



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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December 21, 2006

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

Re: Amendments to the Lee Plan
Transmittal Submission Package
2005/2006 Evaluation and Appraisal Amendment Cycle

Dear Mr. Eubanks:

In accordance with the provisions of F.S. Chapter 163.3184 and of 9J-11.006, this submission package constitutes the transmittal of the proposed 2005/2006 Evaluation and Appraisal Amendment Cycle to the Lee Plan. The Local Planning Agency held public hearings for these plan amendments on the following dates: May 22, 2006; June 26, 2006; July 24, 2006; August 28, 2006; September 25, 2006; October 23, 2006; and November 27, 2006. The Board of County Commissioners transmittal hearing for the plan amendments was held on December 13, 2006. Per 9J-11.006(1)(a)(3), Lee County is requesting that the Department review the proposed amendments and provide an Objections, Recommendations, and Comments (ORC) Report. The proposed amendments are not applicable to an area of critical state concern. The Board of County Commissioners has stated its intent to hold an adoption hearing in the Spring of 2006, after the receipt of the Departments ORC Report.

A summary of the plan amendment content and effect is attached to this letter. 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 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, Division of Forestry; and, the South Florida Water Management District.

Sincerely,
DEPT. OF COMMUNITY DEVELOPMENT
Division of Planning



Paul O'Connor, AICP
Director

All documents and reports attendant to this transmittal are also being sent, by copy of this cover, to:

David Burr
Director
Southwest Florida Regional Planning Council

Mike Rippe, District Director
FDOT District One

Executive Director
South Florida Water Management District

Plan Review Section
Department of Environmental Protection

Florida Department of State

Florida Fish and Wildlife Conservation Commission

The Department of Agriculture and Consumer Services, Division of Forestry

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.”

CPA2005-07 – River Hall (FKA Hawk’s Haven)

This privately sponsored amendment by Hawks Haven Investment LLC amends the Future Land Use Map Series for a 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.” It also amends Table 1(a), Footnote 6 to limit development in the plan amendment area to 2 units per acre and places a specific cap on residential development of 2,800 dwelling units on the specified property.

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 revises Goal 85, Objective 85.1, Policy 85.1.2, Policy 85.1.3, Policy 85.1.4, Policy 85.1.5, and Policy 107.1.1(4)(d). It incorporates proposed new Policy 40.4.6, Policy 40.4.7, Policy 40.4.8, Policy 77.3.6, Policy 77.3.7, new Objective 85.4, Policy 85.4.1, Policy 85.4.2, new Goal

80, new Objective 80.1, Policy 80.1.1, Policy 80.1.2, new Objective 125.3, and Policy 125.3.1. It also incorporates proposed new Map 22 (Lee County Greenways Multi-Purpose Recreational Trails Master Plan Map) into the Lee Plan.

CPA2005-12 – Captiva Community Plan

This amendment, offered by Captiva Community Planning Panel and sponsored by the Board, proposes to: amend the Future Land Use Element, by adding a new Objective 13.2, and Policy 13.2.1, and to amend Policy 6.1.2; amend the Procedures and Administration Element by adding a new standard to the Single Family Residence Provision; and, to amend the definition of Density.

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

CPA2005-13 – Community Planning

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

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

CPA2005-16 – San Carlos/Estero Community Boundary

This Board sponsored amendment proposes to change Future Land Use Map Series, Map 16, Lee County Planning Communities, to adjust the boundary between the Estero and San Carlos Planning Communities west of U.S. 41. This amendment realigns the southern boundary of the San Carlos Planning Community to follow the fire district border between the Breckenridge neighborhood and the Estero Bay Buffer Preserve.

This change was initiated to address concerns raised by some San Carlos residents living along Pine Road.

CPA2005-17 – Long Range Transportation Plan

This Board sponsored amendment proposes to amend the Transportation Element to update Policy 36.1.1 and the Transportation Map series, Map 3, to reflect the new 2030 Metropolitan Planning Organization (MPO) Long Range Transportation Plan. In keeping with the recommendations of the Evaluation and Appraisal Report and the MPO's federal mandates, this change incorporates text and maps that update the Lee Plan's Transportation Element to the new planning horizon of 2030. The 3 maps, the Lee County 2030 Financially Feasible Highway Plan, the Future Functional Classification Map, and the Future Maintenance were adopted by the MPO on December 7, 2005, and revised on March 17, 2006.

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

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

CPA2005-19 – FDOT Quality LOS Handbook

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

CPA2005-20 – Deletion of Policy 38.2.3

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

CPA2005-21 – Update Reference to the LeeScape Master Plan

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

CPA2005-22 – Mass Transit Update

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

CPA2005-23 – Ports, Aviation and Related Facilities Update

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

CPA2005-24– Update Transportation Concurrency Policies

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

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

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

CPA2005-26 – Landuse Acreage Allocation

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

CPA2005-27 – Update CIE Tables 3 and 4

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

CPA2005-28 – Conservation Lands Update

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

CPA2005-29 – Public Facilities Update

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

CPA2005-33 – Police and Justice Sub-Element Update

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

CPA2005-35 – New Urbanism Definitions

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

CPA2005-37 – New Urbanism

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

CPA2005-39 – Commercial FLUM Category

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

CPA2005-40 – Sub-Outlying Suburban FLUM Category

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

CPA2005-41 – Manatee Protection Plan

This Board sponsored amendment amends the Future Land Use Element, Objective 8.2 and the Conservation and Coastal Management Element, Objectives 107.7, 128.5 and 128.6, and their subsequent policies to incorporate the "boating facility siting element" of the Manatee Protection Plan, as required by Florida Statute 370.12.(2)(t)(3).

CPA2005-42 – Economic Element Update

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

CPA2005-43 – Single Family Residence Provision Update

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

CPA2005-45 – Beach and Dune Management Plans

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

CPA2005-46 – Smart Growth Recommendations

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

CPA2005-47 – Housing Element Update

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

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
Elisha Wells
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 Proposed Amendment
In the court was published in said newspaper in the
issues of
December 6, 2006

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.

