



**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](mailto: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 recognized 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**  
Commission # **DD378987**  
Expires **December 13, 2008**

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 regional Courthouse 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

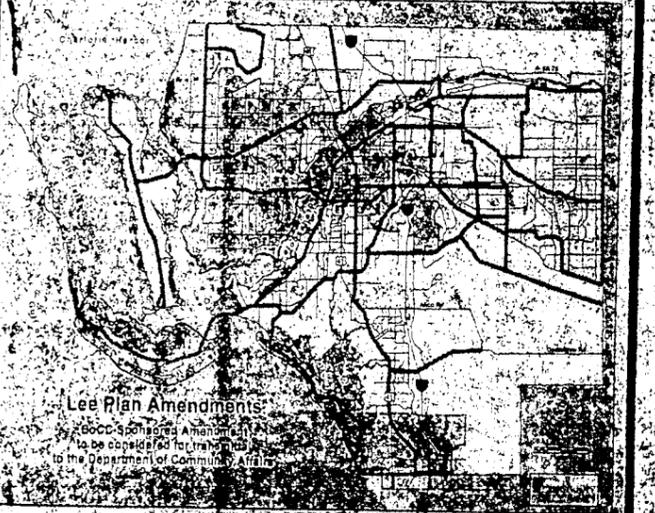
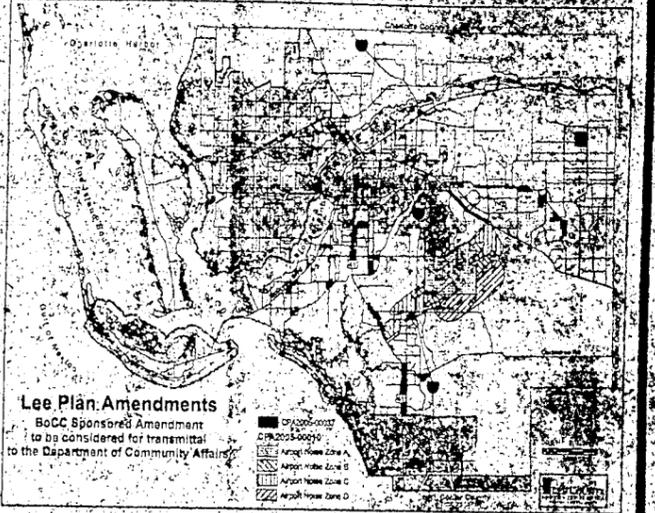
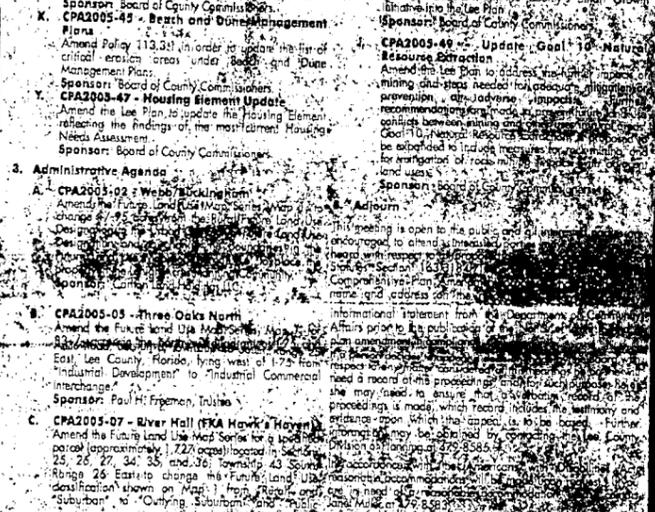
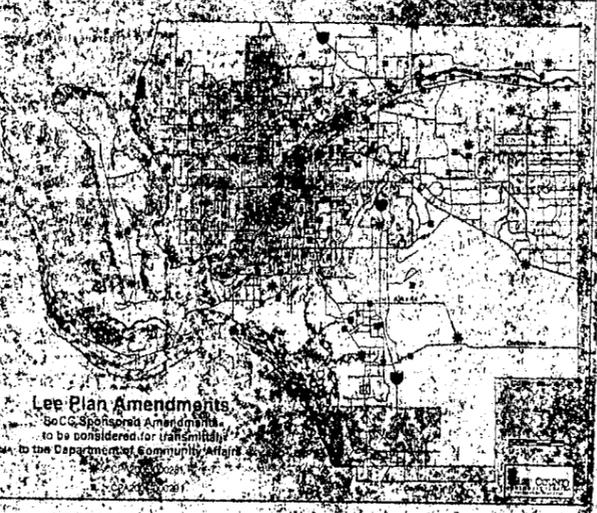
### 2. Consent Agenda

- A. CPA2005-08 - Coloschatchee Shores Community Plan  
Adopt a new Policy 21.1.41 directing the Coloschatchee Shores Community to draft enhanced code enforcement standards for possible inclusion in the Land Development Code.  
Sponsor: Board of County Commissioners/The East Lee County Council
- B. CPA2005-10 - Airport Noise Boundaries and Number of Gas Pumps  
Amend the Future Land Use Element Policies 1.2.2, 1.2.3, and 3.1.4 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. In addition, amend Table 3, Southwest Florida International Airport Proposed pumps allowed from table 1(2) to twenty (20).  
Sponsor: Board of County Commissioners/Port Board
- C. CPA2005-12 - Copiva Community Plan  
Amend Goal 13, Policy 6.112, Chapter 201 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 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, Lee County Planning Commission, to adjust the boundary between the Estero and San Carlos Planning Communities west of U.S. 41.  
Sponsor: Board of County Commissioners

- 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 37.1.14 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 Landscape Master Plan  
Amend the Transportation Element to update Objective 40.3 to refer to the latest version of the Landscape (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 approved Capital Improvement Program.  
Sponsor: Board of County Commissioners

- O. CPA2005-28 - Conservation Land Use Element  
Amend the Future Land Use Map Series, Map 1, by updating the Conservation Land Use 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 Regional Public Facilities Land Use Element by adding and/or removing lands 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 data and to acknowledge the ongoing nature of the objective. In addition, amend Policies 6.2.2 and 6.2.3 to reflect the ongoing status of substitution facilities.  
Sponsor: Board of County Commissioners
- R. CPA2005-35 - New Urbanism Directions  
Amend the Plan Objectives and Policies Element and amend existing definitions 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) and Table 1(b) Summary of Residential Densities, by adding a new "Commercial" category, to amend use category.  
Sponsor: Board of County Commissioners
- T. CPA2005-40 - Sub-County 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 "Suburban" use category, having a maximum density of 2 dwelling units per acre.  
Sponsor: Board of County Commissioners
- U. CPA2005-41 - Minutes Protection Plan  
Amend the Conservation and Management Element and the Future Land Use Element to incorporate the "minutes protection" of the Minutes 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 adopted since its creation in 1993.  
Sponsor: Board of County Commissioners
- W. CPA2005-43 - Single Family Residence Provision Update  
Amend the Procedural and Administrative Element by updating the Single Family Residence Provision.  
Sponsor: Board of County Commissioners
- X. CPA2005-45 - Beach and Dune Management Plan  
Amend Policy 112.33 in order to update the definition 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 to reflect the findings of the most current Housing Needs Assessment.  
Sponsor: Board of County Commissioners

- Z. CPA2005-48 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- AA. CPA2005-49 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- BB. CPA2005-50 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- CC. CPA2005-51 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- DD. CPA2005-52 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- EE. CPA2005-53 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- FF. CPA2005-54 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- GG. CPA2005-55 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- HH. CPA2005-56 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- II. CPA2005-57 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- JJ. CPA2005-58 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- KK. CPA2005-59 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- LL. CPA2005-60 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- MM. CPA2005-61 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- NN. CPA2005-62 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- OO. CPA2005-63 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- PP. CPA2005-64 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- QQ. CPA2005-65 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- RR. CPA2005-66 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- SS. CPA2005-67 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- TT. CPA2005-68 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- UU. CPA2005-69 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- VV. CPA2005-70 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- WW. CPA2005-71 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- XX. CPA2005-72 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- YY. CPA2005-73 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners
- ZZ. CPA2005-74 - Update Goal 10 - Natural Resource Protection  
Amend the Lee Plan to update Goal 10 - Natural Resource Protection to reflect the findings of the most current Natural Resource Protection Assessment.  
Sponsor: Board of County Commissioners



**CPA2005-25  
CHANGE LEE PLAN HORIZON TO  
THE YEAR 2030  
BoCC SPONSORED  
AMENDMENT  
TO THE**

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**LEE COUNTY COMPREHENSIVE PLAN**

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**THE LEE PLAN**

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**DCA Transmittal Document**

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

**December 21, 2006**

**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2005-25**



**Text Amendment**



**Map Amendment**

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

STAFF REPORT PREPARATION DATE: November 16, 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 Lee Plan to change the references from 2020 to 2030 and update the Vision Statements to 2030.

