

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 16th public hearing. Copies of the adoption ordinances are included in this submission package.

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

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



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 F		Identify Amendment of
Your Name	Address, City, State, Zip Code	Written Comment	Spoken Comment	Interest
MATTUHLE	1625 Hampun ST. Fr. Myns 33901			nunial
Mike Strayhorn	5670 Harborage Dr. Ft. Myers, FL			Harbonage Comes
Stephanie Keyes	1 2 - 2 - 1 - 1	-	/	Harbonage Comes CPA 2005-00 Mixed Use Due
Stare Hartsell	PO Drower 1507 FHOLINETS FL 33902	_	1	Mixed Use Raw Authority
CHUER BASINAIT	1715 MONNESE ST. FT. MYERS, FL 33901		~	CPA 2005-26 CPA 2005-37, 46
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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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	Your Name	Address,	City, State, Zip Code	Comment	Comment	Interest
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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

	e	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

		Check (√) Appropriate Response(s)		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.

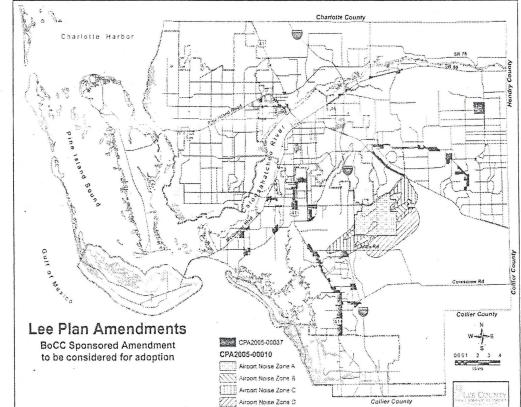
 Sponsor: Board of County Commissioners.
- T. Adopt the following Ordinance, which incorporates the contents of CPA2005-47 into the Lee Plan:

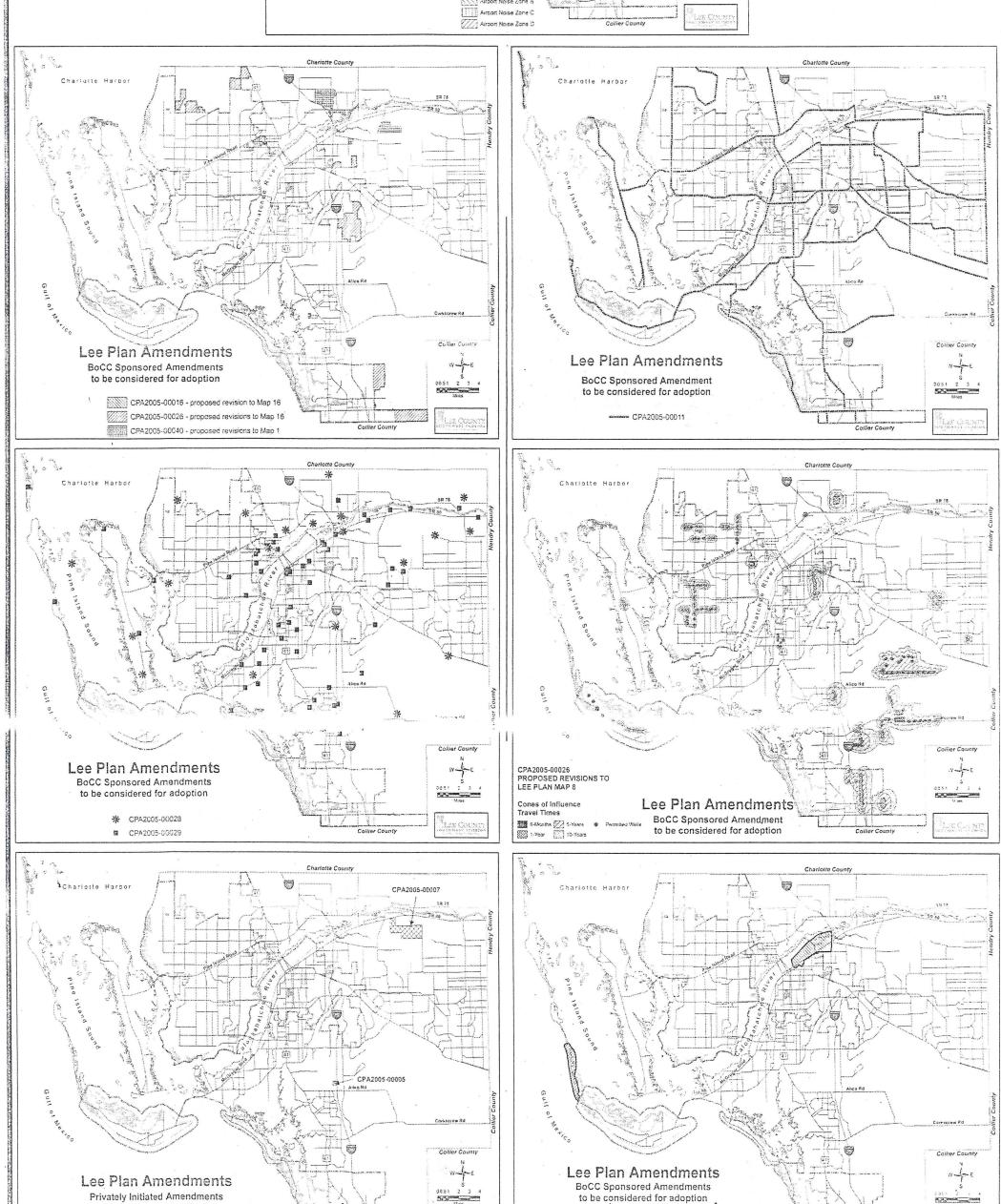
 AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 39-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2005-47 (PERTAINING TO THE HOUSING ELEMENT UPDATE) APPROVED DURING THE COUNTY'S 2005/2006 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING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

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Print Name	NOTARY PUBLIC	Gladys D.	. Vander	beck

My commission Expires: Sondad Tray 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

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Deputy Clerk

CPA2005-46

SMART GROWTH RECOMMENDATIONS 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, 2006

LEE COUNTY DIVISION OF PLANNING STAFF REPORT FOR COMPREHENSIVE PLAN AMENDMENT CPA 2005-46

1	Text Amendment Map Amendment		
	This document contains the following reviews:		
1	Staff Review		
/	Local Planning Agency Review and Recommendation		
1	Board of County Commissioners Hearing for Transmittal		
1	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report		
1	Board Of County Commissioners Hearing for Adoption		

INITIAL STAFF REPORT PREPARATION DATE: October 17, 2006 REVISED STAFF REPORT PREPARATION DATE: December 19, 2006

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVE:

BOARD OF COUNTY COMMISSIONERS REPRESENTED BY THE SMART GROWTH COMMITTEE REVIEWED BY DIVISION OF PLANNING

REQUEST:

Incorporate provisions of the Smart Growth Committee's recommendations, not otherwise included in other components of the 2005 cycle of amendments.

B.1. ORIGINAL SMART GROWTH COMMITTEE RECOMMENDATION

The following is the combined Planning Staff, Smart Growth Committee and Local Planning Agency recommendation for proposed Smart Growth amendments to the Lee Plan. It should be noted that these proposed amendments are not the only Smart Growth Committee's recommendations. They are the recommendations that did not dovetail into the other Board initiated amendments, such as the Mixed Use Overlay amendment or the Community Planning amendment, to mention two.

PROPOSED NEW OBJECTIVE AND POLICIES UNDER ELEMENT II - FUTURE LAND USE, GOAL 2: GROWTH MANAGEMENT

OBJECTIVE 2.11: Carrying Capacity. Understand the carrying capacity of the future land use map and integrate the concept into planning strategies.

- POLICY 2.11.1: During each Evaluation and Appraisal Report process, calculate an estimate of the carrying capacity information.
- POLICY 2.11.2: Utilizing carrying capacity information, determine the constraints to continual development as a quality of life characteristic.
- <u>POLICY 2.11.3:</u> Evaluate a general assessment (barometer of variables) that links the goal of (and) capacity of development (built environment) to environment (natural or green space).
- POLICY 2.11.4: Evaluate science based goals to assess what is necessary to maintain desired environmental factors (i.e. panthers extant, Estero Bay health, etc.).
- POLICY 2.11.5: Maintain a Master Mitigation Plan that will identify and map and update, through a science based process, those lands with the environmental science based opportunities for mitigation, remediation, or preservation. Promote such areas for such uses through County programs.

PROPOSED NEW OBJECTIVE AND POLICIES UNDER ELEMENT II - FUTURE LAND USE, GOAL 4: DEVELOPMENT DESIGN - GENERAL

- OBJECTIVE 4.3: Work with the appropriate permitting agencies to develop a common set of local permitting criteria, incentives, and regulatory measures specifically for Southwest Florida conditions.
 - POLICY 4.3.1: The permitting measures developed should aim towards rehydrating the region and attaining minimum flows and levels for County waterbodies.
 - <u>POLICY 4.3.2:</u> The permitting measures developed should improve the storage within existing natural and manmade flowways.
 - POLICY 4.3.3: The permitting measures should reevaluate the relationship of volume/area to stormwater management and storage.
 - <u>POLICY 4.3.4:</u> The permitting measures should link Best Management Practices (BMPs) to impervious cover of the impacted sub-watershed and to runoff from various land use types.

