

**LEE COUNTY**

SOUTHWEST FLORIDA

**PLANNING DIVISION**

M E M O R A N D U M

**to:** Board of County Commissioners  
**from:** *Paul C. Connor* Gov  
Paul C. Connor, AICP, Director, Division of Planning  
**subject:** Lee County's 2000/2001 Regular Comprehensive Plan Amendment Cycle  
**date:** December 21, 2001

Attached are the agenda and a portion of the staff reports for the public hearing to be held beginning at 9:30 A.M. on Thursday, January 10<sup>th</sup>, 2001. This is an adoption hearing for the 2000/2001 Comprehensive Plan Amendment Cycle. The Board of County Commissioners transmitted the 2000/2001 Lee Plan amendments to the State for review on September 12, 2001. The Department of Community Affairs (DCA) issued its Objections, Recommendations and Comments (ORC) Report on November 21, 2001. The DCA did not pose any objections, recommendations, or comments on 22 of the 24 transmitted amendments. The two amendments that were objected to were PAM 98-06 and CPA2000-02.

The DCA offered objections to PAM 98-06, which is a privately-initiated request to amend 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," and also, to amend Lee Plan Policy 1.1.6 and Table 1(a), Note 6. This amendment has been placed on the Administrative Agenda. Staff is still working with the applicant in their efforts to respond to the objections of DCA, although staff has not received any new information as of this writing that would change the original staff recommendation. The staff report and applicant's response to the objections of the DCA will be provided to the BoCC under a separate cover next week.

The DCA also offered an objection to CPA2000-00002, which is a privately-initiated amendment to amend Goal 15, Gasparilla Island, to limit commercial and industrial uses within those portions of the Boca Bay Community that contain the Port District zoning designation. Staff is currently working with representatives from DCA and the applicant to resolve this issue, and anticipates that the outstanding issues will be resolved to the satisfaction of the DCA. The staff report and response to DCA's objections will be provided to the BoCC under a separate cover next week.

Three other amendments have been revised to reflect recent updates that have occurred since the transmittal hearing. One of these, CPA2000-00019, is the amendment addressing the Estero Community Planning Effort. Representatives of the Estero Community Planning Panel submitted several proposed modifications to the transmittal language on December 21, 2001. Staff is still reviewing these modifications and will provide recommendations on them as part of the adoption staff report. The staff report for this amendment will be provided to the BoCC under a separate cover next week.

Another amendment that will require modification between the transmittal hearing and the adoption hearing is CPA2000-00027, which proposes to update the Capital Improvements Program (CIP) in

the Lee Plan. Planning staff will be receiving the latest CIP from Budget Services staff, and will incorporate this document into the Lee Plan. The staff report for this amendment will be provided to the BoCC under a separate cover next week.

The final amendment that might require modification from the transmittal stage is CPA2000-00015, which proposes to modify setbacks for golf course maintenance facilities from public roadways and adjacent residential properties in the Density Reduction/Groundwater Resource areas. Staff is still finalizing its recommendation on this amendment. The staff report and final recommendation will be provided to the BoCC under a separate cover next week.

Other than these 5 amendments that will require modifications as noted above, the remaining documents were simply updated to reflect that there were no objections, recommendations, or comments by the DCA. As stated previously, the staff reports and other background materials for these 5 amendments will be provided to the Board next week, and should be added to the materials received with this correspondence.

If you have any questions regarding the adoption hearing, do not hesitate to call me at 479-8309.

cc:     *Donald Stilwell, County Administrator*  
          *Mary Gibbs, Director, Department of Community Development*  
          *Minutes*  
          *Lee Cares*  
          *Tim Jones, Assistant County Attorney*  
          *Janet Watermeier, Director, Economic Development*  
          *Dave Loveland, DOT*  
          *Diana Parker, County Hearing Examiner*

**CPA2000-17  
BoCC SPONSORED  
AMENDMENT  
TO THE**

---

LEE COUNTY COMPREHENSIVE PLAN

---

**THE LEE PLAN**

---

BoCC Public Hearing Document  
for the  
January 10<sup>th</sup> Adoption Hearing

---

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

November 21, 2001



**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2000-17**

☒

**Text Amendment**

☒

**Map Amendment**

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

STAFF REPORT PREPARATION DATE: April 16, 2001

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. APPLICANT:**

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

**2. REQUEST:**

Amend the Future Land Use Element by evaluating for removal Goal 13, Bonita Springs, and consider relocating policies which should continue to apply to the remaining unincorporated areas of Bonita Springs.

