

**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*

**CPA2000-21  
BoCC SPONSORED  
AMENDMENT  
TO THE**

---

LEE COUNTY COMPREHENSIVE PLAN

---

**THE LEE PLAN**

---

BoCC Public Hearing Document  
for the  
January 10<sup>th</sup>, 2002 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  
CPA2000-21**

☒

Text Amendment

☐

Map Amendment

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

STAFF REPORT PREPARATION DATE: April 13, 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:**

Modify Policy 22.1.4 to update the document references, modify Policy 26.1.3 to distinguish between traffic control devices and plans, expand Goal 27 to include the operation of transportation facilities in the list requiring cooperation with other governmental entities, add the City of Bonita Springs to Policy 27.1.3, and update Policy 21.1.1 and the transportation map series to reflect the current 2020 road and transit network (general transportation update).

**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 C, the Staff Recommendation portion of this report.

## 2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- Lee County last updated the overall Transportation Element of its comprehensive plan in November, 1999 (PAM/T 98-26).
- A new 2020 Financially Feasible Transportation Plan was adopted by the Lee County Metropolitan Planning Organization (MPO) on December 8, 2000.
- The MPO Plan maps are directly reflected in Maps 3A and 3C of the Lee Plan Transportation Map series, and the network changes affect Maps 3B and 3H.
- Policy 21.1.1 refers to the MPO Plan map adopted in June, 1999.
- The City of Bonita Springs was incorporated as of January, 2000.
- Policy 27.1.3 declares the County's interest in land use decisions for all other cities in Lee County, but doesn't include the City of Bonita Springs.
- Other policies within the Transportation Element include some outdated references or require some clarification as to their intent.

### C. BACKGROUND INFORMATION

Since the last update of the Transportation Element (Ordinance No. 99-15) and the Transportation Map series, changes in conditions and documents have created a need to amend certain policies and maps. The most significant change is the adoption of a new 2020 Financially Feasible Plan by the Lee County MPO in December, 2000, which affects Policy 21.1.1 and Maps 3A and 3C of the Transportation Map series. Changes in the network reflected on Map 3A also affect Maps 3B and 3H. Also, the incorporation of the City of Bonita Springs in January, 2000 affects the references in Policy 27.1.3. A general clean-up or clarification of certain policies in the Transportation Element is also warranted.

## PART II - STAFF ANALYSIS

### A. STAFF DISCUSSION

Policy 21.1.1 of the Transportation Element acknowledges that the Lee County Metropolitan Planning Organization's 2020 Financially Feasible Plan is the basis for Map 3A of the Lee Plan Transportation Map series. It reads as follows:

***POLICY 21.1.1:** The Lee County Metropolitan Planning Organization's 2020 Financially Feasible Plan Map series is hereby incorporated as part of the Transportation Map series for this Lee Plan comprehensive plan element. The MPO Plan Map 14, as amended June 18, 1999, is incorporated as Map 3A of the Transportation Map series, with one format change as approved by the Lee County Board of County Commissioners on March 23, 1999. The format change is a visual indication (with shading) that alignment options for the 951 extension are still under consideration, consistent with Note 5. (Amended by Ordinance No. 98-09, 99-15)*

Policy 22.1.4 references two documents Lee County relies on to calculate levels of service, the 1994 Highway Capacity Manual and the 1995 FDOT Level of Service Manual. It reads as follows:

**POLICY 22.1.4:** *Lee County will continue to use the 1994 Highway Capacity Manual and the 1995 Florida Department of Transportation Level of Service Manual to calculate levels of service, service volumes, and volume-to-capacity ratios. (Amended by Ordinance No. 98-09, Amended and Relocated by Ordinance No. 99-15)*

Policy 26.1.3 indicates the County's intent to consider traffic control where through traffic is impacting a neighborhood. It reads as follows:

**POLICY 26.1.3:** *For those neighborhoods where too much through traffic is a problem, the county will study (and implement when warranted) neighborhood traffic control devices to protect residential areas from the harmful impacts of excessive traffic.*

Goal 27 deals with Intergovernmental Coordination, listing different activities that should be coordinated. It reads as follows:

**GOAL 27: INTERGOVERNMENTAL COORDINATION.** *Cooperation with other governmental entities in the planning, funding, and construction of transportation improvements within or affecting Lee County. (Amended by Ordinance No. 99-15)*