PROPOSED NEW POLICY UNDER ELEMENT III - TRANSPORTATION, GOAL 43: MASS TRANSIT SERVICE, OBJECTIVE 43.1: RIDERSHIP

POLICY 43.1.14: The County will work to ensure that road ownership is not an impediment to transit or pedestrian service/facilities.

PROPOSED NEW POLICY UNDER ELEMENT III - TRANSPORTATION, GOAL 43: MASS TRANSIT SERVICE. OBJECTIVE 43.4: COORDINATION

POLICY 43.4.4: Along with the School Board, the County will develop a joint plan for transporting students on public transportation and school buses, and utilize this planning during special events.

PROPOSED NEW POLICY UNDER ELEMENT IV-A - POTABLE WATER, GOAL 54: CONSERVATION, OBJECTIVE 54.1

POLICY 54.1.12: Promote water conservation through the use of incentives and evaluate and apply a community based planning approach to water conservation, enabling more precision to be applied in achieving reduction targets.

PROPOSED NEW POLICY UNDER ELEMENT IV-C - SURFACE WATER MANAGEMENT, GOAL 60:COORDINATED SURFACE WATER MANAGEMENT AND LAND USE PLANNING ON A WATERSHED BASIS, OBJECTIVE 60.5: INCORPORATION OF GREEN INFRASTRUCTURE INTO THE SURFACE WATER MANAGEMENT SYSTEM

POLICY 60.5.5: Develop a capital improvements program to provide for the reconstruction and maintenance of all flowways and include incentives for private participation.

PROPOSED NEW POLICY UNDER ELEMENT IV-C - SURFACE WATER MANAGEMENT, GOAL 61:PROTECTION OF WATER RESOURCES, OBJECTIVE 61.1: WATER SUPPLY PLANNING

POLICY 61.1.6: Work with the appropriate agencies to pursue funding a "mixing model" (freshwater flow into saltwater) as a management tool that will benefit recreation, water quality, public health, etc.

PROPOSED NEW POLICY UNDER ELEMENT IV-H -EDUCATION, GOAL 66:EDUCATION, OBJECTIVE 66.3: LAND USE COMPATIBILITY

POLICY 66.3.13: The County will promote smaller, geographically-diversified neighborhood school campuses, which are incorporated into relevant community plans.

PROPOSED NEW OBJECTIVE AND POLICY UNDER ELEMENT IV-H -EDUCATION, GOAL 66:EDUCATION

OBJECTIVE 66.5 Environmental Education. Support and promote a three-tiered program of environmental education targeting Pre-K through 12th grade school children, the general adult population, and newcomers to heighten awareness of our area's special environmental characteristics.

POLICY 66.5.1: Support a coordinated community education and outreach program that fosters the construction and implementation of environmental projects, such as the filter marshes, land acquisition, and local mitigation opportunities.

PROPOSED NEW POLICY UNDER ELEMENT V - PARKS, RECREATION AND OPEN SPACE, GOAL 77: DEVELOPMENT DESIGN REQUIREMENTS, OBJECTIVE 77.3:

<u>POLICY 77.3.6</u>: Criteria for local monitoring and enforcement for native vegetation will also consider southwest florida specific needs, such as attention to irrigation water content of chlorides and conductance, and to low nutrient fertilizers.

REVISED POLICY 95.1.1A.2 UNDER ELEMENT VI - CAPITAL IMPROVEMENTS, GOAL 95;, OBJECTIVE 95.1: CAPITAL IMPROVEMENTS PROGRAM (CIP)

POLICY: 95.1.1.a.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. Ensure that all large CIP projects include broad public education efforts and information exchange as a component for securing public support.

PROPOSED NEW POLICIES UNDER ELEMENT VII - CONSERVATION AND COASTAL, GOAL 107:RESOURCE PROTECTION, OBJECTIVE 107.1: RESOURCE MANAGEMENT PLAN

<u>Policy: 107.1.1.4.g.</u> The County will build upon the Conservation 20/20 program for funding a green infrastructure and natural functions program, which will be within the County CIP program.

POLICY 107.1.2: To increase protection of natural resources, the County will promote the formation of a public/private management team to coordinate area wide conservation easements.

POLICY107.1.3: Pursue Mutual Aid Agreements to plan and pool resources and equipment.

PROPOSED NEW POLICY UNDER ELEMENT VII - CONSERVATION AND COASTAL, GOAL 107:RESOURCE PROTECTION, OBJECTIVE 107.2: PLANT COMMUNITIES

POLICY 107.2.13: Promote optimal conditions rather than minimum conditions for the natural system as the basis for sound planning.

POLICY 107.2.14: Coordinate and stay informed on exotic eradication, management, and compliance plan, and involve private land owners, with incentives for exotics removal.

PROPOSED NEW POLICY UNDER ELEMENT VII - CONSERVATION AND COASTAL, GOAL 118: AIR QUALITY, OBJECTIVE 118.1:

POLICY 118.1.4: Research the use of bio diesel and other clean fuels in public vehicles.

PROPOSED NEW POLICY UNDER ELEMENT VIII - HOUSING, GOAL 135: MEETING HOUSING NEEDS, OBJECTIVE 135.1HOUSING AVAILABILITY

<u>POLICY 135.1.14:</u> Encourage development regulations and incentives that provide a better mix of high income and low income housing.

PROPOSED NEW POLICIES UNDER ELEMENT VIII - HOUSING , GOAL 135: MEETING HOUSING NEEDS, OBJECTIVE 135.4AFFORDABLE HOUSING

POLICY 135.4.13: Pursue community wide, broad based participation in solving the problems of infrastructure and workforce/affordable housing.

<u>POLICY 135.4.15:</u> Through County housing programs, the County will promote diversity to increase integration, workforce housing, and economic development zones.

PROPOSED NEW POLICY UNDER ELEMENT IX -HISTORIC PRESERVATION, GOAL 143:LOCAL PRESERVATION TECHNIQUES

POLICY 143.2.2: The County will encourage the preservation of archeological sites and evaluate the preservation of these lands through Leasing of Development Rights (LDRs) and encourage historical tourism, sense of place, and natural areas.

PROPOSED NEW POLICIES UNDER ELEMENT X - INTERGOVERNMENTAL COORDINATION, GOAL 152: GROWTH MANAGEMENT, OBJECTIVE 152.1EFFECTS OF NEW DEVELOPMENT

<u>POLICY 152.1.9:</u> Lee County will support and participate in the region's Natural Resources Conservation Service program.

POLICY 152.1.10: The County will consider entering into interagency cooperative programs to achieve mutual goals for the protection of the Caloosahatchee River.

POLICY 152.1.11: The County will utilize basin wide planning and work with sovereign local governments to promote greater protections for the Caloosahatchee River.

PROPOSED NEW POLICY UNDER ELEMENT XI - ECONOMIC ELEMENT, GOAL 158:, OBJECTIVE 158.1:

POLICY 158.1.11: Evaluate the current land development regulatory and fiscal structure to identify and remove where appropriate the unwanted impediments to ensuring development is fiscally beneficial.

IN ADDITION TO THE ABOVE, THE SMART GROWTH COMMITTEE IS RECOMMENDING THAT THE BOARD CONSIDER TRANSMITTAL OF THE FOLLOWING NEW OBJECTIVE AND POLICY UNDER ELEMENT VII - CONSERVATION AND COASTAL, GOAL 118: AIR QUALITY.

OBJECTIVE 118.2: Vehicle Emissions. The County will evaluate the impact of vehicle emissions on air quality.

<u>POLICY 118.2.1:</u> To improve air quality, consider county-based emission standards, with particular focus on heavy trucks.

B.2. (ORIGINAL) SMART GROWTH COMMITTEE RECOMMENDATION AND FINDINGS OF FACT SUMMARY

The following report contains the original Smart Growth Committee's proposed language, findings of fact, and their original analysis. This section of the report is followed by Planning Staff's initial analysis and revised analysis.

Given the nature of the packaging of all the recommendations into one submission, alphabetic separations will be employed for changes in subject.

1. RECOMMENDATION:

The Smart Growth Committee recommends that the Board of County Commissioners transmit the proposed amendment as part of the 2004 EAR Amendment Cycle.

A. BUILDOUT AND CARRYING CAPACITY:

- Objective 2.11: Carrying Capacity. Define carrying capacity and integrate the concept into planning strategies, with the assistance of area professionals.
- <u>Policy 2.11.1: Utilizing carrying capacity information, determine the constraints to continual development as a quality of life characteristic.</u>
- Objective 4.2: Develop an up to date estimate, and revise for each EAR the County Build Out estimate.
- Policy 40.5.8: The flowways plan should be integrated with the County Build Out estimate.

B. MASTER PLANNING FOR ENVIRONMENT, MASTER MITIGATION PLAN

- <u>Policy 2.11.2:</u> Prepare a general assessment (barometer of variables) that links the goal of (and) capacity of development (built environment) to environment (natural or green space).
- <u>Policy 2.11.3:</u> Set science based goals to assess what is necessary to maintain desired environmental factors (i.e. panthers extant, Estero Bay health, etc.).
- Policy 2.11.4: Identify and map and update, through a science based process, those lands with the environmental science based opportunities for mitigation, remediation, or preservation. Promote such areas for such uses through County programs.
- <u>Policy 4.1.5:</u> Promote optimal conditions rather than minimum conditions for the natural system as the basis for sound planning.
- Objective 4.3: Pursue a common set of local permitting criteria, incentives, and regulatory measures specifically for Southwest Florida conditions.
- <u>Policy 4.3.1:</u> The permitting measures developed should aim towards rehydrating the region and attaining minimum flows and levels for county waterbodies.
- Policy 40.5.4: Improve the storage within existing natural and manmade flowways.

