

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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May 30, 2007

Ray Eubanks, Administrator, Plan Review and Processing
Florida Department of Community Affairs
Bureau of State Planning
Plan Processing Section
2555 Shumard Oak Boulevard
Tallahassee, FL. 32399-2100

Re: Amendment 07-1ER
Amendments to the Lee Plan
Adoption Submission Package
2005/2006 Evaluation and Appraisal Amendment Cycle

Dear Mr. Eubanks:

In accordance with the provisions of F.S. Chapter 163.3184 and of 9J-11.006, this submission package constitutes the adoption of the proposed 2005/2006 Evaluation and Appraisal Amendment Cycle to the Lee Plan. The Lee County Board of County Commissions held an adoption hearing on April 11, 2007 and continued that hearing until May 16, 2007. They took final action concerning all of the adopted amendments at the May 16th public hearing. Copies of the adoption ordinances are included in this submission package.

A majority of the amendments were not objected to by the Objections, Recommendations and Comments Report (ORC Report). All but one of these amendments were adopted as transmitted. CPA 2005-45, which was not objected to, was revised to remove the term "where practical" from the amended Policy 113.3.1. This change, any additional changes that were made to an amendment that was objected to by the ORC Report, including all statements indicating the relationship of additional changes made in response to the ORC Report, is contained in Part V and/or VI of the staff report accompanying that amendment. Any findings made by the Board of County Commissioners is included in Part VI. B. of the staff report accompanying that amendment.

The following amendments were adopted by Ordinance No. 07-09: CPA2005-08; CPA2005-09; CPA2005-10; CPA2005-11; CPA2005-12; CPA2005-13; CPA2005-16; CPA2005-18; CPA2005-19; CPA2005-20; CPA2005-21; CPA2005-22; CPA2005-23; CPA2005-24; CPA2005-28; CPA2005-29; CPA2005-33; CPA2005-39; CPA2005-40; CPA2005-41; CPA2005-42; CPA2005-43; and, CPA2005-45. The following amendments: CPA2005-05; CPA2005-17; CPA2005-25; CPA2005-26; CPA2005-27; CPA2005-35; CPA2005-37;

CPA2005-46; and, CPA2005-47, were adopted by individual ordinances. The adopting ordinance for these amendments is included as the last item in each amendment's package. Proposed amendment CPA2005-07 was not adopted.

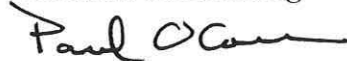
A hard copy and an electronic copy of all of the people who furnished their names and addresses at the transmittal hearing and at the adoption hearings is included.

The name, title, address, telephone number, facsimile number, and email address of the person for the local government who is most familiar with the proposed amendments is as follows:

Mr. Paul O'Connor, AICP
Lee County Planning Division Director
P.O. Box 398
Fort Myers, Florida 33902-0398
(239) 479-8585
Fax (239) 479-8319
Email: oconnops@leegov.com

Included with this package, per 9J-11.006, are three copies of the proposed amendments, and supporting data and analysis. By copy of this letter and its attachments, I certify that these amendments have been sent to: the Southwest Florida Regional Planning Council; the Florida Department of Transportation (FDOT); the Florida Department of Environmental Protection; Florida Department of State; the Florida Fish and Wildlife Conservation Commission; the Department of Agriculture and Consumer Services; Florida Department of Education; Florida Office of Tourism, Trade, and Economic Development; and, the South Florida Water Management District.

Sincerely,
DEPT. OF COMMUNITY DEVELOPMENT
Division of Planning



Paul O'Connor, AICP
Director

2005/2006 LEE PLAN EVALUATION AND APPRAISAL AMENDMENT CYCLE

SUMMARY OF PLAN AMENDMENT CONTENT AND EFFECT

CPA2005-05 – Three Oaks North

This privately sponsored amendment by Paul H. Freeman, Trustee, amends the Future Land Use Map Series, Map 1, for 83 acres in the northwest quadrant of I-75 and Alico Road, Section 3, Township 46 South, Range 25 East, Lee County, Florida, lying west of I-75 from “Industrial Development” to “Industrial Commercial Interchange.”

CPA2005-08 - Caloosahatchee Shores Community Plan

This amendment, offered by the East Lee County Council and sponsored by the Board, proposes a new Policy 21.1.4 that directs the Caloosahatchee Shores Community to draft enhanced code enforcement standards for possible inclusion in the Land Development Code. The proposed code enforcement standards, once drafted, will be reviewed by staff and processed as Land Development Code amendments.

CPA2005-09 - Palm Beach Community Plan

This Board sponsored amendment amends the Future Land Use Element to add a Goal, Objectives, and Policies that are specific to the Palm Beach Community.

CPA2005-10 – Airport Noise Boundaries and Number of Gas Pumps

This Board sponsored amendment proposes to amend the Future Land Use Element, Policies 1.2.2, 1.7.1, and 5.1.4, the Community Facilities and Services Element, Policy 66.3.11, and the Future Land Use Map Series, Map 1, Page 5 of 5, to incorporate the new airport noise zones in compliance with the revised FAR Part 150 Noise Study for the Southwest Florida International Airport. In addition, the amendment proposes to amend Table 5, Southwest Florida International Airport Proposed Development Schedule, to increase the allowable number of gas pumps from the current twelve (12) gas pumps to twenty-four (24) gas pumps.

CPA2005-11 – Greenways Recreational Trails Master Plan

This Board sponsored amendment incorporates the Lee County Multi-Purpose Recreational Trails and Greenways Master Plan into the Lee Plan. It revise Goal 85, Objective 85.1, Policy 85.1.2, Policy 85.1.3, Policy 85.1.4, Policy 85.1.5, and Policy 107.1.1(4).(d). It incorporates proposed new Policy 40.4.6, Policy 40.4.7, Policy 40.4.8, Policy 77.3.6, Policy 77.3.7, new Objective 85.4, Policy 85.4.1, Policy 85.4.2, new Goal 80, new Objective 80.1, Policy 80.1.1, Policy 80.1.2, new Objective 125.3, and Policy 125.3.1. It also incorporates proposed new Map 22 (Lee County Greenways Multi-Purpose Recreational Trails Master Plan Map) into the Lee Plan.

CPA2005-12 – Captiva Community Plan

This amendment, offered by Captiva Community Planning Panel and sponsored by the Board, proposes to: amend the Future Land Use Element, by adding a new Objective 13.2, and Policy 13.2.1, and to amend Policy 6.1.2; amend the Procedures and

Administration Element by adding a new standard to the Single Family Residence Provision; and, to amend the definition of Density.

The Captiva Planning Panel has identified the retention of existing commercial uses and the development of new commercial uses on the island as a priority. The high price of residential properties on the island has made the retention of existing commercial uses difficult and the creation of new commercial uses unlikely. The conversion over time of the commercial properties to residential on Andy Rosse Lane attests to this problem. These changes, which apply only to the Captiva Community, allow both commercial and residential uses on property that is currently commercially zoned, specifically in areas currently zoned C-1 and CT. These properties must be rezoned to Commercial Planned Development to take advantage of these provisions. The changes to the Single Family Residence Provision will allow those lots that are too small to meet Lee Plan density provisions to develop with a single residential unit along with commercial floor area.

CPA2005-13 – Community Planning

This amendment, offered by the Smart Growth Committee and sponsored by the Board, proposes to amend the Future Land Use Element to add a new goal, objective and two policies that address community planning activities. The new language supports both citizen and County initiated community planning efforts and assures coordination with County-wide and regional plans.

There was one contended proposed policy regarding water conservation issues. Staff contended that the policy should not be directed at community planning efforts because these plans are often driven by local community issues which may not include water conservation. The LPA recommended including the policy. At the LPA's review of a subsequent proposed amendment, CPA 2005-46, Smart Growth Recommendations, the same policy was included on a county-wide basis as Policy 54.1.13. The LPA recognized the duplicate policy and recommended that one of them should be eliminated, the Smart Growth Director agreed. This policy was kept as a county wide policy and dropped from CPA 2005-13.

CPA2005-16 – San Carlos/Estero Community Boundary

This Board sponsored amendment proposes to change Future Land Use Map Series, Map 16, Lee County Planning Communities, to adjust the boundary between the Estero and San Carlos Planning Communities west of U.S. 41. This amendment realigns the southern boundary of the San Carlos Planning Community to follow the fire district border between the Breckenridge neighborhood and the Estero Bay Buffer Preserve. This change was initiated to address concerns raised by some San Carlos residents living along Pine Road.

CPA2005-17 – Long Range Transportation Plan

This Board sponsored amendment proposes to amend the Transportation Element to update Policy 36.1.1 and the Transportation Map series, Map 3, to reflect the new 2030 Metropolitan Planning Organization (MPO) Long Range Transportation Plan. In keeping with the recommendations of the Evaluation and Appraisal Report and the MPO's federal

mandates, this change incorporates text and maps that update the Lee Plan's Transportation Element to the new planning horizon of 2030. The 3 maps, the Lee County 2030 Financially Feasible Highway Plan, the Future Functional Classification Map, and the Future Maintenance were adopted by the MPO on December 7, 2005, and revised on March 17, 2006.

CPA2005-18 – LOS Standards For SIS/FIHS/TRIP Funded Roads

This Board sponsored amendment proposes to amend the Transportation Element to update Policy 37.1.1 to reflect new State Level of Service (LOS) standards for Strategic Intermodal System (SIS), Florida Intrastate Highway System (FIHS), and Transportation Regional Incentive Program (TRIP) funded roads. For the basic State and County arterials and collectors included in Policies 37.1.1 and 95.1.3, staff is proposing an expansion of facility types to reflect the categories included in the Country's existing roadway functional classification list.

CPA2005-19 – FDOT Quality LOS Handbook

This amendment, sponsored by the Board, amends the Transportation Element to update Policy 37.1.4 to refer to the 2002 Florida Department of Transportation (FDOT) Quality LOS Handbook. This changes updates the primary documents used by the County to calculate roadway level of service conditions to the current referenced FDOT handbook.

CPA2005-20 – Deletion of Policy 38.2.3

This board sponsored amendment amends the Transportation Element by deleting Policy 38.2.3. This action was first recognizes in the Evaluation and Appraisal Report. As currently written, Policy 38.2.3 requires that the Board make a finding of "overriding need" to include a County Roadway improvement within a municipality unless that municipality is a full participant in the County's road impact fee ordinance. Only the City of Fort Myers is a full participant in the County's road impact fee ordinance. All of the municipalities, except Sanibel, currently have enacted some form of road impact fees. Transportation staff believes this policy no longer serves its intended function and causes unnecessary Board action to maintain and improve the County's road system.

CPA2005-21 – Update Reference to the LeeScape Master Plan

This Board sponsored amendment amends the Transportation Element to update Objective 40.3 to refer to the latest version of the LeeScape (Lee County Roadway Landscape) Master Plan. The original LeeScape plan was adopted on October 27, 1998. A revised LeeScape plan was adopted on August 28, 2001. This amendment updates the referenced adoption date in the policy.

CPA2005-22 – Mass Transit Update

This Board sponsored amendment updates the Transportation Element Mass Transit Sub-Element's Goals, Objectives and Policies as identified in the most recent Evaluation and Appraisal Report. During the Evaluation and Appraisal Report process, mass transit staff identified a number of needed updates to the goals, objectives and policies of the Mass Transit Sub-Element. The updates correct outdated references and reflect current County

practices regarding the County's mass transit system. Staff concurs with the additional recommendation of the Local Planning Agency.

CPA2005-23 – Ports, Aviation and Related Facilities Update

This Board sponsored amendment updates the Transportation Element, Ports, Aviation and Related Facilities Sub-Element's Goals, Objectives and Policies as identified in the most recent Evaluation and Appraisal Report. During the Evaluation and Appraisal Report process, Port Authority staff identified a number of needed updates to the goals, objectives and policies of the Ports, Aviation and Related Facilities Sub-Element. The updates correct outdated references and reflect current County practices regarding the County's ports and aviation systems. Staff concurs with the additional recommendation of the Local Planning Agency.

CPA2005-24– Update Transportation Concurrency Policies

This Board sponsored amendment amends the Transportation Element to update transportation concurrency related Objectives and Policies to reflect current County policy and recent changes in state law.

CPA2005-25 – Change Lee Plan Horizon to the year 2030

This Board sponsored amendment updates the Lee Plan to change the references from the year 2020 to the year 2030 and updates the Vision Statements to the year 2030. The Evaluation and Appraisal Report recommended that the planning horizon of the Lee Plan be extended to the Year 2030. Current text that references the 2020 planning horizon is being changed to the new planning horizon date of 2030. Additionally, the amendment proposed to delete any text that is date sensitive for which the time frame has passed or the intent of the text has been satisfied. The Local Planning Agency accepted the recommended changes, as proposed by staff.

CPA2005-26 – Landuse Acreage Allocation

This is a Board sponsored amendment that amends the Lee Plan text and tables to reflect the latest BEBR population projections. It also amends Map 16 to reflect current city boundaries.

CPA2005-27 – Update CIE Tables 3 and 4

This amendment, sponsored by the Board, amends the Capital Improvements Element (Tables 3 & 4) to reflect the latest adopted Capital Improvement Program (CIP). Florida Statutes require that the CIP be adopted into the comprehensive plan on a yearly basis. The proposed tables reflect the CIP adopted by the Board this past September.

CPA2005-28 – Conservation Lands Update

This Board sponsored amendment updates the Future Land Use Map Series, Map 1, by adding new conservation properties to, and removing erroneously designated properties from, the Conservation Lands future land use categories to more accurately identify conservation lands.

CPA2005-29 – Public Facilities Update

This Board sponsored amendment updates the Future Land Use Map Series, Map 1, the Future Land Use Map, by adding new publicly owned property to, and removing erroneous designated lands from, the Public Facilities future land use category to more accurately identify publicly owned lands.

CPA2005-33 – Police and Justice Sub-Element Update

This board sponsored amendment updates the Community Facilities and Services Element, Police and Justice Sub-Element Objective 69.1, Policies 69.2.2 and 69.2.3 to delete the referenced date and to acknowledge the ongoing nature of the objective and to reflect the existing status of substation facilities.

CPA2005-35 – New Urbanism Definitions

This Board sponsored amendment amends the Lee Plan Glossary to incorporate new and amend existing definitions in order to incorporate the principles of New Urbanism. Fifteen new definitions are being added and 3 existing definitions are being amended.

CPA2005-37 – New Urbanism

This Board sponsored amendment amends the Future Land Use Element to include and revise Goals, Objectives, and Policies to incorporate the concepts and principles of New Urbanism, Traditional Neighborhood Design, and Transit Oriented Development. This amends the Future Land Use Map Series to include an overlay depicting areas where mixed use development will be allowed to calculate residential density from commercial property when smart growth principles can be applied.

CPA2005-39 – Commercial FLUM Category

This Board sponsored amendment amend Goal 1 of the Future Land Use Element, the Future Land Use Map Series, Map 1, and Table 1(a), by adding a new “commercial only” future land use category. In addition, a new definition is being added to the Glossary to define Floor Area Ratio, as a way to establish limitations on intensity. At this time there are no specific areas being proposed for the new category.

CPA2005-40 – Sub-Outlying Suburban FLUM Category

This amendment, sponsored by the Board, amends Goal 1 of the Future Land Use Element, the Future Land Use Map series, Map 1, and Table 1(a), Summary of Residential Densities, by adding a new future land use category having a maximum density of 2 dwelling units per acre. There are several areas on the Future Land Use Map that are designated Outlying Suburban that have an additional limitation reducing the density to a maximum of 2 dwelling units per acre. This new category will eliminate the need to look to Table 1(a) footnotes to see where this 2 unit per acre limitation applies.

