

**PAM 96-15
BoCC SPONSORED
EAR ADDENDUM AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Adoption Document

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**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
PAM 96-15**

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

ORIGINAL STAFF REPORT PREPARATION DATE: October 17, 1997

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 Map Series, Map 1, the Future Land Use Map, to redesignate the area located northwest of Six Mile Slough, south of Daniels Parkway, and east of U.S. 41, identified in the previously transmitted Evaluation and Appraisal Report as Area H, to future land use designations which more appropriately reflect the existing uses and the County's future infrastructure expenditures in the area. If industrially designated lands are recommended for redesignation, the acreage should be relocated to expand existing Industrial Development areas in the North Fort Myers area and/or Youngquist Road area.

B. BACKGROUND INFORMATION

This amendment was initiated by the Evaluation and Appraisal Report Addendum as adopted by the Board of County Commissioners on February 1, 1996, the report contained the following:

Future Land Use Map

During the Evaluation and Appraisal Process, an amendment to the future land use map was proposed for an area referred to as Area H. This proposal was initiated for several reasons. The area is one

of the main entrances to Lee County from Interstate 75 and the International Airport. Due to previous amendments in the area there remain a few very small pockets of Industrial Development which are too small to sustain development of this type.

The area is currently designated Central Urban, Intensive Development, Industrial Development, and Public Facilities. This area contains several unique developments including, the Lee County Sports Complex and Gulf Coast Hospital. Other uses in the area are a large shopping center, medical offices, and numerous other non-retail uses. The proposed amendment for Area H, which proposed redesignation into the Intensive Development land use category, was dropped due to objections from the Department of Community Affairs (DCA). The DCA's objections were based on a lack of data and analysis for the proposed amendment. At the time, the county did not have the time nor the resources to undertake the study needed to satisfy these objections. The conditions which prompted the original proposal still exist and the area still warrants a study by the Division of Planning to determine the most appropriate land use designations. Industrially designated lands, if redesignated, should be relocated in appropriate areas outside of the study area. Planning staff also feels the original Area H should be expanded, to provide for a more comprehensive study, to include all properties south of Daniels Parkway, east of US 41, and north and west of the Six Mile Slough.

Recommendation: *Initiate a future land use map amendment to review, and where appropriate redesignate the future land use designations for the area located northwest of Six Mile Slough, south of Daniels Parkway, and east of US 41. If industrially designated lands are recommended for redesignation the acreage should be relocated in appropriate areas outside of the study area.*

C. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

- 1. RECOMMENDATION:** Planning staff recommends that the Lee Plan Future Land Use Map, Map 1, be amended as depicted on Attachment 1. In addition, planning staff recommends that the remaining Suburban portion of the new Raymond Lumber site in North Fort Myers be redesignated to Industrial Development.
- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** As stated in the conclusions section of the Staff Analysis section (Part II). These include the following:
 - C The subject area has all of the required infrastructure services, appropriate location, existing zoning, and developed and planned developments that are characteristic of Intensive Development areas in Lee County.
 - C The proposal will result in a negligible impact on the roadways in Area H. In fact, the subject area has an excellent existing roadway network and additional improvements are planned or being contemplated for the future.

- C The proposal will not result in any major negative impacts that would impair the delivery of potable water, sanitary sewer, or solid waste services.
- C The recommended changes to Area H could result in an increase population accommodation capacity of 523 persons. The resultant increase in the population accommodation capacity of the FLUM from the proposed changes to AREA H is insignificant when viewed in the context of the county wide accommodation capacity.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

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 has essentially the same land use designations, Intensive Development, Central Urban, and Industrial Development, as the current FLUM with a couple of notable exceptions. In 1990 the Lee County Sports Complex property was placed in the "Public Facilities" land use category. The 1984 FLUM categorized the Andrea Lane area as Central Urban. The 1994 Lee Plan Evaluation & Appraisal Report amendments redesignated the Andrea Lane area to the Industrial Development category to more closely reflect the existing land use.

Previous Lee Plan Amendment in Area H: PAM 92-12

In 1992, Nutall Partners LTD., representatives filed a request to amend the Future Land Use Map, Map 1, for 79.3 acres located in the northeast quadrant of the intersection of U.S. 41 and Six Mile Cypress Parkway (Section 25, Township 45 South, Range 24 East). The request sought to change the land use classification from "Industrial Development" to "Central Urban". A map depicting this property's general location is provided as Attachment 2. The Board of County Commissioners adopted the amendment on September 20, 1993. This amendment had the effect of removing 79.3 acres of industrially designated lands from the Lee Plan's Future Land Use Map. The amendment also had the effect of creating two islands of industrially designated land. These islands or "pockets" are relatively small - one is approximately 5.22 acres and the other is .97 acres and are surrounded by the Central Urban designation. The larger pocket does abut the Intensive Development land use category on one side. The smaller pocket is clearly too small to be developed with industrial uses. The other pocket is of marginal size to be developed with industrial uses.

The lands fronting on U.S. 41 and at the intersection of Six Mile Cypress Parkway are all commercially zoned properties with such zoning categories as C-1, CG, and CPD. As evidenced by the recently developed Wal-Mart on the southeast corner and the approved CPD with a Home Depot under construction on the northeast corner of U.S. 41 and Six Mile Cypress Parkway, this area is developing as a prime commercial location. Planning staff recommends that these "pockets" of industrially designated land be redesignated to the Intensive Development FLUM category.

CURRENT FLUM DESIGNATION OF AREA H

Current Lee Plan Future Land Use categories for this area are Central Urban, Intensive Development, Industrial Development, and Public Facilities (see Attachment 3). The following are the defining policies for the Central Urban, Intensive Development and Industrial Development land use categories.

POLICY 1.1.2: The Intensive Development areas are located along major arterial roads in Fort Myers, North Fort Myers and Cape Coral. By virtue of their location, the county's current development patterns, and the available and potential levels of public services, they are well suited to accommodate high densities and intensities. Planned mixed-use centers of high-density residential, commercial, limited light industrial (see Policy 7.1.6) and office uses are appropriate in these locations. As Lee County moves toward becoming a metropolitan complex of a half million people, these centrally located urban nodes can offer a diversity of lifestyles, cosmopolitan shopping opportunities, and specialized professional services that befit such a region. The standard density range is from seven dwelling units per acre (7 du/acre) to fourteen dwelling units per acre (14 du/acre). Maximum density is twenty-two dwelling units per acre (22 du/acre).

POLICY 1.1.3: The Central Urban areas can best be characterized as the "urban core" of the county. These consist of mainly 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 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 (10 du/acre) and a maximum density of fifteen dwelling units per acre (15 du/acre).

POLICY 1.1.7: The Industrial Development areas play an important role in strengthening the county's economic base and will become increasingly important as the county grows in size and urban complexity. To a great extent these are the areas to which Lee County must look for expanded job opportunities, investments and production opportunities, and a balanced sufficient tax base. These areas have special locational requirements that are more stringent than those for residential areas, including transportation needs (e.g. air, rail, highway) industrial leaves of water, sewer, fire protection, and other urban services; and locations that are convenient for employees to reach. Whereas, the other Future Urban Areas will include a broad combination of residential, commercial, public and limited industrial land uses, the Industrial Development area is to be reserved mainly for industrial activities per se, as well as for selective land use mixtures such as the combined uses of industrial, manufacturing, research, properly buffered recreational uses (except where precluded by airport hazard zone regulations) and office complexes (if specifically related to adjoining industrial uses) that constitute a growing part of Florida's economic development sector. Ancillary minor retail commercial uses designed to support the surrounding industrial land uses may be allowed at a ration of 1 square foot of commercial uses to 20 square feet of industrial use in association with and Industrial Planned Development. Ancillary minor retail commercial uses designed to support surrounding industrial land uses may be allowed at a ration of 1 square foot of commercial uses to 20 square feet of industrial use in association with an Industrial Planned Development. Ancillary minor retail commercial uses not part of an Industrial Planned Development may not exceed 30,000 square feet. Residential uses are not permitted in this category except to extent provided in Chapter XIII of the Plan.

POLICY 1.1.8: The Public Facilities areas include the major publicly owned lands within the county such as schools, parks, airports, and other governmental facilities. Due to the scale of mapping, only those facilities in excess of about 20 acres are so designated on the future land use map. The allowable uses within these areas are determined by the entity owning each such parcel and the local government having zoning and permitting jurisdiction.

EXISTING LAND USES

The subject property lies in four sections (Sections 24 and 25 in Township 45 South and Range 24 East and Sections 19 and 30 in Township 45 South and Range 25 East). Near its borders the subject area has access to

some of Lee County's most important arterial roads: Daniels Parkway to the north; US 41 to west; and Six Mile Cypress Parkway to the East and South. In addition the area is transversed in a north/south direction by Metro Parkway, CSX Railroad and Ten Mile Canal. It is also partially transversed in an east/west direction by Andrea and Brunner Lanes which essentially make a loop road. The existing and future land uses have and will develop so as to take advantage of this road network (see Attachment 4).

The Andrea Lane area though not officially labeled as such, is one of Lee County's thriving industrial parks. Andrea Lane essentially is a loop road (north side of the loop is called Andrea Lane and the south side is called Bruner Lane). Access to U. S. 41 is provided by way of Andrea Lane and Toro Lane. Since these roads provide controlled access to the highway, the industrial uses along Andrea Lane are buffered from the highway and avoid creating the traffic problems associated with strip developments along U.S. 41.

The Andrea Lane area encompasses about 85 parcels which accommodate a variety of industrial, light industrial, warehouse and office uses. The predominant building type in the area is the metal warehouse building which is used for warehousing, as well as for manufacturing and repair activities. In addition to the large warehouses, there are also several mini-warehouse facilities. Office uses are associated with manufacturing and wholesale activities. Of the 85 parcels in the area, 15 are vacant which indicates the area has room for expansion. Among the most noticeable uses in the Andrea Lane area are: Cox Lumber Company which has outside lumber storage; Flex Bon Paints (Johnson Paints) which has a large concrete block building and an outdoor paint testing area; McGregor Pump Company which has heavy trucks and drills stored outside of the premises; Pratt Paving which has tractors, concrete supplies and trucks stored outside; Gulf Island Pipe which has large rolls of pipes stored outside; Dick Williams Industrial and Marine Supply; and, Dick Williams Heavy Duty Truck Parts which have large trucks and truck parts stored outside. The area also has a skating rink, Generation Skating Center.