- <u>Policy 40.5.5:</u> Develop a capital improvements program to provide for the reconstruction and maintenance of all programmed flowways and include incentives for private participation.
- <u>Policy 40.5.6:</u> The master flowways plan should be identified on a map and ground-truthed. It should incorporate opportunities for canal restoration and the creation of urban greenways that need restoration, preservation, and maintenance.
- Policy 41,1.6: Pursue funding a "mixing model" (freshwater flow into saltwater) as a management tool that will benefit recreation, water quality, public health, etc.
- Policy 41.3.15: To ensure most effective treatment, the County will reevaluate the relationship of volume/area to stormwater management and storage, and promote permit agencies to do the same.
- <u>Policy 41.3.16:</u> To improve water quality in more impacted areas, the County will link Best Management Practices (BMPs) to impervious cover of the impacted sub-watershed and to runoff from various land use types.
- Policy 77.1.2: To increase protection of natural resources, the County will create a public/private management team to coordinate area wide conservation easements.
- <u>Policy 77.1.4:</u> The County will build upon the Conservation 20/20 program for funding a green infrastructure and natural functions program, which will be within the County CIP program.
- <u>Policy77.1.7:</u> Create a formalized regional land management restoration collaboration to plan and pool resources and equipment.
- Objective 77.13: Environmental Monitoring. Ensure criteria for local programmatic monitoring and enforcement are specific to Southwest Florida..

C. ENHANCED MOBILITY:

- <u>Policy 28.1.14:</u> The County will work to ensure that road ownership is not an impediment to transit or pedestrian service/facilities.
- <u>Policy 28.4.4:</u> Along with the School Board, the County will develop a joint plan for transporting students on public transportation and school buses, and utilize this planning during special events.

D. IV. COMMUNITY FACILITIES AND SERVICES ELEMENT

<u>Policy 46.3.13:</u> The County will promote smaller, geographically-diversified neighborhood school campuses, which are incorporated into relevant community plans.

Objective 46.5 Environmental Education. Support and promote a three-tiered program of environmental education targeting Pre-K through 12th grade school children, the general adult population, and newcomers to heighten awareness of our area's special environmental characteristics.

<u>Policy 46.5.1:</u> Support a coordinated community education and outreach program that fosters the construction and implementation of environmental projects, such as the filter marshes, land acquisition, and local mitigation opportunities.

<u>Policy 34.1.13:</u> Promote water conservation through the use of incentives and evaluate and apply a community based planning approach to water conservation, enabling more precision to be applied in achieving reduction targets.

<u>Policy 87.1.9:</u> As a component of water utility operations, require rain sensors, and provide for periodic inspection of irrigation systems.

E. VI. CAPITAL IMPROVEMENTS ELEMENT

<u>Policy 70.1.8:</u> Ensure that all large CIP projects include broad public education efforts and information exchange as a component for securing public support.

F. VII. CONSERVATION AND COASTAL MANAGEMENT ELEMENT

<u>Policy 77.2.14:</u> Pursue an exotic eradication, management, and compliance plan, and involve private land owners, with incentives for exotics removal.

<u>Policy</u> 77.2.15: Update current exotic priority list and evaluate current related education programs for need and expansion.

Objective 88.2: Vehicle Emissions. The County will evaluate the impact of vehicle emissions on air quality.

Policy 88.2.1: To improve air quality, consider county-based emission standards, with particular focus on heavy trucks.

Policy 88.2.2: Research the use of bio diesel and other clean fuels in public vehicles.

Policy 88.2.3: Incorporate vehicle emission impacts into alternative analyses for the appropriate transportation projects.

G. VIII. HOUSING ELEMENT

Policy 100.1.14: Encourage development regulations and incentives that provide a better mix of high income and low income housing.

<u>Policy 100.4.13:</u> Pursue community wide, broad based participation in solving the problems of infrastructure and workforce/affordable housing.

<u>Policy 100.4.15:</u> Through County housing programs, the County will promote diversity to increase integration, workforce housing, and economic development zones.

H. IX. HISTORIC PRESERVATION ELEMENT

<u>Policy 104.2.2:</u> The County will continue to encourage the preservation of archeological sites through Leasing of Development Rights (LDRs) and encourage historical tourism, sense of place, and natural areas

I. X. INTERGOVERNMENTAL COORDINATION

<u>Policy 109.1.9:</u> Lee County will support and participate in the region's Natural Resources Conservation Service program.

<u>Policy 109.1.10:</u> The County will enter into interagency cooperative programs to achieve mutual goals for the protection of the Caloosahatchee River.

<u>Policy 109.1.11:</u> The County will utilize basin wide planning and work with sovereign local governments to promote greater protections for the Caloosahatchee River.

J. XI. ECONOMIC ELEMENT

<u>Policy 110.1.11:</u> Evaluate the current land development regulatory and fiscal structure to identify the impediments to ensuring development is fiscally beneficial.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- In April 2002, the Board of County Commissioners empowered an advisory committee, the Smart Growth Committee, to evaluate the results the County should be achieving through its management of population growth. After 20 months, four open full day workshops, three special issue workshops, and eighteen regular meetings, all advertised and with open invitation to the public, the Committee concluded its deliberations largely in support of current activities, but with greater focus on results, and with additions or expansions recommended to improve results.
- The Smart Growth initiative identified several key areas that are often considered in areawide planning, but lack the breadth of supporting policy for consistent evaluations. Further, a number of individual topics were recognized as issues within Lee County that need a policy established so that direction on the issue can be considered given.

- The key initiatives are infill and redevelopment (separate CPA); community planning (separate CPA); buildout and carrying capacity; master planning for the environment; and individual conclusions, grouped by LeePlan element.
- The incorporation of these recommendations into the LeePlan provides the appropriately
 complete policy framework to address the issues raised by the Smart Growth Committee, and
 raised by the Environmental Protection Agency in its several publications related to Smart
 Growth.
- August 26, 2004 the Lee County Board of County Commissioners adopted the Evaluation and Appraisal Report, identifying New Urbanism and Smart Growth as among the Major Issues, with support text.

C. BACKGROUND INFORMATION

The 2004 Evaluation and Appraisal Report included an assessment of the Smart Growth initiative, along with specific components that stemmed from the initiative. The background information for each initiative came from a series of workshops, each supported by its own book of information (Transportation Element, Land Use Element, Water and Environmental Quality Element, and Community Character Element, all dated 2003) and with an initial set of issues. These workshops, held from January to April, 2003, provided the basis for subsequent workshops and meetings of the Smart Growth Committee. The result of the workshops and meetings was a set of 190 recommendations provided to the Board of County Commissioners in December 2003. A number of those related in part or in whole to the Lee Plan. An initial total of 118 recommendations to the Lee Plan were subsequently reduced to 60 through subsequent deliberations of the Committee with assistance from all departments. This reduction was able to occur due to actions taken that fulfilled the recommendations, further identification of duplication, or a subsequent determination by the Committee that the recommendation had been superseded by events.

PART II - ANALYSIS

A. SMART GROWTH COMMITTEE DISCUSSION

INTRODUCTION

BUILDOUT AND CARRYING CAPACITY. "Buildout" is a concept that locally means the population that will be within Lee County once all approved development is built out. Lee County has committed to widespread development patterns through platting practices in the past, before the County had planning and zoning authority, as well as development approvals granted since such authority was provided. This level of development will have stresses upon infrastructure and natural systems beyond any current planning program. In order to get a better understanding of the long term consequences of such past decisions, an update of the estimated buildout population should be undertaken, along with an assessment of what our natural and build systems can support at current levels of service. Build out estimates have been provided in the past, the first in 1975. Past buildout estimates concluded Lee County (including the municipalities) had approved levels of development that totaled a population of 1.5 million people, which has been referred to as "buildout." A more recent review of just the Lehigh Acres subdivision (Population Model to Forecast Population Growth of Lehigh Acres Over Time To Buildout) estimated in April, 2004, a buildout population 303,000 persons.

"Carrying Capacity" is the current ability to meet the population demand for services. This capacity varies for each type of infrastructure, and is capable of being altered to produce a population higher or lower, based upon the level of service and the expansion of the service. Each year Lee County Department of Community Development compiles reports from different County Departments and produces an annual Concurrency Report. This report addresses the current and short term conditions of a subset of County services for the unincorporated County. These services are water utilities, sewer utilities, solid waste, drainage, transportation, and parks and recreation. The current version is on the internet at this web address: http://www.lee-county.com/dcd/AnnualReports/Concurrency.pdf.

Different components of these services have reached their "capacity" in the past and at present, and have identified constraints to the provision of further service without expansions of service or reductions in per capita use. Further, certain services have constraints that cannot be expanded beyond certain levels without dramatic increases in per user cost of service. These points indicate the "carrying capacity" of the service has been reached under current paradigms, and policy makers need to be aware of such points before they are reached in order to prevent crisis. Examples are hurricane evacuation within set time periods; transitioning from at grade intersections to grade separated intersections; changing from traditional water sources to salt water sources; from landfills to incineration.

