

**MINUTES REPORT
LOCAL PLANNING AGENCY
February 24, 2014**

MEMBERS PRESENT:

Noel Andress (Chair)
Jim Green
Mitch Hutchcraft

Jim Ink
Rick Joyce (Vice Chair)

MEMBERS ABSENT:

Dennis Church
David Mulicka

STAFF PRESENT:

Peter Blackwell, Planning
Brandon Dunn, Planning
Kathie Ebaugh, Planning
Tony Palermo, Zoning
Andy Getch, DOT

Michael Jacob, Managing Asst. Cty. Atty.
Janet Miller, Recording Secretary
Paul O'Connor, Planning Director
Rob Price, Development Services

Agenda Item 1 and 2 – Call to Order, Review of Affidavit of Publication/Pledge of Allegiance

Mr. Andress, Chair, called the meeting to order at 8:30 a.m. in the Board Chambers of the Old Lee County Courthouse, 2120 Main Street, Fort Myers, FL 33901.

Mr. Michael Jacob, Assistant County Attorney, certified the affidavit of publication and stated it was legally sufficient as to form and content.

Agenda Item 3 – Public Forum - None

Agenda Item 4 – Approval of Minutes – January 27, 2014

Mr. Green made a motion to approve the January 27th meeting minutes, seconded by Mr. Joyce. The motion was called and passed 5-0.

Agenda Item 5 – Land Development Code Amendments

A. Complete Streets Amendments

Mr. Getch gave an overview of this agenda item and noted it would also be presented to the Land Development Code Advisory Committee next month.

Mr. Green asked if this was consistent with the current Comprehensive Plan.

Mr. Getch confirmed it was staff's intent to be consistent with the current Comprehensive Plan. Staff has also anticipated some of the changes that will arise as part of the Transportation Element. In addition, staff realizes there may be some additional changes depending on what comments are received with the Transportation Element.

Mr. Green asked if staff could anticipate what issues the Land Development Code Advisory Committee might have with the Transportation Element.

Mr. Getch stated there would be an administrative code for Complete Streets that will take the framework of what is in the Land Development Code and expand it further to apply more detail in certain areas. The draft is not ready, but some of the Land Development Code Advisory Committee members have asked to see that Administrative Code. Another concern expressed is in instances where the county is working on a retrofit project within an existing street or a developer who might have a significant amount of frontage who needs to make street improvements. What are they required to do? Are they going to be required to fully implement what is in this cross section? Is there going to be some flexibility? These types of questions will be addressed as part of the Administrative Code. He noted other comments were more wordsmithing type comments, but that they had received a lot of good feedback.

Mr. Andress asked how much flexibility there would be if someone comes in with a project and they want to change the parking perpendicular to the curb or diagonal parking instead of parallel parking. Will they be able to do that?

Mr. Getch stated the dimensions in the current code in a typical cross section street are shown as a range meaning they are not fixed dimensions. In other words, it is not where parking would be 8 feet wide. It could be anywhere from 0 up to 20 or 30 feet in some cases. This is to allow for the difference between parallel parking, angle parking, perpendicular parking, wider planting areas, bus pull-offs, etc. It is also staff's intention to allow for other flexibility beyond what currently exists.

Mr. Green felt the LPA might be getting an early look at this. Due to changes made by the Land Development Code Advisory Committee, he asked if this might come back before the LPA.

Mr. O'Connor stated it would if staff deemed the changes to be significant. However, if the changes are not of a substantive matter, it will not be rescheduled to come before the LPA.

Mr. Joyce stated he noticed that drainage had not changed as part of the complete streets amendment. He felt we were missing a big opportunity to improve stormwater and surface water systems by taking a look at how we build these "*chain link fence rectangles*" along roadways. He felt they were an integral part of Complete Streets. He requested this be a consideration for the future. He was not necessarily looking to take more space to treat water, but utilizing the space better. Regarding the cross sections, he felt utilities were missing. When people are working on a number of projects, the sewage has to be a certain amount of feet away from water, and there may also be gas lines in place. All of that blends into those cross sections and can change how you do or do not plant trees and how you design new roadways. There needs to be a better opportunity to lay those plans out and get a better cross section that makes the utility lines more accessible in the future. Regarding the landscaped part of this document, it states that trees must be a minimum of 10 feet. The language is taken directly from Chapter 10 of the Land Development Code. However, he did not feel it had a place in Complete Streets as it should be predicated by the designer. He gave an example of the pine trees planted along Veteran's Parkway. None of those trees were 10 feet tall, yet you would not want to preclude them because they are not part of this criteria. In some cases, you might want to use 16 foot tall trees. Although 10 foot tall trees might be a good minimum code for commercial projects and required landscaping for other projects, it might not be applicable for roadways; therefore, we should have more flexibility.

Mr. Hutchcraft stated there are frangibility requirements within the medians, so the County might be targeting a place where they require a tree that conflicts with that. He agreed there needs to be landscaping requirements, but they should be more flexible. He also noted there was a fair amount of discussion in the document about landscaping. He asked if they had taken into account how the landscaping and lanes fit with the utilities. If we are to think holistically about streets, utilities have to be part of that conversation. He also noted that in the past public roads were treated in one manner while private roads had a little additional flexibility which seems to have been omitted in this proposed document. He questioned whether requiring larger minimum street widths is something we necessarily feel is always the best approach. He also noted that in the Complete Streets document it shows bicycle and pedestrian always within the right-of-way. However, in the education element viewed last month, it encouraged the location of pedestrian/bicycle facilities to be away from the road. He asked if there was the ability to delete that from the requirements of the Complete Streets program.

Mr. Getch stated staff was still working out more details into the Administrative Code. Language for location of developer provided bicycle and pedestrian facilities is in another section of the Land Development Code. The intent is to get the facility, whether it is in a right-of-way or outside of the right-of-way, publicly maintained. Staff is working from our current cross sections.

Mr. Hutchcraft referred to Item c. under "*On-Street Parking*" where it requires authorizations from the developer. He asked if this requirement is due to the assumption that these are county constructed streets. He also noted that getting those certificates of liability are problematic.

Mr. Getch explained the rationale behind that item and noted that staff would need to come back and modify the language depending on what happens with the transportation policies for parking.

Mr. Address opened this item for public comment. Public input was received from Darla LeTourneau, Steven Brodtkin, and Matthew Uhle. Commentary from some of the speakers is attached.

Mr. Address felt staff should make all the changes discussed today, put it together in the Administrative Code, and bring it back to the LPA for a final review after the Land Development Code Advisory Committee finishes their review.

Mr. Ink made a motion that this item be continued and brought back to the LPA with the additional information discussed today such as the administrative part of it that shows the flexibility of Development Services to make this a workable, flexible Complete Streets document, seconded by Mr. Green. The motion was called and passed 5-0.

Agenda Item 6 – New Horizon 2035: Plan Amendments

A. CPA2011-17 Community Safety and Wellbeing Element

Ms. Ebaugh reviewed the EAR schedule for the remaining pending elements.

Mr. Blackwell gave an overview of the staff report.

Mr. Ink referred to Objective 1.1 and Policy 1.1.1 on Page 6 of 37 where staff makes an editorial comment about changing "*technological*" to "*manmade*" yet in both of those sections "technological hazards" is still listed.

Staff stated they would look into that.

Mr. Ink referred to Objective 1.3 on Page 9 of 37 where it references developments seaward of the Coastal Construction Control Line. However, it does not reference which line (i.e. the 1978 line or 1991 line). He also noted this language was in Policy 1.3.1 on the same page.

Mr. Blackwell stated it would be the most recently approved line. He noted staff had crossed out the "1991" reference specifically so that it will always be whatever the most recent Coastal Construction Control Line is.

Mr. Ink did not see where it says "*the most recent*" in the language.

Mr. Blackwell stated it was implicit in the language.

Mr. Joyce felt it was worth putting some clarification language in there such as "*the most current*" or "*currently approved.*"

Mr. Address was in agreement with that recommendation.

Mr. Ink referred to Policy 1.7.3 on Page 15 of 37 where it requires new residential development of more than 50 units to provide continuing information to residents concerning hurricane evacuation. He felt there should be language that encourages all Home Owner Associations and Property Owner Associations to address this. This does not mean it should necessarily be regulated, but it should be encouraged.

Mr. Green was in agreement with this recommendation and did not feel it was something that would be burdensome.

Mr. Hutchcraft referred to Policy 1.3.2 on Page 9 of 37 where it is changing from V Zones and Coastal A Zones to Hurricane Evacuation Zone A. He asked if there was a map that shows the change in those boundaries. He also asked if it was in the same area or a more expansive boundary.

Mr. Blackwell stated there was a map that goes with this.

