

#### **BOARD OF COUNTY COMMISSIONERS**

Bob Janes District One

A. Brian Bigelow District Two

May 30, 2007

Ray Judah District Three

Tammy Hall District Four Ray Eubanks, Administrator, Plan Review and Processing

Frank Mann District Five Florida Department of Community Affairs Bureau of State Planning Plan Processing Section

Donald D. Stilwell County Manager 2555 Shumard Oak Boulevard Tallahassee, FL. 32399-2100

David M. Owen' County Attorney

Diana M. Parker County Hearing Examiner

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 <u>F.S.</u> 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 16<sup>th</sup> 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; CPA2005-37;



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 od 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 Table1(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 other 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 Offical 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.

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		Appropriate Response(s)		Identify Amendment of
Your Name	Address, City, State, Zip Code	Written Comment	Spoken Comment	Interest
MATTUHLE	1625 Hanpan ST. Fr. Myns 33901			nunital
Mike Strayhorn	5670 Harborage Dr. Ft. Myers, FL			Harbonage Comes
Stephanie Keyes	D. F. S. T. X /. < 1		<b>/</b>	Harbonage Comes Mixed Use Due
Stare Hartsell	PO DANNEY 1507 FHILLERS FL 33902	-	1	Mixed Use PLAN ANDVerl
CHUCK BASINAIT	1715 MONNESE ST. FT. MYERS, FL 33901			CPA 2005-24 CPA 2005-37, 46
MICE NOSOEN	162 KHENDRY ST FM 33901		/	PALM BRACH, CALOURAN MTOR
PERR SPINOPALLOS	5421 HROMAT BY		V	Mixery st-
Neale Montgomery	1833 Hendry St. Fort Myers FL 33901		V	

# Lee County Comprehensive Plan Amendment Citizen Courtesy Information List

Hearing Date: December 13, 2006

Hearing Type: Transmittal

DCA Amendment Number: (DCA Offical 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.

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## 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

	Check (√) Appropriate Response(s)		Identify Amendment	
Citizen Name	Address, City, State, Zip Code	Written Comment	Spoken Comment	which is of Interest
GLORIA MOFF	15570 OLD OLGA RD ALVA, FL 33928	V	~	River Hall
Sarah Spector	Henderson Franklin 1715 Monroe street Fort Myers, FL 33901			AII
Stephanie	2158 Johnsonst. FMY FL 33901			AII
Authan-	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

		Chec Appropriate	• •	Identify Amendment
Citizen Name	Address, City, State, Zip Code	Written Comment	Spoken Comment	which is of Interest
Tim	1670 WERNER DR.	V	~	Ruei Hollettens
Heidi Heidi	1620 Werner Dr		1	River Hall
Gurbary	Alva Fla 33920	V	V	KIVE Hall
JANET J TRIPP	2190 SANTIAGO AUR F-t. MYRS I=L 33905 2253 DAVIS RA			· RIVER HALL
Ed Kimball	7253 DAVIS RA		V	RIVER HALL
Sharron 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

Notary Pub.

Print Name

NOTARY PUBLIC Gladys D. Vande

Cemrhission # DD378967 Expires December 13, 2008

My commission to hip & Booded Troy Fain - Insurance, Inc. 800-385-7019

#### 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

Call to order; Certification of Affidavit of Publication 1.

Consent Agenda: 2.

B.

E.

F.

1.

M.

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

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. A.

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

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

C. 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.

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 80.1.1., 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

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.

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.

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 N.

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

0.

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. 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.

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.

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).

T.

Sponsor: Board of County Commissioners.
CPA2005-42 - Economic Element Update U.

V.

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.

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.

Administrative Agenda 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. 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, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE. 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.

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.

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.

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.

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.

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.

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. 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.

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.

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.

CPA2005-35 - New Urbanism Definitions

CPA2005-37 - New Urbanism

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

Sponsor: Board of County Commissioners.

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.

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 Sponsor: Board of County Commissioners 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

Q. CPA2005-46 – Smart Growth Recommendations

to be considered for adoption

- Amend the Lee Plan to incorporate the recommendations from the County's Smart Growth Initiative into the Lee Plan
- 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.
- CPA2005-47 Housing Element Update
   Amend the Housing Element to reflect the findings of the most current Housing Needs Assessment.

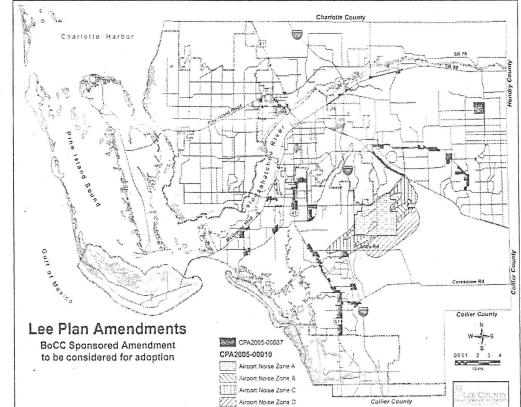
   Sponsor: Board of County Commissioners.
- T. Adopt the following Ordinance, which incorporates the contents of CPA2005-47 into the Lee Plan:

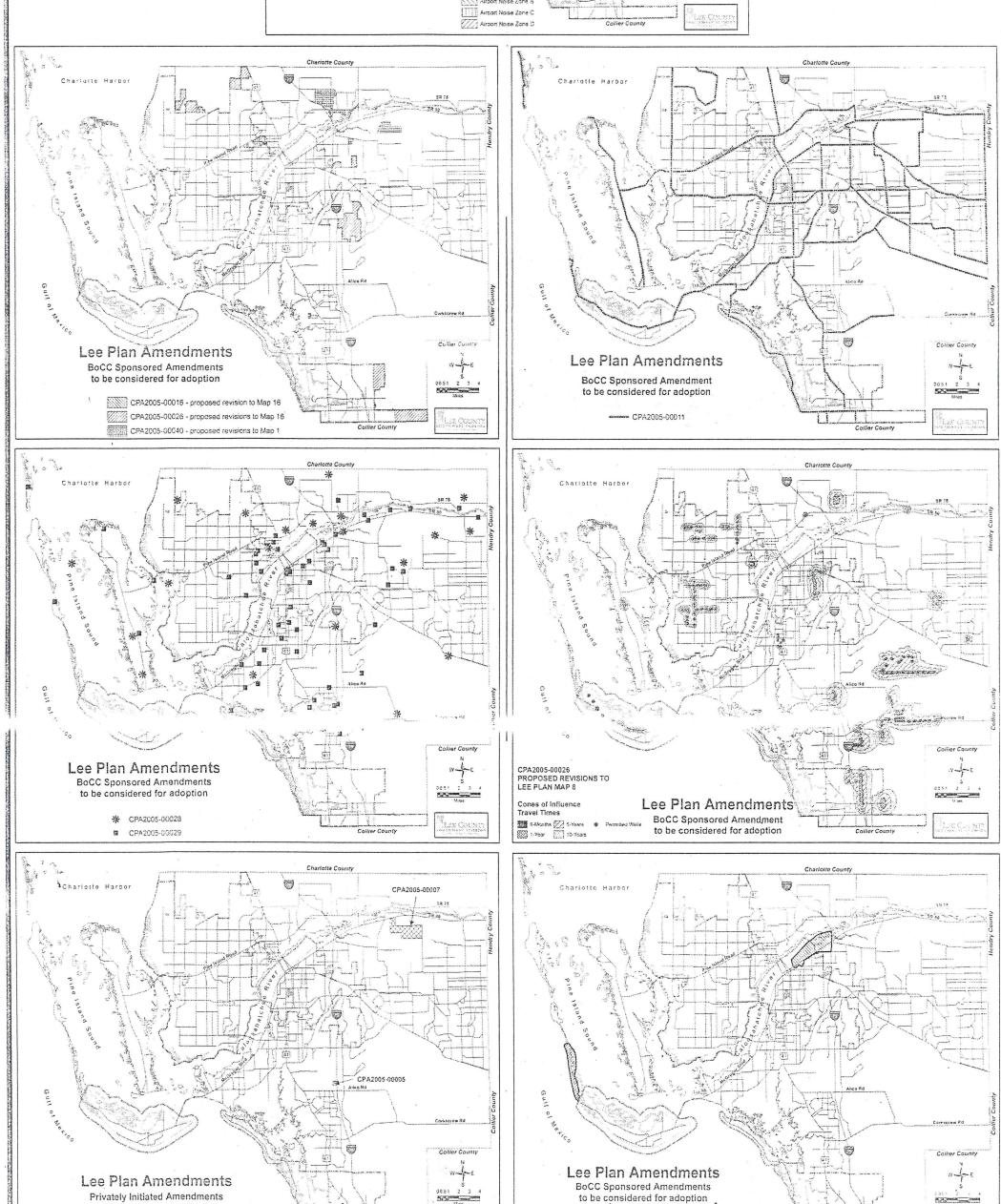
  AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 39-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2005-47 (PERTAINING TO THE HOUSING ELEMENT UPDATE) APPROVED DURING THE COUNTY'S 2005/2006 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING 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.





CPA2005-09 - Palm Beach Community Plan CPA2005-12 - Captiva Community Plan

#### **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.

elebach

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	on, <u>and wl</u>	<u>10 did</u> or d	did not ta	ake an
oath.	10. 1	1	- 1	( )
Notary Public	Mady	Carlotte Control	CI STREET, STATE OF	back
Print Name	NOTARY PUBLIC	Gladys D	. Vander	beck

My commission Expires: Sondad Troy Fein - Insurance, Inc. 200-385-7010



# 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).

#### 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.

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:

Aye

Robert P. Janes

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 Wulson
Deputy Clerk

Robert P. Janes, Chairman

DATE: 5-16-07

SEAL

Approved as to form by:

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

ria Wilson

\_/na

Deputy Clerk

# CPA 2005-27 CAPITAL IMPROVEMENT PROGRAM BoCC SPONSORED AMENDMENT TO THE

### LEE COUNTY COMPREHENSIVE PLAN

## THE LEE PLAN

**BoCC** Adoption Document

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

May 16, 2007

# LEE COUNTY DIVISION OF PLANNING STAFF REPORT FOR COMPREHENSIVE PLAN AMENDMENT CPA 2005-27

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

STAFF REPORT PREPARATION DATE: July 17th, 2006

#### PART I - BACKGROUND AND STAFF RECOMMENDATION

#### A. SUMMARY OF APPLICATION

#### 1. APPLICANT:

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

#### 2. REOUEST:

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

#### B. BACKGROUND INFORMATION

Florida Statute 163.3177(3) requires a Capital Improvement Element in the Lee Plan. This element is to be annually reviewed and modified, per Florida Statute 163.3177(3)(b). The last such amendment was approved on October 23, 2003 and included the CIP for the fiscal years FY03/04 through FY07/08. This amendment was initiated by the Board of County Commissioners on September 20, 2005 and covers Fiscal years FY06/07 through FY10/11.

#### C. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

#### 1. RECOMMENDATION:

Amend the Capital Improvements Element (Table 3 & 4) to reflect the latest adopted Capital Improvement Program.

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

Lee Plan Policy 70.1.1 requires a Capital Improvements Program to be prepared and adopted on an annual basis. Florida Statute 163.3177(3)(b) requires that the Capital Improvements Element of the comprehensive plan be amended annually to reflect the modifications of the adopted Capital Improvement Program (CIP). This amendment incorporates the most recently adopted CIP in the Capital Improvements Element.

#### PART II - STAFF ANALYSIS

#### A. STAFF DISCUSSION

Lee Plan Policy 70.1.1 requires a Capital Improvements Program to be prepared and adopted on an annual basis. Florida Statute 163.3177(3)(b) requires that the Capital Improvements Element of the comprehensive plan be amended annually to reflect the modifications of the adopted Capital Improvement Program (CIP). The latest adopted CIP covers fiscal years FY04/05 to FY08/09. The Lee Plan, to remain timely, should be amended to reflect the latest revisions to the CIP.

