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BOARD OF COUNTY COMMISSIONERS

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Diana M. Parker County Hearing Examiner

Amendments to the Lee Plan
Transmittal Submission Package

2005/2006 Evaluation and Appraisal Amendment Cycle

Dear Mr. Eubanks:

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

A summary of the plan amendment content and effect is attached to this letter. The name, title, address, telephone number, facsimile number, and email address of the person for the local government who is most familiar with the proposed amendments is as follows:

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

Email: oconnops@leegov.com



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

Sincerely,

DEPT. OF COMMUNITY DEVELOPMENT Division of Planning

Paul O'Connor, AICP

Director

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

David Burr Director Southwest Florida Regional Planning Council

Mike Rippe, District Director FDOT District One

Executive Director
South Florida Water Management District

Plan Review Section
Department of Environmental Protection

Florida Department of State

Florida Fish and Wildlife Conservation Commission

The Department of Agriculture and Consumer Services, Division of Forestry

2005/2006 LEE PLAN EVALUATION AND APPRAISAL AMENDMENT CYCLE

SUMMARY OF PLAN AMENDMENT CONTENT AND EFFECT .

CPA2005-05 - Three Oaks North

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

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

This privately sponsored amendment by Hawks Haven Investment LLC amends the Future Land Use Map Series for a specified parcel (approximately 1,727 acres) located in Sections 25, 26, 27, 34, 35, and 36, Township 43 South, Range 26 East to change the Future Land Use classification shown on Map 1 from "Rural" and "Suburban" to "Outlying Suburban" and "Public Facilities." It also amend 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 revise Goal 85, Objective 85.1, Policy 85.1.2, Policy 85.1.3, Policy 85.1.4, Policy 85.1.5, and Policy 107.1.1(4.)(d.). It incorporates proposed new Policy 40.4.6, Policy 40.4.7, Policy 40.4.8, Policy 77.3.6, Policy 77.3.7, new Objective 85.4, Policy 85.4.1, Policy 85.4.2, new Goal

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

CPA2005-12 – Captiva Community Plan

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

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

CPA2005-13 – Community Planning

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

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

CPA2005-16 - San Carlos/Estero Community Boundary

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

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

CPA2005-17 - Long Range Transportation Plan

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

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

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

CPA2005-19 - FDOT Quality LOS Handbook

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

CPA2005-20 – Deletion of Policy 38.2.3

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

CPA2005-21 - Update Reference to the LeeScape Master Plan

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

CPA2005-22 - Mass Transit Update

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

CPA2005-23 - Ports, Aviation and Related Facilities Update

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

CPA2005-24— Update Transportation Concurrency Policies

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

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

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

CPA2005-26 – Landuse Acreage Allocation

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

CPA2005-27 – Update CIE Tables 3 and 4

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

CPA2005-28 – Conservation Lands Update

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

CPA2005-29 - Public Facilities Update

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

CPA2005-33 - Police and Justice Sub-Element Update

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

CPA2005-35 – New Urbanism Definitions

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

CPA2005-37 - New Urbanism

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

CPA2005-39 – Commercial FLUM Category

This Board sponsored amendment amend Goal 1 of the Future Land Use Element, the Future Land Use Map Series, Map 1, and Table1(a), by adding a new "commercial only" future land use category. In addition, a new definition is being added to the Glossary to define Floor Area Ratio, as a way to establish limitations on intensity. At this time there are no specific areas being proposed for the new category.

CPA2005-40 - Sub-Outlying Suburban FLUM Category

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

CPA2005-41 - Manatee Protection Plan

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

CPA2005-42 – Economic Element Update

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

CPA2005-43 – Single Family Residence Provision Update

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

CPA2005-45 – Beach and Dune Management Plans

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

CPA2005-46 - Smart Growth Recommendations

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

CPA2005-47 - Housing Element Update

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

NEWS-PRESS

Published every morning - Daily and 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

<u>Legal Assistant</u> of the News-Press, a daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a

In the matter of

Notice of Proposed Amendment

In the court was published in said newspaper in the

December 6, 2006

December 6, 2006

Affiant further says that the said News-Press is a paper of general circulation delity 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.