Mr. Hutchcraft referred to Objective 1.5 on Page 11 of 37 where it says, "*In order to provide evacuation and shelter capabilities adequate to safeguard the public against the effects of hurricanes and tropical storms...*" He asked if the County was allowing the construction of on-site evacuation or on-site shelter plus evacuation opportunities. He noted one of the other provisions led him to believe that the measurement the County was going to use was evacuating in a land falling storm. He asked if the County was allowing both as we determine our effectiveness meaning our preparedness for a hurricane.

Mr. Blackwell believed "*evacuation*" was the preferred option and that he believed it was required.

Mr. Hutchcraft recalled that you used to be able to design shelter to address your hurricane preparedness yet this policy is saying that people will have to attain out of county evacuation for Level D or E storms.

Mr. Blackwell believed this was now the only option.

Due to a question by Mr. Hutchcraft, Mr. Blackwell gave clarification of Policy 1.8.2 on Page 18 of 37.

Mr. Hutchcraft stated he appreciated language staff added to Policy 4.1.2 on Page 29 of 37, which was due to previous recommendations. He noted that in all of these elements staff has deleted references to "*Lee County*." He expressed concern that if these objectives/policies are not directed at staff, they could end up being an obligation/burden that gets shifted to private developers.

Mr. O'Connor stated this was a recommendation from the County Attorney's office because this is Lee County's Comprehensive Plan. Therefore, it is not necessary to list "*Lee County*" throughout all the elements.

Mr. Hutchcraft did not believe this would always be the case and was still concerned over this issue. He referred to Policy 4.1.7 on Page 31 of 37 where it encourages redevelopment of existing structures in built up areas instead of Greenfield areas. He felt it was written in such a way that it becomes more than just "*encouragement*;" therefore; he felt there should be some additional flexibility.

Mr. Joyce referred to Objective 2.2 on Page 22 of 37 dealing with Wildfire. He stated that "*Wildfire Mitigation*" should be defined as it could mean different things. He also discussed a Certified Pile Burner program offered by the Florida Forest Service. It has not been offered in Lee County, but he felt staff should coordinate with the Florida Forest Service so that an annual class could be held especially since most wildfires are caused by pile burns.

Mr. Blackwell stated he would talk to Public Safety about this.

Mr. Andress opened this item for public comment. Public input was received by Larry Nisbet from Bayshore Fire and Rescue.

Mr. Green made a motion to transmit CPA2011-17 to the Board of County Commissioners along with comments made today by the LPA and public, seconded by Mr. Joyce. The motion was called and passed 5-0.

B. CPA2011-02 Communities Element

Ms. Ebaugh gave an overview of Attachment 1 of this item.

Mr. Andress opened this item for public comment. Public input was received from Ruby Daniels, Steven Brodtkin, Dr. Margaret Banyan, Matthew Uhle, Darla LeTourneau, Ann Pierce, and Russell Schropp. Commentary from some of the public is attached.

Mr. Green felt comments made by Mr. Schropp were appropriate.

Mr. Andress felt that all comments received today should be incorporated into the final finding of consistency.

Ms. Ebaugh referred to Policy 1.2.2 on Page 4 of 144 under the Intent and Preamble that deals with the on-line clearinghouse and recommended deleting the segment that starts with "*These communities are...*" and the reference to the following because staff is working to establish a document database. There is an on-line way to get information. Staff is working to set it up for all communities, not just the ones listed.

Mr. Ink asked if the missing 19.5.XX was intentional or an oversight.

Ms. Ebaugh stated that the staff person who was originally assigned this element is no longer with the County. As such, she was uncertain what happened to that language, but had no objection to adding it.

Mr. Address referred to Policy 5.3.1 on Page 30 of 144 that refers to a map.

Ms. Ebaugh explained that all maps referenced in this document have not been brought before the LPA yet.

Mr. Address asked if there was a map that identified the farmlands on the Island.

Mr. O'Connor stated there was a map currently in the plan.

Mr. Address referred to Policy 5.4.1 on Page 32 of 144 and asked if we were still using the level of service standards and if this policy is still relevant with no concurrency requirement.

Mr. O'Connor stated staff did not make amendments to the Pine Island Plan. While it is called "*Concurrency*" on Pine Island, it is really a tool being used to address some of the hurricane evacuation issues and the issues of the large number of platted yet undeveloped lots that are on the Island. Because of this, staff is proposing to keep the same language.

Mr. Address noted that Mr. Hutchcraft had specifically asked for some type of direction from the County legal staff regarding this issue.

Mr. Jacob stated that determination had not been made.

Mr. Hutchcraft stated the provisions talk about level of service and concurrency. To the extent that the determination has not been made, he did not feel this element was consistent with the Community Planning Act.

Mr. Green referred to the table on Page 5. He asked for a clean up on what the table actually does. He suggested some sort of heading on what this table does. He also referred to the references that say "*Planned Developments.*" He asked if that was a Development Order.

Mr. O'Connor stated it was a Planned Development Rezoning.

Mr. Green referred to Administrative Amendments that are allowed in Captiva. He asked if it would be acceptable to staff to add them for Northeast Lee County.

Mr. O'Connor stated that if staff can do this for one community, they could do that for another. This was taken from specific language already in the plan, which is how staff derived at the table. The only exception is the Bayshore community, which was joined with Page Park.

Mr. Green asked if there was a problem in adding Development Orders to this.

Mr. O'Connor did not believe any of the communities get Development Orders. He noted that is an administrative process. If the applicant meets the code, they get the Development Order. He explained there are different levels of Development Orders so it can be voluminous. There are some that are simple so he felt it would be a heavy requirement on some proposed projects to have a public meeting in certain areas of the County.

Mr. Hutchcraft stated that having Administrative Amendments and Development Orders as part of the Clearing House is fine, but he was concerned with Administrative Amendments having to have public workshops in the community. He felt this was overkill.

Mr. Green believed the one referred to by Ruby Daniels was "*Broadlands*," which was 250 homes in Alva. This is a very rural area and it was handled as a Development Order without any requirement for presentation to the community. He felt the County should give some thought to letting the community view those. He recommended there be some way to keep the simple ones out of the requirement, but if the project involves 250 homes or more it should be reviewed by the community.

Mr. Andress stated he saw both sides to this. He felt there must be some limit where 50 homes or more need to have some public discussion with the community, but leave out simpler requests such as driveways.

Ms. Ebaugh stated staff would look into this.

Mr. Ink stated a Development Order is a technical part where rezonings and planned developments are entitlements where you need community input. He did not know how the County would distinguish between 50 lots versus 45 lots. The intent should be if someone is going to affect their neighbor. Someone with two lots will affect their neighbor but it is too restrictive and regulatory to have those go to a community meeting, which is becoming a third level of government.

Mr. Joyce recommended having that information available in a database that the community can access. It would allow them to talk to the developer/builder about the design. There is no opportunity for the community to involve themselves in the administrative process because it is not set up that way.

Mr. Hutchcraft referred to Page 46 of 144 where it says, "*...preferably on tracts 2 1/2 to 5 acres...*" It is clear that this is not regulatory. Below that section in the yellow highlighted area it says, "*...Due to the flood prone issues and private wells only low residential densities and limited commercial activity are appropriate.*" Mr. Hutchcraft stated he was in disagreement with this as Compact Development would have less impact on flood than spread out development. It might be their preference, but it is not the only development pattern appropriate. Below that, there is a requirement to only review new developments. In subsequent policies it requires the review of new planned developments. He felt this was a critical issue where any development proposed should be evaluated. If flooding is their issue, a 5-acre lot someone is filling or putting a perimeter berm around it can have more impact on sheet flow than a well designed planned development. He asked that staff strike the word "*planned*" and have it say, "*shall review new development.*" Mr. Hutchcraft referred to the sentence below that says, "*Lee County shall provide a complete hydrologic review and analysis.*" He asked if staff was prepared to do that.

Ms. Ebaugh noted that Roland Ottolini, Director of Natural Resources, accepted this language.

Mr. Hutchcraft referred to Policy 7.1.7 on Page 48 of 144 that says mixed use development is inappropriate in the Bayshore Community. He talked about instances where a veterinarian might have his/her operation in the same place as their house. Someone could have a cafe with the business and home together. It might be appropriate to exclude shops and restaurants, but not all mixed use is inappropriate. Therefore, he felt this policy was inconsistent with the Comprehensive Plan.

Mr. Ink felt there could be language that says, "*live/work is allowable*" since it is a rural type use.

Ms. Ebaugh stated staff could fix Policies 7.1.7 and 7.1.8.

Mr. Address stated the LPA had talked about fixing this in the Bayshore Vision.

Ms. Ebaugh stated this was fine.

Mr. Hutchcraft made a motion to find CPA2011-02 Communities Element consistent with the Comprehensive Plan subject to the following changes: 1) those changes recommended by the Horizon Council on their attachment be included; 2) that the LPA find the Tice Policy 19.5.XX appropriate; 3) that staff modify the Vision Statement and Policies 7.1.7 and 7.1.8 as discussed; 4) that staff modify Policy 1.2.2 regarding the Clearing House as discussed; 5) that staff be required to do a full evaluation of the Communities Planning Act of 2011 as it relates to Policies 5.4.1, 5.4.4, and 5.4.5 of the Pine Island provision; and, 6) that Development Orders be made available on the Clearing House, but not require community meetings.