Elisha Wells

Sworn to and subscribed before me this

14th day of December 2006 by

Elisha Wells
personally known to me or who has produced

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

Notary Public *Gladys D. Vanderbeck*

Print Name **Gladys D. Vanderbeck**

My commission Expires **December 13, 2008**

NOTICE OF PROPOSED AMENDMENT TO THE LEE COUNTY COMPREHENSIVE LAND USE PLAN (Transmittal Hearing)

In compliance with the Florida Statutes, notice is hereby given
that the Lee County Board of County Commissioners will hold
public hearings to consider proposed amendments to the Lee
County Comprehensive Land Use Plan on Wednesday,
December 13, 2006. The hearing will be held in the Board of
County Commissioners Hearing Chamber in the renovated
Courtroom at 2120 Main Street in Downtown Fort Myers. The
hearing will commence at 9:30 a.m. At this hearing, the Board
will review the proposed amendments for transmittal to the
Florida Department of Community Affairs (DCA). The agenda of
this hearing is set forth below:

1. Call to Order, Certification of Affidavit of Publication

2. Consent Agenda

A. CPA2005-08 - Colossus Shores Shores Community Plan

Adopt a new Policy 21.1.1 directing the
Colossus Shores Community to draft enhanced
code amendment standards for possible inclusion in
the Land Development Code.
Sponsor: Board of County Commissioners/The East
Lee County Council

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

Amend the Future Land Use Element Policies 1.2.2,
1.2.3, and 5.1.4 and the Community Facilities and
Use Map Series, Map 1, to reflect the
revised FAR Part 150 Noise Study for the Southwest
Florida International Airport. Incorporate proposed
pumps allowed from twelve (12) to twenty (20).
Sponsor: Board of County Commissioners/Port
Board

C. CPA2005-12 - Copiva Community Plan

Amend Goal 13, Policy 6.1.2, Chapter XII Single
Family-Residence Provision and the definition of
Density, specific to the Copiva Community, to
incorporate the recommendations of the Copiva Island
Community Planning Study.
Sponsor: Board of County Commissioners/Copiva
Community Planning Panel

D. CPA2005-13 - Community Planning

Amend the Future Land Use Element to evaluate
incorporating community planning policies into the Lee
County Comprehensive Land Use Plan.
Sponsor: Board of County Commissioners/Smart
Growth Committee

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

Amend the Future Land Use Map Series, Map 10, to
adjust the boundary between the Estero and San Carlos Planning
Communities west of U.S. 41.

F. 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

G. CPA2005-18 - LOS Standards for SIS/FHS/ TRIP Funded Roads

Amend the Transportation Element to update Policy
37.1.1 to reflect new State LOS standards for SIS/
FHS/TRIP funded roads.
Sponsor: Board of County Commissioners

H. CPA2005-19 - FDOT Quality LOS Handbook

Amend the Transportation Element to update Policy
37.1.1.4 to reflect the 2002 FDOT Quality LOS
Handbook.
Sponsor: Board of County Commissioners

I. CPA2005-20 - Deletion of Policy 38.2.3

Amend the Transportation Element to delete Policy
38.2.3.
Sponsor: Board of County Commissioners

J. 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

K. 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

L. 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

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

Amend the Lee Plan to change the horizon from the
year 2020 to the year 2030 and update the Vision
Statements to the year 2030.
Sponsor: Board of County Commissioners

N. CPA2005-27 - Update CIE Tables 3 and 4

Amend the Capital Improvement Element (Tables 3 &
4) to reflect the latest Capital Improvement
Program.
Sponsor: Board of County Commissioners

O. CPA2005-28 - Conservation Lands Update

Amend the Future Land Use Map Series, Map 1, to
update the Conservation Lands Element 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 Public Facilities
Element's goals, objectives and policies by adding and/or
removing land to more accurately identify publicly
owned lands.
Sponsor: Board of County Commissioners

Q. CPA2005-31 - Police and Justice Sub-Element Update

Amend the Community Facilities and Services Element
Police and Justice Sub-Element Objectives 6.2.1 to delete
the referenced date and to acknowledge the ongoing
nature of the objective. In addition amend Policies
6.2.2 and 6.2.3 to reflect the existing status of
substation facilities.
Sponsor: Board of County Commissioners

R. CPA2005-35 - New Urbanism Guidelines

Amend the Future Land Use Element to update the
New Urbanism Guidelines to incorporate the principles
of New Urbanism.
Sponsor: Board of County Commissioners

S. 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) to
add a new "Commercial" category.
Sponsor: Board of County Commissioners

T. 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) to
add a new "Sub-Outlying Suburban" category, having a
maximum density of 4 dwelling units per acre.
Sponsor: Board of County Commissioners

U. CPA2005-41 - Monrovia Protection Plan

Amend the Conservation and Ecological Management
Element and the Future Land Use Element to
incorporate the Monrovia Protection Plan, required by F.S.
§ 370.12(2)(b).
Sponsor: Board of County Commissioners

V. CPA2005-42 - Economic Element Update

Amend the Lee Plan Economic Element for general
updates of the element that have not been updated since its
creation in 1993.
Sponsor: Board of County Commissioners

W. CPA2005-43 - Single Family-Residence Provision Update

Amend the Future Land Use Element by
updating the Single Family-Residence Provision.
Sponsor: Board of County Commissioners

X. 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

Y. CPA2005-47 - Housing Element Update

Amend the Lee Plan to update the Housing Element
Needs Assessment.
Sponsor: Board of County Commissioners

3. Administrative Agenda

A. CPA2005-02 - Webb's Backlog Item

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.1.1, and 25.3.1.2.
Sponsor: Board of County Commissioners

B. CPA2005-03 - Three Oaks North

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.1.1, and 25.3.1.2.
Sponsor: Board of County Commissioners

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

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.1.1, and 25.3.1.2.
Sponsor: Board of County Commissioners

D. CPA2005-09 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.1.1, and 25.3.1.2.
Sponsor: Board of County Commissioners

E. CPA2005-11 - Greenways Recreational Trail Master Plan

Incorporate the Lee County Comprehensive Recreational
Trail and Greenways Master Plan into the Lee Plan.
Sponsor: Board of County Commissioners

F. CPA2005-24 - Update Transportation Concurrency Policies

Amend the Transportation Element to update
transportation concurrency policies. Objectives and
policies will be updated to reflect changes in state law.
Sponsor: Board of County Commissioners

G. CPA2005-36 - Update SESSA Projections

Amend the Lee Plan and Tables 3 and 4 to
reflect annual projections. Projections will be
updated to reflect annual projections.
Sponsor: Board of County Commissioners