In order to keep the Lee Plan up-to-date with the County's latest plans, revised Tables 3 and 4 have been prepared and are attached to this report (Attachments 1 and 2). Revised Table 3 is a direct reproduction of relevant sections of the CIP. Revised Table 4 addresses the relation of individual capital projects with the Lee Plan. Approval of this amendment will bring the Lee Plan into compliance with the annual CIP. Also attached to this report are tables showing Non-Transportation and Non-Enterprise Fund Revenues and Expenditures (attachment 3), Transportation Revenues and Expenditures (Attachment 4), and Enterprise Fund Revenues and Expenditures (Attachment 5). These are included to demonstrate compliance with the requirement of financial feasibility required by Florida Statute 163.3177(3)5(b)1 as amended by Senate Bill SB 360.

#### **B. CONCLUSIONS**

Lee Plan Policy 70.1.1 requires a Capital Improvements Program to be prepared and adopted on an annual basis. Florida Statute 163.3177(3)(b) requires that the Capital Improvements Element of the comprehensive plan be amended to reflect the modifications of the adopted Capital Improvement Program (CIP). This amendment incorporates the most recently adopted CIP in the Capital Improvements Element.

#### C. STAFF RECOMMENDATION

Planning staff recommends that the Board of County Commissioners amend the Lee Plan by incorporating the attached revised tables 3 and 4 into the Capital Improvements Element.

## PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC LPA HEARING: July 24, 2006

#### A. LOCAL PLANNING AGENCY REVIEW

Planning Staff gave a brief presentation. Staff noted that the copies of Tables 3 and 4 were preliminary and did not reflect the final form of the CIP. Updated versions of Tables 3 and 4 have been substituted for the Board of County Commissioners transmittal hearing.

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

#### 1. RECOMMENDATION:

The LPA recommends that the Board of County Commissioners transmit the proposal to amend the Capital Improvements Element (Tables 3 & 4) to reflect the latest adopted Capital Improvement Program.

#### 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
RAYMOND SCHUMANN	AYE
CARLETON RYFFEL	AYE
RAE ANN WESEL	ABSENT

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

#### DATE OF TRANSMITTAL HEARING: December 13, 2006

**A. BOARD REVIEW:** The Board of County Commissioners provided no discussion concerning the proposed plan amendment. This item was approved on the consent agenda.

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

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

#### C. VOTE:

AYE
AYE
AYE
AYE
AYE

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

DATE OF ORC REPORT: March 2, 2007

#### A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

The March 2, 2007 ORC Report stated the following concerning the proposed amendment:

The County is proposing to revise the Five-Year Schedule of Capital Improvements. The following are some of the concerns identified with the proposed amendment:

- a) The schedule is not supported by data and analysis that identifies the capital improvement deficiencies and needs of the County for the short term (at least five years) for all public facilities for which concurrency is required and the extent to which the update to the schedule is intended to correct those deficiencies and address future needs.
- b) The sources of funds are stated for the entire period of the schedule and not for the individual years as required, and sometimes a source is stated as grant without indicating the particular grant source to be used to fund the improvement. In the absence of this information, it cannot be determined if the improvements will be funded with committed funds within the first three years or with committed and/or planned sources for the fourth and fifth year.
- c) The location of the improvements is not properly stated. For example, project #204088 is listed as "Burnt Store Road Four Laning and Right-Of-Way" without stating the beginning and end point of the project.
- d) Certain fund titles used in the schedule such as "special funds," "TDC," and "Enterprise" funds are not defined.

[Chapter 163.3164(32), 163.3177(2) & (3)(a), 163.3177(6)(a), (b), (c), (e) & (8) & (10)(e), F.S., and 9J-5.005(2)(a), (c), & (e), 9J5.055(2)(a), 9J-5.006(2)(a), (3)(b)1., & (3)(c)3., 9J-5.011(1)(a), (b), & (f), (2)(b)1.&2., & (2)(c)1., and 9J-5.016(1), (2), (3)(b)1, 3, 4, 5, & (3)(c)6, & 8, and (4), and 9J-5.019.(4)(c)1., F.A.C.].

<u>Recommendations:</u> Provide data and analysis identifying the projected capital improvement deficiencies over the next five years and update the Schedule of Capital Improvements to include the projects that will correct those deficiencies. The data and analysis should identify two distinct categories of improvements, 1) improvements needed to reduce the existing deficiencies; and 2) the improvements needed to address future needs. The sources of funding for the projects should be clearly identified whether they are State, County, or private contributions. For the first three years the funds must come from committed sources while for the remaining two years it could

include planned sources. Also, describe the location of the project such that the place in the County where the project is occurring can be identified. In addition, define all terms and sources of funds used in the schedule and relate them to the stated revenue sources so that the availability of funds in each source to pay for the improvements can be determined.

#### **B. STAFF RESPONSE**

Lee Plan Capital Improvement Policies

Chapter VI of the Lee Plan is the Capital Improvements Element. This chapter is intended to allow for adequate funding of capital improvements in order to maintain adequate levels of service for public facilities. Lee Plan Policy 95.1.1 establishes the procedures used to create and update the CIP. It also lists standards that are used to determine the priority of proposed capital improvement projects. One of these criteria is whether the project addresses a current or projected deficiency for developed areas. Any identified level of service deficiencies are the basis for new Capital Improvements. Chapter VI of the Lee Plan provides guidance for the creation of a Capital Improvement Plan (CIP). The CIP addresses level of service deficiencies through the funding of Capital Improvement Projects. Reproduced below is Lee Plan Policy 95.1.1 which establishes the CIP.

**POLICY 95.1.1: CAPITAL IMPROVEMENTS PROGRAM (CIP).** The county will annually prepare and adopt a Capital Improvements Program showing all public facility development projects to be undertaken during the ensuing five-year period. The county will also annually evaluate and update this Capital Improvements element. The following policies will govern the development of the CIP:

#### a. Preparation of the CIP:

- 1. Each county department having responsibility for public facilities for which levels of service have been set under this plan will annually review existing facilities, level-of-service standards, and current and projected deficiencies using the level-of-service standards contained in this plan, the established minimum geographic units for each facility, and the latest population projections from the Planning Division. Based on identified current and projected deficiencies, each department will prepare a capital improvements program based on facilities needed to meet these deficiencies.
- 2. Staff and members of the Board of County Commissioners will communicate with the general public in this process to ascertain the perceived need for each kind of public facility in each commission district and planning district.
- 3. A proposed CIP will be presented by the County Administrator in conjunction with the presentation of the proposed annual operating budget. The proposed CIP will be "balanced" (i.e., proposed expenditures will not be greater than the amount of revenues available to fund the expenditures, on a fund-by-fund basis). Attached to the proposed balanced CIP will be a report of the projects designated as needed, but which cannot be

- 4. The proposed CIP will be reviewed by the Local Planning Agency (LPA), which will consider the consistency of the proposal with the Comprehensive Plan and the effect of the CIP on the growth management objectives of the county.
- 5. The proposed CIP, along with the report of the Local Planning Agency, will be reviewed by the Board of County Commissioners. The Board of County Commissioners will by resolution adopt a CIP at approximately the same time as the adoption of the annual operating budget. The annual operating budget must be consistent with the first year of the adopted CIP.
- 6. The adopted CIP will be reviewed by the Board of County Commissioners during periodic meetings, to be held at least quarterly, called to discuss the status of CIP projects. Staff will be required to provide the Board with a status report on all ongoing CIP projects prior to these meetings. The Board may amend the CIP at these meetings by resolution after making findings of fact that the amendment is consistent with the priorities in this policy and with the Lee Plan in general. Where an amendment to the CIP affects the first year, the annual operating budget will also be amended so as to remain consistent with the CIP.
- 7. All estimates of facility or service demand used to develop specific facility plans or any annual update of the capital improvements program will be based on the specific volume and location of demand represented by developments for which local and DRI Development Orders were issued prior to the effective date of this plan, as well as more general estimates of population and land use intensity.

#### b. Priorities for the CIP:

Where needs based on current and/or projected deficiencies exceed revenues projected to be available, projects will be included according to certain priorities which are listed below. In addition, these priorities will be considered in reviewing proposals to amend the CIP.

- 1. Projects that remove a direct and immediate threat to the public health or safety;
- 2. Projects that are directed by a court order or otherwise by law;
- 3. Projects that are essential for the maintenance of the county's investment in existing infrastructure;
- 4. Projects that remove a service level deficiency that affects developed areas; and
- 5. Projects that provide new or additional facility capacity for undeveloped Future Urban areas.

For the purpose of ranking projects in categories 4 - 5 that fall into the same category, the following will be considered:

- (a) Priorities found elsewhere in this plan, including, but not limited to, Objective 2.3 and Policies 36.1.5, 37.3.3, 38.1.7, 38.2.1, 38.2.4, 38.2.6, 40.2.2, 40.2.6, 76.1.2, and 109.1.3; and
- (b) Whether the facility is needed to satisfy a regulatory or a non-regulatory level of service requirement in this element.

Other factors that may be considered in ranking projects that are otherwise equal in priority include (in no particular order of significance):

- (a) Whether the project competes with other facilities that have been or could reasonably be provided by other governmental entities or the private sector;
- (b) The revenue-generating potential of the project;
- (c) Offers of donations of lands and/or services by the private sector and/or other governmental entities; and
- (d) The size and number of similar projects in each of the county's planning and commission districts.
- c. Effect of the CIP:
  - 1. After adoption of the CIP, no public facility project will be constructed by the county, nor will land be acquired for such project, except in conformity with the adopted CIP.
  - 2. It is the intent of this plan to actively pursue the development of any public facility project once it has been included in the CIP. Any CIP amendment which delays or cancels a project should only be made after consideration of:
    - (a) Changes in facility needs based on more up-to-date population projections;
    - (b) Changes in revenues compared with previous projections; and
    - (c) Changes in adjusted level of service standards.
  - 3. The county will consider and may accept dedication of facilities contributed to the county. Where contributed facilities are not provided by county funds, they need not be included in the CIP prior to acceptance. The county may, however, establish procedures for including contributed facilities in the CIP where inclusion in the CIP is a requirement of the Concurrency Management System. (Amended by Ordinance No. 94-30, 00-22)

Lee County Annual Budget Book

Section E of the Lee County Annual Budget Book addresses the Lee County Capital Improvement Program and long term debt (Attachment 6). It includes sections on definitions of terms used in the CIP and explains the sources of funding used in the CIP. It also contains summaries of revenues and Capital Improvement Projects. The table beginning on page E-27 of Section E is the table proposed to be adopted into the Lee Plan as Table 3.

Lee County Concurrency Report

The Lee County Concurrency Report 2005/2006-2006/2007 contains inventories of maximum, utilized and available capacity for County facilities that have prescribed minimum levels of service in Goal 95 of the Lee Plan. The six public facilities listed in the report are Solid Waste Disposal, Surface Water Management, Potable Water, Sanitary Sewers, Parks and Recreation, and Transportation. The Concurrency Report provides the data that is used to determine if any of these public facilities are deficient. The report states that Solid Waste Disposal, Surface Water Management, and Parks and Recreation are not deficient and meet current and future concurrency requirements. Potable Water and Sanitary Sewer services are handled by Lee County Utilities. Transportation concurrency is addressed by the Lee County Department of Transportation.

**Funding Sources** 

The Department of Community Affairs has requested clarification of funding sources for each project listed in the proposed Lee Plan Table 3. Budget Services staff are revising the Proposed Lee Plan Table 3 to meet this request. The various funding sources used for the CIP are described below.

**Project Locations** 

DCA has requested that the Lee Plan Table 3 provide descriptions of the location of each project in Lee County. Budget Services staff are revising the Proposed Lee Plan Table 3 to meet this request.