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

- 1. RECOMMENDATION:** Planning staff recommends that the Board of County Commissioners transmit the proposed amendment to update text that references the 2020 planning horizon to the new planning horizon date of 2030. Additionally, to delete any text that is date sensitive and the time frame has passed or the intent of the text has been satisfied.

From Chapter I of the Lee Plan  
Element I - Vision Statement

*The Lee Plan is designed to depict Lee County as it will appear in the year ~~2020~~ 2030. Given the projected increase in population (to ~~602,000~~ 979,000 permanent residents with an additional 18 % ~~and 764,171~~ seasonal residents) and the probable rate of technological change between the present date and ~~2020~~ 2030, it is impossible to describe the future face of the county with any degree of certainty or precision. However, the following list of themes will be of great importance as Lee County approaches the planning horizon:*

- *The growth patterns of the county will continue to be dictated by a Future Land Use map that will not change dramatically during the time frame of this plan. With the exception of Cape Coral and Lehigh Acres, the county's urban areas will be essentially built out by ~~2020~~ 2030 (pending, in some cases, redevelopment). The county will attempt to maintain the clear distinction between urban and rural areas that characterizes this plan. Its success will depend on two things: the continuing viability of agricultural uses and the amount of publicly-owned land in outlying areas.*

There are no changes proposed for the remaining section.

The horizon year is being changed to 2030 and the projected population is being updated based on the latest Bureau of Economic and Business Research (BEBR) projections.

1. *Alva –*

There are no changes proposed for the first paragraph.

*While the Alva community does offer some commercial opportunities, residents satisfy most of their commercial needs outside of this community in the more urbanized communities to the west and south. For the most part, these conditions are expected to remain through the life of this plan. The population of Alva is projected to continue to grow through the life of this plan. ~~from an estimated 4,260 in 1996 to 4,818 in 2020.~~ Commercially, Alva will activity is expected to continue to increase to the year 2030 double its available square footage to nearly 150,000sf. ~~In the year 2020, the~~ The Alva community will remain largely rural/agricultural in nature with over half of its total acreage being used for this purpose. The Alva Community will also strive to protect its historic resources.*

*There are no distinct sub-communities within the Alva Community.*

The horizon year is being changed to 2030 and the old population projections are being deleted. Population projections for the planning community, based on the latest BEBR numbers have not been completed.

## 2. *Gasparilla Island/Boca Grande* –

There are no changes proposed for the first four paragraphs

*The population is highly seasonal with peak population residency and daily visiting occurring during the months of November through May. With land vacancy of less than 15%, Gasparilla Island/Boca Grande has virtually no capacity for additional new development, while substantial population growth is expected in adjacent areas of Charlotte and Sarasota Counties. The Gasparilla Island/Boca Grande community is dedicated to preserving its historic character and scale and its unique island residential character so that the community will look substantially ~~the same in 2020~~ as it does today through 2030, including its unique mix of vital small businesses, without fast food franchises, formula and intense retail or intense commercial tourist activities, other than the historic Gasparilla Inn.*

There are no changes proposed for the remaining paragraphs.

The reference to the year 2020, the old Lee Plan horizon has been removed and a reference to the new horizon year has been added.

## 3. *Bonita* –

There are no changes proposed for the first paragraph.

*Bonita Springs is one of the fastest growing communities in Lee County and is expected to nearly double in population between 1996 and ~~2020~~ 2030 ~~with an expected 2020 permanent population of approximately 37,000.~~ The Bonita Community will also remain an attractive seasonal homeowner destination ~~and has an anticipated Seasonal Population of 61,000 in the year 2020.~~ ~~This community will have only 20% of its total land area remaining vacant or in agricultural use in the year 2020.~~*

There are no changes proposed for the remaining paragraphs.

The reference to the year 2020, the old Lee Plan horizon year has been removed and a reference to the new horizon year has been added. Text referencing old population projections has been deleted. Population projections for the planning community, based on the latest BEBR numbers have not been completed.

5. *Burnt Store* - *This Community is located in the northwest corner of the mainland of unincorporated Lee County. The property east of Burnt Store Road is designated Open Lands and the land west of Burnt Store Road is designated as Rural (also known as Burnt Store Marina) with the exception of 10 acres designated as Outlying Suburban. Most of The Burnt Store Marina development was approved prior to the adoption of the 1984 Lee Plan and is "vested" for densities higher than allowed by the current plan. This development is primarily residential with a high percentage of seasonal residents. There are some commercial and marine oriented amenities within the Burnt Store Marina development primarily serving residents of that development. This area is expected to*

~~substantially grow through the year 2030. double its dwelling units during the life of this plan from 917 in 1996 to over 2000 in 2020. Today, most of the community's commercial needs are served outside of the community in Cape Coral, North Fort Myers and Fort Myers, or in Charlotte County. This development pattern is expected to remain through 2020.~~

The reference to the year 2020, the old Lee Plan horizon has been removed and a reference to the new horizon year has been added. Text referencing projected dwelling units has been deleted. Population projections necessary to project future dwelling units have not been completed.

6. **Cape Coral** - *The Cape Coral Community includes all the unincorporated enclaves with the exception of the few enclaves located on Pine Island Road West of Chiquita Boulevard. These enclaves may annex into the city and it may be advantageous at that time to amend the Community Map and the corresponding allocation tables to reflect such annexations. While commercial and industrial opportunities of all varieties exist in the City of Cape Coral, many of the residents still satisfy ~~these~~ their needs outside of the city. Likewise, many residents of less intense areas of the county will utilize Cape Coral's commercial and industrial opportunities for their needs. ~~Cape Coral will have a functional population of approximately 225,000 people by 2020 and will be, by far, the county's largest city.~~ Development in the Cape will be stimulated by the expansion of the airport, the construction of the new university, and the availability of reasonably-priced lots with public water and sewer. The imbalance between the city's population and its relatively small commercial and industrial sectors will continue to present a challenge in spite of the city's success in promoting the S.R. 78 corridor as an employment center.*

Text referencing the horizon year and the outdated population projections has been deleted.

7. **Captiva** - *This community includes the major islands of Captiva Island, Upper Captiva Island, Cayo Casta Island, Useppa Island, Buck Key, and Cabbage Key and the surrounding smaller islands. Although Captiva itself is a seasonal resort community, in comparison to the other islands in this community it is the center of activity. Due to the nature of this community, residents must satisfy their major commercial and industrial needs outside of this community. Conversely, the commercial aspects of the Captiva Community are utilized by many residents and tourists from outside of the Community. The population of Captiva is not expected to greatly change by ~~2020~~ 2030. Furthermore, the area will look much as it does today in the absence of a major hurricane or other natural disaster.*

The reference to the year 2020, the old Lee Plan horizon year has been removed and a reference to the new horizon year has been added.

8. **Fort Myers** - *The Fort Myers Community includes all land within the City of Fort Myers along with most areas included in the repealed Fort Myers Urban Reserve and the portions of Gateway which are in the process of annexing or expected to annex into the City of Fort Myers. The City of Fort Myers is annexing land in an aggressive manner, especially in the vicinity of Gateway. An urban reserve overlay for the City of Fort Myers is no longer in effect. Due to cessation of the inter-local with the City of Fort*

*Myers, this planning tool was deleted from the Lee Plan in the 1992/1993 amendment cycle. The Morse Shores/Tice area is unlikely to annex into the City of Fort Myers and is not included in this community even though it was previously in the Fort Myers Urban Reserve. While the emphasis of new commercial and industrial activity in Lee County has been moving south along US 41, The community of Fort Myers remains an administrative, financial, and cultural center for the rest of Lee County. This situation is not expected to change during the life of this plan. ~~The population of the Fort Myers community will also grow from the current 57,000 permanent residents in 1996 to over 86,000 permanent residents in 2020. The seasonal influx of residents in the Fort Myers community is not as great as in other areas of the county. In 2020 the Fort Myers community will have a functional population of approximately 94,000.~~*

Text referencing old population projections has been deleted. Population projections for the planning community, based on the latest BEBR numbers have not been completed.