H. CPA2005-37 - New Urbanism

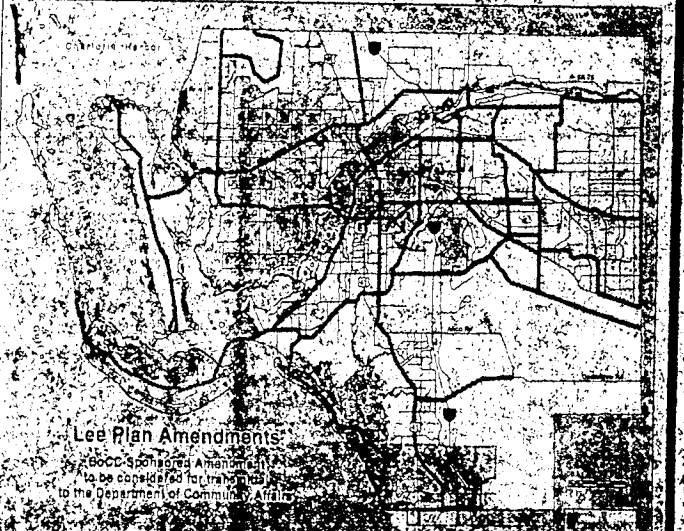
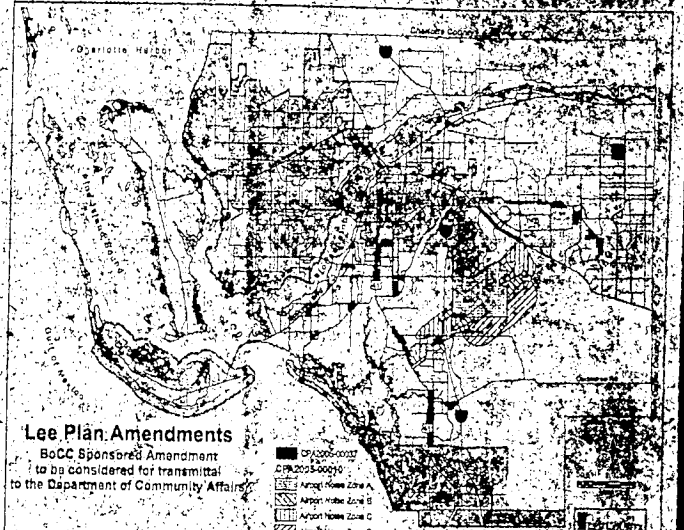
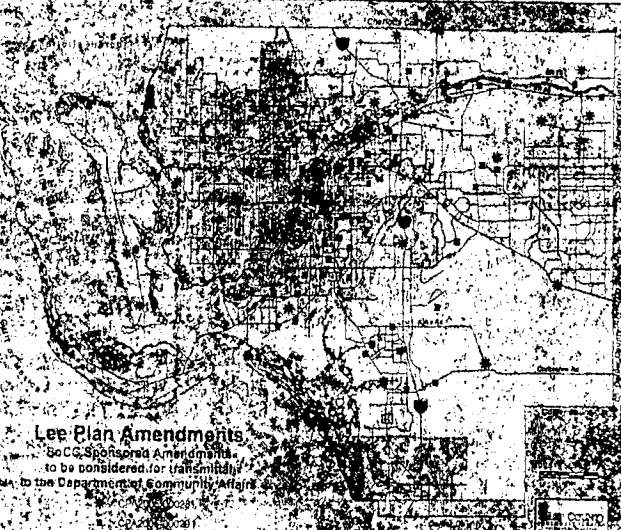
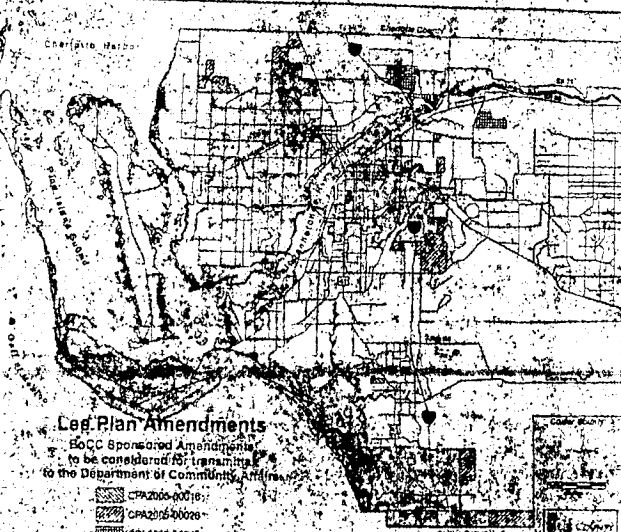
Amend the Future Land Use Element to update
the New Urbanism Guidelines to reflect the
principles of New Urbanism.
Sponsor: Board of County Commissioners

I. CPA2005-44 - Smart Growth Recommendations

Amend the Lee Plan to incorporate the
recommendations of the Smart Growth
Initiative into the Lee Plan.
Sponsor: Board of County Commissioners

J. CPA2005-46 - Update Goal 10 - Natural Resource Management

Amend the Lee Plan to update the Natural
Resource Management Element to reflect the
principles of natural resource management.
Sponsor: Board of County Commissioners



CPA2005-16
SAN CARLOS/ESTERO PLANNING
COMMUNITY BOUNDARIES
BoCC SPONSORED AMENDMENT
TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

DCA Transmittal Hearing Document

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

December 18, 2006

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2004-15**



Text Amendment



Map Amendment

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

PREPARATION DATE: June 20, 2006

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVE:

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

2. REQUEST:

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.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Planning staff recommends the Board of County Commissioners transmit the proposed amendment to Map 16. This amendment realigns the southern boundary San Carlos Planning Community to follow the fire district border between the Breckenridge neighborhood and the Estero Bay Buffer Preserve (see attachment 1).

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Planning Community Map (Map 16) was amended in 2002 and the Estero Planning Community was created from the San Carlos/Estero and Bonita Springs Planning Communities.
- Residents of the Vines Country Club community submitted a letter to the Planning Division requesting this community be included in the Estero Planning Community.
- The citizens involved in the Estero Community Plan effort chose the Estero Planning Community boundary as the boundary for this plan which was adopted during the same plan amendment cycle.
- Pine Rd was selected as the border between the Estero and San Carlos Planning Communities to reduce the gerrymandering of the line.
- In 2005 the residents in the Pine Rd area requested the area south of Pine Road to the southern boundary of the San Carlos Fire District be moved to the San Carlos Planning Community.
- At the August 2005 Management and Planning meeting the Board of County Commissioners directed staff to initiate an amendment to change the border between the Estero and San Carlos Planning Communities.

