

**2001/2002 REGULAR LEE PLAN AMENDMENTS
TRANSMITTAL HEARING**

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Commission Chambers, 2120 Main Street
September 5, 2002
9:30 A.M.
AGENDA

1. Call to order; Certification of Affidavit of Publication

2. Proposed Community Plans

A. CPA2001-18

Amend the Future Land Use Element of the Lee Plan, text and Future Land Use Map series to incorporate the recommendations of the Greater Pine Island Community Planning effort, establish a new Vision Statement, establish a revised Goal 14, amend subsequent Policies specific to Greater Pine Island, amend Objective 1.4 "Non-Urban Areas" by establishing a new "Coastal Rural" future land use category and amend the Future Land Use Map series to reclassify from "Outlying Suburban" to "Coastal Rural" 157 acres of agricultural land between Bokeelia and September Estates and to reclassify all "Rural" designated land to "Coastal Rural."

3. Lee Plan Amendments Transmittal Administrative Agenda

A. 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.

B. CPA 2001-12

Modify Policy 1.3.8 to create specific access management plans for Alico Road, Bonita Beach Road, and Luckett Road in the vicinity of I-75 (follow-up to PAT 99-27). In addition, include access management maps in the Future Land Use Map series.

C. CPA 2001-16

Amend the Future Land Use Element and the Transportation Element in accordance with the following:

Land Use Element Objective 2.1

By the year 2003 Lee County shall evaluate the adequacy of the County Road 951/Bonita Grande extension corridor's access prohibitions and specifically examine shifting the Section 18 prohibition line southward. This evaluation will be based upon growth management and environmental impact considerations including their secondary in cumulative effects on wildlife, wetlands, water management systems and urban sprawl potential. The evaluation will include analyzing the feasibility of combining an access prohibition line with a Bonita Grande Extension Urban Service Line.

The County will not accept right-of-way donations in exchange for access connections for any County Road 951/Bonita Grande Extension corridor.

Transportation Element Objective 21.1

By the year 2003 Lee County shall evaluate alternate corridor alignments for the County Road 951/Bonita Grande extension from the South Lee County line to Corkscrew Road. The alternate corridor alignment evaluation process shall place equal emphasis on traffic carrying capacity, wetland and other environmental impacts, surface water management considerations and the potential for urban sprawl and related costs. The alternative corridor evaluation shall at a minimum include but not be limited to the following alternate corridor alignments.

- 1) The CR951 Extension north from Bonita Beach Road corridor;
- 2) The CR951 to Bonita Beach Road west to Bonita Grande Road north corridor;
- 3) The CR951 Extension north from Bonita Beach Road as a no access high-speed toll road from Bonita Beach Road to Corkscrew Road corridor.

D. 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.

4. Items to be Tabled to Future Amendment Cycles and/or the Evaluation And Appraisal Report

A. CPA 2001-13

Evaluate and amend the Future Land Use Map Series, Map 1, the Future Land Use Map in the general area surrounding the interchange of Interstate 75 and State Road 80, Palm Beach Boulevard.

B. CPA 2001-14

Amend the Future Land Use Map series, Map 1, by updating the mapped Public Facilities future land use category by adding and/or removing lands to more accurately identify publicly owned lands.

C. CPA 2001-17

Amend the Future Land Use Element by recommending policies which incorporate findings on the compatibility of oil-related activities with the environment and urban uses as directed by Policy 10.2.1.

D. CPA 2001-19

Amend Goal 16, Private Recreational Facilities in the DR/GR, and its subsequent objectives and policies to clarify golf course utility issues.

E. CPA 2001-20

Amend Goal 17, Buckingham, of the Future Land Use Element by adding language that allows the extension of water and sewer lines to serve government facilities.

- F. CPA 2001-21**
Amend the Future Land Use Map Series, Map 8, to reflect new technical data provided by the Division of Natural Resources.
- G. CPA 2001-26**
Evaluate and amend the Community Facilities Element, Potable Water and Sanitary Sewer Sub-Elements to clarify the county's position on providing service outside of the adopted service areas.
- H. CPA 2001-29**
Amend the Conservation and Coastal Management Element by revising Goal 74, Coastal Resource Protection, to apply on a county-wide basis rather than being limited to the coastal planning area. In addition amend Policy 1.5.1 of the Future Land Use Element to include a reference to Goal 74.
- I. CPA 2001-30**
Amend the Conservation and Coastal Management Element in accordance with Natural Resources staff's evaluation of the Comprehensive Conservation and Management Plan for the Greater Charlotte Harbor Watershed.