Mr. Address asked about Policy 17.5.7 and Mr. Ink asked about Policy 19.5.8. These policies were under the Tice section.

Mr. Hutchcraft included in his motion that we will go with staff's recommended language on those policies but that staff will provide additional information to the County Commissioners that they fully consider the community's recommendations in the final design. The motion was seconded by Mr. Green for discussion.

Mr. Green stated he was still in favor of the Tice Community's words. However, he asked if Mr. Hutchcraft would revise his motion to say, "*The LPA recommends to the County Commissioners that the Community's desires be met.*"

Mr. Hutchcraft stated that was his intent and that he accepts that friendly amendment with the understanding that we are still advancing staff's language.

Mr. Joyce referred to Policy 19.5.8 and noted it deals with surface water. It seemed to him that it would be easy to reconcile that with the community.

Ms. Ebaugh stated staff would work with the community and come up with some reconciled language.

The motion was called and passed 5-0.

The LPA convened at 10:50 a.m. and reconvened at 11:00 a.m.

C. CPA2011-13 Transportation Element

Mr. Getch gave an overview of Attachment 1 of this item. He noted that Josh Philpott from the Port Authority, Wayne Gaither from Lee Tran, Rob Price from Development Services, Brandon Dunn from Planning, and Don Scott from the Metropolitan Planning Organization were present for today's meeting and that there may be some questions that one of the other attendees will need to answer.

Mr. Hutchcraft referred Policy 2.1.1 on Pages 6 and 7 of 37 where it mentions level of service. This section states that Level of Service E is the minimum acceptable. He asked what would happen if someone had less than that for their project.

Mr. Getch stated the County would not deny a Development Order based on Level of Service F for the multi-modal facility. The analysis received will hopefully help staff identify what components need to be improved in the network (i.e. an improved transit facility, bicycle facility, or pedestrian facility). There are components of the analysis for a Development Order that is submitted which uses pieces of level of service such as how long does a left turn lane need to be into a shopping center. It is a site related improvement for that shopping center. That is one way staff will still use level of service as part of the review process, not necessarily from a regulatory standpoint, but how it works into the regulations.

Mr. Hutchcraft referred to Table 1 on Page 7 of 37. He gave a scenario where someone has property zoned Suburban. They have a good transit solution that could be a bigger part of their project than motor vehicle. Do they have to address motor vehicle or is that merely staff's default position? How much flexibility is in this table?

Mr. Getch stated that, in terms of development, the level of service is something that would be reported as a component of it. In terms of the infrastructure and system decisions, these would be made by the county in providing those public facilities. At that time, staff would look at this particular priority system. He gave an example of how it is handled in the City of Jacksonville.

Due to a question by Mr. Hutchcraft, Mr. Getch clarified that staff has the flexibility to work on each project and come up with the best overall multi-modal solution.

Due to a question by Mr. Hutchcraft regarding Policy 2.4.3 on Page 16 of 37, Mr. Getch explained the intent is to outline how the County is going to approach parking regulations. Specific ideas for what the County is going to do in urban areas will be put in the Land Development Code.

Mr. Price stated staff recently updated the Land Development Code to add some reductions in parking when you have multiple use scenarios. One of the things that was in the Complete Streets document that was discussed earlier today is that an Administrative Relief in the parking requirement was added when there is on-street parking in proximity to your project. Staff will keep moving forward with some updates to that as information is made available. Staff monitors these situations frequently. If there are reductions to the parking regulations that make sense, staff will propose them.

Mr. Hutchcraft referred to Policy 3.3.2 on Page 28 of 37 where it says, "*New roads or expansion of existing facilities will not be extended through areas of ecological concern except in instances of overriding public interest and unless...*" He asked if this applies to public roads or public and private roads. He stated it might be difficult to demonstrate overriding public interest on a private road.

Mr. Getch stated that policy is not intact as there have been some edits. There is a similar policy along those lines in the current Lee Plan. The intent was specifically for public roads. Mr. Getch stated that when he worked on this particular policy, it was his intent that it would be specifically for public roads.

Mr. Hutchcraft asked that staff clarify that as he had the same concern as discussed earlier with all references to "*Lee County*" being deleted. It can become a requirement for everyone when it was not initially intended to be so.

Mr. Hutchcraft stated that he felt the motion for this item should be delayed until the LPA jointly reviews it with the Future Land Use element.

Mr. Ink referred to Policy 3.2.7 on Page 24 of 37 and stated he felt it sounded regulatory. It sounds as if there will be some Land Development Code policy or something set forth on how a private development will ensure how they will fit into this multi-modal.

Mr. Getch stated this policy is based on and reworded from the policy that currently talks about road impact fees.

Mr. Ink asked if we were going from road impact fees to multi-modal fees.

Mr. Getch stated this would be a policy decision made by the Board of County Commissioners. The first step is to develop what is called a mobility plan where staff looks at the needs and what the fee schedule might be.

Mr. Ink referred to Policies 4.6.1 and 4.6.2 on page 35 of 37 and noted the items listed in these policies seem to be already under construction. If it turns out that these items are already under construction, Mr. Ink asked if these policies still needed to be listed in the document.

Mr. Josh Philpott from Lee County Port Authority stated that Policy 4.6.1 is discussing the I-75 connection which is under construction.

Staff stated they would look into the issue of whether or not these policies should still be in the Plan.

Mr. Joyce referred to Objective 3.3 on Page 27 of 37 and noted there was no discussion of surface water systems within these DOT projects. He felt this needed some attention especially keeping in mind the money the county is spending on surface water improvements throughout the county. He also stated we are still building rectangles with chain link fences and that the County needs to go beyond that on road projects. He suggested some language be added such as "*creative surface water design that maximizes both storage and quality efficiencies,*" so that more energy is spent on these systems other than meeting the minimum flow requirements for the district. Mr. Joyce referred to a section that says, "*...innovative design of stormwater areas as community amenities...*," which he felt was a good start. He noted these surface water systems are in public spaces and that there have been stormwater ponds that have been turned into something that has a gazebo in it making it a nice public space.

Mr. Address referred to Policy 3.2.2 on Page 23 and asked when the County would be developing the long-term transportation strategy mentioned in this policy.

Mr. Getch stated there was no set date on this yet and that it would be something that would take a long time to implement. The revenue source for it will be decided by the Board of County Commissioners. As far as when a plan will be presented, it will be part of the mobility plan mentioned earlier.

Mr. Address referred to Policy 3.2.7 on Page 24 of 37 and asked how this would be accomplished.

Mr. Getch stated that, under our road impact fee or a mobility fee, a methodology will be developed to assess that development share. Based on a similar policy currently in the plan, a methodology was developed that looked at how much of the capacity of the transportation system is consumed by a new development and what the cost is for providing a new amount of capacity to replace that existing capacity. This is one possible methodology that could be explored under a mobility plan or continued under road impact fees.

Mr. Address asked how the County would get private development involved in that process.

Mr. Getch stated it would be handled through a very open participation process, which would involve a consultant. A consultant would handle the public interaction portion along with data collection and determining the methodology. He further clarified that this would not necessarily be brought before the LPA, but it would be something the County would do through social media such as the County's mind mixer and Lee County Town Hall as well as any other options available.

Mr. Address referred to Item 3. on Page 25 of 37 and asked if the plan had been vetted with the various cities.

Mr. Getch stated the most effective approach to developing a mobility fee and plan is to have it be adopted by all the jurisdictions. One reason for that is the transit system because transit is a component of the mobility fees that are in place around the state. The transit system is county wide and there is as much, if not more, service in the incorporated areas as there is in the unincorporated areas. From that standpoint, it needs to be part of the discussion. The road system is also linked throughout the county and the bicycle and pedestrian systems are linked to a lesser extent. In terms of how this is going to work, the County will need to have interlocal agreements with the individual jurisdictions. If this policy becomes part of the new plan, one of the next steps will be to reach out to the cities.

Mr. Address stated staff did an excellent job of incorporating the LPA's comments from the last time this item appeared before them. He agreed with a comment made earlier by Mr. Hutchcraft that the motion for this item should be to continue it until the LPA has an opportunity to review the Future Land Use element rather than find it consistent on its own.

Mr. Address opened this item for public input. Public input was received from Darla LeTourneau, Ann Pierce, and Russell Schropp. Commentary from some of the public is attached.

Mr. Green stated his sense was that the LPA generally supports all that was discussed today. He hoped staff would consider comments made by the LPA and the public today.

Mr. Joyce made a motion to continue this item to the March 24th LPA meeting, seconded by Mr. Hutchcraft. The motion was called and passed 5-0.

Agenda Item 7 – Other Business - None

Due to a question by Mr. Joyce, staff explained the process of CSAC reviewing the amendments and their schedule versus the LPA's schedule.