C. BACKGROUND INFORMATION

The Planning Community Map (Map 16) and Lee Plan Table 1(b) were created to replace the 2010 Overlay which was proposed for deletion in the 1994 Evaluation and Appraisal Report. The EAR was found to be not in compliance and the resulting Final Order required that the 2010 overlay component of the Lee Plan be retained. The issue of the 2010 Overlay was a topic for the EAR Addendum. An issue with the 2010 Overlay was the number of districts (115) and the exactness that was required of the land use projections used to administer the Overlay. Therefore, the planning community map was to have no more than 20 areas designated on the map. The consensus for creating these areas was to create a map that identified "communities" within the county. It was not intended that these community boundaries would mirror any existing geography. For data collection purposes, when possible, traffic analysis zones and census geography was followed but not when they contrasted with the goal of mapping communities in the county. In order to meet the goal of limiting the new overlay map to 20 communities, the Estero, San Carlos Park, Island Park and adjoining neighborhoods were combined into one community on the map. The developments of The Brooks (originally known as "Brooks of Bonita") and Pelican Landing were included in the Bonita Springs Planning Community.

When the city of Bonita Springs incorporated, it was decided that adjustments to the Planning Community map should be made to reflect changes since its original adoption.

PAM/T99-20 included a recommendation to create two new communities, Bayshore and Estero and to rename the San Carlos/Estero Community to San Carlos. The southern boundary of the new Estero Planning Community was the new Bonita Springs city limit line. Staff considered delineating the northern boundary of the Estero Planning Community following the Estero Fire District boundary. However, residents of the Vines Country Club submitted a letter to the Planning Division Staff asking to be included in the Estero Planning Community. The Vines is a gated golf course community which is the predominant development style in the rest of the Estero area. To the south and east of the Vines are additional gated communities that were in the planning stages when the new planning community boundary was proposed. West of US 41, the existing Breckenridge development (a gated community) extends north to Pine Road and is split by the fire district line with the majority of the development being located in the Estero Fire District (see attachment 2). Staff recommended that the Estero Planning Community include the approved and proposed planned developments lying to the north of the Estero/San Carlos Fire District border. To reduce the meandering of northern boundary of the new Estero Community the border was established along Pine Road. A decision was made to include the entire Estero Buffer Preserve (AKA SHADEV, Inc. property) in the Estero Planning Community. The staff recommended changes creating the separate San Carlos and Estero Planning Communities were adopted by the Board of County Commissioners on January 10, 2002.

An amendment to redesignate 60 acres at the end of Pine Road from Rural and Wetlands to Outlying Suburban and Wetlands was submitted for the 1998/1999 plan amendment cycle. This amendment request was denied by the BoCC. A second request for this property was submitted for this property for review in the 2002/2003 plan amendment cycle. This amendment was adopted on October 23, 2003. Subsequently, a planned development rezoning case was filed and approval of the zoning case was granted November 21, 2005. During this process, residents along Pine Road expressed concern that their neighborhoods were within the Estero Planning Community. They felt that these neighborhoods should be in the San Carlos Planning Community. The stated preference was that the boundary between the Estero and San Carlos Planning Communities be realigned to follow the fire district boundaries. Per BoCC direction, staff attended 6 meetings in the area to determine the preferences of the residents living in the area of the Estero Planning Community that is within the San Carlos Fire District. Following these meetings, petitions were distributed throughout the community to measure preferences. The outcome of these meetings and petitions was the communities of the Vines, Breckenridge, and Belle Lago preferred to remain in the Estero Planning Community and the residents south of Pine Road preferred to be part of the San Carlos Planning Community.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

The Planning Community Map (Map 16) is used in the administration of the 2020 land use allocations. The allocations are regulatory for commercial, industrial, and residential developments at the development order stage. The community map is also used for reporting data such as population estimates, development trends, and population projections. In a few instances, these boundaries have been used as the boundary for a Community Planning effort. This is the case with the Estero, Boca Grande, and Bayshore community plans. The Pine Island, Captiva, Caloosahatchee Shores, Palm Beach Blvd., Buckingham, and Page Park planning efforts did not utilize the Planning Community boundaries. Changes to these boundaries do not impact the regulatory aspect of the allocations, once the allocations are revised to reflect boundary changes; however, changes do reduce the ability to compare data reported in the past with current and projected data. For this reason, staff is conservative when recommending changes to this map.

The map was also envisioned as a mechanism to identify areas in Lee County that were similar in character. The original map was limited to 20 communities so identifying all of the communities within Lee County was not possible, even if a list could have been agreed upon. The 20 community policy was relaxed after the original map was adopted and since then, 2 new communities have been mapped. Since the concept is to identify communities, the county will evaluate suggestions from citizen groups regarding their neighborhoods. This was the situation that was presented to the county in 2005 when the residents of Pine Road approached the county to adjust the San Carlos Planning Community boundary to follow the San Carlos Fire District line. At the June 14, 2005 BoCC meeting, the board directed staff to meet with the residents in the area and report the findings. Staff generated 3 options to present to the citizens and attended 6 meetings in the area to gather input on the options. Option 1 was to make no changes to Map 16. Option 2 amended the boundary to include the neighborhoods south of Pine Road in the San Carlos Planning Community while leaving the gated communities of Breckenridge, Belle Lago, The Vines, and The Reserve in the Estero Planning Community. Option 3 amended the boundary between the two planning communities to follow the fire district line. At the August 1, 2005 Management and Planning Meeting, Planning staff reported the preferred option was "Option 2" (see Attachment 3 pages 2 & 3). Option 1 was objected to by the Pine Road neighborhoods and Option 3 was opposed by the residents of Breckenridge, Belle Lago, and The Vines (The Reserve had no residents in the summer of 2005). The Board discussion at the Management and Planning Meeting concluded with an agreement to direct staff to amend the map as depicted in Option 2. (See Attachment 4)

One outcome of the change reflected in Option 2 is the splitting of the Estero Bay Buffer Preserve into both the San Carlos and Estero Planning Communities. (see Attachment 3 page 5 of 6) The tract of land purchased from SHADEV, Inc. to be included in the preserve is currently entirely within the Estero Planning Community. Since this property is to be preserved staff has concluded there is no benefit in splitting the property to include the northern half in the San Carlos Planning Community.

A second outcome of this amendment will be the need for a change in the allocation table (Lee Plan Table 1(b)) to reflect the shift of 176± acres from the Estero Planning Community to the San Carlos Planning Community. Since a countywide evaluation of the allocations is being conducted in a separate amendment within this plan amendment cycle, staff has deferred this issue to be resolved in that amendment. Staff's primary concern on this topic is that the change in the boundary will result in 55± acres of land with an Outlying Suburban land use designation being included in the San Carlos Planning Community. Currently there are no properties within the San Carlos Planning Community designated Outlying Suburban and therefore, no acreage has been allocated for this designation.