5. Adjourn

These meetings are open to the public and all interested parties are encouraged to attend. Interested parties may appear and be heard with respect to all proposed actions. Pursuant to Florida Statutes Section 163.3184(7), persons participating in the Comprehensive Plan Amendment process, who provide their name and address on the record, will receive a courtesy informational statement from the Department of Community Affairs prior to the publication of the Notice of Intent to find a plan amendment in compliance.

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Further information may be obtained by contacting the Lee County Division of Planning at 479-8585.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Janet Miller at 479-8585 Extension 5910.

**CPA2001-16-T
BoCC SPONSORED
AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

**LPA Public Hearing Document
for the
August 26th, 2002 Public Hearing**

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

August 21, 2002

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2001-16-T**

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 |

STAFF REPORT PREPARATION DATE: August 21, 2002

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
REPRESENTED BY LEE COUNTY DEPARTMENT OF TRANSPORTATION

2. REQUEST:

Amend the Future Land Use Element and the Transportation Element to address alignment, access control and impact issues related to the County Road (CR) 951 Extension.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:

1. RECOMMENDATION: Planning staff recommends that the Board of County Commissioners NOT transmit the proposed amendment as provided under Part IIC, the Staff Recommendation portion of this report.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Lee County Metropolitan Planning Organization's 2020 Financially Feasible Transportation Plan and the corresponding Map 3A of the Lee Plan identifies a four-lane road corridor east of I-75 that runs from the Collier County line to north of Corkscrew Road.
- The corridor as identified on the map includes an extension of CR 951 in Collier County from its current terminus at Immokalee Road north to Bonita Beach Road (which is also reflected in the Collier County MPO Plan), and after jogging on Bonita Beach Road, continues north as an extension of Bonita Grande Drive to just north of Corkscrew Road, where it links to the planned Koreshan Extension.
- The corridor is intended to be part of the local road network running parallel to and relieving I-75, which on the east side includes Ben Hill Griffin Parkway/Treeline Avenue.
- Map 3A of the Lee Plan also identifies a shaded area adjacent to the corridor, reflecting that other, more direct alignment options are being considered. This is reiterated in Policy 21.1.1 of the Lee Plan, which notes that the MPO Plan is adopted as Map 3A with one format change, a visual indication (with shading) that alignment options for the CR 951/Bonita Grande Drive extension are still under consideration.
- There were significant concerns about the environmental impacts of the corridor and its potential for stimulating growth in an undesirable area when it was added to the plan, which are reflected in Notes (1) and (2) of the map.
- Lee County is hiring a consulting firm to undertake a two-year Project Development and Environmental (PD&E) Study for the corridor from Immokalee Road to Allico Road, with an expanded public involvement effort, to develop an alignment that addresses the National Environmental Policy Act (NEPA) requirements and is ultimately permissible.
- Lee County budgeted \$340,000 in FY 01/02 for a Smart Growth initiative, created a Smart Growth Department, hired a director, and established the Smart Growth Advisory Committee. The Committee is meeting monthly and work is underway to evaluate growth management and service provision activities in Lee County in the context of Smart Growth, including review of the previous Smart Growth efforts.
- The Lee Plan currently defines the expected limits of urban service provision, in Maps 6, 7 and 11.

C. BACKGROUND INFORMATION

This amendment was initiated by the Board of County Commissioners on September 25, 2001, based on a suggestion by an LPA member. As part of the discussion of plan changes in the previous cycle to remove Goal 13 (Bonita Springs) due to the City's incorporation, LPA member Greg Stuart asked that some revisions be made to the Future Land Use Element and the Transportation Element related to the development of the proposed CR 951 Extension. Mr. Stuart's letter, and a follow-up letter are attached.

CR 951 currently exists in Collier County, connecting from US 41 to Immokalee Road. South of US 41 the road is a state highway, SR 951, which accesses Marco Island. The proposed extension would continue the roadway north of Immokalee Road into Lee County all the way up to Corkscrew Road. There it would indirectly link to the Ben Hill Griffin Parkway/Treeline Avenue corridor, which is planned to tie into

Buckingham Road. The connection from Immokalee Road to Corkscrew Road helps complete the parallel corridor east of I-75, and when all the pieces are completed would allow travel from Marco Island to SR 80 in Buckingham without having to use I-75.

