



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

kwiktag®

022 564 598



(941) 479-8585

Writer's Direct Dial Number: _____

Bob Janes
District One

September 12, 2001

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

Ray Eubank, Community Program Administrator
Florida Department of Community Affairs
Division of Community Planning
Bureau of Local Planning
2555 Shumard Oak Boulevard
Tallahassee, FL. 32399-2100

Re: Amendments to the Lee Plan
Transmittal Submission Package for the 2000/2001 Regular Amendment Cycle

Dear Mr. Eubank:

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 2000/2001 Regular Amendment Cycle to the Lee Plan. The Local Planning Agency held public hearings for these plan amendments on the following dates: January 22, 2001; February 26, 2001; March 26, 2001; April 23, 2001; June 4, 2001, June 25, 2001 and, July 23, 2001. The Board of County Commissioners transmittal hearing for the plan amendments was held on August 29, 2001. 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 upon receipt of the 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
(941)479-8585
Fax (941)479-8319
Email: oonnops@leegov.com

Included with this package, per 9J-11.006, are six copies of the adopted amendment, 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),

P.O. Box 398, Fort Myers, Florida 33902-0398 (941) 335-2111
Internet address <http://www.lee-county.com>

AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

the Department of Environmental Protection, Florida Department of State, 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:

Wayne Daltry
Executive 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

2000/2001 LEE PLAN AMENDMENT CYCLE

SUMMARY OF PLAN AMENDMENT CONTENT AND EFFECT

- PAM 98-06** Amends the Future Land Use Map series for a portion of a specified parcel of land located in Section 20, Township 46 South, Range 25 East to change the classification shown on Map 1, the Future Land Use Map, from "Rural" to "Outlying Suburban." Also, amends Lee Plan Policy 1.1.6 and Table 1(a), Note 6.
- PAT 99-14** Amends the Community Facilities and Services Element by modifying Policy 39.1.4 to reflect the current status of Lee County Division of Natural Resources in completing the identified basin studies and providing technical floodplain information and analysis. Given that the identified basin studies have been completed, the amendment proposes that the references to the basin studies be removed from Policy 39.1.4. Policy 39.1.4 has been amended to contain references to the appropriate government agencies that will be assisting Lee County in the development of new floodplain information.
- PAT 99-20** Reevaluates the allocations of Table 1(b), Planning Community Year 2020 Allocations, for consistency with existing and approved developments.
- Amends Map 16, Planning Communities, of the Future Land Use Map series to revise the Planning Community boundaries to reflect the incorporation of Bonita Springs and on going "grass roots" planning efforts.
1. CPA2000-04 Amends the Planning Community Year 2020 Allocation Table, Table 1(b), to provide sufficient allocations to accommodate the proposed residential component of the Orange River property. This request was included in PAT 99-20, as part of the analysis for the Fort Myers Planning Community. The specific request of this privately initiated amendment were not transmitted.
 2. CPA2001-01 Amends the Planning Community Year 2020 Allocation Table, Table 1(b), to provide sufficient allocations to accommodate the proposed residential component of the Bonita Beach Road Residential Planned Development. This request was included in PAT 99-20, as part of the analysis for the Bonita Springs Planning Community. The specific request of this privately initiated amendment were not transmitted.
- CPA2000-02** Amends Map 12 of the Future Land Use Map Series to delete the Boca Grande Pass Marina from the Water Dependent Overlay (WDO) zone, and,

amends Goal 15 of the Lee Plan by adding the following Objective and Policy:

Objective 15.5: Port Facility. The Water Dependent Overlay for South Boca Grande is limited to the Port Facility south of Belcher Road.

Policy 15.5.1: The commercial and industrial uses permitted in the Port District (excluding those specific uses approved pursuant to resolutions Z-86-166, Z-93-009, and Z-99-054) are not permitted within that portion of the boundaries of the Boca Bay Community with the zoning designation of Port District.

CPA2000-03

Amends the Future Land Use Map series, Map 1, the Future Land Use Map, to change the Future Land Use designation from Mixed Use Interchange and General Interchange to Outlying Suburban for approximately 152.37 +/- acres of land generally located in the northwest quadrant of the interchange of I-75 and Daniels Parkway. The amendment also deletes Policy 1.3.6, the Mixed Use Interchange descriptor policy, and reclassifies approximately 2 +/- acres that would remain in the Mixed Use Interchange category as General Interchange. Also, amends the Planning Communities Acreage Allocation Table 1(b), for the Daniels Parkway Planning Community, to remove 68 residential acres from the Mixed Use Interchange category and add 68 residential acres to the Outlying Suburban category.

CPA2000-06

Amends Map 1 of the Future Land Use Map series for land near Eagle Road, Section 24, Township 43S, Range 23E, from Open Lands to Rural. In addition, the amendment adds a Footnote to Table 1 (a) clarifying an exception to the Rural category for the area limiting the density in this area to 1 du/2.25 acres. Staff believes that the Rural category is a more suitable designation for the site than the Open Lands category given the existing density of residential uses and the character of the area. The area will remain designated as a non-urban area without increases in the allowable commercial and industrial intensities and the request will have a minimal impact on public service providers.

CPA2000-07

Amends the Future Land Use Map Series by adding a map delineating an area in Sections 13 and 24, Township 44 South, Range 24 East and Sections 17, 18, 19, and 20 Township 44 South, Range 25 East as an urban infill area. In addition, amends Objective 1.7, Special Treatment Areas, of the Future Land Use Element by adding a new policy describing urban infill areas of the County.

The state of Florida may have money available, for both planning and implementation, for Urban Infill and Redevelopment Grants. The City of Fort Myers Planning staff have identified an area along Martin Luther King Boulevard that has already qualified for a planning grant. The area contains both incorporated and unincorporated properties. The proposed plan

amendment, identifying the area for the planning study, is required in order to qualify for and receive the grant funding. At this time the grant application has been submitted and the City has been approved for the planning grant funding. The Board of County Commissioners, when they co-signed the grant application, committed to a plan amendment that would identify the subject property as an Urban Infill area.

CPA2000-08

Amends the Future Land Use Map (FLUM) series, Map 1, to more closely reflect the Town of Fort Myers Beach adopted Future Land Use Map. The categories used in the Fort Myers Beach Future Land Use Map are intended for different purposes than the Lee County Future Land Use categories. The Town's categories are targeted specifically for conditions on Estero Island, whereas the County categories were created for use in the entire County and have to address a broader range of conditions. As such, there are no exact matches between the two. Some Fort Myers Beach Categories such as Boulevard and Pedestrian Commercial have only approximate matches with Lee County FLUM categories.

CPA2000-09

Amends the Future Land Use Series, Map 1, by updating the Conservation Lands land use categories to include lands purchased by Lee County with the Conservation 2020 program and one property bought by the State of Florida (TIITF). New language was added to Policy 1.4.6 which states, "2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances." The Conservation Lands designation will give the County a competitive edge in obtaining grants, such as the Florida Community Trust, Greenways and Trails grant programs, through demonstrating Lee County's commitment to preserving natural areas as large parcels. The Conservation 2020 Program objective is to put into the public domain private lands that will sustain native plant and animal populations, help protect people and property from flooding, help replenish our underground drinking water supply, it will also help to improve or sustain the water quality of our coastal bays, inlets, and sounds, provide eco-tourism opportunities, and provide local environmentally-oriented recreational and educational opportunities.

CPA2000-10

Amends the Future Land Use Element by adding Research and Development as a permitted use under Policy 1.2.2, the Airport Commerce descriptor policy. The Research and Development land use is consistent with the uses that are already permitted in the Airport Commerce land use category. Providing for this use in Airport Commerce allows the County to better use the airport to attract new business in order to promote economic growth and diversification. Research and Development uses would benefit from a location proximate to the airport, the University, and I-75.

CPA2000-11

Amends the Future Land Use Element by modifying Policy 6.1.2.6 to clarify that extension of the interstate interchange use is not by right, but is permissive and subject to County review and approval.

Policy 6.1.2.6 states that “any contiguous property under one ownership **may** be developed as part of the interstate interchange...” This language does not guarantee that the interchange uses will be extended, nor does it state that the expansion of interchange uses is a choice made solely by the developer. The policy provides that certain criteria must be met in order to qualify for the expansion of the interchange, and once those criteria have been met, then the County has the ability to decide whether or not to allow it. The decision of whether or not to allow an interchange to be expanded should be made at the full discretion of the Board of County Commissioners given the potential impacts to the surrounding existing and future land uses. The existing language of Policy 6.1.2.6 does not make it clear enough that the County has full discretion over the expansion of the interchange uses. Staff has proposed amended language to the policy to help clarify this issue.

CPA2000-13

Amends the future Land Use Element by adding a policy to Goal 16, Private Recreational Facilities in the DR/GR, specifying minimum indigenous preserve area requirements. The purpose of the 200 acre indigenous preservation requirement for golf courses within the DR/GR is to protect water recharge, stormwater storage, and wildlife habitat. The criteria for achieving the indigenous preservation within these DR/GR developments should be stricter than areas within other Land Use Categories due to the sensitivity and importance of these lands to the general public. Policy 16.8 does not currently contain all the pertinent information for establishing minimum indigenous preservation criteria. It is important to amend Policy 16.8.12(2) of the Lee Plan to include minimum standards for indigenous preservation areas to insure the intent of the design criteria under Goal 16 is achieved.

CPA2000-14

Amends the Future Land Use Element by modifying Policy 16.3.9 to clarify the maintenance area intensity limitations. Policy 16.3.9 is ambiguous in its limitation on golf course maintenance areas. The 25,000 square feet per 18 hole regulation was intended to apply to the area of the maintenance building. Staff’s examination of the regulation, however, reveals that the limitation needs to be expanded to also include an acreage limitation that can accommodate other maintenance functions that may fall outside the primary maintenance building. The combination of the two limitations would prevent future confusion over the intent of the policy.