The book "Lee County Utilities Capital Improvement Program Fiscal Year '07" contains a description of every capital improvement project proposed by Lee County Utilities. These descriptions contain information on the location of the potable water and sanitary sewer project. These descriptions also state whether or not the project is intended to address an existing deficiency or a projected one. Funding sources are identified by number.

Lee County DOT also compiles a list of project request forms for Capital Improvements to the transportation system. These forms are identical to the ones used by Lee County utilities and contain the same information.

The most recent Lee County Concurrency Report lists several road segments in Lee County as currently operating at a deficient levels of service. The first two segments are State Road 82 from Colonial Boulevard to Commerce Lakes Drive and, State Road 82 from Gunnery Road to Alabama Road. Both of these segments are being addressed by Capital Improvement project #205055 which

is a PD& E Study advancement. There are currently no programmed improvements for these segments on the Financially Feasible Transportation Plan. The next segment is McGregor Boulevard from Winkler Road to Colonial Boulevard. Lee County DOT is proposing to six-lane this segment from Cypress Lake Drive to Boy Scout Drive. There are also nine segments of I-75 listed as deficient. These nine segments stretch uninterrupted from the Collier County line to Bayshore Road. All of these segments are proposed to be widened to six lanes in 2007 except for the Palm Beach Road-Bayshore Road segment, which is proposed to be widened to eight lanes in 2007. There are also proposed improvements to secondary roads to provide alternate choices to these segments of I-75. These proposals include widening Imperial Street to four lanes programmed for 2006, widening Three Oaks Boulevard to four lanes from Bonita Beach Road to the Brooks and from Corkscrew Road to Alico Road in 2006, widening US 41 to six lanes from Alico road to San Carlos Boulevard, widening Three Oaks Boulevard North to four lanes in 2010, widening Ortiz Avenue from MLK Boulevard to State Road 80 to four lanes in 2009, and widening Six Mile Cypress Parkway and Plantation Road Extension to four lanes in 2007.

In addition, the Concurrency Report identifies five road links that currently meet LOS standards but may not meet the standard in the future. These first of these links are Daniels Parkway from Metro parkway to Six Mile Cypress Parkway, Daniels Parkway from Six Mile Cypress Parkway to Palomino Lane, and Daniels Parkway from Chamberlain Parkway to Gateway Boulevard. These segments are proposed to be addressed by the Alico Expressway PPD&E study. The next potentially deficient link is Homestead Road from State Road 82 to Leeland Heights Boulevard. Portions of this link are proposed to be widened to four lanes. The last deficient link, Sunshine Boulevard from West 12<sup>th</sup> Street to West 75<sup>th</sup> Street, is currently not addressed by DOT.

These measures are listed on page 5 of a summary of Transportation Capital Improvements (Attachment 7).

### **Definition of Terms and Funding Sources**

The Lee County Annual Budget Book for Fiscal Year2006-2007 lists the various sources used to fund capital improvements. Page G-5 of the Appendix to the Budget Book states:

#### **Enterprise Funds**

The County has enterprise funds for water and sewer services, solid waste disposal (landfill and resource recovery), Lee-Tran Transit System, and transportation facilities (relating to toll collecting for Sanibel Causeway, Cape Coral, and Midpoint Memorial Bridges). The services are operated on a self-supporting basis, except for the transit system, which receives operating subsidies.

Enterprise Fund Revenues for Solid Waste and Utilities are depicted graphically and on a table on pages E-64 and E-65 of the Budget Book.

Special Funds are revenue sources from outside the normal range of sources. Page G-4 of the appendix under "Other Special Revenue Funds," the Budget Book describes these sources. This

includes funds received from incorporated cities for specific capital improvements and Municipal Service Taxing Units intended to fund fire protection service or lighting districts. In the proposed CIP, TDC is the Tourist Development Council and refers to the revenues generated by the Tourist, or Bed, Tax. The Budget Book states, "Lee County Tourist Development Tax Revenue is administered through a special revenue fund and carries out tourism and convention related promotional activities."

### C. STAFF RECOMMENDATION

Planning staff recommends that the Board of County Commissioners amend the Lee Plan by incorporating the attached revised tables 3 and 4 into the Capital Improvements Element.

### 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 provided no discussion concerning the proposed plan amendment.

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

#### 1. BOARD ACTION:

The Board of County Commissioners adopted the proposed plan amendment.

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

The Board of County Commissioners accepted the facts that were advanced by staff and the LPA.

#### C. VOTE:

AYE
AYE
AYE
AYE
AYE

		FY 06/0	7-10/11 (	CAPITAL II	MPROVEN	IENT PRO	GRAM - L	EE 60UNT	r, FLORIDA	.1
PROJ #	26-Api	FUND. SRC.	CIP BUDGET FY 06/07	CIP BUDGET FY 07/08	CIP BUDGET FY 08/09	CIP BUDGET FY 09/10	CIP BUDGET FY 10/11	CIP BUDGET FY 06/07-10/11	CIP BUDGET YEARS 6-10 ADDITIO	DNAL DESCRIPTION-INFORMATION
	NATURAL RESOURCES	×								
	Briarcliff/Fiddlesticks Water Quality Improve	30100	0	0	1,400,000	2,000,000	0	3,400,000	0 acquisition of land	along Briarcliff ditch & construct of filter marsh
	Caloosahatchee Creek Preserve	30100	0	0	0	240,000	300,000	540,000	0 reestablish historic	al flowways on Conservation 20/20 NFM
	Culvert Replacement	30100	0	225,000	0	188,500	530,400	943,900	0 replace culverts in	N Ft Myers locations
	Daughtreys Creek Impovements	30100	0	0	0	71,400	285,600	357,000	0 provide equalizatio	n channel parell I-75 connect-2 triple box culver
203072	Eagle Ridge/Legends Interconnect	30100	112,500	0	0	0	0	112,500	0 extend Eagle Ridge	flow way from current terminus to Legends
	SF	WMD 22 - 30100	112,500	0	0	0	0	112,500	0 stormwater system	
		SWFIA	112,500	0	0	0	0	112,500	0	
		MSBU	112,500	0	0	- 0	0	112,500	0	
	East Mulloch Drainage Dist Improvements	30100	0	20,000	100,000	0	0	120,000	0 install littoral planting	gs at stormwater facility
208988	Environmental Laboratory Expansion/Remodel	30100	6,319,875	0	0	0	0	6,319,875	0 expansion & remod	el of Lee Co lab at 60 Danley Dr.
208548	Fichter Creek Restoration	30100	1,400,000	600,000	0	0	0	2,000,000	0 water conserv area	land acquisition N ft Myers/Alva
208549	Halfway Creek Filter Marsh	30100	800,000	1,400,000	0	0	0	2,200,000	0 land acquisition/de	sign/construction of filter marsh Halfway Creek
	Lakes Park Water Quality Improvements	30100	0	120,000	600,000	0	0	720,000	0 improvements cons	istent with CERP install BMP's
208550	Matlacha Pass Restoration	30100	1,000,000	300,000	900,000	0	0	2,200,000	0 establish historical	flows to Matlacha Pass from N Ft Myers/Cape
208555	NFM/Charlotte County Aerial Contour Mapping	30100	750,000	0	0	0	0	750,000	0 obtain contour map	Charlotte Co areas draining to N Ft M- Burnt Store
	Palm Creek Restoration	30100	0	0	0	0	600,000	600,000		ailing culverts on Palm Creek
208556	Poling Lane Drainage	30100	450,000	750,000	0	0	0	1,200,000	0 culvert upgrades-ba	ank stabilization Mello/DelPrado-Slater Rd
Territoria.	Powell Creek Bypass Extention	30100	0	0	0	0	1,200,000	1,200,000	0 extension of Powel	Creek bypass N Ft Myers to Del Prado ext
	Powell Creek Weir/Valencia	30100	0	0	0	50,000	100,000	150,000	THE REPORT OF THE PERSON OF TH	een natural creek & Powell Creek
	Prairie Pine Restoration	30100	0	0	0	650,000	150,000	800,000	Hydrological restoration	
203025	Punta Rassa Boat Ramp	G	0	0	0	0	0			to increase capacity after construction of new bridge
	The state of the s	30104	305,000	0	0	0	0		0	- 12 Table sapasity diversion of new bridge
	Spring Creek PMP Development	30100	0	0	0	0	100,000	100,000		golf course communities Spring Creek
208557	Sunnyland/Nine Mile Run Drainage Study	30100	350,000	0	0	0	0			study Nine Mile Run Olga area
202965	Ten Mile Canal Filter Marsh	30100	500,000	200,000	300,000	700,000	1,600,000	3,300,000		better convey Ten Mile Canal Master Plann
208547	Three Oaks Parkway Filter Marsh	30100	1,800,000	0	0	0	0			marsh W of I 75 between Alico -Daniels
	CAPITAL TO		14,124,875	3,615,000	3,300,000	3,899,900	4,866,000	29,805,775	0	The second raise ballion

	26-Apr-0	7	CIP	CIP	CIP	CIP	CIP	CIP	CIP	
PROJ		FUND.	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	
#	PROJECT NAME	SRC.	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 06/07-10/11	YEARS 6-10	ADDITIONAL DESCRIPTION-INFORMATION
	ROADS TRANSPORTATION									
204030	Alico Road Multilaning	GT	0	0	600,000	1,000,000	400,000	2,000,000	0	2 to 6 lane widening between Dusty Ln & Three Oaks Pkwy
206002	Bicycle/Pedestrian Facilities	GT	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,000,000	5,000,000	construct bike paths/sidewalks existing Co-maint roads
		1 - 21	650	715	787	826	867	3,845	11,000,000	
		1 - 22	115,000	127,500	141,250	148,813	156,753	689,316	0	
		1 - 23	1,175,000	1,298,500	1,434,350	1,509,068	1,587,521	7,004,439	0	
		1 - 24	535,000	596,000	663,100	700,005	738,755	3,232,860	0	
		1 - 25	60,000	67,500	75,750	80,288	85,052	368,590	0	
206047	Boca Grande Drainage - Master Drainage	GT	500,000	0	0	0	0	500,000	0	master drainage plan central Boca Grande Community
	Bonita Beach Road-Phase II	TBD						0	11,097,000	Bonita Beach Rd widen 2 to 6 lane 0.9 miles
		Α	0	0	0	0	0	0	100,000	<u> </u>
	Bonita Beach Road-Old41 to Lime St	Loan	3,300,000	0	0	0	0	3,300,000	0	
	Buckingham/Orange River-SR80	1-23				1,880,000	15,000,000	16,880,000	11,880,000	widen existing Co arterial 2 to 4 lane 2.55 miles
		A	0	0	0	0	. 0	0	255,000	
204088	Burnt Store Road 4 Laning	307-21	1,608,937	1,000,000	5,564,068	7,715,941	2,941,287	18,830,233	32,155,000	widen existing rural arterial 2 to 4 lane divided 3.6 miles
205061	Bus 41/Littleton-US 41	1-2	1,048,713	0	0	0	0	1,048,713	0	widen existing 2 lane State arterial to 4 lanes, 2.54 miles
		1-22	351,287	0	0	0	0	351,287	20,690,000	
205815	Cape Coral Toll Plaza Rehab	421-35	6,000,000	0	0	0	0	6,000,000	0	completely rebuild & expand Cape Coral Bridge Toll Facility
205053	Captiva Drive Shoulders	GT	0	0	596,000	0	0	596,000	0	project to add 4-foot shoulders on both sides of Captova Dr
204054	Colonial Blvd/I75 To SR82	1-23	10,525,000	0	0	0	0	10,525,000	0	widen existing 4 lane to 6 lane rural arterial, 2.65 miles
		TRIP-SIB	3,250,000	0	0	0	0	3,250,000	0	
		A	0	221,000	0	0	0	221,000	0	
205054	Colonial /McGregor - US 41	Debt	0	0	200,000,000	0	181,900,000	381,900,000	0	grade-separation of portion of Colonial per Expressway Cor Study
		307-21	8,605,109	6,894,891	0	0	0	15,500,000		
206064	Colonial @ Metro Queue Jump	Debt	0	0	0	0	24,400,000	24,400,000	0	tolled graded separation of Collonial Blvd over Metro Pkwy
205035	Communications Plant Updates	GT	0	0	300,000	0	0	300,000	0	fiber optic connect Billy Creek-downtown-SONET & FDOT Center
	Corkscrew Curve	GT	0	1,305,000	0	0	0	1,305,000	0	project to easy severe curve on rural, 2-lane arterial
204079	CR 951 Extension South	Debt	0	1,430,000	0	0	0	1,430,000	86,100,000	4 lane CR 951ext.4.5miles inc 1.5 miles of bridging Immokalee Rd-Bonita
	Collier County Contribution	n Contribution	0	5,070,000	0	0	0	5,070,000	- 2	
	Daniels 6L/Chamberlin-Gateway	1-23	0	0	0	1,520,000	10,010,000	11,530,000	0	4 to 6 lane 1.7 miles Daniels Airport/Gateway chamberlin to Gateway
		Α	0	0	0	0	0	0	200,000	