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

**1. RECOMMENDATION:** Planning staff recommends that the Board of County Commissioners transmit the proposed amendment as provided under Part II.C. of this report.

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

- Bonita Springs became incorporated on December 31, 1999.
- Bonita Springs is no longer one of Lee County's unincorporated population centers.
- Due to the incorporation of Bonita Springs Goal 13 and many of its Objectives and Policies no longer apply to unincorporated Lee County. Those that do not apply should be removed from the Lee Plan and those that do apply to the areas in south Lee County outside of the city limits should be retained and relocated.
- Bonita Springs is now incorporated with its own planning and permitting rights and responsibilities.

### **C. BACKGROUND INFORMATION**

On December 31, 1999, the City of Bonita Springs became the fifth incorporated municipality in Lee County. The city now oversees planning and permitting within its jurisdictional boundaries. This amendment was initiated by the Board of County Commissioners on September 19, 2000.

## **PART II - STAFF ANALYSIS**

### **A. STAFF DISCUSSION**

Due to the incorporation of Bonita Springs, planning staff has evaluated Goal 13 and its Objectives and Policies for removal or relocation in the Lee Plan. Following are the proposed changes in strikethrough and underline format. Language that does not apply to unincorporated Lee County is being removed from the Lee Plan and language that applies to the areas outside of the city limits in south Lee County are being relocated under the appropriate Goals in the Lee Plan. In addition staff has evaluated references made to Bonita Springs throughout the Lee Plan under the same consideration.

Goal 13 itself is being removed from the Future Land Use Element of the Lee Plan. The balance of the goal no longer applies given that the city has its own planning and permitting rights and responsibilities.

**GOAL 13: [RESERVED] ~~BONITA SPRINGS.~~** To maintain and improve the existing quality of life in Bonita Springs by providing essential public facilities in cooperation with other service providers and Collier County to the extent required by present and prospective residents. (Amended by Ordinance No. 94-30)

The following language is being recommended for removal from the Lee Plan. Objective 13.1 and Policies 13.1.1, 13.1.2 and 13.1.3 pertain to intergovernmental coordination between Lee County and Collier County in regards to transportation planning. Goal 27, Intergovernmental Coordination, of the Transportation Element provides language on intergovernmental coordination pertaining to all adjoining counties, therefore the relocation of the objective and policies are unnecessary. The reference made to the CRA plan for Bonita Springs in Policy 13.1.1 no longer applies. Economic development staff have concurred that this language no longer applies, all projects have been completed.

**~~OBJECTIVE 13.1: TRAFFIC CIRCULATION.~~** The 2020 traffic circulation maps will contain all of the road segments that are necessary to accommodate both local traffic within the Bonita Springs

~~area and traffic crossing the Collier County line at the minimum levels of service in this plan.  
(Amended by Ordinance No. 94-30, 00-22)~~

~~**POLICY 13.1.1:** Amendments to the Traffic Circulation Plan Map(s) will give particular attention to the CRA plan for Bonita Springs and to the road plans for Collier County. (Amended by Ordinance No. 94-30, 00-22)~~

~~**POLICY 13.1.2:** All future computer modeling used for transportation planning must be designed to fully recognize Bonita Springs' location at the county line. (Amended by Ordinance No. 00-22)~~

~~**POLICY 13.1.3:** The county will actively pursue the execution of interlocal agreements with Collier County for planning, design, and construction of roads along and crossing the county line. (Amended by Ordinance No. 00-22)~~

The following Objective no longer applies to unincorporated Lee County. The Policies under Objective 13.2 are either being removed or are being relocated.