- 9. **Fort Myers Beach** - This community includes all land incorporated in the Town of Fort Myers Beach as of this date. The town of Fort Myers beach will continue to have a strong retail base for tourist needs and the daily needs of the residents. However, major consumer needs will remain to be met outside of this community. Fort Myers Beach does a boating and marina industry on the island which fosters the employment base of the community. The development of its own comprehensive plan ensures that the Town of Fort Myers Beach will look much as it does today in the absence of a major hurricane or other natural disaster. The population of this community is very influenced by seasonal factors. This community is nearly built out today and will not have a substantial increase in permanent population by the year ~~2020~~ 2030.*

The reference to the year 2020, the old Lee Plan horizon year has been removed and a reference to the new horizon year has been added.

#### **10. Gateway/Airport -**

There are no changes proposed for the first paragraph.

*There are three distinct areas within this community. The Gateway portion of this community is the area where residential uses will occur. Gateway will be a thriving, nearly built-out, mixed-use community in 2020. The population of this community is anticipated to grow substantially from today to 2030. ~~from 1,500 permanent residents in 1996 to approximately 8,000 in 2020 and is expected to have fewer than 1,000 units remaining to be built in the year 2020. The Gateway/Airport community will continue to have an average seasonal resident influx for the Lee County area with an expected 2020 functional population of 10,000.~~*

*The second area in this community is the Southwest Florida International Airport. The airport will be greatly expanded by ~~2020~~ 2030. The expanded airport will have a second parallel runway and a new terminal building that will more than double the existing capacity of the airport. Development will be guided by the Airport Layout Plan (as established through the airport master plan process) consistent with the Southwest*

*Florida International Airport Proposed Development Schedule (Table 5) and all other Lee Plan provisions.*

There are no changes proposed for the remaining paragraphs.

The reference to the year 2020, the old Lee Plan horizon year has been removed and a reference to the new horizon year has been added. Text referencing old population projections has been deleted. Population projections for the planning community, based on the latest BEBR numbers have not been completed.

*11. Daniels Parkway - This Community is located between I-75 and the Six Mile Cypress Slough, south of the City of Fort Myers and north of the Alico Road industrial area. The community contains lands designated Rural, Outlying Suburban, and a small area of General Interchange. This community is considered one of the primary gateways to Lee County. This community has some rural characteristics which will remain in existence through the year ~~2020~~ 2030. Much of the existing vacant land will be developed into low density gated communities. While there is a potential to ~~redevelopment~~ redevelop the large lot home sites north of Daniels Parkway into the smaller lots allowed by the Outlying Suburban category, this development pattern is not anticipated by ~~2020~~ 2030. This community will grow through 2030 ~~from 6,000 to 7,500 permanent residents and over 10,000 total residents by 2020.~~*

The reference to the year 2020, the old Lee Plan horizon year has been removed and a reference to the new horizon year has been added. Text referencing old population projections has been deleted. Population projections for the planning community, based on the latest BEBR numbers have not been completed.

*12. Iona/McGregor --*

There are no changes proposed for the first paragraph.

*The McGregor Blvd./San Carlos Blvd area will be approaching build out by ~~2020~~ 2030 and some of the older (pre 1980) developments will begin to redevelop to take advantage of a higher end market seeking a combination of quick beach access and closeness to urban services. This area will remain primarily residential with retail uses located at the major intersections.*

*The Summerlin Road Corridor will develop a new look by ~~2020~~ 2030 and will emerge as one of the county's primary medical service areas. This portion of the community will also continue to develop as a strong residential area with an influx of new gated communities.*

There are no changes proposed for the fourth paragraph.

*Residents of this community will address current planning concerns in a comprehensive review of this area and future amendments to this plan will be made to address these concerns. This area is anticipated to grow substantially from today to 2030. ~~from a current permanent population of 24,000 to 32,000 by 2020. The Iona/McGregor area is also expected to be home to an additional 14,000 seasonal residents by 2020.~~*

The reference to the year 2020, the old Lee Plan horizon year has been removed and a reference to the new horizon year has been added. Text referencing old population projections has been deleted. Population projections for the planning community, based on the latest BEBR numbers have not been completed.

*13. San Carlos - This Community is located in the southern portion of Lee County, east of Hendry Creek and, for the most part, south of Alico Road. It is north of the Estero River on the west side of US 41 then north of the new Brooks of Bonita development east of US41. The community does extend east of I-75 to include the approved developments along Corkscrew Road and all lands designated University Community. The majority of the land in this community is designated as Suburban and then Urban Community (both having a maximum standard density of 6 units per acre) with the remaining areas designated as Rural, Outlying Suburban, and Industrial Development. There are ~~four~~ three distinct areas within this community: San Carlos Park, Island Park, ~~Estero~~, and the new university area. All of these areas will be experiencing tremendous development pressures as this community ~~explodes~~ continues to grow into the next century.*

There are no changes proposed for the second paragraph.

~~The historic Estero area will struggle to maintain its historic character through the year 2020 and will feel many development pressures which will threaten this character.~~

~~Overall, this community, which has been a fast growing area of Lee County since 1980, will add more than 15,000 new permanent residents and accommodate a total functional population of nearly 50,000 people by the year 2020~~

Corrections have been made to reflect changes in the Lee Plan. . The Estero Planning Community (Goal 19) was created in 2005. The vision statement is being amended to reflect Estero is not included as part of the San Carlos Planning Community. Text referencing old population projections has been deleted. Population projections for the planning community, based on the latest BEBR numbers have not been completed.

*15. South Fort Myers - This Community is located in the center of Lee County. South of the City of Fort Myers, east of the Caloosahatchee River, west of the Six Mile Cypress Slough, and north of Gladiolus Drive. This community primarily has the higher intensity land use categories such as Intensive Development, Central Urban, Urban Community, Industrial Development, and Suburban. This community contains one of the county's major hospitals, a baseball spring training facility, and the local community college. This community will be nearly built out by the year 2020. The South Fort Myers Community will continue to be a core area of the county providing office area for professional services in areas such as financial and medical. There will also be an increased amount of commercial activity along the US 41 corridor and light industrial uses will continue to expand along the Metro Avenue corridor north of Daniels Parkway. The amounts of commercial and industrial uses in this community are expected to double and most of the suitable land for these uses will be developed by ~~2020~~ 2030.*

*The residential areas of this community will also continue to develop through the year ~~2020~~ 2030 however the popularity of the residential opportunities to the south in the San Carlos/Estero and Bonita communities will continue to dominate this segment of the*

~~market. This community will grow from a 1996 permanent population of 46,000 to approximately 52,000 in 2020. In 2020, this community will still be 4,000 permanent residents from its build out population. While this community is not as heavily influenced by the seasonal population as the communities to the south, in season, South Fort Myers is expected to have a population of over 60,000 in the year 2020.~~

The reference to the year 2020, the old Lee Plan horizon year has been removed and a reference to the new horizon year has been added. Text referencing old population projections has been deleted. Population projections for the planning community, based on the latest BEBR numbers have not been completed.

*17. Lehigh Acres - This community is the Lehigh Acres development, which was platted starting in 1954. This community is located south of Township 43 South, generally north of SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County line. This community is designated as Urban Community, Central Urban, Industrial Development and Public Facilities. The Lehigh Community will continue to grow through the year 2020 at a rate faster than the county average growth rate. This community, however, will not be close to build out by 2020 2030. The Lehigh community will grow from a 1996 permanent population of 26,000 to over 71,000 permanent residents in the year 2020. The build out potential for the Lehigh Community is more than double the projected 2020 population. Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services. This community will also struggle with providing an adequate road network to reduce traffic congestion as the population grows.*

The reference to the year 2020, the old Lee Plan horizon year has been removed and a reference to the new horizon year has been added. Text referencing old population projections has been deleted. Population projections for the planning community, based on the latest BEBR numbers have not been completed.