		26-Apr-07		CIP	CIP	CIP	CIP	CIP	CIP	CIP	
PROJ			FUND.	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	
#	PROJECT NAME		SRC.	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 06/07-10/11	YEARS 6-10	ADDITIONAL DESCRIPTION-INFORMATION
	ROADS TRANSPORTATION		ĺ								
205000				20.000	0	0			20,000	0	debt of conservative for two to D. ID. J. O. CODDS
205062	Del Prado ROW		I-5	26,222	0	0	0	0	26,222		right-of-way acquisition for improving DelPrado S of SR78
	DOT Operations Expansion		30100	3,973,778	0	0	0	700,000	3,973,778 700,000	0	expansion of DOT Operations Facility
205038	E-ARCS Upgrade for Leeway		421-35	768,000	0	0	0	0	768,000		upgrade ARCS Service Ctr software to e-ARCS software
05021	Estero Parkway Extension		1-3	454.962	0	0	0	0	454,962		extend 4-In arterial across I75 Three Oaks To Ben Hill 0.7 miles
	The state of the s		1-24	0	14,874,533	0	0	0	14,874,533		
			1-25	0	2,200,000	0	0	0	2,200,000	0	
			A	0	0	120,000	0	0	120,000	0	
04083	Gladiolus 4 Laning/South Fort Myers		GT	0	6,603,422	0	0	0	6,603,422	0	2 Iane to 6 Bass Rd - Winkler Rd/ 4 Iane from Pine Is Rd - Bass Rd
			1-4	0	386,578	0	0	0	386,578	0	
			1-24	0	8,500,000	0	0	0	8,500,000	0	(9)
			Α	0	0	515,000	0	0	515,000	0	
05063	Homestead 4L/Sunrise-Alabama		I-23	2,100,000	4,740,000	7,060,000	0	0	13,900,000	0	widen existing 2 lane County arterial to 4 lane, 1.50 miles
			Α	0	0	0	0	0	0	150,000	
205036	I-75 Complimentary ITS Deploy		GT	0	0	400,000	0	0	400,000	0	install ITS devices on Co roads serving as major 175 diversion
	Joel Blvd 4L/17th street -SR 80		1-23	0	2,180,000	0	6,000,000	7,280,000	15,460,000	13,480,000	widen existing 2 lane to 4 lane, 3.24 miles
		The Second	A	0	0	0	0	0	0	300,000	
	Luckett Rd 4L/Ortiz to I-75		1-23	0	1,630,000	2,380,000	3,860,000	0	7,870,000		4 laning of existing 2 lane arterial between 2 major roads, 0.46 mi
			Α	0	0	0	0	0	0	50,000	
205904	Matlacha Pass Bridge Replacement		GT	0	0	0	0	14,000,000	14,000,000	0	replacement of 2-lane, bascule Matlacha Pass Bridge
			I-22	0	0	0		11,000,000	11,000,000	0	
	Monitoring Camera Deployment		GT	0	130,000	0	0	0	130,000		install monitor cameras at select Co locations
			182-00	0	45,000	0	0	0	45,000	0	
206750	Monitoring Station Upgrades		GT	30,000	30,000	30,000	60,000	60,000	210,000		convert periodic traffic counters to permanent monitor stations
204072	Ortiz Avenue - MLK To Luckett		Α	0	0	0	155,000	0	155,000		widen existing 2 lane to 4 lane urban section, 1.25 miles
			I-23	3,500,000	0	8,935,000	0	0	12,435,000	0	
05056	Ortiz Ave/SR80 - Luckett		1-23	5,984,824	0	9,475,600	0	0	15,460,424		widen existing 2 lane to 4 lane urban section, 1.33 miles
			A	0	0	0	185,000	0	185,000	0	
			1-1	15,176	0	0	0	0	15,176	0	
	Ortiz 4L/Colonial-MLK		1-23	0	0	1,840,000	12,060,000	0	13,900,000		widen existing 2 lane to 4 lane, 1.73 miles
			Α	0	0	0	0	0	0	200,000	

	RD.	26-Apr-07		CIP	CIP	CIP	CIP	CIP	CIP	CIP	*
PROJ			FUND.	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	ADDITIONAL DECORPTION INFORMATION
#	PROJECT NAME		SRC.	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 06/07-10/11	YEARS 6-10	ADDITIONAL DESCRIPTION-INFORMATION
	ROADS TRANSPORTATION										
206751	Pine Island ITS		GT	0	189,000	0	0	120,000	309,000	0	fiber optic/radio comm plant & ITS field devices along Pine Is Rd
			182-00	21,000	0	0	0	0	21,000	0	
204065	Plantation Extension/Idlewild-Colonial	3	1-23	6,709,880	0	0	0	0	6,709,880	0	construct new 4 lane arterial linking Plantation to Shoemaker
	NgC		Α	0	140,000	0	0	0	140,000	0	
	Plantation 4L/Six Mile-Daniels		1-24	0	0	1,910,000	1,000,000	8,360,000	11,270,000		widen existing 2 lane to 4 lane, 1.25 miles
			Α	0	0	0	0	0	0	175,000	
00700	Project Planning & Pre-Design		GT	150,000	150,000	150,000	150,000	150,000	750,000		fund to support project studies-estimates & pre-design activities
04079	Right-of-Way Opportunities		GT	500,000	500,000	500,000	500,000	500,000	2,500,000	A STATE OF THE STA	fund for voluntary righ-of-way purchase for future road projects
	Sandy Lane Ext North		1-24	0	0	0	0	1,410,000	1,410,000	The second secon	extend 2 lane collector N from Corkscrew to Estero Pkwy 1.43 mi
204604	Six Mile Cypress Parkway 4 Laning		1-23	10,229,000	0	0	0	0	10,229,000	0	widen existing 2 lane rural arterial to 4 lane, 2.3 miles
			Α	0	604,000	0	0	0	604,000	0	
205064	SR 82/Daniels Dual Left Lanes		1-23	200,000	800,000	0	0	0	1,000,000		expand intersec to include duel N bound-westbound L turn lanes
	SR82 from Ortiz to Lee Blvd (FDOT)		Loan	0	10,000,000	0	0	0	10,000,000		widening project SR 82 Daniels to Lee Blvd
206007	Summerlin Rd Boy Scout-University		1-23	0	30,381,000	0	0	0	30,381,000	0	widen existing 4 lane to 6 lane and add overpass at College Pkwy
			Α	0	0	380,000	0	0	380,000	0	
204053	Three Oaks Parkway Extension, North		1-24	685,940	0	0	21,200,000	0	21,885,940	0	four lane arterial extension, 3.5 miles
			Α	0	0	0	0	577,000	577,000	0	
204043	Three Oaks Parkway Extension, South		А	997,000	0	0	0	0	997,000	0	four lane arterial extension, 4.15 miles
206752	Traffic Building Replacement		30100	1,000,000	0	0	0	9,500,000	10,500,000	0	construct 3 story bldg & parking for traffic division
205037	Traffic Mgmt Center Update		GT	80,000	0	0	0	0	80,000	0	upgrade & enhance Billy Creek Traffic Mgmt Ctr
204068	Treeline Extension North/Daniels-Colon	ial	Α	0	1,002,000	0	0	0	1,002,000		extend & expand existing 2 lane to 4 lane urban arterial, 4.2 mi
204086	Urban Street Lighting		Α	1,200,000	1,200,000	700,000	700,000	700,000	4,500,000	3,500,000	install std St. lighting - existing Co-maint roads urbanized areas
205029	Veterans Parkway @ Del Prado		307-21	700,000	0	0	500,000	6,500,000	7,700,000		design & construction of improvements at exit ramp overpass
30000	Veterans/Santa Barbara Interchange		307-21	0	0	2,250,000	. 0	0	2,250,000	30,000,000	construction of an interchange
	C	CAPITAL TOTAL	1	77,400,478	105,296,639	247,020,905	61,924,941	299,077,235	790,720,198	246,842,000	

FY 06/07-10/11 CAPITAL	IMPROVEMENT PROGRAM	- I FF	COUNTY FLORIDA
I I OUIDI TOITT OATTIAL	HALL LOOK ENGELIAL LICOSITATION	Date Sum Harm	. COUNTY, I LONDA

	26-Apr-07		CIP	CIP	CIP	CIP	CIP	CIP	
PROJ		FUND.	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	
#	PROJECT NAME	SRC.	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 06/07-10/11	ADDITIONAL DESCRIPTION-INFORMATION
	UTILITIES								
207110	ASR Wells @ North Reservoir	487-30	600,000	600,000	0	0	0	1,200,000	Const of 3.0 MSD add"I ASR wells N resivior & Olga
207111	Automated Flushing Devices	487-30	25,000	25,000	25,000	25,000	0	100,000	install automated flush devices on dead-end water mains
207186	Bartow WTP Upgrade Additional RO Skid	487-30	1,700,000	0	0	0	0	1,700,000	expand Bartow WTP to 2.4 MGD
207185	Beacon Manor Improvements	487-20	125,000	125,000	0	0	0	250,000	replace galvanized & AC waterlines Beacon Manor
207144	Bus 41 Line Upgrade-Littleton/Shell Factory	487-30	60,000	0	0	0	0	60,000	upgrade water mains along US Bus 41 SR 739 Littleton-Shell Fact
207413	Chlorine System Improvements	487-30	60,000	0	0	0	0	60,000	provides alternative to existing chlorine system at plants
207023	Collins St Booster Station Improvements	487-12	230,000	0	0	0	0	230,000	upgrade Collins St Booster Station to flow/pump either direction
207158	Corkscrew Road & I-75 Interchange	487-12	0	0	970,000	550,000	0	1,520,000	relocation of water, sewer, & refuse mains for interchange impr
207024	Corkscrew WTP Contact Time Storage Tank	487-30	1,590,000	0	0	0	0	1,590,000	2 MG tank storage structure with battle walls
207027	Corkscrew WTP Filter Upgrade	487-20	400,000	0	0	0	0	400,000	upgrade filter backwash to Air Scout Technology
207091	Corkscrew WTP Main Improvements	487-30	0	4,180,300	0	0	0	4,180,300	30" water transmission main I 75 to Metro & US 41
207097	Corkscrew WTP Wellfield-Alico Road	487-12	1,000,000	0	0	0	0	1,000,000	design/const 5 mgd wellfield & transmission system
207146	Daniels Parkway & I-75 Interchange	487-30	0	0	260,000	515,000	0	775,000	relocate/upgrade water main for interchange improvements
	Daniels Parkway Widening-Chamb/Gateway	487-30	0	0	0	60,000	720,000	780,000	relocate water mains on Daniels -Chamberlin to Gateway
	Decommission San Carlos WWTP	487-30	0	0	0	400,000	0	400,000	install reuse main Three Oaks WWTP to San Carlos WWTP
207416	DOT Project Utilitiy Relocations	487-30	500,000	500,000	500,000	500,000	500,000	2,500,000	misc FDOT/LCDOT roadway/drainage projects
207233	East Lee County Force Main Replacement	487-30	600,000	600,000	0	0	0	1,200,000	replace deteriorating raw sewage force main east Lee Co
207429	Electrical Equipment Upgrades & Replacements	487-30	150,000	150,000	150,000	150,000	0		replace old electrical equip-upgrade equip to meet load demands
	Feasibility Analysis/Design Desalination Plant	487-30	0	0	300,000	0	0	300,000	analysis & concept design for future desalination plant
207201	FGCU Dorms East Campus Core Sewer	487-13	263,700	100,000	0	0	0	363,700	furnish & install gravity sewer lines East Campus inside Loop Rd
207214	FGCU Dorms East Sewer	487-13	430,000	604,300	0	0	0	1,034,300	furnish/install gravity sewer lines, mains & lift Station E campus
207050	FGCU Dorms East Campus Core Water	487-12	125,000	185,000	0	0	0	310,000	furnish/install water lines E campus core inside Loop Rd
207195	FGCU Dorms East Water	487-12	130,000	125,000	0	0	0	DOMESTIAN SEASON SEASONS	furnish /install waterlines & hydrants new dorm area
207293	Fiesta Village Sewer Collection System Impro	487-20	600,000	0	0	0	0		evaluate/improve sewes collect system Fiesta Village WWTP
207302	Fiesta Village WWTP Barscreen	487-20	245,000	0	0	0	0		add new mechanical barscreen Fiesta Village WWTP
207303	Fiesta Village WWTP Filtration System Improvement	487-20	600,000	0	0	0	0		refurbish filter media & weir structures Fiesta Village WWTP
207297	FMB Elevated Storage Tank	487-13	1,500,000	0	0	0	0		construct elevated refuse storage tank Ft Myers Beach WWTP
207224	FMB Splitter Box Rehab & Flow Controls	487-30	500,000	0	0	0	0		improve spiller box & flow Control System Ft Myers Beach WWTP