Interaction between the concepts of "build out" and "carrying capacity" will make the transitions smoother through better planning, and provide better assessments as to where expanding the ultimate buildout of the population results in unavoidable declines in current levels of service.

- Objective 2.11: Carrying Capacity. Define carrying capacity and integrate the concept into planning strategies, with the assistance of area professionals.
- Policy 2.11.1: Utilizing carrying capacity information, determine the constraints to continual development as a quality of life characteristic.
- **Objective 4.2:** Develop an up to date estimate, and revise for each EAR the County Build Out estimate.
- Policy 40.5.8: The flowways plan should be integrated with the County Build Out estimate.
- MASTER PLANNING FOR THE ENVIRONMENT. The condition of our natural systems is critical for our own sense of community, as well as the greatest contribution to our economic success. Lee County recognizes that the natural system needs to have its own planning program, interrelated to all of the other capital improvement programs and growth plans.

Given the high buildout numbers, it is critical for communities to recognize the resource base needed to support the population. It is also critical to protect the natural resources, or remedy the problems for those resources in order to maintain our tourism and retirement economy.

Recognizing the importance of managing towards the sustainability of our resources, Lee County commissioned the preparation of the <u>Lee Master Mitigation Plan</u> (August 2004). The Plan is based upon a county wide assessment of the remaining natural resources of the County and identified those which should have the highest priority for preservation, for remediation of current problems, and as most suitable for mitigation for the unavoidable consequences of the County public works program. The Plan was developed under contract through the Southwest Florida Regional Planning Council, and was assisted by the Charlotte Harbor National estuary Program, and a variety of Federal, State, and local agencies, and private persons from both the development and environmental sectors.

- **Policy 2.11.2:** Prepare a general assessment (barometer of variables) that links the goal of (and) capacity of development (built environment) to environment (natural or green space).
- Policy 2.11.3: Set science based goals to assess what is necessary to maintain desired environmental factors (i.e. panthers extant, Estero Bay health, etc.).
- **Policy 2.11.4:** Identify and map and update, through a science based process, those lands with the environmental science based opportunities for mitigation, remediation, or preservation. Promote such areas for such uses through County programs.
- **Policy 4.1.5:** Promote optimal conditions rather than minimum conditions for the natural system as the basis for sound planning.
- **Objective 4.3:** Pursue a common set of local permitting criteria, incentives, and regulatory measures specifically for Southwest Florida conditions.

- **Policy 4.3.1:** The permitting measures developed should aim towards rehydrating the region and attaining minimum flows and levels for county waterbodies.
- Policy 40.5.4: Improve the storage within existing natural and manmade flowways.
- **Policy 40.5.5:** Develop a capital improvements program to provide for the reconstruction and maintenance of all programmed flowways and include incentives for private participation.
- **Policy 40.5.6:** The master flowways plan should be identified on a map and ground-truthed. It should incorporate opportunities for canal restoration and the creation of urban greenways that need restoration, preservation, and maintenance.
- **Policy 41.1.6:** Pursue funding a "mixing model" (freshwater flow into saltwater) as a management tool that will benefit recreation, water quality, public health, etc.
- **Policy 41.3.15:** To ensure most effective treatment, the County will reevaluate the relationship of volume/area to stormwater management and storage, and promote permit agencies to do the same.
- **Policy 41.3.16:** To improve water quality in more impacted areas, the County will link Best Management Practices (BMPs) to impervious cover of the impacted sub-watershed and to runoff from various land use types.
- **Policy 77.1.2:** To increase protection of natural resources, the County will create a public/private management team to coordinate area wide conservation easements.
- **Policy 77.1.4:** The County will build upon the Conservation 20/20 program for funding a green infrastructure and natural functions program, which will be within the County CIP program.
- **Policy77.1.7:** Create a formalized regional land management restoration collaboration to plan and pool resources and equipment.
- **Objective 77.13: Environmental Monitoring.** Ensure criteria for local programmatic monitoring and enforcement are specific to Southwest Florida.
- **ENHANCED MOBILITY.** The single occupancy vehicle is not affordable or usable by large components of the County population. For nearby trips and for many circumstances, the common automobile may be implausible or conflict with other priorities. Further, the focus on major arterials overlooks opportunities that satisfy travel with less expensive or intrusive approaches.
- Community planning efforts should examine which aspects of the community need and should have provided improved mobility options. Further, land uses that can be added to reduce traffic burdens need examination for inclusion into the community. Finally, greenspace planning—trails and walkways—that promotes nonmotor vehicle trips should be pursued between different parcels, within a community effort.

The current Lee Plan provides for opportunities for addressing mobility, and the recommendations contained herein focus on gaps in existing policy.

Policy 28.1.14: The County will work to ensure that road ownership is not an impediment to transit or pedestrian service/facilities.

Policy 28.4.4: Along with the School Board, the County will develop a joint plan for transporting students on public transportation and school buses, and utilize this planning during special events.

AMENDMENTS TO THE COMMUNITY FACILITIES AND SERVICES ELEMENT.

Different areas within the County have success in achieving water conservation measures. The areas with the most success are the ones with local—less than county wide—efforts in pursuing goals. The additional policies provide for greater coordination of community plans with localized efforts of environmental education, and with "less that county wide" water conservation measures.

Policy 46.3.13: The County will promote smaller, geographically-diversified neighborhood school campuses, which are incorporated into relevant community plans.

Objective 46.5 Environmental Education. Support and promote a three-tiered program of environmental education targeting Pre-K through 12th grade school children, the general adult population, and newcomers to heighten awareness of our area's special environmental characteristics.

Policy 46.5.1: Support a coordinated community education and outreach program that fosters the construction and implementation of environmental projects, such as the filter marshes, land acquisition, and local mitigation opportunities.

Policy 34.1.13: Promote water conservation through the use of incentives and evaluate and apply a community based planning approach to water conservation, enabling more precision to be applied in achieving reduction targets.

Policy 87.1.9: As a component of water utility operations, require rain sensors, and provide for periodic inspection of irrigation systems.

AMENDMENTS TO THE CAPITAL FACILITIES ELEMENT. Large public works projects often have issues raised by incorporated or informal groups. A formalized public involvement program can reduce the frequency and depth of concern of such issues.

Policy 70.1.8: Ensure that all large CIP projects include broad public education efforts and information exchange as a component for securing public support.

AMENDMENTS TO THE CONSERVATION AND COASTAL ZONE ELEMENT. Exotics management is becoming a greater issue, as the sensitivity of the remaining natural features to exotics and water management becomes better known. Everglades Restoration (Lee County is part of the area designated the western Everglades) has identified a number of exotic plant and animal

species, which are in these web site reports:

http://www.sfrestore.org/scg/documents/index.html

http://www.sfrestore.org/issueteams/exotic/documents/index.html

http://www.sfrestore.org/issueteams/fiatt/documents/index.html

The reports indicate a strong need to have coordinated actions, and also that State and Federal efforts by themselves have only been applied to lands under their ownership. The nature of various exotics in Lee County are publicized, but there is no coordinated effort locally to get to the sources of the exotic propagation.

Regarding the recommendations for air quality, the MPO process addresses the system wide impacts of a road construction program on air quality. In the past, congestion was the leading contributor of concerns for diminishment of air quality; road and bridge improvements that reduced congestion resulted in immediate improvements in air quality. Inclusion of air quality calculations in the alternatives review will give attention to the issue of air quality, as will the policy on inspections.

Tourism is affected by adverse air quality, as is our retirement industry.

Policy 77.2.14: Pursue an exotic eradication, management, and compliance plan, and involve private land owners, with incentives for exotics removal.

Policy 77.2.15: Update current exotic priority list and evaluate current related education programs for need and expansion.

Objective 88.2: Vehicle Emissions. The County will evaluate the impact of vehicle emissions on air quality.

Policy 88.2.1: To improve air quality, consider county-based emission standards, with particular focus on heavy trucks.

Policy 88.2.2: Research the use of bio diesel and other clean fuels in public vehicles.

Policy 88.2.3: Incorporate vehicle emission impacts into alternative analyses for the appropriate transportation projects.

AMENDMENTS TO THE HOUSING ELEMENT. Various housing reports commissioned by the County, through the Department of Community Development or through the Horizon Council, have emphasized how the current housing affordability disparity has existed, and has become more expanded by recent price elevations. On June 22nd Dr James Nicholas estimated that 70% of the working families cannot afford the 50 percentile home. Various approaches are being suggested, and the policies provided herein are additions recommended by the Smart Growth Committee through its own discussions of this issue.

Relevant websites are these:

http://www.lee-county.com/dcd/AffordableHousing/HousingMain.htm http://www.swflworkforcehousing.com

Policy 100.1.14: Encourage development regulations and incentives that provide a better mix of high income and low income housing.

Policy 100.4.13: Pursue community wide, broad based participation in solving the problems of infrastructure and workforce/affordable housing.

Policy 100.4.15: Through County housing programs, the County will promote diversity to increase integration, workforce housing, and economic development zones.

AMENDMENTS TO THE HISTORIC PRESERVATION ELEMENT. The Smart Growth Committee, in its review of historic preservation, determined that a current practice and gap can be remedied through the policy referenced.

Policy 104.2.2: The County will continue to encourage the preservation of archeological sites through Leasing of Development Rights (LDRs) and encourage historical tourism, sense of place, and natural areas.