**18. Southeast Lee County** - *As the name implies, this Community is located in the southeast area of Lee County. South of SR 82, north of Bonita Beach Road, east of I-75 (excluding areas in the San Carlos Park/Island Park/Estero Corkscrew Road and Gateway/Southwest Florida International Airport Communities) and west of the county line. With the exception of a few Public Facilities, the entire community is designated as Density Reduction/Groundwater Resource, Conservation Lands (both upland and wetlands), and Wetlands on the Future Land Use Map. This "community" consists of mining operations, agricultural uses, and very large lot residential home sites. The one exception is the Citrus Park Community. This community ~~will not change in character by the year 2020~~ is not expected to change in character through the year 2030, ~~and will continue to have a population of approximately 2000 residents.~~*

The reference to the year 2020, the old Lee Plan horizon year has been removed and a reference to the new horizon year has been added. Text referencing old population projections has been deleted. Population projections for the planning community, based on the latest BEBR numbers have not been completed.

**19. North Fort Myers** - *This Community is located north of the Caloosahatchee River between the Alva Planning Community and the City of Cape Coral. This community includes a wide mix of Future Land Use designations from Intensive Development to Density Reduction/Groundwater Resource. The area between the two US 41 routes near the river will remain the core of this community. The old US 41 corridor will be redeveloped with new commercial uses and waterfront development taking advantage of this areas close proximity to downtown Fort Myers and its riverfront location. The US 41 corridor from Pondella Road north will continue to attract new commercial development that will serve the North Fort Myers community and other surrounding communities. Total commercial, service, and industrial uses will have doubled from the amount existing in 1996. These areas are surrounded by residential uses. ~~Most of the North Fort Myers community will develop at residential densities less than what is allowed by the Lee Plan Future Land Use Map. Furthermore, much of this community is designated for low density development of less than one unit per acre. This community will not be one of the fastest growing areas, residentially, in Lee County. This area will add fewer than 3,000 new residents by the year 2020. However, with a total permanent population of over 50,000 residents and nearly 65,000 residents in season, the North Fort Myers community will be the fourth largest community, in population, in the year 2020. As stated in the Alva community, the Bayshore area does have characteristics differing from both the Alva and North Fort Myers community. The split in the Bayshore area between Alva and North Fort Myers was done to include properties which were most closely related to those respective communities.~~*

Corrections have been made to reflect changes that have taken place in the planning community. References to the year 2020, the old Lee Plan horizon have been removed. Text referencing old population projections has been deleted. Population projections for the planning community, based on the latest BEBR numbers have not been completed.

In addition to the Vision Statement, Element I there are several Objectives and Policies that refer to the horizon year of 2020 for the Lee Plan that will need to be changed to the new horizon year of 2030.

***POLICY 1.1.1:*** *The Future Land Use Map contained in this element is hereby adopted as the pattern for future development and substantial redevelopment within the unincorporated portion of Lee County. Map 16 and Table 1(b) are an integral part of the Future Land Use Map series (see Policies 1.7.6 and 2.2.2). They depict the extent of development through the year ~~2020~~ 2030. No development orders or extensions to development orders will be issued or approved by Lee County which would allow the Planning Community's acreage totals for residential, commercial or industrial uses established in Table 1(b) to be exceeded (see Policy 1.7.6). The cities of Fort Myers, Cape Coral, and Sanibel are depicted on these maps only to indicate the approximate intensities of development permitted under the comprehensive plans of those cities. Residential densities are described in the following policies and summarized in Table 1(a).*

The reference to the year 2020, the old Lee Plan horizon year has been removed and a reference to the new horizon year has been added.

***OBJECTIVE 1.2: SOUTHWEST FLORIDA INTERNATIONAL AIRPORT AREA.*** *Designate on the Future Land Use Map adequate land in appropriate locations to accommodate the projected growth needs of the Southwest Florida International Airport and the business and industrial areas related to it, as well as research and development activities and other non-aviation related development that is not necessarily related to the airport, through the year ~~2020~~-2030. The Lee County Port Authority desires to establish non-aviation related uses to provide a supplementary revenue source as well as providing an opportunity for businesses that desire a location on airport property. Designate on the Airport Layout Plan suitable areas to accommodate these desired uses and provide general policy guidance as to how these uses will be developed. These categories are also considered Future Urban Areas.*

The reference to the year 2020, the old Lee Plan horizon year has been removed and a reference to the new horizon year has been added.

***POLICY 1.2.1:*** *Airport lands include the Southwest Florida International Airport's existing facility and projected growth areas through the year ~~2020~~ 2030. These areas will include airport and airport-related development as well as non-aviation land uses as proposed in the approved 2003 Airport Master Plan update and as depicted on the Airport Layout Plan sheet (Map 3F) and the Southwest Florida International Airport Proposed Development Schedule (Table 5). This mix of uses is intended to support the continued development of the Southwest Florida International Airport. Future development at the Southwest Florida International Airport will also include non-aviation related land uses such as hotels/motels, light industrial, service stations, ancillary retail/shopping, and office development. Any future airport expansion or development of aviation-related and non-aviation uses will offset environmental impacts through the Airport Mitigation Lands Overlay (Map 3M) or other appropriate mitigation acceptable to the permitting agencies and to Lee County. The physical design of the*

airport expansion will minimize any degradation of the recharge capability of land being developed. Airport expansion beyond the present boundaries will be subject to necessary amendments to the Lee Plan.

The reference to the year 2020, the old Lee Plan horizon year has been removed and a reference to the new horizon year has been added.

**POLICY 1.4.1:** *The Rural areas are to remain predominantly rural--that is, low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. These areas are not to be programmed to receive urban-type capital improvements, and they can anticipate a continued level of public services below that of the urban areas. Maximum density in the Rural area is one dwelling unit per acre (1 du/acre).*

~~The property consisting of Sections 1, 2, and 3, Township 48 South, Range 26 East must be developed only in accordance with the following standards:~~

~~1. The Property may be developed only in accordance with the following conditions. Pre-development activities such as rezonings, zoning permits, certifications, special exceptions, and variances must be consistent with the following conditions, but need not implement them until application is made for a development order that would authorize physical, on-the-ground development on the Property.~~

~~a) The Property, or any part of it, will only be developed as a Planned Development, as defined by Chapter XII of the Lee County Comprehensive Plan. Should development occur in a series of increments by different developers, each development must receive planned development approval. Residential development will be clustered in order to maximize opportunities to provide open spaces and natural areas. A maximum of five acres of the property will be reserved for commercial uses of the type which serve neighborhood needs. Commercial development may be aggregated on any portion of the Property. Clustering will be achieved by requiring homesites to be platted or designed in contiguous groups, adjacent to open spaces. Clustering of residential development will also be achieved by limiting the areas on the Property available for residential homesites in the following fashion.~~

~~(1) Residential development. Single and/or multiple family homesite acreage may account for no more than 45% of the gross area of the Property. Homesite acreage includes the entire site for all single family houses, multi family dwellings, and any other residential structure, including the house or building pad, the yard, and any driveway, parking areas, landscaped areas, and the like upon the homesite.~~

~~(2) Open Spaces. These areas will include preserved natural areas, buffers, lakes, parks, golf courses, nature trails, retention areas, conservation areas, scenic resources, green belts, wetlands and associated areas and must account for a minimum of 40% of the Property. Golf course fairways will account for no more than fifty percent (50%) of the open space of the subject property.~~

- ~~(3) Non-residential Development. These areas will include vehicular and pedestrian ways, commercial and institutional areas, club houses and associated facilities, utility buildings, maintenance areas, tennis courts and associated non-residential uses and will be a maximum of 15% of the Property.~~
- ~~b) All naturally occurring wetlands, which have not been significantly degraded, must be designated as preserve areas and be subject to a conservation easement similar to that set forth in Section 704.06, Florida Statutes. Limited uses in preserve areas such as nature trails, bike paths, cart paths, boardwalks and the like will be allowed when permitted by appropriate State and Federal agencies. The use of wetland areas for water management, to the extent allowed by law, will not be precluded. Wetland areas being used as water management areas on the Property may be relocated if (1) all approvals are obtained from appropriate State and Federal agencies and (2) where the affected wetland functions are replaced on the Property.~~
- ~~e) Where feasible, open space areas will be designed so as to provide connections between wetlands, preserve areas, and buffers on the Property. The design of these open space areas will seek to provide areas which will be integrated with on-site and adjacent preserve properties so as to enhance habitat for small mammals and wading birds. Golf courses, when constructed and maintained in compliance with this paragraph will be considered to be functional open space to the extent set forth above.~~
- ~~d) The design of the functional open space area must incorporate the following design features:~~
- ~~(1) A surface water management system that mimics the functions of the natural system, in accordance with Objective 61.2 of the Lee Plan:~~
  - ~~(2) For those areas that drain to the Imperial River Basin, a surface water management system that is consistent with the Kehl Canal/Imperial River basin study prepared for the SFWMD, and adopted by the BOCC pursuant to Policy 60.3.2 of the Lee Plan:~~
  - ~~(3) Uses including, but not limited to, picnic areas, trails, benches, boardwalks, golf courses, water management systems, biking/jogging/equestrian trails, water courses, bird viewing blinds/tower and interpretative facilities will be permitted within functional open areas:~~
  - ~~(4) The open space areas must be replanted with vegetation after construction. Seventy five percent of the total number of required trees used in buffers, and landscaping must be indigenous, and fifty percent of the shrubs must be indigenous:~~
  - ~~(5) Plant material used for revegetation must conform to the standards for Florida Number 1, or better as given in Grades and Standards for Nursery Plants 1973, and Grades and Standards for Nursery Plants, Part II, Florida Department of Agriculture and Consumer Services Tallahassee:~~