B. CONCLUSIONS

Map 16, Lee County Planning Communities, should be amended to reflect the consensus of the residents in the area of the Estero Planning Community also within the San Carlos Fire District. This amendment was directed by the Lee County Board of County Commissioners at their August 1, 2005 Management and Planning Meeting and Initiated at the September 9, 2005 BoCC Meeting. To reduce the total area being changed from the Estero Planning Community to the San Carlos Planning Community, staff recommends that the Estero Bay Buffer Preserve (AKA SHADEV, Inc. parcel) remain in the Estero Planning Community. If the preserve property were included in the change, approximately 1,300 acres would be shifted between communities. Removing the preserve from the change reduces the amount of acres to 176±. Staff recommends the area of the Estero Planning Community south of Pine Road east of the Estero Bay Buffer Preserve west of US 41 excluding the Breckenridge neighborhood.

C. STAFF RECOMMENDATION

Planning staff recommends the Board of County Commissioners transmit the proposed amendment to Map 16. This amendment realigns the southern boundary San Carlos Planning Community to follow the fire district border between the Breckenridge neighborhood and the Estero Bay Buffer Preserve (see attachment 1).

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

PUBLIC HEARING DATE. June 26, 2006

A. LOCAL PLANNING AGENCY REVIEW

Planning Staff provided a summary of the proposed amendment including a history of community meetings and three options that were discussed by the communities that lead to the initiation of this amendment. Staff discussed the one difference between the recommendation and the option agreed upon by the interested neighborhoods which is to include the Estero Bay Buffer Preserve entirely in the Estero Planning Community. Staff also stated that no acreage allocation changes were being proposed in this change due to the accommodation allocation amendment that is also under review in this amendment cycle.

The one of the Local Planning Agency members stated her concern that this amendment might start a precedent for future changes to the planning community map.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** The LPA recommends that the Board of County Commissioners transmit the proposed amendment.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA advances the findings of fact presented by staff.

C. VOTE:

NOEL ANDRESS	Aye
DEREK BURR	Aye
RONALD INGE	Aye
RAYMOND SCHUMANN, ESQ	Aye
CARLETON RYFFELL	Absent
RAY ANN WESEL	Aye

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

DATE OF TRANSMITTAL HEARING: December 13th 2006

A. BOARD REVIEW

This amendment was pulled from the consent agenda by the county commission. There was a question regarding which map was proposed for adoption and clarification was needed to ensure that the entire Estero Bay Buffer Preserve was to remain in the Estero Planning Community. Staff confirmed that this was the recommendation.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

- 1. BOARD ACTION:** The Board voted to transmit the proposed amendment, as recommended by the staff and local planning agency, to the Florida Department of Community Affairs for their review.
- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of facts as advanced by the staff report.

C. VOTE:

BRIAN BIGELOW	AYE
TAMMARA HALL	AYE
BOB JANES	AYE
RAY JUDAH	AYE
FRANK MANN	AYE

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

DATE OF ORC REPORT:

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

B. STAFF RESPONSE:

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

DATE OF ADOPTION HEARING:

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

BRIAN BIGELOW

TAMMARA HALL

BOB JANES

RAY JUDAH

FRANK MANN

CPA 2005-00016

(Proposed Change in Planning Community Boundaries)



- Planning Communities
- CPA 2005-00016 - Proposed Change
- Estero Fire Districts
- San Carlos Fire Districts

CPA 2005-00016
Area to be Changed

San Carlos

Estero

Pine Road



June 20, 2006
ATTACHMENT 1

CPA2005-00016

(Developments in the Area Considered for Change)

San Carlos Planning Community

**Estero Bay
Buffer
Preserve**

**Hideaway
Cove**

CPA 2005-00016
Area to be Changed

**The
Vines**

**Bella
Lago**

**The
Reserve**

Breckenridge

Estero Planning Community



- CPA2005-00016 - Proposed Change
- Estero Fire Districts
- San Carlos Fire Districts
- Planning Communities
- Planned Developments



June 20, 2006
ATTACHMENT 2

**MANAGEMENT & PLANNING COMMITTEE
AGENDA REQUEST FORM
COMMISSION DISTRICT # 3 & 5**

PRESENTED BY: Jim Mudd
Division of Planning

REQUESTED BY: BOCC 1.2

TITLE OF ITEM FOR THE AGENDA: San Carlos Park and Estero Planning Community Boundaries.

1. DESCRIPTION AND OBJECTIVE OF THE ISSUE

The Board directed staff to meet with San Carlos Park and Estero residents who have expressed concerns about the current boundary between the two Planning Communities and to report the results of those meetings at the August 1st M&P.

2. PROPOSED POLICY, PROCEDURE OR PLAN OF ACTION

See the attached summary of the meetings including maps of the three options.

3. OPTIONS (List Advantages/Disadvantages of Each Option Listed)

Option 1: Make no changes to the San Carlos Park and Estero Planning Community Boundaries. This option would not require amendments to the Lee Plan or to the Land Development Code. Residents of the Pine Road neighborhood have indicated that they would be opposed to this option.

Option 2: Change the boundary between the San Carlos Park and Estero Planning Communities to place all of the Pine Road neighborhood within the San Carlos Park Planning Community. Option 2 is acceptable to all residents that staff has discussed the issue with. The Pine Road neighborhood would no longer be subject to the regulations that apply to the Estero planning community and a public informational meeting would not be required for rezoning requests or development proposals within their neighborhood. Option 2 would require amendments to the Lee Plan and the Land Development Code.

Option 3: Change the boundary of the San Carlos Park and Estero Planning Communities to conform with the San Carlos Park and Estero Fire District Boundaries from Hendry Creek to the eastern edge of the Reserve at Estero RPD. Option 3 is preferred by those residents of the Pine Road neighborhood that have met with staff; however it is not supported by those residents of The Vines, Belle Lago and Breckenridge that staff has talked to. Option 3 would require amendments to the Lee Plan and the Land Development Code.

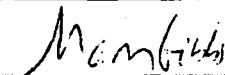
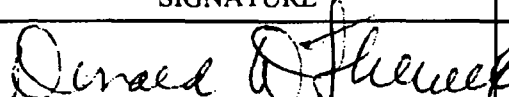
4. FINANCIAL IMPACTS/FUNDING SOURCE

N/A

5. STAFF RECOMMENDATIONS, AND JUSTIFICATION FOR RECOMMENDATIONS

Staff recommends Option 2. Option 1 is opposed by residents of the Pine Road neighborhood and Option 3 is opposed by residents of The Vines, Belle Lago and Breckenridge.