In section 24, the Brynwood, Pinehurst and Camelot residential subdivisions front on Daniels Parkway as does a Baptist and Lutheran Church. Large commercial planned developments are found along the US 41 frontage. Among these developments are Builder's Square, Target, Barnes and Noble Book Sellers, various car dealerships, and a series of restaurants.

Residential Density in Area H is as follows:

C Brynwood Subdivision: 47 lots in 119.15 acres = .39 du/ac

C Pinehurst Subdivision: 64 lots in 58.68 acres = 1.09 du/ac

C Camelot Subdivision: 43 lots in 23.07 acres = 1.86 du/ac

Average density; 154 lots in 200.90 acres = .77 du/ac

In section 25, large commercial planned developments, chiefly car dealerships and vacant land, are found along US 41. Roughly midway in the section is a loop road made up of Andrea and Bruner Lanes along which have developed a variety of industrial and warehouse uses. Farther south at the intersection of U.S. 41 and Six Mile Cypress Parkway is a Wal-Mart Superstore. Along both sides of Six Mile Cypress Parkway most of the land is vacant except for Harper Brothers, an industrial rock processing facility, and a Sheriff's substation located on the north side of Six Mile Cypress Parkway.

In section 19, the excellent north-south access provided by Metro Parkway has led to the development of Gulf Coast Hospital which has acted as an anchor for the development of medical offices along both sides of Metro Parkway. Along Daniels Parkway are several commercial developments including Daniels Crossing Shopping Center a 30 acre commercial center located at the corner of Daniels and Six Mile Cypress Parkway. This section also includes vacant and agricultural lands.

In section 30, the excellent north-south access provided by Six Mile Cypress Parkway has led to the development of the Lee County Sports Complex. This section also includes vacant and agricultural lands awaiting more intensive development.

TRANSPORTATION

In general, Area H is at the center of a well developed transportation network, allowing ample access to Lee County's main arterial roads. It is transversed by the CSX railroad. Daniels Parkway provides Area H with direct access to I-75 and to the Southwest Florida International Airport. US 41 provides Area H with easy access to Fort Myers to the north and points south. Metro Parkway, which bisects this area, is planned for extension to the south.

Traffic Circulation: Existing Conditions

As discussed below Area H has a well developed road network which provides excellent north/south and east/west traffic circulation:

- C Daniels Parkway: This is a 6 lane, divided arterial. From U.S. 41 to Six Mile Cypress Parkway the regulatory level of service (LOS) standard is LOS "E" and the current LOS is "D".
- C U. S. 41: This is a 4 lane, divided arterial currently being upgraded to a 6 lane, divided arterial from Alico Road to Daniels Parkway. From Six Mile Cypress Parkway to Andrea Lane the regulatory LOS standard is "E" and the current LOS is D; from Andrea Lane to Daniels Parkway the LOS standard is "E" and the current LOS is "C".
- C Six Mile Cypress Parkway: This is a 4 lane, divided arterial from U.S. 41 to Daniels Parkway. From U.S 41 to Metro Parkway the regulatory LOS standard is "E" and the current LOS is "C" and from Metro Parkway to Daniels Parkway the regulatory LOS standard is "E" and the current LOS is "B".
- C Metro Parkway: This is a 2 lane, undivided arterial. From Six Mile Parkway to Daniels Parkway the regulatory LOS standard is "E" and the current LOS is "B". Long range plans call for the extension of this roadway to Alico Road to the south.

The upgrading of U.S.41 is the only improvement within Area H that is programmed for construction from FY 1996/97 to 2000/01.

Traffic Circulation: Future Conditions

According to the Lee County MPO 2020 Financially Feasible Plan, the roads within Area H will be upgraded as follows:

- C Six Mile Cypress Parkway will be upgraded to a 6 lane, divided arterial from U.S. 41 past Daniels Parkway north to Challenger Blvd.
- C Metro Parkway will be upgraded to a 6 lane, divided arterial from Fowler Street to Alico Road (as a result Metro Parkway within Area H will go from 2 lane, undivided arterial to a 6 line divided arterial with an extension to the Alico and U.S. 41 intersection).

The Lee County Transportation Division has reviewed the proposal and has provided planning staff with written comments (see Attachment 5). This memorandum states that a recent level of service analysis of year 2020 conditions given the 2020 Financially Feasible Transportation Plan network indicates potential problems on Daniels Parkway, Six Mile Parkway north of Daniels, the Metro Parkway extension south of Six Mile Parkway, and Gladiolus Drive. The memo notes that these problems may not be as severe once the county wide population estimates and distribution are revised as proposed by this round of amendments, resulting in almost 200,000 fewer permanent residents county wide. The memo further notes that a new road facility that would relieve all of the problem roadways (the road formerly known as the Alico Expressway) is currently being studied for possible inclusion in the 2020 Transportation Plan. The memorandum concludes that either or both of these actions could render the change insignificant from a transportation standpoint.

Planning staff notes that staff is indeed recommending that the BEBR mid-range population projections be adopted by the Board of County Commissioners. This would lower the projected 2020 population from 797,288 to 602,000, a difference of 195,288. Further, two additional Lee Plan amendments, PAM/T 96-08 and PAM/T 96-14, are reducing the population accommodation capacity of the Future Land Use Map. PAM/T 96-14 alone is reducing the FLUM accommodated population capacity by more than 9,000 persons. Planning staff concludes that the resultant increase in the population accommodation capacity of the FLUM from the proposed changes to AREA H is insignificant when viewed in the context of the county wide accommodation capacity, which overall is being reduced in this round of Lee Plan amendments. Planning staff, given the recommendation to reduce the population projections for the year 2020 and the overall reduction in the population accommodation capacity of the map as discussed above, concludes that the proposal will result in a negligible impact on the roadways in Area H.

POTABLE WATER, SANITARY SEWER SERVICE AND SOLID WASTE

Area H has excellent water and sewer service. The Lee County Utilities Division has provided planning staff with written comments (see Attachment 6) concerning the proposal. The current condition of potable water service and sanitary sewer service in Area H is discussed below:

Potable Water Service: The water system in area H is already in place; there are no plans for installing any major new transmission lines. Along US 41, Six mile Cypress Parkway, Daniels Road and Metro Parkway, area H is served by 12" and 8" lines. The memorandum from the Utilities Division provides that as new projects request service from Lee County Utilities, they are required by the Lee County Utilities Operation Manual to submit

extensive hydraulic calculations for review and approval showing what impact, if any, a new project may have on existing facilities. The memo notes that, if warranted, the new project will be required to either loop "dead end" mains or perform off-site improvements to enhance flows and, therefore, provide adequate water infrastructure to support development.

The water system currently has excess capacity. The memo from the Utilities Division notes that the area is served by the Corkscrew Water Treatment Plant which is permitted to provide 10.0 million gallons per day (MGD) of potable water and, according to the August 1997 Operating Report, the monthly average daily flow was 5.870 MGD. Thus the plant has an excess capacity of 4.13 MGD.

Sanitary Sewer Service: The Utilities Division memo provides that Lee County Utilities has an 8" diameter sewage force main that is located on the west side of Metropolitan Parkway that is currently at capacity, and the Utilities Division is in the design stages of constructing a new force main along Metropolitan Parkway from Daniels Parkway south to Six Mile Cypress Parkway. This memo notes that this new force main is included in the 5-year Capital Improvement Program along with a new main to be constructed along the east side of U.S. 41 south from Daniels Parkway south to Toro Lane. Regarding the Daniels Parkway corridor, the memo provides that Lee County Utilities has an 8" and 16" diameter force main that, as of today, does have some available capacity. As with the water network, new developments are expected to loop into the existing and proposed sewer system, and if necessary, offsite improvements may be required. The memo provides that Area H is served by the City of Fort Myers South Wastewater Treatment Plant via an interlocal agreement and, to date, has available capacity.

Solid Waste Service: Area H is served by the County's waste-to-energy facility and by the Gulf Coast Landfill operated by Gulf Disposal, Inc. The waste franchise hauler for Area H is Gulf Disposal, Inc. The Utilities Division memorandum provides that the proposed amendment will have no adverse effect on the County's ability to provide solid waste/recycling collection and disposal services.

The Utilities Division memo concludes that utilities staff does not anticipate that the proposal will have any major negative impacts on any of these facilities that cannot be dealt with on a case by case basis as vacant land develops within Area H.

AREA H POPULATION ACCOMMODATION ANALYSIS

As noted above, Area H currently contains three residential subdivisions:

- C Brynwood Subdivision: 47 lots on 119.15 acres = .39 du/ac
 - C Pinehurst Subdivision: 64 lots on 58.68 acres = 1.09 du/ac
 - C Camelot Subdivision: 43 lots on 23.07 acres = 1.86 du/ac
- Average density; 154 lots on 200.90 acres = .77 du/ac

Planning staff has examined the 1990 census data for these subdivisions. These subdivisions are located in census tract 16, blocks 501, 502, 504, and 513. The 1990 census recorded a total population of 430 for these subdivisions. The 1990 census recorded a total of 147 dwelling units in these subdivisions.