CPA2005-41 – Manatee Protection Plan

This Board sponsored amendment amends the Future Land Use Element, Objective 8.2 and the Conservation and Coastal Management Element, Objectives 107.7, 128.5 and

128.6, and their subsequent policies to incorporate the "boating facility siting element" of the Manatee Protection Plan, as required by Florida Statute 370.12.(2)(t)(3).

CPA2005-42 – Economic Element Update

This Board sponsored amendment updates the Economic Element as the element has not been updated since its creation in 1993. Economic Development staff identified a number of needed updates to the goals, objectives and policies of the Economic Element. The updates correct outdated references and reflect current County practices regarding the County's efforts to promote economic development.

CPA2005-43 – Single Family Residence Provision Update

This Board sponsored amendment amends the Procedures and Administration Element by updating the Single-Family Residence Provision. Currently two different county offices are involved in approving applications for Minimum Use Determinations. The Department of Community Development performs the review if an application for a building permit is also being requested. The County Attorney's Office issues the determination, following an application for review and a recommendation from Community Development staff, if no building permit application has been requested. This amendment would move all reviews to the Department of Community Development. It also makes it clear that a future land use category's standard density is to be used for Minimum Use Determinations, not bonus density or some other means to increase density, i.e. Open Lands ability to increase density to 1 dwelling unit per 5 acres utilizing Residential Planned Development zoning. Staff concurs with the Local Planning Agency's recommendation to not alter the access and drainage requirements.

CPA2005-45 – Beach and Dune Management Plans

This Board sponsored amendment amends the Conservation and Coastal Management Element, Policy 113.3.1 to update the list of critical erosion areas identified in the Beach and Dune Management Plans. The Department of Environmental Protection (DEP) maintains a list of critically eroded beaches in Florida. This policy update is necessary to accurately reflect the DEP list of critically eroded beaches in Lee County.

CPA2005-46 – Smart Growth Recommendations

This Board sponsored amendments amends the Lee Plan to incorporate the recommendations from the County's Smart Growth Initiative into the Lee Plan.

CPA2005-47 – Housing Element Update

This Board sponsored amendment updates the Housing Element by reflecting the findings of the most current Housing Needs Assessment. In August 2005, Lee County updated the 1997 Housing Needs Assessment. These changes are based on the analysis of existing Goals, Objectives and Policies and further the recommendations of the 2005 Housing Needs Assessment included in the Evaluation and Appraisal Report.

Lee County

Comprehensive Plan Amendment Citizen Courtesy Information List

Hearing Date: December 13, 2006

Hearing Type: Transmittal

DCA Amendment Number: _____ (DCA Official Use)

Please Print Clearly

By providing your name and address you will receive information concerning the date of publication of the Notice of Intent by the Department of Community Affairs.

Your Name	Address, City, State, Zip Code	Check Appropriate Response(s)		Identify Amendment of Interest
		Written Comment	Spoken Comment	
MATT VALE	1625 HENDRY ST. FT. MYERS 33901		✓	Transmittal
Mike Strachorn	5670 Harborage Dr. Ft. Myers, FL		✓	Harborage Corridor
Stephonie Keyes	2158 Johnson St. Ft. Myers, FL 33901		✓	Mixed Use Overlay CPA 2005-0037
Steve Hartsell	PO Drawer 1507 Ft. Myers FL 33902		✓	Mixed Use Plan Overlay CPA 2005-0037
Chuck Basimait	1715 Monroe St. Ft. MYERS, FL 33901		✓	CPA 2005-26 CPA 2005-37, 46
MIKE ROEDER	1625 HENDRY ST Ft. MYERS 33901		✓	PALM BEACH, CALOCHAH NAVE SHORES, MIXED USE CORRIDOR
PERE SPINEROLLO	5421 HARBORAGE DR FT MYERS FL		✓	MIXED USE HARBORAGE CORRIDOR
Neale Montgomery	1833 Hendry St. Fort Myers FL 33901		✓	

Lee County

Comprehensive Plan Amendment Citizen Courtesy Information List

Hearing Date: December 13, 2006

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DCA Amendment Number: _____ (DCA Official Use)

Please Print Clearly

By providing your name and address you will receive information concerning the date of publication of the Notice of Intent by the Department of Community Affairs.

Your Name	Address, City, State, Zip Code	Check Appropriate Response(s)		Identify Amendment of Interest
		Written Comment	Spoken Comment	
Bruce Strayhorn	2125 1/2 ST #203 Ft. Myers FL			
Robt Schaudt	5640 Mackabon Ct Ft Myers			CPA 2005-48024 2005-58024 2005 ? MINING
Heale Montgomery	1833 Lehigh St Ft Myers FL		✓	2005-02 2006-28
Alvin Verway	4991 Higginbotham Rd. Ft Myers 33905			CPA 2005-2006

Comprehensive Plan Citizen Courtesy Information List

Local Government: LEE COUNTY

Hearing Date: 5/16/07 (Continued Hearing from 4/11/07).

Type of Hearing: 2005/2006 Comp Plan Amendment Cycle

DCA Amendment Number: _____ (DCA Official Use)

PLEASE PRINT CLEARLY

Citizen Name	Address, City, State, Zip Code	Check (√) Appropriate Response(s)		Identify Amendment which is of Interest
		Written Comment	Spoken Comment	
GLORIA MOFF	15570 OLD OLGA RD ALVA, FL 33920	✓	✓	River Hall
Sarah Spector	Henderson Franklin 1715 Monroe street Fort Myers, FL 33901			All
Stephanie Reyes	2158 Johnson St. FMY FL 33901			All
Ruthann Yeaman	17			
Ruby Daniels	18100 Persimmon Rdg Rd Alva, FL 33920	✓		River Hall

Comprehensive Plan Citizen Courtesy Information List

Local Government: LEE COUNTY

Hearing Date: 5/16/07 (Continued Hearing from 4/11/07).

Type of Hearing: 2005/2006 Comp Plan Amendment Cycle

DCA Amendment Number: _____ (DCA Official Use)

PLEASE PRINT CLEARLY

Citizen Name	Address, City, State, Zip Code	Check (√) Appropriate Response(s)		Identify Amendment which is of Interest
		Written Comment	Spoken Comment	
Jim MATHISEN	1670 WERNER DR. ALVA FL. 33920	✓	✓	River Hall Items
Heidi Gurbary	1620 Werner Dr Alva Fla 33920	✓	✓	River Hall
JANET J TRIPP	2190 SANTIAGO AVE FT. MYERS FL 33905		✓	RIVER HALL
Ed KimBALL	2253 DAVIS Rd. FT. MYERS FL		✓	RIVER HALL
Sharon Lamely	2261 S. Olga Dr. Ft. Myers, FL 33905		✓	River Hall

NEWS-PRESS
*Published every morning - Daily and
Sunday*
Fort Myers, Florida
Affidavit of Publication

STATE OF FLORIDA
COUNTY OF LEE

Before the undersigned authority, personally appeared
Kathy Allebach
who on oath says that he/she is the
Legal Assistant of the News-Press, a
daily newspaper, published at Fort Myers, in Lee County,
Florida; that the attached copy of advertisement, being a
Display
In the matter of
Notice of Amendment
In the court was published in said newspaper in the
issues of

April 3, 2007

Affiant further says that the said News-Press is a paper of
general circulation daily in Lee, Charlotte, Collier, Glades
and Hendry Counties and published at Fort Myers, in said Lee
County, Florida and that said newspaper has heretofore been
continuously published in said Lee County, Florida, each day,
and has been entered as a second class mail matter at the post
office in Fort Myers in said Lee County, Florida, for a period of
one year next preceding the first publication of the attached copy
of the advertisement; and affiant further says that he/she has
neither paid nor promised any person, firm or corporation any
discount, rebate, commission or refund for the purpose of
securing this advertisement for publication in the said
newspaper.



Sworn to and subscribed before me this

3rd day of April 2007 by

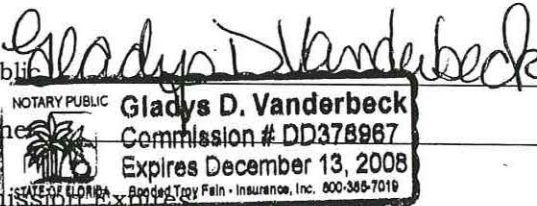
Kathy Allebach
personally known to me or who has produced

as identification, and who did or did not take an
oath.

Notary Public

Print Name

My commission expires



**NOTICE OF
AMENDMENT TO THE LEE COUNTY
COMPREHENSIVE PLAN**

In compliance with Florida Statutes, notice is hereby given that the Lee County Board of County Commissioners will hold a public hearing to consider adopting amendments to the Lee County Comprehensive Land Use Plan (Lee Plan) on Wednesday, April 11, 2007. The hearing will be held in the Board of County Commissioners Hearing Chambers in the renovated Courthouse at 2120 Main Street in downtown Fort Myers. The hearing will commence at 9:30 a.m. This meeting is 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, 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 a decision made by the Board of County Commissioners with respect to matters considered at this hearing, that person will need to ensure that a verbatim record of the proceedings is made. The record must include the testimony and evidence that forms the basis of the appeal. 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 479-8583.

The Board of County Commissioners of Lee County, Florida, proposes to adopt amendments to the Lee Plan by Ordinance described in the agenda below:

**April 11, 2007
9:30 A.M.**

1. **Call to order; Certification of Affidavit of Publication**
2. **Consent Agenda:**

- **Public comment on Consent Agenda**
- **Items to be pulled for discussion by the Board**
- **Motion to approve the balance of items**
- **Consideration of items pulled for discussion**

A. CPA2005-08 - Caloosahatchee Shores Community Plan

Adopt a new Policy 21.1.4. directing the Caloosahatchee Shores Community to draft enhanced code enforcement standards for possible inclusion in the Land Development Code.

Sponsor: Board of County Commissioners/The East Lee County Council.

B. CPA2005-09 - Palm Beach Community Plan

Amend the Future Land Use Element to add a Goal, Objectives, and Policies specific to the Palm Beach Community.

Sponsor: Board of County Commissioners/The East Lee County Council

C. CPA2005-10 - Airport Noise Boundaries and Number of Gas Pumps

Amend the Future Land Use Element Policies 1.2.2., 1.7.1., and 5.1.4. and the Community Facilities and Services Element Policy 66.3.11., and the Future Land Use Map Series, Map 1, Page 5 of 5, to reflect the revised FAR Part 150 Noise Study for the Southwest Florida International Airport. In addition, amend Table 5, Southwest Florida International Airport Proposed Development Schedule, to increase the number of gas pumps allowed from twelve (12) to twenty-four (24).

Sponsor: Board of County Commissioners/Port Board.

D. CPA2005-11 - Greenways Recreational Trail Master Plan

Incorporate the Lee County Multi-Propose Recreational Trails and Greenways Master Plan into the Lee Plan. Revise Goal 85, Objective 85.1., Policy 85.1.2., Policy 85.1.3., Policy 85.1.4., Policy 85.1.5., and Policy 107.1.1.(4)(d). Incorporate proposed new Policy 40.4.6., Policy 40.4.7., Policy 40.4.8., Policy 77.3.6., Policy 77.3.7., new Objective 85.4., Policy 85.4.1., Policy 85.4.2., new Goal 80, new Objective 80.1., Policy 80.1.1., Policy 80.1.2., new Objective 125.3., and Policy 125.3.1. Incorporate proposed new Map 22 (Lee County Greenways Multi-Purpose Recreational Trails Master Plan Map).

Sponsor: Board of County Commissioners.

E. CPA2005-12 - Captiva Community Plan

Amend Goal 13, Policy 6.1.2, Chapter XIII Single-Family Residence Provision and the definition of Density specific to the Captiva Community to incorporate the recommendations of the Captiva Island Community Planning effort.

Sponsor: Board of County Commissioners/Captiva Community Planning Panel.

F. CPA2005-13 - Community Planning

Amend the Future Land Use Element to evaluate incorporating community planning policies into the Lee Plan.

Sponsor: Board of County Commissioners/Smart Growth Committee.

G. CPA2005-16 - San Carlos/Estero Community Boundary

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

Sponsor: Board of County Commissioners.

H. CPA2005-18 - LOS Standards For SIS/FIHS/TRIP Funded Roads

Amend the Transportation Element to update Policy 37.1.1. to reflect new State LOS standards for SIS/FIHS/TRIP-funded roads.

Sponsor: Board of County Commissioners.

I. CPA2005-19 - FDOT Quality LOS Handbook

Amend the Transportation Element to update Policy 37.1.4. to refer to the 2002 FDOT Quality LOS Handbook.

Sponsor: Board of County Commissioners.

J. CPA2005-20 - Deletion of Policy 38.2.3

Amend the Transportation Element to delete Policy 38.2.3.

Sponsor: Board of County Commissioners.

K. CPA2005-21 - Update Reference to the LeeScape Master Plan

Amend the Transportation Element to update Objective 40.3. to refer to the latest version of the LeeScape (Lee County Roadway Landscape) Master Plan.

Sponsor: Board of County Commissioners.

L. CPA2005-22 - Mass Transit Update

Amend the Transportation Element Mass Transit Sub-Element's Goals, Objectives and Policies as identified in the most recent Evaluation and Appraisal Report.

Sponsor: Board of County Commissioners.

M. CPA2005-23 - Ports, Aviation and Related Facilities Update

Amend the Transportation Element Ports, Aviation and Related Facilities Sub-Element's Goals, Objectives and Policies as identified in the most recent Evaluation and Appraisal Report.

Sponsor: Board of County Commissioners.

N. CPA2005-24 - Update Transportation Concurrence Policies

Amend the Transportation Element to update transportation concurrence related Objectives and Policies to reflect current County policy and recent changes in State law.

Sponsor: Board of County Commissioners.

O. CPA2005-28 - Conservation Lands Update

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

Sponsor: Board of County Commissioners.

P. CPA2005-29 - Public Facilities Update

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

Sponsor: Board of County Commissioners.

Q. CPA2005-33 - Police and Justice Sub-Element Update

Amend the Community Facilities and Services Element Police and Justice Sub-Element Objective 69.1 to delete the referenced date and to acknowledge the ongoing nature of the objective. In addition, amend Policies 69.2.2. and 69.2.3. to reflect the existing status of substation facilities.

Sponsor: Board of County Commissioners.

R. CPA2005-39 - Commercial FLUM Category

Amend Goal 1 of the Future Land Use Element, the Future Land Use Map Series, Map 1, and Table 1(a), by adding a new "commercial only" future land use category.

Sponsor: Board of County Commissioners.

S. CPA2005-40 - Sub-Outlying Suburban FLUM Category

Amend Goal 1 of the Future Land Use Element, the Future Land Use Map series, Map 1, and Table 1(a) and Table 1(b), Summary of Residential Densities, by adding a new future land use category having a maximum density of 2 dwelling units per acre.

Sponsor: Board of County Commissioners.

T. CPA2005-41 - Manatee Protection Plan

Amend the Conservation and Coastal Management Element and the Future Land Use Element to incorporate the "boating facility siting element" of the Manatee Protection Plan required by F.S. 370.12.(2)(i)(3).

Sponsor: Board of County Commissioners.

U. CPA2005-42 - Economic Element Update

Amend the Lee Plan, Economic Element, for general updates as the element has not been updated since its creation in 1993.

Sponsor: Board of County Commissioners.