~~(6) Australian pine, cajeput, Brazilian pepper, downy rose myrtle, Cuban laurel, melaleuca, bishopwood, castor bean, common papaya, common snakeplant, day jessamine, hunters robe, queensland umbrella tree, trailing wedelia may not be used as part of the revegetation of the property after development. Any such plants that exist on the site at the time of the issuance of a development order must be removed; and~~

~~(7) The vegetation that surrounds, or is within the open space areas should have the capacity to provide habitat for a diversity of wildlife.~~

~~e) Development must provide a buffer to protect adjacent natural areas from the impacts of development. The purpose of the buffer is to protect adjacent natural resources from the activities and impacts of development on the Property.~~

~~(1) All development must incorporate buffers, as follows, in three zones:~~

~~Zone 1 will be a minimum of 100 feet wide and will extend completely along all portions of the eastern and southern boundary of the Property. These are the areas of the Property which are adjacent to the Collier County Line. The buffer will consist of selected native upland forest plant species such as south Florida slash pine, live oak, laurel oak, and saw palmetto. Selected species will be tolerant of drought conditions, and will not require fertilizers and pesticides to promote growth and survival. Exotic plant species will be controlled by the periodic application of herbicides and mechanical removal. Wetland forest species will be used in situations where wetland functions remain on the property and where soil and moisture conditions are suitable.~~

~~Zone 1 will incorporate the existing water management reservoirs which are located along the southern boundaries of Sections 1 and 2. These reservoirs will not require additional buffering. There will be no structures erected in Zone 1, however, passive recreation such as hiking, bird watching, and nature study will be permitted. Construction of lakes in Zone 1 will be allowed. Existing berms and ditches will be allowed to remain in Zone 1.~~

~~Zone 2 will be adjacent to Zone 1 and will encompass an area that is at least 50 feet wide. This area will be free of lights and other structures such as fences, pools, and sheds. The permanent placement of generators, pumps, and other fixed motors will be prohibited. Homesites may extend into Zone 2, but no portion of the residence itself may extend into this zone. If residential lots are incorporated into this zone, those portions of yard acreage will be planted and maintained in a fashion similar to that proposed for Buffer Zone 1. Passive recreation such as hiking, jogging, biking, and walking will be allowed along designated trails and boardwalk system. Golf courses and lakes may extend into this zone, but may not incorporate lights or structures other than drainage structures and cart paths. All golf course acreage in Zone 2 will be free of lights and structures, and the use of golf carts will be permitted. If water, sewer, or electrical lines are placed in Zone 2 they must be buried.~~

~~Zone 3 will be parallel Zone 2 and will consist of residences and other infrastructure development in a 100-foot wide band. Exterior lighting in this zone may not project toward adjacent preserve land. Measures such as directional lighting, reduced height light supports, and other light abatement technology will be used.~~

~~The buffer zones will not preclude governmental entities from constructing public roadways that are currently depicted on the Lee County 2020 Traffic Circulation Plan Map through these zones, as long as other State and Federal permits are obtained.~~

~~f) The Property must be served with all necessary facilities and services at no expense to the County (including central water and sewer). Uniform Community Development Districts any special taxing districts may be utilized to achieve this standard. The Property is presently within the Lee County Privately Funded Infrastructure Overlay (PFIO). This Overlay requires that all development within these areas pay for the construction and extension of public services to all properties that seek to develop to a different land use. Should at the time when the Property begins to develop, the PFIO no longer applies to this area, all development will still be required to pay for its infrastructure costs. All development must comply with the Lee County Concurrence Management Plan. The owners of the property and their successors in interest must not withdraw from or opt out of the PFIO.~~

~~g) Development must be on central water and sewer or the extension of such and other utilities must be planned to coincide with the development of the Property. Bonita Beach Road improvements must have been extended east to the planned development, or its extension must be committed to occur in pace with the planned development.~~

~~h) The shorelines of any stormwater management lakes must be sinuous in configuration, and must be sloped or bermed. The littoral zones around the ponds must be planted with native wetland herbaceous plants, and trees or shrubs can be included within the herbaceous plants. At least four species must be planted. The minimum required number of plants will be one plant per linear foot of lake shoreline as measured at the control elevation water level. The littoral shelf should provide a feeding area for water dependent avian species.~~

~~i) The owners will employ management strategies in and around any golf course to address the potential for pesticide/chemical pollution of the groundwater and surface water receiving areas. The owners will comply with the goals of the Audubon Cooperative Sanctuary Program for Golf Courses. The management practices will include:~~

~~(1) The use of slow release fertilizers and/or carefully managed fertilizer applications which are timed to ensure maximum root uptake and minimal surface water runoff or leaching to the groundwater;~~

~~(2) The practice of integrated pest management when seeking to control various pests, such as weeds, insects, and nematodes. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified~~

~~targeted species. The regular widespread application of broad spectrum pesticides is not acceptable. The management program will minimize, to the extent possible, the use of pesticides, and will include the use of the USDA SCS Soil Pesticide Interaction Guide to select pesticides for uses that have a minimum potential for leaching or loss due to runoff depending of the site specific soil conditions. Application of pesticides within 25 feet of any CREW, or other adjacent public preserve lands, is prohibited.~~

~~(3) The coordination of the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any applied pesticides and nutrients;~~

~~(4) The utilization of a golf course manager who is licensed by the State to use restricted pesticides and who will perform the required management functions. The golf course manager will be responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those same fertilizers into the groundwater; and~~

~~(5) The storage, mixing and loading of fertilizer and pesticides will be designed to prevent/minimize the pollution of the natural environment.~~

~~j) In order to minimize the adverse impacts that construction may have on wildlife, natural environmental values, and water quality, the developer will institute appropriate measures such as full compaction of any fill material placed around newly installed structures.~~

~~k) Any future individual development on the Property will be subject to Development of Regional Impact (DRI) review once it reaches the 80% threshold, i.e., at 800 units such development will be presumed to be a DRI. If two or more individual projects will be developed on the Property, this 80% threshold will be applicable to each, and not applied in a cumulative fashion unless subject to the aggregation criteria in Rule 9J-2, Fla. Admin. Code.~~

All of the property described in the text proposed for deletion has been annexed into The City Of Bonita Springs. Lee County has no jurisdiction and/or permitting authority over these lands.

**GOAL 5: RESIDENTIAL LAND USES.** To provide sufficient land in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County in the year 2020 2030 in attractive and safe neighborhoods with a variety of price ranges and housing types.

The reference to the year 2020, the old Lee Plan horizon year has been removed and a reference to the new horizon year has been added.

***POLICY 36.2.1:*** *The Official Trafficways Map is intended to represent all roadway facilities that may be needed by buildout of Lee County at some unspecified point in the future. As such, it contains numerous corridors which will not be needed by the year 2020 2030 and are therefore not shown on Transportation Map 3A.*

The reference to the year 2020, the old Lee Plan horizon year has been removed and a reference to the new horizon year has been added.

## **Glossary**

***SOUTHWEST FLORIDA INTERNATIONAL AIRPORT PROPOSED DEVELOPMENT SCHEDULE (TABLE 5)*** - *This Table depicts the proposed development schedule for the Southwest Florida International Airport through the year 2020-2030.*

The reference to the year 2020, the old Lee Plan horizon year has been removed and a reference to the new horizon year has been added.