To assess the study areas population accommodation capacity, planning staff utilized the assumptions contained in Figure 14 of the Lee Plan Evaluation & Appraisal Report (Volume 1 of 2) adopted by the Lee County Board of County Commissioners on July 7, 1994. These assumptions for the specific land use categories that occur in Area H are reproduced below:

Land Use Category	Percent Residential	DU's/AC	Persons Per Unit
Intensive Development	50%	7.50	2.09
Central Urban	75%	5.75	2.09
Industrial Development	0%	0	2.09
Public Facilities	0%	0	2.09

Multiplying the existing and proposed acres of the land use categories occurring in Area H with the above assumptions allows for a comparison of the population accommodation capacity of the study area. The Industrial Development and Public Facilities land use categories are assumed to have no population accommodation capacity. That is, no residential units (other than a very small number of caretaker units) will be developed in these two land use categories. The results are provided below:

Land Use Category	Existing Acres	Resultant D.U.'s	Proposed Acres	Resultant D.U.'s	Existing Population Accommodation	Proposed Population Accommodation
Intensive Development	159.85	599	1,261.41	4,730	1,251	9,885
Central Urban	1,145.27	4,938	245.17	1,057	10,320	2,209
Totals	1,305.12	5,537	1,506.58	5,787	11,571	12,094

Thus the recommended changes to Area H could result in an increase population accommodation capacity of 523 persons. It should be noted, however, that Lee County is lowering the accommodation capacity county wide with two amendments, PAM/T 96-08 and PAM/T 96-14. These amendments are reclassifying lands to a new Conservation Lands land use category and to the Public Facilities land use category.

PARKS, RECREATION AND OPEN SPACE

The Lee County Division of Lee County Parks & Recreation Services has reviewed the recommended changes in Area H and has provided Planning staff with written comments (see Attachment 7). This memorandum notes that the latest "Concurrency Management Inventory and Projections" indicates that District 4 will not meet the desired Level of Service standard for Community Parks as early as 1999 with the existing FLUM. The memo further states that "Additional population can only exacerbate this projected shortfall". The memo does note that the county population projections are being reduced in this round of Lee Plan amendments and this "may reduce needed Community Park acreage in this district". The memo further provides that additional land has recently

been acquired for the Bonita Springs Park # 2. The result is that approximately 55 acres will be added to the Community Parks inventory for this district. The memo concludes that the combination of increased acreage and reduced overall population projections "should obviate the slight negative impact" of the additional persons accommodated by the recommended changes.

The Lee County Development Services Division has provided planning staff with written comments concerning the proposal (see Attachment 8). This memorandum states that the increased population accommodation capacity will "cause an increase in the Required acreage of Community Parks of 0.42 acres." This memo also notes that the acreage of existing parks (in District 4) is well in excess of the required park acreage.

Planning staff concludes that the proposal will result in an insignificant (0.42 acres) need for additional Community Park acreage. The request does not require that an increase be made to the required acreage for Community Parks.

PUBLIC SAFETY

Hurricane Evacuation Impact/Emergency Medical Services Impact

Area H is located **outside** of the Category 1 Storm Surge and the Category 1 Evacuation Zone. All of Area H falls within a category 2 storm surge/evacuation zone.

As stated above, reclassifying the land uses from Central Urban and Industrial Development to Intensive Development could result in a net increase of 523 persons residing in the study area. This could potentially produce negative impacts on current evacuation times. However, as the existing uses and zoning indicates, this area can be expected to be developed with commercial uses. In a practical manner, very few new residential uses are envisioned in the area that is proposed to be redesignated to Intensive Development. New residential uses would not be compatible with the majority of the developed and developing commercial uses in this area.

It should be understood that in most cases new commercial (and for that matter industrial uses) do not add to any evacuation route problems. These uses do not create or add new residents that would potentially use the evacuation route.

Staff from the Lee County Division of Public Safety have provided written (see Attachment 9) and verbal comments to planning staff. Staff of this Division evaluated the worst case, that is if in fact residential units were developed in the area, above what is currently permitted. This worst case is if all single family homes are developed, then this means that an additional 2,140 square feet of shelter space would be needed and the resultant vehicles involved in an evacuation would add approximately 7 minutes to existing evacuation times.

Planning staff has concluded, given the existing zoning, developed, and developing commercial uses, that this "worst case scenario" is not likely to occur in the study area. In any case, this worst case scenario would cause minimal impacts to shelter space and evacuation times. It should also be noted that several improvements are

planned to the roadways in Area H that should help to mitigate this additional impact. For example, the 2020 Transportation Plan calls for the six laning of Six Mile Cypress Parkway, the six laning and extension of Metro Parkway, and, as noted above, the six laning of U.S. 41 through the subject area is already programmed for construction. Additionally, discussions are under way concerning additional improvements to the roadways in the subject area. For example, the extension of Plantation Road and Andrea Lane.

Concerning Emergency Medical Services, Public Safety staff have indicated to planning staff that the proposal might result in an additional 5 calls per year. These additional calls will have a negligible impact on the ability to provide Emergency Medical Services.

Police Protection - Sheriff's Office

The Sheriff has responded to the proposal with the following:

Budget constraints experienced during the past few years have caused the Lee County Sheriff's Office to be short of personnel. Therefore, all new development and population growth exacerbates the problem. Being demand driven, we cannot handle additional workload without an adequate increase in budget.

In previous correspondence, staff of the Office of the Sheriff indicated to planning staff that the Sheriff's Office would need to increase its employees by 2.05 per thousand. In this instant request, this means the Sheriff's Office would need to increase its employees by 1.07. Planning staff concludes that this impact is insignificant when viewed in the county wide context. For the most part, the Sheriff's operations are funded out of the general revenue fund which is collected from ad valorem taxes. It is reasonable to assume that the taxes collected from the expected increased commercial development in the subject area will cover the added expense of approximately one additional Sheriff's Office employee.

Fire Protection - South Trail Fire Protection & Rescue Service District

Area H is within the service area of the South Trail Fire Protection & Rescue Service District. District staff have provided written comments concerning the proposal (see Attachment 18). District staff have concluded that the "proposed changes would not negatively impact the delivery of fire protection and rescue services" from the District. The memorandum provides that the subject parcel is serviced primarily from the Central Fire Station and Administration facility located at 5531 Halifax Avenue. The memo notes that this facility has the capacity to expand its personnel and equipment should the area so demand a service level increase. The memo further notes that "it is anticipated that any future capital costs associated with this development will be offset by the currently enacted Fire Impact Fee Ordinance adopted by Lee County and agreed to by the District by interlocal agreement."

Planning staff concludes, based upon the comments from the South Trail Fire Protection & Rescue Service District, that the proposal will not result in any negative impacts to fire protection or rescue services in the subject area.

ENVIRONMENTAL ASSESSMENT - ENDANGERED SPECIES

Lee County Environmental Sciences (ES) staff have provided planning staff with a memorandum concerning the subject parcel (see Attachment 10). This memo states that ES staff have researched the potential for

environmental impacts that could be brought about by the proposed changes to the land use map designations. This memo provides that ES staff have concluded that the change in designation would not increase environmental impacts to protected species, indigenous vegetation preservation, or wetlands. The memo addresses each of these issues:

Listed Species:

ES staff have identified listed wading birds and gopher tortoises utilizing portions of "Area H". The memo also notes that listed "commensal" species, such as the eastern indigo snake, could be found in association with gopher tortoise burrows. This memo provides the following concerning these species:

Protected species surveys that will be required as part of future development order submittals or planned development rezoning applications could locate additional listed species. Management plans will be required for any Lee County listed species identified by these protected species surveys. Please note that the species management plan requirements are the same for any large development, regardless of its land use map designation.

Open Space:

The ES memo evaluated open space of "industrial use only" and commercial use. ES staff conclude that "If commercial is the final use on these parcels, the proposed changes will actually increase the amount of indigenous vegetation preservation." The memo provides that this is due to the larger open space requirements for commercial use as compared to industrial use.

Wetlands:

The memo notes that Lee County no longer does wetland permitting. Permitting has been delegated to the Florida Department of Environmental Protection and the South Florida Water Management District. The memo concludes that changes in land use designations will not alter the permitting requirements of these agencies.

SURFACE WATER MANAGEMENT AND DRAINAGE

Area H lies within the extreme southern portion of the Ten Mile Watershed. The watershed is bounded on the north by Hanson Street and its extension east to Ortiz, north along Ortiz to SR 82, SR 82 southeast to Gunnery Road. The easterly boundary follows the extension of Gunnery Road southwest to the intersection of the west section line of 21-45-26, then follows section lines and quarter section lines as described in the Six Mile Ordinance until it intersects with Alico Road. The southern boundary is along Alico Road to US 41. At US 41 it goes south to Park Road, then follows west along Park Road to Ten Mile Canal. The western boundary is the western dike along Ten Mile Canal. This dike extends north to Hanson Street. The majority of the non-Six Mile watershed portion of the Ten Mile Canal watershed is that portion of the watershed north and west of Six Mile Cypress Parkway within the above described boundary. The entire watershed lies to the east of the main conveyance which is Ten Mile Canal.

Construction of Six Mile Parkway has solidified the watershed divide between Six Mile Cypress Slough Watershed to the east of the subject property, and the remainder of the Ten Mile Canal Watershed. In the vicinity of the subject property at the north side of Daniels Parkway, a control structure allows discharge from Six Mile

Slough west in a direct route to Ten Mile Canal. The crest elevation of this control structure is 10.0' NGVD. This conveyance is strictly controlled and only used during times of high water in Six Mile Slough.

The dike along the west side of Ten Mile Canal in the vicinity of the subject property has been breached by Six Mile Cypress Parkway road and ditches, and a south ditch and widened bridge along Daniels Parkway. Overflow from the canal will occur during periods of high stages in the canal.

The area west of the Ten Mile Canal ultimately discharges into Hendry Creek via Lakes Park while to the east discharge is to Mullock Creek via Ten Mile Canal.

The Department of Public Works/Division of Environmental Services has provided planning staff with written comments concerning the proposal (see Attachment 11). This Division has concluded that "the net effect of changing the land use will be minimal through compliance with SFWMD criteria." The Division memorandum notes that there are several stormwater related problems existing in the area. This memo provides that this area continues to have water quality problems from both excessive nutrients, low oxygen concentrations, and heavy metals. This memo further provides that "Inasmuch as water pollution has been documented to be directly related to land use, any increase in intensity will have a negative impact." The memo notes that "BMP's installed and operated in compliance with SFWMD criteria can reduce but do not have the efficiency to eliminate pollutant loading."