	26-Apr-07		CIP	CIP	CIP	CIP	CIP	CIP	
PROJ		FUND.	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	
#	PROJECT NAME	SRC.	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 06/07-10/11	ADDITIONAL DESCRIPTION-INFORMATION
		191							
	UTILITIES								
207298	FMB WWTP Expansion	487-13	500,000	1,900,000	0	0	0	2,400,000	expand Ft Myers Beach WWTP for future development
207261	FMB WWTP Filtration System Replacement	487-20	2,000,000	0	0	0	0	2,000,000	Replace existing system with new system & piping-pump station
207278	FMB WWTP Office/Admin Building	487-30	75,000	0	0	0	0	75,000	new bldg for admin/control room & training room
207299	FMB WWTP Pretreatment Facilities Expansion	487-13	200,000	1,000,000	0	0	0	1,200,000	pretreatment facility expansion Ft Myers Beach WWTP
207134	Force Main Valve Installation & Replacement	487-30	50,000	50,000	50,000	50,000	0	200,000	evacuate/ replace defective underground valves on sewer sytem
207182	GES Small Waterline Replacements	487-30	200,000	200,000	200,000	200,000	0	800,000	replace small water mains serving residential communities
207179	GES Water Transmission System Improvements	487-12	250,000	500,000	1,500,000	250,000	0	2,500,000	water trans main upgrades between Lee Co & Gulf Systems
207431	Gladiolus W/S Relocation-Pine Ridge to Winkler	487-12	1,500,000	0	0	0	0	1,500,000	relocation of water sewer mains Gladiolus Dr-Pine Rg to Winkler
207187	Green Meadow WTP Expansion	Bonds	10,000,000	18,000,000	7,000,000	0	0	35,000,000	to include aeration, clarification, clearwell, filtration & equipment
207188	Green Meadow WTP Raw Line Improvement	487-30	1,000,000	0	0	0	0	1,000,000	upsize/replace raw water mains in waterfield - increase efficiency
207150	Green Meadows WTP Well Pumping System Improvements	487-20	300,000	0	0	0	0	300,000	replace pumps and improve equipment at wellfield
207287	I & I Study/Rehab GES Sanitary Sewer System	487-30	300,000	0	0	0	0	300,000	complete sudy/repairs in former GES sanitary sewer system
207247	Inflow & Infiltration Improvements	487-20	550,000	550,000	550,000	550,000	0	2,200,000	rehab gravity lines & pump stations which cause inflow
207430	Instrumentation Upgrades & Improvements	487-30	150,000	150,000	150,000	0	0	450,000	install new equip as needed to improve control & meet standards
207189	Interconnections of Water W/ Various Utilities	487-30	200,000	200,000	200,000	0	0	600,000	multi municipality project for interconnect of water distrib. System
207264	Large Water Meter Replacements	487-30	350,000	350,000	350,000	0	0	1,050,000	replace & upgrade large meters to meet LCU operation specs
207436	LCU Fiber Optic & Network System	487-30	200,000	300,000	300,000	200,000	0	1,000,000	fiber wiring to connect plants including large lift st and reserviors
	Lime Kiln Recovery Facility	487-30	0	0	1,500,000	0	0	1,500,000	lime kiln to recover spent lime at plants throught Lee Co
207190	Lime Sludge Handling Facilities Improvements	487-30	2,500,000	0	0	0	0	2,500,000	improve lime sludge handling Olga/Gr Meadows/Corkscrew WTP
	Luckett Rd Util Relocation-Ortiz/I-75	487-30	0	60,000	0	470,000	0	530,000	relocation of existing water/sewer mains for road widening
207231	Main Street Master Pump Station Rehab	487-20	150,000	0	0	0	0	150,000	rehab of wetwell at Main St master pump Station
207439	Maintenance Facilities & Admin Building	487-30	5,600,000	0	0	0	0	5,600,000	build bldg at College Pkwy site for operations & mechanics staff
207147	New Fire Hydrant Installations	487-30	50,000	0	0	0	0	50,000	install hydrants where none exist for equal service to customers
207168	NFM Waterline Improvement	487-20	150,000	150,000	150,000	150,000	0	600,000	relpace/upgrade AC waterlines in N FT Myers water system
207169	NFM Watermain Relocation	487-20	200,000	200,000	200,000	200,000	0	800,000	relocate old mains from back yards to front easements NFM
207028	North Lee County WTP Expansion to 10 MGD	487-12	1,250,000	7,000,000	8,000,000	0	0	16,250,000	expand cap of Rev Osmosis plant from 5mgd-10mgd N Ft Myers
207227	Odor Control Devices at Pump Stations	487-30	100,000	100,000	100,000	100,000	100,000	500,000	install biofilters & odor control devices at pupm stations in LCU
207161	Ortiz Ave Water Relocation-Colonial to Ballard	487-30	0	0	3,580,000	1,320,000	0	4,900,000	relocate water mains for roadway improvement
207127	Page Park Waterline Improvements	487-30	200,000	200,000	200,000	0	0	600,000	replace old cast iron & small pipes Page Park area

	26-Apr-07		CIP	CIP	CIP	CIP	CIP	CIP	1
PROJ	*	FUND.	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	
#	PROJECT NAME	SRC.	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 06/07-10/11	ADDITIONAL DESCRIPTION-INFORMATION
	7								
	UTILITIES								
207239	Pine Island WWTP Expansion	487-13	500,000	0	0	0			expansion of Pine Island WWTP
	Plantation Rd Util Relocation-6 Mile/Daniels	487-30	0	0	70,000	0	500,000		relocation of water mains for roadway widening
207135	Portable Generator-Pump Stations	487-30	200,000	0	0	0			1 portable generator for each 4 stations for emergency use
207207	Pump Station Rehabilitation & Reconstruction	487-20	550,000	550,000	550,000	550,000	0	2,200,000	rehab/reconstruct lift stations and force mains
207289	Regional Sludge Handling Plant	487-30	400,000	10,900,000	0	0	0	. 11,300,000	development of regional biosolid treatment/handling facility
207440	Remote Control & Operations for LCU Facilities	487-30	100,000	300,000	0	. 0	0	400,000	network connections for all plants control computers CITECT sys
207217	Reuse System Improvements	487-30	100,000	100,000	100,000	100,000	0	400,000	install reuse lines FT Myers Beach/lona McGregor sewer system
207300	Reuse Valves Control, SCADA Project	487-30	300,000	300,000	150,000	0	0	750,000	actuating valves/controls with remote RTU's SCADA system
207193	RSW Transmission Lines-Ben Hill to Treeline	487-12	0	3,000,000	0	0	0	3,000,000	water transmission lines along Treeline Pkwy W to US 41
		487-30	0	1,180,000	0	0	0	1,180,000	
207163	S Lee County Watermain Relocations	487-30	500,000	200,000	200,000	200,000	0	1,100,000	relocate water mains from back to front yard easements
207116	Sampling Stations	487-30	0	25,000	0	0	0	25,000	install sampling stations for DOH testing county-wide
	San Carlos Blvd Booster Sta & Storage Tank	487-30	0	407,350	500,000	0	0	907,350	Construct booster pump stations per TKW modeling report
207162	San Carlos Blvd Improvement	487-12	0	790,560	0	0	0	790,560	replace 14" AC waterline with 16" Summerlin to Kelly Rd
207178	San Carlos Pk Water Main Extension	487-30	100,000	100,000	100,000	100,000	0	400,000	GES project new mains within San Carlos area
207424	SCADA Upgrades & Improvements	487-30	500,000	500,000	250,000	250,000	250,000	1,750,000	install new SCADA equipment & upgrades county-wide
207200	Sewer - Small Projects	487-30	100,000	100,000	100,000	100,000	0	400,000	unanticipated minor equipment replacement
207255	Sewer Easement Acquisition	487-30	100,000	100,000	100,000	100,000	100,000	500,000	to obtain additional sewer line easements county-wide
207208	Sewer Transmission System Improvements	487-13	200,000	200,000	200,000	200,000	0	800,000	install pump stations & force mains for future growth
207184	SFM Water Transmission Line Improvements	487-30	1,200,000	0	0	0	0	1,200,000	S Ft Myers transmission line improvements per TKW model rpt
207219	Stormwater Inflow Protection	487-30	50,000	50,000	50,000	0	0	150,000	install stormwater inflow protector & concrete risers county-wide
207425	Summerlin Rd-Boy Scout to University W/S Relocation	487-30	1,360,000	0	0	0	0	1,360,000	relocate water & sewer mains for roadway construction
207194	Summerlin Road Water System Improvements	487-30	0	2,200,000	0	0	0	2,200,000	phase I, II, III of water system const Summerlin & Winkler
207279	Three Oaks Parkway Widening-Sewer	487-13	1,010,000	0		0	0	1,010,000	relocate water/sewer/ mains three oaks - Corkscrew road const
207301	Three Oaks Reuse System Augmentation	487-30	100,000	0	0	0	0	100,000	use raw water wells at Bartow WTP to Sup Three Oaks system
207001	Three Oaks Reuse Transmission Improvements	487-13	0	780,000	0	0	0	780,000	upsize/expand Three Oaks reuse trans lines Three Oaks WWTP
207164	Tice Street Loop	487-20	100,000	0		0	0	100,000	add lines to distrubution system Tice Area Ft. Myers
207010	US 41 NFM Watermain Replacement	487-12	600,000	0	0	0	0	600,000	replace & upgrade 8" AC watermain US 41 K-Mart to Tamiami Vil
207170	US 41 Watermain Improvement	487-20	1,900,000	0			0	1,900,000	replace old 10" water mains US 41 Alico to Cypress Lake Dr

