



LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS LEE COUNTY

The Council staff has reviewed the proposed evaluation and appraisal based amendments to the Lee County Comprehensive Plan (DEO 18-4ESR). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

<u>Proposed Amendment</u>	<u>Factors of Regional Significance</u>			
	<u>Location</u>	<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DEO 18-4ESR	No	No	No	(1) Not regionally significant (2) Consistent with SRPP

RECOMMENDED ACTION:

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Lee County

COMMUNITY PLANNING ACT

Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda

Collier County, Everglades City, Marco Island, Naples

Glades County, Moore Haven

Hendry County, Clewiston, LaBelle

Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel

Sarasota County, Longboat Key, North Port, Sarasota, Venice

COMPREHENSIVE PLAN AMENDMENTS

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

Regional Planning Council Review

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government".

After receipt of comments from the Regional Planning Council and other reviewing agencies, DEO has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.

LEE COUNTY COMPREHENSIVE PLAN AMENDMENT (DEO 18-4ESR)**Summary of Proposed Amendment**

Lee County DEO 18-4ESR request to amend Lee Plan Future Land Use Map to designate 7.47± acres from the Industrial and Suburban future land use map categories to Destination Resort Mixed Use Water Dependent (DRMUWD) with accompanying text amendments. Amend Table I (a) to allow bonus density in DRMUWD and amend Table I (b), Year 2030 Allocations, to accommodate additional residential development in the DRMUWD future land use category.

The subject property is located approximately 580 feet east of San Carlos Boulevard on the north side of Main Street. The area of the subject property is located in the Iona McGregor Planning Community and is currently in the Industrial and Suburban future land use categories. A portion of the property is within the Water Dependent Overlay. The subject property contains eight parcels. The properties are zoned IM Marine Industrial, IL Light Industrial, C-2 Commercial and MH-2 Mobile Home.

The surrounding properties are within the Industrial Development, Urban Community, Suburban, and Public Facilities future land use categories and are zoned Residential RM-2, Mobile Home MH-2, Industrial Marine IM, Light Industrial IL, Industrial Planned Development IPD, Community Facilities Planned Development CFPD, and Commercial C-2.

The DRMUWD future land use category on the subject property will promote mixed use waterfront redevelopment on the site. Redevelopment would create a variety jobs and would help spur redevelopment on the island. The majority of the subject property is located in a Coastal High Hazard Area (CHHA). Density, design and mitigation are guided by Lee Plan policies that will be enforced by the planned development rezoning.

The DRMUWD future land use category allows for a maximum of 9.36 units an acre and, if approved, up to 15 units an acre bonus density. The 15 units an acre is in keeping with the existing densities in the area that range from 4.59 units an acre to 25 units an acre. If approved and as recommended by staff, the bonus density units would serve very low and low income household earning under \$69,479 annually providing much needed housing opportunities to the tourism related service industry employees.

The property has access to water, sewer, solid waste, fire, EMS, schools and transit and there are adequate services available to serve the property to accommodate the additional density and intensities allowed under the DRMUWD future land use category. Transportation is an issue with or without the redevelopment of the subject property. FDOT is working on improvements to San Carlos Boulevard to help with the traffic issues.

Regional Impacts

FDOT has reviewed the amendment package and provided a technical analysis and technical assistance comments (attached). The technical assistance comments cover topics including coordination of the FDOT Work Plan, multimodal transportation, and requirements of the Coastal High Hazard Area (CHHA) in regard to hurricane sheltering and evacuation. Staff supports the recommendations made in these comments.

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant regional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

Extra-Jurisdictional Impacts

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

Conclusion

No adverse effects on regional resources or facilities and no extra-jurisdictional impacts have been identified. Staff finds that this project is not regionally significant.

Recommended Action

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Lee County.