Some of the Objectives or Policies predate the horizon year and represent dead-lines that have passed or activities that have been achieved. These policies no longer serve a valid purpose and are been marked for deletion or to be rewritten.

~~***POLICY 2.6.3:*** *Amend the county's development regulations by 1994 to provide additional flexibility for redevelopment activities within CRAs.*~~

County no longer has any active CRA's, in addition the Board of County Commissioners does not need this Policy to propose revisions to the Land Development Code to address future provisions concerning redevelopment areas.

~~***POLICY 5.1.9:*** *Consider by 1996 the provision of incentives and requirements for the reassembly, redesign, and replatting of vacant platted residential lots that are not suitable for timely, safe, and efficient development; and re-evaluate the effects of the single-family residence provision and the privately funded infrastructure overlay on the county's ability to provide incentives for reassembly, redesign, and replatting*~~

Market demand is effectively providing incentives toward this goal of reassembling plats that are not suitable for residential uses. Additionally, there have been specific locations throughout Lee County, specifically Lehigh Acres that have had properties identified for commercial activities, as part of the Lee Plan. Also, recent legislation and a constitutional amendment have hindered the Counties ability to assemble properties for redevelopment.

***POLICY 6.1.11:*** *Provide by 1995 appropriate requirements and incentives for the conversion of strip commercial development into series of discrete, concentrated commercial areas.*

Lee County has adopted revised landscape and commercial design standards into the Land Development Code. Further, staff is proposing incorporating new urbanism and smart growth through Lee Plan amendment CPA2005-00037.

~~***POLICY 9.1.5:*** *Amend the Noise Ordinance by 1995 to provide exemptions for crop dusting and other essential agricultural activities*~~

This is an outdated farming practice no longer used within Lee County.

~~***POLICY 10.2.1:*** *By 2000, the county will conduct a study to determine the appropriateness of oil exploration, drilling, or production. The study will address the issues of the compatibility of oil related activities with the environment and urban uses. This study will include recommendations regarding the appropriateness of such activities within Lee County as well as guidelines under which such activities should be regulated under the Lee County Land Development Code*~~

The draft study has been completed. The Land Development Code (Sec 34-1651) has been amended to address exploration activity and existing uses.

~~***POLICY 18.1.3:*** *By the end of 1995, Lee County will maintain and as necessary adopt appropriate regulations providing for university housing, including student dormitories and boarding houses.*~~

The Land Development Code has been amended to address student dormitories and boarding houses as it would relate to university housing.

~~***POLICY 18.1.4:*** *By the end of 1995, Lee County will maintain and as necessary adopt regulations further defining how densities for individual parcels within the University Community will be determined. The regulations will address how the total number of units will be tallied to insure that the overall average density of 2.5 units an acre will be maintained. The regulations will provide a mechanism for clustering densities within the University Community.*~~

100% of the University Community has been rezoned.

~~***POLICY 18.1.11:*** *By 1996, Lee County and the Metropolitan Planning Organization will consider amending their respective transportation planning maps and policies to reflect the roadway segments identified by the Conceptual Master Plan.*~~

The roadway network created within and around the University Community, identified through Goal 18 has been incorporated within the respective transportation planning maps utilized by Lee County and the Metropolitan Planning Organization.

**POLICY 18.2.3:** *The University Window Overlay includes the area within 100 feet on both sides of the right-of-way of the following roadway segments:*

<i>Treeline Avenue</i>	<i>From Alico Road to Corkscrew Road</i>
<i>Alico Road</i>	<i>From I-75 to Treeline Avenue</i>
<i>Corkscrew Road</i>	<i>From I-75 to Treeline Avenue</i>
<i>Koreshan Boulevard</i>	<i>From I-75 to Treeline Avenue</i>

*With input from affected property owners, ~~by 1995~~, Lee County and the Board of Regents will develop mutually agreed upon standards for the University Window addressing landscaping, signage and architectural features visible from the designated roadway segments.*

Standards have been created for the University Window Overlay. All of the property owners in the designated area, and the County have entered into an agreement that satisfies the intent of this Policy. It is not considered an on going effort to update landscaping, signage, and architectural features, as necessary.

**POLICY 19.1.5:** *~~By 2002,~~ The Estero Community will draft continue to work on a corridor management plan for the Estero US 41 corridor during the five year update to their community plan to advance development in a manner that promotes a safe, high quality urban environment. Plan elements will include address roadway and median landscape standards, residential buffering standards, access management guidelines, street lighting, sidewalks, and insuring safe and effective pedestrian crossings within the context of a comprehensive pedestrian and bikeway system.*

The Estero Community is beginning work on the 5 year update to their community plan.

**POLICY 19.1.6:** *~~By 2004~~ Lee County will continue to evaluate historic resources, and as necessary, draft a proposals for their designation under Chapter 22 of the Land Development Code.*

Lee County has identified historic resources for designation under Chapter 22 of the Land Development Code and continues its efforts to identify historic resources.

**POLICY 21.1.1:** *By the end of ~~2004~~ 2007, the Caloosahatchee Shores community will draft and submit regulations for Lee County to review and consider for amendment or adoption as Land Development Code regulations that provide for enhanced landscaping, signage and architectural standards consistent with the Community Vision.*

Caloosahatchee Shore Planning Community is currently going through an update of their community plan.

**POLICY 21.3.1:** *By the end of ~~2004~~ 2007, the Caloosahatchee Shores community will draft and submit regulations and policies for Lee County to review and consider for amendment or adoption as regulations in the Land Development Code to provide for greater buffering*

*between distinctly different adjacent commercial and residential properties, modified however when a project is of mixed use nature.*

Caloosahatchee Shore Planning Community is currently going through an update of their community plan.

***POLICY 21.4.3:*** *Any existing or future regulation in the Land Development Code that is shown by the applicant of a planned development to inhibit the development of a mixed-use project will be given strong consideration for a waiver. By the end of 2004 2007, the Caloosahatchee Shores community will draft and submit regulations and policies for Lee County to review and consider for amendment or adoption as Land Development Code regulations that encourage mixed-use developments.*

Caloosahatchee Shore Planning Community is currently going through an update of their community plan.

***OBJECTIVE 58.1:*** *Oversee sewer service delivery management through a joint effort between Lee County and the various private sector providers. Re-evaluate, ~~by 1999,~~ as needed the effectiveness of this effort.*

Lee County is continuing to communicate and coordinate, as necessary with private sector providers. Lee County Utilities has viewed these efforts as a benefit for both the private sector and Lee County.

***POLICY 58.1.1:*** *~~By 1995, Lee County will have~~ continue to collected data from private sanitary sewer providers, including reporting of sewage flows, holding and treatment capacity, number of customers, committed future connections, and proposed expansion plans. Thereafter, this data will be updated on a yearly basis.*

The data is being collected to update the annual Concurrency Report each year. This information is provided by the individual plant operators.

***POLICY 59.1.1:*** *~~The County will continue to prepare and update and implement a the comprehensive county-wide surface water management master plan, with full attention to issues of regional water quality and environmental integrity. The County will complete basin plans for all of the remaining watersheds in Lee County by 2005. As each basin plan is completed, it will be scheduled for adoption by the Board of County Commissioners.~~*

The basin plans have been completed. Continuing efforts are being made to keep the plan updated.

***POLICY 59.1.3:*** *~~By 1995~~ 2007, Lee County will update its flood plain regulations in accordance with the ~~1984~~ 2006 Flood Plain Management Study Insurance Rate Map (FIRM) and other available sources.*

The adoption of the new FIRM data will require a review of all ordinances and regulatory documents to update flood zone information to be completed by August, 2007.

~~**POLICY 60.1.1:** The detailed Surface Water Management Master Plan that was initiated in 1989 to identify the existing watershed basin boundaries within Lee County, to evaluate the storm capacity and establish design criteria, and to determine costs for surface water management within each basin to meet applicable design storm standards will be completed by 2005.~~

The Surface Water Management Master Plan has been completed.

~~**OBJECTIVE 60.2: BASIN PROGRAM.** Promote water management permitting on a basin-wide basis, as opposed to the current individual-site approach used by Lee County and the South Florida Water Management District, through pilot or demonstration programs in two or more basins by 1996.~~

Both the South Florida Water Management District and Lee County use the Lee County surface water master plan as a guide for reviewing development. Lee County, Natural Resources Division is supportive of reviewing development on a basin-wide analysis level.