CPA2000-15

Amends the Future Land Use Element by modifying Policy 16.3.8.3 to clarify the setbacks from adjacent existing and planned residential uses. The LDC clearly states that the setback from golf course maintenance facilities to residential uses is measured from the edge of the “development area” to the residential property line. The proposed amendment to Lee Plan policy 16.3.8.3 is a reflection of the existing LDC regulation.

Certain vacant parcels in the DR/GR may be considered potential residential properties based on the property’s size, use, the zoning of surrounding

properties, the size of surrounding properties, and the ownership patterns in the area.

Golf course maintenance facilities present a negative visual appearance to the public when located immediately adjacent to public rights-of-way. The visual appearance along public roadways is a legitimate public interest. Additional standards for golf course maintenance areas are needed so that the public is not subjected to the negative visual impact that is brought about by these facilities. This impact should be kept internal to the development.

CPA2000-17

Amends the Future Land Use Element by removing Goal 13, Bonita Springs, and relocates policies which should continue to apply to the remaining unincorporated areas of Bonita Springs. The amendment evaluates the affect of the incorporation of the City of Bonita Springs and the provisions of Lee Plan Goal 13. The amendment proposes to delete from the Lee Plan those provisions in Goal 13 that will be responsibility of the City of Bonita Springs. The provisions of Goal 13 that do apply to the areas in south Lee County outside of the city limits are proposed to be retained and relocated. The amendment also adds a map, Map 13, depicting an irrigation well overlay to the Future Land Use Map series.

CPA2000-19

Amends the Lee Plan, text and Future Land Use Map series, to incorporate the recommendations of the Estero Community Planning Effort, establishing a Goal and subsequent Objectives and Policies specific to the Estero Community. The proposed goals, objectives, and policies are the result of a year long planning process. They directly reflect the vision that the Estero Community has for its future growth and development. Staff believes that this amendment should be viewed as a first step in a continuous process that addresses planning needs in Estero. Many issues have been addressed through this amendment, but there are others, such as those policies (or portions thereof) that staff has recommended for deletion, that will require more consideration in the future. The initial establishment of Goal 19 of the Lee Plan is the important first step that will open the door to address other land use planning issues in Estero as they arise. The Community identified a desire to maintain a "small town" feel and avoid high-rise residential uses while protecting existing neighborhoods from encroachment of potentially incompatible uses. The community has a desire to limit "tourist oriented uses," certain "detrimental uses," and high intensity uses along specific corridors. At the same time, the community expressed a desire for small-scale neighborhood commercial development.

CPA2000-21

This is a general update of the transportation element. The changes include a modification of Policy 22.1.4 to update the references to particular versions of the Highway Capacity Manual and the FDOT Level of Service Manual, a modification of Policy 26.1.3 to distinguish between traffic control devices and plans, an expansion of Goal 27 to include operations and maintenance among the aspects of transportation improvements that require coordination

with other governmental entities, addition of the new City of Bonita Springs to the list of cities in which the County declares a position of interest on land use decisions in Policy 27.1.3, and update of Policy 21.1.1 and the transportation map series to reflect the most recent MPO 2020 highway and transit plans.

CPA2000-22

Amends the Conservation and Coastal Management Element by adding a policy under Goal 78, Policy 78.1.6, stating that Lee County encourages the efforts of the South Florida Water Management District in establishing a Caloosahatchee Water Management Plan for the Caloosahatchee River. The South Florida Water Management District, the delegating entity over Southwest Florida's waterways, is establishing a Caloosahatchee Water Management Plan for the Caloosahatchee River through the participation of several studies and plans. Natural Resource staff and Planning staff recommend adding the proposed Policy to the Conservation and Coastal Management element of the Lee Plan supporting the effort.

CPA2000-23

Amends the Conservation and Coastal Management Element by adding a Policy under Goal 78, Policy 78.2.2, stating the County will review the Comprehensive Conservation and Management Plan for the Greater Charlotte Harbor Watershed by the year 2002. The Charlotte Harbor National Estuary Program has issued a draft Comprehensive Conservation and Management Plan for the Greater Charlotte Harbor Watershed. Natural Resource staff and Planning staff recommend adding the proposed Policy to the Conservation and Coastal Management element of the Lee Plan stating the County will review the plan in order to identify goals, objectives and policies relating to the recommendations of the drafted plan.

CPA2000-25

Amends the Parks, Recreation and Open Space Element by adding a new Objective and/or policies to Goal 52, Development Requirements, clarifying the purpose of open space in non-residential projects. The purpose of open space in a development is to provide pervious land area to achieve appropriate buffering, visual relief, landscaping, surface water treatment, and preservation of existing native trees and plant communities. Open space in non-residential developments serves these functions as it does in residential developments. Goal 52 of the Lee Plan currently does not treat all types of open space equally, addressing only residential open space. In addition, a new objective is proposed to require innovative open space design at the time of zoning review. This is consistent with other provisions of the Lee Plan and with the LDC. The purpose of the open space design is to assess the natural features of the site early in the development process, thereby incorporating the existing native vegetation in a manner that provides visual relief and buffers adjacent uses. Goal 52 of the Lee Plan should be modified to recognize the importance of open space and innovative design that incorporates natural features within developments.

- CPA2000-26** Prior changes to the Transportation Element of the Lee Plan eliminated references to "backlogged" roads because they had all been addressed in one fashion or another, and clarified some references related to "constrained" roads. These changes were not reflected in the Capital Improvements Element, where Policy 70.1.3 still includes "backlogged" and "constrained" roads references that are now inconsistent with language in the Transportation Element. The amendment eliminates the "backlogged" roads reference and updates the "constrained" roads reference in Policy 70.1.3.
- CPA2000-27** Amends the Capital Improvements Element (Tables 3 & 4) to reflect the latest adopted Capital Improvement Program. Lee Plan Policy 70.1.1 requires a Capital Improvements Program to be prepared and adopted on an annual basis. Florida Statute 163.3177(3)(b) requires that the Capital Improvements Element of the comprehensive plan be amended annually to reflect the modifications of the adopted Capital Improvement Program (CIP). This amendment incorporates the most recently adopted CIP in the Capital Improvements Element.
- CPA2000-29** Adds a definition for the term "Natural Resource Extraction" to the Lee Plan Glossary. In addition, amends the Future Land Use Element by adding the term "Natural Resource Extraction" to Goal 10 and its Objectives and Policies, where applicable, clarifying that natural resources other than minerals are subject to Goal 10 requirements. Principal resources sought in Lee County are sand, gravel, limestone, oil and gas which include both organic and inorganic materials. It should be ensured that all mined materials, organic and inorganic, are included under the language of Goal 10. The improved term, "Natural Resource Extraction," should be placed in the Lee Plan Glossary to support the new term.
- CPA2000-31** Amends Policy 1.7.1, Airport Noise Zones, of the Future Land Use Element by removing language pertaining to the dedication of noise and aviation easements to Lee County within noise zones 2 and 3. Also amends the Lee Plan by deleting Policy 32.2.6. pertaining to the Aviation Easements Program. In addition, amends the Lee Plan Glossary by removing the definition of the term aviation easement as it will no longer apply in the Lee Plan. The proposed amendment has no effect on existing or future land uses.



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

(941) 479-8585

Writer's Direct Dial Number: _____

Bob Janes
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County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

December 27, 2001

Ray Eubanks, Community Program Administrator
Florida Department of Community Affairs
Division of Resource Planning and Management
Bureau of Local Planning
2555 Shumard Oak Boulevard
Tallahassee, FL. 32399-2100

Re: Amendment to the Lee Plan
Adoption Submission Package for CPA 2001-08

Dear Mr. Eubank:

In accordance with the provisions of F.S. Chapter 163.3187(1)(c) and of 9J-11.015, this submission package constitutes the adopted small scale amendment to the Lee Plan, known as CPA 2001-08. The adoption hearing for this plan amendment was held on December 13, 2001. Per 9J-11.015(1), this is the first small scale amendment adopted in the 2001 calendar year, making the "cumulative total number of acres" for small scale amendments adopted in the 2001 calendar year approximately 2.19 acres.

Included with this package, Per 9J-11.015, is one copy of the adopted amendment, supporting data and analysis, and the adopting ordinance. By copy of this letter and its attachments I certify that this amendment has been sent to the Regional Planning Council.

For clarity, the staff report for the proposed amendment complete with the applicant's submittal which includes attendant support document, staff evaluation, analysis and recommendations, Local Planning Agency recommendations and local governing body actions are being transmitted.

Sincerely,

DEPT. OF COMMUNITY DEVELOPMENT
Division of Planning

Paul O'Connor, AICP
Director

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

Wayne Daltry
Executive Director
Southwest Florida Regional Planning Council

Mike Rippe, District Director
South West Area Office
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

SMALL SCALE DEVELOPMENT AMENDMENT
SUBMITTAL FORM

1. Name of Local Government Lee County
 Person completing this form Paul O'Connor, AICP Phone Number 941-479-8585
 Name of Newspaper that notice of small scale development amendment was published _____
The News Press - Fort Myers, Florida
 Date Publication Noticed Thursday, December 6, 2001
 (Please attach copy of notice)
2. Number of acres of small scale development amendments contained in package:
 - a. Within Urban Infill, Urban Redevelopment or Downtown Revitalization as defined by Section 163.3164, FS 0
 - b. Within Transportation Concurrency Exception Area pursuant to Section 163.3180(5), FS 0
 - c. Within Regional Activity Centers or Urban Central Business Districts pursuant to Section 380.06(2)(e), FS 0
 - d. Outside categories a., b. and c. 2.19
3. Cumulative total number of acres of small scale development amendments for the calendar year:
 - a. Categories listed in Item 2 a, b, and c. above 0
 - b. Categories listed in Item 2 d above 2.19
4. Total number of acres of small scale development amendments in this package that are located within a coastal high hazard area as identified in the comprehensive plan 2.19

Pursuant to Rule 9J-11.015(2), Florida Administrative code, this form must be mailed with all small scale development amendments as defined by Section 163.3187(1)(c), Florida Statutes to:

DEPARTMENT OF COMMUNITY AFFAIRS
 BUREAU OF STATE PLANNING
 PLAN PROCESSING SECTION
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100
 (850) 488-4925

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

Kieanna Henry

who on oath says that he/she is the

Asst. Legal Clerk 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 CPA 2001-08

in the _____ Court

was published in said newspaper in the issues of

December 6, 2001

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.