Agenda Item 8 – Adjournment

The next Local Planning Agency meeting is scheduled for Monday, March 24, 2014, at 8:30 a.m. in the Board Chambers, Old Lee County Courthouse, 2120 Main Street, Fort Myers, FL 33901.

The meeting adjourned at 12:09 p.m.

**PUBLIC COMMENTS ON
AGENDA ITEM 5.A.
COMPLETE STREETS AMENDMENTS**

DLetourneau/BWL Comments at LPA Meeting 2/24/14

Agenda Item #5 A. LDC Amendments: Complete Streets Amendments

Background:

- Speaking on behalf of BikeWalkLee--a grassroots community coalition, with 60 supporter organizations, working for complete streets in Lee County and balanced multi-modal transportation.

- Like to welcome the new members of the LPA.
 - We've been working with the LPA on the Comp Plan update and other complete streets and transportation issues over the past 5 years,
 - and we look forward to continuing to work with you as the County wraps up its exemplary 3-year process of updating the Comprehensive Plan
 - to reflect the citizen voices and the goal of bringing the vision of a Livable Lee to reality.

- BikeWalkLee has been working closely with the Board of County Commissioners, County Administration, and County committees, such as CSAC and LPA, on the development of a complete streets policy in 2008-9, which was adopted by the BoCC in November 2009.

- The comprehensive Complete Streets policy adopted by the Board had strong implementation features and BikeWalkLee has been an integral part of the implementation team, as members of the CSAC's complete streets working group, working closely with the internal interdepartmental performance complete streets team.

- The County's complete streets policy has been highly ranked by the National Complete Streets Coalition (we're one of over 615 communities

across the nation with plans), and we're the 2nd highest ranked plan in Florida, primarily due to our implementation components.

- Over the past 3 years, both the internal and external complete streets teams have been working together to ensure that the principles of complete streets and a balanced multi-modal transportation system that supports livable and sustainable communities in Lee County are incorporated into the amendments to the Comp Plan.
- The LDC amendments before you today are part of this effort.

Complete Streets LDC Amendments:

- The LDC amendments you're considering today are an effort to implement a complete streets approach as much as possible under the existing Comp Plan, so we can begin to make progress now as opposed to wait until the Horizon 2035 Plan is adopted to begin the process.
- BikeWalkLee strongly supports this strategy of moving forward now with this Complete Streets LDC amendments package, and applauds the staff for moving forward.
- This LDC package will allow us to move towards context-sensitive approach and begin to establish design standards for privately constructed roadways, while we wait for the Comp Plan amendments to be adopted.
- This LDC amendment package includes:
 - many improvements for designing roadways with biking and walking facilities that reflect a broad range of treatments to be considered, such as cycle tracks, shared streets, and bicycle blvds.
 - It also modifies road and bike lane width requirements to take into account safety and context.

- There are new sections related to on street parking, street furniture, and street lighting;
 - and there are many changes to ensure that the design standards are context-sensitive throughout.
- We appreciate the opportunity provided by staff for us to review earlier drafts of this document and most of our comments are reflected in this revised draft.
- Clearly, not all the changes needed for complete streets implementation could be incorporated in this set amendments because the Comp Plan must be amended first before some issues can be addressed, such as ROW widths and utility setbacks.
- Again, thanks to Andy Getch and Rob Price for a great job; and thanks to the LPA for its consideration.

PUBLIC COMMENTS FROM CSAC

ON AGENDA ITEMS 6A-6C

CPA2011-17 COMMUNITY SAFETY AND WELLBEING ELEMENT

CPA2011-02 COMMUNITIES ELEMENT

CPA2011-13 TRANSPORTATION ELEMENT

Memorandum
FROM THE
COMMUNITY SUSTAINABILITY ADVISORY COMMITTEE
239-533-2221
Fax 485-2262

Date: February 24, 2014

To: Local Planning Agency

From: Community Sustainability Advisory
Committee

RE: Lee Plan Elements: Transportation; Communities; and Community Safety & Wellbeing

The Community Sustainability Advisory Committee has reviewed all the elements in the proposed Lee Plan. On February 19, 2014 the Committee reviewed the Transportation, Communities, and Community Safety & Wellbeing elements to provide final comments and recommendations related to the committee's goal of promoting community sustainability.

Most of the committee's previous recommendations for all elements were incorporated into current documents.

Transportation Element:

This was the committee's second review of the Transportation Element. The committee recommends in POLICY 1.1.3 (b), to change the number range of land use from ¼ mile to ½ mile. This is well documented to support multi-modal transportation. The committee also recommends a slight grammatical change in POLICY 1.1.3 (c) from 'Evaluate' to 'Evaluating'.

In POLICY 1.1.5 the committee recommends including current percentages of single occupancy vehicle demand as measured by the United States census Bureau American Community Survey journey to work. This allows us to identify a baseline measurement of 77.5% in 2011.

In POLICY 1.2.5 (a) the committee recommends adding 'intersection design' and 'design technology' to aid in the efficiency of evacuation and emergency transportation needs during an emergency event.

In POLICY 1.3.5 we recommend broadening the policy to include any authoritative group, in the event the Florida High Speed Rail Commission is not an active group. The committee also recommends removing the term 'high-speed rail' and replacing it with 'passenger rail' as to not limit the feasibility of future potential projects.

In POLICY 1.3.6 (b) the committee recommends including the term 'intermodal' to terminal transfer points to continue to expand multi-modal options for passengers in a mixed-use center. In (g) we recommend including the term, 'frontage roads'.

The committee also supports the MPO's adopted recommendation to create an Objective 1.4 and relevant Policies 1.4.1 through 1.4.5 to protect the Seminole Gulf rail corridor the future transportation purposes through direct public involvement in its property ownership and/or long-term lease.

POLICY 2.1.2, the committee recommends changing the date from 2015 to 2016 to reflect relevant deadlines.

In *Table 1: Transportation Modes for LOS Determination and Priorities*, the committee recommends changing the priority sequence to 'Pedestrian' first and 'Transit' second as mode priorities. The group

also recommends 'Pedestrian' and 'Transit' be weighed the same, however, the emphasis should be in creating pedestrian modes before transit modes in an urban setting. Staff advised percentages will be added in the Land Development Code.

In POLICY 2.1.6, the committee recommends slightly adjusting the sequences of sentences for clarification. In recognizing there are other manuals besides the current LOS Handbook, the committee suggests adding additional sources such as NATCO's Urban Street Design Guide. Finally, the committee would like to reincorporate our recommendation from 2012. This recommendation was to insert the goals of the alternative multimodal methodology. It would read:

"Use the current Highway Capacity Manual and FDOT Quality LOS Handbook and other sanctioned sources such as NATCO's Urban Street Design Guide to calculate levels of service, service volumes, and volume-to-capacity ratios until an alternative multimodal methodology is developed in cooperation with the MPO or by 2016. The objectives of the alternative methodology are to move to a more comprehensive and multi-modal evaluation of transportation system performance that promotes the development of multimodal transportation networks, diversity of land uses, and reduction in greenhouse gas emissions in anticipation of improved environmental outcomes, fiscal efficiencies, health, and social equity through increased access to destinations. Performance measures are to be developed in collaboration with the Lee County MPO."

In POLICY 2.2.1 the committee recommends consistency with the title of table 2(b) to 'Potential Multimodal Operational Improvements on Constrained Roads'.

In POLICY 2.4.6, again, for consistency with the MPO adopted Bicycle Pedestrian Safety Action Plan and in OBJECTIVE 1.2, reinstate the target of zero crash related fatalities throughout Lee County. We also recommend replacing the word, 'accident' with 'crash'.

In POLICY 2.4.11 (c) we recommend adding, 'including proper and timely pruning' to support up-to-date landscape practice and procedures.

In POLICY 3.2.5 the committee would like to reinstate previous CSAC recommendation from 2012 to be consistent with the new transportation paradigm envisioned in the complete street concept.

In POLICY 3.2.10 and Policy 3.4.4 the committee recommends using the phrase in Policy 3.2.9, a 'system of mobility fees, impact fees or similar mechanisms' for consistency throughout the document. We also recommend changing 'roadway and intersection' to 'mobility'. Other changes to this policy are for clarity.

In POLICY 3.2.13 the committee recommends including an evaluation of a tiered fee structure program to provide incentives for urban redevelopment.

In POLICY 3.3.1 we recommend including the term, 'Green Infrastructure' as an innovative design and technology, and also adding, 'co-use of community amenities for storm water management'. Additionally, the committee recommends the term, 'Green Infrastructure' be defined in the glossary. This policy also supports and allows for collaboration between DOT and Natural Resources.

In POLICY 4.3.3, reinstate former language suggested by CSAC in 2012, to add multi-modal access as the Port Authority continues to expand existing and proposed aviation facilities.

To review these recommendations in detail, please review the attached information in the memo packet.