6. MANDATED? Y N BY WHAT AUTHORITY?

DEPARTMENT DIRECTOR SIGNATURE	COUNTY ADMINISTRATOR SIGNATURE	MEETING DATE	TIME REQUIRED
		08/01/05	10 minutes

MEETING SUMMARY

SAN CARLOS PARK AND ESTERO PLANNING COMMUNITY BOUNDARY

BACKGROUND: Residents of the Pine Road neighborhood have recently expressed concern that their neighborhood is located within the Estero Planning Community Boundary. They believe their neighborhood should be located within the San Carlos Park Planning Community. Further, they have expressed a desire for the County to place all of the property within the San Carlos Park Fire District, from Hendry Creek to the eastern edge of the Reserve at Estero RPD, into the San Carlos Park Planning Community.

At the June 14, 2005 BoCC meeting, the Board directed staff to meet with residents of both San Carlos Park and Estero and report the results of those meetings to the Board at the August, 2005 Management and Planning meeting.

SUMMARY OF MEETINGS: As directed, staff has met with residents of San Carlos Park and Estero with concerns about the planning community boundaries. There were six meetings in the various neighborhoods and numerous phone conversations and correspondence. Following are summaries of the six meetings.

July 27: San Carlos Park - Haney's Café: Staff discussed the planning community boundary and community planning with six residents of San Carlos Park. Two of those residents are members of the San Carlos Park Civic Association.

The residents indicated that they wanted the planning community boundary changed to correspond with the San Carlos Park Fire District boundary from Hendry Creek, east to the eastern edge of the Reserve at Estero. They also expressed an interest in developing a community plan for San Carlos Park.

July 29 - San Carlos Park - Gumpert residence: Staff discussed several options for the planning community boundary with five residents of San Carlos Park. They were clear that their preference would be for the boundary to be changed to correspond with the Fire District Boundary, but would support a change for only the Pine Road neighborhood if that decision was made.

June 30 - Belle Lago - Belle Lago Clubhouse: There were 48 residents from the Belle Lago community present at a special meeting to discuss the San Carlos Park and Estero Planning Community boundaries. The residents voted unanimously to remain within the Estero Planning Community. Staff also received six letters and e-mails from out of town residents of Belle Lago in support of remaining within the Estero Planning Community.

July 1 - The Vines - Vines Clubhouse: Staff met with four members of The Vines Community Association. They confirmed their position that The Vines would like to remain in the Estero

July 21, 2005

Page 1 of 2

Planning Community, for now. They were also clear that they had not spoken with all of the residents of The Vines, but had support from both the Community Association and the Country Club Board of Directors.

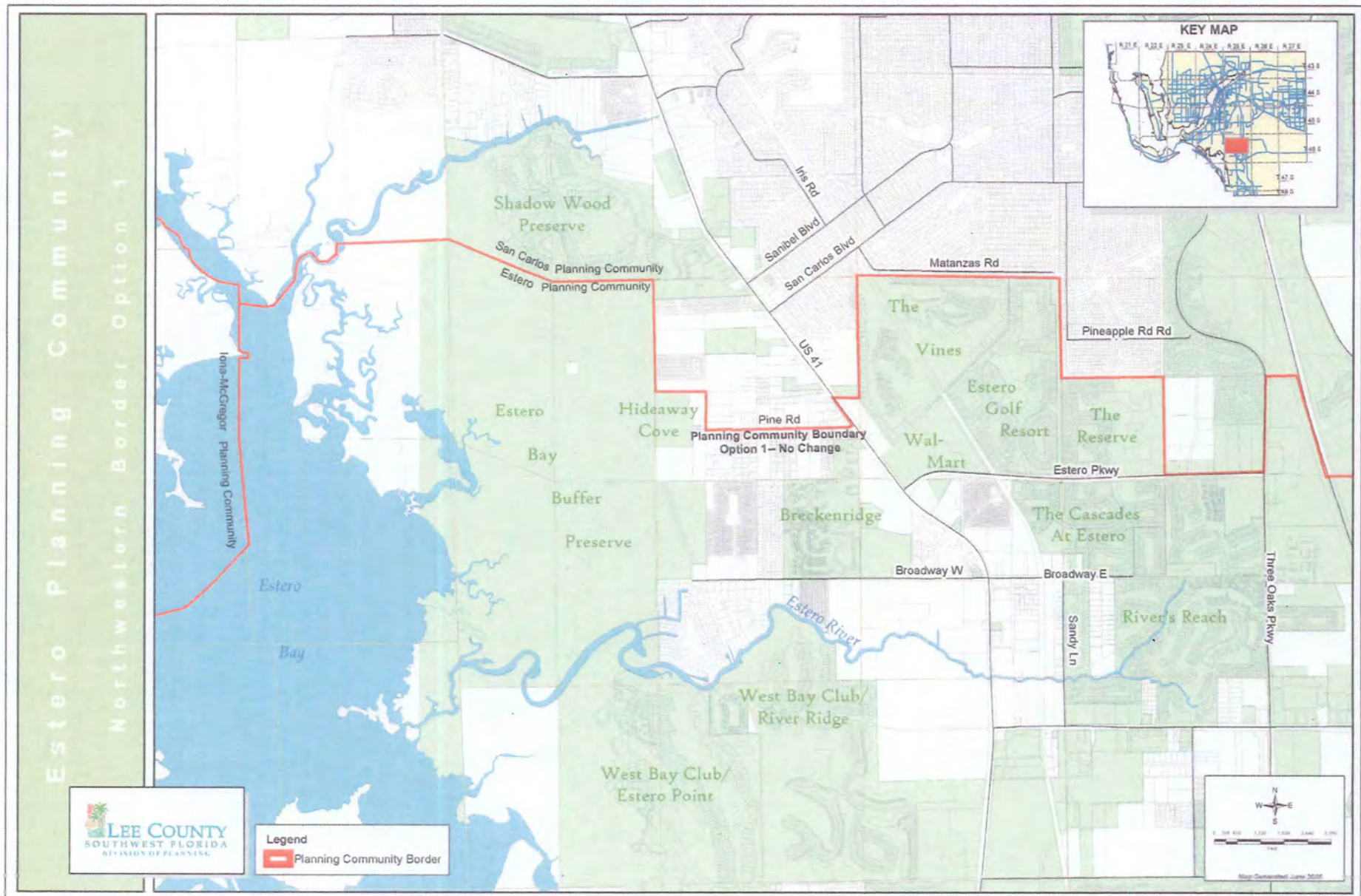
After the meeting, one resident approached staff and stated that he was not entirely pleased with the Estero Planning Panel, but was not suggesting that The Vines be removed from the Estero Planning Community. He indicated he was concerned with the Estero Planning Panel's handling of the Wal-Mart rezoning.