As identified in the current 2020 Financially Feasible Transportation Plan (Map 3A), the road would extend from Immokalee Road to Bonita Beach Road, jog westward on Bonita Beach Road to Bonita Grande Drive, and then continue north from there to Corkscrew Road (and actually a little beyond to the Koreshan Extension). However, a note is added to the plan map to reflect that the alignment issue will be further evaluated, and a shaded area east of the identified alignment is shown on Map 3A to recognize that alignment alternatives are still under consideration. That caveat is also reflected in Policy 21.1.1 of the Lee Plan. The notes on the plan map that apply to the CR 951 Extension read as follows:

- (1) *No access should be permitted to these roads east of I-75, south of Corkscrew Road, and north of the Bonita Springs City Limits.* (This refers to the northern end of the CR 951/Bonita Grande Drive Extension and the Coconut Road Extension east of I-75)
- (2) *The feasibility and alignment of these roads should be determined through studies that adequately address their growth management and environmental impacts, including their secondary and cumulative effects on wildlife, wetlands, and water management. Extending Strike Lane should be evaluated as an alternative to extending Coconut Road east of I-75.* (This refers to the entire CR 951/Bonita Grande Drive Extension and the Coconut Road Extension east of I-75)

The Stuart proposal recommended that the Board add two new policies under Objective 2.1 (Development Location) of the Future Land Use Element. One of them he considered a restatement of the access prohibition in Note (1), which also incorporates language from Note (2) and adds references to urban sprawl potential and an urban service line. The first Stuart proposal reads as follows:

STUART SUGGESTED POLICY ADDITION #1

By the year 2003 Lee County shall evaluate the adequacy of the County Road 951/Bonita Grande extension corridor's access prohibitions and specifically examine shifting the Section 18 prohibition line southward. This evaluation will be based upon growth management and environmental impact considerations including their secondary and cumulative effects on wildlife wetlands water management systems and urban sprawl potential. The evaluation will include analyzing the feasibility of combining an access prohibition line with a Bonita Grande Extension Urban Service Line. (The Section 18 reference in Mr. Stuart's language was recently changed in Note (1) to the Bonita Springs City Limits)

The second policy addition proposed re-emphasizes the restricted access approach and simultaneously attempts to address the stimulated growth concern. The second Stuart proposal reads as follows:

STUART SUGGESTED POLICY ADDITION #2

The county will not accept right-of-way donations in exchange for access connections for any County Road 951/Bonita Grande Extension corridor.

Besides the access restriction and possible urban service line issues, the Stuart proposal included a recommendation for a policy addition under Objective 21.1 (Transportation Map) of the Transportation

Element. The third policy proposal relates to the alternatives analysis for the CR 951 Extension, and reads as follows:

STUART SUGGESTED POLICY ADDITION #3

By the year 2003 Lee County shall evaluate alternate corridor alignments for the County Road 951/Bonita Grande extension from the South Lee County line to Corkscrew Road. The alternate corridor evaluation process shall place equal emphasis on traffic carrying capacity, wetland and other environmental impacts, surface water management considerations and the potential for urban sprawl and related costs. The alternative corridor evaluation shall at a minimum include but not be limited to the following alternate corridor alignments.

- 1) The CR 951 Extension north from Bonita Beach Road corridor;*
- 2) The CR 951 to Bonita Beach Road west to Bonita Grande Road north corridor;*
- 3) The CR 951 Extension north from Bonita Beach Road as a no access high-speed toll road from Bonita Beach Rd. to Corkscrew Road corridor.*

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

STUART SUGGESTED POLICY ADDITION #1

The first component of the Stuart proposal suggests that by 2003 the County should evaluate the merits of expanding the prohibition on access to include the southern end of the corridor as well as the north. The proposal also expanded the language from Note (2) on the map to require the consideration of urban sprawl potential, besides the other factors. Finally, the proposal recommends expanding the establishment of a distinct urban service line, using the road as the boundary.