	26-Apr-07		CIP	CIP	CIP	CIP	CIP	CIP	
PROJ		FUND.	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	
#	PROJECT NAME	SRC.	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 06/07-10/11	ADDITIONAL DESCRIPTION-INFORMATION
	:								
	UTILITIES								
207137	Wastewater Collection System Pump Replacement	487-30	100,000	100,000	100,000	100,000	100,000		county-wide pump replacements to prevent sewer overflow
207229	Wastewater System Improvements	487-30	200,000	200,000	200,000	200,000	200,000		county-wide equipment replacement within wastewater system
207138	Wastewater Treatment Plant Improvements	487-30	400,000	400,000	300,000	300,000	0	1,400,000	county-wide replacement/improvements to wastewater plants
207117	Water Easement Acquisition	487-30	75,000	75,000	75,000	75,000	0		obtain adequate water line access
207094	Water System Improvements	487-30	200,000	200,000	200,000	200,000	200,000	1,000,000	county-wide equipment improvements within water system
207086	Water Transmission System Improvements	487-12	300,000	300,000	300,000	300,000	300,000	1,500,000	install water transmission mains for future growth-county-wide
207268	Water Treatment Plant Improvements	487-30	600,000	400,000	300,000	300,000	300,000	1,900,000	LCU water treatment plant improvements county-wide
207151	Water Treatment Plants & Reservoirs Security System	487-30	100,000	100,000	100,000	0	0	300,000	county-wide water plants and reserviors security improvements
207031	WTP's & Wellfield Generator Improvements	487-30	400,000	500,000	0	0	0	900,000	add new generators to serve existing water plants & wellfields
207152	Water Valve Installation & Replacement	487-30	50,000	50,000	50,000	50,000	0	200,000	install water valves within water distribution system
207434	Water/Sewer Line Relocation-Summerlin Road Widening	487-30	300,000	0	0	0	0	300,000	relocate water/sewer force main/reuse lines san Carlos-Gladiolus
207426	Water/Sewer Line Relocation-Three Oaks Ext.	487-30	0	0	0	540,000	0	540,000	relocate water/sewer lines along Fiddlesticks Blvd
207082	Waterline Extensions	487-30	150,000	150,000	150,000	150,000	150,000	750,000	install required waterline extensions county-wide in system
207062	Water-Small Projects	487-30	100,000	100,000	100,000	100,000	100,000	500,000	funding increase for small projects from increased system size
207149	Well Redevelopment/Upgrade & Rebuild	487-20	800,000	300,000	150,000	150,000	150,000	1,550,000	upgrade/reconstruc/replace old wells throught system
207118	Wellfield Monitors	487-30	75,000	40,000	0	0	. 0	115,000	install continous automated monitors Corkscrew WTP
207290	WWE Grit Removal Equipment Replacement	487-30	200,000	0	0	0	0	200,000	replace grit removal equip Waterway Estates WWTP
207183	WWE Water Transmission Line Improvement	487-30	1,200,000	0	0	0	0	1,200,000	construct transmission lines Waterway Svc Area -TKW system
207180	WWE Waterline Replacement	487-20	100,000	100,000	100,000	100,000	0	400,000	Waterway Estates waterline replacements
207296	WWE WWTP Expansion	487-13	700,000	4,300,000	0	0	0	5,000,000	plant capacity study for increase treatment capacity
207274	WWTP Odor Control System Improvements	487-30	100,000	100,000	0	0	0	200,000	Waste Water Treatment Pland odor control upgrades
201217	CAPITAL TOTAL	70	55.578.700	67,302,510	30,730,000	9,855,000	3,670,000	167,136,210	

FY 06/07-10/11	CAPITAL	. IMPROVEMENT	PROGRAM -	LEE COUNT	Y FLORIDA
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	26-Apr	07	CIP	CIP	CIP	CIP	CIP	CIP	
PROJ		FUND.	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	
#	PROJECT NAME	SRC.	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 06/07-10/11	ADDITIONAL DESCRIPTION-INFORMATION

# SOLID WASTE

200919	Church Road Extension	40102	4,600,000	0	0	0	0	4,600,000 design & construct up-to 6 miles paved road Hendry Co
200928	Household Chemical Facility	40102	2,200,000	0	0	0	0	2,200,000 design/permit/const household chem waste facility
200931	Lee Hendry Landfill Leachate Treatment	40102	500,000	1,000,000	0	0	0	1,500,000 add"l leachate equipment Lee/Hendry traetment system
200932	Lee Hendry Landfill Phase III	40102	750,000	6,500,000	1,500,000	0	0	8,750,000 design/construct add'l disposal area & facilities
200933	MRF Expansion	40102	50,000	700,000	0	0	0	750,000 design/construct add'l area at Co recycling facility
		40104	50,000	700,000	0	0	0	750,000
200929	South Recycle/Transfer Facility	40102	200,000	6,000,000	500,000	0	0	6,700,000 build facility S Lee Co to separate recycle & trans municipal solid waste
	SOLID WASTE CAPITAL	TOTAL	8,350,000	14,900,000	2,000,000	0	0	25,250,000

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		DDOCDAM ILL	COURTY LIOUTIA
EV 06/07-10/11 CAP	TIAL IMPROVEMENT	PRUCKAW - LEE	OUDINI I. FLUNDA
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PROJ	26-Apr-07	FUND.	BUDGET	CIP BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	
#	PROJECT NAME	SRC.	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 06/07-10/11	YEARS 6-10	ADDITIONAL DESCRIPTION-INFORMATION

# COUNTY LANDS

208803	Babcock Ranch Acquisition	Budgeted in 30108	30103	0	16,471,914	17,789,667	19,212,841	20,749,868	74,224,290	0 acquire Lee Co portion of Babcock Ranch
208800	Conservation 2020		30103	38,129,431	24,707,871	26,684,501	28,819,261	31,124,802	149,465,866	acquire envirnmentally sensitive lands
200000		CAPITAL TOTAL		38,129,431	41,179,785	44,474,168	48,032,102	51,874,670	223,690,156	0

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	26-Apr-u7		CIP	CIP	CIP	CIP	CIP	CIP	CIP	
PROJ	"	FUND.	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	
#	PROJECT NAME	SRC.	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 06/07-10/11	YEARS 6-10	ADDITIONAL DESCRIPTION-INFORMATION
	GOVERNMENT FACILITIES									
	GOVERNMENT FACILITIES									
208701	ADA Compliance in Lavatories	30100	300,000	300,000	300,000	300,000	300,000	1,500,000	1,500,000	bring facilities up to ADA standards in Lee Co
208867	Administration Bldg Fresh Air Dehumidification	30100	150,000	0	0	0	0	150,000	0	upgrade system in County Admin Bldg
208774	Animal Control Kennel & Office Expansion	30100	0	0	0	4,000,000	0	4,000,000	0	expansion of animal control facility
208868	Animal Control Parking Lot Expansion	30100	100,000	0	0	0	0	100,000	0	parking lot expansion
208730	Cape Coral Gov't Builling Controls Upgrades	30100	40,000	0	0	0	0	40,000	0	replace HVAC controls in Cape Coral Gov Bldg
	Central Records Warehouse Acquisition	30100	0	0	0	0	5,000,000	5,000,000	0	purchase central records warehouse on Fowler
208777	Constitutional Complex A/C Controals Upgrade	30100	50,000	50,000	0	0	0	100,000	0	upgrade & changeout HVAC controls
	Constitional Complex Parking Garage	30100	0	0	0	0	6,600,000	6,600,000	0	construct multi-level parking garage
	Court Administration IS Dept Auxilliary A/C Unit	30100	0	60,000	0	0	0	60,000	0	auxillary A/C unit Court Admin IS Dept
208869	Dehumidifying the Ice Plant - CD/PW	30100	55,000	0	0	0	0	55,000	0	preventive measures to increase life of chiller/HVAC controls
208870	Dentention Facilities Power Surge Protectors	30100	50,000	0	0	0	0	50,000	0	install power surge protectors-detension facilities
208871	Downtown Buildings Phone/Computer Room A/C Replacemer	51500	100,000	0	0	0	. 0	100,000	0	A/C replacement
208872	Edison Mall Transfer Center	30100	0	1,196,500	0	0	0	1,196,500	0	passenger waiting area, bus bays, security office
	(Includes portion from City of Ft Myers)	48640	565,000	0	0	0	0	565,000	0	
208993	EMS Stations	18900	150,000	150,000	150,000	150,000	150,000	750,000	750,000	design/construct EMS stations-ambulance bays-sleeping quarte
208873	Fiber Optic Expansion	51500	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,000,000	THE ATTER	fiber optic expansion to link Co bldgs with high speed broadband
208782	Hough St Remodel & Reroof	30100	800,000	200,000	0	0	0	1,000,000	0	renovate-reroof Hough St warehouse
208734	Jail Mixing Valves Replacement	30100	0	0	0	0	0	0	25,000	replace mixing valves
208874	Jail Walk-In Refrigeration Units	30100	75,000	0	0	0	0	75,000	0	install new walk-in refer units at jail
208646	Justice Center Expansion-Clerk of Courts	30100	2,200,000	5,310,000	0	5,300,000	9,100,000	21,910,000	5,300,000	construct multi-story tower. Renovate Justice Ctr Annex, garage
208630	Justice Center Courtroom Renovations	30100	0	0	0	0	0	0	250,000	renovate courtrooms
208876	Justice Center Louvers	30100	200,000	0	0	0	0	200,000	0	install louvers at Justice Ctr to prevent rain intrusion
208712	Justice Center Maint, BAS Controls Upgrade	30100	50,000	50,000	50,000	50,000	50,000	250,000	0	upgrade in non-proprietary system software
208681	Justice Center Pneumatic Change Out	30100	100,000	100,000	100,000	100,000	100,000	500,000	0	change out obsolete controls with new digital system
208877	Lee Tran Warehouse A/C Replacement	30100	15,000	0	0	0	0	15,000	- 0	replace AC unit
208735	Lee Tran Operations & Maint Facility Loan	48640	1,470,622	6,932,934	14,075,957	0	0	22,479,513	0	construct a transit facility
207439	Maintenance Facilities & Admin Building 301 portion only	30100	8,400,000	0	0	0	0	8,400,000	0	build bldg at College Pkwy site for operations & mechanics staff
	New Bokeelia Station	30100	0	268,300	1,346,400	144,248	0	1,758,948	0	new EMS/FD ALS non-transport unit
	New EMS Station 7 NFM	30100	0	0	1,505,000	0	0	1,505,000	0	new FD station participation for EMS Brooks Rd & old US 41
208785	New EMS Station - Buckingham	30100	463,325	67,325	0	0	0	530,650	0	modular EMS facility near Buckingham Rd/SR 80
208786	New EMS Station - Site D NFM	30100	463,325	17,325	0	0	0	480,650	0	EMS site near Suncoast Elem school
	New EMS Station - Matlacha	30100	0	0	328,888	1,831,104	178,117	2,338,109	0	joint EMS/LCSO/MPIFD facility Matlacha area
208787	New EMS Station - Pine Ridge	30100	10,000	304,000	1,632,000	50,000	0	1,996,000	0	Pine Ridge Public Safety station Helicopter LZ