Communities Element:

Many of the committee's recommendations on the Communities Element were accepted by staff.

We would like to note that the new policy presented, 1.2.2, is a fundamental shift away from Lee County's previous responsibility to provide documents to a document clearinghouse. Further, for those communities that do have the capacity to search for documents, it places an unfair burden on the community. In addition, those communities that do not have a public library are even further disadvantaged, such as North Captiva.

In POLICY 19.5.7 and POLICY 19.5.8 the committee support the 'Community Alternative Language' listed in the element.

The committee recommends adding a new policy: POLICY 19.5.XX relating the Tice Historic District. The Policy will read,

"Lee County will work with the Tice Historic Community to accommodate circulation throughout the planning area by expanding a grid network of interconnected streets. These streets include Palm Beach Boulevard, Ortiz Avenue, Tice Street, Lexington Avenue, Miramar Road, and Nuna Avenue as well as neighborhood connectors between the Alabama Groves, Russell Park, and Morse Shores consistent with Map XXX."

Community Safety & Wellbeing

And finally, the committee recommends accepting the changes written by staff in the Community Safety & Wellbeing Element.

Attached you will find the previous and current recommendations made by the Community Sustainability Advisory Committee.

Please let us know if you have questions.

Cc:

Holly Schwartz
Mary Gibbs
Paul O'Connor

**PUBLIC COMMENTS ON
AGENDA ITEM 6.B.
CPA2011-02 COMMUNITIES ELEMENT**

2/24/14

RE: Bayshore Plan, Communities Element
LPA Members,

The Concerned Citizens of Bayshore Community, Inc. (CCBC) has worked for over 2 years with County Staff to update the Bayshore Plan. When the first draft of the updated plan went to the LPA in July 2012 the only concern raised was regarding language in the vision statement which said: "Rural quality of life does not include new suburban subdivisions,". We included this language in part because planned developments divert water and fill the land, often increasing flooding upstream and on surrounding properties. While Bayshore has always been a flood prone area, flooding has worsened in Bayshore over the years. Residents in some areas who have lived in Bayshore since the 1970's and 1980's have said that this past summers' flooding was the worst they've ever seen.

The LPA directed us to rewrite this part of the vision statement, so we changed it to "new subdivisions are discouraged". When we met with Attorney Michael Jacob in December he told us that instead of discouraging subdivisions we should require more thorough review of their plans to reduce the chance of adverse impacts. Since then we've worked with a local engineer (former SFWMD employee) to write policies addressing the problem. Dan Waters and Phil Flood of Water Management both told us they have no objections to our policies, and Dan even offered some suggestions for what might be included. Roland Ottolini of Lee County DNR had no objection and in an email to me wrote: "You may have heard me voice my concerns in the past that SFWMD typically reviews peak discharge rates for a variety of storms but does not necessarily review to make sure post development volumes do not exceed pre-development volumes. This plays an important role when downstream conveyances are incapable of delivering the design discharge rates." Remember that Lee County sued over the Babcock ERPs for their utility site and their community because Water Management did not provide adequate evaluation of their plans in order to protect the downstream properties in Lee County.

If you've ever lived in a situation where every 2-3 years your property was flooded for weeks and sometimes months, with nowhere for your animals to go, with deep mud, access to your home in doubt, loss of delivery and mail services, and your septic tank not working, you would understand why these policies are so important. With the problems we already have, we hope to avoid new ones.

Frankly, we would like to see a moratorium on new planned developments until the flooding issues are addressed, and we'll be exploring that possibility. I will be attending Monday's LPA meeting and would appreciate the opportunity to address any concerns raised by the LPA. We ask for your support.

Thank you,
Steve Brodtkin
President CCBC

Margaret Banyan on Behalf of Tice Historic Planning Panel

My colleagues could not be here today because they are meeting with Commissioner Manning about the Tice section of the Communities Element and specifically about Ortiz Avenue. We are all in agreement on the following comments.

The Tice Historic Community Planning (THCP) has been working on its community plan since the Fall of 2012.

The panel is comprised of long or life time residents and engineering and planning experts.

The panel generally supports The Tice section of the element, however, there are several important objections to the version staff has presented

The staff-provided language for 19.5.7 and 19.5.8 do not reflect the community's direction in terms of transportation vision for Ortiz and the community

The community bases its vision on extensive public participation, extensive research, and a thorough analysis of ways to accommodate community and county-wide traffic needs.

that is to say that no small amount of thinking has gone into our planning process.

We are asking that you support the "Communities Alternative Language" and recommend a new policy be added:

- **POLICY 19.5.7:** Limits LDOTs plan to significantly widen Ortiz Avenue North of Ballard Road to State Road 80. The community had repeatedly voiced its opposition to this widening (more follows)

- **POLICY 19.5.8:** Promotes policies that would more appropriately treat stormwater and create a community greenway asset with the county-owned right of way along Ortiz. This is based on the widely recognized successful example of Honore Blvd in Sarasota.
- I should note that Honore Blvd moves traffic successfully as a multi-modal 2-lane corridor at rate higher than this section of Ortiz
- *Finally, staff had agreed to add a new policy under Objective 19.5 and associated maps. This new policy would read as follows:*
Lee County will work with the Tice Historic Community to accommodate circulation throughout the planning area by expanding a grid network of interconnected streets. These streets include Palm Beach Boulevard, Ortiz Avenue, Tice Street, Lexington Avenue, Miramar Road, and Nuna Avenue as well as neighborhood connectors between the Alabama Groves, Russell Park, and Morse Shores consistent with Map XXX.

This request is based on several key factors:

- The panel has provided significant data and analysis to county staff showing that the "Community Alternative Language" is superior
 - it supports a systematic and logical approach to managing traffic by closing gaps in the grid network - our approach was recognized by Billy Hattaway, District 1 FDOT Secretary in July 2013 as having quote, "the greatest potential to reduce travel delay and improve safety for all users"
 - manages traffic congestion and circulation more efficiently than the LDOT widening proposal
 - eliminates the LOS 'need' to widen Ortiz by accommodating traffic throughout the community, rather than through road widening - this was confirmed by Lee county staff

- o provides a safer community by facilitating fire department access to the southern portion of the community - our community language is also supported by the Tice fire department
- o provides for a safer walking and biking environment by maintaining slower speeds and a more narrow street 'footprint'
- o lowers costs associated with construction and long term maintenance
- o lowers costs associated with storm water treatment
- o enhances the community's property value and tourist potential by incorporating a natural area consistent with the MPO Bike/Ped Master Plan

We respectfully request that you support the 'community alternative language' - it is clearly consistent with a fiscally responsible and practical approach as well as the direction outlined in the new / proposed Transportation Element

DLetourneau/BWL Comments at LPA Meeting 2/24/14

Agenda Item #6B--Communities Element

- Speaking on behalf of BikeWalkLee in support of the recommendations by the CSAC; and in strong support of the Tice Historic Planning Panel's recommendations, specifically the "Community Alternative Language in Policy 19.5.7, 19.5.8, as well as their recommended new policy, 19.5.xx.
- For the past three years, BikeWalkLee has steadfastly supported the recommendations of the Tice community to expand the grid network of interconnected streets and to redesign the Ortiz Avenue road project north of Ballard as a two-lane with a turn lane/median with other complete street features.
- It's important to note that Tice has one of the highest transit riderships in Lee County, as well as some of the highest numbers of trips made by biking and walking. So focusing on how to make the neighborhood safer and more accessible for these walkers, bikers, and transit users is important.
- Safety for pedestrians and cyclists is a major concern: with Florida being the most dangerous state in the country for pedestrians and cyclists and within Florida, Lee County is one of the top 10 most dangerous area, and last year we had a record number of pedestrian fatalities (25). And one of the hot spot areas is in the Tice community.
- Last May the Tice community was the focus of an exciting 2-day effort for citizens in the community to participate and give feedback on safer walking, biking, transit access and neighborhood revitalization. (thru grant from Project for Public Spaces) Side by side with the residents were state and local staff and officials, experiencing firsthand the safety hazards faced by residents.
- The complete streets design for the one-mile section of Ortiz is focused on making this community safer for all road users.
- Not only is to safer, this road design will save the county money--both in the short term and long-term. It's truly a win-win for the county and its citizens.

- The community has done an exemplary job both in terms of the quality of its community engagement and the quality of the research that went into the plan and the quality of the final plan. The residents of Tice should be very proud of what they've accomplished. Now we need the County to do its part and adopt the community's plan as part of the Horizon 2035 Plan update.
- BWL also supports the Community Safety and Wellbeing Element, as presented by staff (same as CSAC recommendation). We safety and health are important policy issues so we appreciate that the 2035 Horizon Plan puts more emphasis on these goals by making them a separate element.