14th day of December 2006

Elisha Wells

personally known to me or who has produced
as identification, and who did or did not take an oath.
Notary Public Aladys Vandy De
Print Name Gladys D. Vanderbeck Commission # D0378967
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NOTICE OF PROPOSED AMENDMENT TO THE LEE COUNTY COMPREHENSIVE LAND USE PLANS. (Transmittal Hearing)

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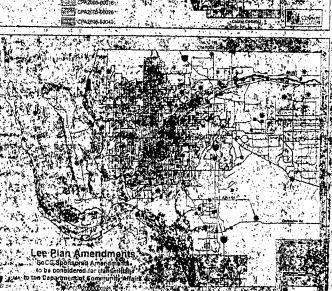
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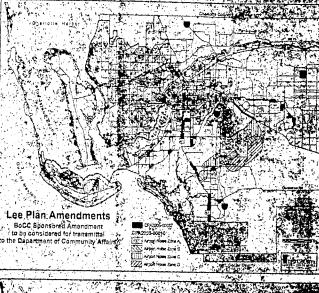
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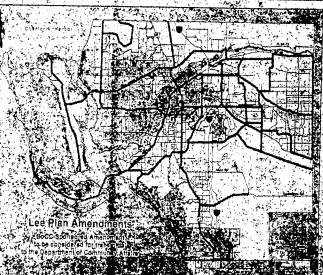
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CPA2005-29 PUBLIC FACILITIES UPDATE AMENDMENT TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

DCA Transmittal Document

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 CPA2005-29

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

STAFF REPORT PREPARATION DATE: August 18, 2006

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVE:

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

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

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Planning staff recommends that the Board of County Commissioners transmit this proposed amendment to the Future Land Use Element, Map 1, the Future Land Use Map, by redesignating the parcels listed in Table 1 to the Public Facilities future land use category.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

• A variety of parcels of land owned by Lee County are being used for public facilities are not included in the Public Facilities future land use category.

- Florida Administrative Code 9J-5.006 (4) (a) 8 and 9 requires that the Lee Plan include a Future Land Use Map that indicates the location of public facilities and uses.
- Lee County has acquired several parcels since the last public facilities amendment in 1998. In addition, County staff have identified other properties that are currently being used as public facilities.

C. BACKGROUND INFORMATION

On June 3, 1998 the Board of County Commissioners adopted Lee Plan Amendment PAM96-14. This was the last time the Board amended the Public Facilities future land use category on a county-wide basis. This amendment proposes to redesignate parcels throughout the County to the Public Facilities future land use category. The decision is based on the parcel either being acquired by a public agency to be used as a public facility or the parcel is currently being used as a public facility, per Lee Plan Policy 1.1.8, which is reproduced below:

POLICY 1.1.8: The <u>Public Facilities</u> areas include the publicly owned lands within the county such as public schools, parks, airports, and other government facilities. The allowable uses within these areas are determined by the entity owning each such parcel and the local government having zoning and permitting jurisdiction.

Florida Administrative Code 9J-5.006 (4) (a) 8 and 9 requires that the Lee Plan include a Future Land Use Map that indicates the location of public buildings, grounds and other facilities. In order to remain consistent with this state mandate, the Future Land Use Map should be periodically updated.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

Lee County has acquired several parcels of land since the last county-wide review of the Public Facilities future land use category. Some of these parcels have been acquired through the acquisition of private utility services by Lee County. Others have been acquired to accommodate new County facilities such as school sites or expanded County office space in downtown Fort Myers. Additional properties in the County's inventory which are currently being used as public facilities are also included in the proposed amendment. Table 1 lists the parcels as well as the future land use category from which each one is being changed.

The North Fort Myers senior center, including facilities such as the parking and tennis courts, are included in this amendment.

Three Fire Stations are included in this amendment. The fire station on Upper Captiva and an abutting parcel are proposed to be changed from Outer Island to Public Facility. The Tice and Alva fire stations are also proposed to be included in the Public Facilities category.

New school sites such as the new schools on Homestead Road in Lehigh Acres are proposed for re-designation to the Public Facilities category. These two schools are located near the Buckingham Airfield.

A vacant parcel of land owned by the Mosquito Control District in the Buckingham Park subdivision is being included in this proposal. This parcel abuts the current mosquito control facilities.

The Lee County DOT facilities at Billy Creek and on Evergreen Road are proposed to be included in the Public facilities category, as is the County Fleet Maintenance facility on Van Buren Street and the MARS operations south of Michigan Avenue. County offices such as the Medical Examiner, the County-City Building on Hendry Street, The Veterans Service building on Victoria Avenue, and the County departments located on Pondella road are also included. These departments include a sheriff's substation, and the Departments of Health, Human Services, and Social Services.

The Suntrust Building in downtown Fort Myers was recently acquired by Lee County. It is proposed to become part of the Public Facilities future land use category.