Kieanna Henry

Sworn to and subscribed before me this

6th day of December 2001 by

Kieanna Henry

personally known to me or who has produced

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

Notary Public

Print Name

My commission Expires:



Brenda Leighton
MY COMMISSION # CC000905 EXPIRES
February 14, 2002
BONDED THROUGH FIDELITY & SURETY CO., INC.



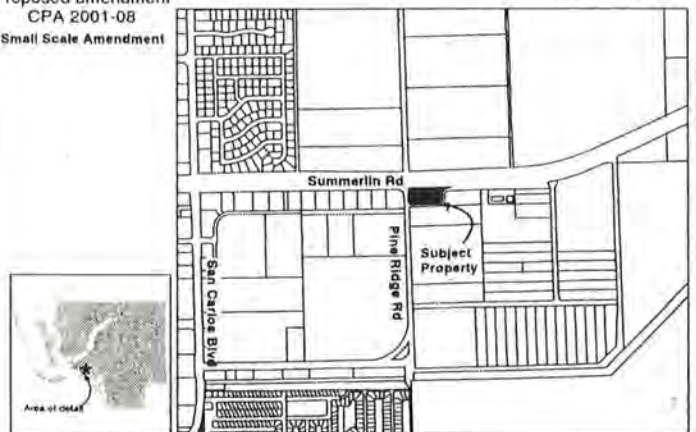
NOTICE OF CHANGE OF LAND USE AND AMENDMENTS TO THE LEE COUNTY COMPREHENSIVE PLAN

In Compliance with Sections 163.3164(18), 163.3174(1), 163.3181, 163.3184, and 163.3189, Florida Statutes, notice is hereby given that the Lee County Board of County Commissioners on Thursday, December 13, 2001 will hold a public hearing to consider an amendment to the Lee Plan. The hearing will be held in the Board of County Commissioners Hearing Chambers in the renovated Courthouse at 2120 Main Street in downtown Fort Myers. The hearing will commence at 9:00 a.m. The Board of County Commissioners of Lee County, Florida, proposes to adopt the following amendment to the Lee Plan by Ordinance:

December 13, 2001
9:00 A.M.

1. Call to order; Certification of Affidavit of Publication
 2. Public Comment on Adoption Agenda
 3. Lee Plan Amendments Adoption Agenda
 - A. CPA 2001-08
Amend the Future Land Use Map series for a specified 2.19 acre portion of a parcel of land located in Section 08, Township 46 South, Range 24 East to change the classification shown on Map 1, the Future Land Use Map, from "Industrial Development" to "Urban Community."
 4. Adopt the following ordinance which adopts CPA 2001-08:
AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN" AS ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO AMEND THE FUTURE LAND USE MAP SERIES, MAP 1, THE FUTURE LAND USE MAP, FOR THAT SMALL SCALE DEVELOPMENT AMENDMENT KNOWN AS CPA 2001-08, DONALD R. LUCAS, WHICH IS LOCATED IN SECTION 08, TOWNSHIP 46 SOUTH, RANGE 24 EAST, TO REDESIGNATE APPROXIMATELY TWO ACRES OF LAND FROM INDUSTRIAL DEVELOPMENT TO URBAN COMMUNITY, AND PROVIDING FOR AN EFFECTIVE DATE.
 5. Adjourn
- These meetings are open to the public and all interested parties are encouraged to attend. Interested parties may appear and be heard with respect to all proposed actions. Pursuant to Florida Statutes Section 163.3184(7), persons participating in the Comprehensive Plan Amendment process, who provide their name and address on the record, will receive a courtesy informational statement from the Department of Community Affairs prior to the publication of the Notice of Intent to find a plan amendment in compliance.
- If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Further information may be obtained by contacting the Lee County Division of Planning at 479-8585.
- In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Janet Miller at 479-8585 Extension 5910.

Proposed amendment
CPA 2001-08
Small Scale Amendment



LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

Map created: 11-30-01

LEE COUNTY ORDINANCE NO. 01-24

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN" AS ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO AMEND THE FUTURE LAND USE MAP SERIES, MAP 1, THE FUTURE LAND USE MAP, FOR THAT SMALL SCALE DEVELOPMENT AMENDMENT KNOWN AS CPA 2001-08, DONALD R. LUCAS, WHICH IS LOCATED IN SECTION 08, TOWNSHIP 46 SOUTH, RANGE 24 EAST, TO REDESIGNATE APPROXIMATELY TWO ACRES OF LAND FROM INDUSTRIAL DEVELOPMENT TO URBAN COMUNITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan (hereinafter referred to as the "Lee Plan") Policy 2.4.1 and Chapter XIII, provides for adoption of Plan Amendments with such frequency as may be permitted by applicable state statutes, in accordance with such administrative procedures as the Board of County Commissioners may adopt; and,

WHEREAS, Section 163.3187(1)(c), Florida Statutes, provides that local government comprehensive plan amendments directly related to proposed small scale development activities may be approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan; and,

WHEREAS, the Lee County Board of County Commissioners, through Lee County Administrative Code AC-13-6 provides that small scale amendments to the Lee Plan may be requested at any time by any party in interest, subject to the limitations set forth in Section 163.3187(1)(c), Florida Statutes; and,

WHEREAS, the Lee County Board of County Commissioners, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 further provides an opportunity for individuals to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency (hereinafter referred to as the "LPA") held a public hearing pursuant to Lee County Administrative Code AC-13-6 on November 26, 2001; and,

WHEREAS, the Board of County Commissioners, pursuant to Chapter 163, Part II, Florida Statutes, and Lee County Administrative Code AC-13-6, held a statutorily prescribed public hearing for the adoption of the amendment being proposed on December 13, 2001, and at said hearing approved a motion to adopt said proposed amendment as more particularly set forth herein.

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

SECTION ONE: FUTURE LAND USE MAP SERIES AMENDMENT

The Lee County Comprehensive Plan Future Land Use Map series, Map 1, is hereby amended by redesignating the subject property from Industrial Development to Urban Community as described in the Staff Report for Small Scale Comprehensive Plan Amendment CPA 2001-08, dated December 13, 2001.

In addition, the above-mentioned Staff Report and Analysis, along with all attachments and the original Lee Plan Amendment Application for this amendment are hereby adopted as "Support Documentation" for the Lee County Comprehensive Plan.

SECTION TWO: EFFECTIVE DATE

This Ordinance will not become effective until 31 days after adoption. If this Ordinance is challenged pursuant to Florida Statutes Section 163.3187 within 30 days after adoption, it will not become effective until the State Land Planning Agency or the

Administration Commission, respectively, issues a Final Order determining the Ordinance is in compliance with Chapter 163 Florida Statutes.

THE FOREGOING ORDINANCE was offered by Commissioner Judah who moved its adoption. The motion was seconded by Commissioner St. Cerny and, being put to a vote, the vote was as follows:

ROBERT JANES	<u>Aye</u>
RAY JUDAH	<u>Aye</u>
DOUGLAS ST. CERNY	<u>Aye</u>
ANDREW COY	<u>Aye</u>
JOHN ALBION	<u>ABSENT</u>

DONE AND ADOPTED this 13th day of December, 2001.

ATTEST:
CHARLIE GREEN, CLERK

BY: Lisa J. Pierce
Deputy Clerk

LEE COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: [Signature]
Chairman

DATE: 12/13/01

Approved as to form by:

[Signature]
County Attorney's Office

**CPA 2001-08
SMALL SCALE
AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

**Privately Sponsored Application
and Staff Analysis**

BoCC Adoption Document

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

December 13, 2001

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
SMALL SCALE
COMPREHENSIVE PLAN AMENDMENT
CPA 2001-08**

✓	This Document Contains the Following Reviews:
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
✓	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: November 20, 2001

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT:

Donald R. Lucas

2. REQUEST:

Amend the Future Land Use Map series for a specified 2.19 acre portion of a parcel of land located in Section 08, Township 46 South, Range 24 East to change the classification shown on Map 1, the Future Land Use Map, from "Industrial Development" to "Urban Community."

3. SUMMARY DISCUSSION

The applicant, Don Lucas, is requesting a small scale change of land use designation on the Future Land Use Map from "Industrial Development" to "Urban Community" for an approximate 2.19 acre area of land. The site is located to the south of Summerlin Road and to the east of Pine Ridge Road in the southeast quadrant of the intersection in Section 08, Township 46 South, Range 24 East. If the amendment is approved the allowable density would increase from a land use category where no dwelling units are permitted to 6 du/acre or a maximum of 10 du/acre as a worst case if bonus density were utilized, a maximum of 21 permissible units.

B. BACKGROUND INFORMATION

1. EXISTING CONDITIONS

SIZE OF PROPERTY: 2.19 ACRES

PROPERTY LOCATION: The subject property is located in the southeast quadrant of Summerlin Road and Pine Ridge Road.

EXISTING USE OF LAND: The subject property is currently vacant.

CURRENT ZONING: IPD

CURRENT FUTURE LAND USE CLASSIFICATIONS: Industrial Development

2. INFRASTRUCTURE AND SERVICES

WATER & SEWER: The subject property is located in the Lee County Utilities franchise area for potable water and sanitary sewer service. Existing water mains and gravity sewer mains are located adjacent to the subject property.