Planning staff responds to this issue with the following discussion. The Central Urban FLUM category provides that residential, commercial, public and quasi-public, and limited light industrial land uses will be predominate in these areas. The Intensive Development FLUM category provides that these areas are well suited to accommodate high density residential uses, commercial, limited light industrial, and office uses. Thus both categories allow essentially the same uses. The difference is that the Intensive Development category allows higher residential densities. Changing the FLUM category to Intensive Development in this area will not increase the potential for more intensive non-residential uses in the study area. In fact, the end result could be fewer industrial uses with less stormwater runoff originating on parcels with industrial uses. It is common knowledge that there is a greater potential to have water quality problems in association with industrial uses versus commercial uses. In any case, planning staff is in agreement with Public Works staff that the net effect of changing the land use will be minimal concerning drainage and storm water management. The water quality problem identified by Public Works staff will continue to exist irregardless of this proposal. The proposal, in planning staff's opinion, will not have any additional impact on this existing problem. This issue will have to be separately addressed by SFWMD permitting or in the event that is not sufficient, through the establishment of a regional MSBU/MSTU for the benefit of affected properties.

LEE COUNTY SCHOOL DISTRICT EVALUATION

Planning staff requested that the Lee County School District evaluate the proposed redesignations and determine the adequacy of existing and future facilities to provide services to the subject area. School District staff have provided planning staff with written comments (see Attachment 12). This memorandum indicates that the resulting increased population accommodation capacity of the FLUM of 523 persons and 250 dwelling units would generate approximately 38 to 53 students. The memorandum provides that this would create an impact of up to

two new classroom spaces to accommodate this estimated increase in the student body. The memorandum notes that the schools in the South region that would serve this development are operating at or above permanent student capacity levels. Those schools that exceed permanent student capacity levels are operating through the use of portable classroom buildings. The memo further notes that the growth generated by this development will require either the addition of permanent student and auxiliary space or the placement of portable building. The memo concludes that through the District's Five Year Capital Plan, improvements are currently being made at selected schools throughout the South region, which will thereby accommodate this increased development potential.

Planning staff notes that any school impact, if any, resulting from the changes included in this amendment can be expected to occur over several years. For example, any project seeking residential uses will require rezoning. The rezoning process is time intensive, requiring a minimum of six months to complete. This will allow the District's Capital Plan to be reasonably accomplished or adjusted prior to any impact from the subject area.

SOILS

The 1984 U.S. Department of Agriculture Soil Survey of Lee County classified the soils of the subject area. These include the following: 6-Hallandale fine sand, 13-Boca fine sand, 14-Valkaria fine sand, 28-Immokalee sand, 39-Isles find sand, depressionnal, 40-Anclote sand, depressionnal, 45-Copeland sandy loam, depressionnal, 53-Myakka fine sand, depressionnal, and 74-Boca fine sand, slough. A brief description of these soil types from the Survey is provided below. Planning staff notes that three soil types, 6, 13, and 28, are the predominant soil types found in the subject area.

6-Hallandale fine sand. This is a nearly level, poorly drained soil on low, broad flatwoods areas. Slopes are smooth and range from 0 to 2 percent. In most years, under natural conditions, the water table is less than 10 inches below the surface for 1 to 3 months. It recedes below the limestone for about 7 months. The available water capacity is low. Natural fertility is low. Permeability is moderate or moderately rapid. This soil is poorly suited to cultivated crops because of wetness, shallow depth, and sandy texture. This soil is poorly suited to citrus. This soil is well suited to pasture. This soil has severe limitations for urban uses because of shallowness to bedrock and wetness.

13-Boca fine sand. This is a nearly level, poorly drained soil on flatwoods. Slopes are smooth and range from 0 to 2 percent. In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months. It recedes below the limestone for about 6 months. The available water capacity is low in the surface and subsurface layers and medium in the subsoil. Natural fertility is low. Permeability is rapid in the surface and subsurface layers and moderate in the subsoil. This soil is poorly suited to cultivated crops because of wetness. If this soil receives proper water control, it is well suited to citrus. The soil is well suited to improved pasture grasses. This soil has severe limitations for sanitary facilities, building site development, and recreational uses primarily because of the high water table.

14-Valkaria fine sand. This is a nearly level, poorly drained soil on sloughs. Slopes are smooth to concave and range from 0 to 1 percent. In most years, under natural conditions, the water table is at a depth of less than 10 inches for 1 to 3 months. It is at a depth of 10 to 40 inches for about 6 months and recedes to a depth of more

than 40 inches for about 3 months. During periods of high rainfall, the soil is covered by slowly moving water for periods of about 7 to 30 days or more. The available water capacity is low. Natural fertility is low. Permeability is rapid. This soil is poorly suited to cultivated crops because of wetness and sandy texture. The soil is poorly suited to citrus. The soil is well suited to pasture. The soil has moderate potential productivity for South Florida slash pine. The soil has severe limitations for urban development because of the high water table.

28-Immokalee sand. This is a nearly level, poorly drained soil in flatwoods areas. Slopes are smooth to convex and range from 0 to 2 percent. In most years, under natural conditions, the water table is within 10 inches of the surface for 1 to 3 months and 10 to 40 inches below the surface for 2 to 6 months. It recedes to a depth of more than 40 inches during extended dry periods. The available water capacity is medium in the subsoil and very low in the surface and subsurface layers. Natural fertility is low. Permeability is rapid in the surface and subsurface layers and moderate or moderately rapid in the subsoil. This soil is poorly suited to cultivated crops because of wetness and poor soil quality. This soil is poorly suited to citrus unless very intensive management is used. This soil is well suited to pastures. The potential productivity is moderate for South Florida slash pine. This soil has severe limitations for urban development because of the high water table.

39-Isles fine sand, depressional. This is a nearly level, very poorly drained soil in depressions. Slopes are smooth to concave and less than 1 percent. In most years, under natural conditions, the water table is above the surface for 3 to 6 months. It is within a depth of 10 to 40 inches for 2 to 4 months. The water table recedes to a depth of more than 40 inches during extended dry periods. The available water capacity is low. Permeability is rapid in the surface and subsurface layers and moderate in the subsoil. Natural fertility is low. Because of ponding, this soil has severe limitations for urban and recreational uses, and it is not suitable for crops, trees, or improved pasture. The suitability for crops or pasture is poor because of the lack of suitable drainage outlets. Areas of this soil provide excellent habitat for wading birds and other wetland wildlife.

40-Anclote sand, depressional. This is a nearly level, very poorly drained soil in isolated depressions. Slopes are smooth to concave and less than 1 percent. In most years, under natural conditions, the soil is ponded for more than 6 months. The available water capacity is medium in the surface layer and low in the substratum. Natural fertility is medium. Permeability is rapid. In its natural state, this soil is not suitable for crops, trees, or improved pasture. The very low suitability for crops, pasture, and the severe limitations for urban and recreational development are due to the lack of suitable drainage outlets in most places, which makes an adequate drainage system difficult to establish. Areas of this soil provide excellent habitat for wading birds and other wetland wildlife.

45-Copeland sandy loam, depressional. This is a low, nearly level, very poorly drained soil in depressions. Slopes are concave and less than 1 percent. Under natural conditions, the water table is above the surface for 3 to 6 months. It is 10 to 40 inches below the surface for about 3 to 6 months. The available water capacity is medium. Natural fertility is medium. Permeability is rapid in the surface layer and moderate in the subsoil. In its natural state, this soil is not suitable for crops, trees, or improved pasture. The suitability for crops or pasture is poor because of the lack of suitable drainage outlets in most places, which makes an adequate drainage system difficult to establish. Areas of this soil provide excellent habitat for wading birds and other wetland wildlife. This soil has severe limitations for urban development because of the high water table.

53-Myakka fine sand, depressional. This is a nearly level, poorly drained soil in depressions. Slopes are smooth to concave and are less than 1 percent. In most years, under natural conditions, the soil is ponded for about 3 to 6 months. The water table is 10 to 40 inches below the surface for about 3 to 6 months. The available water capacity is very low in the surface and subsurface layers and medium in the subsoil. Natural fertility is low. Permeability is rapid in the surface and subsurface layers and moderate to moderately rapid in the subsoil. Because of ponding, this soil is not suitable for crops, trees, or improved pasture, and it has severe limitations for urban and recreational uses. The soil lacks suitable drainage outlets in most places, which makes an adequate drainage system difficult to establish. Areas of this soil provide excellent habitat for wading birds and wetland wildlife.

74-Boca fine sand, slough. This is a nearly level, poorly drained soil in sloughs. Slopes are smooth to slightly concave and range from 0 to 1 percent. In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months. It is 10 to 40 inches below the surface for more than 4 months. The available water capacity is low in the surface and subsurface layers and medium in the subsoil. Natural fertility is low. Permeability is rapid in the surface and subsurface layers and moderate in the subsoil. This soil is not suitable for cultivated crops in its native state because of wetness. It can be made suitable for some vegetable crops by using a water-control system to remove excess water in wet seasons and provide water through subsurface irrigation in dry seasons. This soil is poorly suited to citrus unless very intensively managed. This soil has severe limitations for sanitary facilities and building site development, primarily because of the high water table.

Planning staff notes that, while the USDA Soil Survey is one of the best readily available resources on soil characteristics, the publication's primary intent is as a resource for agricultural interests and was not intended as a guide for determining the ultimate suitability of a specific property for development.

YEAR 2010 OVERLAY

The majority of the subject property is located in subdistricts 208 and 211. Both of these subdistricts currently have available commercial allocations, 713.70 and 153.02 acres respectively. Planning staff notes that an amendment to re-vamp the Overlay has been initiated and that this amendment will be taken into account during this process. Area H is located in the new South Fort Myers Community Planning District.