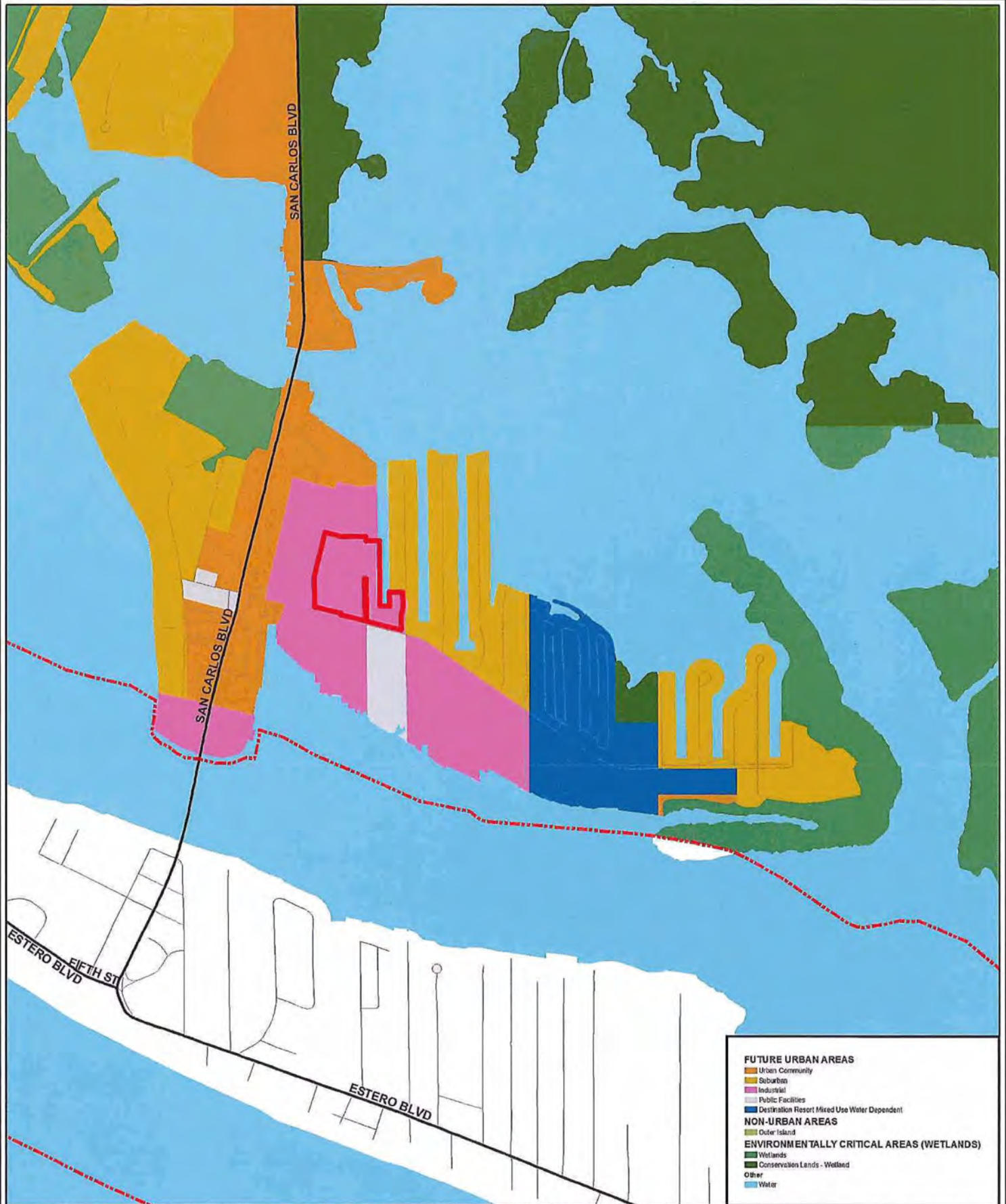
MAPS

Lee County

DEO 18-4ESR

Growth Management Plan

Comprehensive Plan Amendment



FUTURE URBAN AREAS

- Urban Community
- Suburban
- Industrial
- Public Facilities
- Destination Resort Mixed Use Water Dependent

NON-URBAN AREAS

- Outer Island

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)

