valid and add new proposed improvements.

### C. BACKGROUND INFORMATION

As noted in the Findings of Fact, Objective 22.2 and the related policies deal with “constrained” roads, those roads that the County has determined won’t be widened for certain reasons. Policy 22.2.3 provides an option for certain limited operational improvements, that can improve the capacity of the constrained roads short of actual widening. The operational improvements are called out in Table 2(b) of the Lee Plan, which hasn’t been updated since 1999.

## PART II - STAFF ANALYSIS

### A. STAFF DISCUSSION

Attached to this staff report is a proposed update of Table 2(b), with additions highlighted with underlining and deletions highlighted in strike-through format. The changes proposed for each constrained road segment are discussed below.

#### *General*

The table has until now only identified those constrained roads for which potential operational improvements have been identified, not the complete list of constrained roads. This could lead to some confusion in comparing to the list of constrained roads identified in Table 2(a). Therefore one of the first changes was to add all of the constrained roads to Table 2(b), whether specific operational improvements have been identified or not at this time for those segments. Where no specific improvement is currently identified, Footnote (1) was added which states, “*No specific operational improvement identified at this time, but operational improvements may still be possible and warranted in relation to development approval requests.*” This is a recognition that our list of operational improvements simply reflects current thinking at the time the table is updated, and is certainly not all-inclusive and may change over time. Staff also does not want to suggest that, just because an operational improvement is not identified in a table in the comprehensive plan, such an improvement might not still be necessary to address the specific impacts

of a development proposal on a constrained road. In some cases that might be determined at the time of development approval, based on the information submitted as part of the approval process.

*Captiva Road, from Blind Pass to South Seas Plantation*

No operational improvements have been identified at this time. The County recently added some paved shoulders to portions of the road where there was room and added some pedestrian cross-walks and other markings.

*Daniels Parkway, from Metro Parkway to I-75*

This segment of Daniels Parkway is already 6-laned. The County has had a long-standing plan to provide frontage roads on either side of Daniels Parkway, as identified in the controlled access resolution for the roadway. This is reflected under the "Auxiliary Lanes" column. The County also recently had an access management study done by a consultant, which led to some recommendations for reconfigurations at specific intersections. Those are identified in the "Geometrics" column. The segment already has a computerized traffic signal control system, but continued monitoring and updating of the system is called for in the "Signal Timing Progression" column.

*Estero Boulevard, from Center Street to Big Carlos Pass*

No operational improvements have been identified at this time. The County recently added paved shoulders for much of the segment at the request of the Town of Fort Myers Beach, and the Town has commissioned a study on tolling and mass transit options, which may lead to future operational improvements.

*Hickory Boulevard, from Big Carlos Pass to Bonita Beach Road*

A proposed new park on Lovers Key will have a left turn lane at its entrance, which is reflected in the "Auxiliary Lanes" column. This will be similar to the existing turn lane treatment at the park entrance at the south end of the road. No additional operational improvements have been identified at this time.

*McGregor Boulevard (SR 867), from Colonial Boulevard to Winkler Road*

The previously-identified improvement calling for two-way left turn storage at select locations has been completed by FDOT. One additional improvement has been added, identified by the Traffic Signal Coordinating Committee of the Lee County MPO. It calls for adding a northbound right-turn lane approaching Colonial Boulevard, which is currently experiencing significant back-ups. Further evaluation of the proposed improvement has determined that additional right-of-way will be required, which has led to it being identified as a major improvement in the MPO's long range plan.

*Pine Island Road (Matlacha), from Shoreview Drive to Little Pine Island*

Goal 14 of the Lee Plan addresses the Greater Pine Island community. Policy 14.2.3 provides that the County will take whatever additional actions are feasible to increase the capacity of Pine Island Road, including evaluating the construction of left turn lanes at intersections with local roads in Matlacha, or a continuous third lane. An update of the Greater Pine Island Community Plan is proposed as part of this on-going amendment cycle, and the community is suggesting the deletion of the reference to the continuous third lane, which they oppose. To ensure consistency, the reference to constructing left turn lanes at intersections with local roads is being added to Table 2(b).