DISCUSSION CONCERNING THE INDUSTRIALLY DESIGNATED LANDS IN AREA H:

The Industrial Development Future Land Use Category occurs on the north and south side of Six Mile Cypress Parkway generally between U.S. 41 and the Ten Mile Canal. The Andrea Lane "industrial park" is also industrially designated. As noted above, the Andrea Lane area is predominately developed with warehouses, support offices and other industrial developments. Planning staff believes that the Industrial Development category is the appropriate designation for this "industrial park".

The industrially designated lands on the south side of Six Mile Cypress Parkway are vacant. However, the Lee County School District has acquired a 34.84 acre parcel on this south side of Six Mile Cypress Parkway (see Attachment 13). This property is zoned IL and the School District intends to use the site "for a new Transportation South complex." The District has indicated to Planning staff that the use of the property "would involve the storage, repair and maintenance of school buses and possibly other District fleet vehicles."

The industrially designated lands on the north side of Six Mile Cypress Parkway include a Harper Brothers Asphalt Batch Plant and offices, the Lee County Sheriff's Offices, a South Trail Fire Station, and the six mile commercial park which is mostly vacant and owned by Harper Brothers Inc. The Sheriff's Office and the South Trail Fire Station are proposed to be designated as Public Facilities by amendment PAM/T 96-14.

Staff Recommendation Concerning Industrially Designated Lands in Area H

Planning staff believes that the Andrea Lane "industrial park" area should remain designated as Industrial Development on the Future Land Use Map. Planning staff believes that the industrial areas and the adjacent (to the west) Central Urban lands south of Six Mile Parkway (including the Wal-Mart development) should be recategorized as Intensive Development to reflect these lands central location, and the availability of infrastructure and services. Planning staff is also recommending that the Jamaica Bay West package plant be redesignated to Central Urban to be consistent with the designation of the rest of this residential community. Planning staff also recommends that the currently designated Industrial Development area south of the Andrea Land "industrial park" area (including the Harper Brothers facility) should be redesignated to the Intensive Development FLUM category. The industrial "pockets" and surrounding Central Urban lands fronting along U.S. 41 should also be redesignated to the Intensive Development FLUM category.

Planning staff has had discussions with a representative of Harper Brothers Inc. This representative has indicated that Harper Brothers would support a redesignation to the Intensive Development category. This representative did raise a concern that the company would support this change provided that if the plant was ever destroyed by a natural disaster (hurricane, fire, etc.) that the plant could be rebuilt under the Intensive Development designation. Planning staff has researched this issue and offers the following discussion. The 1994 EAR added limited light industrial uses per Policy 7.1.6 to those uses allowed in the Intensive Development category. Policy 7.1.6 is reproduced below:

POLICY 7.1.6: Land that is located outside of the Industrial Development, Airport Commerce, and Industrial Interchange areas but within the designated Future Urban Areas may be developed for light industrial purposes so long as adequate services and facilities are available, the use will not adversely impact surrounding land uses, and natural resources are protected, if one of the following conditions is met:

- a. *The parcel is located in the Intensive Development, Central Urban, or Urban Community land use categories, was zoned IL or IG prior to the adoption of the 1984 Lee Plan, and does not exceed 50 acres in size (unless it is adjacent to other existing or designated industrial lands); or*
- b. *The parcel is located in the Intensive Development, Central Urban, or Urban Community land use categories, and is zoned IPD.*

The Harper Brothers facility is a lawfully existing use under the IL zoning category. Thus planning staff concludes that the currently existing Harper Brothers uses could be re-established under the Intensive Development Designation following a natural disaster.

School District staff have also questioned planning staff as to whether their proposed transportation facility would be allowable in the Intensive Development land use category. Planning staff maintains that it would be allowable per Policy 7.1.6. The District has obtained a zoning verification letter from the Development Services Division (see Attachment 14). This letter confirms that this property is zoned IL and that a mass transit depot or

maintenance facility is listed as a permitted use in the IL district. Planning staff further adds that the subject property was rezoned to the IL district on November 13th 1984 and as such qualifies under policy 7.1.6. Planning staff notes that when the property is developed with these proposed uses, then the property should be redesignated to the Public Facilities land use category.

Planning staff maintains that the redesignation of these parcels will provide greater flexibility to these property owners. They will retain the ability to use/develop/rebuild IL uses and have the ability to develop additional uses, such as stand alone commercial uses (provided a rezoning is approved), that would not be permissible in the Industrial Development category. It should be noted that the redesignation will preclude the development of heavy industrial uses on these properties.

Loss of Industrial Acres Analysis

If all of the lands that are recommended above are reclassified from Industrial Development to Intensive Development, approximately 216 acres of Industrial Development will be removed from the Future Land Use Map. This does not mean that industrial uses will not be developed on the proposed Intensive Development designated property. As noted above "limited light industrial" is permitted per the requirements of Policy 7.1.6.

Part of this "lost" industrial acreage can be replaced in North Fort Myers on the new Raymond Lumber site on Bayshore Road. This parcel, identified by STRAP #20-43-25-00-00003.002B, was subject to a small scale Lee Plan amendment PAM 96-01. The property owners agent has indicated to planning staff that the property owner would like to have the balance of the property redesignated from the Suburban land use category to the Industrial Development land use category. Planning staff, in reviewing PAM 96-01, concluded that given the location of this site adjacent to the Seaboard Coast railroad right-of-way and the I-75 Bayshore Road Industrial Park, and nearby access to I-75, the site is suitable for industrial development. Approximately 11.75 acres of this property are still designated as Suburban. Planning staff recommends that the Lee Plan Map 1 be amended and this balance of the property be redesignated to the Industrial Development land use category as part of this amendment.

Planning staff have also evaluated the Youngquist Road and Old U.S. 41 industrial area. This "study" area contains approximately 118 acres. For a general location and existing zoning see Attachments 15. The area is currently classified as "Urban Community" on the Lee Plan FLUM. For the most part the area is currently zoned for industrial uses. The predominate zoning district within this area is the IL zoning district. One parcel, currently vacant, is zoned IG. Three parcels in this area still retain the AG-2 zoning designation. The majority of the area is developed with light industrial uses. These uses include open storage, contractors and construction offices, auto body repair, packing and distribution of seafood, and manufacture and repair of boats. Companies located in this area include: Blue Star Shrimp, Wright Construction, Harlequin Graphics, Cambird Autobody, Sewell Door Control and Glass, Prestress Systems, Inc., Gould Electric, Corinthian Marble, Golf Ventures, and Apache Super Boats. This area contains several vacant parcels that could accommodate additional industrial development in the future. The southern part of this "study" area is located adjacent to the Alico Road designated Industrial Development area. The northern part of the study area is bounded on the east by the Ten Mile canal. The SeaBoard Coast rail road right-of-way is located just to the east of this area. Various commercial uses are occurring on the U.S. 41 frontage.

As evidenced by the location, surrounding land uses, existing zoning, and the developed industrial uses within the area, planning staff concludes that this area is an appropriate location for industrial uses. Planning staff believes that this area could be redesignated to the Industrial Development category to offset the loss associated with the Area H reclassifications. Planning staff is, however, concerned that the redesignation would limit commercial uses in an area that has few compatibility constraints.

Planning staff is also concerned about redesignating this area versus the Bert J. Harris, Jr., Private Property Rights Protection Act." The Private Property Rights Protection Act creates a new cause of action where if a state, regional or local governmental entity "inordinately burdens" an existing use of real property or a vested right to a specific use of real property, the property owner may sue in court for compensation for the actual loss to the fair market value of the property. The Act defines the term "existing use" to mean "an actual, present use or activity on the real property, including periods of inactivity on the real property, including periods of inactivity which are normally associated with, or are incidental to, the nature or type of use or activity or such reasonably foreseeable, nonspeculative land uses which are suitable for the subject real property and compatible with adjacent land uses and which have created an existing fair market value in the property greater than the fair market value of the actual, present use or activity on the real property."

Redesignation of the Youngquist Road industrial development area would limit the potential commercial activity on these lands. Lee Plan Policy 1.1.7 contains restrictions that limit commercial activity to be ancillary in nature to the permitted industrial uses. There is an active amendment in this cycle, PAT 96-20, that clarifies the issue of how to appropriately handle the issue of commercial uses within the Industrial Development areas. Commercial uses on the Youngquist Road lands may meet the "test" of "nonspeculative land uses which are suitable for the subject real property and compatible with adjacent land uses." Planning staff believes this issue needs further evaluation. Planning staff recommends, if the Board of County Commissioners so wishes to pursue this matter, that each property owner in this area be consulted as to their development expectations versus what the Industrial Development category permits. Without further Board of County Commissioner direction, planning staff recommends that this area remain in the "Urban Community" land use category.

If all of staff's recommended changes to the FLUM are adopted, then the FLUM Industrial Development total land area will decrease by approximately 204.25 acres ($216-11.75=204.25$).

Lee Plan Policy 2.4.4 Required Evaluation

Lee Plan Policy 2.4.4 requires that the Board of County Commissioners evaluate applications to "expand the Lee Plan's employment centers" in light of the 1994 amendment that added 1400 acres to the Airport Commerce land use category. Policy 2.4.4 is reproduced below:

POLICY 2.4.4: Lee Plan amendment applications to expand the Lee Plan's employment centers, which include light industrial, commercial retail and office land uses, shall be evaluated by the Board of County Commissioners in light of the locations and cumulative totals already designated for such uses, including the 1994 addition of 1400 acres to the Airport Commerce category just south of the Southwest Florida International Airport. (Added by Ordinance No. 97-05)

The net effect of this amendment, if all of staff's recommended changes are approved, is that there will be 204.25 less acres of land in Lee County that specifically is envisioned for industrial utilization. This amendment does result

in 1,101.56 acres being added to the Intensive Development land use category. The Intensive Development category does allow "limited light industrial" uses per Policy 7.1.6. Planning staff believes, however, that given the high visibility, location of the category along major roadways in the County, and the nature of the existing uses in the category, industrial uses are the rare exception. Staff believes that, in fact, some existing industrial uses in this category and the proposed area, such as the Harper Brothers facility, will over time be displaced in favor of commercial uses that take advantage of the excellent location provided by the arterial roadway system. This assumption has in fact been incorporated into the Lee Plan already. Figure 14, adopted by the Board of County Commissioners on July 7, 1994, assumes that the Intensive Development land use category will develop with only 50% of the lands in residential uses. Staff assumes that the majority of the rest of the lands in this category will develop with intensive commercial uses.