Policy 27.1.3 specifies the jurisdictions where the County declares an interest in land use decisions. It reads as follows:

**POLICY 27.1.3:** *The county declares a position of interest for land use decisions affecting county and state roads within Sanibel, Cape Coral, Fort Myers Beach, and Fort Myers, and state roads and county roads shared with adjacent counties. (Amended by Ordinance No. 99-15)*

## **B. CONCLUSIONS**

The language in Policy 21.1.1 needs to be updated to reflect the latest version of the MPO's adopted 2020 Financially Feasible Plan, dated December 8, 2000. The Board direction on the format change would still stand, because the MPO plan shows a particular alignment and a number of alignment options are under consideration, as would be reflected by the shading. Added clarification of the facility being referenced is necessary because parts of it are referred to as both the CR (County Road) 951 Extension and the Bonita Grande Drive Extension in the MPO's plan.

Because of the state's insistence that other documents referred to in the comprehensive plan have to be date-specific, even with technical reference manuals that are updated regularly, Policy 22.1.4 needs to be updated to reflect the latest versions of the Highway Capacity Manual and Level of Service Manual being used by the County.

In the case of Policy 26.1.3, the reference to studying and implementing traffic control "devices" needs to be generalized to "plans". Some of the traffic control options that might be utilized in a neighborhood wouldn't necessarily meet the definition of "devices", which includes things like signs, signals and pavement markings.

Goal 27 simply requires the addition of an activity that should be coordinated with other governments, namely the maintenance and operation of a roadway.

Finally, Policy 27.1.3 needs to be expanded to refer to the newest incorporated area, the City of Bonita Springs.

In regards to the Transportation Map series, Map 3A needs to be revised to reflect the MPO's 2020 Financially Feasible Highway Plan as adopted on December 8, 2000, and Map 3C needs to be revised to reflect the "status quo" scenario for transit included in the MPO's Plan as Figure G-2. The MPO's plan identified two other transit scenarios for the future that required significantly more funding than was projected to be available, so until those funding sources are identified and implemented, the status quo scenario is reflected in the plan. Because of network changes reflected in the MPO's new 2020 highway plan, which in turn will be reflected in Map 3A, revisions to Maps 3B and 3H are necessary to be consistent.

### **C. STAFF RECOMMENDATION**

Planning staff recommends that the Board of County Commissioners transmit the proposed plan amendment. The proposed language is as follows:

**POLICY 21.1.1:** The Lee County Metropolitan Planning Organization's 2020 Financially Feasible Plan Map series is hereby incorporated as part of the Transportation Map series for this Lee Plan comprehensive plan element. The MPO 2020 Financially Feasible Highway Plan Map 14, as ~~amended June 18, 1999~~ adopted December 8, 2000, is incorporated as Map 3A of the Transportation Map series, with one format change as approved by the Lee County Board of County Commissioners on March 23, 1999. The format change is a visual indication (with shading) that alignment options for the County Road 951/Bonita Grande Drive extension are still under consideration, consistent with Note 5. (Amended by Ordinance No. 98-09, 99-15)

**POLICY 22.1.4:** Lee County will continue to use the ~~1994~~ 2000 Highway Capacity Manual and the ~~1995~~ 1998 Florida Department of Transportation Level of Service Manual to calculate levels of service, service volumes, and volume-to-capacity ratios. (Amended by Ordinance No. 98-09, Amended and Relocated by Ordinance No. 99-15)

**POLICY 26.1.3:** For those neighborhoods where too much through traffic is a problem, the county will study (and implement when warranted) neighborhood traffic control ~~devices~~ plans to protect residential areas from the harmful impacts of excessive traffic.

**GOAL 27: INTERGOVERNMENTAL COORDINATION.** Cooperation with other governmental entities in the planning, funding, ~~and construction,~~ operations and maintenance of transportation improvements within or affecting Lee County. (Amended by Ordinance No. 99-15)

**POLICY 27.1.3:** The county declares a position of interest for land use decisions affecting county and state roads within Sanibel, Cape Coral, Fort Myers Beach, Bonita Springs, and Fort Myers, and state roads and county roads shared with adjacent counties. (Amended by Ordinance No. 99-15)

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

DATE OF PUBLIC HEARING: April 23, 2001

**A. LOCAL PLANNING AGENCY REVIEW**

The LPA simply identified an editorial change in the staff report and a mistake on Map 3H to be corrected, but otherwise had no comments on the proposed amendments. There were no comments from the general public.