*San Carlos Boulevard (SR 865-Matanzas Pass Bridge), from Center Street to Main Street*

San Carlos Boulevard currently has two southbound lanes approaching the Matanzas Pass Bridge, which narrows to one southbound lane. Lee County recently conducted an experiment with a traffic signal that alternated the release of traffic from each of the two southbound lanes to the bridge, which seemed to work fairly well, although some residents adjacent to the approach did not like it. A decision has not yet been made about whether the signal configuration will be made permanent, so it is added as an option to Table 2(b) under the "Signal Progression Timing" column. Also under consideration is the possibility of using the alternating signal concept and lane controllers to essentially create a transit-preferred lane on the southbound approach, which could possibly carry over the bridge with some lane modifications. The reference to replacing the traffic signal with a pedestrian signal has been deleted because that is no longer being considered, and the reference to implementing the recommendations of the Times Square Traffic Study has been deleted because those recommendations that were considered feasible have been implemented. The Town of Fort Myers Beach continues to evaluate options for the area, and has commissioned a study of tolling and mass transit options.

*US 41, from South of Daniels Parkway to North Airport Road*

The concepts previously identified for this segment are proposed to be deleted. Dual left turn lanes have been provided at the major intersections that have available right-of-way, a coordinated signal system has been installed, and the median openings referenced in the "Misc." column have been directionalized or closed. The conversion of the continuous right turn lanes on both sides of the road to through lanes would create an 8-lane section, which is inconsistent with state policy on the maximum laneage configuration for state highways and would potentially create safety problems. The County does not intend to increase the lane widths on the side streets, except where it has already done so on the major intersecting streets like College Parkway and Boy Scout Road. A reference is added in the "Signal Timing Progression" column to continue monitoring and updating of the coordinated signal system, and in the "Misc." column to pursuing the installation of bike paths as a transportation alternative on this segment, consistent with the Bicycle/Pedestrian Element of the MPO's long range plan and Map 3D of the Lee Plan.

*Old 41*

This segment is deleted because it is now the responsibility of the new City of Bonita Springs. An amendment of Map 2(a) listing the constrained roads will be pursued in the next amendment cycle to reflect this change.

*Gulf Boulevard, Boca Grande*

No operational improvements have been identified at this time. The County is making some drainage improvements which should improve the operation of the roadway during rain storms.

## **B. CONCLUSIONS**

Table 2(b) of the Lee Plan should be updated to reflect current thinking in relation to operational improvements on constrained roads.

## **C. STAFF RECOMMENDATION**

Planning and DOT staff recommends that the Board of County Commissioners transmit the proposed plan amendment, incorporating the changes identified in the attached update of Table 2(b).



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

DATE OF PUBLIC HEARING: July 22, 2002

**A. LOCAL PLANNING AGENCY REVIEW**

Staff explained the format change and the anticipated operational improvements for each constrained road, and the history of the inclusion of the list of constrained roads and associated operational improvements in the Lee Plan. Staff answered some LPA questions clarifying the scope of improvements on McGregor Boulevard and Pine Island Road, the timing of improvements on Pine Island Road, and the basis for the constrained road designations (or lack thereof) and jurisdictional responsibility in Sanibel, Fort Myers Beach and Bonita Springs.

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

1. **RECOMMENDATION:** The LPA recommended that the Board of County Commissioners transmit this proposed amendment, on a motion by Mr. Bixler and a second by Mr. Address.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

**C. VOTE:**

NOEL ANDRESS	AYE
MATT BIXLER	AYE
SUSAN BROOKMAN	AYE
RONALD INGE	AYE
GORDON REIGELMAN	AYE
ROBERT SHELDON	AYE
GREG STUART	ABSENT

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

DATE OF TRANSMITTAL HEARING: September 4, 2002

**A. BOARD REVIEW:** The Board had no discussion of this proposed amendment and there were no comments from the public.

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

1. **BOARD ACTION:** The Board voted unanimously to transmit this amendment as part of the consent agenda approval, on a motion by Commissioner Judah and a second by Commissioner St. Cerny.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact as advanced by staff.

**C. VOTE:**

JOHN ALBION

AYE

ANDREW COY

ABSENT

BOB JANES

AYE

RAY JUDAH

AYE

DOUG ST. CERNY

AYE

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

DATE OF ORC REPORT: November 22, 2002

**A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**

The DCA had no objections, recommendations or comments concerning this amendment.

**B. STAFF RESPONSE**

Adopt the amendment as transmitted.

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

DATE OF ADOPTION HEARING: January 9, 2003

**A. BOARD REVIEW:**

The Board provided no discussion on this amendment. This item was part of the consent agenda.