Lee County recently selected a consultant, Dyer, Riddle, Mills & Precourt, Inc. (DRMP) of Orlando, to conduct a Project Development & Environmental (PD&E) Study for the CR 951 Extension. A contract has been negotiated and is scheduled for consideration on August 20th, and Notice to Proceed should be issued by the first of September. The study should take about two years. The County does not usually conduct PD&E studies for its own projects, although a PD&E Study is required for all state projects using state and federal funds. These studies evaluate various alternatives, including a no-build alternative, in relation to a number of different criteria such as meeting travel needs, costs, neighborhood impacts and environmental impacts. In fact, the environmental issue is evaluated in great detail, consistent with the requirements of the National Environmental Policy Act (NEPA), and the environmental permitting agencies are included in the process. There are different potential environmental assessment levels that can be done for such a study, and the County will be conducting the highest level, a full-blown Environmental Impact Statement (EIS). The County committed to taking the unusual step of doing the PD&E Study for this County project. The County has budgeted \$2.5 million for the study, in recognition of the concerns associated with the CR 951 Extension project, as highlighted in notes (1) and (2). The alternatives analysis will attempt to develop an alignment that meets transportation needs, minimizes environmental impacts, and is environmentally permissible.

In recognition of the numerous interested parties associated with the corridor, the County has committed to an expanded public involvement process as part of the study. Last year, the County had an evaluation done on the benefit of pursuing a consensus building-type approach in defining the corridor, and the evaluation indicated there may be some benefit to taking such an approach; therefore the expanded public involvement process is part of the scope of work of the PD&E Study. Other benefits of pursuing the

PD&E Study include the structured role for the environmental permitting agencies, which ensures they are involved in a collaborative way helping to define a permissible alignment, and making the future project phases eligible for state/federal funding.

Besides a permissible centerline alignment, these studies also normally produce a typical roadway section and an access management plan. The evaluation of access suggested by the Stuart proposal will be included in the PD&E Study. Staff notes that if the alignment uses the existing Bonita Grande Drive, as shown on the 2020 Plan map, a prohibition of access will be nearly impossible because the road already provides access to several properties.

Regarding Mr. Stuart's proposal to add urban sprawl potential to the criteria to be considered in defining an alignment, staff is not clear how that potential would be analyzed. Land use issues are not normally part of the PD&E Study process. There is no proposal to change the land use categories for the properties through which the corridor would run; therefore the densities allowed before the road is built will be the same after the road is built. The projections of development in the area traversed by the corridor, used in the 2020 Overlay allocation and to develop the future transportation plan, are not proposed to be any different. It would take a separate land use amendment, with all the requisite evaluations of impacts, to change the allowable densities. Most of the land through which the corridor would run is currently designated Density Reduction/Groundwater Recharge (DRGR), which allows 1 unit per 10 acres as a residential density, and allows agricultural and mining activities, and to a limited degree, golf courses (without houses). To the degree that the PD&E Study attempts to define a permissible alignment, it will be attempting to define the mitigation requirements by quantifying the environmental impacts. This includes both the direct impacts from the road and the "secondary and cumulative" impacts, an attempt to quantify the stimulated growth caused by the road. The permitting agencies have a methodology for estimating these impacts and the associated mitigation requirements, but staff would note that there is no real evidence that roads cause growth - the Florida DOT has built roads across the state that traverse rural areas, and they have remained rural areas. While a road may open lands up for development, it does not by itself cause development - obviously other conditions have to be in place. The definition of secondary and cumulative impacts would be within the context of the current land uses, so they would not necessarily constitute sprawl. Also, the County's Smart Growth effort currently underway is attempting to define the degree to which urban sprawl is a problem and potential solutions.

As far as exploring the use of the road alignment as an urban service line, staff notes that the planned limits of water and sewer service provision are already defined in the Lee Plan, on Maps 6 and 7. Using the road alignment as the boundary may potentially expand the limits shown on those maps. Map 11 also defines the future recreational service area boundaries. Other urban services such as police and fire protection are already provided County-wide.