V. CPA2005-43 - Single Family Residence Provision Update

Amend the Procedures and Administration Element by updating the Single-Family Residence Provision.

Sponsor: Board of County Commissioners.

W. CPA2005-45 - Beach and Dune Management Plans

Amend Policy 113.3.1 in order to update the list of critical erosion areas under Beach and Dune Management Plans.

Sponsor: Board of County Commissioners.

X. Adopt the following Ordinance, which incorporates the substance of the items on the consent agenda into the Lee Plan:

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 2005/2006 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT, MAPS AND TABLES; PURPOSE AND SHORT TITLE; LEGAL EFFECT; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

3. **Administrative Agenda**

A. CPA2005-05 - Three Oaks North

Amend the Future Land Use Map Series, Map 1, for 83+/- acres in the northwest quadrant of I-75 and Alico Road, Section 3, Township 46 South, Range 25 East, Lee County, Florida, lying west of I-75 from "Industrial Development" to "Industrial Commercial Interchange."

Sponsor: Paul H. Freeman, Trustee.

B. Adopt the following Ordinance, which incorporates the contents of CPA2005-05 into the Lee Plan:

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2005-05 (PERTAINING TO THE FUTURE LAND USE MAP CHANGE FOR AN 83±-ACRE PARCEL NORTH OF ALICO ROAD FROM INDUSTRIAL DEVELOPMENT TO INDUSTRIAL COMMERCIAL INTERCHANGE) APPROVED DURING THE COUNTY'S 2005/2006 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

C. CPA2005-07 - Riverhall (aka Hawk's Haven)

Amend the Future Land Use Map Series for specified parcel (approximately 1,727 acres) located in Sections 25, 26, 27, 34, 35, and 36, Township 43 South, Range 26 East, to change the Future Land Use classification shown on Map 1 from "Rural" and "Suburban" to "Outlying Suburban" and "Public Facilities." Amend Table 1(a), Footnote 6, to limit development in the plan amendment area to two units per acre and place a specific cap on residential development of 2,800 dwelling units on the specified property.

Sponsor: Hawks Haven Investment, LLC.

D. Adopt the following Ordinance, which incorporates the contents of CPA2005-07 into the Lee Plan:

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2005-07 (PERTAINING TO AN AMENDMENT TO THE FUTURE LAND USE MAP SERIES FOR A PARCEL OF 1,727 ACRES TO CHANGE THE FUTURE LAND USE CLASSIFICATION SHOWN ON MAP 1 FROM "RURAL" AND "SUBURBAN" TO "OUTLYING SUBURBAN" AND "PUBLIC FACILITIES" AND ALSO AMENDING TABLE 1(a), FOOTNOTE 6, TO RESTRICT PERMISSIBLE DENSITY AND UNITS) APPROVED DURING THE COUNTY'S 2005/2006 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVING FOR AMENDMENT TO ADOPTED TEXT, MAPS, AND TABLES; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

E. CPA2005-17 - Long Range Transportation Plan

Amend the Transportation Element to update Policy 36.1.1. and the Transportation Map Series, Map 3, to reflect the new 2030 MPO Long Range Transportation Plan.

Sponsor: Board of County Commissioners.

F. Adopt the following Ordinance, which incorporates the contents of CPA 2005-17 into the Lee Plan:

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2005-17 (PERTAINING TO THE LONG RANGE TRANSPORTATION PLAN) APPROVED DURING THE COUNTY'S 2005/2006 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

G. CPA2005-25 - Change Lee Plan Horizon to the year 2030

Amend the Lee Plan to change the references from the year 2020 to the year 2030 and update the Vision Statements to the year 2030.

Sponsor: Board of County Commissioners.

H. Adopt the following Ordinance, which incorporates the contents of CPA2005-25 into the Lee Plan:

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2005-25 (PERTAINING TO CHANGING THE LEE PLAN HORIZON YEAR TO 2030) APPROVED DURING THE COUNTY'S 2005/2006 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

I. CPA2005-26 - Update BEBR Population Projections

Amend the Lee Plan text and tables to reflect the latest BEBR population projections. Amend Map 16 to reflect current City boundaries and amend Map 8 to reflect updated potable wellfield cones of influence.

Sponsor: Board of County Commissioners.

J. Adopt the following Ordinance, which incorporates the contents of CPA2005-26 into the Lee Plan:

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2005-26 (PERTAINING TO THE BEHR POPULATION PROJECTION AND MAPS 8 AND 16 UPDATE) APPROVED DURING THE COUNTY'S 2005/2006 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

K. CPA2005-27 - Update Capital Improvement Element (CIE) Tables 3 and 4

Amend the Capital Improvement Element (Tables 3 and 4) to reflect the latest adopted Capital Improvement Program.

Sponsor: Board of County Commissioners.

L. Adopt the following Ordinance, which incorporates the contents of CPA2005-27 into the Lee Plan:

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2005-27 (PERTAINING TO TABLES 3 AND 4 OF THE CAPITAL IMPROVEMENT ELEMENT) APPROVED DURING THE COUNTY'S 2005/2006 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND TABLES; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

M. CPA2005-35 - New Urbanism Definitions

Amend the Lee Plan Glossary to add new, and amend existing, definitions to incorporate the principles of New Urbanism.

Sponsor: Board of County Commissioners.

N. Adopt the following Ordinance, which incorporates the contents of CPA2005-35 into the Lee Plan:

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2005-35 (PERTAINING TO THE INCORPORATION OF THE PRINCIPLES OF NEW URBANISM INTO THE LEE PLAN GLOSSARY) APPROVED DURING THE COUNTY'S 2005/2006 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

O. CPA2005-37 - New Urbanism

Amend the Future Land Use Element to include and revise Goals, Objectives, and Policies to incorporate the concepts and principles of New Urbanism, Traditional Neighborhood Design, and Transit Oriented Development.

Amend the Future Land Use Map Series to include an overlay depicting areas where mixed use development will be allowed to calculate residential density from commercial property when smart growth principles are applied.

Sponsor: Board of County Commissioners.

P. Adopt the following Ordinance, which incorporates the contents of CPA2005-37 into the Lee Plan:

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2005-37 (PERTAINING TO NEW URBANISM) APPROVED DURING THE COUNTY'S 2005/2006 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