FIRE: The property is located in the Iona McGregor Fire District.

TRANSPORTATION: Access to the property is from Pine Ridge Road.

SOLID WASTE FRANCHISE: Superior Services, Inc.

C. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** Planning staff recommends that Map 1, the Future Land Use Map, be amended to change the future land use designation of the subject area from the "Industrial Development" land use category to the "Urban Community" land use category.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** See the various conclusions contained in the Staff Analysis. These include the following:

- The proposed development is consistent with Policy 1.1.4, the Urban Community future land use descriptor policy of the Lee Plan.
- The subject parcel is located at the intersection of an arterial and a collector road and meets the site location standards of the Lee Plan for commercial development. The applicant has stated that commercial development is the intended use for the site.
- The subject parcel fronts Summerlin Road, one of the main routes to Lee County's beaches, which is developing as a commercial/tourist roadway.

- The amendment could result in an increase in the population accommodation capacity of the map by 43 persons (21 du's X 2.09 persons per unit). Staff concludes that this increase in the population accommodation capacity of the FLUM is insignificant when viewed in the context of the county wide accommodation capacity.
- All of the necessary infrastructure is in place to provide service to the subject parcel. The proposed land use change will not cause future road network plan changes. The requested land use change will have a minimal impact on public safety service providers.
- There are no known endangered species present on the subject parcel. In fact, the subject property is already cleared of indigenous vegetation.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

INTRODUCTION

The applicant, Donald R. Lucas, is requesting a small scale change of land use designation on the Future Land Use Map from "Industrial Development" to "Urban Community" for an approximate 2.19 acre area of land. The site is located in the south east quadrant of the intersection of Summerlin Road and Pine Ridge Road in Section 08, Township 46 South, Range 24 East. If the amendment is approved the allowable density would increase from a land use category where no dwelling units are permitted to a maximum of 10 du/acre as a worst case if bonus density were utilized, a maximum of 21 permissible units.

The original Comprehensive Plan Amendment Application, Staff Insufficiency Letter, and Applicant Supplementary Information are attached as Attachment 1.

PROJECT SUMMARY

The applicant proposes commercial development consistent with the surrounding character of the area. The subject area is currently vacant and is located adjacent to another vacant parcel of similar size fronting Summerlin Road between offices to the west and mini warehouses, retail, and a restaurant/recreational use to the east. At this time the property is zoned IPD. Since the time that the zoning was approved, in March 1992, there has been no final plan approval and no development orders issued for the property, leaving the existing zoning vacated.

COMPREHENSIVE PLAN BACKGROUND

In 1984, Lee County adopted its first official Future Land Use Map (FLUM) as an integral part of its comprehensive plan. On that map, the subject property was part of the "Industrial Development" land use category and this remains the future land use designation for the parcel today. Areas of the County which are designated "Industrial Development" are reserved mainly for industrial activities. Industrial Development does not permit residential uses other than caretakers residences. Ancillary retail uses intended to support the surrounding industrial land uses may not exceed 30,000 square feet per development. In addition ancillary retail cannot exceed 10% of the "Industrial Development" areas within each planning community. The land area to the north of the subject parcel is currently designated as Central Urban and the land area to the west is designated Urban Community.

ADJACENT ZONING AND USES

The site is zoned IPD which, as discussed above, has been vacated. The surrounding properties are zoned AG-2 to the north across Summerlin Road, IPD to the east, CC to the west, and CF-3 zoning to the south. The subject area is surrounded by vacant properties and properties developed with commercial and industrial uses. To the north are vacant parcels; to the east is a vacant parcel, mini warehouses and commercial retail uses; to the south is an office/industrial site under the ownership of Superior Waste Services and further south the Iona/McGregor Wastewater treatment plant; and office uses exist to the west.

POPULATION ACCOMMODATION CAPACITY DISCUSSION

The request is to change the Future Land Use Map (FLUM) category of approximately 2.19 acres from Industrial Development to Urban Community. Residential uses are not permitted in the Industrial Development land use category, therefore under the existing designation, dwelling units could not be built in the subject area. The Urban Community category standard density permits up to 6 du/acre with a maximum of 10 du/acre if bonus density is utilized. This means that a maximum of 21 dwelling units could be constructed on the property under the Urban Community designation. This could result in an increase in the population accommodation capacity of the map by 43 persons (21 du's X 2.09 persons per unit). Staff concludes that this increase in the population accommodation capacity of the FLUM is insignificant when viewed in the context of the county wide accommodation capacity. Staff also believes that it is unlikely that residential uses will be developed on the subject site.

CONSISTENCY WITH THE "URBAN COMMUNITY" LAND USE CATEGORY

The applicant is proposing that the subject parcels land use designation be amended to Urban Community. The Urban Community areas are described by Policy 1.1.4. Policy 1.1.4 is reproduced below:

POLICY 1.1.4: *The Urban Community areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, Fort Myers Beach, South Fort Myers, Bonita Springs, Pine Island, and Gasparilla Island. Although the Urban Communities have a distinctly urban character, they should be developed at slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6). Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum of ten dwelling units per acre (10 du/acre).*

The proposed amendment is consistent with the Urban Community designation for the following reasons: the urban services, as noted, have adequate capacity to provide the necessary services to accommodate the proposed small scale amendment; commercial development is listed as one of the predominant land uses in the Urban Community category, which the applicant has indicated is the intent of the amendment; and the proposal is consistent with the land use category due to the fact that it is surrounded by relatively intense commercial uses along Summerlin Road and the predominant land uses in the area include existing residential, commercial, public and quasi-public, and light industrial uses.

The proposed use, commercial, is permissible in the "Urban Community" land use category. The subject parcel is also consistent with the Lee Plan's Commercial Land Use requirements of Goal 6. The parcel

is located at the intersection of Summerlin Road, an arterial roadway, and Pine Ridge Road, a collector roadway, making the parcel consistent with the Minor Commercial location criteria of Goal 6.

MAP 16 - PLANNING COMMUNITIES AND TABLE 1(b)

The subject area is located within the Planning Community of Iona/McGregor. In this community there are 697 acres allocated for residential uses in the Urban Community land use category. Recent Planning Division data indicates that 569 acres of Urban Community land within this community are currently developed with residential uses, leaving a surplus of 128 acres that could be developed with residential uses in the Urban Community portions of this community before the year 2020. In this community there are 782 acres allocated for commercial uses in the Iona/McGregor Planning Community. Recent data indicates that 483 acres of this planning community are currently developed with commercial uses, leaving a surplus of 299 acres that could be developed with commercial uses in the Iona/McGregor Planning Community before the year 2020.

Planning staff has concluded that this proposed amendment does not require an amendment to Table 1(b) as the proposal is, as the current data indicates, consistent with the table. Planning staff notes, however, that the allocations in Table 1(b) are utilized on a first come first serve basis and this project will be "competing" community wide for a portion of this allocation.

TRANSPORTATION ISSUES

The Lee County Department of Transportation (DOT) has reviewed the request and has provided Planning staff written comments dated October 3, 2001 (see Attachment 2). The Department of Transportation has concluded that "the land use change will not alter the future road network plans." DOT staff re-ran the long range transportation model with the proposed development scenario that could result from the new land use category on the subject area to arrive at this conclusion.

Planning staff notes that a traffic analysis is required by the County's local development approval process. This analysis determines the need for any site-related improvements such as turn lanes on the adjacent roadways.

PUBLIC SAFETY ISSUES

The applicant has provided letters from the public safety and service providers. The purpose of these letters is to determine the adequacy of existing or proposed support facilities. Planning staff has also provided some additional analysis.

Community Rating System

The Lee County Division of Public Safety has reviewed the proposal and provided written comments (see Attachment 3). The Division provides that "The land parcel is located in the Category 1 Evacuation Zone and is part of the county's defined Coastal High Hazard Area." The memo continues that "Although the current designation may allow more intensive uses, it does not permit residential uses. The proposed amendment would, thereby allow the residential density to increase in the defined coastal high hazard area."

Planning staff notes that the applicant intends to develop the property with commercial development due to the visibility and location of the site at the intersection of Summerlin Road and Pine Ridge Road.

Residential development will most likely never be developed on the subject site given the surrounding uses and the parcels location.

Sheriff's Office Impact

The Lee County Office of the Sheriff has reviewed the proposal and provided written comments dated September 14, 2001 (see Attachment 4). This correspondence provides that "We anticipate that we will receive the reasonable and necessary funding to support growth in demand. We therefore believe that the Lee County Sheriff's Office will be able to serve your project as it builds out."

Fire Service Impact

The subject parcel is within the Iona/McGregor Fire District. The Division Chief has reviewed the proposal and provided written comments dated October 18, 2001 (see Attachment 5). The Division provides the following:

"I can foresee no problem providing fire protection services to this project as long as all state and local codes are adhered to. All roadways must be of a compacted driveable surface."

Emergency Medical Services (EMS) Impact

EMS staff have reviewed the proposal and provided written comments dated September 4, 2001 (see Attachment 6). The EMS Program Manager provided the following:

"Current and planned budgetary projections for additional EMS resources should adequately address any increased demand for service from persons occupying this parcel or any support facilities."

SCHOOL IMPACTS

Staff of the School District of Lee County have reviewed the proposal and provided written comments dated October 2, 2001 (see Attachment 7). District staff provided the following:

"The proposal amends the land use category from Industrial Development to Urban Community, which would permit a maximum of 21 dwelling units on the property. These units could generate approximately 7 public school students, based on an estimated student generation rate of .325 per dwelling unit, and one new classroom facility."

SOILS

The 1984 U.S. Department of Agriculture Soil Survey of Lee County classified two soil types present on the subject parcel - 11 Myakka fine sand and 28 Immokalee sand.