~~**OBJECTIVE 13.2: COMMUNITY FACILITIES.** Within funding constraints, the county will attempt, during 1995, to incorporate the following recommendations of the ad-hoc Bonita Study Group into the planning process for public facilities. (Amended by Ordinance No. 94-30, 00-22)~~

Policy 13.2.1 no longer applies to the unincorporated areas outside of the City of Bonita Springs and is being removed. Currently the urban areas outside of the city limits are within the Lee County Utilities franchise area or are in the process of being acquired by Lee County Utilities.

~~**POLICY 13.2.1: POTABLE WATER.** The county will grant franchise expansions to the Bonita Springs Utilities (BSU) to serve all areas designated as Future Urban Areas by the Lee Plan. In addition, the county deems it to be in the public interest to encourage:~~

- ~~• other private water systems in the BSU service area to be consolidated with the BSU; and~~
  - ~~• new development near a BSU line to hook into the system.~~
- ~~(Amended by Ordinance No. 94-30, 00-22)~~

Policy 13.2.2 is being proposed for relocation under Objective 1.7, Special Treatment Areas. The policy applies to the unincorporated areas of southern Lee County. Staff is proposing added language to the policy specifying unincorporated Bonita Springs and is adding a map to the Future Land Use Map Series representing unincorporated Bonita Springs. The proposed map, Map 13 - the Irrigation Well Overlay map, is attached to this staff report as Attachment 1. Lee County Utilities staff has concurred with the proposed map and relocation of the language.

**POLICY 13.27.29: IRRIGATION WELLS:** The Irrigation Well overlay in Bonita Springs (as defined in this plan) is hereby declared a critical area for future potable water supply, based on evidence that withdrawals from the main potable aquifer, the lower Tamiami aquifer, are approaching or exceeding the maximum safe yield. In response to this designation, the county will maintain current regulations to provide that new irrigation well permits in Bonita Springs the Irrigation Well overlay may not utilize the main potable water source. For the purposes of this

plan, the boundaries of the Irrigation Well overlay are indicated on Map 13 of the Future Land Use Map series. (Also see Policy 34.1.9 for new permit requirements for wells in Lehigh Acres, and Policy 2.4.2 for special requirements for amendments to the Future Land Use Map.) (Amended by Ordinance No. 94-30, 00-22)

Policy 13.2.3 no longer applies to unincorporated Lee County.

~~**POLICY 13.2.3: WASTEWATER.** The county will continue to assist the Bonita Springs Utilities in its efforts to provide a central sewer system in the Bonita Springs area. (Amended by Ordinance No. 94-30, 00-22)~~

Policy 13.2.4 is being relocated under the Surface Water Management section of the Community Facilities and Services Element. Lee County will continue monitoring water quality in the Imperial River as well as access and tidal flushing through New Pass and Big Hickory Pass.

~~**POLICY 13.2.4: SURFACE WATER MANAGEMENT.** The County will continue to monitor water quality in the Imperial River and navigational access and tidal flushing through New Pass and Big Hickory Pass. (Amended by Ordinance No. 94-30)~~

The following Objectives and Policies no longer apply to unincorporated Lee County. Due to incorporation, Parks and Recreation and Historic Resources fall under the responsibility of the City of Bonita Springs and are being removed from the Lee Plan.

~~**OBJECTIVE 13.3: PARKS AND RECREATION.** Decisions on park acquisitions and improvements will continually reflect the unique opportunities and needs of the Bonita Springs area. (Amended by Ordinance No. 00-22)~~

~~**POLICY 13.3.1:** The county will improve access to the Gulf beaches by providing public parking, landscaping, boardwalks, and dune walkovers. (Amended by Ordinance No. 00-22)~~

~~**OBJECTIVE 13.4: HISTORIC RESOURCES.** Lee County will continue to designate historic structures in Bonita Springs in accordance with the Historic Preservation Ordinance. (Amended by Ordinance No. 94-30, 00-22)~~

~~**POLICY 13.4.1:** In conjunction with the Bonita Springs CRA, the county will cooperate with and aid local efforts to redevelop the old downtown area (including identifying funding mechanisms) in order to build community pride, attract tourism, and improve the area's economic condition. (Amended by Ordinance No. 94-30, 00-22)~~

### Additional references

#### **Future Land Use:**

Policy 1.1.3 and 1.1.4, the descriptor policies for the Central Urban and Urban Community future land use categories, both include areas of Bonita Springs. Staff is clarifying the references to Bonita Springs. These future land use categories are designated on the Future Land Use Map within the city limits of Bonita Springs.