STUART SUGGESTED POLICY ADDITION #2

The second policy addition recommended by the Stuart proposal prohibits County acceptance of right-of-way donations for the CR 951 corridor in exchange for access connections. However, in a letter dated October 2, 2001, Mr. Stuart suggests that the County evaluate the comparative value of direct right-of-way acquisition versus possible lower acquisition costs but, due to granted access, increased urban service delivery and associated urbanization costs. Such an evaluation would be highly dependent on the ultimately selected alignment and the nature of the adjacent properties; therefore it would have to come after the PD&E Study has determined a preferred alignment. The PD&E Study will include a determination of the recommended level of access control, and a corresponding access management plan

must first be approved by the Board. The trade-off of right-of-way cost savings versus granting access should be a Board decision, after weighing the overall public benefit. In staff's opinion, a blanket prohibition unnecessarily restricts the Board from exercising its authority. Moreover, access is a property right - if we deny reasonable access, the affected property must be purchased.

STUART SUGGESTED POLICY ADDITION #3

The third policy addition recommended by the Stuart proposal reiterates the desire to include urban sprawl potential in the corridor evaluation criteria, and specifies certain alignments be included as alternatives. One of those is a direct connection as a "no access high-speed toll road".

B. CONCLUSIONS

STUART SUGGESTED POLICY ADDITION #1

Given the evaluations to occur as part of the PD&E Study and the Smart Growth effort, and the already-defined urban service areas in the Lee Plan, and the questions about what constitutes an evaluation of urban sprawl potential, this policy addition is unnecessary. In addition, staff wants to avoid circumventing the on-going Smart Growth effort to quantify the effects of urban sprawl in Lee County and potential solutions by adding policies referencing urban sprawl related to one road corridor.

STUART SUGGESTED POLICY ADDITION #2

Including a policy in the Lee Plan precluding such action without the alignment and access control determinations that would come out of the PD&E Study is premature and unnecessarily restricts the County Commission. While the Stuart proposal seeks an "evaluation", the proposed policy language does not refer to an evaluation; it is simply a prohibition. Staff believes the second policy addition is not appropriate.

STUART SUGGESTED POLICY ADDITION #3

In order to get federal approval and make the project eligible for future federal funding, the PD&E Study must include an objective evaluation of alternatives, including a no-build alternative. There cannot be a "pre-determination" of the alignment; all alignment alternatives must be considered at the beginning of the study. Staff is concerned that a comprehensive plan policy specifying certain alternatives may be viewed as a pre-determination. Also, as part of the long-range plan development process, MPO staff has taken a cursory look at the feasibility of the CR 951 Extension as a toll road. In the modeling, the addition of a toll appeared to discourage use of the facility, which diminishes its feasibility. A toll-feasibility study is not currently part of the scope of work for the PD&E Study. However, if the Board determines that is appropriate, it could be added in later.

One other concern staff has with the third Stuart proposal is the requirement to place "equal emphasis" on the different evaluation factors, including urban sprawl potential. This directive may conflict with the standards of a PD&E Study, which has a structured process for evaluating alignments against various criteria. Staff questions how urban sprawl potential would be evaluated. Given the concerns about potential conflicts with the soon-to-be underway PD&E Study, staff does not recommend pursuing the third policy addition.

C. STAFF RECOMMENDATION

It is the recommendation of DOT staff that the Board of County Commissioners do NOT transmit the proposed plan amendment.

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

DATE OF PUBLIC HEARING: August 26, 2002

A. LOCAL PLANNING AGENCY REVIEW

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

1. RECOMMENDATION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

NOEL ANDRESS

MATT BIXLER

SUSAN BROOKMAN

RONALD INGE

GORDON REIGELMAN

ROBERT SHELDON

GREG STUART

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

DATE OF TRANSMITTAL HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY

**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:

JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY



STUART AND ASSOCIATES
Planning & Design Services

October 2, 2001

Doug St. Cerny, Chairman
Lee County Board of County Commission
P. O. Box 398
Ft. Myers, FL 33902

Re: The 25 September Comprehensive Plan Amendments Public Hearing

Dear Doug;

On behalf of the LPA, I am taking this opportunity to thank you and Commissioners Albion, Coy and Janes in your support of a number of LPA comprehensive plan proposals. Though Staff was somewhat vague with regard to the intent of the LPA's discussions regarding these matters, I believe that the record is very clear. In recognition of the critical issues involved with the future CR 951 corridor, the LPA wanted to formally raise these topics through the comprehensive planning process and in so doing advance the establishment of a true smart growth framework for the new decade. As a statutorily enabled advisory committee to the Board, neither I personally or the LPA collectively are attempting to dictate policy. Rather, we want to raise legitimate growth management issues for formal Staff evaluation. This in turn will allow the Board to make policy decisions based upon their elected capacity.