Both the Myakka fine sand and the Immokalee sand are a nearly level, poorly drained soil on flatwoods with smooth to slightly concave slopes ranging from 0 to 2 percent.

ENDANGERED SPECIES

Staff of the Lee County Division of Environmental Sciences have reviewed the request and provided written comments dated September 27, 2001 (see Attachment 8). This memorandum provides that "The property has been previously cleared. No indigenous plant communities or wetlands are present. Therefore ES staff does not have any issue with granting the proposed change from "Industrial Development" to "Urban Community."

PARKS, RECREATION AND OPEN SPACE

Staff of the Lee County Parks and Recreation Department have reviewed the request and provided written comments dated October 5, 2001 (see Attachment 9). This memorandum provides that "We have determined that a change of this magnitude, 21 dwelling units in the worst case, would have no statistically measurable effect in the level of service provided in this area and thus would not have an impact on our department's budget."

DRAINAGE/SURFACE WATER MANAGEMENT

The application provides the following concerning this issue:

"The subject property is located in the Deep Lagoon Watershed #43 as indicated in the Lee County Surface Water Management Master Plan. Any development will be in compliance with South Florida Water Management District and the Lee County Development Code with regard to surface water management."

Natural Resources staff have offered no comments in objection to the proposed amendment.

MASS TRANSIT

Staff from the Lee County Transit Division have reviewed the request and provided the following written comments dated September 5, 2001 (see Attachment 10):

"Lee Tran does currently service this area, however, we do not require additional transit amenities at this location at this time."

UTILITIES

The property is located within the Lee County Utilities franchise area. The application provides the following regarding sanitary sewer:

"Lee County Utilities maintains service for this area through the Fort Myers Beach and Iona/McGregor Wastewater treatment plant located approximately 400 feet south of the subject property. A 24-inch force-main runs along the Pine Ridge Road Right-of-Way on the western side of the subject property. A 4-inch force main, extending from the 24-inch force-main, runs along the Summerlin Road Right-of-Way on the northern side of the subject property."

The application provides the following regarding potable water:

"Lee County utilities maintains service for this area through the Green Meadows Water Treatment Plant located at 13001 Alico Road, Fort Myers. A 10-inch water main runs approximately parallel to the south property line at a distance less than 100 feet."

Staff of Lee County Utilities Division have reviewed the request and provided the following written comments dated May 1, 2001 pertaining to impacts on water and sewer treatment (see Attachment 11):

"Lee County Utilities presently has sufficient capacity at its water treatment plant to provide 3,800 gallons per day to the proposed commercial project mentioned above." The correspondence continues that "Lee County utilities presently has sufficient capacity at its wastewater treatment plant, to provide treatment of 3,800 gallons per day to this project."

COASTAL ISSUES

The subject property is located in the "Coastal High Hazard Area" as defined by the Lee Plan. The Federal Emergency Management Agency's Flood Insurance Rate Map shows the subject parcel in an "A" flood zone. The 1991 "Hurricane Storm Tide Atlas for Lee County," prepared by the Southwest Florida Regional Planning Council (SWFRPC), shows that the subject property is located within the Category 1 storm surge zone. Additionally, the property is located in the SWFRPC Category 1 evacuation zone.

Again, staff notes that it is unlikely, due to its location, that the site will ever be developed with residential uses.

RE-DESIGNATING LANDS FROM AN INDUSTRIAL LAND USE CATEGORY

Staff finds the applicant's proposal to change 2.19 acres of Industrial Development designated land to the Urban Community land use category consistent with the concept of small scale development amendments. This change is minimal. Staff believes that the request will have no impact on the County's stated goal of employing 3% of the County's population in manufacturing activities by the year 2010 (as contained in Policy 7.1.4). In fact, staff currently has an application for another small scale amendment under review which is requesting to add 1.6 acres of land into the Industrial Development future land use category. If approved it would provide balance to the approval of the subject amendment.

B. CONCLUSIONS

The proposed amendment is consistent with Policy 1.1.4., the Urban Community future land use descriptor policy. The subject parcel does meet the requirements of the Lee Plan's commercial site location standards and therefore is eligible for retail commercial uses. The intent of the applicant is to develop commercial uses on the site which is compatible with the surrounding uses. Adequate infrastructure is in place to provide the necessary services to accommodate the requested land use change. The proposed commercial use is allowed in the "Urban Community" land use category. Staff finds that the Urban Community category is a suitable designation for the site. All of the land area to the west of the subject site is designated as Urban Community and the land area to the north is designated Central Urban. Staff also finds that the Urban Community category is a more suitable designation for the site than the Industrial Development category given the existing commercial/retail land uses east of the site fronting Summerlin Road.

C. STAFF RECOMMENDATION

Planning staff recommends that Map 1, the Future Land Use Map, be amended to re-designate the subject area from "Industrial Development" to "Urban Community." This recommendation is based upon the previously discussed issues and conclusions of this analysis.

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

DATE OF PUBLIC HEARING: November 26, 2001

A. LOCAL PLANNING AGENCY REVIEW

Planning staff gave a brief presentation concerning the proposed amendment. The applicant also noted that they were available to answer any questions. One member asked for clarification on what type of use the applicant intended to develop on the property. The applicant responded that the intended use would be commercial. Another member of the LPA asked staff for clarification on the surrounding land use categories.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** The LPA recommends that the Board of County Commissioners adopt the proposed amendment.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by the staff.

C. VOTE:

NOEL ANDRESS	<u>AYE</u>
SUSAN BROOKMAN	<u>AYE</u>
BARRY ERNST	<u>ABSENT</u>
RONALD INGE	<u>AYE</u>
GORDON REIGELMAN	<u>AYE</u>
VIRGINIA SPLITT	<u>AYE</u>
GREG STUART	<u>ABSENT</u>

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

DATE OF ADOPTION HEARING: December 13, 2001

A. BOARD REVIEW:

Planning staff gave a brief presentation concerning the proposed amendment. One board member asked if this amendment would have an affect on the industrial areas of the county and if staff thought amendments to this particular industrial area are something we would be seeing more of in the future. Staff responded that the amendment would not have an effect on the County's stated goal of employing 3% of the County's population in manufacturing activities by the year 2010. In addition, staff indicated that most of the area to the south of the parcel is already developed with industrial uses and would likely remain this way. Staff also noted that there are commercial uses fronting Summerlin Road to the east and west of the subject area and this amendment and proposed commercial use would be a continuance of what is already occurring along the roadway. The applicant also provided a brief presentation.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

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

C. VOTE:

JOHN ALBION	ABSENT
ANDREW COY	AYE
RAY JUDAH	AYE
JOHN MANNING	AYE
DOUG ST. CERNY	AYE

CPA 2001-08
Existing
Future Land
Use Categories

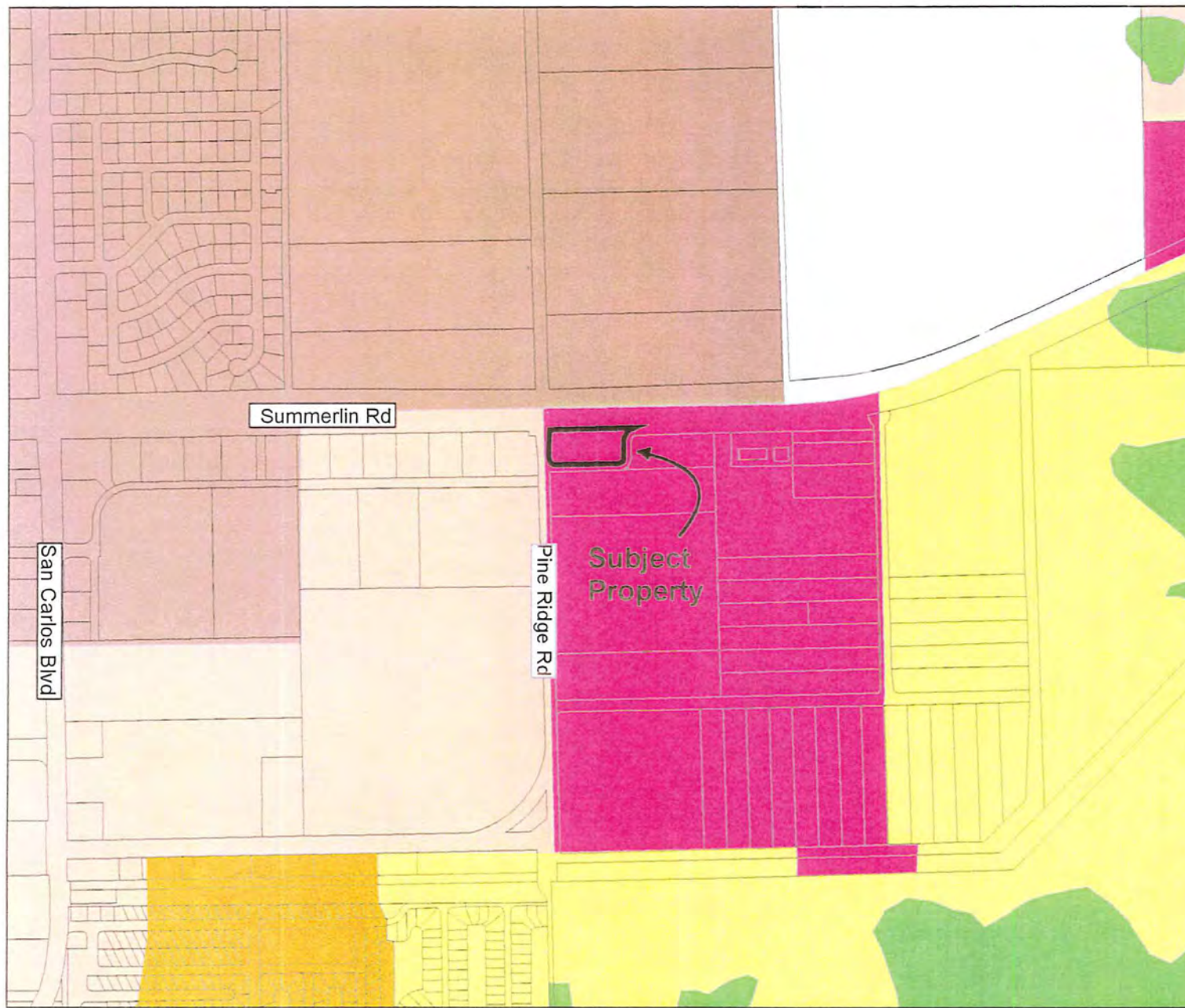
-  Central Urban
-  Urban Community
-  Suburban
-  Outlying Suburban
-  Industrial Development
-  Public Facilities
-  Wetlands



Map created: 11-27-01



0 250 500 1,000 1,500 2,000 Feet



Boylan Environmental Consultants, Inc.