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

1. **RECOMMENDATION:** The LPA recommended 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 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>AYE</u>



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

DATE OF TRANSMITTAL HEARING: August 29, 2001

**A. BOARD REVIEW:** The Board had no discussion in relation to this proposed amendment and there were no comments from the public.

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

1. **BOARD ACTION:** The Board voted unanimously to transmit this amendment as part of the consent agenda approval.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact as advanced by staff.

**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 RESPONSE**

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**

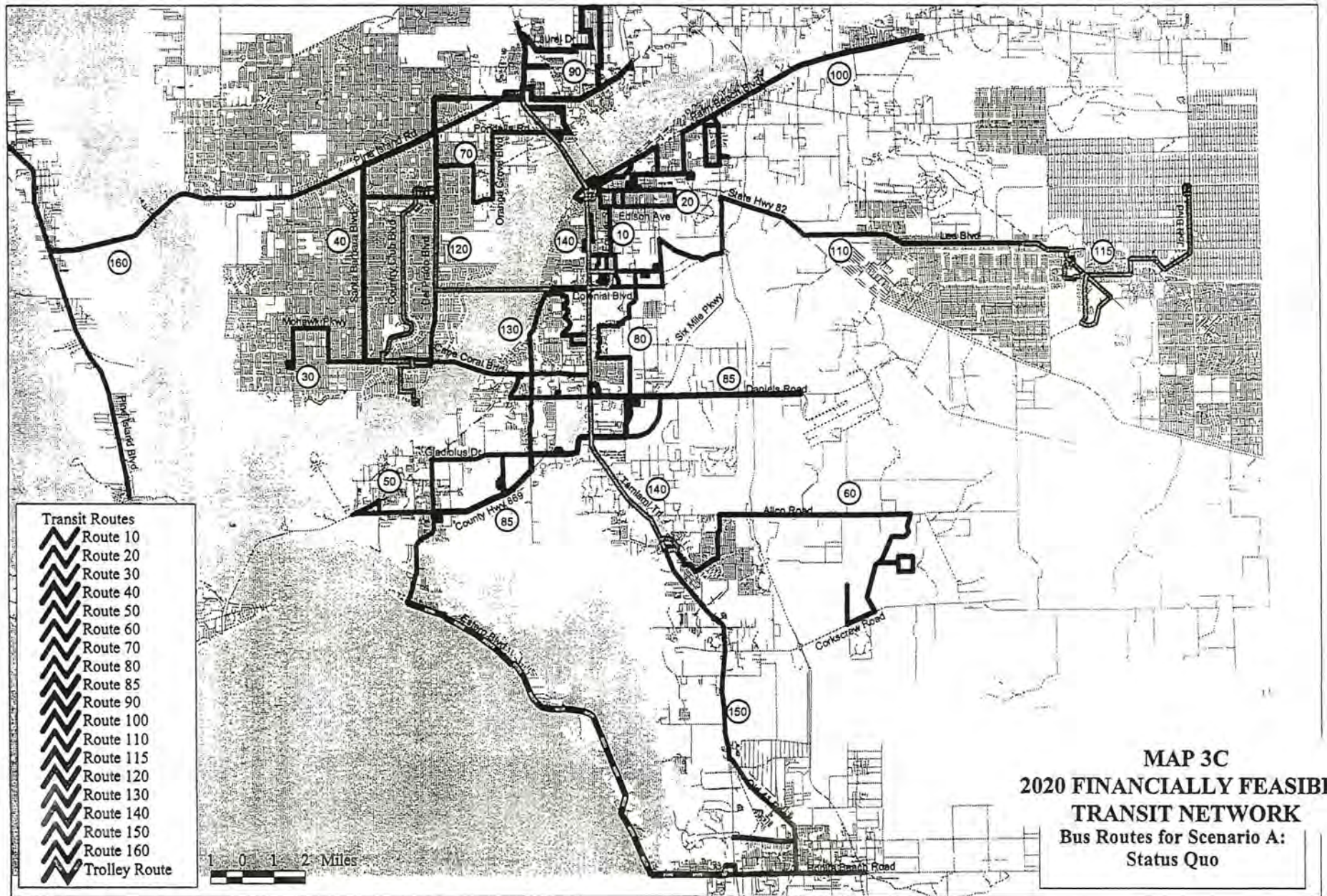