Planning staff has also evaluated the effect of the reduction of 204.25 acres versus the total lands designated for either Industrial Development or Airport Commerce. Staff utilized Figure 14 as contained in the "Staff Response to DCA Objections, Recommendations, and Comments, For 1994 2nd Round Amendments, (Evaluation & Appraisal Report Amendments), November 1, 1994 (As Adopted). This figure provides that there are, in unincorporated Lee County, 6,062 acres designated as Industrial Development and 4,310 acres designated as Airport Commerce. The 204.25 acre net reduction of Industrial Development represents .03% of the lands that are currently designated as Industrial Development. This net reduction represents a reduction of .96% of the total lands that are designated as Industrial Development. Adding and taking into account the Airport Commerce category even further lowers this impact. The 204.25 acres represents .019% of the lands that are either designated as Industrial Development or Airport Commerce. This reduction of 204.25 acres equates to approximately 14.5% of the total lands added to the Airport Commerce land use category by the 1994 amendment. Planning staff concludes that this net reduction is insignificant when viewed in the county wide context.

Intensive Development Appropriateness Analysis

The following discussion pertains to the Part of Area "H" that is bounded by the Ten Mile Canal on the west, Daniels Parkway on the north, and Six Mile Cypress Slough on the east and south. This area contains the Lee County Sports Complex, a relatively large commercial shopping center, and the Gulf Coast Hospital. Numerous intense office and other non-retail commercial uses have been approved on both sides of Metropolitan Parkway. A review of existing zoning (as shown on Attachment 16) clearly demonstrates that the majority of properties in this area have been approved for commercial uses.

Area H is centrally located in the Future Urban Area of Lee County (see Attachment 17). In fact the area is located in the urban core of Lee County. The area is almost equidistant to downtown Fort Myers, downtown Cape Coral, and the Florida Gulf Coast University. As noted above, Area H has an excellent developed and developing transportation network. The subject area also has excess utility capacity. Thus the subject area has all of the required infrastructure services, appropriate location, existing zoning, and developed and planned developments that are characteristic of Intensive Development areas in Lee County. The Intensive Development land use category is more appropriate for this area of intense commercial uses than the current designations of Industrial Development and Central Urban.

Staff's proposal attempts to mitigate any loss of industrial acres on the FLUM while recognizing the existing and planned uses in Area H. Staff envisions Area H developing as a core urban activity center with a mixture of intensive commercial uses ranging from retail to medical office uses, and with specialized intensive recreational uses such as the Lee County Sports Complex and the proposed ice hockey facility. The proposal recognizes that the area contains such specialized uses as the Lee County Sports Complex, Columbia Gulf Coast Hospital, the Sheriff's Offices, and the South Trail Fire Station. Planning staff concludes that the proposal itself will result in minimal impacts to public infrastructure and services; the proposal reflects the reality of the existing, planned, and envisioned uses in Area H.

B. CONCLUSIONS

PAM 92-12 had the effect of creating two "islands" of industrially designated land. These "islands" or pockets are relatively small - one is approximately 5.22 acres and the other is .97 acres. The smaller pocket is clearly too small to be developed with industrial uses. The other pocket is of marginal size to be developed with industrial uses. As evidenced by existing uses and current zoning, the area in which these pockets are located are prime locations for commercial uses. The Andrea Lane area is predominately developed with warehouses, support offices and other industrial developments. The Industrial Development category is the appropriate designation for this "industrial park".

The subject area has all of the required infrastructure services, appropriate location, existing zoning, and developed and planned developments that are characteristic of Intensive Development areas in Lee County. The proposal will result in a negligible impact on the roadways in Area H. In fact, the subject area has an excellent existing roadway network and additional improvements are planned or being contemplated for the future. The proposal will not result in any major negative impacts that would impair the delivery of potable water, sanitary sewer, or solid waste services.

The recommended changes to Area H could result in an increase population accommodation capacity of 523 persons. The resultant increase in the population accommodation capacity of the FLUM from the proposed changes to AREA H is insignificant when viewed in the context of the county wide accommodation capacity, which overall is being reduced in this round of Lee Plan amendments.

The proposal will have a negligible impact on parks, recreation, and open space in Lee County. The proposal will result in an insignificant (0.42 acres) need for additional Community Park acreage. The request does not require that an increase be made to the required acreage for Community Parks.

The proposal, assuming a "worst case" scenario, would cause minimal impacts to hurricane shelter space and evacuation times. Several improvements are planned to the roadways in Area H that should help to mitigate this additional impact if it does in fact occur. For example, the 2020 Transportation Plan calls for the six laning of Six Mile Cypress Parkway, the six laning and extension of Metro Parkway, and, as noted above, the six laning of U.S. 41 through the subject area is already programmed for construction. Additionally, discussions are under way concerning additional improvements to the roadways in the subject area. For example, the extension of Plantation Road and Andrea Lane.

The proposal might result in an additional 5 calls per year. These additional calls will have a negligible impact on the ability to provide Emergency Medical Services.

The proposal, based upon the comments from the South Trail Fire Protection & Rescue Service District, will not result in any negative impacts to fire protection or rescue services in the subject area.

The proposal will not increase environmental impacts to protected species, indigenous vegetation preservation, or wetlands.

The net effect of changing the land use in Area H will be minimal concerning drainage and storm water management. The water quality problem identified by Public Works staff will continue to exist irregardless of this proposal.

The resulting increased population accommodation capacity of the FLUM of 523 persons and 250 dwelling units would generate approximately 38 to 53 students. This would create an impact of up to two new classroom spaces to accommodate this estimated increase in the student body. Through the Lee County School District's Five Year Capital Plan, improvements are currently being made at selected schools throughout the South region, which will thereby accommodate this increased development potential.

The Harper Brothers facility is a lawfully existing use under the IL zoning category. The currently existing Harper Brothers uses could be re-established under the Intensive Development Designation following a natural disaster.

The proposed School District transportation facility is proposed for property that is zoned IL and a mass transit depot or maintenance facility is listed as a permitted use in the IL district. This proposed facility is, per Lee Plan Policy 7.1.6, allowable in the Intensive Development land use category. When the property is developed with these proposed uses, then the property should be redesignated to the Public Facilities land use category.

The redesignation of these specific currently identified Industrial Development parcels will provide greater flexibility to these property owners. They will retain the ability to use/develop/rebuild IL uses and have the ability to develop additional uses, such as stand alone commercial uses (provided a rezoning is approved), that would not be permittable in the Industrial Development category. The redesignation of these parcels will preclude the development of heavy industrial uses on these properties.

Area H has all of the required infrastructure services, appropriate location, existing zoning, and developed and planned developments that are characteristic of Intensive Development areas in Lee County. The Intensive Development land use category is more appropriate for this area of intense commercial uses than the current designation of Central Urban.

The new Raymond Lumber site on Bayshore Road (identified by STRAP #20-43-25-00-00003.002B) is an appropriate location for industrial uses, given the location of this site adjacent to the Seaboard Coast railroad right-of-way and the I-75 Bayshore Road Industrial Park and nearby access to I-75. This parcel was subject to a small scale Lee Plan amendment PAM 96-01. The property owners agent has indicated to planning staff that

the property owner would like to have the balance of the property redesignated from the Suburban land use category to the Industrial Development land use category. Approximately 11.75 acres of this property are still designated as Suburban. Lee Plan Map 1, for this parcel, should be amended and this balance of the property be redesignated to the Industrial Development land use category.

If all of staff's recommended changes to the FLUM are adopted, then the FLUM Industrial Development total land area will decrease by approximately 204.25 acres ($216-11.75=204.25$).

The 204.25 acre net reduction of Industrial Development represents .03% of the lands that are currently designated as Industrial Development. This net reduction represents a reduction of .96% of the total lands that are designated as Industrial Development. Adding and taking into account the Airport Commerce category even further lowers this impact. The 204.25 acres represents .019% of the lands that are either designated as Industrial Development or Airport Commerce. This reduction of 204.25 acres equates to approximately 14.5% of the total lands added to the Airport Commerce land use category by the 1994 amendment. This net reduction is insignificant when viewed in the county wide context.

C. STAFF RECOMMENDATION

Planning staff recommends that the Lee Plan Future Land Use Map, Map 1, be amended as depicted on Attachment 1. In addition, planning staff recommends that the remaining Suburban portion of the new Raymond Lumber site be redesignated to Industrial Development.

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

DATE OF LPA PUBLIC HEARING: October 27, 1997

A. LOCAL PLANNING AGENCY REVIEW

The LPA noted that this amendment had previously been brought forward and supported as part of the 1994 E.A.R. Amendments. One LPA member expressed concern about the amount of supporting documentation in this amendment for the proposed Raymond Lumber FLUM amendment, specifically the lack of an identifying location map. Planning staff responds that the property was subject to a previous request, PAM 96-01, that has been referenced by the staff analysis. Staff will include a map showing the location of the Raymond Lumber site. The LPA also discussed the merits of redesignating the three existing residential subdivisions from Central Urban to Outlying Suburban. The LPA included in their motion concerning this amendment that staff evaluate, between transmittal and adoption, the merits of redesignating these existing residential subdivisions. Planning staff responded that further analysis is needed related to the Bert Harris Jr. Private Property Rights Act and the appropriateness of the Outlying Suburban designation in this area. The LPA provided separate motions concerning Area H and the Raymond Lumber site.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

- 1. RECOMMENDATION:** The LPA recommends that the Board of County Commissioners transmit this amendment as recommended by staff. The LPA also recommended that staff perform a further analysis of the three existing residential subdivisions in Area H.

- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by the staff.

C. VOTE: Motion concerning Area H

BARBARA BARNES- BUCHANAN	<u> AYE </u>
RICHARD DURLING	<u> ABSENT </u>
MITCH HUTCHCRAFT	<u> AYE </u>
RONALD INGE	<u> ABSTAINED </u>
BILL SPIKOWSKI	<u> AYE </u>
GREG STUART	<u> AYE </u>
MATT UHLE	<u> AYE </u>

C. VOTE: Motion concerning the Raymond Lumber site

BARBARA BARNES- BUCHANAN	AYE
RICHARD DURLING	ABSENT
MITCH HUTCHCRAFT	AYE
RONALD INGE	ABSTAINED
BILL SPIKOWSKI	AYE
GREG STUART	AYE
MATT UHLE	ABSTAINED

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

DATE OF TRANSMITTAL HEARING: November 5, 1997

A. BOARD REVIEW: One member of the public addressed the Board. This person stated that "...with regard to the Area H redesignation. That's something that was proposed in the EAR in 1994. It was a good idea then and the only reason we didn't go forward with it was we just didn't have time to provide the data and analysis that DCA demanded, but now you have it and it's a good idea. As to the proposed addition of industrial acres to the Raymond Lumber property, we represent them and I'm here to tell you that we support that particular change. There's also a small-scale amendment that's coming through that you should have shortly. That one we hope would be finished and final before this actually gets done, but there's no harm in going on two tracks at once, so we support this as well."

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

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

C. VOTE:

JOHN ALBION

AYE

ANDREW COY

AYE

RAY JUDAH

AYE

JOHN MANNING

AYE

DOUG ST. CERNY

AYE

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

DATE OF ORC REPORT: February 5, 1998

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

4. Amendment PAM 96-15: (FLUM change Northwest of Six Mile Slough area): This is a proposal to change the FLUM designations on a 1,305.12-acre area, depicted as Area H, located northwest of Six Mile Slough, south of Daniels Parkway and east of U.S. 41.

Objections: The public facilities analysis provided describes the public facilities infrastructure available to serve the area. However, the amendment is not supported by adequate public facility analysis because it is not based on the maximum development allowed under the proposed land use designations and comparing the public facility demand under the proposed designations with the demand under the current designations, to indicate any surplus capacity or deficit that might occur. Rule 9J-5.006(2)(a); (3)(c)3., F.A.C.

Recommendation: Include, with the amendment, adequate data and analysis of the public facilities demand based on the maximum development allowed under the proposed-land use designations and comparing the public facility demand under the proposed designations with the demand under the current designations, to indicate any surplus capacity or deficit that might exist. If there is a deficit the analysis, should indicate how the deficit will be addressed.

B. STAFF RECOMMENDATION

Adopt the amendment as transmitted.

C. STAFF RESPONSE TO ORC REPORT

Staff has further evaluated the proposed Future Land Use Map (FLUM) amendments in Area H. Planning staff generated a "worst case" assessment to provide a public facility analysis based "on the maximum development allowed under the proposed land use designations." Planning staff assumed that the majority of new development would be retail commercial. Staff calculated the development potential under the existing Lee Plan FLUM designations and the proposed designations. These two "development scenarios" were then transmitted to the public service agencies for their review (see Attachment 19, Paul O'Connor, February 27, 1998, memorandum). These agency responses are discussed below. The methodology utilized in the creation of the two "development scenarios" is contained in Appendix A.

Public Safety

In a March 16, 1998, memorandum, John Wilson, Director, Lee County Public Safety, provides an analysis of the impact of the amendment on public safety facilities. This memorandum contains a discussion of emergency management, emergency medical services and communication, and animal control services impacts (see Attachment 20, John Wilson, March 16, 1998, memorandum). Each of these issues is summarized below.

Emergency Management/Hurricane Impacts

The memo provides the following:

Impact if the 482 dwelling units are single family homes:

231 people seeking shelter during a hurricane evacuation

Adds approximately 15 minutes to existing evacuation times

Impact if the 482 dwelling units are multi-family units:

169 people seeking shelter during a hurricane evacuation

Adds approximately 11 minutes to existing evacuation times

Planning staff notes that these 482 dwelling units are the differential units between the "Current Development Scenario" (1,721 dwelling units) and the "Proposed Development Scenario" (2,203 dwelling units). Planning staff further believes that any additional dwelling units, with the exception of a handful of vacant lots within the three existing residential subdivisions, will be multi-family such as those proposed in the International Center rezoning. Staff assumes this based on existing, proposed, and planned developments in the study area. Thus the most likely impact of the amendment is that 169 additional people will seek shelter during a hurricane evacuation and the amendment will add approximately 11 minutes to existing evacuation times.

The memorandum notes that the primary impact would be to shelter space. The memo provides that "the county already has a serious shelter deficit which has been increased by the recent implementation of more stricter hurricane shelter guidelines by the American Red Cross. These guidelines eliminate all but those facilities within the category 4 and 5 storm surge areas from being managed by Red Cross volunteers." Concerning shelter space impact, the memo concludes that "the impact could be offset if some of the additional commercial square footage were available for shelter purposes."

The memo further provides that "Evacuation time impact is minimal. The area has very good access to four and six lane evacuation routes." The memo also provides that "this area falls within a category two storm surge/evacuation zone."

Planning staff notes that this, and all of the following evaluations, are essentially based on a worst case buildout analysis that most likely would occur, if at all, beyond the year 2020. Staff points this out because the County and other agencies have the ability to continue to address these issues over time as development proceeds in Area H. The addition of 169 (or 231) people seeking shelter during a hurricane evacuation and adding approximately 11 minutes to existing evacuation times are minimal impacts that can be addressed over time, if in fact this occurs.

Emergency Medical Services and Communications Impacts

The March 16, 1998, memo provides the following concerning EMS impacts:

"Based on a build out population of 1,133 persons, the residential units would create a potential of 135 calls for EMS resources. This is based on a factor of 120 calls generated per 1000 population. This impact should not pose a problem if future ambulance resources are purchased according to current budget plans. The additional call volume should not adversely impact emergency dispatching resources if future personnel resources are in place based on current five year fiscal projections."

Animal Control Services Impact

The March 16, 1998, memo from John Wilson provides the following concerning animal control services:

"Additional space is needed to handle the current and projected number of dogs and cats handled by the county's animal control services provider. The future land uses in the proposed amendment would allow the installation of an animal control facility on the acreage adjacent to the Sheriff's Office/Public Safety building."

Fire Protection

In a March 25, 1998, memorandum, Clifford H. Paxson, Chief, South Trail Fire Protection & Rescue Service District, provides an analysis of the impact of the amendment on fire suppression, fire prevention and inspection, and first response rescue services. This memorandum contains an estimate of the resulting increase in total alarm responses (see Attachment 21, Chief Paxson, March 25, 1998, memorandum). The District estimates "that the residential build-out increase will increase the total alarm responses by approximately 94 per annum." The District provides that the net increase of commercial square footage would also serve to increase the call volume. The District does state that "this increase however would appear to be negligible." The memo provides the following conclusion:

"Based upon this overall analysis, the South Trail Fire Protection and Rescue Service District believes that the area identified as "Area H" can be supported by the main station located at 5531 Halifax Avenue, with secondary service from its outlying stations. Any impacts created by development in terms of capital equipment will be adequately offset **provided Lee County maintains its currently adopted Fire/EMS impact fee ordinance**. Costs for any added personnel needed are assumed to be paid for through increases in the net assessed value of the improvements without a need seen for increases in the District's currently imposed 2 mill property tax."

Utilities

In a March 11, 1998, memorandum, Howard Wegis, Engineer I, Lee County Utilities, provides an analysis of the impact of the amendment on existing and proposed utility facilities. This memorandum contains a discussion of potable water service, and sanitary sewer service impacts (see Attachment 22, Howard Wegis, March 11,

1998, memorandum). The memo concludes that "Lee County Utilities does not anticipate any major negative impacts that the proposed Comprehensive Plan Amendment will have on our facilities that cannot be dealt with on a case-by-case basis, as vacant land develops within area 'H'." The memo provides that there is enough existing surplus capacity at existing facilities to provide potable water and sanitary sewer services under the "proposed Lee Plan Future Land Use Map Development Scenario." This memorandum is summarized below.

Potable Water Service

Lee County Utilities staff concluded that Lee County Utilities currently has the capacity at the Corkscrew Plant to provide potable water to Area "H" under both the current and proposed development scenarios. The March 11 memorandum provides the following:

"A calculation based on the data provided in the Current Lee Plan Future Land Use Map Development Scenario, and current potable water demand data yielded a maximum potential increase in demand of 1.5 million gallons per day (MGD) for the area in question. Additionally, a calculation based on the data provided in the Proposed Lee Plan Future Land Use Map Development Scenario, and current potable water demand data yielded a maximum potential increase in demand of 1.4 MGD for this area. This area is served by Lee County Utilities' Corkscrew Water Plant, which is permitted to provide 10.0 MGD of potable water. According to the December 1997 Operating Report from the Corkscrew plant, the monthly average daily flow was 6.06 MGD. Therefore, Lee County Utilities currently has the capacity at its Corkscrew Plant to provide potable water to Area "H" under both the current and proposed scenarios provided."

The memo further provides that "Lee County Utilities currently has the capacity to provide service to the area via existing 12" and 8" diameter mains..." This memo further provides that "as new projects request service from Lee County Utilities, they are required by the Lee County Utilities Operations Manual to submit extensive hydraulic calculations for our review and approval showing what impacts, if any, a new project may have on our existing facilities. If warranted, the new project will be required to either loop "dead end" mains or perform off-site improvements to enhance flows and provide adequate potable water infrastructure to support development."