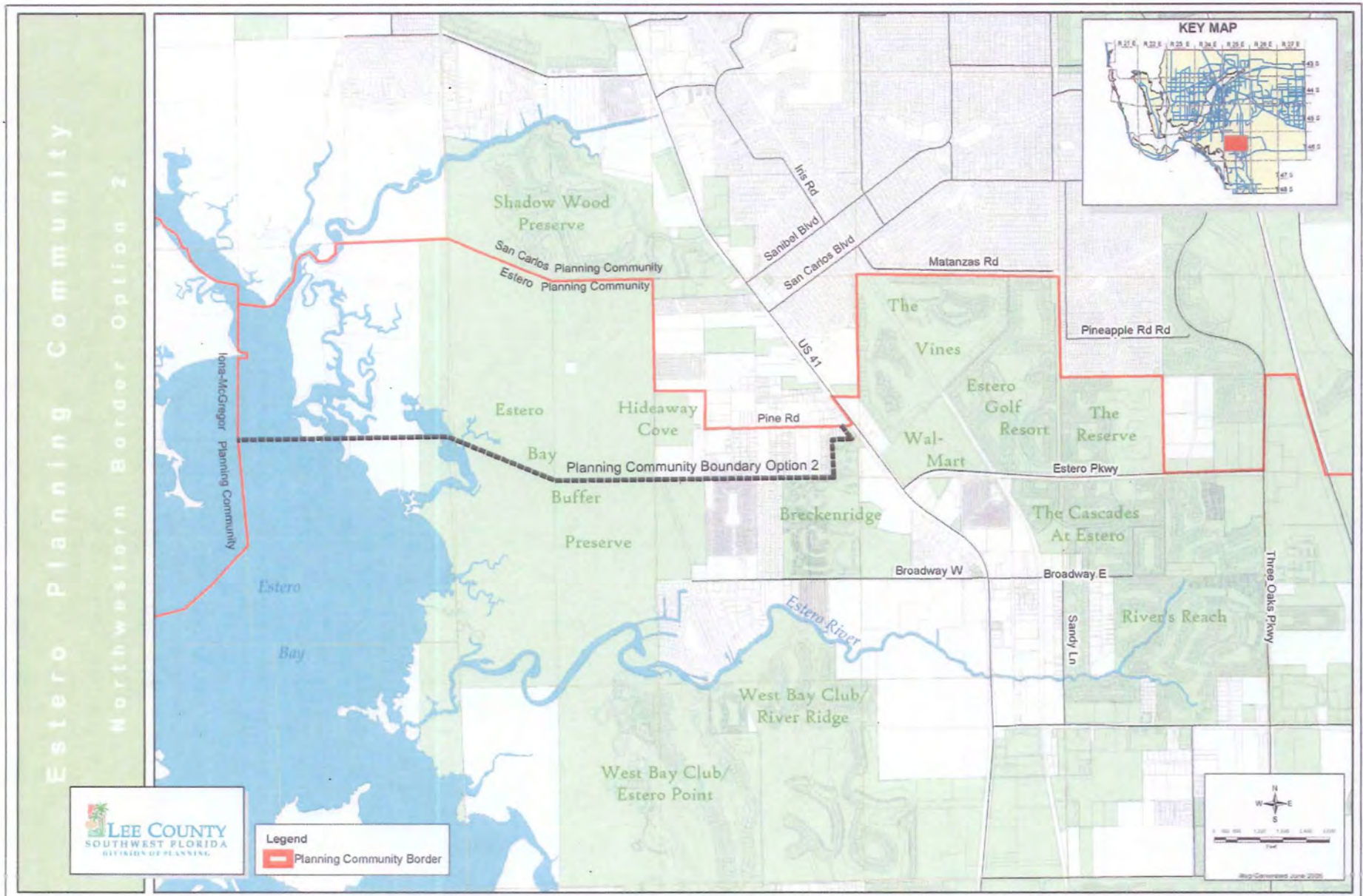
July 19 - Breckenridge - Breckenridge Clubhouse: There were 38 residents of Breckenridge present for the Breckenridge Master Board workshop. The residents voted unanimously to support Option 2 that staff was recommending. Option 2 would place all of the Pine Road neighborhood in the San Carlos Park Planning Community, but would not affect Breckenridge, the Wal-Mart site, Osprey Cove, The Vines or the Reserve at Estero.