**POLICY 1.1.3:** The Central Urban areas can best be characterized as the "urban core" of the county. These consist mainly of portions of the city of Fort Myers, the southerly portion of the city of Cape Coral, and other close-in areas near these cities; and also the central portions of the city of Bonita Springs, Iona/McGregor, Lehigh Acres, and North Fort Myers. This is the part of the county that is already most heavily settled and which has or will have the greatest range and highest levels of urban service--water, sewer, roads, schools, etc. Residential, commercial, public and quasi-public, and limited light industrial land uses (see Policy 7.1.6) will continue to predominate in the Central Urban area. This category has a standard density range from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre) and a maximum density of fifteen dwelling units per acre (15 du/acre). (Amended by Ordinance No. 94-30)

**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, the city of 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). (Amended by Ordinance No. 94-30)

Changes to Policy 2.4.2 and 34.1.9 reflect the relocation of Policy 13.2.2 noted above.

**POLICY 2.4.2:** All proposed changes to the Future Land Use Map in critical areas for future potable water supply (Bonita Springs as described in Policy 13.27.29; Lehigh Acres as described in Policy 34.1.9; and all land in the Density Reduction/ Groundwater Resource land use category) will be subject to a special review by the staff of Lee County. This review will analyze the proposed land uses to determine the short-term and long-term availability of irrigation and domestic water sources, and will assess whether the proposed land uses would cause any significant impact on present or future water resources. If the Board of County Commissioners wishes to approve any such changes to the Future Land Use Map, it must make a formal finding that no significant impacts on present or future water resources will result from the change. (Amended by Ordinance No. 92-47) (Amended by Ordinance No. 94-30, 00-22)

#### **Community Facilities and Services:**

**POLICY 34.1.9:** Lehigh Acres (as defined by outer boundaries of its Privately Funded Infrastructure overlay on the Future Land Use Map) is hereby declared a critical area for future potable water supply due to fluctuating water levels in the Sandstone aquifer. In response to this designation, the county will amend current regulations to provide that new wells in Lehigh Acres must be constructed to accommodate submersible pumps. (Also see Policy 13.27.29 for new permit requirements for irrigation wells in Bonita Springs, and Policy 2.4.2 for special requirements for amendments to the Future Land Use Map.) (Amended by Ordinance No. 94-30, 00-22)



## **Conservation and Coastal Management**

Policy 83.3.1 remains unchanged. Beach and dune management plans will continue to be prepared by Lee County for the north end of Bonita Beach through an interlocal agreement.

**POLICY 83.3.1:** The Division of Natural Resources Management, or successor agency, will be responsible for the beach and dune management program. This program will include:

1. Preparing beach and dune management plans, with priority to the critical erosion areas:
  - a. south-central and southern portion of Gasparilla Island.
  - b. northern North Captiva Island.
  - c. all of Captiva Island.
  - d. north end of Bonita Beach.

## **B. CONCLUSIONS**

Due to the incorporation of Bonita Springs, staff is proposing the removal of Goal 13 and its subsequent objectives and policies. Those that remain effective for the unincorporated areas of Bonita Springs are being relocated under similar language in the Lee Plan.

## **C. STAFF RECOMMENDATION**

Planning staff recommends that the Board of County Commissioners transmit the proposed plan amendment. This recommendation is based upon the previously discussed issues and conclusions of this report. Planning staff recommends the following language modifications as well as the proposed map, Map 13, be transmitted:

Delete the following from the Lee Plan.

