

**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.



**CPA 2001-32  
BoCC SPONSORED  
AMENDMENT  
TO THE**

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LEE COUNTY COMPREHENSIVE PLAN

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**THE LEE PLAN**

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LPA Public Hearing Document  
for the  
August 26<sup>th</sup>, 2002 Public Hearing

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

August 16, 2002

**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA 2001-32**

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

STAFF REPORT PREPARATION DATE: August 16, 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

**2. REQUEST:**

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

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

**1. RECOMMENDATION:**

Staff recommends that the Board of County Commissioners transmit the proposed amendment. The specific language modifications that staff recommends is provided below:

**POLICY 46.2.3:** The County will collaborate with the District Board of Education when planning and making decisions regarding population projections.

**POLICY 109.1.8:** The principles and guidelines to be used in the planning, siting and location of new school have been established under Goal 46: Education.

## 2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Lee Plan already contains numerous policies that provide guidelines for coordinating the comprehensive plan with the plans of the school board.
- Lee County has entered into an Interlocal Agreement with the District of Education which outlines the coordination of planning, population projections and school location criteria.
- Lee County already coordinates with the School Board concerning population projections and methods through participation in Lee County's Metropolitan Planning Organization (MPO). The MPO process is continuous.
- Lee County has always made it a goal to collocate facilities with the School district.

### C. BACKGROUND INFORMATION

This amendment was initiated by the Board of County Commissioners on September 25, 2001. The proposed amendment will amend the Lee Plan by bringing the Intergovernmental Coordination Element, through references to the Education sub-element, in compliance with F.S. Chapter 163.3177.

## PART II - STAFF ANALYSIS

### A. STAFF DISCUSSION

F.S. Chapter 163.3177(6)(h)1. states:

*An intergovernmental coordination element showing relationships and stating principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan approved pursuant to s.373.0361, as the case may require and as such adopted plans or plans in preparation may exist. This element of the local comprehensive plan shall demonstrate consideration of the particular effects of the local plan, when adopted, upon the development of adjacent municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require.*

F.S. Chapter 163.3177(6)(h)2. states:

*The intergovernmental coordination element shall further state principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards and other units of local government providing facilities and services but not having regulatory authority over the use of land. In addition, the intergovernmental coordination element shall describe joint processes for collaborative planning and decision making on population projections and public school siting, the location and extension of public facilities subject to concurrency, and siting facilities with countywide significance, including locally unwanted land uses whose nature and identity are established in an*



agreement. Within 1 year of adopting their intergovernmental coordination elements, each county, all the municipalities within that county, the district school board, and any unit of local government service providers in that county shall establish by interlocal or other formal agreement executed by all affected entities, the joint processes described in this subparagraph consistent with their adopted intergovernmental coordination elements.

The Community Facilities and Services Element of the Lee Plan, Education sub-element, already addresses such coordination and guidelines. The sub-element states:

## ***h. Education***

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**GOAL 46: EDUCATION.** *To assist the Lee County School Board and other providers of education (where appropriate) with the planning, development and siting of new schools. (Amended by Ordinance No. 94-30)*

**OBJECTIVE 46.1: SCHOOL LOCATION PLANNING.** *Cooperate with the Lee County District Board of Education and representatives of private and parochial school associations to ensure that school locations are consistent with county growth policies and the needs of the future population. (Amended by Ordinance No. 94-30)*

**POLICY 46.1.1:** *The county will work in collaboration with the Lee County District Board of Education, representatives of private and parochial (sic) school associations, and other interested institutions, for the location and development of educational systems consistent with Chapter 235, F.S., and the policies of this plan. (Amended by Ordinance No. 94-30, 00-22)*

**POLICY 46.1.2:** *All educational institutions will comply with the policies of this plan and the Land Development Code where not pre-empted by state statutes or administrative rules. (Amended by Ordinance No. 94-30, 00-22)*

**POLICY 46.1.3:** *By 1995, Lee County staff will develop, in conjunction with economic consultants and the Board of Education, an impact fee program for capital costs for schools and present it to the Board of County Commissioners for formal consideration. (Amended by Ordinance No. 94-30, 00-22)*

**POLICY 46.1.4:** *The county, in concert with the Lee County District School Board, will assist developers considering school site contributions by providing information relating to land availability, use and other pertinent parcel data. (Amended by Ordinance No. 94-30, 00-22)*

**POLICY 46.1.5:** *Lee County will coordinate with the State Board of Regents on the development of the Florida Gulf Coast University through the Campus Master Plan process, and the required Development Agreement, and through other means of intergovernmental coordination. (Amended by Ordinance No. 94-30, 00-22)*

**POLICY 46.1.6:** *To the maximum extent possible, Lee County will seek to collocate public facilities, such as parks, libraries, and community centers, with public schools. (Added by Ordinance No. 99-15)*

**OBJECTIVE 46.2: COOPERATION.** *The county will develop programs of collaboration between economic development agencies, the Lee County District Board of Education, the Edison Community College District, the administration of Florida Gulf Coast University, and USF at Fort Myers to ensure participation and achievement of shared economic goals. (Amended by Ordinance No. 94-30, 00-22)*