~~**OBJECTIVE 60.3: LEVEL-OF-SERVICE STANDARDS.** Revise by 1996 the surface water management level of service standards for basins and sub-basins identified in the Surface Water Management Master Plan. These future service standards can only be finalized upon the completion of the basin studies and will be based upon providing a defined level of flood protection, balanced with the protection of natural flow ways and associated wetland systems. Level of Service Standards have been established for basins identified in the surface water master plan and are provided in the following policies. The Level of Service Standards will be updated as necessary based on new basin studies or more accurate information~~

The Level of Service Standards are established within the Lee Plan. Any changes to these standards would be based upon new information.

~~**POLICY 60.3.5:** By 1996, complete the preliminary design of storm water management systems for each basin identified in the Surface Water Management Master Plan and develop a capital facility improvement schedule.~~

This task has been completed and projects are included in the Capital Improvement Program.

~~**POLICY 61.1.3:** In the event that the timing and volume of freshwater discharges necessary to maintain the health and productivity of estuaries and other wetlands cannot be determined or supported by existing scientific data, the county will sponsor, in collaboration with other agencies, institutions, and organizations, adequate research programs to make such data available by 1995.~~

This is an ongoing effort for both Lee County and numerous outside agencies. Collaboration in the form of shared data is ongoing.

**OBJECTIVE 62.2: SOLID WASTE DISPOSAL.** ~~By 1995, begin~~ Continue operation of a waste to energy resource recovery facility and continue to explore means to reduce the volume of solid waste.

This plant is currently operating and will be expanded.

**OBJECTIVE 64.2: MONITORING.** ~~By 1996~~ 2009, establish a system to accurately assess the information needs of the various constituencies in the community.

The Lee County Library system views an assessment system as a vital public outreach tool. It is the Library system's intent to have a satisfaction assessment system in place by 2009.

**POLICY 66.1.3:** ~~By 1995, Lee County will continue to maintain and regularly update a school impact fee. staff will develop, in conjunction with economic consultants and the Board of Education, an impact fee program for capital costs for schools and present it to the Board of County Commissioners for formal consideration.~~

The Board of County Commissioners has adopted a School District Impact Fee on November 27, 2001 and amended in November 2005.

**POLICY 68.1.1:** ~~By 1995, Lee County will provide a~~ continue mechanism to educate and train small businesses in waste minimization and the proper storage, handling and disposal of hazardous materials through increased occupational license fees.

This is a continuing effort, started in 1990, of the Pollution Prevention program. The program targets all businesses. This education process is being met through on site assessments, presentations, and educational outreach efforts.

**OBJECTIVE 76.3:** ~~By 1995, t~~ The county will establish a ~~continue to maintain a systematic approach to surveying users of park facilities and other residents of Lee County as to their needs, desires, preferences, and evaluations of park and recreation facilities and programs.~~

Lee County Park and Recreation currently surveys park users and Lee County residents to gain feedback on new park facilities and plans to continue such efforts. A county wide user survey was completed in 2006 for both programs and facilities. Every program offered by Lee County Parks is accompanied by a user survey and is administered by the program staff. All new facilities developed by Lee County Parks are done in the public form with public input.

**POLICY 76.3.2:** ~~The results of user and resident surveys will become~~ are an integral part of the planning process for park and recreation facilities and programs ~~by 1996.~~

Lee County Parks and Recreation currently uses parks users and Lee County resident surveys to determine the benefit of and potential new programs and facilities. A county wide user survey was completed in 2006 for both programs and facilities. Every program offered by Lee County Parks is accompanied by a user survey and is administered by the program staff. All new facilities developed by Lee County Parks are done in the public form with public input.

***POLICY 83.3.1:*** *The county will continue to research national or regional standards for pool development and make recommendations, as needed for adoption of a local, non-regulatory standard by 1995.*

Lee County, in conjunction with Florida Gulf Coast University has partnered in the creation of an aquatic center which accomplishes the intent of the policies. As these facilities are used for competition events, they meet with national and regional standards.

~~***POLICY 83.3.2:*** *The county will evaluate the need, feasibility, and economic benefit of developing a 50-meter pool and related aquatic center by 1995.*~~

Lee County, in conjunction with Florida Gulf Coast University has partnered in the creation of an aquatic center which accomplishes the intent of the policies. As these facilities are used for competition events, they meet with national and regional standards for 50 meter pools.

***POLICY 107.1.1:*** *County agencies implementing the natural resources management program will be responsible for the following:*

~~*10. Providing an annual on an as needed basis a report to the County Commission on the status of wetlands and rare and unique uplands by 1996.*~~

There are no changes proposed for other text within this Policy.

An annual report is excessive and in fact has not been undertaken by the County. Data on wetland impacts is available through the SFWMD and DEP. Providing a status on rare and unique uplands would be a major task to undertake, clearly not feasible on an annual basis.

~~***OBJECTIVE 108.1:*** *Establish baseline conditions in all estuarine systems, including pollutant and freshwater loadings by 2000, and Maintain an ongoing water quality monitoring program. Maintain communication with other local, state, and federal estuarine water quality studies to ensure that the latest data and recommendations are available.*~~

Baseline conditions have been established. The effort has now shifted to maintaining the water quality monitoring program.

~~***OBJECTIVE 108.2: WATERSHED MANAGEMENT PLANS.*** *By 1996, establish procedures for reviewing Review all new upland development in terms of its impacts on estuarine systems. Prepare estuarine watershed management plans which maximize stormwater retention and treatment, with priority to the Estero Bay watershed Lee County will work with the South Florida Water Management District to ensure new development will maximize stormwater retention and treatment.*~~

Procedures have been established to review upland development. The South Florida Water Management District is going through basin Rule changes that will maximize the stormwater retention and treatment

**POLICY 109.2.3:** ~~By 1995, o~~ *On-site shelters will be required to meet standards established by the county, including provision of adequate shelter space, elevation above Category 3 hurricane storm surge flooding levels, adequate windproofing, glass protection, emergency power where needed, water supplies, and other basic needs.*

The Land Development Code has been amended and now addresses these issues.

**OBJECTIVE 110.1: DEVELOPMENT REGULATIONS.** ~~By 1995~~ 2007, *all development regulations will be reviewed and revised to require that the vulnerability of future development in the A-Zone (as defined by the Federal Emergency Management Agency) be reduced.*

The adoption of the new FIRM data will require a review of all ordinances and regulatory documents to update flood zone information to be completed by August, 2007.

**POLICY 110.1.3:** ~~By 1995, a~~ *All new residential development of more than 50 units will be required to provide continuing information to residents concerning hurricane evacuation and shelters, through the establishment of a homeowners' or residents' association. (Amended by Ordinance No. 94-30, 00-22)*

The LDC has been amended and now addresses this issue.

**POLICY 110.1.4:** ~~By 1995, a~~ *All new residential development of more than 100 units will be required to formulate an emergency hurricane preparedness plan; this plan is subject to the approval of the Lee County Division of Public Safety. (Amended by Ordinance No. 94-30, 00-22)*

The LDC has been amended and now addresses this issue.

**POLICY 110.1.5:** ~~By 1995, the county will prepare and adopt a flood plain management plan. The County will maintain the flood plain management plan and will analyze the flooding problem of the unincorporated areas of Lee County, inventory the flood hazard area, review possible activities to remedy identified flooding problems, select appropriate alternatives, and formulate a schedule for implementation. (Amended by Ordinance No. 92-35, 94-30, 00-22)~~

This has been completed and has been implemented.

**OBJECTIVE 111.1: POST-DISASTER STRATEGIC PLAN.** ~~By 1995, t~~ *The county will ~~formally establish~~ maintain a post-disaster institutions and procedures to guide county actions following a natural or technological disaster. (Amended by Ordinance No. 94-30, 00-22)*

The County has a post-disaster procedure. The Objective has been modified to ensure this document is maintained regularly.

**OBJECTIVE 111.2: POST-DISASTER ORDINANCE.** *Maintain an ordinance that implements (where necessary) the Post-Disaster Strategic Plan, and provides regulations that may be needed following a natural or technological disaster. ~~By 1995,~~ The Recovery Task Force will recommend amendments as needed to the Post-Disaster Strategic Plan. (Amended by Ordinance No. 94-30, 00-22)*

The post disaster ordinance does exist. The Objective has been modified to ensure the ordinance accurately reflects the strategic plan and provides appropriate regulations that may be needed following a disaster.