**ANDREW COY**

**BOB JANES**

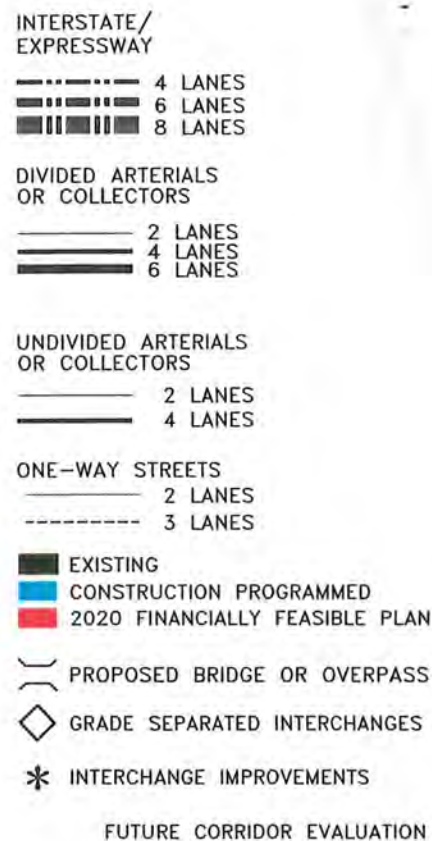
**RAY JUDAH**

**DOUG ST. CERNY**

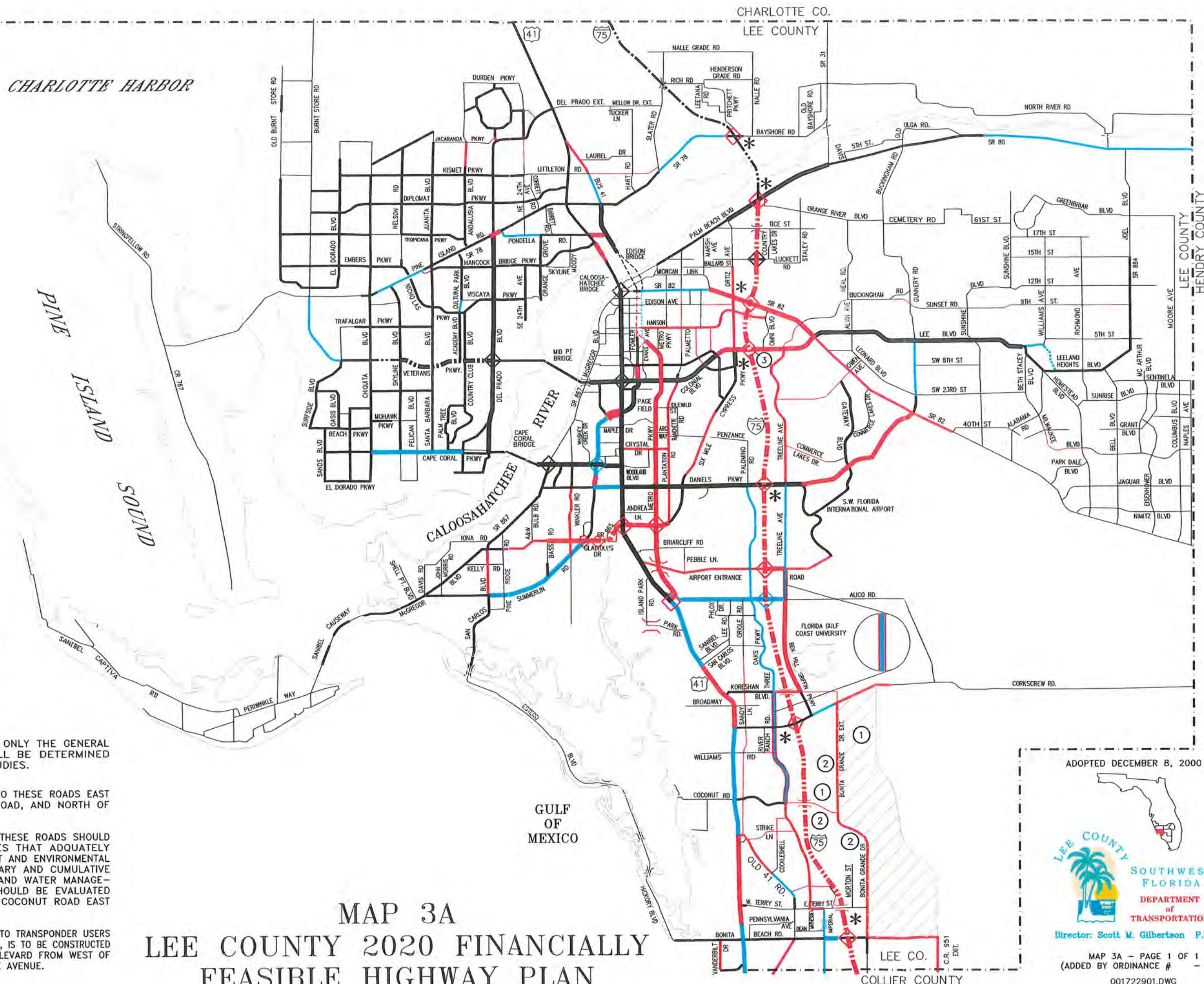
_____
_____
_____
_____
_____
_____







- ① NO ACCESS SHOULD BE PERMITTED TO THESE ROADS EAST OF I-75, SOUTH OF CORKSCREW ROAD, AND NORTH OF THE BONITA SPRINGS CITY LIMITS.
- ② THE FEASIBILITY AND ALIGNMENT OF THESE ROADS SHOULD BE DETERMINED THROUGH STUDIES THAT ADEQUATELY ADDRESS THEIR GROWTH MANAGEMENT AND ENVIRONMENTAL IMPACTS, INCLUDING THEIR SECONDARY AND CUMULATIVE EFFECTS ON WILDLIFE, WETLANDS, AND WATER MANAGEMENT. EXTENDING STRIKE LANE SHOULD BE EVALUATED AS AN ALTERNATIVE TO EXTENDING COCONUT ROAD EAST OF I-75.
- ③ A FOUR LANE TOLL EXPRESSWAY, OPEN TO TRANSPONDER USERS ONLY, WITH NO ACCESS POINTS EN ROUTE, IS TO BE CONSTRUCTED WITHIN THE MEDIAN OF COLONIAL BOULEVARD FROM WEST OF WINKLER AVENUE TO EAST OF TREELINE AVENUE.



MAP 3A  