I believe it is important to correct the record and to respond to some statements made pertaining to the subject amendments. An evaluation of the David Loveland correspondence along with Paul O'Connor's limited presentation misrepresented the LPA's position with regard to the CR 951 right-of-way donation proposal. The Loveland correspondence specifically misrepresented the LPA's CR 951 right-of-way donation policy. The Loveland memo states the following – "*would specifically prohibit the acceptance of right-of-way donations for the road*". Mr. Loveland's memo demonstrates a parody of the LPA's language. The LPA policy plainly stated that the County would not accept right-of-way donation in exchange for access connections (see attached). This is an entirely different matter and I hope that you demand of staff to be accurate in their future presentations and representations. The underlying assumption of the proposal is as follows. Assuming the CR 951 corridor will consist of approximately 7 ½ miles of road with a 200 ft. right-of-way, using the Water Management District's purchase price for DRGR and rural lands in that area (\$3,000 to \$5,000 per acre), the County can expect a right-of-way acquisition value of between \$546,000 to \$909,000. Now that the BOCC has asked staff to formally review the policy, the thrust of the review needs to evaluate the comparative value of direct right-of-way acquisition versus possible lower acquisition costs but, due to granted access, increased urban service delivery and associated urbanization costs.

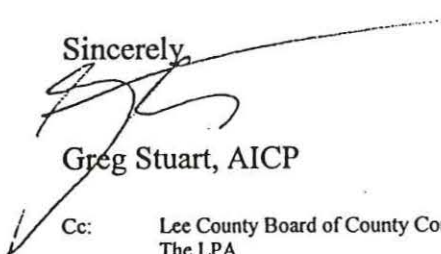
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With regard to proposed Policy 13.1.1 and Transportation Circulation Objective 21.1, succinctly the LPA proposal desired CR 951 to be evaluated from both a traffic carrying capacity approach with equal emphasis placed on wetland and environmental impacts, drainage considerations, urban sprawl and related urban service costs. This is so in that the CR951 extension is the preeminent growth management issue facing the SW Florida region for the coming decade! It is no exaggeration that tens of thousands of Lee County citizens are deeply concerned by the possible negative consequences of unwarranted urban development in high quality wetland and DR/GR lands brought about by poor arterial roadway planning. It is imperative that the Board of County Commission grants equal weight to growth management considerations when evaluating this new road. Though I can understand staffs concern regarding the very specific nature of the policy language, I am at a complete loss in understanding Planning Staff's reluctance to embrace the policy concept of a balanced review.

Finally, I am deeply disappointed by Commissioner Judah's tirade against the LPA for having the audacity to propose amendments to the Lee Plan. Collectively the LPA spends hundreds of hours of volunteer time and without compensation in providing advisory services to the Board and to the County. The statement made by Commissioner Judah that these proposed policies were last minute, cooked up items, is entirely false. These policies were advertised and discussed on the open record with minutes kept of the proceedings. This approach is in sharp contrast to Commissioner Judah's fairways committee proceedings. Proceedings best characterized as secretive and unadvertised for over three quarters of a year, with no minutes kept and attended by interests that will make millions of dollars through their ability to develop DRGR lands. Collectively the LPA has no hidden agenda other than the development of sound public policy.

To conclude, the Board, the LPA and tens of thousands of citizens desire meaningful growth management practiced in a manner that assures high value quality of life for current and future generations. It is unfortunate that Commissioner Judah cannot comprehend that other voices can and will be heard regarding these very compelling matters.

Sincerely,



Greg Stuart, AICP

Cc: Lee County Board of County Commissioners
The LPA
David Loveland
Paul O'Connor
GS/as/LPA&politics/1october01bocc.doc
attachments

Memo

To: Board of County Commissioners

From: David M. Loveland, Planning Program Manager *DL*

Date: September 25, 2001

Subject: **Proposed List of Comprehensive Plan Amendments for
Upcoming Cycle - Greg Stuart Proposal for 951 Extension**