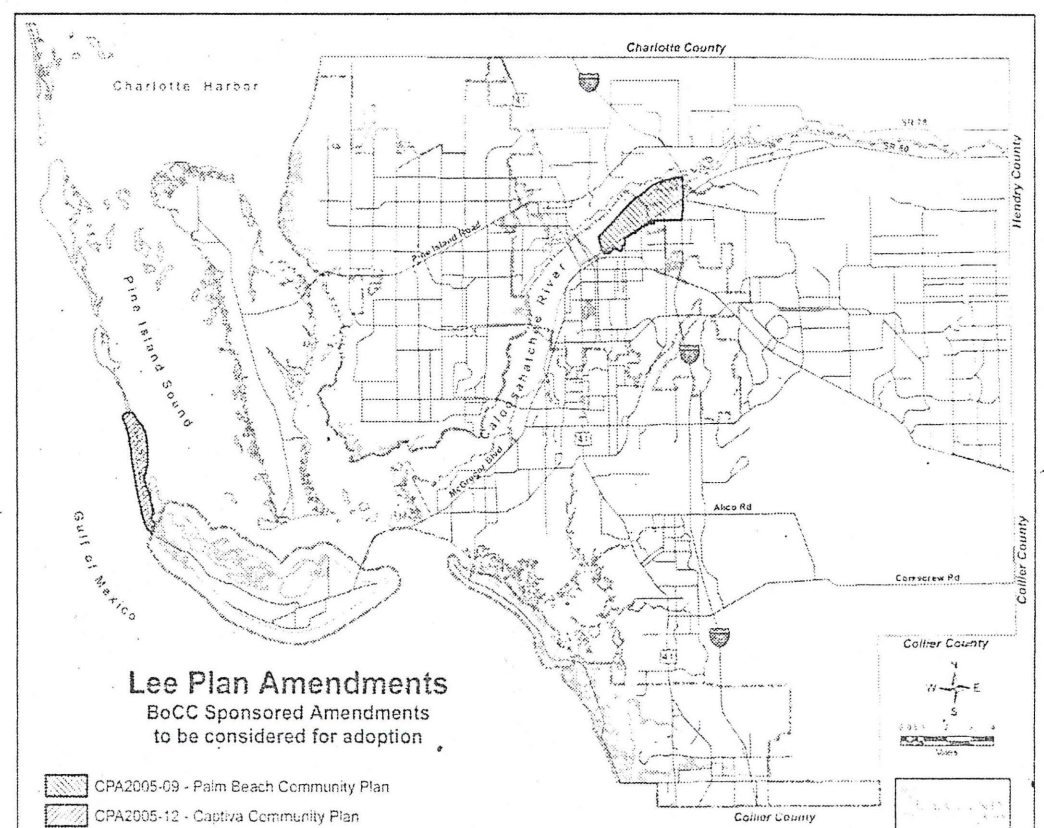
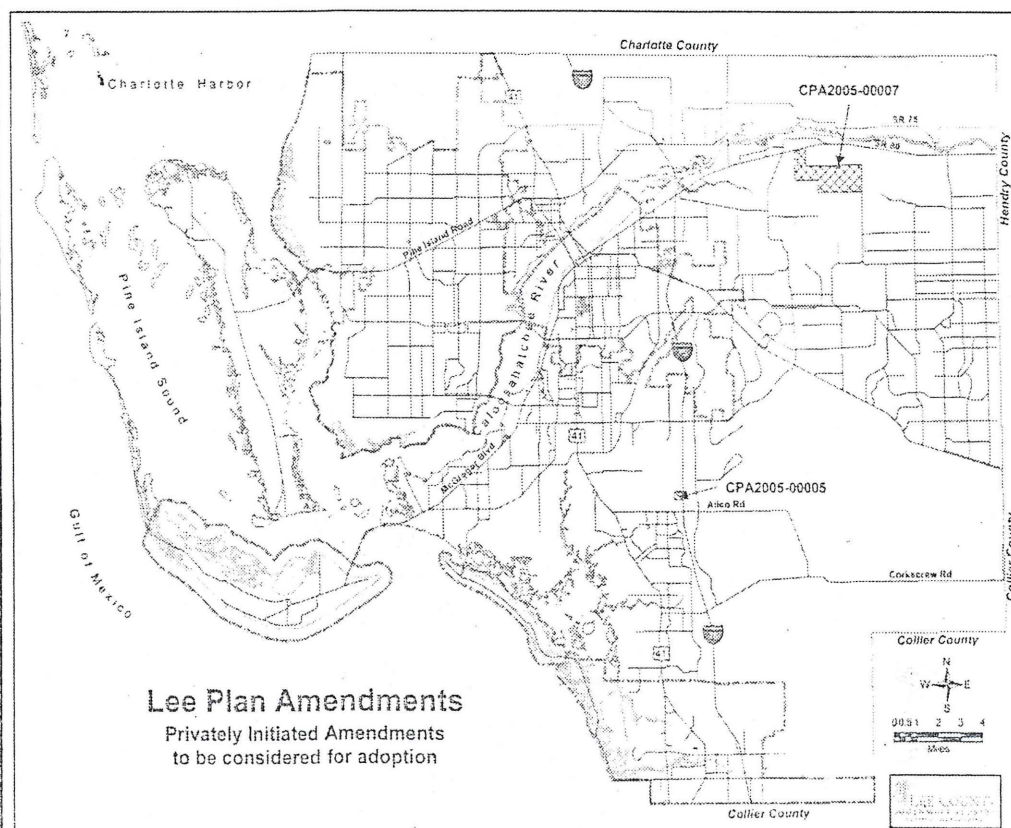
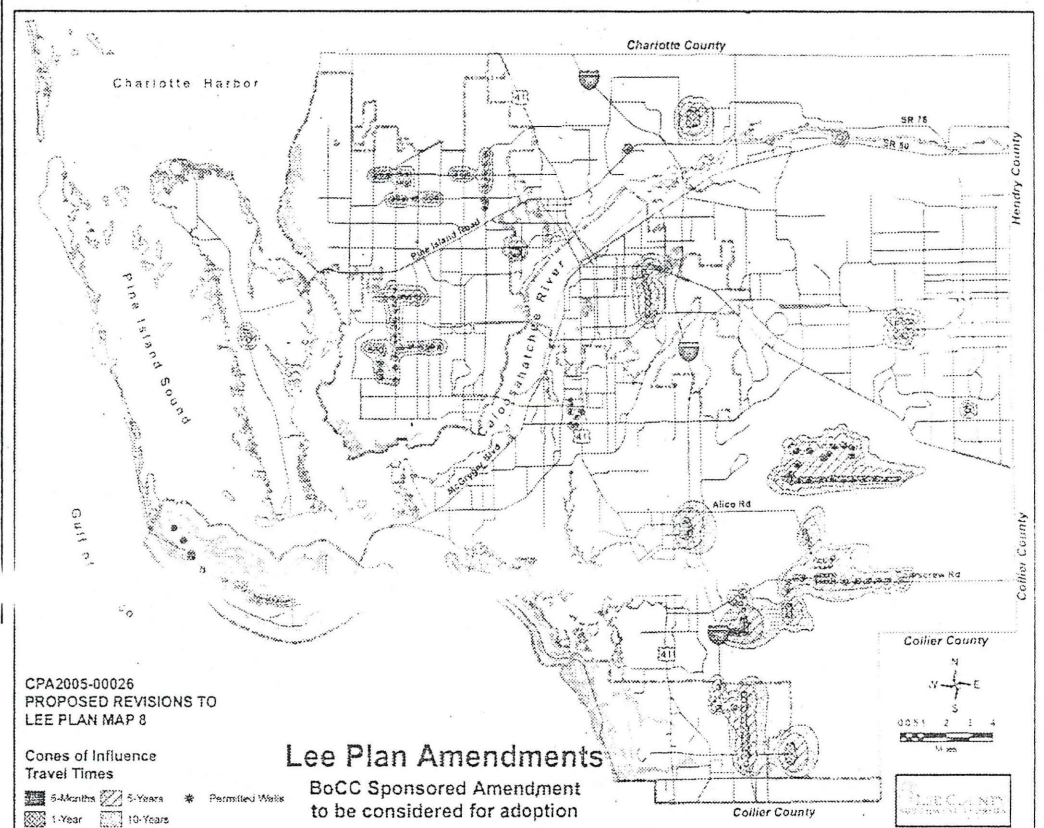
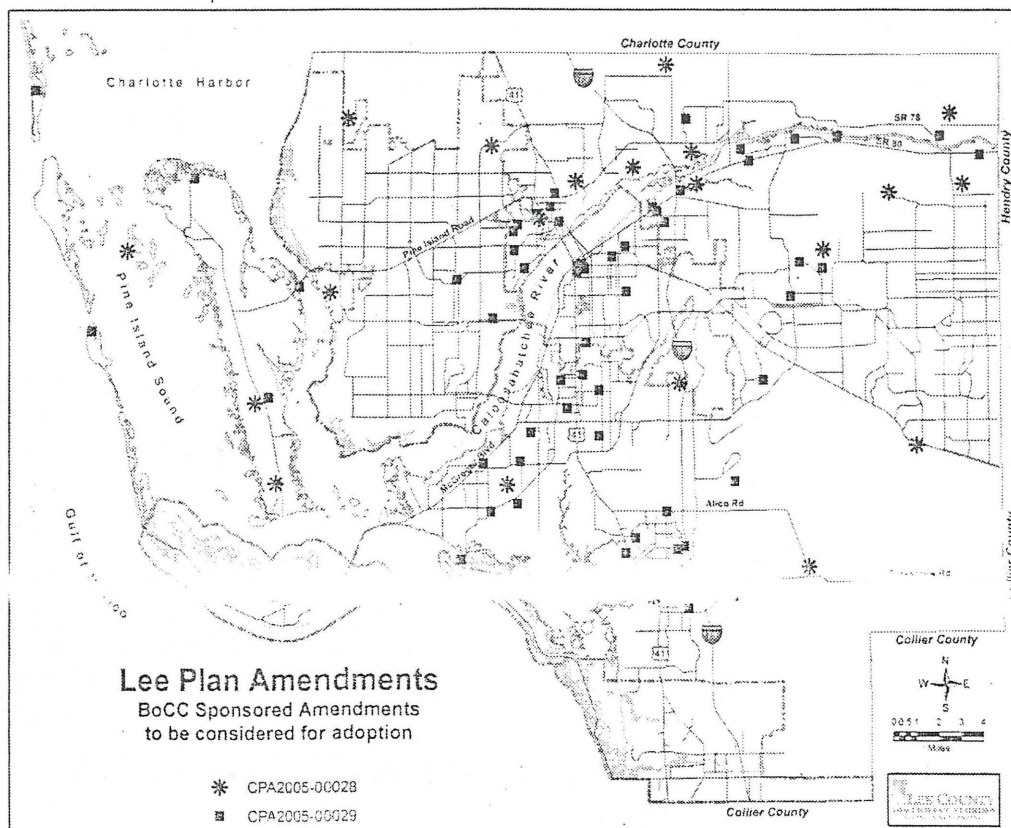
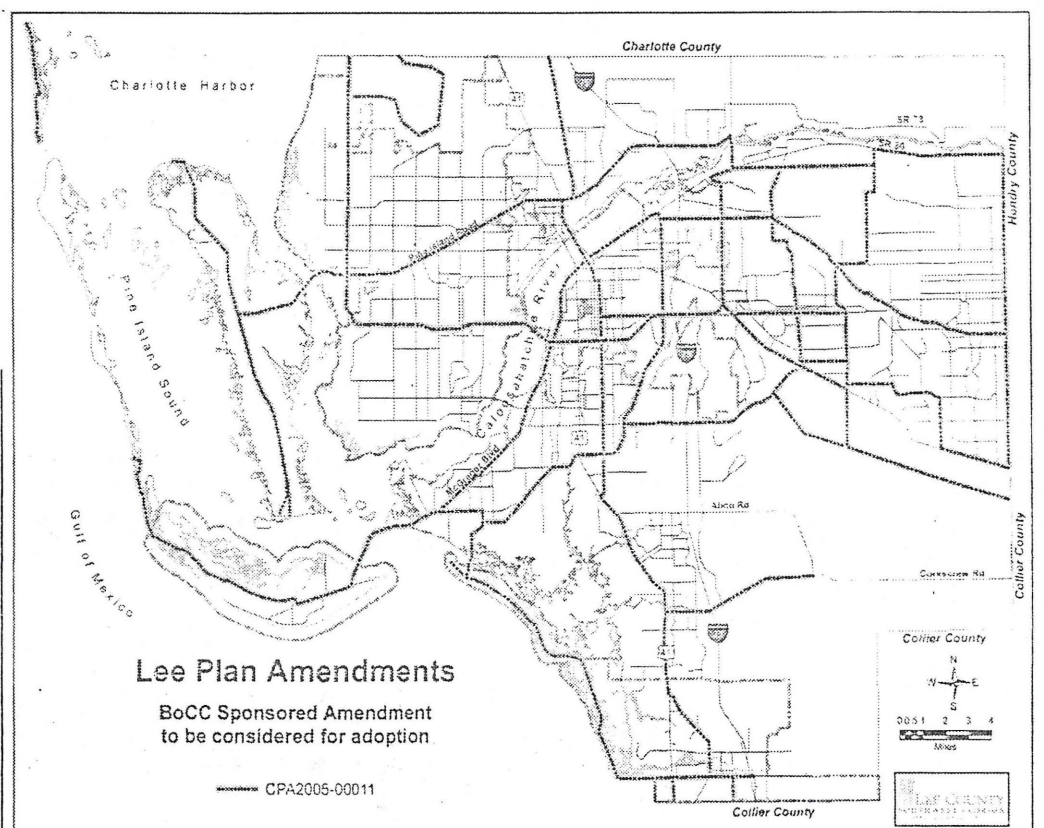
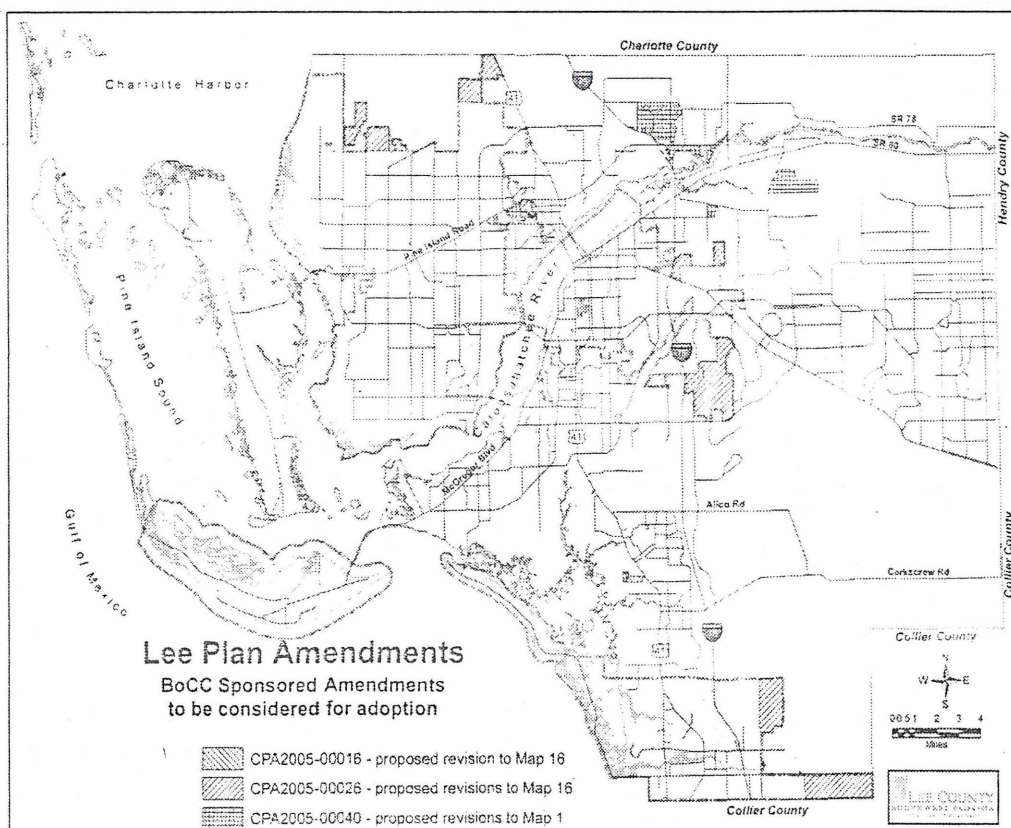
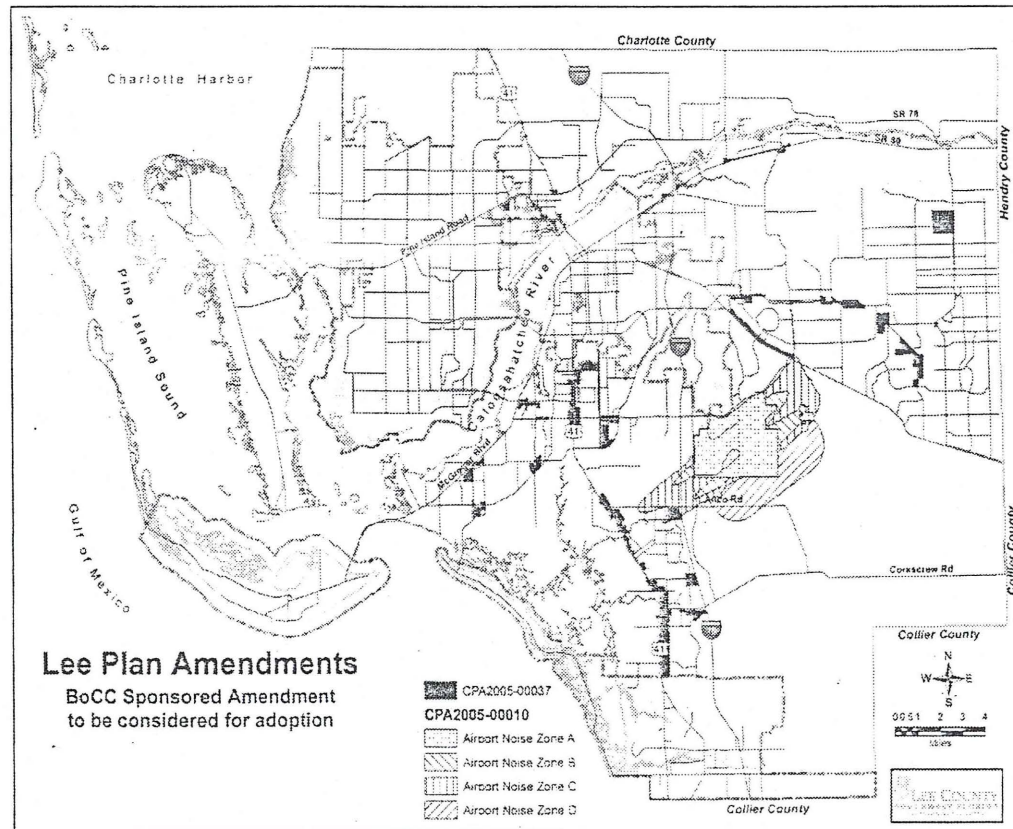
NOTICE OF AMENDMENT TO THE LEE COUNTY COMPREHENSIVE PLAN

- G. CPA2005-46 – Smart Growth Recommendations**
Amend the Lee Plan to incorporate the recommendations from the County's Smart Growth Initiative into the Lee Plan.
- R. Adopt the following Ordinance, which incorporates the contents of CPA2005-46 into the Lee Plan:**
AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2005-46 (PERTAINING TO THE RECOMMENDATIONS FROM THE SMART GROWTH INITIATIVE) APPROVED DURING THE COUNTY'S 2005/2006 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.
- S. CPA2005-47 – Housing Element Update**
Amend the Housing Element to reflect the findings of the most current Housing Needs Assessment.
Sponsor: Board of County Commissioners.
- T. Adopt the following Ordinance, which incorporates the contents of CPA2005-47 into the Lee Plan:**
AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2005-47 (PERTAINING TO THE HOUSING ELEMENT UPDATE) APPROVED DURING THE COUNTY'S 2005/2006 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

This meeting is 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 a decision made by the Board with respect to any matter considered at this 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 479-8583.



NEWS-PRESS

Published every morning - Daily and
Sunday

Fort Myers, Florida

Affidavit of Publication

STATE OF FLORIDA

COUNTY OF LEE

Before the undersigned authority, personally appeared

Kathy Allebach

who on oath says that he/she is the

Legal Assistant

of the News-Press, a

daily newspaper, published at Fort Myers, in Lee County,
Florida; that the attached copy of advertisement, being a

Display

In the matter of

Supplemental Notice

In the court was published in said newspaper in the
issues of

May 8, 2007

Affiant further says that the said News-Press is a paper of
general circulation daily in Lee, Charlotte, Collier, Glades
and Hendry Counties and published at Fort Myers, in said Lee
County, Florida and that said newspaper has heretofore been
continuously published in said Lee County, Florida, each day,
and has been entered as a second class mail matter at the post
office in Fort Myers in said Lee County, Florida, for a period of
one year next preceding the first publication of the attached copy
of the advertisement; and affiant further says that he/she has
neither paid nor promised any person, firm or corporation any
discount, rebate, commission or refund for the purpose of
securing this advertisement for publication in the said
newspaper.



Sworn to and subscribed before me this

15th day of May 2007 by

Kathy Allebach

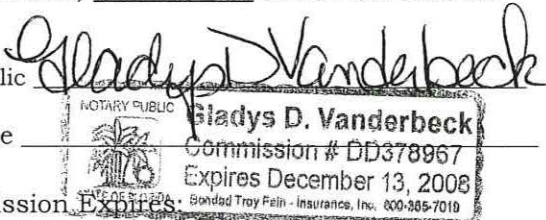
personally known to me or who has produced

as identification, and who did or did not take an
oath.

Notary Public

Print Name

My commission Expires



SUPPLEMENTAL NOTICE OF AMENDMENT TO THE LEE COUNTY COMPREHENSIVE PLAN

This notice is given to state that on Wednesday, May 16, 2007, the Lee County Board of County Commissioners will hold the continuation of a public hearing that was held on April 11, 2007, to consider adopting amendments to the Lee County Comprehensive Land Use Plan (Lee Plan). The continued hearing will be held in the Board of County Commissioners' Hearing Chambers in the renovated Courthouse at 2120 Main Street in downtown Fort Myers. The hearing will commence at 9:30 a.m.

The purpose of the continued hearing is to take final action on all matters heard by the Board on April 11, 2007, and to accept additional testimony and public input on the following two proposed amendments to the Lee Plan.

CPA2005-07-Riverhall (fka Hawk's Haven)

Amend the Future Land Use Map Series for specified parcel (approximately 1,727 acres) located in Sections 25, 26, 27, 34, 35, and 36, Township 43 South, Range 26 East, to change the Future Land Use classification shown on Map 1 from "Rural" and "Suburban" to "Outlying Suburban" and "Public Facilities." Amend Table 1(a), Footnote 6, to limit development in the plan amendment area to two units per acre and place a specific cap on residential development of 2,800 dwelling units on the specified property.

Sponsor: Hawks Haven Investment, LLC.

CPA2005-27 - Update Capital Improvement Element (CIE) Tables 3 and 4

Amend the Capital Improvement Element (Tables 3 and 4) to reflect the latest adopted Capital Improvement Program.

Sponsor: Board of County Commissioners.

The continued meeting is 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 a decision made by the Board with respect to any matter considered at this 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 479-8583.

LEE COUNTY ORDINANCE NO. 07-09
(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 2005/2006 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT, MAPS AND TABLES; 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 on the proposed amendments in accordance with Chapter 163, Part II, Florida Statutes, and the Lee County Administrative Code on May 22, 2006, June 26, 2006, July 24, 2006, August 28, 2006, September 25, 2006, October 23, 2006, and November 27, 2006; 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 December 13, 2006. At that hearing, 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 hearing on December 13, 2006, 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 March 2, 2007; and,

WHEREAS, the Board conducted public hearings on the adoption of the proposed amendments to the Lee Plan on April 11 and May 16, 2007; and,

WHEREAS, the Board adopted the proposed amendments to the Lee Plan set forth herein during the statutorily prescribed public hearing for the plan amendments on May 16, 2007.