POLICY 1.1.7 Community organizations involved with community planning should:

- a. Hold meetings on a predictable and regular basis;
- b. Ensure that members represent the community's diverse population;
- c. Encourage public participation including a diversity of opinions;
- d. Work in partnership with Lee County staff;
- e. Hold meetings that are open to the public. (New Policy)

POLICY 1.1.8 Maintain, update and enforce an administrative code with procedures to guide community planning efforts. The administrative code and procedures will include such items as terms and conditions for use of county funds, the organizational requirements for community planning groups receiving county funds for community planning efforts, the roles of staff, the public, leaders of community planning efforts, and the public participation process. (New Policy)

OBJECTIVE 1.2: PUBLIC PARTICIPATION. The public will have meaningful and appropriate opportunities to comment on development in and around their communities. (New Policy)

POLICY 1.2.1: As a courtesy, Lee County will register citizen groups and civic organizations within the community planning areas that desire notification of pending review of Land Development Code amendments and Lee Plan amendments. Upon registration, Lee County will provide registered groups with documentation regarding these pending amendments. This notice is a courtesy only and is not jurisdictional. Accordingly, the county's failure to mail or to timely mail the notice, or failure of a group to receive mailed notice, will not constitute a defect in notice or bar a public hearing from occurring as scheduled. (New Policy)

✓ **POLICY 1.2.2: The communities listed below will establish an online document clearing house in their community, where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations, and resolutions will be provided for public inspection. The county's failure to provide or to timely provide documents to the online document clearing house, or failure of the online document clearing house to receive documents, will not constitute a defect in notice or bar a public hearing from occurring as scheduled.**

✓ **These communities are: Boca Grande, Caloosahatchee Shores, Captiva, North Captiva, Estero, North Olga, and North Fort Myers. (New Policy)**

POLICY 1.2.3: The owner or agent applying for the following types of county approval within a community planning area must conduct one public informational session within the community where the agent will provide a general overview of the project for any interested citizens. (See Table below). Lee County encourages planning and/or zoning staff to participate in such public workshops. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space, providing advance notice of the meeting, and providing security measures as needed. Subsequent to this meeting, the applicant must provide county staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised. (New Policy)

POLICY 26.6.4: Alva will continue to work with Lee County to evaluate appropriate access and use of Conservation 20/20 lands to support kayaking and canoeing, bird watching, hiking, and other passive recreation related to eco-tourism. Recreational opportunities will be balanced with the protection of natural resources and will comply with the Land Stewardship Plan prepared by the Conservation 20/20 Land Program. (Added by Ordinance No. 11-21)

OBJECTIVE 26.7: PUBLIC PARTICIPATION. Lee County will encourage and solicit public input and participation prior to and during the review and adoption of county regulations, land development code provisions, Lee Plan provisions, and zoning approvals. (Added by Ordinance No. 11-21)

POLICY 26.7.1: As a courtesy, Lee County will register individuals, citizen groups, and civic organizations within Alva who desire notification of pending review of land development code amendments and Lee Plan amendments. Upon registration, Lee County will provide registered groups with documentation regarding these pending amendments. This notice is a courtesy only and is not jurisdictional. Accordingly, the county's failure to mail, email, or to timely mail the notice, or failure of a group to receive mailed notice, will not constitute a defect in notice or bar a public hearing from occurring as scheduled. (Added by Ordinance No. 11-21)

POLICY 26.7.2: As a courtesy, Lee County will notify Alva about public hearings, workshops, and hearings for land development decisions in Alva for the purpose of enabling Alva to participate in and pursue the applicability of the guiding statements for Alva's rural character. (Added by Ordinance No. 11-21)

POLICY 26.7.3: Alva will work with Lee County to establish a document clearing house in Alva where copies of selected zoning submittal documents, staff reports, hearing examiner recommendations and resolutions will be provided for public inspection. The county's failure to provide or to timely provide documents to the document clearing house, or failure of the document clearing house to receive documents, will not constitute a defect in notice or bar a public hearing from occurring as scheduled. (Added by Ordinance No. 11-21)

POLICY 26.7.4: The owner or agent for any Planned Development of a requested Lee Plan amendment or zoning action (planned development, conventional rezoning, special exception, or variance requests) within Alva must conduct one public informational session where the agent will provide a general overview of the project for any interested citizens. Lee County encourages zoning staff to participate in such the public workshops information session. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space, providing notice of the meeting in Alva, and providing security measures as needed. Subsequent to this meeting, the applicant must provide County staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the public information session; and a proposal for how the applicant will respond to any issues that were raised. (Added by Ordinance No. 11-21)

POLICY 26.7.5: Alva will work with Lee County to improve its citizens' understanding of natural resources through educational programs on energy conservation, energy efficiency, greenhouse gas emission reductions, solid waste management, hazardous waste, surface water runoff, septic maintenance, water conservation, xeriscaping, green building, cultural resources, history, etc. The site for these programs will be located in Alva. (Added by Ordinance No. 11-21)

Policy 1.2.3 Table

Buckingham, Caloosahatchee Shores, Estero, Lehigh Acres, North Fort Myers, Pine Island (includes Matlacha overlay), Tice	
	Planned Developments, Rezoning, Variances, Special Exceptions
Captiva	
	Planned Developments, Rezoning, Variances, Special Exceptions, Administrative Amendments
Northeast Lee County*, Alva*, North Olga*	
	Planned Developments, Rezoning, Variances, Special Exceptions, Plan Amendments
<i>* Projects within Northeast Lee County Planning Community must have two informational sessions, one within Alva and one within North Olga</i>	
Bayshore and Page Park	
	Planned Developments, Rezoning, Variances, Special Exceptions, Plan Amendments, Administrative Amendments
North Captiva	
	Rezoning, Variances, Special Exceptions
Boca Grande, Burnt Store Marina Village, Florida Gulf Coast University, San Carlos Island, Southeast Lee	
	No Requirement

CPA
2-21-2014

The Communities Element

INTENT & PREAMBLE

The intent of the Communities Element is to foster the unique character of the individual communities within the unincorporated areas of Lee County. The element recognizes that each community has a distinct character, needs, and vision for its future. The Communities Element promotes a unified approach to community planning through general community planning policies (Goal 1) which identify common needs and concerns that face all local community planning efforts. The element addresses specific needs within the individual communities, while ensuring community planning efforts remain consistent with the county's overall goals, objectives, and policies.

Each community plan starts with a vision statement that describes how the community envisions its future. The vision is followed by goals, objectives, and policies specific and relevant to each community. Each Community Plan has a primary goal of ensuring that desirable attributes of the county's diverse array of communities are maintained and enhanced.

The Communities, generally:

- Are distinct geographic areas within Lee County;
- Generally fall within the coastal, rural, suburban, and urban construct of this plan;
- Have unique histories, geographical features, cultures and development features;
- Have dedicated organizations that work with county staff in addressing planning issues, meet on a consistent basis, and are open to participation by all members of the public;
- Have written visions, goals, objectives and policies addressing such issues as land use, transportation, utilities, parks, housing and other topics of interest;
- Have specific identities and unifying community values;
- Have specific needs and desires not entirely addressed by the other elements of the Lee Plan;
- Desire enhanced citizen participation in development decisions, infrastructure, and expenditures of public money in their community.

The Communities Element is organized as follows:

Coastal Communities – Located on the west coast of Lee County on the Gulf of Mexico. Each is an eclectic mix of rural, small-town urban centers, some agricultural uses – including fishing - and invaluable and attractive natural resources and natural features (including coastal management), all contributing to the economic viability of Lee County.

Preserving the natural environment, historic preservation of the built environment, and public safety (i.e. hurricanes) are common concerns of most all of these communities. It is also understood that Pine Island has both coastal and rural qualities within one community.

- Captiva;
- Gasparilla Island/Boca Grande;
- North Captiva;
- Pine Island;
- San Carlos Island,
(includes Water Dependent Overlay Zone and Destination Resort Mixed Use Water Dependent (DRMUWD) land use category)

Rural Communities – Located throughout the county, including low-density areas, serene, quiet neighborhoods, limited commercial and industrial activity, and an abundance of environmentally sensitive areas, natural preserves and bona fide agricultural uses. Preserving the rural quality of life, and protecting natural and historic resources are unifying themes of these communities.

- Bayshore;
- Buckingham;
- Alva;
- North Olga;
- Southeast Lee County.

Suburban Communities – These include historic platted communities challenged by rapid growth and past planning and development practices. These communities have predominantly residential uses and varying levels of intensity, employment, retail shopping, and public amenities such as parks, schools, and libraries. These communities generally seek redevelopment opportunities and innovative solutions to challenges created by urban sprawl such as traffic, infrastructure, and quality of life issues.

- Caloosahatchee Shores;
- Estero;
- Florida Gulf Coast University Community;
- Lehigh Acres;
- North Fort Myers.

Urban Communities – There are limited urban areas – proximate to the City of Fort Myers – with high densities, intensities, and aging infrastructure. Redevelopment opportunities, economic development, and historic preservation are unifying themes of the urban communities.