DOT staff objects to the inclusion of Greg Stuart's proposed policy changes to the Lee Plan related to the 951 Extension in this next cycle of plan amendments. Mr. Stuart has proposed specific language changes that reflect his view of what the 951 Extension should be, and includes some specific timelines that would tie the County's hands. He has also proposed some policy directives that would consider the road as an urban growth boundary and would specifically prohibit the acceptance of any right-of-way donations for the road. While some of these issues may be worthy of discussion in the future, staff has not had time to fully evaluate their implications and we feel they are premature for consideration as specific comprehensive plan language changes at this time. At the very least we would like the chance to bring back the results of the initial assessment study currently underway by the Florida Conflict Resolution Consortium and discuss the future direction of the corridor with the Board before we commit to specific language changes in the comprehensive plan. If the Board wants to include Mr. Stuart's proposal for consideration in this next round of amendments, DOT staff will likely recommend against transmittal of the language, pending further discussion and direction from the Board on the future of the corridor.

cc: Paul O'Connor, DCD Planning Division Director
Greg Stuart, LPA Chairman
951 Extension File



STUART AND ASSOCIATES
Planning & Design Services

April 11, 2001

Paul O'Connor
Lee Co. Department of Community Development
P.O. Box 398
Ft. Myers, FL 33902

Re: Goal 13 & The April LPA Hearing

Dear Paul,

To serve as a follow-up regarding last months LPA Hearing, the intent of this letter is to respond to Staff's Goal 13 amendment request. It is my understanding that you are requesting ideas to identify policies and improvements to be incorporated into the Lee Plan based upon the soon to be vacated Bonita Springs Goal 13. Consequently, I would like to request that the policies and standards embedded in Map 3A, The 2020 Financially Feasible Transportation Plan be restated and incorporated into other portions of the Lee Plan so as to be more specific.

Derived from Policy 13.1.1, I request that Planning Staff rewrite the policy and incorporate it within the Transportation Circulation Objective 21.1 Transportation Map. My suggestion is --

By the year 2003 Lee County shall evaluate alternate corridor alignments for the County Road 951/Bonita Grande extension from the South Lee County line to Corkscrew Road. The alternate corridor alignment evaluation process shall place equal emphasis on traffic carrying capacity, wetland and other environmental impacts, surface water management considerations and the potential for urban sprawl and related costs. The alternative corridor evaluation shall at a minimum include but not be limited to the following alternate corridor alignments.

- 1) *The CR951 Extension north from Bonita Beach Road corridor;*
- 2) *The CR951 to Bonita Beach Road west to Bonita Grande Road north corridor;*
- 3) *The CR951 Extension north from Bonita Beach Road as a no access high-speed toll road from Bonita Beach Rd. to Corkscrew Road corridor.*

LEE COUNTY
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DOH

Derived from the Map 3A policy statement pertaining to access prohibition north of Section 18, Township 47S, Range 26E, I request that Planning Staff restate and add to that policy a new policy within Objective 2.1 Development Location. My suggestion is –

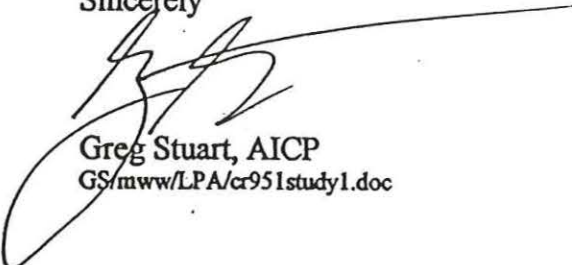
By the year 2003 Lee County shall evaluate the adequacy of the County Road 951/Bonita Grande extension corridor's access prohibitions and specifically examine shifting the Section 18 prohibition line southward. This evaluation will be based upon growth management and environmental impact considerations including their secondary in cumulative effects on wildlife wetlands water management systems and urban sprawl potential. The evaluation will include analyzing the feasibility of combining an access prohibition line with a Bonita Grande Extension Urban Service Line.

Derived from the Map 3A policy statement pertaining to access prohibition north of Section 18, and its inherent understanding of restricted access, I request that Planning Staff add a new policy within Objective 2.1 Development Location. My suggestion is –

The county will not accept right-of way donations in exchange for access connections for any County Road 951/Bonita Grande Extension corridor.

I hope that this correspondence presents a direction for staff to pursue with regard to the Fall 2001 amendment process. I look forward to discussing this issue at the April LPA Hearing.

Sincerely



Greg Stuart, AICP
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