**POLICY 114.1.2:** *The county's wetlands protection regulations will ~~be amended by 1995~~ to be consistent with the following:*

There are no changes proposed for other text within this Policy.

The Land Development Code has been amended to address this issue.

**POLICY 114.1.3:** *The Future Land Use Map shows the approximate boundaries of wetlands in Lee County. The map will be updated ~~by 2000,~~ as needed based on the definitions in this plan and new information. If the Future Land Use Map is incorrect due to a clear factual error, or if an exact boundary determination is desired, an administrative process is set out in Chapter XIII of this plan to establish the precise boundary of the wetland. (Amended by Ordinance No. 94-30)*

New wetland boundaries are regularly updated on the Future Land Use Map. The Policy has been amended to reflect this ongoing effort.

**POLICY 121.1.5:** *~~By 1996,~~ The county will establish an ongoing monitoring system for estuarine water quality and its impacts on the health of recreationally and commercially important fish and shellfish. (Amended by Ordinance No. 00-22)*

The County currently has a monitoring system in place. The Policy has been amended to reflect this ongoing effort.

**OBJECTIVE 124.3: MARINE SANITATION.** *The county will provide for effective control of waste disposal by maintaining local marine sanitation regulations in the Land Development Code which complement the Florida Clean Vessel Act and by cooperating with the Southwest Florida Regional Harbor Board to develop regional guidelines for marine sanitation systems ~~by 2001.~~ (Amended by Ordinance No. 94-30, 98-09)*

The Land Development Code has been amended to address this issue.

~~**POLICY 124.6.3:** By 1997, the county will, with recommendations from an advisory committee, affected elements of county government and other affected persons, further develop and implement a Matanzas Harbor Management Plan. The scope of this plan will include the designation of a managed mooring area; the regulation of trash and wastewater disposal; and establishment of a research facility designed to meet the needs of marine environmental sciences, marine education, marine research and study of the estuarine and intertidal environment of waters unique to Lee County, specifically, Estero Bay, Ostego Bay and Hurricane Bay. This plan will provide mechanisms and standards for the strict enforcement of health, safety and welfare regulations throughout the Estero Bay and Matanzas Harbor area, regulations for the protection of marine resources; and the initiation and operation of a marine research/educational facility that would provide public access as determined by a final master plan. Lee County will continue to offer support to governmental entities in the effort to manage Matanzas Harbor to protect marine resources and maximize the health, safety, and welfare of the estuarine and intertidal environment of waters unique to Lee County, particularly Estero Bay, Ostego Bay, and Hurricane Bay. (Amended by Ordinance No. 00-22)~~

The plan is complete and the area now falls under the jurisdiction of the Town of Fort Myers Beach. Lee County continues to offer technical assistance toward the goal of maximizing the health of the Estero Bay, Ostego Bay, and Hurricane Bay.

~~**OBJECTIVE 127.1: ARTIFICIAL REEF PROGRAM.** The county will continue its artificial reef program for increasing fisheries habitat in coordination with—the Department of Environmental Protection and appropriate organizations. (Amended by Ordinance No. 00-22)~~

The deleted text does not change the intent of the Objective, it has been proposed to show Lee County's desire to work with any appropriate organization.

~~**POLICY 127.1.1:** By 1994, the Board of County Commissioners will create an artificial reef and habitat enhancement advisory committee composed of representatives from the commercial fishing industry, recreational fishing clubs, seuba diving organizations, environmental and conservation groups, and government agencies with an interest in fisheries or environmental matters. (Amended by Ordinance No. 00-22)~~

This Policy has been completed. The advisory committee has been formed and has been integrated into the "Reef Plan".

**OBJECTIVE 143.4: PUBLICLY OWNED SITES.** Lee County will continue to preserve and protect the historic and archaeological resources owned, acquired, or disposed of by Lee County by designating them under the Lee County Historic Preservation Ordinance if feasible. ~~By 1999, Lee County will develop a~~ continue the program to preserve and protect those historic and archaeological resources owned, acquired or disposed of by Lee County which do not qualify for designation under the Lee County Historic Preservation Ordinance. (Amended by Ordinance No. 94-30, 00-22)

Lee County has developed a program to preserve and protect historic and archaeological resources within Lee County that do not qualify for the Lee County Historic Preservation Ordinance

**POLICY 151.3.1:** ~~By 1995, enter into interlocal agreements between Lee County DOT will continue open communications with and the various water and wastewater utility companies to establish a process to coordinate expected utility construction projects with programmed roadway maintenance and capital projects.~~ (Added by Ordinance No. 94-30)

Lee County Department of Transportation has an effective process in place to coordinate construction projects with the various utility providers.

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

- The Evaluation and Appraisal Report identified the need to revise the County's population projection and adjusting the Plan's planning horizon to the year 2030.
- The horizon year for the Lee Plan is being moved from 2020 to 2030.
- Subsequent data sets reference by the Lee Plan are utilizing projections to the year 2030.

### **C. BACKGROUND INFORMATION**

There are several references to the horizon year of 2020 within the Lee Plan. The references associated to the horizon year vary from projected population counts to anticipated levels of development.

This comprehensive plan amendment is not intended to change any dates that are associated with a "sunset" or a dead-line that have not already passed.

The staff report is broken into several different sections, each section is identified with a brief descriptor explaining the purpose for the section. The first section presents the Vision Statement for Lee County, located in Element I of the Lee Plan. The changes proposed in this section pertain to the change of the horizon year from 2020 to 2030. It is not the purpose of any of the proposed text changes to alter the intent of the Vision Statements. The second section changed the horizon year for the Goals, Objectives, and Policies of the Lee Plan. The third section would have changed text from Objectives or Policies that predate the horizon year and represent dead-lines that have passed or activities that have been achieved. These policies no longer serve a valid purpose and are been marked for deletion or to be rewritten.

## **PART II - STAFF ANALYSIS**

### **A. STAFF DISCUSSION**

Staff has reviewed the Lee Plan to identify Goals, Objectives, Policies, or Standards that were sensitive to the horizon date (2020) of the Lee Plan. The changes that were done, to update the Lee Plan to the 2030 horizon date did not change the intent of any of the Goals, Objectives, or Policies, the sole purpose was to make those specific changes to accurately reference new data based on a 2030 projection year.

Additional changes have been made to remove dead-lines that have passed or Policies that refer to actions that have been accomplished.

It is not the purpose of this Lee Plan Text Amendment to change the intent of any Goals, Objectives, or Policies, however in the process of updating the Lee Plan it was necessary, in a few specific cases, to re-write sections of or the entire Objective or Policy as the actions required were completed.

**B. CONCLUSIONS**

The proposed text amendment is a required action to keep the Lee Plan updated with more accurate or current information.

**C. STAFF RECOMMENDATION**

Staff recommends the Board of County Commissioners transmit the proposed amendment to update text that references the 2020 planning horizon to the new planning horizon date of 2030. Additionally, to delete any text that is date sensitive and the time frame has passed or the intent of the text amendment has been met.

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

PUBLIC HEARING DATE. November 27, 2006

- A. LOCAL PLANNING AGENCY REVIEW:** Staff explained the purpose of the amendment as updating the Lee Plan to reflect the new horizon year of 2030 and to delete or re-write, as necessary any text that is date sensitive and time frame has passed or the intent of the text has been satisfied. Staff's discussion centered on a review of the staff report and recommendations.

There were no comments provided by LPA members.

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

- 1. RECOMMENDATION:** The LPA recommends that the Board of County Commissioners transmit the proposal to amend the Lee Plan to change the references from 2020 to 2030 and update the Vision Statements to 2030.
- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

**C. VOTE:**

NOEL ANDRESS	AYE
DEREK BURR	AYE
RONALD INGE	AYE
RAYMOND SCHUMANN, ESQ	AYE
CARLETON RYFFELL	ABSENT
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 of County Commissioners provided no discussion concerning the proposed plan amendment. This item was approved on the consent agenda

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

**1. BOARD ACTION:** The Board of County Commissioners voted to transmit the proposed plan amendment.

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

**C. VOTE:**

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

**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:**

**D. BOARD REVIEW:**

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

**1. BOARD ACTION:**

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

**F. VOTE:**

**A. BRIAN BIGELOW**

**TAMMARA HALL**

**BOB JANES**

**RAY JUDAH**

**FRANKLIN B. MANN**

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