**POLICY 46.2.1:** *Lee County will continue programs to allocate responsibility and costs for supporting the use of schools as emergency shelters. (Amended by Ordinance No. 00-22)*

**POLICY 46.2.2:** *The county will provide technical information to the District Board of Education to assist in identifying suitable sites for new schools. (Amended by Ordinance No. 00-22)*

**OBJECTIVE 46.3: LAND USE COMPATIBILITY.** *The county will seek to have the siting of all new schools follow these policies aimed at land use and transportation compatibility: (Amended by Ordinance No. 00-22)*

**POLICY 46.3.1:** *Protect the integrity of schools so that educational functions are not disrupted by the intrusion of incompatible land uses.*

**POLICY 46.3.2:** *Cooperate with the School Board in the planning and selection of future school sites and the development of mutually acceptable guidelines for the selection of such sites.*

**POLICY 46.3.3:** *Encourage the acquisition of school sites large enough to accommodate projected increases in enrollment.*

**POLICY 46.3.4:** *Consider the shared use of park and school sites when a surplus of school land is available (see also Goal 62). (Amended by Ordinance No. 94-30)*

**POLICY 46.3.5:** *Land uses and development will not be permitted to the extent that it could necessitate the relocation of schools due to pressures from incompatible uses. (Amended by Ordinance No. 00-22)*

**POLICY 46.3.6:** *Encourage the location of neighborhood elementary schools within walking distance of the residential areas they serve.*

**POLICY 46.3.7:** *Require that new residential developments provide for adequate pedestrian and bicycle access for school children.*

**POLICY 46.3.8:** *School sites will be selected in advance of the developments they are intended to serve and will be based upon planned densities and development patterns. (Amended by Ordinance No. 00-22)*

**POLICY 46.3.9:** *Elementary schools whenever possible must have access to local or collector streets; secondary schools must have access to a collector or arterial street. (Amended by Ordinance No. 00-22)*

**POLICY 46.3.10:** *Prohibit school sites that are or will be exposed to physical constraints, hazards, or nuisances which are detrimental to the health and safety of students and to the general operation of the school.*

**POLICY 46.3.11:** *Prohibit the location of schools in the areas designated on the Future Land Use Map as Airport Noise Zone 3 or within other high noise impact areas.*

**POLICY 46.3.12:** *The county will cooperate with the School Board to encourage consideration in the design and construction of new schools that they may be expected to serve as hurricane evacuation and emergency shelters. (Amended by Ordinance No. 00-22)*

Lee County and the Lee County District School Board have consistently over time cooperated on such things as collocation of facilities. The number of inter-local agreements between the County and the District are too numerous to list. Some examples are:

- 4 Soccer Fields at Bayshore Elementary School
- 3 Soccer Fields at Spring Creek Elementary School
- 3 Soccer Fields at Lehigh Middle School
- Pool at Cape Coral High School



- Pool at North Fort Myers High School
- Pool at Riverdale High School
- Pool located at Cypress Lake Middle and High Schools
- North Fort Myers Community Park and J. Collin English Elementary School

Lee County also already coordinates with the School Board concerning population projections and methods through participation in Lee County's Metropolitan Planning Organization (MPO). The MPO process is continuous. In addition, following newly adopted legislation, Lee County and the District of Education have entered into an Interlocal Agreement. This agreement outlines the coordination of planning, population projections and school location criteria.

In reviewing the Goals and Objectives of the Intergovernmental Coordination Element (ICE), planning staff believes Goal 109 and Objective 109.1 are the appropriate locations for any new language to address the state requirements. Staff also recommends that a new policy, under Goal 46: Education, be adopted to address the coordination of population projection planning.

## **B. CONCLUSIONS**

In order to comply with the provisions of F.S. Chapter 163.3177 the Lee Plan should be amended to include a new policy in the Intergovernmental Coordination Element, under Goal 109, that refers to Goal 46: Education as the source for coordinating the comprehensive plan with the plans of the school board. Staff also recommends that a new policy, under Goal 46: Education, be adopted to address the coordination of population projection planning

## **C. STAFF RECOMMENDATION**

Staff recommends that the Board of County Commissioners transmit to the Florida Department of Community Affairs the proposed amendment. The specific language modifications that staff recommends is provided in Part I.B.1. of this report.

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

DATE OF LPA 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**

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**MATT BIXLER**

\_\_\_\_\_

**SUSAN BROOKMAN**

\_\_\_\_\_

**RONALD INGE**

\_\_\_\_\_

**GORDON REIGELMAN**

\_\_\_\_\_

**ROBERT SHELDON**

\_\_\_\_\_

**GREG STUART**

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**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**

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

DATE OF ORC REPORT: \_\_\_\_\_

- A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**
  
- B. STAFF RECOMMENDATION**

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

DATE OF ADOPTION HEARING: \_\_\_\_\_

**B. BOARD REVIEW:**

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

**1. BOARD ACTION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

**JOHN ALBION**

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**ANDREW COY**

\_\_\_\_\_

**BOB JANES**

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**RAY JUDAH**

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**DOUG ST. CERNY**

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