- Wetlands
- Conservation Lands - Wetland
- Other
- Water

CPA2017-00005 - Bay Harbour Marina DRMUWD

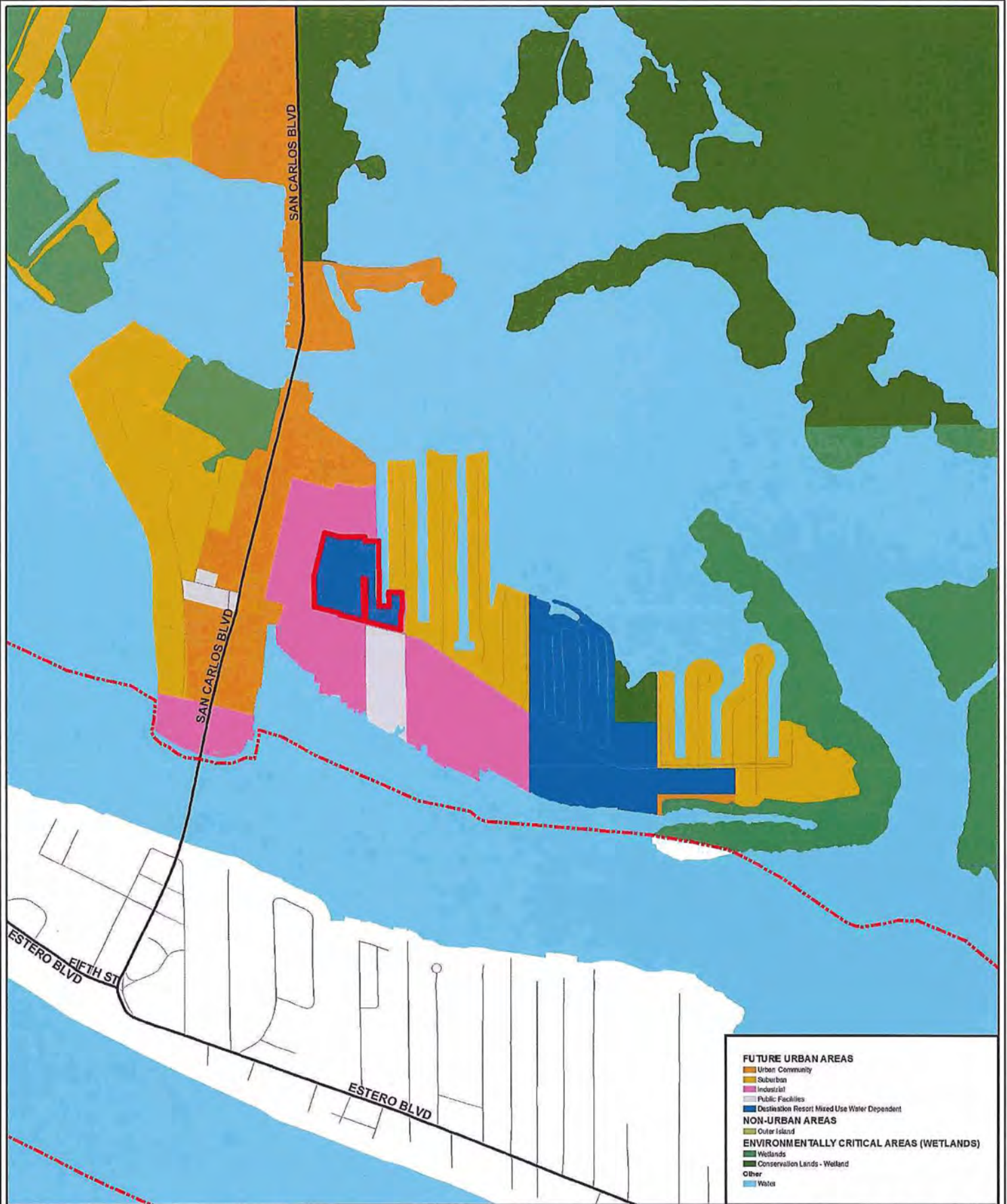
EXISTING LEE PLAN

FUTURE LAND USE MAP

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

0.09 0.045 0 0.09 0.18
Miles

Map Generated September 2017



FUTURE URBAN AREAS

- Urban Community
- Suburban
- Industrial
- Public Facilities
- Destination Resort Mixed Use Water Dependent

NON-URBAN AREAS

- Outer Island

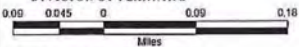
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CPA2017-00005 - Bay Harbour Marina DRMUWD

PROPOSED LEE PLAN FUTURE LAND USE MAP

LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING



Map Generated September 2017



FIGURE 5
SURROUNDING PROPERTIES AND DENSITIES MAP