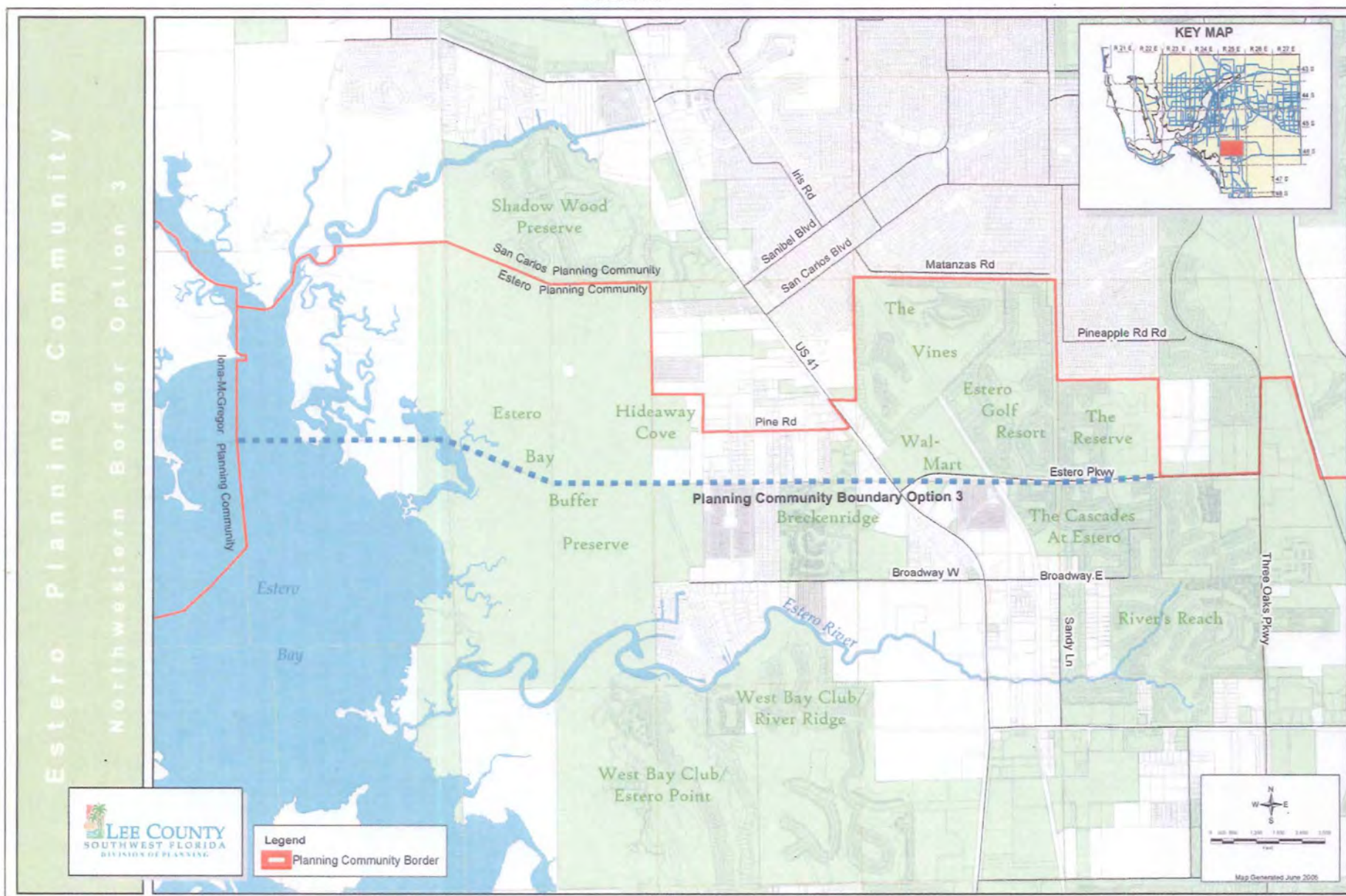
Staff did not talk to any representative from Wal-Mart. Osprey Cove and the Reserve at Estero are under construction. Following the meeting with Belle Lago, staff was approached by a realtor who had sold one of the lots in the Reserve at Estero to his son. He indicated that his son was aware his property was located in the Estero Planning Community and that he wanted to remain there.

July 21- San Carlos Park - Gumpert residence: Staff explained the outcomes of meetings with residents of The Vines, Belle Lago and Breckenridge to eight residents of the Pine Road neighborhood. Three options for the San Carlos Park and Estero Planning Community boundaries were also discussed. Staff indicated that they were recommending Option 2, which would place all of the Pine Road neighborhood into the San Carlos Park Planning Community. Option 2 would not change the boundary for Breckenridge, the Wal-Mart site, Osprey Cove, The Vines, Belle Lago or the Reserve at Estero.

The residents at the meeting agreed that Option 2 was acceptable, but indicated that their preference was Option 3. That option would place all of the property located within the San Carlos Park Fire District, from Hendry Creek to the eastern edge of the Reserve at Estero, within the San Carlos Park Planning Community. One resident stated that Option 3 was also preferred by the San Carlos Park Civic Association.







Excerpt from
A Workshop Meeting of the Board of Lee County Commissioners
sitting as the Board Management and Planning Committee
Date of Meeting: August 1, 2005

6. SAN CARLOS PARK AND ESTERO PLANNING COMMUNITY BOUNDARIES

Review staff's report regarding meetings held to address the concerns of San Carlos Park and Estero residents about the current boundary between the two Planning Communities.

OPTIONS:

1. Make no changes to the existing San Carlos Park and Estero Planning Community boundaries.
2. Change the boundary between the San Carlos Park and Estero Planning Communities to place the entire Pine Road neighborhood within the San Carlos Planning Community.
3. Change the boundary between the San Carlos Park and Estero Planning Communities to conform with the San Carlos Park and Estero Fire District boundaries from Hendry Creek to the eastern edge of the Reserve at Estero RPD.

RECOMMENDATION:

Staff recommends Option 2. Option 1 is opposed by residents of the Pine Road neighborhood; and Option 3 is opposed by residents of The Vines, Belle Lago, and Breckenridge.

After briefly reviewing the item, Planning Division Community Planner Jim Mudd stated that he had met with residents of the Pine Road neighborhood, and those that he had spoken with would prefer that all the property located within the San Carlos Park Fire District, along its southern edge, be included in a San Carlos Park Planning Community (SCPPC); and pointed out that this was Option 3 on the map that was provided to the Board. He further stated that he had met with residents of The Vines, Belle Lago, and Breckenridge; and noted that of the three options that have been presented to the Board, Option 2 is the only Option that no one had objected to, and would not affect Breckenridge, Ospery Cove, the Vines, Belle Lago, or the Reserve at Estero. At the request of Commissioner Judah, Mr. Mudd stated that staff recommended Option 2, and further noted that Option 2 would require an amendment to the Lee Plan and the Land Development Code. In response to Commissioner Albion's opinion that the San Carlos decision regarding the Community Planning should be based on Fire district boundaries, Mr. Mudd stated he believed the Pine Road residents are interested in developing a planning council. Commissioner St. Cerny commended Mr. Mudd on a job well done in forming a consensus. In response to Commissioner Albion's request for Board consensus on the boundaries of a SCPPC following the boundaries of the San Carlos Park Fire District, Mr. Mudd described the boundaries of the fire district as extending several miles east into the DRGR from the edge of the planning community line and a mile north; and noted that the residents of Pine Road haven't made any mention of that area, they only seem interested in the southern edge corresponding with the fire district boundaries. Commissioner Hall expressed concern with setting a precedent where the community planning districts boundaries would have to meet the fire district boundaries; stated that she felt this was a unique situation, and confirmed she was in support of Option 2 as written. In response to Commissioner Hall's comments, Commissioner Albion noted that from his involvement in the San Carlos area he could foresee a boarder war, and noted that some of the residents see this as a major movement toward incorporation. In response to Commissioner Judah's inquiry, Mr. Mudd stated if the Board initiated option two at the end of September, which is the deadline for Comprehensive Plan amendments, it would take one year. The Board was in agreement with Option two.