~~**GOAL 13- BONITA SPRINGS.** To maintain and improve the existing quality of life in Bonita Springs by providing essential public facilities in cooperation with other service providers and Collier County to the extent required by present and prospective residents. (Amended by Ordinance No. 94-30)~~

~~**OBJECTIVE 13.1- TRAFFIC CIRCULATION.** The 2020 traffic circulation maps will contain all of the road segments that are necessary to accommodate both local traffic within the Bonita Springs area and traffic crossing the Collier County line at the minimum levels of service in this plan. (Amended by Ordinance No. 94-30, 00-22)~~

~~**POLICY 13.1.1:** Amendments to the Traffic Circulation Plan Map(s) will give particular attention to the CRA plan for Bonita Springs and to the road plans for Collier County. (Amended by Ordinance No. 94-30, 00-22)~~

~~**POLICY 13.1.2:** All future computer modeling used for transportation planning must be designed to fully recognize Bonita Springs' location at the county line. (Amended by Ordinance No. 00-22)~~

~~**POLICY 13.1.3:** The county will actively pursue the execution of interlocal agreements with Collier County for planning, design, and construction of roads along and crossing the county line. (Amended by Ordinance No. 00-22)~~

~~**OBJECTIVE 13.2: COMMUNITY FACILITIES.** Within funding constraints, the county will attempt, during 1995, to incorporate the following recommendations of the ad-hoc Bonita Study Group into the planning process for public facilities. (Amended by Ordinance No. 94-30, 00-22)~~

~~**POLICY 13.2.1: POTABLE WATER.** The county will grant franchise expansions to the Bonita Springs Utilities (BSU) to serve all areas designated as Future Urban Areas by the Lee Plan. In addition, the county deems it to be in the public interest to encourage:~~

- ~~• other private water systems in the BSU service area to be consolidated with the BSU; and~~
  - ~~• new development near a BSU line to hook into the system.~~
- ~~(Amended by Ordinance No. 94-30, 00-22)~~

Modify Policy 13.2.2 and relocate it to Policy 1.7.9. The policy refers to Map 13 which can be found as Attachment 1 of this report.

~~**POLICY 13.27.29: IRRIGATION WELLS.** The Irrigation Well overlay in Bonita Springs (as defined in this plan) is hereby declared a critical area for future potable water supply, based on evidence that withdrawals from the main potable aquifer, the lower Tamiami aquifer, are approaching or exceeding the maximum safe yield. In response to this designation, the county will maintain current regulations to provide that new irrigation well permits in Bonita Springs the Irrigation Well overlay may not utilize the main potable water source. For the purposes of this plan, the boundaries of the Irrigation Well overlay are indicated on Map 13 of the Future Land Use Map series. (Also see Policy 34.1.9 for new permit requirements for wells in Lehigh Acres, and Policy 2.4.2 for special requirements for amendments to the Future Land Use Map.) (Amended by Ordinance No. 94-30, 00-22)~~

Delete Policy 13.2.3 from the Lee Plan.

~~**POLICY 13.2.3: WASTEWATER.** The county will continue to assist the Bonita Springs Utilities in its efforts to provide a central sewer system in the Bonita Springs area. (Amended by Ordinance No. 94-30, 00-22)~~

Modify Policy 13.2.4 and relocate it to Policy 39.1.8.

~~**POLICY 1339.21.48: SURFACE WATER MANAGEMENT.** The County will continue to monitor water quality in the Imperial River and navigational access and tidal flushing through New Pass and Big Hickory Pass. (Amended by Ordinance No. 94-30)~~

Delete the following from the Lee Plan.

~~**OBJECTIVE 13.3: PARKS AND RECREATION.** Decisions on park acquisitions and improvements will continually reflect the unique opportunities and needs of the Bonita Springs area. (Amended by Ordinance No. 00-22)~~

~~**POLICY 13.3.1:** The county will improve access to the Gulf beaches by providing public parking, landscaping, boardwalks, and dune walkovers. (Amended by Ordinance No. 00-22)~~

~~**OBJECTIVE 13.4: HISTORIC RESOURCES.** Lee County will continue to designate historic structures in Bonita Springs in accordance with the Historic Preservation Ordinance. (Amended by Ordinance No. 94-30, 00-22)~~

~~**POLICY 13.4.1:** In conjunction with the Bonita Springs CRA, the county will cooperate with and aid local efforts to redevelop the old downtown area (including identifying funding mechanisms) in order to build community pride, attract tourism, and improve the area's economic condition. (Amended by Ordinance No. 94-30, 00-22)~~

Update the following future land use descriptor policies.