	26-A	pr-07	CIP	CIP	CIP	CIP	CIP	CIP	CIP	
PROJ		FUND.	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	
#	PROJECT NAME	SRC.	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 06/07-10/11	YEARS 6-10	ADDITIONAL DESCRIPTION-INFORMATION
	GOVERNMENT FACILITIES									
	New EMS Station - Treeline South	30100	0	356,900	0	0	0	356,900		new EMS facility Treeline and Daniels
	N Sheriff Substation Expansion	30100	0	0	0	500,000	0	500,000	0	expand North Shefiff substation North Ft Myers
208878	N Sheriff Substation Parking Lot Expansion	30100	150,000	0	0	0	0	150,000	0	expand substation parking lot
208879	Old Courthouse Concrete Replacement	30100	300,000	30,000	30,000	30,000	30,000	420,000	150,000	paver replacement in front of Old Courthouse
208880	Page Field EMS Hangar	30100	508,000	3,018,000	0	- 0	0	3,526,000	0	construct 12,000 sq ft helicopter hangar Page Field
	Sheriff Forensics Lab Renovation	30100	0	250,000	0	0	0	250,000	0	renovate forensic lab
208881	Sheriff Stockade Switchgear Replacement	30100	100,000	0	0	0	0	100,000	0	replace switchgear at stockade
208790	Storm Shutters - County Wide	30100	75,000	75,000	75,000	75,000	75,000	375,000	375,000	hurricane storm shutters for county buildings
		18200	75,000	75,000	75,000	75,000	75,000	375,000	375,000	
The state of	Summerlin Square Park & Ride	48640	0	250,000	0	0	0	250,000	0	bus transfer center and park n ride location
		30100	0	250,000	0	0	0	250,000	0	
	CAPITAL	TOTAL	18,015,272	20,311,284	20,668,245	13,605,352	22,658,117	95,258,270	8,725,000	8

	26-Apr-07		CIP	CIP	CIP	CIP	CIP	CIP	CIP	
PROJ	·	FUND.	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	
#	PROJECT NAME	SRC.	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 06/07-10/11	YEARS 6-10	ADDITIONAL DESCRIPTION-INFORMATION

# LIBRARIES

20361.8	Bonita Springs Library Modular Unit	14800	100,000	0	0	0	0	100,000	0 unit for additional storage space
	Fort Myers library Fresh Air Unit Replacement	14800	0	0	0	0	0	0	125,000 replace fresh air unit
203619	Fort Myers Library Expansion	14800	1,196,748	0	5,500,000	0	0	6,696,748	0 20,500 sq ft expansion of Ft Myers library 2050 Central
203621	South Fort Myers Library Expansion	14800	25,000	. 0	0	0	0	25,000	0 expansion S Ft Myers library
	CAPITAL TOTAL		1,321,748	0	5,500,000	0	0	6,821,748	125,000

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	J	26-Apr-07	CIF	CIP	CIP	CIP	CIP	CIP	CIP	
PROJ				ET BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	
#	PROJECT NAME	1 1 2	SRC. FY 06	07 FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 06/07-10/11	YEARS 6-10	ADDITIONAL DESCRIPTION-INFORMATION

### **COMMUNITY PARKS**

01827	ADA Standard Compliance Improvements	30100	200,000	50,000	50,000	50,000	50,000	400,000	200,000 correction of ADA violations
01861	Adult Soccer Fields	30100	50,000	300,000	0	0	0	350,000	300,000 construction of 3-4 scooer fields
118181	Alva Community Park Maint Building	30100	0	0	0	0	100,000	100,000	construct a single bay maint bldg Alva Comm Park
	Bay Oaks Park Maint Building	30100	0	0	0	0	250,000	250,000	0 1 bay 2 story maintenance bldg Bay Oaks Park
02014	Boca Grande Historic Buildings	30100	150,000	150,000	150,000	0	0	450,000	0 building restoration/maintenance
01778	Boca Grande Improvements	I-18627	3,000	3,400	3,700	4,000	4,000	18,100	18,000 improvements to Bocca Grande facilities
01808	Bowditch Point Park Boat Docks	30100	70,000	0	0	0	0	70,000	Boat Dock(s) Bowditch Point
02015	Brooks Park Irrigation/Well System	30100	0	0	0	0	0	0	20,000 well system Brooks Park
	Brooks Park Master Plan & Improvements	30100	0	0	0	500,000	750,000	1,250,000	parking lot and master plan for Brooks Park
01862	County Wide New Boardwalks	30100	120,000	0	0	0	0	120,000	0 new boardwalks at Six Mile Cypress Preserve & Matlacha Park
01863	Fort Myers Shores Nature Trail Weir	30100	39,000	0	0	0	0	39,000	0 design/build weir to restore hydro-period in adjacent wetland
01000	Hunter Park Improvements	30100	0	0	0	0	220,000	220,000	0 improve lighting throught park-install restroom facilities
01864	Lehigh Comm Pool Shower Room Addition	30100	250,000	0	0	0	0	250,000	0 add 500 sq ft to N side of existing restroom
01865	Lehigh Land Acquisition	I-18623	3,988,000	4,532,000	4,985,000	5,235,000	5,497,000	24,237,000	0 acquire land for future park site
31000	Lynn Hall Bathhouse ADA Compliance Remodel	30100	0	150,000	0	0	0	150,000	0 remodel restrooms to meet ADA compliance
	Matanzas Pass Preserve	30100	0	0	0	0	0	0	150,000 construct 20' observation tower for visitors to Matanzas Pass Preserv
02034	Matlacha Park Land Acquisition	30100	200,000	0	0	0	0	200,000	0 purchase 3 lot/homes approx 1/2 acres to add to park
02004	North Shore Park Improvements	18622	0	0	0	0	250,000	250,000	0 improvements including restroom facility
01999	Oak Hill Community Park	186-28	0	0	307,000	2,493,000	2,617,000	5,417,000	2,749,000 construction and improvements at Oak Hill Park
01303	Olga Comm Park Restroom & Improvements	30100	0	250,000	0	0	0	250,000	0 construction of outdoor restrooms & amenities Olga Comm Park
es Testi	Orange River Property	30100	0	0	0	0	100,000	100,000	0 construction of canoe/kayak launch Orange River property
01715	Parks Automation	30100	150,000	150,000	150,000	150,000	150,000	750,000	750,000 ongoing annual maintenance and upgrades
01798	Phillips Park	I-18625	65,000	72,000	81,000	83,000	88,000	389,000	390,000 construct new park across from existing park
.01730	Timps rain	I-18605	6,300	0	0	0	0	6,300	0
201866	Pool Pump Houses	30100	100,000	100,000	100,000	100,000	0	400,000	0 construct pool pump housees Riverdale-NFM-Cypress-Pine Is
201867	Pool Slides-County Wide	30100	50,000	50,000	0	0	0	100,000	0 purchase & install flume slide a each of 4 comm pools
01868	Pool Water Feature Playground	30100	80,000	80,000	80,000	0	0	240,000	80,000 install water feature/playground area at community pools
01834	Replacement Parking Machines, Countywide	30100	50,000	50,000	50,000	50,000	50,000	250,000	250,000 replace old, outdated parking machines various locations
201869	Riverdale Irrigation Upgrades	30100	100,000	0	0	0	0	100,000	0 upgrade irrigation system at Riverdale
.01009	Royal Palm Pier Replacement	30100	0	350,000	0	0	0	350,000	0 replace Royal Palm fishing pier
201638	Sanibel/Captive Park Improvement	I-18626	3,865	3,500	3,900	4,000	4,100	19,365	19,000 Park improvements in Sanibel/Captiva/Cayo Costa area

	26-Apr-07		CIP	CIP	CIP	CIP	CIP	CIP	CIP	
PROJ		FUND.	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	
#	PROJECT NAME	SRC.	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 06/07-10/11	YEARS 6-10	ADDITIONAL DESCRIPTION-INFORMATION
	COMMUNITY PARKS									
01758	Schandler Hall Park Improvements/ Land Acq	1-18621	1,956,000	1,133,000	1,247,000	1,308,000	1,374,000	7,018,000	0	redesign of facility and new community center
		I-18601	22,262	0	0	0	0	22,262	0	
01873	Wa-Ke Hatchee Community Park	I-18604	125,107	0	0	0	0	125,107		construction of community park 59 acres Summerlin & Bass Rd
	Section 1.	I-18624	2,159,000	1,650,000	1,819,000	1,913,000	1,511,000	9,052,000	0	
02043	Stadiums-Building Access Readers	30100	60,000	60,000	0	0	0	120,000		install/replace access readers at stadium buildings
	Three Oaks Community Park	18624	0	0	0	0	500,000	500,000	0	design & construct tennis courts
01760	Veterans Park Master Plan/Improvements	I-18603	49,000	0	0	0	0	49,000	0	construction of improvements to Veterans Community Park
		I-18623	1,890,000	0	0	0	0	1,890,000	390,000	
	CAPITAL TOTAL		11,936,534	9,133,900	9,026,600	11,890,000	13,515,100	55,502,134	5,316,000	

	26-Apr-07		CIP	CIP	CIP	CIP	CIP	CIP	CIP	
PROJ	· ·	FUND.	BUDGET			BUDGET	CONTROL DAY CONTROL OF CHILD	BUDGET	BUDGET	
#	PROJECT NAME	SRC.	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 06/07-10/11	YEARS 6-10	ADDITIONAL DESCRIPTION-INFORMATION

### REGIONAL PARKS

2066	Bunche Beach Improvements	18700	0	0	100,000	0	1,000,000	1,100,000	0
	Caloosahatchee Northside Restrooms & Parking	I-18700	0	0	100,000	0	0	100,000	0 facility improvements restroom & parking
SATE IN	Caloosahatchee Reg Park Maintenance Facility	I-18700	0	0	0	0	500,000	500,000	0 construct maintenance building with restroom Hickey Creek Pk
	5 Plex Parking	30100	0	250,000	0	0	0	250,000	0
01870	City of Palms Improvements	30100	1,000,000	0	0	0	0	1,000,000	500,000 improvements per Red Sox Agreement
	City of Palms & 5 Plex Bleachers & Canopies	30100	0	0	250,000	0	0	250,000	0
	City of Palms & 5 Plex Underdrain System	30100	0	0	150,000	0	0	150,000	0-0-1-0-1-0-1-0-1-0-1-0-1-0-1-0-1-0-1-0
	Deep Lagoon Preserve	18700	0	0	0	0	0	0	610,000
2047	East County Regional Sports Complex	18700	1,900,000	2,000,000	0	0	0	3,900,000	0 improvements at a variety of sports facilities
1871	Fisherman's Co-op Improvements	30100	1,000,000	0	0	0	0	1,000,000	upgrade fishermans coop, parking, boat slips and store
	Five Plex Batting Practice Building	30100	0	0	0	350,000	0	350,000	0 replace batting practice bldg at five-plex
	Five Plex Maintenance Building	30100	0	0	0	0	50,000	50,000	500,000 construct new maintenance bldg at Five Plex
W ICC	Flint Pen Strand Regional Park	18700	0	0	0	0	0	0	2,000,000
02048	Greenways	18700	100,000	100,000	100,000	100,000	100,000	500,000	500,000 recreational greenways throught Lee Co.,trails-tables-benches
01000	Harn's Marsh	18700	50,000	0	0	0	500,000	550,000	0 new regional park east Lee Co
2050	Lakes Park ADA Compliance Restrooms Remodel	30100	200,000	0	0	0	0	200,000	0
1796	Lakes Park Master Plan	30100	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,000,000	5,000,000
		I-18700	900,000	1,000,000	1,000,000	1,000,000	1,000,000	4,900,000	5,000,000
	Manatee Park Bridge	18700	0	0	0	100,000	0	100,000	0 construct new observation bridge over cooling/discharge canal
01001	Off Road Vehicle Park	18700	100,000	500,000	0	0	0	600,000	0 par for off road & ATV vehicle use
02020	Regional Paddling Center	I-18700	142,350	0	0	0	0	142,350	docking facility -Idalia property Olga
2021	Royal Palm Sailing Center	I-18700	135,000	0	0	0	0	135,000	0 expansion of facility inc. 1800 sq ft floating docks
01002	Sports Complex Improvements	30100	1,000,000	0	0	0	0	1,000,000	500,000 Twins Agreement section B
Well by	Sports Complex-Batting Cages	30100	0	0	0	0	0	0	200,000 purchase & install batting cages Lee Co Sports Com Softball
	Sports Complex-Batting Practice Building	30100	0	0	0	350,000	0	350,000	0 replace batting practice building at Hammond Stadium
	Sports Complex-Dugout Restroom	30100	0	40,000	0	0	0	40,000	0 renovate dugout restroom facilities
	Sports Complex-Grandstand Seating Replacement	30100	0	0	0	0	0	0	1,000,000
01003	Sports Complex-Freight Elevator	30100	400,000	0	0	0	0	400,000	Construct freight elevator-Sports Complex
	Sports Complex-Generator	30100	0	0	0	0	200,000	200,000	0 generator at maintenance building Sports Complex
01004	Sports Complex-Maintenance Bldg Enlargement	30100	75,000	0	0	0	0	75,000	0 expansion of sports complex maintenance building
	Sports Complex Reside /vinyl	30100	0	0	0	0	0	0	200,000 put new vinyl siding on Sports Complex
Togeth W	Sports Complex-Softball Tower	30100	0	0	0	0	0	0	50,000 close in the top of the softball building
	Sports Complex-Stadium Lights Control Panel	30100	0	100,000	0	0	0	100,000	0 replace ballfield lights control panel at Hammond Stadium

