

**PAT 96-25  
BoCC SPONSORED  
EAR ADDENDUM AMENDMENT  
TO THE**

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**LEE COUNTY COMPREHENSIVE PLAN**

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**THE LEE PLAN**

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BoCC Adoption Document

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**June 3, 1998**

**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
PAT 96-25**

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

STAFF REPORT PREPARATION DATE: May 20, 1997

**PART I - BACKGROUND AND STAFF RECOMMENDATION  
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:**

Consider updating the 1989 Pine Island Commercial Study, as required by Policy 14.4.3 and initiate appropriate changes to Goal 14: Greater Pine Island.

**B. BACKGROUND INFORMATION**

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

*Greater Pine Island Commercial Uses - Policy 14.4.3*

*Policy 14.4.3 directs staff to update the 1989 Pine Island Commercial Study. This review will be completed during the 1996 amendment cycle.*

***Recommendation:*** *Update the Pine Island Commercial Study during the 1996 amendment cycle and initiate appropriate changes to Goal 14 Greater Pine Island and Map 1, the Future Land Use Map.*

## **C. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY**

### **1. RECOMMENDATION:**

Planning staff recommends that the Board of County Commissioners transmit this proposed amendment to the Future Land Use Element deleting Policy 14.4.3:

*POLICY 14.4.3: County staff shall update the previous Pine Island Commercial Study in 1995. Plan amendments based on the updated study shall be considered by the Board of County Commissioners in 1996. (Added by Ordinance No. 94-30)*

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

According to the 1989 Pine Island Commercial Study, Pine Island has over 600 acres already zoned for commercial use which is far in excess of any possible need, even at build-out, of Pine Island. Current demand for commercial sites has been minimal and does not warrant a full scale update of the Pine Island Commercial Study. No funds have been budgeted for staff or consultants to prepare such an undertaking. Lee Plan Policies 14.4.1 and 14.4.2 adequately address commercial land use needs in Pine Island.

POLICY 14.4.1: The designated Future Urban Area at Pine Island Center is targeted for most future commercial and industrial uses, as permitted by other portions of this plan.

POLICY 14.4.2: Commercial development at other locations on Greater Pine Island should be limited to marinas, fish houses, minor commercial uses to serve local residents, and uses to serve island visitors. Such development shall be sited and designed to minimize disruptive influences to the greatest degree possible.

## **PART II - STAFF ANALYSIS**

### **A. STAFF DISCUSSION**

The 1989 Pine Island Commercial Study concluded that commercial needs on Pine Island can be met in existing locations by existing resources. The study noted, "A large community center could not garner sufficient market support, even at build-out of the island. One neighborhood center should be sufficient to meet the residents' needs until the year 2000. The current neighborhood center (Winn Dixie/Eckerd shopping center at Pine Island Center) is appropriately located and will continue to serve that function for another decade." Planning staff notes that it would be inappropriate and premature to do an update of the 1989 Pine Island Commercial study.

### **B. CONCLUSIONS**

The 1989 Pine Island Commercial Study is still a current document. Staff concludes Policy 14.4.3 should be deleted as there is no need to update the Pine Island Commercial Study.

### **C. STAFF RECOMMENDATION**

Planning staff recommends that Policy 14.4.3 be deleted from the Lee Plan.

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

DATE OF LPA HEARING: May 29, 1997

**A. LOCAL PLANNING AGENCY REVIEW**

The LPA offered one correction to the staff analysis, when the Publix opened in Cape Coral, Winn-Dixie on Pine Island did not close. It expanded by about 30 or 40 percent. The LPA had no further discussion or questions concerning this amendment.

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

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

**C. VOTE:**

<b>CARRON DAY</b>	<u>ABSENT</u>
<b>RICHARD DURLING</b>	<u>ABSENT</u>
<b>EARL HAMILTON</b>	<u>AYE</u>
<b>RONALD INGE</b>	<u>AYE</u>
<b>BILL SPIKOWSKI</b>	<u>AYE</u>
<b>GREG STUART</b>	<u>AYE</u>
<b>MATT UHLE</b>	<u>AYE</u>

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

DATE OF TRANSMITTAL HEARING: November 5, 1997

**A. BOARD REVIEW:** During the hearing one commissioner requested that his fellow Board members recognize that Pine Island is already over allocated with commercially zoned properties and if the Board decided not to update the commercial study it would not be because the Board did not recognize that it is already over allocated but because of a lack of staff resources. There was no other comment on this plan amendment.

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

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

**C. VOTE:**

<b>JOHN ALBION</b>	<b>AYE</b>
<b>ANDREW COY</b>	<b>AYE</b>
<b>RAY JUDAH</b>	<b>AYE</b>
<b>JOHN MANNING</b>	<b>AYE</b>
<b>DOUG ST. CERNY</b>	<b>AYE</b>

**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**

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

**B. STAFF RECOMMENDATION**

Adopt the amendment as transmitted.

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

DATE OF ADOPTION HEARING: May 27, 1998

**A. BOARD REVIEW:** The Board provided no discussion on this amendment. This item was approved on the consent agenda.

**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.

**C. VOTE:**

<b>JOHN ALBION</b>	<b>AYE</b>
<b>ANDREW COY</b>	<b>AYE</b>
<b>RAY JUDAH</b>	<b>AYE</b>
<b>JOHN MANNING</b>	<b>AYE</b>
<b>DOUG ST. CERNY</b>	<b>ABSENT</b>