AMENDMENTS TO THE INTERGOVERNMENTAL COORDINATION ELEMENT. The coordination with cities, other counties, and other public agencies for our water resource issues—supply for natural system, utilities, domestic self supplied, and the quality of the system—has required the County to take a leadership role in regional forums. The supporting policy framework enables this to be a regular, budgeted, task in fulfillment of the Plan.

Specific activities include the Calooshatchee Basin's subcommittee of the SWFRPC; the Mayors/Chairman meetings, commonly held after the MPO; the 9 County Coalition; and the Estero Bay agency for bay management.

Policy 109.1.9: Lee County will support and participate in the region's Natural Resources Conservation Service program.

Policy 109.1.10: The County will enter into interagency cooperative programs to achieve mutual goals for the protection of the Caloosahatchee River.

Policy 109.1.11: The County will utilize basin wide planning and work with sovereign local governments to promote greater protections for the Caloosahatchee River.

AMENDMENTS TO THE ECONOMIC ELEMENT. Legislation during the 2005 session called for local governments to analyze the fiscal impacts of growth, to pursue financial feasibility. The policy referenced provides for that support. The SWFRPC has draft fiscal impact models under analysis which should be the vehicle for the fulfillment of the policy. The model is accessed

through this web address: http://www.swfrpc.org

Policy 110.1.11: Evaluate the current land development regulatory and fiscal structure to identify the impediments to ensuring development is fiscally beneficial.

B. (INITIAL) PLANNING DIVISION ANALYSIS

The Division of planning has reviewed the recommendations of the Smart Growth Committee and offers the following comments, revisions, deletions and recommendations. Below is a staff discussion on the proposed Smart Growth Committee (SGC) language followed by a revised objective or policy in double underline and strike through format.

A. BUILDOUT AND CARRYING CAPACITY:

Planning staff concurs with the SGC discussion regarding Buildout and Carrying Capacity. The concept of the carrying capacity of the future land use map is one planning staff have utilized several times in the past. A new evaluation of the buildout of Florida comprehensive plans was recently completed by the Bureau of Economic and Business Research (BEBR). The figure for Lee County was established at 1.4 million people. This corresponds closely with the recent Planning staff calculation of 1.39 million. The location of flowways is not germane to the buildout calculation. This issue is more a matter of placement than unit generation, affording protection to the flowway through appropriate design. Staff offers the following revisions to the proposed Lee Plan language.

Objective 2.11: Carrying Capacity. Define Understand the carrying capacity of the Future Land Use Map and integrate the concept into planning strategies, with the assistance of area professionals.

<u>Policy 2.11.1:</u> During each Evaluation and Appraisal Report process, calculate an estimate of the carrying capacity information.

<u>Policy 2.11.+2:</u> Utilizing carrying capacity information, determine the constraints to continual development as a quality of life characteristic.

Objective 4.2: Develop an up to date estimate, and revise for each EAR the County Build Out estimate.

Policy 40.5.8: The flowways plan should be integrated with the County Build Out estimate.

B. MASTER PLANNING FOR ENVIRONMENT, MASTER MITIGATION PLAN

The following 2 policies should be included under the carrying capacity objective to give further direction on the implementation of the concept of carrying capacity. Staff is renumbering these policies so they fit under the objective.

Policy 2.11.23: Prepare a general assessment (barometer of variables) that links the goal of (and) capacity of development (built environment) to environment (natural or green space).

Policy 2.11.34: Set science based goals to assess what is necessary to maintain desired environmental factors (i.e. panthers extant, Estero Bay health, etc.).

This policy has been implemented through the creation in the last 2 years of the Master Mitigation Plan. Staff is recommending to modify the policy to recognize the existence of the Master Mitigation Plan and to periodically update the plan and change the policy number.

<u>Policy 2.11.45</u>: Maintain a Master Mitigation Plan that will <u>Hidentify</u> and map and update, through a science based process, those lands with the environmental science based opportunities for mitigation, remediation, or preservation. Promote such areas for such uses through County programs.

The following policy is problematic. The term "optimal conditions" for the "natural system" could be interpreted as not allowing any conversion of open land to urban development. Staff recommends it not be adopted.

<u>Policy 4.1.5: Promote optimal conditions rather than minimum conditions for the natural system as the basis for sound planning.</u>

The following objective and 8 policies represent a major commitment of staff time and resources. Without further work defining the level of County commitment and the parameters to be addressed, staff can not recommend that the Board of County Commissioners agree to these policies.

Objective 4.3: Pursue a common set of local permitting criteria, incentives, and regulatory measures specifically for Southwest Florida conditions.

<u>Policy 4.3.1: The permitting measures developed should aim towards rehydrating the region and attaining minimum flows and levels for county waterbodies.</u>

Policy 40.5.4: Improve the storage within existing natural and manmade flowways.

<u>Policy 40.5.5: Develop a capital improvements program to provide for the reconstruction and maintenance of all programmed flowways and include incentives for private participation.</u>

<u>Policy 40.5.6:</u> The master flowways plan should be identified on a map and ground-truthed. <u>It should incorporate opportunities for canal restoration and the creation of urban greenways that need restoration, preservation, and maintenance.</u>

Policy 41.1.6: Pursue funding a "mixing model" (freshwater flow into saltwater) as a management tool that will benefit recreation, water quality, public health, etc.

Policy 41.3.15: To ensure most effective treatment, the County will reevaluate the

relationship of volume/area to stormwater management and storage, and promote permit agencies to do the same.

<u>Policy 41.3.16:</u> To improve water quality in more impacted areas, the County will link Best Management Practices (BMPs) to impervious cover of the impacted sub-watershed and to runoff from various land use types.

Policy 77.1.2: To increase protection of natural resources, the County will create a public/private management team to coordinate area wide conservation easements.

The current Conservation 20/20 program relies on a willing seller. The following Policy includes a new direction for the County to utilize the program as a more focused vehicle with targeted acquisition areas. The Lee Plan in Policy 107.1.1.4 already identifies a sensitive land acquisition program, staff recommends relocating the proposed Policy there.

<u>Policy 77.1.4:107.1.1.4.g.</u> The County will build upon the Conservation 20/20 program for funding a green infrastructure and natural functions program, which will be within the County CIP program.

The following Policy could be explored without inclusion in the Lee Plan. This proposed Policy could require substantial commitments of staff and resources. Staff does not recommend including this Policy in the Lee Plan.

Policy77.1.7: Create a formalized regional land management restoration collaboration to plan and pool resources and equipment.

This proposed new objective lacks policies to give guidance on its implementation.

Objective 77.13: Environmental Monitoring. Ensure criteria for local programmatic monitoring and enforcement are specific to Southwest Florida..

C. ENHANCED MOBILITY:

The latest codification has renumbered much of the Lee Plan's goals, objectives and policies. These policies would now fall under objectives 43.1 and 43.4.

<u>Policy 2843.1.14:</u> The County will work to ensure that road ownership is not an impediment to transit or pedestrian service/facilities.

<u>Policy 2843.4.4:</u> Along with the School Board, the County will develop a joint plan for transporting students on public transportation and school buses, and utilize this planning during special events.

D. IV. COMMUNITY FACILITIES AND SERVICES ELEMENT

The county has little control over these issues. The Lee County School District has the authority to make these decisions. Including the following in the Lee Plan helps to conveys the County's intentions to the District. The latest codification has renumbered much of the Lee Plan's goals, objectives and policies. These policies would now fall under objectives under Goal 66.

<u>Policy 466.3.13:</u> The County will promote smaller, geographically-diversified neighborhood school campuses, which are incorporated into relevant community plans.

Objective 466.5 Environmental Education. Support and promote a three-tiered program of environmental education targeting Pre-K through 12th grade school children, the general adult population, and newcomers to heighten awareness of our area's special environmental characteristics.

<u>Policy 466.5.1:</u> Support a coordinated community education and outreach program that <u>fosters the construction and implementation of environmental projects</u>, such as the filter marshes, land acquisition, and local mitigation opportunities.

The latest codification has renumbered much of the Lee Plan's goals, objectives and policies. This policy would now fall under objective 54.1.

<u>Policy 354.1.13:</u> Promote water conservation through the use of incentives and evaluate and apply a community based planning approach to water conservation, enabling more precision to be applied in achieving reduction targets.

The Lee County Land Development Code, in Section 10-417 Irrigation design standards states:

To improve the survivability of required landscaping, cultivated landscape areas must be provided with an automatic irrigation system. All required irrigation systems must be designed to eliminate the application of water to impervious areas, including roads, drives and other vehicle areas. Required irrigation must also be designed to avoid impacts on existing native vegetation.

All new developments that have required landscaping must be irrigated by the use of an automatic irrigation system with controller set to conserve water. Moisture detection devices must be installed in all automatic sprinkler systems to override the sprinkler activation mechanism during periods of increased rainfall. Where existing irrigation systems are modified requiring the acquisition of a permit, automatic activation systems and overriding moisture detection devices must be installed.

This policy has already been implemented.

<u>Policy 87.1.9:</u> As a component of water utility operations, require rain sensors, and provide for periodic inspection of irrigation systems.