		26-Apr-07		CIP	CIP	CIP	CIP	CIP	CIP	CIP	
PROJ		20-Apr-07	FUND.	(5.88)	1752	BUDGET		Annual Commence	BUDGET	BUDGET	
#	PROJECT NAME		SRC.	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 06/07-10/11	YEARS 6-10	ADDITIONAL DESCRIPTION-INFORMATION
	REGIONAL PARKS										
202023	REGIONAL PARKS Stadiums Boiler Replacement		30100	120,000	0	0	0	0	120,000	120,000	replace broken hot water boilers as needed
	STATE OF THE PROPERTY OF THE P		30100 I-18700	120,000	2,100,000	0	0	0	120,000 5,100,000		replace broken hot water boilers as needed construct a bike path/pedestrian trail along ten mile linear canal
202023 202001 202016	Stadiums Boiler Replacement					0 0	0 0	0 0		0	
202001	Stadiums Boiler Replacement  10 Mile Linear Regional Park		I-18700	3,000,000	2,100,000	0	0 0 0	0 0 0	5,100,000	0	construct a bike path/pedestrian trail along ten mile linear canal upgrade & renovate historic Terry Park

#### TABLE 4

# LEE COUNTY, FLORIDA CAPITAL IMPROVEMENT PROGRAM FY 06/07 - 10/11 TOTAL REVENUE AND PROJECT SUMMARY FIGURES EXPRESSED IN THOUSANDS

	PROJECT	CAPITAL	TRANSPORTATION		WATER &	SOLID	IMPACT FEES	
	COSTS	<b>IMPROVEMEN</b>	T IMPROVEMENT	DEBT OR	SEWER	WASTE	& DEVELOP	
CATEGORY OF IMPROVEMENT	FY 06/07 - 10/11	FUND (1)	FUND (2)	LEASE/PURCH (3)	REV/DEBT (4)	FEES/DEBT (5)	AGREEMENTS	
COUNTY LANDS	\$ 223,690	\$ 223,690	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 223,690
GOVERNMENT FACILITIES	86,858	86,858	0	0	0	0	0	86,858
LIBRARY	6,822	6,822	0	0	0	0	0	6,822
NATURAL RESOURCES	29,806	29,806	0	0	0	0	0	29,806
PARKS/RECREATION - COMM. & REG. PARKS	86,664	18,544	0	0	0	0	68,120	86,664
SOLID WASTE	25,250	0	0	0	0	25,250	0	25,250
TRANSPORTATION - MAJOR ROADS	790,720	20,662	94,051	421,030	0	0	254,977	790,720
UTILITIES	175,536	0	0	0	175,536	0	0	175,536
FY 06/07 - 10/11 TOTAL CIP	\$ 1,425,346	\$ 386,382	\$ 94,051	\$ 421,030	\$ 175,536	\$ 25,250	\$ 323,097	\$1,425,346

- (1) CAPITAL IMPROVEMENT FUND PRIMARY SOURCES OF REVENUE ARE AD VALOREM TAXES AND GRANTS.
- (2) TRANSPORTATION IMPROVEMENT FUND PRIMARY SOURCES OF REVENUE ARE GASOLINE TAXES AND SURPLUS BRIDGE REVENUES.
- (3) NON-AD VALOREM REVENUE, FEE OR TOLL SUPPORTED DEBT AND LEASE PURCHASES.
- (4) WATER AND SEWER REVENUES (CASH FLOW), INCLUDING LONG-TERM DEBT SUPPORTED BY THESE REVENUES.
- (5) SOLID WASTE TIPPING FEE REVENUES (CASH FLOW), INCLUDING LONG-TERM DEBT SUPPORTED BY THESE REVENUES.

#### LEE COUNTY ORDINANCE NO. 07-18

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

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.

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 CPA2005-27 updating Tables 3 and 4 of the Capital Improvement Element 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 a public hearing on the adoption of the proposed amendment to the Lee Plan on 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 CPA2005-27 Capital Improvement Element 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 CPA2005-27. CPA2005-27 amends the

Capital Improvement Element of the Lee Plan to reflect the latest adopted Capital Improvement 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 Hall, who moved its adoption. The motion was seconded by Commissioner Judah. The vote was as follows:

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

DONE AND ADOPTED this 16<sup>th</sup> day of May 2007.

ATTEST: CHARLIE GREEN, CLERK

BY: Marria Wilson
Deputy Clerk

LEE COUNTY BOARD OF CO

**BOARD OF COUNTY COMMISSIONERS** 

BY: Quelca Quelca Robert P. Janes Chair

DATE: 5-16-07

Approved as to form by:

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. 07-18, 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

Marcia Wilson

Deputy Clerk



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Florida Fish and Wildlife Cons 620 South Meridian Street Tallahassee, FL 32399-1600	D. Is delivery address different from item 1 \( \frac{1}{2} \) Yes If YES, enter delivery address below:
	Service Type  Certified Mail  Registered  Insured Mail  C.O.D.
2. Article Number	4. Restricted Delivery? (Extra Fee) Yes
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David Burr Sw Fl Reg. Plann. ( 1926 Victoria Aug t. Hyers, Fl 33901	3. Service Type  Certified Mail Express Mail Registered Return Receipt for Merchandie Insured Mail C.O.D.
	4. Restricted Delivery? (Extra Fee) ☐ Yes
icle Number	6 0810 0002 8335 5899
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<ul> <li>Complete items 1, 2, and 3. Also completed item 4 if Restricted Delivery is desired.</li> </ul>	te A. Signature And Agent
Print your name and address on the reversion that we can return the card to you.	N WWESTSTELL
Attach this card to the back of the mailpid	B. Received by (Printed Name) C. Date of Deliver
or on the front if space permits.  Article Addressed to: 05/06 Adap to.	D. Is delivery address different from item 1? Wes If YES, enter delivery address below: No
	II ii i i i i i i i i i i i i i i i i i
Attn: Wendy Evans, Admin Assi	
Bureau of Planning and Budgetin	ıg
CA8, The Capitol Tallahassee, FL 32399-0810	3. Service Type
Tananassee, PL 32399-0010	Certified Mail
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	4. Restricted Delivery? (Extra Fee)

#### COMPLETE THIS SECTION ON DELIVERY SENDER: COMPLETE THIS SECTION A. Signature ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ☐ Agent X ☐ Addressee Print your name and address on the reverse so that we can return the card to you. B. Received by (Printed Name) C. Date of Delivery Attach this card to the back of the mailpiece, or on the front if space permits. If YES, enter delivery address below: Attn: Ray Eubanks, Plan Processing Ad Division of Community Planning 2555 Shumard Oak Blvd. Tallahassee, FL 32399 3. Service Type Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail 05/06 Adoption PKT. ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes 2. Article Number 7003 0500 0002 8719 1317 (Transfer from service label) 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 ADesignature Of Educatio item 4 if Restricted Delivery is desired. ☐ Agent X25 West Games Street Print your name and address on the reverse ☐ Addressee so that we can return the card to you. B. Received by (Printed Name) C. Date of Delivery Attach this card to the back of the mailpiece. or on the front if space permits. D. Is delivery address different from item 1? ☐ Yes 1. Article Addressed to: 05/06 If YES, enter delivery address below: Attn: Alex L. Carswell, Administrator Educational Facilities Planning Florida Department of Education 3. Service Type 325 West Gaines Street #1054 Certified Mail ☐ Express Mail Tallahassee, FL 32399 ☐ Return Receipt for Merchandise ☐ Registered ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes 2. Article Number 7003 0500 0002 8719 (Transfer from service label) 1324 PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540 U.S. Postal Service™ H CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) m =0 Postage П Certified Fee Postmark Return Reciept Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) 20 Attn: Jim Quinn, Enviromental Manager Office of Intergovernmental Programs 3900 Commonwealth Boulevard, Mail Station 47

PS Form 3800, June 2002

Tallahassee, FL 32399-3000

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. Also complete	A. Signature
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so that we can return the card to you.	B. Received by Printed Name A C. Date of Delive
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Bureau of Historic Preservation	
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500 South Bronough Street	3. Sepvice Type
Tallahassee, FL 32399-0250	☑ Certified Mail ☐ Express Mail
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Complete items 1, 2, and 3. Also complete	A. Signature
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Office of Policy and Stakeholder Buildi 620 South Meridian Street, Farris Bryan Tallahassee, FL 32399-1600  Article Number (Transfer from service label)  S Form 3811, February 2004  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.  Article Addressed to:  Office of Tourism, Trade & Economic Mary Helen Blakeslee, Chief Analyst	ce Type  Lig Certified Mail
Office of Policy and Stakeholder Buildi 620 South Meridian Street, Farris Bryan Tallahassee, FL 32399-1600  Article Number (Transfer from service label)  S Form 3811, February 2004  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.  Article Addressed to:  Office of Tourism, Trade & Economic	ce Type  Lig Certified Mail
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1. Article Addressed to: 05/06 Adaption (1)	D. Is delivery address different from item 1?
Southwest Florida Regional Planning C Attn: David Crawford, Senior Planner 1926 Victoria Avenue Ft. Myers, FL 33901	3. Service Type  Certified Mail
	☐ Insured Mail ☐ C.O.D.
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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.	A. Signature
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1 1 1 - 7 017	D. Is delivery address different from item 1? Yes
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P.O. Box 24680 West Palm Beach, FL 33416-4680	. Service Type  Certified Mail  Registered  Return Receipt for Merchandi
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Attn: Ray Eubanks, Plan Processing A Division of Community Planning 2555 Shumard Oak Blvd.	WIND TY A FARE	
Tallahassee, FL 32399	3. Service Type  ☑ Certified Mail ☐ Registered ☐ Insured Mail ☐ C.O.D.	all ceipt for Merchandis
	Restricted Delivery? (Extra Fee)	☐ Yes
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Attn: Ray Eubanks, Plan Processing Accidental Division of Community Planning 2555 Shumard Oak Blvd.  Tallahassee, FL 32399  2. Article Number (Transfer from service label)  PS Form 3811, February 2004  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	3. Service Type    Certified Mail   Express M   Registered   Return Recipt   Extra Fee)    Co.D.	ail ceipt for Merchandis  Yes 3771  102595-02-M-15
Attn: Ray Eubanks, Plan Processing Activision of Community Planning 2555 Shumard Oak Blvd. Tallahassee, FL 32399  2. Article Number (Transfer from service label) PS Form 3811, February 2004 Domestic Research 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,	3. Service Type   Certified Mail   Express M   Registered   Return Recipt   C.O.D.	ail ceipt for Merchandis  Yes 3771  102595-02-M-15
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<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>Article Addressed to: OS/O6 Aspitan Planning Continued Crawford, Senior Planner 1926 Victoria Avenue</li> <li>Myers, FL 33901</li> </ul>	A. Signature  X
	4. Restricted Delivery? (Extra Fee)
2. Article Number	006 0810 0002 8336 3795