LEE COUNTY 2020 FINANCIALLY  
FEASIBLE HIGHWAY PLAN

ADOPTED DECEMBER 8, 2000







MAP 3B  
FUTURE FUNCTIONAL CLASSIFICATION MAP  
UNINCORPORATED LEE COUNTY AND  
STATE/COUNTY ROADS IN CITIES







INTERSTATE/  
EXPRESSWAY

4 LANES  
6 LANES  
8 LANES

DIVIDED ARTERIALS  
OR COLLECTORS

2 LANES  
4 LANES  
6 LANES

UNDIVIDED ARTERIALS  
OR COLLECTORS

2 LANES  
4 LANES

ONE-WAY STREETS

2 LANES  
3 LANES

COUNTY MAINTAINED  
FLORIDA INTERSTATE HIGHWAY SYSTEM  
OTHER STATE MAINTAINED  
CITY OR PRIVATELY MAINTAINED  
CITY LIMITS

PROPOSED BRIDGE OR OVERPASS

GRADE SEPARATED INTERCHANGES

CHARLOTTE HARBOR

PINE ISLAND SOUND

CALOOSAHATCHEE RIVER

GULF OF MEXICO

CHARLOTTE CO.  
LEE COUNTY

LEE COUNTY  
HENDRY COUNTY

COLLIER COUNTY

MAP 3H  
FUTURE MAINTENANCE RESPONSIBILITY

AUGUST 9, 2001



Director: Scott M. Gilbertson P.E.

MAP 3H - PAGE 1 OF 1  
(ADDED BY ORDINANCE # )

001762901.DWG