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 "2005/2006 Regular Comprehensive Plan Amendment Cycle Consent Ordinance."**

SECTION TWO: ADOPTION OF LEE COUNTY'S 2005/2006 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 May 16, 2007, known as: CPA2005-08, CPA2005-09, CPA2005-10, CPA2005-11, CPA2005-12, CPA2005-13, CPA2005-16, CPA2005-18, CPA2005-19, CPA2005-20, CPA2005-21, CPA2005-22, CPA2005-23, CPA2005-24, CPA2005-28, CPA2005-29, CPA2005-33, CPA2005-39, CPA2005-40, CPA2005-41, CPA2005-42, CPA2005-43, and CPA2005-45. The aforementioned amendments amend the text of the Lee Plan including the Future Land Use Map series and the Lee Plan Land Use Allocation Table (Table 1b). A brief summary of the content of those amendments is set forth below:

CPA2005-08 - Caloosahatchee Shores Community Plan

Adopt a new Policy 21.1.4. directing the Caloosahatchee Shores Community to draft enhanced code enforcement standards for possible inclusion in the Land Development Code.

Sponsor: Board of County Commissioners/The East Lee County Council.

CPA2005-09 - Pam Beach Community Plan

Amend the Future Land Use Element to add a Goal, Objectives, and Policies specific to the Palm Beach Community.

Sponsor: Board of County Commissioners/The East Lee County Council

CPA2005-10 – Airport Noise Boundaries and Number of Gas Pumps

Amend the Future Land Use Element Policies 1.2.2, 1.7.1., and 5.1.4. and the Community Facilities and Services Element Policy 66.3.11., and the Future Land Use Map Series, Map 1, Page 5 of 5, to reflect the revised FAR Part 150 Noise Study for the Southwest Florida International Airport. In addition, amend Table 5, Southwest Florida International Airport Proposed Development Schedule, to increase the number of gas pumps allowed from twelve (12) to twenty-four (24).

Sponsor: Board of County Commissioners/Port Board.

CPA205-11 - Greenways Recreational Trail Master Plan

Incorporate the Lee County Multi-Propose Recreational Trails and Greenways Master Plan into the Lee Plan. Revise Goal 85, Objective 85.1., Policy 85.1.2., Policy 85.1.3., Policy 85.1.4., Policy 85.1.5., and Policy 107.1.1.(4)(d). Incorporate proposed new Policy 40.4.6., Policy 40.4.7., Policy 40.4.8., Policy 77.3.6., Policy 77.3.7., new Objective 85.4., Policy 85.4.1., Policy 85.4.2., new Goal 80, new Objective 80.1., Policy 80.1.1., Policy 80.1.2., new Objective 125.3., and Policy 125.3.1. Incorporate proposed new Map 22 (Lee County Greenways Multi-Purpose Recreational Trails Master Plan Map).

Sponsor: Board of County Commissioners.

CPA2005-12 – Captiva Community Plan

Amend Goal 13, Policy 6.1.2., Chapter XIII Single-Family Residence Provision and the definition of Density specific to the Captiva Community to

incorporate the recommendations of the Captiva Island Community Planning effort.

Sponsor: Board of County Commissioners/Captiva Community Planning Panel.

CPA2005-13 – Community Planning

Amend the Future Land Use Element to evaluate incorporating community planning policies into the Lee Plan.

Sponsor: Board of County Commissioners/Smart Growth Committee

CPA2005-16 – San Carlos/Estero Community Boundary

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

Sponsor: Board of County Commissioners.

CPA2005-18 – LOS Standards For SIS/FIHS/TRIP Funded Roads

Amend the Transportation Element to update Policy 37.1.1 to reflect new State LOS standards for SIS/FIHS/TRIP-funded roads.

Sponsor: Board of County Commissioners.

CPA2005-19 – FDOT Quality LOS Handbook

Amend the Transportation Element to update Policy 37.1.4 to refer to the 2002 FDOT Quality LOS Handbook.

Sponsor: Board of County Commissioners.

CPA2005-20 – Deletion of Policy 38.2.3

Amend the Transportation Element to delete Policy 38.2.3.

Sponsor: Board of County Commissioners.

CPA2005-21 – Update Reference to the LeeScape Master Plan

Amend the Transportation Element to update Objective 40.3 to refer to the latest version of the LeeScape (Lee County Roadway Landscape) Master Plan.

Sponsor: Board of County Commissioners.

CPA2005-22 – Mass Transit Update

Amend the Transportation Element Mass Transit Sub-Element's Goals, Objectives and Policies as identified in the most recent Evaluation and Appraisal Report.

Sponsor: Board of County Commissioners.

CPA2005-23 – Ports, Aviation and Related Facilities Update

Amend the Transportation Element Ports, Aviation and Related Facilities Sub-Element's Goals, Objectives and Policies as identified in the most recent Evaluation and Appraisal Report.

Sponsor: Board of County Commissioners.

CPA2005-24 - Update Transportation Concurrency Policies

Amend the Transportation Element to update transportation concurrency related Objectives and Policies to reflect current County policy and recent changes in State law.

Sponsor: Board of County Commissioners

CPA2005-28 – Conservation Lands Update

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

Sponsor: Board of County Commissioners.

CPA2005-29 – Public Facilities Update

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

Sponsor: Board of County Commissioners.

CPA2005-33 – Police and Justice Sub-Element Update

Amend the Community Facilities and Services Element Police and Justice Sub-Element Objective 69.1. to delete the referenced date and to acknowledge the ongoing nature of the objective. In addition amend Policies 69.2.2. and 69.2.3. to reflect the existing status of substation facilities.

Sponsor: Board of County Commissioners.

CPA2005-39 – Commercial FLUM Category

Amend Goal 1 of the Future Land Use Element, the Future Land Use Map Series, Map 1, and Table1(a), by adding a new “commercial only” future land use category.

Sponsor: Board of County Commissioners.

CPA2005-40 – Sub-Outlying Suburban FLUM Category

Amend Goal 1 of the Future Land Use Element, the Future Land Use Map series, Map 1, and Table 1(a) and Table1(b), Summary of Residential Densities, by adding a new future land use category having a maximum density of two dwelling units per acre.

Sponsor: Board of County Commissioners.

CPA2005-41 – Manatee Protection Plan

Amend the Conservation and Coastal Management Element and the Future Land Use Element to incorporate the "boating facility siting element" of the Manatee Protection Plan required by F.S. 370.12.(2)(t)(3).

Sponsor: Board of County Commissioners.

CPA2005-42 – Economic Element Update

Amend the Lee Plan, Economic Element, for general updates as the element has not been updated since its creation in 1993.

Sponsor: Board of County Commissioners.

CPA2005-43 – Single Family Residence Provision Update

Amend the Procedures and Administration Element by updating the Single-Family Residence Provision.

Sponsor: Board of County Commissioners.

CPA2005-45 – Beach and Dune Management Plans

Amend Policy 113.3.1 in order to update the list of critical erosion areas under Beach and Dune Management Plans.

Sponsor: Board of County Commissioners.

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 Hall, who moved its adoption. The motion was seconded by Commissioner Mann, and, when put to a vote, the vote was as follows:

Robert P. Janes	Aye
Brian Bigelow	Aye
Ray Judah	Aye
Tammy Hall	Aye
Frank Mann	Aye

DONE AND ADOPTED this 16th day of May 2007.

ATTEST:
CHARLIE GREEN, CLERK
COMMISSIONERS

LEE COUNTY
BOARD OF COUNTY

BY: Marcia Wilson
Deputy Clerk

BY: Robert P. Jones
Robert P. Jones, Chairman

DATE: 5-16-07



Approved as to form by:

Donna Marie Collins
Donna Marie Collins
County Attorney's Office

STATE OF FLORIDA

COUNTY OF LEE

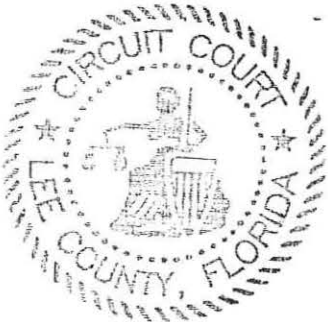
I Charlie Green, Clerk of Circuit Court, Lee County, Florida, and ex-Officio Clerk of the Board of County Commissioners, Lee County, Florida, do hereby certify that the above and foregoing, is a true and correct copy of Ordinance No. 07-09, adopted by the Board of Lee County Commissioners, at their meeting held on the 16th day of May, 2007 and same filed in the Clerk's Office.

Given under my hand and seal, at Fort Myers, Florida, this 21st day of May 2007.

CHARLIE GREEN,
Clerk of Circuit Court
Lee County, Florida

By:

Marcia Wilson
Deputy Clerk



CPA2005-00017
Long Range Transportation Plan
BOCC SPONSORED EAR-BASED
AMENDMENT
TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN
(Policy 36.1.1 and Map 3)

BoCC Adoption Document

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

May 16, 2007

LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2005-00017



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: July 19, 2006

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVE:

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

2. REQUEST:

Amend the Transportation Element to update Policy 36.1.1 and the Transportation Map series, Map 3, to reflect the new 2030 MPO Long Range Transportation Plan.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

- 1. RECOMMENDATION:** Staff recommends that the Board of County Commissioners adopt the proposed amendment as provided under Part IIC, the Staff Recommendation portion of this report.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- Currently, Map 3A of the Lee Plan Transportation Map series reflects the MPO's 2020 Financially Feasible Transportation Plan highway map as amended through June 20, 2003.
- Besides being directly reflected in Map 3A, the network on the MPO's highway map forms the basis for Maps 3B and 3H of the Transportation Map series, so network changes by the MPO also affect these maps.
- Policy 36.1.1 explains that the MPO's 2020 Financially Feasible Transportation Plan highway map is incorporated as Map 3A of the Lee Plan Transportation Map series, with one minor format difference (a shading to provide a visual indication of the entire study area under consideration for the CR 951 Extension). That policy currently refers to June 20, 2003 version of the MPO's highway map.
- The MPO has now adopted a new highway map with a new horizon year of 2030. The new map was adopted on December 7, 2005, and has been revised twice since then, on January 20, 2006 and March 17, 2006.
- The August, 2004 Lee Plan Evaluation and Appraisal Report noted that a new MPO plan was going to be adopted by December, 2005 and would have to be incorporated into the Lee Plan.
- At the time of this staff report preparation, additional amendments to the MPO's highway map have been proposed and will be considered within a couple of months, probably before the Board adoption hearing.
- Maps 3A, 3B and 3H of the Lee Plan's Transportation Map series and Policy 36.1.1 all need to be updated to reflect the most recent version of the MPO's long range transportation plan highway map.

C. BACKGROUND INFORMATION

Since the last update of the Transportation Map series in 2003, the Lee County MPO has completed a major update of its long range transportation plan, extending the horizon year another 10 years to 2030. Consistent with a federal deadline, the MPO adopted the new 2030 plan on December 7, 2005, and has since made a couple of minor amendments, on January 20, 2006 and March 17, 2006. In fact, at the time of this staff report preparation, additional amendments have been proposed and will be scheduled for MPO consideration in the near future. Map 3A of the Lee Plan Transportation Map series directly reflects the MPO's highway map, and Maps 3B (Future Functional Classification Map) and 3H (Future

Maintenance Responsibility) are based on the network identified in the MPO's highway map. Also, Policy 36.1.1 explains the connection between the MPO's highway map and Map 3A, as well as noting one format difference. Maps 3A, 3B and 3H and Policy 36.1.1 all currently refer to or reflect the June 20, 2003 version of the MPO's 2020 highway map, so they all need to be updated to reflect the newest version with a new horizon year. NOTE: WHILE THIS INITIAL DRAFT OF THE STAFF REPORT REFERENCES THE LATEST VERSION OF THE NEW MPO PLAN, AS AMENDED THROUGH MARCH 17, 2006, DOT STAFF EXPECTS THE MPO'S HIGHWAY MAP TO BE AMENDED AGAIN IN THE NEAR FUTURE, PROBABLY BEFORE THE BOCC ADOPTION HEARING. THE MOST RECENT VERSION AVAILABLE WILL BE PRESENTED FOR BOARD CONSIDERATION AT THE TRANSMITTAL AND ADOPTION HEARINGS, IN AN EFFORT TO ENSURE MAXIMUM CONSISTENCY.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

Attached to this staff report are proposed updates of Maps 3A, 3B and 3H, reflecting the March 17, 2006 version of the MPO's 2030 Financially Feasible Transportation Plan highway map. In addition, the language in Policy 36.1.1 needs to be updated to reflect the new MPO map, and changes since the last time the policy was updated. For example, the MPO's 2020 Financially Feasible Plan previously included the CR 951 Extension and identified a specific alignment, even though Lee County was moving forward with a PD&E study that encompassed a broad study area and was to consider a number of alignment options within that study area. Therefore, Lee County added some shading to Map 3A to reflect the entire study area within Lee County under consideration for the CR 951 Extension, and noted that difference from the MPO plan in the language of Policy 36.1.1. The PD&E Study has since moved forward and a number of alignment options considered and rejected, and the recommended alignment and supporting documentation has been submitted to FDOT for review, after which it will go to the Federal Highway Administration for review and comment and then be subject to a final public hearing before a specific alignment is adopted. The new MPO 2030 Plan does not include the CR 951 Extension as a financially feasible project, instead showing it as needed by 2030 but contingent on obtaining additional funding to make it feasible. The likely funding will be toll revenues, but some significant toll feasibility analysis will be necessary to determine that. Regarding the map, since the CR 951 Extension is not shown on the MPO's 2030 Financially Feasible Plan highway map, Lee County no longer needs to use shading to distinguish the study area and range of alignment options under consideration, and that language can be deleted from Policy 36.1.1. Also, the policy includes language that refers to Koreshan Boulevard, the name of which has now been changed to Estero Parkway. One final change simply notes that the intersection improvements might be addressed by FDOT as part of its widening efforts.

The proposed language revisions to Policy 36.1.1 are identified below, in strike-through/underline format.

POLICY 36.1.1: *The Lee County Metropolitan Planning Organization's ~~2020~~ 2030 Financially Feasible Plan Map series is hereby incorporated as part of the Transportation Map series for this Lee Plan comprehensive plan element. The MPO ~~2020~~ 2030 Financially Feasible Highway Plan Map, as adopted ~~December 8, 2000~~ December 7, 2005 and as amended through ~~June 30, 2003~~ March 17, 2006, is incorporated as Map 3A of the Transportation Map series, ~~with one format change as approved by the Lee County Board of County Commissioners on March 23, 1999. The format change is a visual indication (with shading) that alignment options for the County Road 951/Bonita Grande Drive extension are still under consideration, consistent with Note 2. The shaded area on the map identifies the limits of the alternatives analysis for the CR 951 Extension PD&E Study.~~ Also, the comprehensive plan amendment analysis for the Simon Suncoast (Coconut Point) DRI identified the need for improvements at key intersections on US 41 from ~~Koreshan Boulevard~~ Estero Parkway to Alico Road to address the added impacts from the project for year 2020, and a mitigation payment has been required as part of the DRI development order. Lee County considers the following intersection improvements to be part of Map 3A and will program the necessary funds to make these improvements at the point they are required to maintain adopted level of service standards on US 41 if they have not been addressed by FDOT:*

<i>Intersection</i>	<i>Improvements</i>
<i>US 41/Constitution Boulevard</i>	<i>Southbound Dual Left Turn Lanes</i>
<i>US 41/B & F Parcel</i>	<i>Northbound, Southbound, Eastbound, and Westbound Dual Left Turn Lanes</i>
<i>US 41/Sanibel Boulevard</i>	<i>Southbound Dual Left Turn Lanes</i>
<i>US 41/Koreshan Boulevard <u>Estero Parkway</u></i>	<i>Southbound and Westbound Dual Left Turn Lanes</i>

B. CONCLUSIONS

Maps 3A, 3B and 3H of the Transportation Map series should be amended as shown in the attachments and Policy 36.1.1 of the Transportation Element should be amended as shown above to reflect the most recent MPO plan and update outdated references.

C. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners transmit the proposed plan amendment, reflecting the changes reflected in the attached updates of Maps 3A, 3B and 3H and in the language of Policy 36.1.1 as noted above.

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

PUBLIC HEARING DATE. July 24, 2006

A. LOCAL PLANNING AGENCY REVIEW

After a brief presentation by DOT staff, an LPA member sought clarification that the identification of future maintenance responsibility in Map 3H hadn't changed. Staff confirmed that, noting that for future roadways staff makes an assumption about which jurisdiction will maintain them, but those assumptions haven't changed from previous versions of the map. Another LPA member noted the comment in the report that the MPO plan may be changing and asked about LPA approval. Staff explained that the MPO can amend its plan on a monthly basis, but the County's comprehensive plan amendment cycle is yearly, so staff was notifying the LPA and everyone else that the latest version of the MPO plan will be presented for Board consideration at the adoption hearing, even if it is slightly different than what the LPA reviewed, in order to maintain as much consistency as possible between the MPO plan and the Lee Plan.

There were no public comments on this item.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

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

C. VOTE:

NOEL ANDRESS	AYE
DEREK BURR	AYE
RONALD INGE	AYE
CARLETON RYFFELL	AYE
RAYMOND SCHUMANN, ESQ	AYE
RAE ANN WESSEL	ABSENT
(VACANT)	---

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

DATE OF TRANSMITTAL HEARING: December 13, 2006

A. BOARD REVIEW: The Board pulled this item from the consent agenda for discussion. Commissioner Judah expressed concerns about inclusion of a second bridge to Fort Myers Beach in the MPO's 2030 Financially Feasible Plan and consequently Map 3A. Staff noted that the MPO would be considering amendments to its plan in February, prior to the Board adoption hearing, and suggested the Board members work through the MPO's process to address any facilities of concern then. Whatever changes made by the MPO in February would be brought back to the Board for consideration in a revised Map 3A (and Maps 3B and 3H as necessary) at the adoption hearing.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION: The Board of County Commissioners unanimously voted to transmit the proposed plan amendment, on a motion by Commissioner Judah and a second by Commissioner Hall.

2. BASIS AND RECOMMENDED FINDINGS OF FACT: The Board accepted the findings of fact advanced by staff and the LPA.

C. VOTE:

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

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

DATE OF ORC REPORT: March 2, 2007

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

The Department of Community Affairs stated the following Objection and Recommendation in relation to CPA 2005-00017 as part of the March 2nd, 2007 ORC Report:

Objection:

The County is proposing to update Transportation Element Policy 36.1.1 and the Transportation Map series to reference the new 2030 Metropolitan Planning Organization's (MPO) Long Range Transportation Plan. However, the update is not supported by relevant data and analysis of the existing level of service standard deficiencies in the County upon which the MPO's plan was based, as well as, an identification of the improvements that are anticipated or projected to be needed to correct deficiencies and address the demands of growth for the short-term of 5 years and for the long-term (2030). In the absence of this information, it is not possible to determine the extent to which the County is using the comprehensive planning process to correct deficiencies and plan for anticipated impact of growth during the next planning horizon. [Chapter 163.3177(2), (6)(a), & (b), & (8) F.S., 9J-5.016(1)(a), & (4)(a), and 9J-5.019(3)(a) through (3)(i), & (4)(b)1. through (4)(b)3., FAC]

Recommendation:

Include, with the plan update, relevant data and analysis of the existing level of service standard deficiencies, and the projected level of service standard deficiencies in the County upon which the Long Range Transportation Plan is based. Also, identify the improvements that are projected to be needed to address the demands of growth for the short-term of five years and schedule the improvements in the Five-Year Schedule of Capital Improvements.

B. STAFF RESPONSE:

The requested amendment is to simply update 3 maps in the Transportation Map Series that are based on the Lee County MPO's 2020 Financially Feasible Plan map to reflect the MPO's new 2030 map, and to revise the Lee Plan policy that references the first of those maps. The objection that the MPO plan update (and subsequent incorporation into the Lee Plan) "is not supported by relevant data and analysis of the *existing* level of service standard deficiencies in the County upon which the MPO's plan was based (*emphasis added*)" is misplaced, because unlike the CIP, the MPO plan is not based on existing deficiencies, it is based on projected deficiencies in the year 2030. Although Lee County submitted documentation in the 2004 Evaluation and Appraisal Report (EAR) and the 2005 EAR sufficiency response that clearly demonstrated that Lee County has a handle on existing traffic conditions through its annual concurrency management report, the Department of Community Affairs continues to confuse the short term needs with the long term needs. The recommendations to "include, with the plan update, relevant data and analysis of the existing level of service standard deficiencies", as well as to "identify the improvements that are projected to be needed to address the

demands of growth for the short-term of five years and schedule the improvements in the Five-Year Schedule of Capital Improvements" is irrelevant to the update of Maps 3A, 3B and 3H and Policy 36.1.1, instead relating to the County's annual concurrency management process and five-year capital improvement programming process. The Department has requested similar information in the comments related to CPA 2005-00027, the annual update of the Capital Improvement Element, and it is being provided in response to that item.

Regarding the recommendation that the County provide "the projected level of service standard deficiencies in the County upon which the Long Range Transportation Plan is based", Lee County has not prepared a link-by-link level of service calculation for the major road segments in the 2030 condition based on the adopted MPO 2030 Financially Feasible Plan network. Instead, Lee County has relied on the MPO's standard plan development process, of which we are a part (along with FDOT and the cities within Lee County), and with which DCA should be familiar. If DCA is not familiar with the MPO's plan development process, the documentation for the development of the 2030 plan can be found at the MPO's website, at http://www.mpo-swfl.org/PLN_2030.shtml.

Of particular significance is Section D, the explanation of the development of the Highway Element of the MPO's plan. The very first paragraph of that section explains "(t)he process of updating the highway element of the Year 2030 Long Range Transportation Plan is divided into two phases. In the first phase, a highway network was developed that would accommodate the peak season weekday travel demand in 2030 if the MPO were not limited as to how much it could afford to do. This is commonly referred to as the "Needs Plan". In the second phase, the "Needs Plan" highway network was scaled back to devise the best performing plan the MPO expects to be able to be affordable based on the financial resources forecasted to be available for transportation capital improvements through the year 2030."

The MPO plan documentation goes on to explain that the various network alternatives were tested using the FSUTMS computerized travel demand model, and that a number of network alternatives were tested to develop the final Needs Plan network. The MPO plan concludes that, after the iterative testing process, a final needs network was run, and "(t)his run showed those highway improvements that would be needed to adequately handle the amount of traffic that was to be expected by the Year 2030 on the Lee County highway system."

Moving on from the Needs Plan development, the MPO plan documentation then explains the development of the Financially Feasible Plan, by costing out the Needs Plan improvements, projecting expected available revenues, and cutting back the plan network to what is affordable. Table D-1 of the MPO plan highlights the costs of the road improvements in the Needs network and the available revenues, broken down by jurisdiction. The text indicates that the total County-wide shortfall between the cost of the improvements in the Needs Plan and the projected available revenues is \$3,811,248,922, but that was based on the

analysis done in the fall of 2005. The current MPO plan tables found on the web page now identify a total shortfall of \$4,163,736,771. The Lee County share of that shortfall is projected to be \$2,733,196,919. It is worth noting that the shortfall in funding for projects in Lee County that are the State's responsibility total \$1,022,267,180.

By its very definition, taking a plan that is expected to meet the travel demand needs in 2030 and cutting out \$4 billion worth of improvements is going to cause some areas to no longer meet those projected needs, leading to level of service deficiencies. That is the nature of the MPO's Financially Feasible Plan, which is the basis for Map 3A of the Lee Plan and has been for many years. This fully satisfies the requirements of S. 163.3177(2), F.S., which reads:

Coordination of the several elements of the local comprehensive plan shall be a major objective of the planning process. The several elements of the comprehensive plan shall be consistent, and the comprehensive plan *shall be financially feasible* (emphasis added). Financial feasibility shall be determined using professionally acceptable methodologies.

The goal of the MPO planning process, and for Lee County as part of that process, is to ultimately close the gap between the Needs Plan and the Financially Feasible Plan. However, the projection of available revenues is based on the revenues sources and amounts we know of today, and it is not possible to have all the answers about transportation funding 23 years into the future. This we do know: Lee County currently charges the maximum local option gas taxes allowed under State law, a total of 12 cents (which is shared with the cities). Lee County also charges road impact fees on new development, the rates for which are revisited every 3 years. The most recent update just completed in October led to a tripling of the road impact fee rates to one of the highest in the State, which actually hasn't yet been accounted for in the MPO's projections of revenues. Lee County also has 3 toll bridges, and some limited surplus toll revenues that help it meet its needs. Finally, Lee County has set aside \$60 million in ad valorem revenues the last two years to create a revolving loan fund to advance road projects and phases in an attempt to counter ever-increasing land and construction costs. The only other significant revenue source not currently implemented in Lee County is the 1-cent local option sales tax, which is required by State law to be approved by referendum, and which has been soundly defeated by voters in two previous attempts. Many of the projects that are expected to be Lee County's responsibility that make up its \$2.7 billion share of the deficit also have the potential to be toll projects, and an Expressway Authority was just created in 2005 to explore the possibility of tolling to add capacity on Interstate 75, so more tolls will likely be part of the effort to close the funding gap.

As a final note, the use of the MPO Financially Feasible Plan, developed through the MPO's process, as the basis for Map 3A of the Lee Plan, ensures consistency with two provisions of Rule 9J-5 of the Florida Administrative Code. Specifically, subsection 9J-5.019(3)(g) states:

The analysis shall consider the projects planned for in the Florida Department of Transportation's Adopted Work Program, *long range transportation plan* and transportation improvement program *of the metropolitan planning organization*, and the local transportation authority(ies), if any, and compatibility with the policies and guidelines of such plans. (Emphasis added)

Further, subsection 9J-5.019(4)(b)3. requires objectives in the plan which:

Coordinate the transportation system with the plans and programs of any applicable *metropolitan planning organization*, transportation authority, Florida Transportation Plan and the Florida Department of Transportation's Adopted Work Program. (Emphasis added)

Clearly, coordination with the MPO planning effort is the goal of the State requirements, which Lee County feels is addressed by incorporating the MPO's 2030 Financially Feasible Plan highway map into the Lee Plan as Map 3A of the Transportation Map series. Lee County also feels that a link-by-link identification of potential level of service deficiencies in the Financially Feasible Plan based on projected growth to 2030 is unnecessary, because the level of service is considered in development of the Needs Plan (as stated in the MPO plan documentation) and we know by definition that the Financially Feasible Plan isn't going to fully meet all of our projected needs, at least as long as the revenue projections don't fully fund the Needs Plan. The link conditions in 2030 are taken into consideration when privately-initiated plan amendments that intensify uses are proposed, but the more significant measure, the actual basis of concurrency, is the short-term, which Lee County addresses through its concurrency management regulations and annual monitoring report, and through its five-year capital improvement program.

C. RECOMMENDATION: Staff recommends that the Board of County Commissioners adopt the proposed amendment as provided under Part IIC, the Staff Recommendation portion of this report.

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

DATE OF ADOPTION HEARING: May 16, 2007

A. BOARD REVIEW:

The Board of County Commissioners received the staff presentation and discussed this item as part of the Administrative Agenda at their April 11, 2007 hearing, with final action at the continued hearing on May 16, 2007. Based on the FDCA ORC comments, Commissioner Hall asked if there was a change in FDCA policy to put more emphasis on the 5-year horizon instead of the long range horizon. Staff felt that was the case.

Under public comments, Mr. Sid Kitson, developer of Babcock Ranch, asked that the March 20th and April 6th letters from his attorney to the County be entered into the record. Those letters asked that the Lee County road improvements identified through the Charlotte County BROD be incorporated into Map 3 (the Transportation Map series) of the Lee Plan. Although he believed this action would help address some of the FDCA ORC comments on CPA 2005-00017, he acknowledged the staff suggestion that this was better handled through a separate Babcock Ranch plan amendment. While Kitson Associates had previously submitted a Babcock plan amendment request that was going to be tied to their AMDA and independent of the regular amendment cycle, it was withdrawn when the AMDA excluded any Lee County lands. Staff suggested to the Board that they could act to include the Babcock amendment in the regular 06/07 plan amendment cycle, which it did unanimously on a motion by Commissioner Judah and a second by Commissioner Hall. It was clarified that the Babcock amendment would only address the road impacts in Lee County from the Charlotte County portion of the project, and not any land use issues in Lee County.

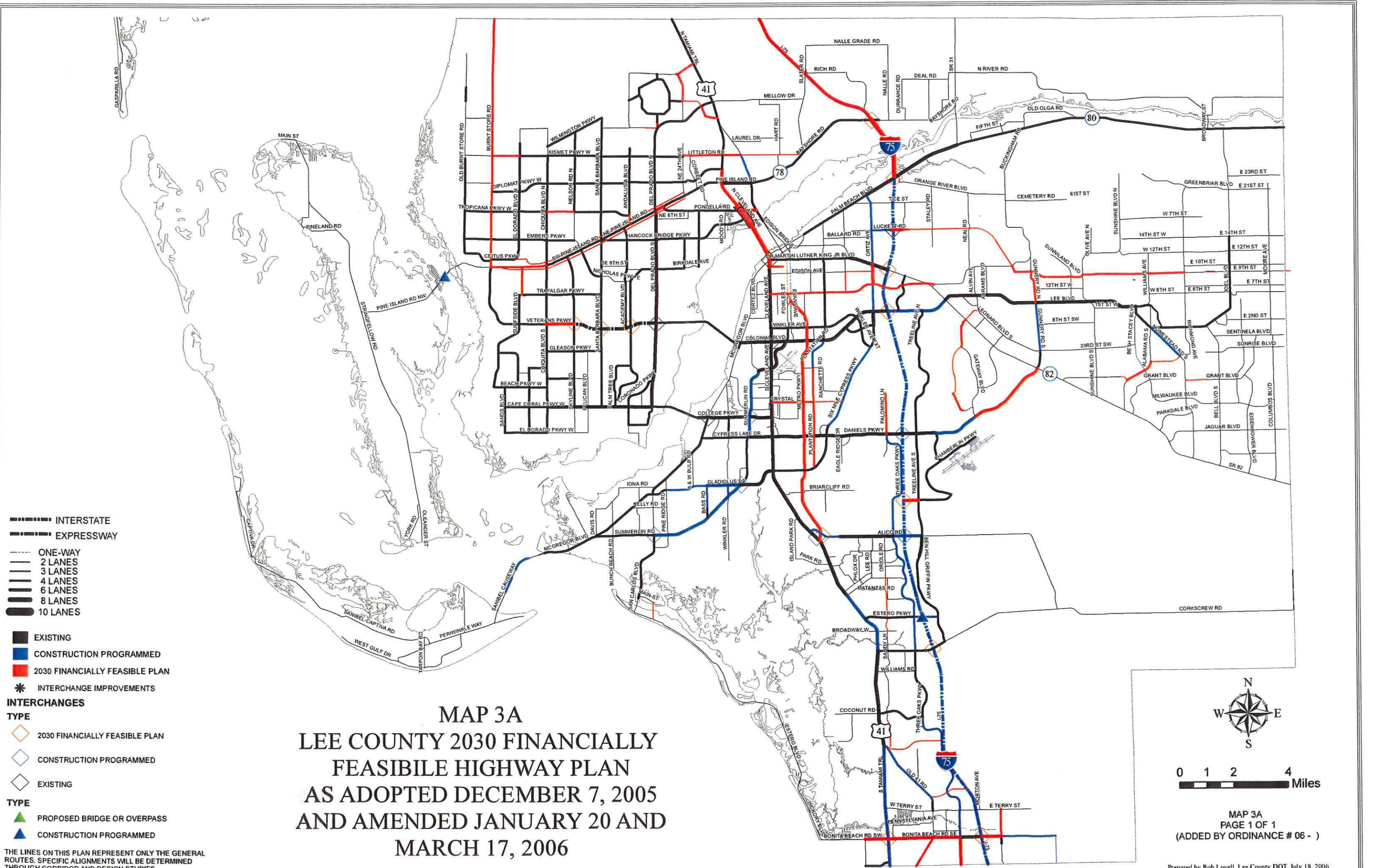
There were no other public comments.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

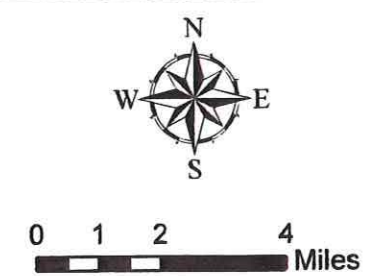
- 1. BOARD ACTION:** The Board of County Commissioners adopted proposed plan amendment CPA 2005-00017, on a motion by Commissioner Judah and second by Commissioner Hall.
- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board of County Commissioners accepted the facts advanced by staff and the LPA.