E. VI. CAPITAL IMPROVEMENTS ELEMENT

The latest codification has renumbered much of the Lee Plan's goals, objectives and policies. This policy would now fall under objective 95.1. Policy 95.1.1.a already contains language concerning public outreach and notification during the preparation of the CIP. Staff recommends adding this proposed language to paragraph a.2 as the second sentence.

Policy 70.1.8: 95.1.1.a.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. Ensure that all large CIP projects include broad public education efforts and information exchange as a component for securing public support.

F. VII. CONSERVATION AND COASTAL MANAGEMENT ELEMENT

The latest codification has renumbered much of the Lee Plan's goals, objectives and policies. This policy would now fall under objective 107.2. Staff recommends adding this proposed language as a new policy under this objective.

<u>Policy 77.2.14107.2.13</u>: Pursue an exotic eradication, management, and compliance plan, and involve private land owners, with incentives for exotics removal.

The Land Development Code list of invasive exotics has been updated to the fullest extent allowed by Florida Statutes. LDC Section 10-420(h) provides that highly invasive exotic plants may not be planted, (ie. are prohibited) and must be removed from the development area. Methods to remove and control invasive exotic plants must be included on the development order plans. A statement must also be included on the development order that the development area will be maintained free from invasive exotic plants in perpetuity. Planning staff does not recommend that this policy be adopted.

Policy 77.2.15: Update current exotic priority list and evaluate current related education programs for need and expansion.

Lee County does not currently have a documented air quality issue. Through the MPO, the County is certified as an attainment area under federal Air Quality Guidelines. In fact, the County's major point source of emissions, the oil burning FP&L power plant, has been converted to natural gas. This conversion has substantially lowered emissions, positively affecting our air quality. The cost of establishing and enforcing county based vehicle emission standards would be prohibitive. Staff recommends that the objective and its first and last policy be deleted. The second policy should be located under Objective 118.1.

Objective 88.2: Vehicle Emissions. The County will evaluate the impact of vehicle emissions on air quality.

Policy 88.2.1: To improve air quality, consider county-based emission standards, with particular focus on heavy trucks.

Policy 88.2.2118.1.4: Research the use of bio diesel and other clean fuels in public vehicles.

Policy 88.2.3: Incorporate vehicle emission impacts into alternative analyses for the appropriate transportation projects.

G. VIII. HOUSING ELEMENT

The latest codification has renumbered much of the Lee Plan's goals, objectives and policies. This policy would now fall under objectives 135.1 and 135.4.

<u>Policy 10035.1.14:</u> Encourage development regulations and incentives that provide a better mix of high income and low income housing.

Policy 10035.4.13: Pursue community wide, broad based participation in solving the problems of infrastructure and workforce/affordable housing.

<u>Policy 10035.4.15:</u> Through County housing programs, the County will promote diversity to increase integration, workforce housing, and economic development zones.

H. IX. HISTORIC PRESERVATION ELEMENT

The leasing of development rights involves the long term leasing of part of the bundle of rights inherent in fee simple property. This is a fairly new technique that should be further investigated. Staff recommends an evaluation of the technique prior to its implementation. The latest codification has renumbered much of the Lee Plan's goals, objectives and policies. This policy would now fall under objective 143.

Policy 1043.2.2: The County will continue to encourage the preservation of archeological sites and evaluate the preservation of these lands through Leasing of Development Rights (LDRs) and encourage historical tourism, sense of place, and natural areas.

I. X. INTERGOVERNMENTAL COORDINATION

The latest codification has renumbered much of the Lee Plan's goals, objectives and policies. This policy would now fall under objective 152.1.

<u>Policy 10952.1.9:</u> Lee County will support and participate in the region's Natural Resources <u>Conservation Service program.</u>

<u>Policy 10952.1.10:</u> The County will consider entering into interagency cooperative programs to achieve mutual goals for the protection of the Caloosahatchee River.

<u>Policy 10952.1.11:</u> The County will utilize basin wide planning and work with sovereign local governments to promote greater protections for the Caloosahatchee River.

J. XI. ECONOMIC ELEMENT

The latest codification has renumbered much of the Lee Plan's goals, objectives and policies. This policy would now fall under objective 158.1.

<u>Policy 11058.1.11:</u> Evaluate the current land development regulatory and fiscal structure to identify the impediments to ensuring development is fiscally beneficial.

C. REVISED PLANNING DIVISION ANALYSIS

The initial staff report was reviewed by the Local Planning Agency at their September 19 Regular Meeting. At that time they requested that the necessary County staff meet to see if they could come to some compromise on the objectives and policies contained under the headings Master Planning for the Environment, Master Mitigation Plan, and Conservation and Coastal Management Element. Staff from the Office of Smart Growth, Parks and Recreation, Natural Resources, and Planning met to discuss these issues.

At that meeting compromises were reached on all of the proposed Objectives and policies except the Vehicle Emissions objective and policies. The compromise included some language changes and moving some of the policies to alternative locations. The following represents the agreed upon language and proposed location ion the Lee Plan.

<u>Policy 4.1.5107.2.13:</u> Promote optimal conditions rather than minimum conditions for the natural system as the basis for sound planning.

Objective 4.3: Pursue Work with the appropriate permitting agencies to develop a common set of local permitting criteria, incentives, and regulatory measures specifically for Southwest Florida conditions.

<u>Policy 4.3.1:</u> The permitting measures developed should aim towards rehydrating the region and attaining minimum flows and levels for Ceounty waterbodies.

<u>Policy 40.5.44.3.2:</u> The permitting measures developed should timprove the storage within existing natural and manmade flowways.

Policy 41.3.154.3.3: The permitting measures should To ensure most effective treatment, the County will reevaluate the relationship of volume/area to stormwater management and storage, and promote permit agencies to do the same.

Policy 41.3.164.3.4: The permitting measures should To improve water quality in more impacted areas, the County will-link Best Management Practices (BMPs) to impervious cover of the impacted sub-watershed and to runoff from various land use types.

<u>Policy 460.5.5:</u> Develop a capital improvements program to provide for the reconstruction and maintenance of all programmed flowways and include incentives for private participation.

<u>Policy 40.5.6:</u> The master flowways plan should be identified on a map and ground-truthed. <u>It should incorporate opportunities for canal restoration and the creation of urban greenways that need restoration, preservation, and maintenance.</u>

<u>Policy 461.1.6:</u> Work with the appropriate agencies to <u>Ppursue funding a "mixing model"</u> (freshwater flow into saltwater) as a management tool that will benefit recreation, water <u>quality</u>, <u>public health</u>, etc.

<u>Policy 7107.1.2:</u> To increase protection of natural resources, the County will <u>create promote</u> the formation of a public/private management team to coordinate area wide conservation easements.

<u>Policy7107.1.7: Pursue Mutual Aid Agreements—Create a formalized regional land management restoration collaboration to plan and pool resources and equipment.</u>

Policy 77.2.14107.2.13: Coordinate and stay informed on Pursue an exotic eradication, management, and compliance plan, and involve private land owners, with incentives for exotics removal.

D. PLANNING DIVISION RECOMMENDATION

Planning staff recommends the above modified objectives and policies in part B and in part C be transmitted by the Board of County Commissioners. Planning staff is not recommending that the Vehicle Emissions objective and policies be transmitted. The Smart Growth Committee is recommending that those policies be transmitted.

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: October 23, 2006

A. LOCAL PLANNING AGENCY REVIEW

The Local Planning Agency initially reviewed this proposal on September 19th. At that meeting concern was expressed over staff's proposed deletion of several of the proposed Smart Growth policies. There was also some discussion about air quality and concern was expressed about a proposed power plant. A motion passed to continue CPA2005-00046 to the October 23, 2006 Local Planning Agency meeting to allow staff to work with the Smart Growth Committee to incorporate some of the policies that have been created.

The Local Planning Agency continued reviewing this amendment at it's October 23rd meeting. They reviewed the compromise language proposed by planning staff and the Smart Growth Director. It was recommended that the word "Prepare" in Policy 2.11.3 be changed to "Evaluate." It was also recommended that the word "Set" in Policy 2.11.4 be replaced with "Evaluate."

It was recommended that proposed Policy 158.1.11have the words "and remove where appropriate" included between the words "...to identify" and "the unwanted..."

It was also recommended that a policy be included that addresses high chloride waters entering into freshwater. Staff recommended the language proposed in new policy 77.3.6. to address this concern.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

The Local Planning Agency recommends that the Board of County Commissioners transmit the proposed objectives and policies as recommended by staff with the above modifications.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

As stated by the Smart Growth Committee in Part I, B.2.2.

C. VOTE:

NOEL ANDRESS	AYE	
DEREK BURR	AYE	
RONALD INGE	AYE	
CARLTON RYFFEL	ABSENT	
RAYMOND SCHUMANN	AYE	
RAE ANN WESSEL	AYE	
VACANT		

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

DATE OF TRANSMITTAL HEARING: December 13, 2006

A. BOARD REVIEW:

The Board reviewed the proposed Lee Plan amendment on December 13, 2006. Following a brief presentation by the Director of the Office of Smart Growth, the Board deliberated. One commissioner asked about the proposed policy researching the use of bio diesel fuel. He was referred by staff to the proposed policy near the bottom of page 21. Two commissioners expressed concern about the proposed policies regarding vehicle emission. They believed this should be a function of the state government and agreed with the Local Planning Agency that this objective and policies should not be included. One commissioner raised the need for a policy creating an overlay in the Density Reduction/Groundwater Resource (DR/GR) land use category to utilize Transfer of Development Rights (TDR"s) to save the more pristine areas of the DR/GR. Discussion ensued and consensus was reached that the current direction of the county should address the issues in DR/GR with out predetermining that TDR's are the solution. A motion to accept the Local Planning Agency's recommendation was made and seconded. The public were then invited to provide comments.