- Page Park;
- Tice.

The Communities Element also includes the Burnt Store Marina Village land use category, and Private Recreation Facilities in the Density Reduction/Groundwater Recharge (DR/GR) land use category.

The Communities Element:

- Defines community planning, its function within the county plan as a whole;
- Provides that the county will maintain, update, and enforce an administrative code that guides community planning efforts;
- Ensures community plans are consistent with the county's planning priorities and practices;
- Helps organize effective and inclusive local community planning efforts;
- Encourages a meaningful and open public participation process.

Community planning will be conducted in an orderly and consistent manner. New and existing communities may address the following issues in their planning efforts:

- Community Character/Land Use;
- Transportation;
- Natural Resources & Environment;
- Public Facilities & Services (i.e. Parks, Community Facilities);
- Housing/ Historic Preservation;

- Employment and job creation
- Economic development and redevelopment
- Other issues of interest to each community.

Formatted: Bullets and Numbering

OVERALL GOALS FOR PLANNING COMMUNITIES

GOAL 1: COMMUNITY PLANNING. Facilitate the development of each local community's distinct identity and vision by encouraging and supporting community planning efforts to promote the unique character of Lee County's local communities, while encouraging each community to assume its place in the larger community that is Lee County. (New Policy)

OBJECTIVE 1.1: Collaborate with local citizens to identify and address local needs, interests, and concerns in a county-wide context, and promote citizen involvement in the planning process through the development, and implementation and integration of local community plans and vision statements into the larger county-wide context. (New Policy)

Formatted: Strikethrough

POLICY 1.1.1: Utilize the community planning program to ensure a continuing and cooperative effort to educate and coordinate the public regarding community planning, comprehensive planning, and sustainability principles. (New Policy)

POLICY 1.1.2: Assure that existing and ongoing community plans are coordinated with county-wide and regional plans addressing transportation needs, population demands, employment and economic development, and infrastructure needs. (New Policy)

POLICY 1.1.3 The community planning program is a partnership between an active community planning organization, interested citizens, property owners, employers and the county. Community planning efforts may be initiated and managed by either local community organizations or by the county on behalf of a local community, depending on the needs and interests of the local community and the county. (New Policy)

POLICY 1.1.4 ~~Community plans may be amended, by the citizens within the community, Lee County staff, or the Lee County Board of County Commissioners. Amendments may include revisions to vision statements, goals, objectives, policies, or community boundaries. The amendment process will be consistent with the Lee Plan and comply with the Lee County Administrative Code.~~ (New Policy)

POLICY 1.1.4 New community plans for areas without community plans may be created at the initiative of citizens within the community, Lee County staff, and the Lee County Board of County Commissioners. (New Policy)

POLICY 1.1.5 New or amended community plans may be adopted by the Lee County Board of County Commissioners. The following may be considered when plans and amendments are presented for staff review and adoption by the Lee County Board of County Commissioners:

- a. Consistency with the Lee Plan;
- b. Compatibility with surrounding communities;
- c. Adequate land size and population;
- d. Public participation within the planning process. (New Policy)

POLICY 1.1.6 If community plans address the following issues, the plan should be organized in the following order, to the greatest extent practicable:

- a. Vision
- b. Community Character/Land Use;
- c. Transportation;
- d. Natural Resources and Environment;
- e. Public Facilities and Services (i.e. Parks, Community Facilities);

- f. Housing/ Historic Preservation:
- g. Economic development and employment
- h. Public Participation
- i. Other issues of interest to each community. (New Policy)

Formatted: Bullets and Numbering

**PUBLIC COMMENTS ON
AGENDA ITEM 6.C.
CPA2011-13 TRANSPORTATION ELEMENT**

DLetourneau/BWL comments at LPA Meeting 2/24/14

Agenda Item #6C--Transportation Element

- Speaking on behalf of BikeWalkLee in support of the recommendations of the CSAC.
- BikeWalkLee has invested a great deal of time and effort over the past 3 years to ensure that the principles of complete streets and a balanced multi-modal transportation system that supports livable and sustainable communities in Lee County are incorporated into the amendments of the Comp Plan.
- Integration of land use and transportation planning is key so these two elements have been the major focus of BikeWalkLee's attention.
- In the Fall of 2012, we wrote two comprehensive papers related to the Transportations Element--which we presented to the LPA, CSAC, and County staff:
 - BikeWalkLee overview comments on 10/26/12 Draft Transportation Element (11/25/12)
 - BikeWalkLee report: Moving Beyond Transportation Concurrency: A Path Forward for Lee County (11/12/12)
- As a result of the extensive comments and recommendations by both the LPA and CSAC in 2012, the staff essentially rewrote the Transportation Element, which is the document before you.
- We'd like to thank Andy Getch and other Lee County staff that have been working diligently on the transportation element for three years.
- This draft is a significant improvement over the November 2012 draft, and a sea change from the current Transportation Element in the Comp Plan.
- There are many new policies that will go a long way towards integrating a complete streets and multi-modal approach in the way the county will do business in the future.
- We are pleased that the Board used the flexibility provided by 2011 state legislation (Growth Management Act) to rescind transportation concurrency in November [check]. This gives Lee County the ability to design a transportation system that works more effectively to meet the local vision and goals.

- The staff did an excellent job of revising the element, consistent with the comments received. The recommendations presented by the CSAC reflect our remaining comments and concerns and we urge you to support these recommendations.
- The CSAC remaining recommendations fall into a few simple categories:
 - recommendations made by the CSAC in 2012 that were not incorporated;
 - new developments, primarily by the Lee MPO, that need to be incorporated; and
 - minor edits for clarity or consistency.
- I'd like to comment on a few of the recommendations in the first two categories that are particularly important to BikeWalkLee.
- First, a new Objective 1.4 Rail Corridor (CSAC Recommendation #6) has been added to reflect the recommendations adopted by the Lee MPO Board on Nov. 15, 2013 as a result of the rail feasibility study that they commissioned in 2012.
- The Board endorsed the protection of the Seminole Gulf rail corridor for future transportation purposes. The language here is the specific model language for Comp Plan amendments that was part of the MPO's report. [note: there is also model language for the land use element.]
- The preservation of this corridor is a critical part of the county's long-term multi-modal vision. While the maximum use of this asset may not be realized for decades, supporting FDOT's purchase of this ROW is an important first step.
- Just to note, all the BoCC members at the MPO Board meeting voted in favor of this recommendations and Commissioner Manning specifically encouraged all jurisdictions to amend their Comp Plans to reflect preservation of the rail corridor.
- Second, on Policy 2.1.6 (CSAC recommendation #9) on LOS and the alternative multi-modal methodology.
- Auto-LOS has been one of BWL's primary concerns, as it has a detrimental effect on a healthy multi-model transportation system, livable communities, and economic development.
 - If roads must move cars fast, then they have to be wider and raise speed limits--making them less safe for users, destroying

opportunities for infill, and raising construction and maintenance costs for the county.

- Consistent with CSAC and LPA's recommendations in 2012, the revised TE draft proposes to develop an alternative multi-modal methodology in cooperation with the MPO as it develops its 2040 LRTP, which means the current auto LOS system, supplemented with transit and bike/ped LOS measures, will be continued until the MPO alternative is developed or until 2016.

 - A key component of the CSAC's 2012 recommendation was not contained in the draft--adding the objectives of the alternative methodology being developed jointly by the MPO and County. We think it's important to identify these objectives so that its clear to the parties developing the methodology as well as to the general public, what this new approach is intended to accomplish. The CSAC is requesting that the language you see in Policy 2.1.6 be added.

 - The objectives for this alterative system are based on the objectives for the new alternative methodology developed by CA.
 - There has been a consensus in the planning and transportation world for over a decade that the current auto-only LOS needed to be replaced, yet the development of alternative methodologies has lagged behind.
 - So it's great to see the State of CA, as well as individual communities, actually develop and adopt an alternative methodology that Lee County can adopt and adapt for our local use.
 - In addition to adding these objectives to the element, we think it's important for the County staff to be working collaboratively with the MPO staff now to develop the alternative methodology so that its ready for implementation by both agencies as soon as the MPO Board adopts the 2040 LRTP in Dec. 2015.
-
- Policy 2.2.1 deals with potential Multimodal Operational improvements on constrained roads. We particularly applaud the staff for the addition of Table 2(b), Potential Multi-modal Operational Improvements on Constrained Roads. This list greatly expands the list of "constrained roads" that the county had previously listed, and creates a matrix that integrates

the concepts of complete streets, context sensitive, and community planning approaches in identifying the types of transit, bike, ped, car facilities that could be used to improve these roads.