C. VOTE:

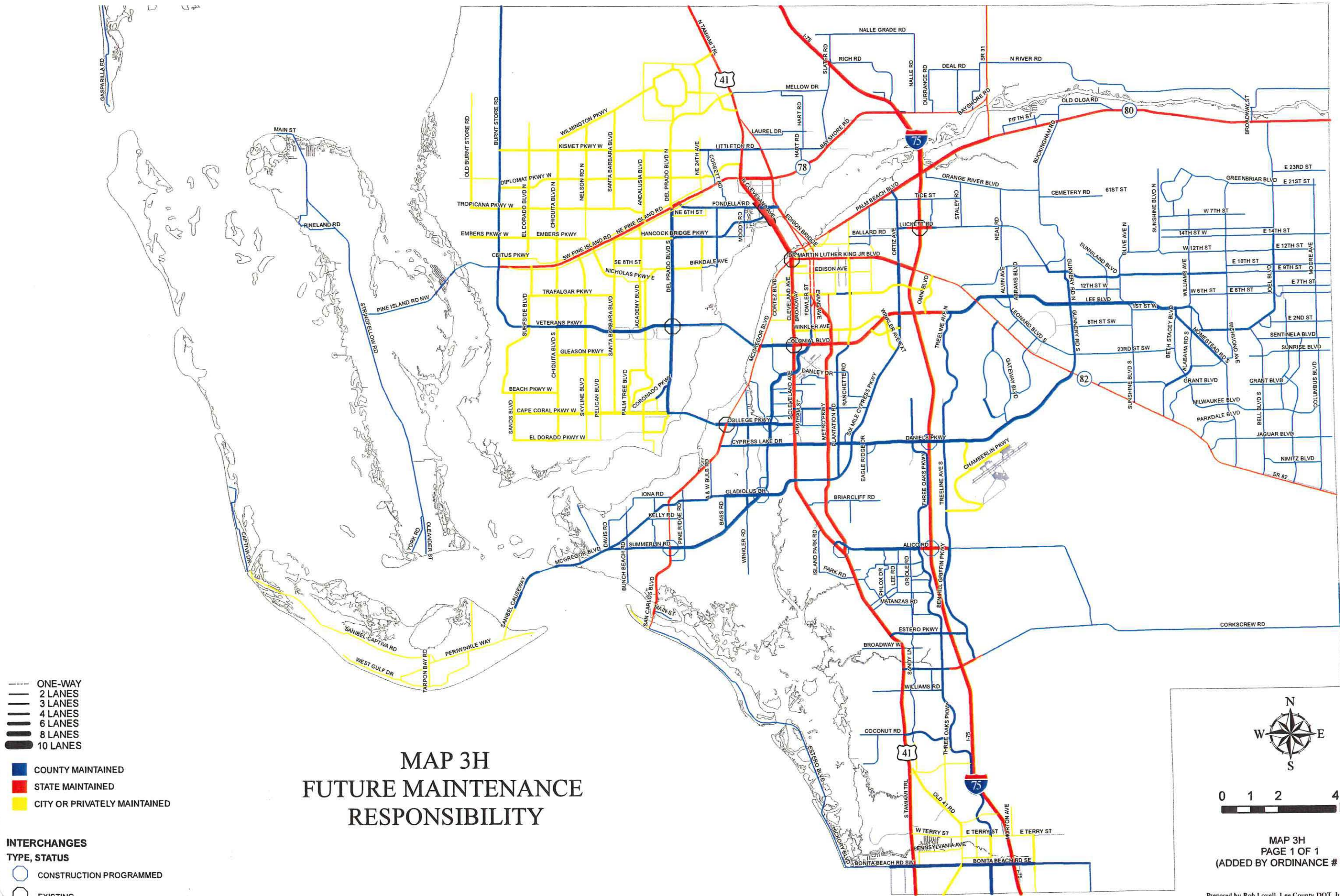
A. BRIAN BIGELOW	AYE
TAMMARA HALL	AYE
BOB JANES	AYE
RAY JUDAH	AYE
FRANKLIN B. MANN	AYE



MAP 3A
LEE COUNTY 2030 FINANCIALLY
FEASIBLE HIGHWAY PLAN
AS ADOPTED DECEMBER 7, 2005
AND AMENDED JANUARY 20 AND
MARCH 17, 2006



MAP 3A
PAGE 1 OF 1
(ADDED BY ORDINANCE # 06 -)



ONE-WAY
2 LANES
3 LANES
4 LANES
6 LANES
8 LANES
10 LANES

COUNTY MAINTAINED
STATE MAINTAINED
CITY OR PRIVATELY MAINTAINED

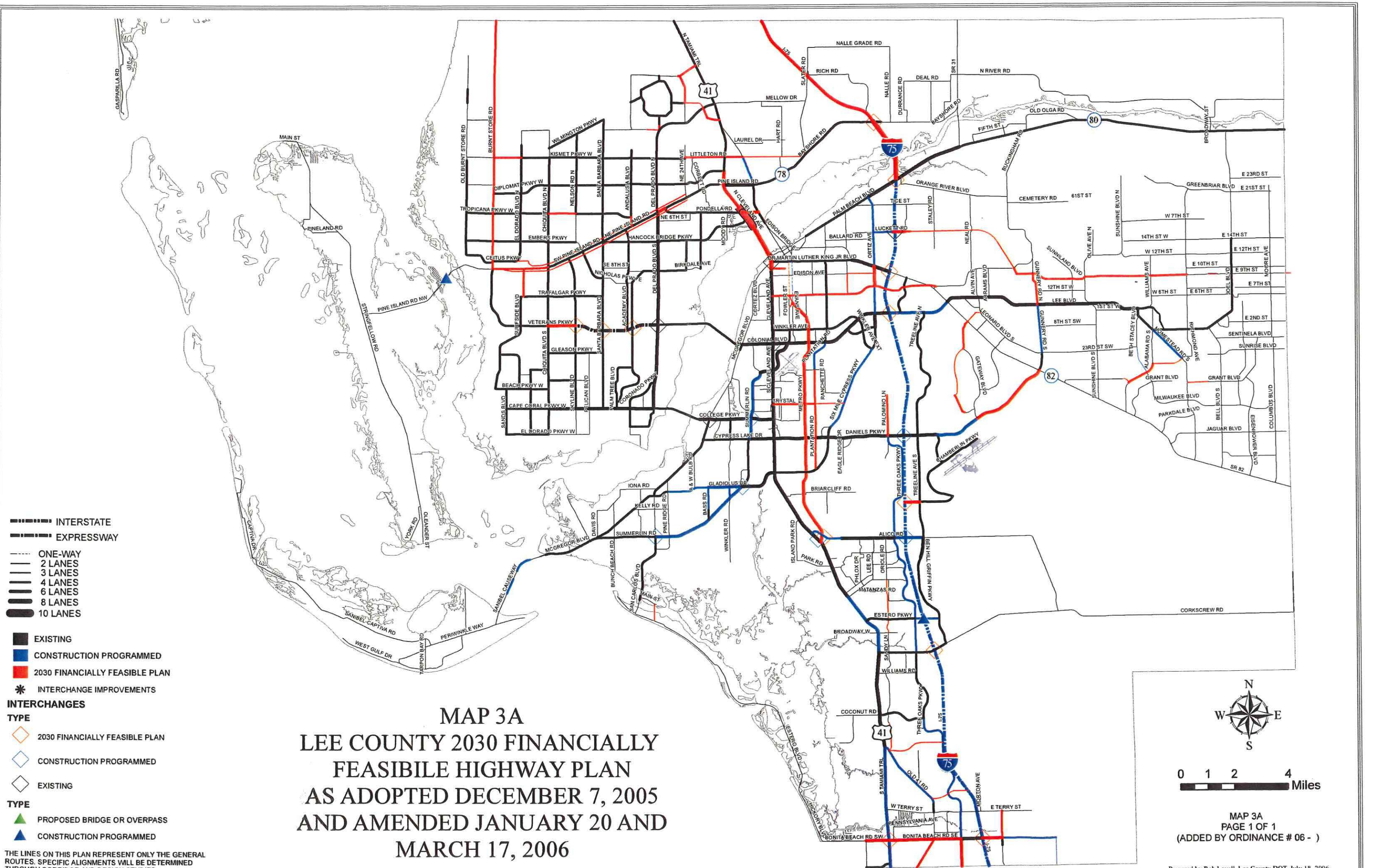
INTERCHANGES
TYPE, STATUS
CONSTRUCTION PROGRAMMED
EXISTING

MAP 3H FUTURE MAINTENANCE RESPONSIBILITY



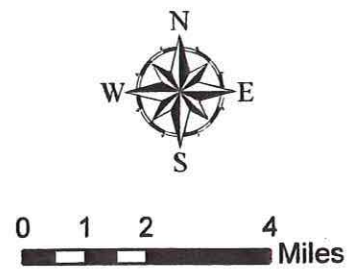
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MAP 3H
PAGE 1 OF 1
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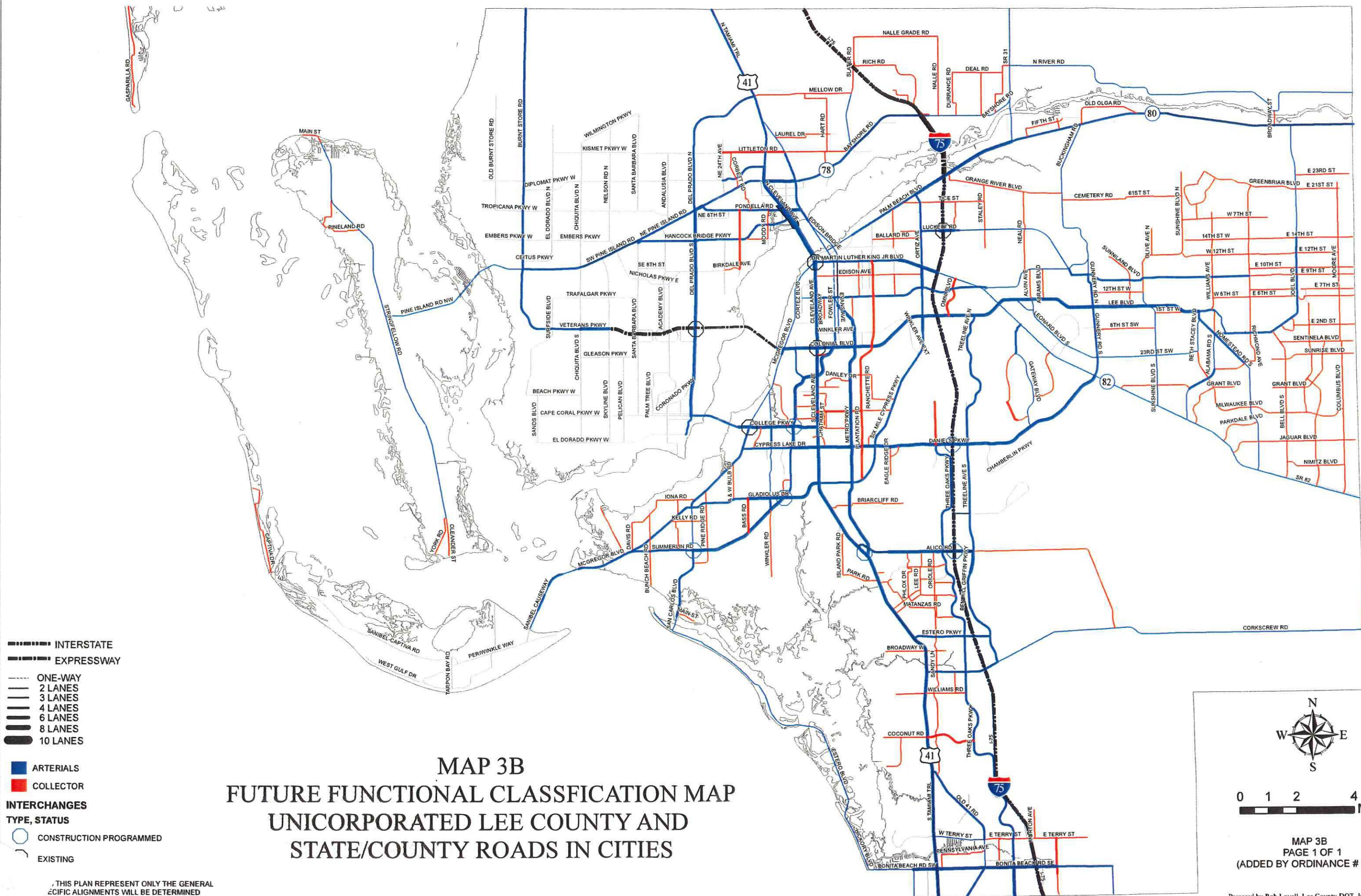


MAP 3A
LEE COUNTY 2030 FINANCIALLY
FEASIBLE HIGHWAY PLAN
AS ADOPTED DECEMBER 7, 2005
AND AMENDED JANUARY 20 AND
MARCH 17, 2006

- INTERSTATE
- EXPRESSWAY
- ONE-WAY
- 2 LANES
- 3 LANES
- 4 LANES
- 6 LANES
- 8 LANES
- 10 LANES
- EXISTING
- CONSTRUCTION PROGRAMMED
- 2030 FINANCIALLY FEASIBLE PLAN
- INTERCHANGE IMPROVEMENTS
- INTERCHANGES
- TYPE
- 2030 FINANCIALLY FEASIBLE PLAN
- CONSTRUCTION PROGRAMMED
- EXISTING
- TYPE
- PROPOSED BRIDGE OR OVERPASS
- CONSTRUCTION PROGRAMMED

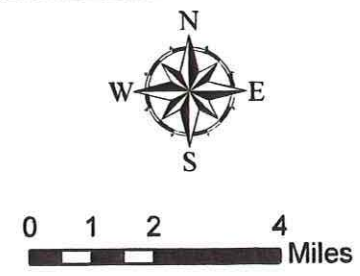


THE LINES ON THIS PLAN REPRESENT ONLY THE GENERAL ROUTES. SPECIFIC ALIGNMENTS WILL BE DETERMINED THROUGH CORRIDOR AND DESIGN STUDIES.