Wetland & Wildlife Surveys, Environmental Permitting,
Impact Assessments
11000 Metro Pkwy., Suite 4, Ft. Myers, Florida 33912

South Florida Water Management District
Wetland Jurisdictional Determination

Project: The Renaissance
Craig D. Schmittler *8/25/2000*
Craig Schmittler Date

WETLANDS		APPROX. ACREAGE
FLUCCS		
211H	WET PASTURE	29.80
411H	FLATWOOD WETLANDS	3.46
424H	MELALEUCA WETLANDS	62.29
500	DITCHES - OPEN WATER	27.86
621	CYPRESS	30.09
621/424	CYPRESS - MELALEUCA	3.17
624	PINE - CYPRESS	4.70
624/424	PINE - CYPRESS - MELALEUCA	16.20
645	WET PRAIRIE	1.15
740H	DISTURBED WETLANDS	2.35
TOTAL		143.61

UPLANDS		APPROX. ACREAGE
FLUCCS		
100	RESIDENTIAL	1.77
211	IMPROVED PASTURE	253.20
320	WAX MYRTLE	10.79
321	PALMETTO	12.14
411	PINE FLATWOODS	26.33
424	MELALEUCA	1.45
432	MIXED HARDWOODS	1.62
437	AUSTRALIAN PINE	0.40
740	DISTURBED	0.98
743	SOIL	0.09
800	ROADS	14.68
TOTAL		335.45

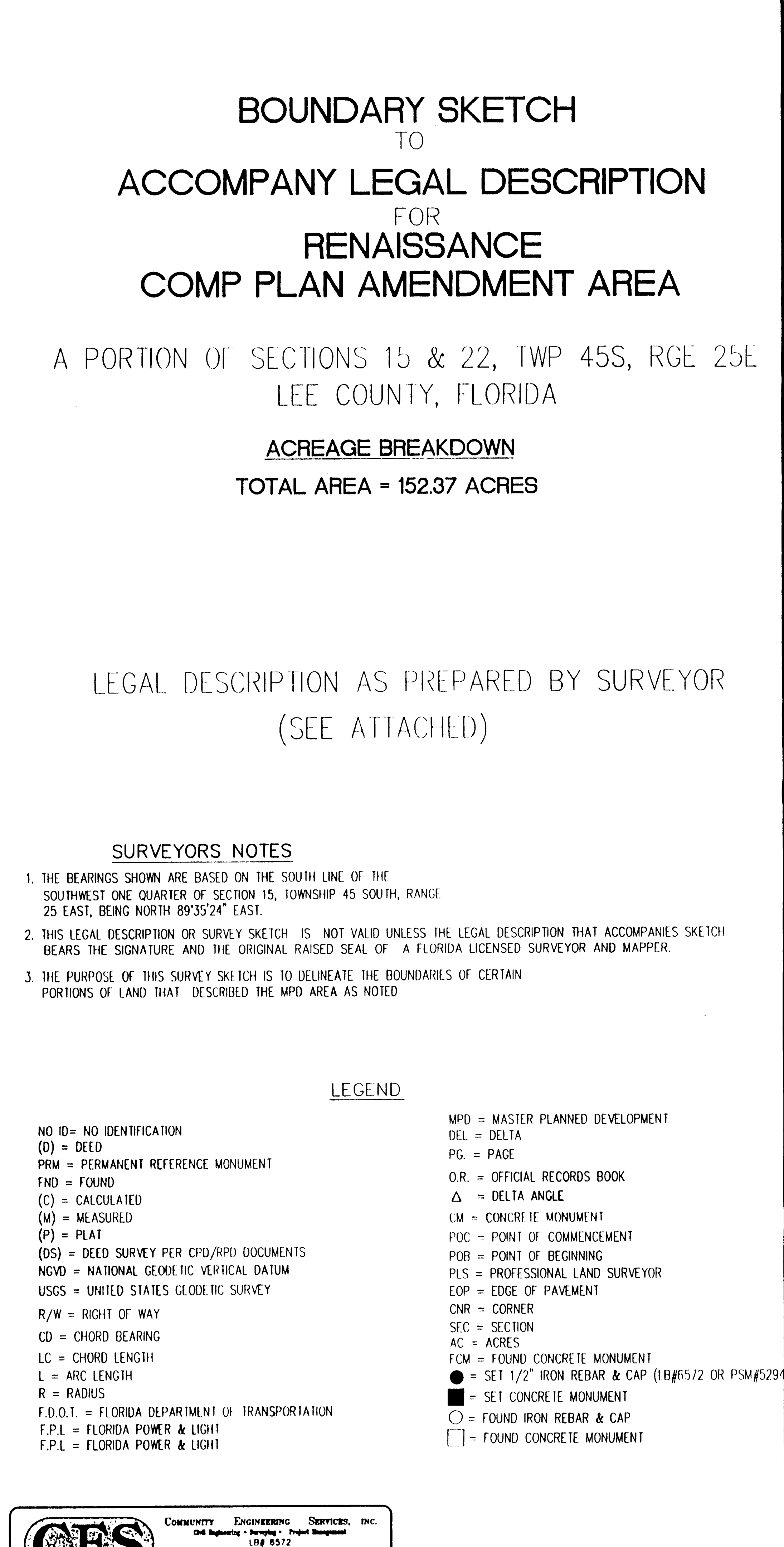
TOTAL UPLANDS = +/- 335.45 ACRES
TOTAL ACOE & SFWMD WETLANDS = +/- 143.61 ACRES
OPEN WATER = +/- 27.86 ACRES

JD Conducted
2-99

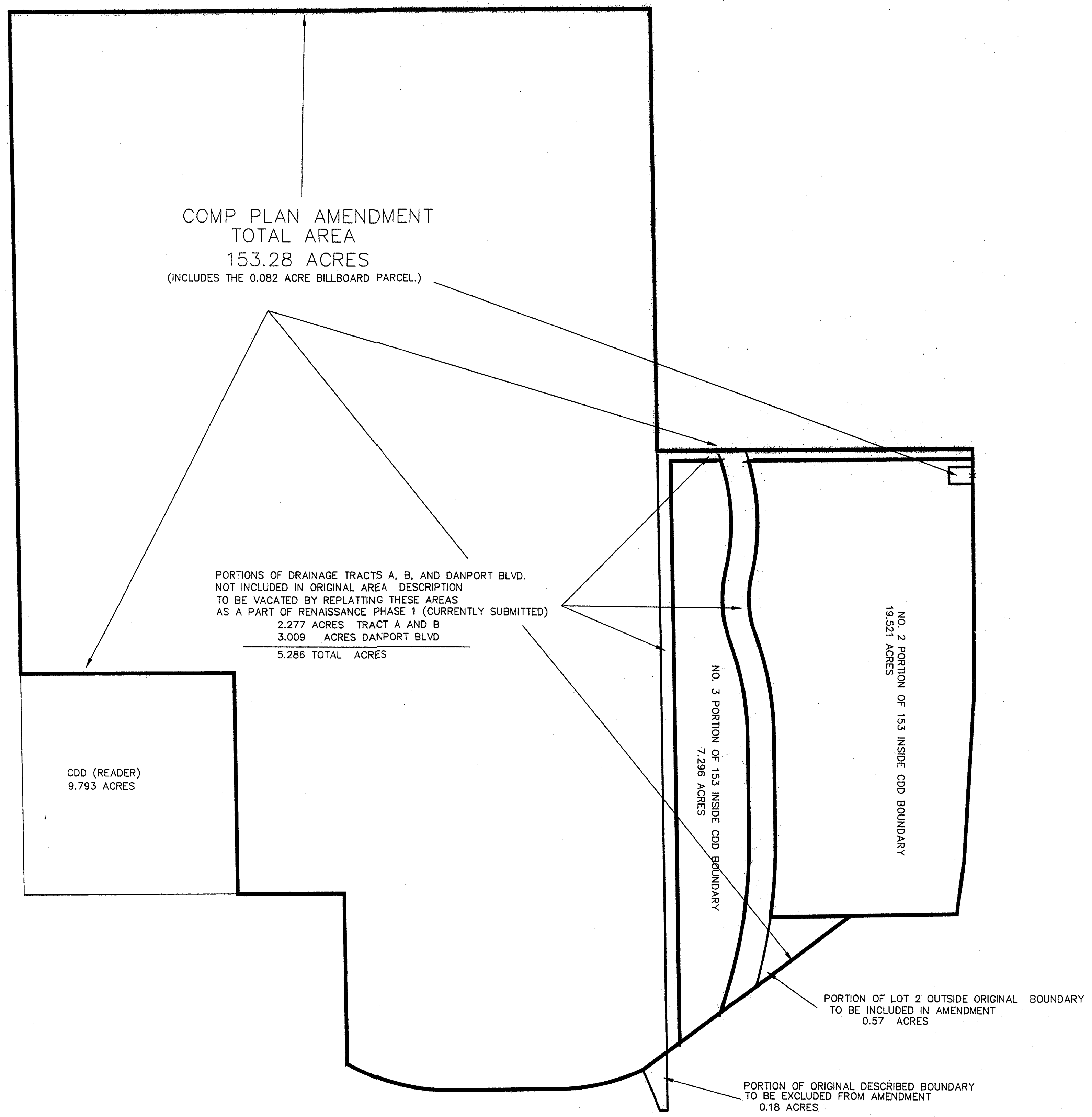
Wetlands
OSW, Swales

NOV 6 1999

File: \\Bac\Bac\Bac\The Renaissance\2000\16152130



511.728 ACRES



COMP PLAN AMENDMENT
TOTAL AREA
153.28 ACRES
(INCLUDES THE 0.082 ACRE BILLBOARD PARCEL.)