Parking lots are also part of this amendment. The Lee Tran Parking for Fort Myers Beach is proposed to be included in the Public facilities category. Additional County-owned parking in downtown Fort Myers on Thompson Street and Cottage Street are included as is the parking lot acquired as part of the Suntrust Building. Like the Suntrust building, many of these parcels are within incorporated Fort Myers which has its own future land use categories. Planning staff are recommending redesignating the parcels on the Lee Plan Future Land Use map for informational purposes.

The boat ramps on Barrancas Avenue in Bokeelia and on Davis Road in Fort Myers Shores are proposed to be classified in the Public Facilities category.

Several water tanks, such as the Miners Corner and Alico booster plants and the water towers in Tice and on Pine Island Road next to J. Colin English Elementary School, are proposed to be included in the Public Facility category. Other utility parcels include the pump stations and warehouses on San Carlos Island and Ballard Road in Fort Myers, two pump stations on State Road 80, the Fort Myers Beach sewage treatment plant on Pine Ridge Road, the Greenmeadow water treatment plant, and the waste water treatment plants at Fiesta Village and Gateway.

Facilities acquired by Lee County from private service providers are also included in this amendment. These consist of the facilities the County acquired from Gulf Environmental at Shadow Creek Boulevard, Corkscrew Road, Three Oaks Parkway, and San Carlos Parkway in San Carlos Park. The County also acquired a utilities customer service center from the Florida Cities utility provider. Items such as the Pine Island Waste Water Plant and the Olga Water Plant include vacant land abutting the physical facilities.

Recreational parks are part of this amendment. These include Mary Moody Park and Judd Park in North Fort Myers, Hunter Community Park in Pine Manor, the South Fort Myers Community Park on Bass Road and Alva Community Park in Alva. A small vacant parcel that is part of Veterans Park in Lehigh Acres is proposed to be redesignated as Public Facility. Also included is the recently opened Ten Mile Canal Linear Park.

STAFF REPORT FOR December 21, 2006 CPA2005-29 Page 3 of 8

Toll facilities for the Midpoint Bridge are included in this amendment, as is the parcel that provides access to these facilities. These parcels are in Cape Coral which has its own future land use categories. The parcels should still be redesignated on the Lee County Future Land Use Map to indicate their status as publicly-owned facilities.

Some community centers and their associated facilities are proposed to be changed to the Public Facilities category. These include the Boca Grande Community Center, the Matlacha Community Center, the Charleston Park Community Center, the Olga Community Center and the Schandler Hall Recreation Center.

The East County Regional Library and the parcel providing access to it are part of this amendment. Other library facilities to be amended include the Lakes Regional Library, the South Regional Library, and the Library Administration Expansion in Fort Myers.

B. CONCLUSIONS

Lee Plan Map 1, the Future Land Use Map, should be updated in order to be as accurate as possible and maintain consistency with the requirements of Florida Administrative Code.

C. STAFF RECOMMENDATION

Planning staff recommends that the Board of County Commissioners transmit this proposed amendment to the Future Land Use Element, Map 1, The Future Land Use Map, by adding the parcels listed in Table 1 to the Public facilities future land use category.

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

PUBLIC HEARING DATE: August 28, 2006

A. LOCAL PLANNING AGENCY REVIEW

Planning staff gave a brief presentation. One LPA member had a question concerning a symbol on a general location map for the amendment. Staff noted that the symbol in question was an error created by the mapping software. The LPA had no further comments.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

The LPA recommends that the Board of Commissioners transmit the proposed amendment to the Future Land Use Element, Map 1, the Future Land Use Map, by re-designating the parcels listed in Table 1 to the Public Facilities future land use category.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The LPA accepted the facts advanced by planning staff.

C. VOTE:

NOEL ANDRESS	AYE
DEREK BURR	AYE
RONALD INGE	AYE
CARLETON RYFFEL	AYE
RAYMOND SCHUMANN, ESQ	AYE
RAE ANN WESSEL	AYE
VACANT	:

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

DATE OF TRANSMITTAL HEARING: December 13, 2006

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

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

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

C. VOTE:

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

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

DATE OF ORC REPORT:

- A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS:
- **B. STAFF RESPONSE:**

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

DATE OF ADOPTION HEARING: A. BOARD REVIEW: B. BOARD ACTION AND FINDINGS OF FACT SUMMARY: 1. BOARD ACTION: 2. BASIS AND RECOMMENDED FINDINGS OF FACT: C. VOTE: A. BRIAN BIGELOW TAMMARA HALL BOB JANES

RAY JUDAH

FRANKLIN B. MANN