Sanitary Sewer Service

Lee County Utilities staff concluded that Lee County Utilities currently has the capacity at the City of Fort Myers' South Wastewater Treatment Plant to provide sanitary sewer service to Area "H" under both the current and proposed development scenarios. The March 11 memorandum provides the following:

"A calculation based on the data provided in the Current Lee Plan Future Land Use Map Development Scenario, and current wastewater flow data yielded a maximum potential increase in flow of 1.6 MGD generated from the area in question. Additionally, a calculation based on the data provided in the Proposed Lee Plan Future Land Use Map Development Scenario, and current wastewater flow data yielded a maximum potential increase in flow of 1.5 MGD generated from this area. Some of the existing developments in Area "H" are currently connected to the potable water system but are utilizing septic systems for

wastewater treatment. The calculations utilized in the derivation of these figures assumed that these existing developments will eventually connect to Lee County's central sewer system. This area is served by the City of Fort Myers' South Wastewater Treatment Plant. Through an inter-local agreement, Lee County Utilities has an available capacity of 6.96 MGD at this plant. Currently Lee County Utilities is discharging approximately 3.6 MGD to this treatment plant leaving a surplus capacity of 3.36 MGD. Therefore, Lee County Utilities currently has the capacity at the City of Fort Myers Plant to serve Area "H" under both the current and proposed scenarios provided."

The memo further provides that Lee County Utilities is expecting further development and is presently in the design stage of constructing a new main transmission line along Metropolitan Parkway from Daniels Road south to Six Mile Cypress Parkway. The memo notes that this new transmission main will be designed to convey most of the sewage generated in Area "H". Also noted is that this transmission force main is included in the five year Capital Improvement Program. The memo also states that a new force main has been proposed along the east side of U.S. 41 from Daniels Parkway south to Toro Lane. The memo provides that "the data provided in the proposed Lee Plan Future Land Use Map Development Scenario will be utilized in the sizing of these force mains." The memorandum also provides the following:

"As with water projects, new projects requesting sewer service from Lee County Utilities are required to submit extensive hydraulic calculations for our review and approval. If deemed necessary, off-site improvements may be required by the developer(s) at their expense."

Planning staff, for the sake of clarity, asked Lee County Utilities staff to provide a memo detailing the method utilized in calculating the proposed impacts to the utility system in Area H. The Lee County Environmental Services Division responded in a March 31, 1998 memorandum, see Attachment 22A.

The School District of Lee County

In a March 6, 1998 memorandum, Stephanie Keyes, School District Facilities Planner, provides an analysis of the impact of the amendment on the School District (see Attachment 23, March 6, 1998, Stephanie Keyes, memorandum). The memorandum concludes that the District's Five Year Capital Plan is increasing student capacities "which will thereby accommodate this increased development." As far as the difference between the "current development scenario" and the "proposed development scenario," the memo provides the following:

"According to your request, the proposed changes in land use would increase the dwelling unit accommodation capacity of the FLUM by 482 dwelling units. Based on an estimated student generation rate of .15 per dwelling unit, the proposed 482 unit increase would generate approximately 72 students, consisting of 37 elementary school students, 16 middle school students, and 19 high school students. This would create an impact of up to three new classroom spaces required in the District."

The memorandum provides that the schools that would serve this development are operating at or above permanent student capacity levels, but as noted above, the District's Five-Year Capital Plan will provide capacity to accommodate this increased development. Planning staff again notes that this evaluation, like the evaluations

discussed above, is essentially based on a worst case buildout analysis that most likely would occur, if at all, beyond the year 2020. Staff points this out because the County and other agencies, such as the School District, have the ability to continue to address these issues over time as development proceeds in Area H. The addition of "up to three new classroom spaces" is a minimal impacts that can be addressed over time, if in fact this occurs.

Transportation

In a March 26, 1998 memorandum, the Lee County Division of Transportation provides a "Traffic Analysis of Area H for the Lee Plan Amendment" (see Attachment 24, David Loveland, March 26, 1998, memorandum). The memorandum provides existing traffic conditions and future traffic volumes based upon the "proposed development scenario." The memo concludes that "The analysis indicates that the roadways under study will be operating at the same LOS for both development scenarios." Thus, the amendment does not cause any additional LOS problems that would not already occur under the existing Lee Plan land use designations in the study area. The memo notes that both Tables 4 and 5 show that some roadways will operate at an unacceptable LOS in the future. Concerning this issue the memorandum states:

"These problems may not be as severe if the countywide population estimates and distribution are revised in the near future as proposed, resulting in almost 200,000 fewer people countywide. Also, Area H is analyzed as fully developed on the 2020 network for the purpose of comparison. However, in the MPO modeling process the full buildout of these land uses is not assumed by 2020, which is the basis for the 2020 overlay."

Planning staff adds that, potentially, the amendment, assuming the "proposed development scenario," will actually improve the LOS on one road segment. Six Mile Cypress from Winkler extension to Challenger Boulevard improved from LOS D in the "current development scenario" to LOS C in the "proposed development scenario."

Solid Waste

In a April 7, 1998 memorandum, the Lee County Environmental Services Division provides a review of the impact of this Lee Plan amendment on solid waste services (see Attachment 25, Lindsey J. Sampson, April 7, 1998, memorandum). The memorandum concludes that "A review of the proposed change to the future land use plan indicates a net reduction to the solid waste impact." The memo provides that, potentially, the amendment could result in a 2,873 ton per year reduction. The memorandum notes that "The County's solid waste disposal/recycling system, which includes the waste-to-energy facility, the Gulf Coast landfill, the Lee/Hendry Landfill and the materials recovery facility, have capacity available for at least the next 15 years."

Conclusions

Based on the above analyses, planning staff concludes that the proposed FLUM amendment will have a minimal impact on public facilities. As noted above, all of the evaluations, are essentially based on a worst case buildout

analysis that most likely would occur, if at all, beyond the year 2020. The County and other agencies have the ability to continue to address these issues over time as development proceeds in Area H. As far as transportation issues are concerned, the County, along with the Metropolitan Planning Organization (MPO) and the municipalities, have committed to reevaluating the 2020 Transportation Plan based upon the lower population projections included in this round of amendments. This evaluation has already commenced and is expected to be completed in the next few months. Planning staff recommends that this amendment be adopted as transmitted.

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

DATE OF ADOPTION HEARING: May 27, 1998

A. BOARD REVIEW: This amendment was on the Administrative Agenda. The Board provided no discussion on this item. There was no public comment on this amendment.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION: The Board voted to adopt this amendment.

2. BASIS AND RECOMMENDED FINDINGS OF FACT: The Board accepted the findings of fact as advanced by staff and the LPA.

C. VOTE:

JOHN ALBION

AYE

ANDREW COY

AYE

RAY JUDAH

AYE

JOHN MANNING

AYE

DOUG ST. CERNY

ABSENT

APPENDIX A DEVELOPMENT SCENARIOS METHODOLOGY

Assumptions

The three existing residential subdivisions will remain at their current density, which is, 154 single family lots on 200.9 Central Urban designated acres. For the proposed scenario 154 single family dwelling units and two churches on 245.17 acres in Central Urban.

120.7 acre vacant parcel (STRAP # 25-45-24-00-00001.0010) immediately south of the existing residential subdivisions will be developed at maximum density for multiple family units, current map designation Central Urban would allow 1,207 dwelling units, the proposed Intensive Development designation would allow 1,689 dwelling units.

36 acres included within International Center MPD will have 360 multiple family dwelling units, currently designated as Central Urban, proposed as Intensive Development.

22.35 acres included within International Center MPD will develop with 200,000 square feet of light industrial uses, current map designation Central Urban, proposed map designation Intensive Development.

Commercial development could achieve 25% lot coverage with actual buildings.

Industrial development could achieve 40% lot coverage with actual buildings.

Current Lee Plan Future Land Use Map Development Scenario

A. Development Resulting from the Assumptions:

1. 154 single family dwelling units on 200.9 Central Urban acres.
2. 1,207 multiple family units on 120.7 Central Urban acres.
3. 360 multiple family units on 36 Central Urban acres.
4. 200,000 square feet of light industrial uses on 22.35 Central Urban acres.

B. Commercial Development Calculations

1. Central Urban: $1145.27 - 200.9 - 120.7 - 22.35 - 36 = 765.32 * .25 = 191.33 * 43,560 = 8,334,334.8$ square feet. So the current plan would allow, at worst case, 8,334,334.8 square feet of commercial floor area to be developed in the Central Urban portion of Area H.

2. Intensive Development: $159.85 * .25 = 39.9625 * 43,560 = 1,740,766.5$ square feet. So the current plan would allow, at worst case, 1,740,766.5 square feet of commercial floor area to be developed in the Intensive Development portion of Area H.

C. Industrial Development Calculations

1. $336.17 * 43,560 = 14,643,565 * .40 = 5,857,426$ square feet. So the current plan would allow, at worst case, 5,857,426 square feet of industrial floor area to be developed in the Industrial Development portion of Area H.

D. Public Facilities

1. 82.77 acre Lee County Sports Complex.

Proposed Lee Plan Future Land Use Map Development Scenario

A. Development Resulting from the Assumptions:

1. 154 single family dwelling units and two churches on 245.17 Central Urban acres.
2. 1,689 multiple family units on 120.7 Intensive Development acres.
3. 360 multiple family units on 36 Intensive Development acres.
4. 200,000 square feet of light industrial uses on 22.35 Intensive Development acres.

B. Commercial Development Calculations

1. Central Urban: No commercial development.
2. Intensive Development: $1,260.15 - 120.7 - 36 - 22.35 * .25 = 270.275 * 43,560 = 11,773,179$ square feet. So the proposed plan would allow, at worst case, 11,773,179 square feet of commercial floor area to be developed in the Intensive Development portion of Area H.

C. Industrial Development Calculations

1. $119.87 * 43,560 = 5,221,537.2 * .40 = 2,088,614.8$ square feet. So the proposed plan would allow, at worst case, 2,088,614.8 square feet of industrial floor area to be developed in the Industrial Development portion of Area H.

D. Public Facilities

1. 82.77 acre Lee County Sports Complex, plus 16.1 acres accommodating the Sheriff's Office and South Trail Fire Facility.