PORTIONS OF DRAINAGE TRACTS A, B, AND DANPORT BLVD.
NOT INCLUDED IN ORIGINAL AREA DESCRIPTION
TO BE VACATED BY REPLATTING THESE AREAS
AS A PART OF RENAISSANCE PHASE 1 (CURRENTLY SUBMITTED)
2.277 ACRES TRACT A AND B
3.009 ACRES DANPORT BLVD
5.286 TOTAL ACRES

CDD (READER)
9.793 ACRES

NO. 2 PORTION OF 153 INSIDE CDD BOUNDARY
19.521 ACRES

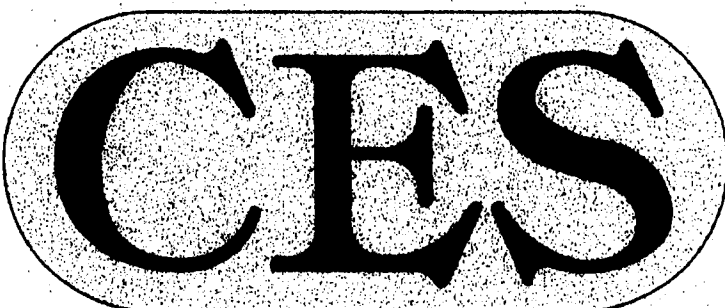
NO. 3 PORTION OF 153 INSIDE CDD BOUNDARY
7.296 ACRES

PORTION OF LOT 2 OUTSIDE ORIGINAL BOUNDARY
TO BE INCLUDED IN AMENDMENT
0.57 ACRES

PORTION OF ORIGINAL DESCRIBED BOUNDARY
TO BE EXCLUDED FROM AMENDMENT
0.18 ACRES

PLEASE NOTE THAT THE AREAS AS SHOWN ARE BASED ON
ACTUAL SURVEY DATA AND MAY VARY FROM THOSE AREAS AS
INDICATED ON PARCEL INFORMATION ON RECORD IN OFFICES OF LEE COUNTY FLORIDA.

date 032901	No.	Date	Revisions
drawn			
file name: AMEND_KEY			
job CDD/153			

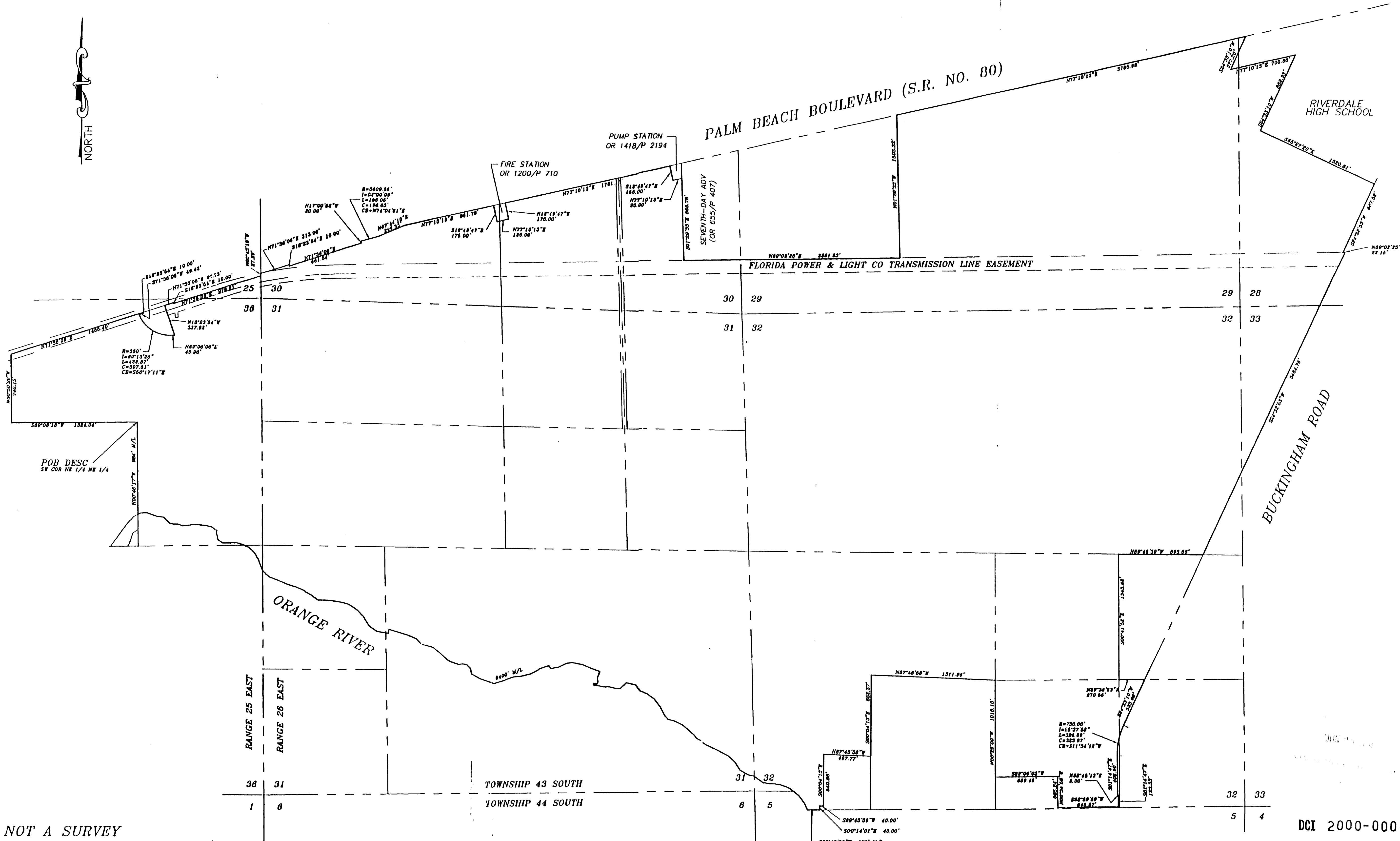


COMMUNITY ENGINEERING SERVICES, INC.
Civil Engineering • Surveying • Project Management
9200 Bonita Beach Road Suite 213
Bonita Springs, Florida 33923
Telephone (941) 495-0009 Fax (941) 495-7934

COMP PLAN AMENDMENT AREAS
PARCEL KEY MAP

scale: 1"=200' 1"=10'	date
SHEET	
1 of 1	

COMMUNITY ENGINEERING SERVICES, INC.
Civil Engineering • Surveying • Project Management
LB# 6572
9200 Bonita Beach Road Suite 213
Bonita Springs, Florida 34135
Telephone (941) 495-0009 Fax (941) 495-7934



THIS IS NOT A SURVEY

W. Britt Pomeroy, Jr.
W. BRITT POMEROY, JR. (FOR THE FIRM - LB#642)
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 4448

DATE SIGNED: 9-19-00

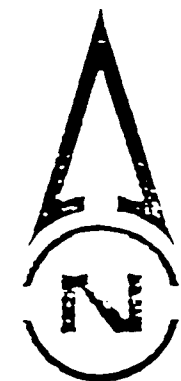
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DCI 2000-00069