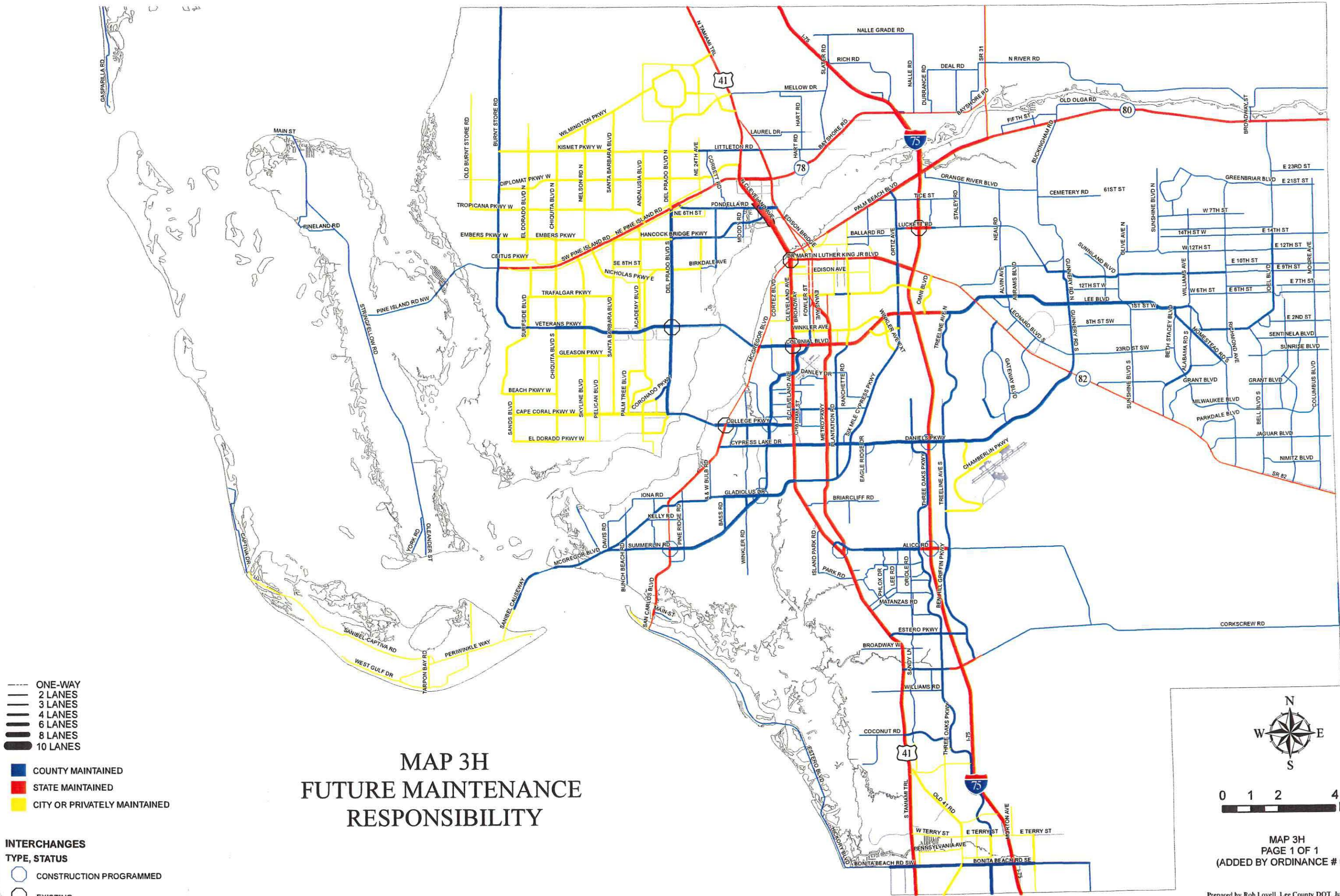


- INTERSTATE
- EXPRESSWAY
- ONE-WAY
- 2 LANES
- 3 LANES
- 4 LANES
- 6 LANES
- 8 LANES
- 10 LANES
- ARTERIALS
- COLLECTOR
- INTERCHANGES
- TYPE, STATUS
- CONSTRUCTION PROGRAMMED
- EXISTING

MAP 3B
FUTURE FUNCTIONAL CLASSIFICATION MAP
UNINCORPORATED LEE COUNTY AND
STATE/COUNTY ROADS IN CITIES



THIS PLAN REPRESENT ONLY THE GENERAL
SPECIFIC ALIGNMENTS WILL BE DETERMINED
CORRIDOR AND DESIGN STUDIES.

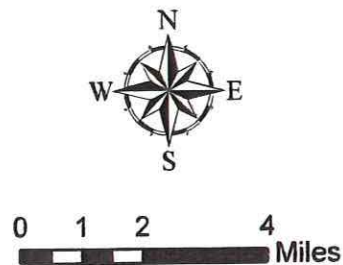


ONE-WAY
2 LANES
3 LANES
4 LANES
6 LANES
8 LANES
10 LANES

COUNTY MAINTAINED
STATE MAINTAINED
CITY OR PRIVATELY MAINTAINED

INTERCHANGES
TYPE, STATUS
CONSTRUCTION PROGRAMMED
EXISTING

MAP 3H
FUTURE MAINTENANCE
RESPONSIBILITY



MAP 3H
PAGE 1 OF 1
(ADDED BY ORDINANCE # 06-)

LEE COUNTY ORDINANCE NO. 07-11
(Long Range Transportation Plan)
(CPA2005-17)

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2005-17 (PERTAINING TO THE LONG RANGE TRANSPORTATION PLAN) APPROVED DURING THE COUNTY'S 2005/2006 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan ("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 ("Board"); and,

WHEREAS, the Board, 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 a public hearing on the proposed amendment in accordance with Florida Statutes and the Lee County Administrative Code on July 24, 2006; and,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on December 13, 2006. At that hearing, the Board approved a motion to send, and did later send, proposed amendment CPA2005-17 pertaining to the amendment of the Transportation Element and Transportation Map Series, Map 3, to reflect the new 2030 MPO Long Range Transportation Plan to the Florida Department of Community Affairs ("DCA") for review and comment; and,

WHEREAS, at the December 13, 2006 meeting, 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 March 2, 2007; and,

WHEREAS, the Board held public hearings on the adoption of the proposed amendment to the Lee Plan on April 11 and May 16, 2007; and,

WHEREAS, on May 16, 2007, the Board adopted the proposed amendment to the Lee Plan set forth herein.

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 public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt the amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." **This amending ordinance may be referred to as the "2005/2006 Regular Comprehensive Plan Amendment Cycle CPA2005-17 Long Range Transportation Plan Ordinance."**

SECTION TWO: ADOPTION OF LEE COUNTY'S 2005/2006 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment, as revised by the Board on April 11, 2007, known as CPA2005-17. CPA 2005-17 amends the

Transportation Element and Transportation Map Series, Map 3, of the Lee Plan to reflect the new 2030 MPO Long Range Transportation Plan.

The corresponding Staff Reports and Analysis, along with all attachments for this amendment 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 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 Judah, who moved its adoption. The motion was seconded by Commissioner Hall. The vote was as follows:

Robert P. Janes	Aye
Brian Bigelow	Aye
Ray Judah	Aye
Tammy Hall	Aye
Frank Mann	Aye

DONE AND ADOPTED this 16th day of May 2007.

ATTEST:
CHARLIE GREEN, CLERK

LEE COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: Marcia Wilson
Deputy Clerk

BY: Robert P. Jones
Robert P. Jones, Chair

DATE: 5-16-07



Approved as to form by:

Donna Marie Collins
Donna Marie Collins
County Attorney's Office

STATE OF FLORIDA

COUNTY OF LEE

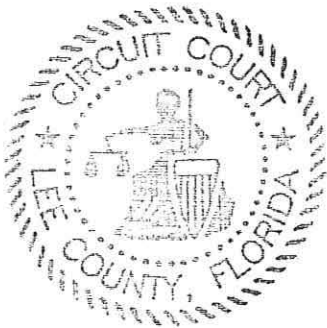
I Charlie Green, Clerk of Circuit Court, Lee County, Florida, and ex-Officio Clerk of the Board of County Commissioners, Lee County, Florida, do hereby certify that the above and foregoing, is a true and correct copy of Ordinance No. 07-11, adopted by the Board of Lee County Commissioners, at their meeting held on the 16th day of May, 2007 and same filed in the Clerk's Office.

Given under my hand and seal, at Fort Myers, Florida, this 21st day of May 2007.

CHARLIE GREEN,
Clerk of Circuit Court
Lee County, Florida

By:

Marcia Wilson
Deputy Clerk



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature X ☐ Agent ☐ Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
1. Article Addressed to: <i>Lavase Whittington</i> Ray Eubanks, Community Program Admin. Florida Department of Community Affairs Bureau of Local Planning 2555 Shumard Oak Boulevard Tallahassee, FL 32399-2100		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes	
2. Article Number (Transfer from service label)		7006 0810 0002 8335 5813	
PS Form 3811, February 2004		Domestic Return Receipt 102595-02-M-1540	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature X ☐ Agent ☐ Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
1. Article Addressed to: Executive Director South Florida Water Management District 3301 Gun Club Road West Palm Beach, FL 33406		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes	
2. Article Number (Transfer from service label)		7006 0810 0002 8335 5837	
PS Form 3811, February 2004		Domestic Return Receipt 102595-02-M-1540	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature X ☐ Agent ☐ Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No	
1. Article Addressed to: Mr. John Czerapak Florida Department of Transport.. 801 North Broadway Bartow, FL 33830		3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes	
2. Article Number (Transfer from service label)		7006 0810 0002 8335 5844	
PS Form 3811, February 2004		Domestic Return Receipt 102595-02-M-1540	

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Florida Department of Environmental Protection
Plan Review Section
3900 Commonwealth Boulevard, MS 47
Tallahassee, FL 32399-3000

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

RECEIVED

JUN 11 2007

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7006 0810 0002 8335 5851

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Florida Department of State
Division of Historical Resources
The Capitol
Tallahassee, FL 32399-0250

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

DEPT. OF STATE

JUN 11 2007

CLEARED

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7006 0810 0002 8335 5868

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Department of Agriculture and
Consumer Services
Division of Forestry
3125 Connor Boulevard
Tallahassee, FL 32301

COMPLETE THIS SECTION ON DELIVERY

A. Signature

D. Martin

☐ Agent☐ Addressee

B. Received by (Printed Name)

D. Martin

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7006 0810 0002 8335 5875

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Florida Fish and Wildlife Cons. Comm.
620 South Meridian Street
Tallahassee, FL 32399-1600

2. Article Number
(Transfer from service label)

7006 0810 0002 8335 5882

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Stephen Thedy ☐ Agent
☐ Addressee

B. Received by (Printed Name)

S. Mallory

C. Date of Delivery

6/11/07

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

David Burr
SW FL Reg. Planning Coun.
1926 Victoria Ave
E. Myers, FL 33901

Article Number
(Transfer from service label)

7006 0810 0002 8335 5899

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

A. Tomlinson ☐ Agent
☐ Addressee

B. Received by (Printed Name)

A. Tomlinson

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: 05/06 Adm Ppct.

Attn: Wendy Evans, Admin Assistant II
Bureau of Planning and Budgeting
CA8, The Capitol
Tallahassee, FL 32399-0810

2. Article Number
(Transfer from service label)

7003 0500 0002 8719 1249

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

K. Warren ☐ Agent
☐ Addressee

B. Received by (Printed Name)

K. WARREN

C. Date of Delivery

6/4/07

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Attn: Ray Eubanks, Plan Processing Ad
Division of Community Planning
2555 Shumard Oak Blvd.
Tallahassee, FL 32399

05/06 Adoption PKT.

2. Article Number
(Transfer from service label)

7003 0500 0002 8719 1317

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: 05/06 Ad 07/27

Attn: Alex L. Carswell, Administrator
Educational Facilities Planning
Florida Department of Education
325 West Gaines Street #1054
Tallahassee, FL 32399

2. Article Number
(Transfer from service label)

7003 0500 0002 8719 1324

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Department of Education
Mail Room B1-3-
325 West Gaines Street
Tallahassee, Florida 32399-0400

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

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OFFICIAL USE

Postage \$

Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Postmark
Here

Attn: Jim Quinn, Enviromental Manager
Office of Intergovernmental Programs
3900 Commonwealth Boulevard, Mail Station 47
Tallahassee, FL 32399-3000

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: 05/06 Adoption PKT

Attn: Susan Harp, Historic Preservation
Bureau of Historic Preservation
500 South Bronough Street
Tallahassee, FL 32399-0250

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ NoDEPT OF STATE
JUN 6 2007
CLEARED

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: 05/06 Adoption PKT

Attn: Mary Ann Poole, Director
Office of Policy and Stakeholder Building
620 South Meridian Street, Farris Bryant Build
Tallahassee, FL 32399-1600

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: 05/06 Adoption PKT

Office of Tourism, Trade & Economic Dev
Mary Helen Blakeslee, Chief Analyst
Suite 2001, The Capitol
Tallahassee, FL 32399-0001

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☒ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

05/06 Adoption PKT

Southwest Florida Regional Planning Council
Attn: David Crawford, Senior Planner
1926 Victoria Avenue
Ft. Myers, FL 33901

2. Article Number

(Transfer from service label)

7006 0810 0002 8336 3399

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Gaila Trigg*☐ Agent☐ Addressee

B. Received by (Printed Name)

GAILA TRIGG

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

05/06 Adoption PKT

South Florida Water Management District
Attn: P.K. Sharma, Lead Planner
P.O. Box 24680
West Palm Beach, FL 33416-4680

2. Article Number

(Transfer from service label)

7006 0810 0002 8336 3405

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *P. K. Sharma*☐ Agent☐ Addressee

B. Received by (Printed Name)

P. K. SHARMA

C. Date of Delivery

JUN 07 2007

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Florida Dept of Transportation, Dist One
Attn: John Czerpak, Growth Mgmt Coord
Planning Department
PO Box 1249
Bartow, FL 33831-1249

2. Article Number

(Transfer from service label)

7006 0810 0002 8336 3757

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Danny Hooper*☐ Agent☐ Addressee

B. Received by (Printed Name)

DANNY HOOPER

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

05/06 Adoption PKT

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Attn: Ray Eubanks, Plan Processing A
Division of Community Planning
2555 Shumard Oak Blvd.
Tallahassee, FL 32399

2. Article Number

(Transfer from service label)

7006 0810 0002 8336 3764

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

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1. Article Addressed to:

Attn: Ray Eubanks, Plan Processing Adm
Division of Community Planning
2555 Shumard Oak Blvd.
Tallahassee, FL 32399

2. Article Number

(Transfer from service label)

7006 0810 0002 8336 3771

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Southwest Florida Regional Planning Co
Attn: David Crawford, Senior Planner
1926 Victoria Avenue
Ft. Myers, FL 33901

2. Article Number

(Transfer from service label)

7006 0810 0002 8336 3788

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: 05/06 Adoption PKT

Southwest Florida Regional Planning Co
Attn: David Crawford, Senior Planner
1926 Victoria Avenue
Ft. Myers, FL 33901

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x Gaila Triggs

☐ Agent☐ Addressee

B. Received by (Printed Name)

Gaila Triggs

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7006 0810 0002 8336 3795

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540