One member of the public spoke on this proposal. He spoke in favor of additional mapping of the DR/GR area. He also spoke in favor of creating a TDR program in the DR/GR. He also commented on using mining pits for additional water storage. No other members of the public spoke. The motion was called and approved unanimously.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

The Board of County Commissioners voted to transmit the proposed amendment as recommended by the Local Planning Agency. The proposed language is contained in Part I, B.1. of this report, less proposed Objective 118.2 and it's Policy 118.2.1 regarding Vehicle Emissions.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The Board of County Commissioners accepted the findings of fact as advanced by the Smart Growth Committee, staff, and the LPA.

C. VOTE:

A. BRIAN BIGELOW	AYE
TAMMARA HALL	AYE
BOB JANES	AYE
RAY JUDAH	AYE
FRANKLIN B. MANN	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 Department of Community Affairs provided the following comments concerning the proposed amendment.

The County is proposing to revise the plan to add several objectives and policies intended to facilitate the implementation of the Smart Growth Committee of the County. However, the objectives are not supported by relevant data and analyses that provide a basis for the proposed objectives and policies. For example, the proposed Policies 4.3.1 through 4.3.4 call for additional measures to protect flowways. However, there is no documentation of the problems associated with flowways in the County that necessitated these additional measures. Similarly, Proposed Policy 107.2.13 calls for a plan for the eradication of exotics; but no data and analyses are provided to support the policy.

Furthermore, several policies do not include guidelines and, principles for their implementation. Examples include Policy 43.1.14, 54.1.13, 107.2.13,35.1.14, 35.4.13, 52.1.9, 52.1 .lo, and 107.2.13. Also, Objective 4.3 states that the county will "work with appropriate permitting agencies to develop a common set of local permitting criteria, incentives, and regulatory measures specifically for Southwest Florida conditions"; however, no timeframe is specified within which to achieve this objective.

In addition, Policy 107.2.13 states that the County will "promote optimal conditions" rather than minimum conditions for the natural system as the basis for sound planning". However, the term "optimal conditions" is not defined; in the absence of a definition and relevant criteria, it would be difficult to implement the policy.

Recommendation: Please, include the relevant data and analysis to support the amendments and revise the objectives and policies to address the issues raised above.

B. STAFF RESPONSE

Comments are not grounds for a non-compliance finding. Staff recommends adopting the proposed amendment as transmitted. There are several volumes of information that were produced for the Smart Committee. Staff can attache those as backup and background when this amendment is sent to the Department of Community Affairs.

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

DATE OF ADOPTION HEARING: May 16, 2007

A. BOARD REVIEW:

Smart Growth Executive Director Wayne Daltry provided an overview of the proposed plan amendment. One member of the public thanked Mr. Daltry for "his excellent work." One Commissioner asked if we are pursuing a regional approach in solving Boca Grande's reptile problem. Mr Daltry responded yes.

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 advanced by staff and the LPA.

C. VOTE:

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

LEE COUNTY ORDINANCE NO. 07-16 (Smart Growth Initiative) (CPA2005-46)

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.

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 public hearings on the proposed amendments in accordance with Florida Statutes and the Lee County Administrative Code on September 25, 2006, and October 23, 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 CPA2005-46 pertaining to the recommendations from the Smart Growth Initiative to the Department of Community Affairs ("DCA") for review and comment; and,

WHEREAS, at the December 13, 2006 meeting, the Board announced its intention to hold a public hearing after the receipt of DCA's written comments commonly referred to as the "ORC Report." DCA issued their ORC report on March 2, 2007; and,

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

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

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

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt the amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." This amending ordinance may be referred to as the "2005/2006 Regular Comprehensive Plan Amendment Cycle CPA2005-46 Smart Growth Initiative 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 CPA2005-46. CPA2005-46 amends the Lee Plan to incorporate the recommendations from the Smart Growth Initiative.

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 Mann, who moved its adoption. The motion was seconded by Commissioner Judah. The vote was as follows:

> Aye Brian Bigelow Aye Ray Judah Aye Tammy Hall Aye

Robert P. Janes

Frank Mann Aye

DONE AND ADOPTED this 16th day of May 2007.

ATTEST: CHARLIE GREEN, CLERK

BY: Marcia Wilson
Deputy Clerk



LEE COUNTY BOARD OF COUNTY COMMISSIONERS

BY: 1 kg Judal
Robert P. Varies, 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. 07-16, 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

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
Print your name and address on the reverse	X Addres
 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. 	B. Received by (Printed Name) C. Date of Deliv
Article Addressed to:	D. Is delivery address different from item 1? Yes
Ray Eubanks, Community Program Ad	If YES, enter delivery address below: No
Florida Department of Community Aff	airs
Bureau of Local Planning 2555 Shumard Oak Boulevard	- ONE HASING
2	3. Service Type
Tallahassee, FL 32399-2100	Certified Mail
4	☐ Insured Mail ☐ C.O.D.
V	4. Restricted Delivery? (Extra Fee) ☐ Yes
2. Article Number 7006 0810	0002 8335 5813
PS Form 3811, February 2004 Domestic Re	eturn Receipt 102595-02-M-1
	THE BUILDING OF SHARKSHEET SHEET SHEET
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. Also complete	A. Signature
item 4 if Restricted Delivery is desired. Print your name and address on the reverse	X Jessie Lyl Agent
so that we can return the card to you.	Received by (Printed Name) C. Date of Deliv
Attach this card to the back of the mailpiece, or on the front if space permits.	JESSIE OICKERSON 6-11-0
1 Article Addressed to:	D. Is delivery address different from item 1? Yes
Executive Director	YES, enter delivery address below:
LACCULIVE DIFFCERM	
	rict
South Florida Water Management Distance 3301 Gun Club Road	rict
South Florida Water Management Distance 3301 Gun Club Road	
South Florida Water Management Dist	3. Service Type
South Florida Water Management Distance 3301 Gun Club Road	3. Service Type Certified Mail
South Florida Water Management Distance 3301 Gun Club Road	3. Service Type Certified Mail
South Florida Water Management Dist 3301 Gun Club Road West Palm Beach, FL 33406	3. Service Type Certified Mail
South Florida Water Management Dist 3301 Gun Club Road West Palm Beach, FL 33406	3. Service Type Certified Mail
South Florida Water Management Dist 3301 Gun Club Road West Palm Beach, FL 33406 2. Article Number (Transfer from service label) 7006 08	3. Service Type Certified Mail
South Florida Water Management Dist 3301 Gun Club Road West Palm Beach, FL 33406 2. Article Number (Transfer from service label) 7006 08	3. Service Type Certified Mail
South Florida Water Management Dist 3301 Gun Club Road West Palm Beach, FL 33406 2. Article Number (Transfer from service label) 7006 08	3. Service Type Certified Mail
South Florida Water Management Distraction 3301 Gun Club Road West Palm Beach, FL 33406 2. Article Number (Transfer from service label) 7006 08 PS Form 3811, February 2004 Domestic Research Complete items 1, 2, and 3. Also complete	3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchand Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) Yes 10002 8335 5837 COMPLETE THIS SECTION ON DELIVERY A. Signature Complete
South Florida Water Management Dist: 3301 Gun Club Road West Palm Beach, FL 33406 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.	3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchand Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) Yes Complete This Section on Delivery A. Signature Agent
South Florida Water Management Dist 3301 Gun Club Road West Palm Beach, FL 33406 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 so that we can return the card to you.	3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchand Insured Mail C.O.D. Restricted Delivery? (Extra Fee) Yes Complete This Section on Delivery A. Signature Agent Agent Agent Agent Agent Addres
South Florida Water Management Dist 3301 Gun Club Road West Palm Beach, FL 33406 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 so that we can return the card to you. Attach this card to the back of the mailpiece,	3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchand Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) Yes
South Florida Water Management Dist 3301 Gun Club Road West Palm Beach, FL 33406 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 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.	3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchand Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) Yes Complete This Section on Delivery A. Signature Agent Address Agent Agent Address Agent Agent
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South Florida Water Management Dist: 3301 Gun Club Road West Palm Beach, FL 33406 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 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: Mr. John Czerapak Florida Department of Transport.	3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchand Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) Yes Complete This Section on Delivery A. Signature Agent Address Agent Agent Address Agent Agent
South Florida Water Management Dist: 3301 Gun Club Road West Palm Beach, FL 33406 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 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: Mr. John Czerapak Florida Department of Transport 801 North Broadway	3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchand Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) Yes Complete This Section on Delivery A. Signature Agent Address Agent Agent Address Agent Agent
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South Florida Water Management Dist: 3301 Gun Club Road West Palm Beach, FL 33406 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 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: Mr. John Czerapak Florida Department of Transport 801 North Broadway	3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchand Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) Yes 10002 8335 5837
South Florida Water Management Dist: 3301 Gun Club Road West Palm Beach, FL 33406 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 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: Mr. John Czerapak Florida Department of Transport 801 North Broadway	3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchand Insured Mail C.O.D. Restricted Delivery? (Extra Fee) Yes 10 10 2 8 3 5 5 3 7 eturn Receipt 102595-02-M-1 COMPLETE THIS SECTION ON DELIVERY A. Signature Agent Address Agent Agent Address Agent Address Agent Agent