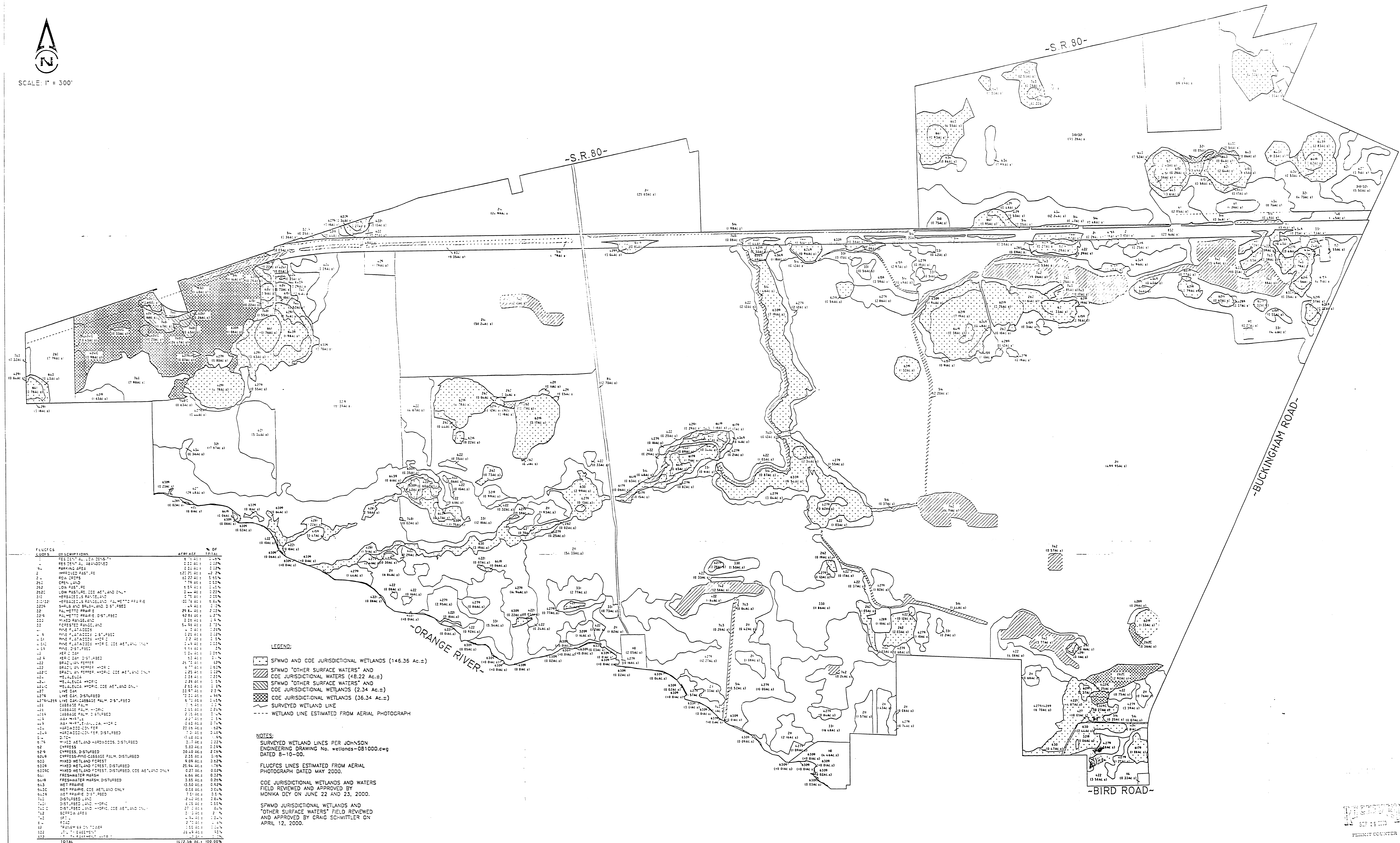
SKETCH TO ACCOMPANY DESCRIPTION
PARCEL IN
SECTIONS 25 & 36, T. 43 S., R. 25 E.
SECTIONS 28, 29, 30, 31, 32 & 33, T. 43 S., R. 26 E.
LEE COUNTY, FLORIDA

JOHNSON ENGINEERING, INC.				
ENGINEERS, SURVEYORS AND ECOLOGISTS				
2158 JOHNSON STREET, P.O. BOX 1550, FORT MYERS, FLORIDA 33902-1550, PHONE (941) 334-0046				
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
Sept., 2000	991536	25-43-25	1" = 500'	1 OF 1

J:\951536\Sketch_Desc_Jenny.dwg Mon Sep 18 13:11:37 2000 mcp



SCALE: 1" = 300'



LEGEND:

- SPWMD AND COE JURISDICTIONAL WETLANDS (146.35 AC.±)
- SPWMD "OTHER SURFACE WATERS" AND COE JURISDICTIONAL WATERS (48.22 AC.±)
- SPWMD "OTHER SURFACE WATERS" AND COE JURISDICTIONAL WETLANDS (2.34 AC.±)
- COE JURISDICTIONAL WETLANDS (36.34 AC.±)
- SURVEYED WETLAND LINE
- WETLAND LINE ESTIMATED FROM AERIAL PHOTOGRAPH

NOTES:

SURVEYED WETLAND LINES PER JOHNSON ENGINEERING DRAWING No. wetlands-081000.dwg DATED 8-10-00.

FLUCFCS LINES ESTIMATED FROM AERIAL PHOTOGRAPH DATED MAY 2000.

COE JURISDICTIONAL WETLANDS AND WATERS FIELD REVIEWED AND APPROVED BY MONIKA DEY ON JUNE 22 AND 23, 2000.

SPWMD JURISDICTIONAL WETLANDS AND "OTHER SURFACE WATERS" FIELD REVIEWED AND APPROVED BY CRAIG SCHMITTLER ON APRIL 12, 2000.

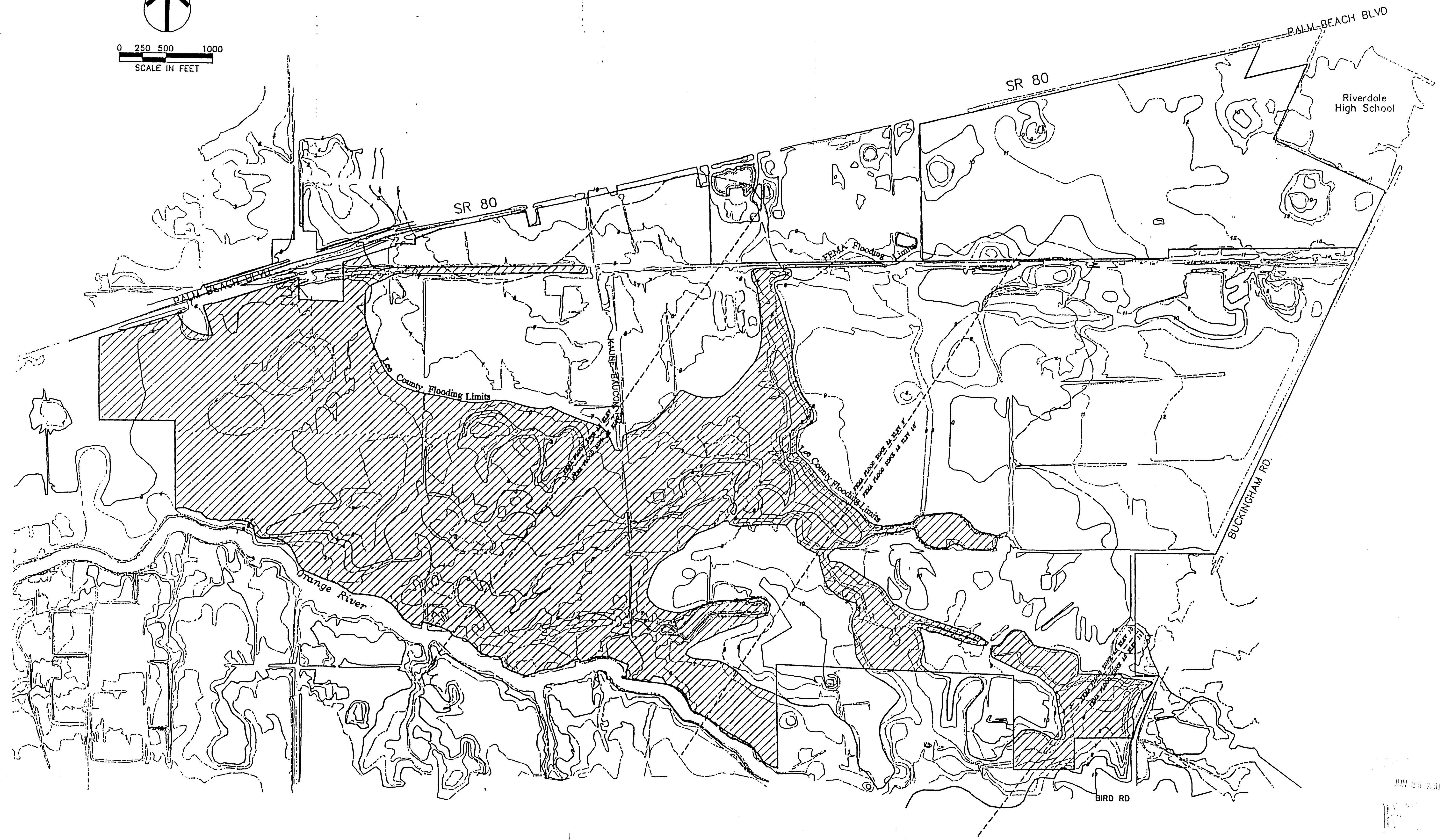
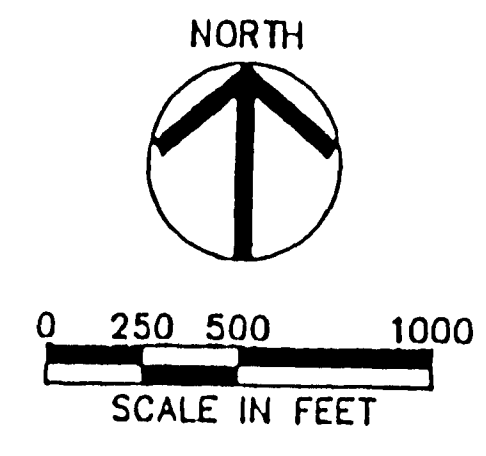
REVISIONS	DESIGNED BY	DATE	HORIZONTAL SCALE
REVISED WETLANDS 11 AND 14	A.W.	9/14/00	1"=300'
REVISED BOUNDARY ALONG RIVER	K.C.P.	9/14/00	VERTICAL SCALE
	P.A.F.	9/14/00	N/A
			SEC./TWP./RNG.
			25.36/43S/25E
			29.30.31.32/43S/26E

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
4575 Via Royale Suite 201 Ft. Myers, FL 33919

BAUCOM PROPERTY
FLUCFCS AND WETLANDS MAP

EXHIBIT C.1

DRAWING No.:	99BBP402FW-1
SHEET No.:	1



1' CONTOUR BASED ON LEE COUNTY AERIAL DATA OF VARIOUS DATES.

EXHIBIT C.3 OCT 2000-00069

Lee County, Florida

Topographic Map
and Flooding Limits

JOHNSON ENGINEERING, INC.
ENGINEERS, SURVEYORS AND ECOLOGISTS
2158 JOHNSON STREET, P.O. BOX 1350, FORT MYERS, FLORIDA 33902-1350, PHONE (813) 334-0048

DATE	PROJECT NO.	FILE NO.	SCALE
09/23/99	19991536	28-44-26	1" = 500'