**POLICY 1.1.3:** The Central Urban areas can best be characterized as the "urban core" of the county. These consist mainly of portions of the city of Fort Myers, the southerly portion of the city of Cape Coral, and other close-in areas near these cities; and also the central portions of the city of Bonita Springs, Iona/McGregor, Lehigh Acres, and North Fort Myers. This is the part of the county that is already most heavily settled and which has or will have the greatest range and highest levels of urban service--water, sewer, roads, schools, etc. Residential, commercial, public and quasi-public, and limited light industrial land uses (see Policy 7.1.6) will continue to predominate in the Central Urban area. This category has a standard density range from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre) and a maximum density of fifteen dwelling units per acre (15 du/acre). (Amended by Ordinance No. 94-30)

**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, the city of 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). (Amended by Ordinance No. 94-30)

Modify Policy 2.4.2 and 34.1.9 to reflect the relocation of Policy 13.2.2 to Policy 1.7.9 noted above.

**POLICY 2.4.2:** All proposed changes to the Future Land Use Map in critical areas for future potable water supply (Bonita Springs as described in Policy 13.27.29; Lehigh Acres as described in Policy 34.1.9; and all land in the Density Reduction/ Groundwater Resource land use category) will be subject to a special review by the staff of Lee County. This review will analyze the proposed land uses to determine the short-term and long-term availability of irrigation and domestic water sources, and will assess whether the proposed land uses would cause any significant impact on present or future water resources. If the Board of County Commissioners



wishes to approve any such changes to the Future Land Use Map, it must make a formal finding that no significant impacts on present or future water resources will result from the change. (Amended by Ordinance No. 92-47) (Amended by Ordinance No. 94-30, 00-22)

**POLICY 34.1.9:** Lehigh Acres (as defined by outer boundaries of its Privately Funded Infrastructure overlay on the Future Land Use Map) is hereby declared a critical area for future potable water supply due to fluctuating water levels in the Sandstone aquifer. In response to this designation, the county will amend current regulations to provide that new wells in Lehigh Acres must be constructed to accommodate submersible pumps. (Also see Policy 13.27.29 for new permit requirements for irrigation wells in Bonita Springs, and Policy 2.4.2 for special requirements for amendments to the Future Land Use Map.) (Amended by Ordinance No. 94-30, 00-22)

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

DATE OF PUBLIC HEARING: April 23, 2001

#### **A. LOCAL PLANNING AGENCY REVIEW**

Staff presented this amendment before the LPA on April 23, 2001. Staff explained that in addition to the proposed text changes staff is also recommending adding a map depicting an irrigation well overlay to the future land use map series. One member of the LPA asked for further explanation on what the overlay is. Staff explained the relocation of Policy 13.2.2 under Objective 1.7 Special Treatment Areas and the need for the relocated policy to continue to apply to the area shown on the proposed map. Staff noted that the policy stemmed from a judgement made in the late 1980's determining that water in the Lower Tamiami aquifer was to be used for potable water and not for irrigation due to limited supply and saltwater intrusion in the area. The entire area, including incorporated Bonita Springs, depicted on the proposed overlay map was declared critical for potable water supply. This continues to be the policy with the South Florida Water Management District today. Currently the District has a permitting threshold of a six inch well. Anything below this threshold would require permitting through the County. The proposed overlay will continue the preservation of the potable water supply for the area.

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

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

#### **C. VOTE:**

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

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

DATE OF TRANSMITTAL HEARING: August 29, 2001

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

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

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

**C. VOTE:**

**JOHN ALBION**

AYE

**ANDREW COY**

AYE

**BOB JANES**

AYE

**RAY JUDAH**

AYE

**DOUG ST. CERNY**

AYE



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

DATE OF ORC REPORT: November 21, 2001

**A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**

The DCA had no objections, recommendations, or comments concerning this amendment.

**B. STAFF RECOMMENDATION**

Adopt the amendment as transmitted.

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

DATE OF ADOPTION HEARING: January 10, 2002

**A. BOARD REVIEW:**

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

**1. BOARD ACTION:**

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

**C. VOTE:**

**JOHN ALBION**

**ANDREW COY**

**BOB JANES**

**RAY JUDAH**

**DOUG ST. CERNY**

_____
_____
_____
_____
_____
_____



# IRRIGATION WELL OVERLAY