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Print your name and address on the reverse	X Address
 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. 	B. Received by (Printed Name) C. Date of Deliver
Article Addressed to:	D. Is delivery address different from item 1? ☐ Yes
Florida Department of Environment	tal Protection
Plan Review Section	
3900 Commonwealth Boulevard, M.	JUN 1 1 2007
Tallahassee, FL 32399-3000	
1	3. Service TypeVIAIL CENF
	☐ Registered ☐ Return Receipt for Merchand
	☐ Insured Mail ☐ C.O.D.
	4. Restricted Delivery? (Extra Fee)
2. Article Number (Transfer from service label)	106 0810 0005 8335 5851
PS Form 3811, February 2004 Domes	stic Return Receipt 102595-02-M-1
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. Also complete	A. Signature
item 4 if Restricted Delivery is desired.	X Agent
Print your name and address on the reverse so that we can return the card to you.	LJ Address
Attach this card to the back of the mailpiece, or on the front if space permits.	
Article Addressed to:	D. Is deliver ad ress different from Ten TP Yes
Florida Department of State	If YES, enter delivery address below: No
Division of Historical Resources	JUN 1 1 2007
The Capitol	
Tallahassee, FL 32399-0250	CLEARED
	3. Service Type Certified Mail Express Mail
	☐ Registered ☐ Return Receipt for Merchandi
	☐ Insured Mail ☐ C.O.D.
	4. Restricted Delivery? (Extra Fee) ☐ Yes
2 Article Number	
2. Article Number (Transfer from service label)	0810 0002 8335 5868
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(Transfer from service label) 7006 PS Form 3811, February 2004 Domest SENDER: COMPLETE THIS SECTION	tic Return Receipt 102595-02-M-18
PS Form 3811, February 2004 Domest SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.	COMPLETE THIS SECTION ON DELIVERY A. Signature
PS Form 3811, February 2004 Domest 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	COMPLETE THIS SECTION ON DELIVERY A. Signature Address
PS Form 3811, February 2004 Domest SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece,	COMPLETE THIS SECTION ON DELIVERY A. Signature Address B. Received by (Printed Name) C. Date of Delivery
PS Form 3811, February 2004 Domest SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.	COMPLETE THIS SECTION ON DELIVERY A. Signature
PS Form 3811, February 2004 Domest SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.	COMPLETE THIS SECTION ON DELIVERY A Signature Address B. Received by (Printed Name) C. Date of Deliver
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. Department of Agriculture and	COMPLETE THIS SECTION ON DELIVERY A. Signature
PS Form 3811, February 2004 Domest SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Department of Agriculture and Consumer Services	COMPLETE THIS SECTION ON DELIVERY A. Signature
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 mailplece, or on the front if space permits. Department of Agriculture and Consumer Services Division of Forestry	COMPLETE THIS SECTION ON DELIVERY A. Signature
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. Department of Agriculture and Consumer Services Division of Forestry 3125 Connor Boulevard	COMPLETE THIS SECTION ON DELIVERY A. Signature
PS Form 3811, February 2004 Domest SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Department of Agriculture and Consumer Services Division of Forestry	COMPLETE THIS SECTION ON DELIVERY A. Signature
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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. Department of Agriculture and Consumer Services Division of Forestry 3125 Connor Boulevard	COMPLETE THIS SECTION ON DELIVERY A. Signature
PS Form 3811, February 2004 Domest SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Department of Agriculture and Consumer Services Division of Forestry 3125 Connor Boulevard Tallahassee, FL 32301	COMPLETE THIS SECTION ON DELIVERY A. Signature Agent Address B. Beceived by (Printed Name) C. Date of Delive D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No 3. Service Type Express Mail Registered Return Receipt for Merchandis Insured Mail C.O.D.

SENDER: COMPLETE THIS SEC	TION	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Also item 4 if Restricted Delivery is de Print your name and address on so that we can return the card to Attach this card to the back of the or on the front if space permits. 	sired. the reverse you.	A. Signature X Top all Juan Agent Address B. Received by (Printed Name) C. Date of Delivery C. Date
Florida Fish and Wildlife 620 South Meridian Street Tallahassee, FL 32399-160		D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
		Service Type Certified Mail Registered Insured Mail C.O.D.
2. Article Number	7006 0	4. Restricted Delivery? (Extra Fee) Yes
(Transfer from service label) PS Form 3811, February 2004	Domestic Ret	
12 w. 122/11		
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Complete items 1, 2, and 3. Also item 4 if Restricted Delivery is des	sired.	A. Signature
Print your name and address on t so that we can return the card to	he reverse	Address:
Attach this card to the back of the	mailpiece,	B Received by (Printed Name) C. Date of Deliv
or on the front if space permits.		D. Is delivery address different from item 1? Yes
Article Addressed to:		If YES, enter delivery address below: No
David Burr Sw Fl Reg. Plan 1926 Victoria E. Hyers, Fl 33	n. Coun.[tre 1901	3. Service Type Certified Mail Express Mail Registered Receipt for Merchandi Insured Mail C.O.D.
data Ni waka wa		4. Restricted Delivery? (Extra Fee) ☐ Yes
nsfer from service label,	7006 0810	0002 8335 5899
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SENDER: COMPLETE THIS SECTION		A. Signature
Complete items 1, 2, and 3. Also c item 4 if Restricted Delivery is desi	red.	Agent
 Print your name and address on the so that we can return the card to y 	Entire Action and the second	B. Received by (Printed Name) C. Date of Delive
Attach this card to the back of the or on the front if space permits.		6/4/07
. Article Addressed to: 05/06 Add	of topkt.	D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
Attn: Wendy Evans, Admin	Assistant II	
Bureau of Planning and Bud		
CA8, The Capitol		The state of the s
A CONTRACTOR OF THE CONTRACTOR		3. Service Type
Tallahassee, FL 32399-0810)	T 0-45-414-11 T 5
Tallahassee, FL 32399-0810)	☑ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandis
Tallahassee, FL 32399-0810)	

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 Education 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
item 4 if Restricted Delivery is desired.	X Agent
Print your name and address on the reverse so that we can return the card to you.	HED OF CTATE
Attach this card to the back of the mailpiece,	B. Received by (Printed Name) A C. Date of Delive
or on the front if space permits.	D. Is delivery address different from item 12 Yes
1. Article Addressed to: 05/06 Adaption flet	D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
	I Table of the desired parameters below
Au G Home Historia Preservatio	n CLEARED
Attn: Susan Harp, Historic Preservatio	
Bureau of Historic Preservation	JA ' Para
500 South Bronough Street	3. Sepvice Type
Tallahassee, FL 32399-0250	Certified Mail
**************************************	☐ Registered ☐ Return Receipt for Merchandi
	☐ Insured Mail ☐ C.O.D.
	4. Restricted Delivery? (Extra Fee)
2. Article Number (Transfer from service label)	7003 0500 0002 8719 1348
PS Form 3811, February 2004 Domestic Re	eturn Receipt 102595-02-M-15
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
Complete items 1, 2, and 3. Also complete	A. Signature
item 4 if Restricted Delivery is desired.	X Agent
Print your name and address on the reverse so that we can return the card to you.	LI Addresse
Attach this card to the back of the mailpiece, or on the front if space permits.	B. Received by (Printed Name) C. Date of Deliver
Article Addressed to: 05/06 Adop then Ple	D. Is delivery address different from item 1? Yes
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620 South Meridian Street, Farris Bryar Tallahassee, FL 32399-1600	ce Type La Certified Mail Registered Return Receipt for Merchandis
Office of Policy and Stakeholder Buildi 620 South Meridian Street, Farris Bryar Tallahassee, FL 32399-1600 2. Article Number (Transfer from service label)	ce Type Left Certified Mail Registered Insured Mail Receipt for Merchandis C.O.D.
620 South Meridian Street, Farris Bryar Tallahassee, FL 32399-1600 Article Number (Transfer from service label)	ce Type Let Certified Mail Registered Insured Mail C.O.D. Restricted Delivery? (Extra Fee) Yes
620 South Meridian Street, Farris Bryan Tallahassee, FL 32399-1600 Article Number (Transfer from service label) S Form 3811, February 2004 Domestic Re	ce Type Let Certified Mail Registered Return Receipt for Merchandis Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) Yes 7003 0500 0002 8719 1355
620 South Meridian Street, Farris Bryan Tallahassee, FL 32399-1600 Article Number (Transfer from service label) S Form 3811, February 2004 Domestic Re	ce Type Let Certified Mail Registered Insured Mail C.O.D. Restricted Delivery? (Extra Fee) Yes
Can South Meridian Street, Farris Bryan Fallahassee, FL 32399-1600 Article Number (Transfer from service label) S Form 3811, February 2004 Domestic Ref	ce Type Let Certified Mail Registered Return Receipt for Merchandis Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) Yes 7003 0500 0002 8719 1355
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Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse	ce Type La Certified Mail
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.	ce Type La Certified Mail
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.	ce Type Certified Mail Express Mail Registered Return Receipt for Merchandis Insured Mail C.O.D. 4. Restricted Delivery? (Extra Fee) Yes Total
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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.	ce Type Lig Certified Mail
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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