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

1. **BOARD ACTION:** The Board voted unanimously to adopt the amendment as part of the consent agenda, on a motion by Commissioner Albion and a second by Commissioner Janes.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact as advanced by staff.

**C. VOTE:**

**JOHN ALBION**

\_\_\_\_\_  
**AYE**  
\_\_\_\_\_

**ANDREW COY**

\_\_\_\_\_  
**AYE**  
\_\_\_\_\_

**BOB JANES**

\_\_\_\_\_  
**AYE**  
\_\_\_\_\_

**RAY JUDAH**

\_\_\_\_\_  
**AYE**  
\_\_\_\_\_

**DOUG ST. CERNY**

\_\_\_\_\_  
**AYE**  
\_\_\_\_\_

**TABLE 2(b)  
RECOMMENDED OPERATIONAL IMPROVEMENTS ON CONSTRAINED ROADS**

ROADWAY	SEGMENT (or INTERSECTION)	AUXILIARY LANES	GEOMETRICS	SIGNAL TIMING PROGRESSION	MISC.
<u>Captiva Road</u>	<u>Blind Pass/South Seas Plantation</u>	(1) —	(1) —	(1) —	
<u>Daniels Parkway</u>	<u>Metro Parkway/I-75</u>	<u>Provide frontage road connections</u>	<u>Potential removal of direct left turns @ Brookshire/International (2); Close median openings at minor side street approaches (2); Potentially eliminate EB left turn and NB/SB left turns at Danport Blvd. signal (2).</u>	<u>Continue monitoring/updating of signal system.</u>	<u>Access management.</u>
<u>Estero Boulevard</u>	<u>Center Street/Big Carlos Pass</u>	(1) —	(1) —	(1) —	
<u>Hickory Boulevard</u>	<u>Big Carlos Pass/Bonita Beach Rd</u>	<u>Left turn lane at new park entrance on Lovers Key.</u>	(1) —	(1) —	
<u>McGregor Boulevard (SR 867)</u> Completion anticipated in 1998	<u>Colonial Boulevard/Winkler Road</u>	<u>*Provide two-way left turn storage at select locations</u> <u>Provide a NB right-turn lane from Davis Dr. to Colonial Blvd. (2)</u>	(1) —	(1) —	
<u>Pine Island Road (Matlacha)</u>	<u>Shoreview Drive/Little Pine Island</u>	<u>Construct left turn lanes at intersections with local roads, where feasible.</u>	(1) —	(1) —	
<u>San Carlos Boulevard (SR 865)</u> <u>(Matanzas Pass Bridge)</u>	<u>Center Street/Main Street</u>	(1) —	(1) —	<u>Traffic signal replaced with pedestrian signal. Consider alternating signal for southbound approach lanes and signal/lane controls to create a preferential transit lane.</u>	<u>Consider implementation of recommendations of the Times Square Traffic Study sponsored by Lee County. Encourage transit ridership.</u>
<u>US 41</u>	<u>S. of Daniels Parkway/Boy Scout Drive North Airport Road</u>	<u>*Provide dual left turn lanes at major intersection if ROW permits. (Done at College Parkway and Boy Scout)</u> <u>*Convert continuous right turn lane into a thru lane (where practical).</u> align="center">(1) —	<u>Increase lane widths on side streets. Reduce plateauing effect at selected intersections.</u> align="center">(1) —	<u>Coordinated signal system installed. Continue monitoring/updating of signal system.</u>	<u>Maintain access control. Direction medians at Park Meadow Drive, Kenwood Lane and Brantley Road. Improve medians between Oak Drive and South Road. Pursue installation of bike paths through MPO process.</u>
<u>Old 41</u> <u>To be done by CRA</u>	<u>Bonita Beach Road/Terry Street</u>	<u>*Provide left turn storage at select locations (where sufficient right-of-way exists).</u>		<u>Left turn lane and traffic signal installed at Rosemary, Terry Street, Pennsylvania Avenue and Bonita Beach Road. Coordinated signal system installed.</u>	<u>Maintain access control.</u>
<u>Gulf Boulevard</u>	<u>Boca Grande</u>	(1) —	(1) —	(1) —	

**Footnotes:**

(1) No specific operational improvement identified at this time, but operational improvements may still be possible and warranted in relation to development approval requests.

± (2) Indicates that the recommended improvement should increase the estimated service volume of the facility.

(Amended by Ordinance No. 03-04)

Table 2(b) - Page 1 of 1