- Policy 2.4.6--Deals with travel safety. The CSAC recommendations here are to reflect the language of the Bicycle Pedestrian Safety Action Plan as adopted by the Lee MPO Board in Sept. 2013, which has a vision of a zero-fatality transportation system for pedestrians and bicyclists in Lee County.
- Several CSAC recommendations (#14, 15 & 17) deal with having consistent language throughout talking about system of mobility fees, impact fees or similar mechanisms.
- Of particular importance is the recommendation in 3.2.13 "Evaluate a tiered fee structure program to provide incentives for urban redevelopment". Such a tiered fee structure (which was discussed at length in the review of the previous draft, so it's not a new idea) is likely to result in reduced fees in infill areas, but the policy itself is not to reduce the fees (stated as "an evaluation of reduction in fees" in staff draft).
- Finally, on the Airport section (Policy 4.3.3) we support the reinstatement of the CSAC's 2012 recommendation which was to add multi-modal access to the airport's expansion plans. It is important for the airport to be looking at ways to expand transit (or other multi-modal) services to the airport, not just to increase the roadways and parking for cars.

2-19-2014
RAB

Transportation

It is the intent of the updated Lee Plan Transportation Element to: (1) address travel modes throughout the county by providing for the needs of all users and modes including pedestrians, bicyclists, transit riders, and drivers; (2) address principles and standards for complete streets and context-sensitive design and form of roadways and multi-modal facilities; (3) support a strong economy through an intermodal system that allows for the effective movement of goods via roadway, air, rail, or water; (4) connects transportation needs and demands to other plan elements in order to promote more compact patterns of development and increased connectivity; and (5) conserve energy through efficient transportation practices.

GOAL 1: MULTIMODAL TRANSPORTATION. Provide for a comprehensive multimodal transportation system that ~~efficiently transports~~ moves people and goods ~~through and within the county via a variety of~~ with safe and interconnected transportation options.

OBJECTIVE 1.1: Land Use - Transportation Connections. Develop a system that provides pedestrian pathways, bikeways, transit routes and facilities, and roadways to connect a variety of places and meet the diverse needs of all community members, business people, and visitors.

POLICY 1.1.1: By the year 2035, establish a multimodal transportation infrastructure system in support of the development of mixed-use ~~places~~ centers and urban, suburban, and rural communities.

POLICY 1.1.2: Encourage development practices that promote walkable communities, transit-oriented development, and active living, improve accessibility to amenities and vital services, and connect people to activity centers.

POLICY 1.1.3: Create safe, affordable, accessible mobility and physical activity opportunities for all people by promoting the integration of land uses that encourage people to walk, ride bikes, and use transit as part of their daily routines. A target for the total bike and walk percentage of trips to work is 5 percent. A target for the total bike, walk and transit percentage of trips to work is 25 percent by:

- a. ~~Prioritizing the needs of pedestrians, bicyclists, and transit riders in areas where the county desires to promote walkable communities~~ are desired;
- b. Implementing pedestrian, bicycle, and transit facilities where shops, services, employment centers, parks, public facilities, and civic areas are within a ¼ mile of residential neighborhoods; and
- c. ~~Reducing~~ Evaluate the size number of motor vehicle lanes, lane widths and operating speeds of streets ~~in urban and mixed-use areas.~~
- d. Adding ten to twenty miles of bicycle and pedestrian facilities per year.

POLICY 1.1.4: Improve access and use of transit services to increase the annual unlinked passenger trips from 3,000,000 recorded in FY 2011 to 5,000,000 by 2025 through:

- a. Transit service accessibility for all—particularly youth, elderly, persons with disabilities, disadvantaged populations, and residents with special needs;
- b. Improved transit services ~~that decrease and~~ headways ~~on designated routes~~, improve connections within the system, and promote intermodal opportunities;
- c. Bus rapid transit routes to link higher density and intensity trip generators, mixed-use, and transit oriented developments;
- d. Strategically located park-and-ride facilities;
- e. Passenger incentives through local businesses, ~~discount coupons,~~ and employer funded programs;
- f. Technology, internet service, and mobile internet tools that disseminate information about transit scheduling and service;
- g. Education and advertising campaigns targeted to community members and businesses that promote transit as a cost-effective and efficient transportation alternative; and
- h. Provision of inter-county transit services, in collaboration with adjacent counties.
- i. Improved transit premium service facilities such as bus rapid transit, queue jumps, exclusive bus lanes, high occupancy vehicle lanes, or signal priority for transit vehicles;
- j. Automated vehicle location systems on transit vehicles, including real-time arrival signage, and information kiosks at transfer facilities and human service agencies;

POLICY 1.1.5: Utilize transportation demand management (TDM) strategies that further reduce or redistribute single occupancy vehicle demand as measured by the drive alone percentage of journey to work. A target is to reduce the drive alone percentage to 70 percent by 2020 and 60 percent by 2035. Strategies include:

- a. Signing, marking, and other design improvements to increase awareness that roadways operate as shared bicycle and/or pedestrian facilities;
- b. Automatic detection and bike boxes at traffic signals that improve pedestrian and bicycle crossing;
- c. Pedestrian facility improvements in urban areas such as mid-block crossings;
- d. Ride sharing programs such as carpooling, vanpooling, multiple occupancy vehicle lanes, designated parking spaces, and other techniques;
- e. Employer-based incentives and programs to increase the use of TDM strategies in place of single-occupant motor vehicle travel;
- f. Park-and-ride or commuter lots;
- g. Variable work hours and teleworking; and
- h. Motor vehicle parking, tolls and congestion pricing.

In this objective some changes were made based on CSAC and Horizon Council comments. Changes were made to reflect CSAC comments on Goal 1, “reflect mobility & accessibility”; Objective 1.1 “Identify mode shift parameters/goals.” and “Add accessibility and utilization”; Policy 1.1.3.c “Clarify “size.””; Policy 1.1.4.a “Clarify or delete “on designated routes.””; and Policy 1.1.4.c “Replace “Density and Intensities” with “Trip generators””. Changes were not

made to Policy 1.1.4(g) to reflect the CSAC comment to add “budgeting for education, marketing and advertising”. Staff recommends that specific budget items are not part of a plan policy. Budgeting is part of the CIP which is another component of the plan. Policy 1.1.5 was added to split TDM strategies moved from TDM strategies in Policy 1.2.4. The TDM strategies also reflect the Horizon Council comments to incentivize urban redevelopment by “improvements to mass transit”.

OBJECTIVE 1.2: Safe Travel System. Protect the health, safety, and welfare of all users of the transportation system. Provide an efficient system through best practices, effective traffic regulations, public education, and other methods to create a culture of safe travel. The target is to have zero crash related fatalities.

POLICY 1.2.1: Consider the diverse needs, demands, and safety concerns of system users when conducting transportation planning and engineering studies. Balance concerns and conflicts to achieve an effective and efficient multimodal transportation system through:

- a. Facilities based on location and needs in mixed-use, urban, suburban, and rural areas;
- b. Safe bicycle, pedestrian, and transit facilities which may include lighting, landscaping, and shade, preferred or exclusive use lanes, and traffic calming;
- c. Block size and connectivity; and
- d. Meeting the needs of a multi-generational community and providing accessibility for persons with disabilities.

POLICY 1.2.2: Maximize safety, capacity, and operational ability of all modes of travel along county-maintained roadways through the enforcement of traffic control; motor vehicle access control to private property; and reallocation of right-of-way to increase transit, bicycle, and pedestrian use.

POLICY 1.2.3: Maintain a Transportation System Management (TSM) program to identify high-hazard crash locations as well as structural and non-structural improvements that would mitigate hazards.

POLICY 1.2.4: Utilize TSM and ~~transportation demand management (TDM)~~ strategies that promote better utilization of the county’s transportation resources (roadways, pedestrian pathways, bikeways, transit services, air facilities, railways, and ports) and allow for better movement of people and goods. Strategies include:

- a. Traffic signal progression programs (including synchronization);
- b. ~~Improved transit premium service facilities such as exclusive bus lanes, high occupancy vehicle lanes, or signal priority for transit vehicles;~~
- c. ~~Implement automated vehicle location systems on transit vehicles, including real-time arrival signage, and information kiosks at transfer facilities and human service agencies;~~
- d. Monitoring and improving signals, signs, street lighting, and lane markings for all users on all roadways;
- e. Restricting Appropriate spacing of median cuts and driveways in accordance with standards established in land development regulations;
- f. Adequately funding maintenance programs;

Formatted: Strikethrough

- g. Maintaining existing highway facilities or reconstruction of existing intersections including the use of roundabouts, where feasible;
- h. Development of a traffic signal system that improves transit route efficiency;
- ~~i. Signing, marking, and other design improvements to increase awareness that roadways operate as shared bicycle and/or pedestrian facilities;~~
- ~~j. Automatic detection and bike boxes at traffic signals that improve pedestrian and bicycle crossing;~~
- ~~k. Pedestrian facility improvements in urban areas such as mid-block crossings;~~
- ~~l. Ride-sharing programs such as carpooling, vanpooling, multiple-occupancy vehicle lanes, designated parking spaces, and other techniques;~~
- ~~m. Employer-based incentives and programs to increase the use of TDM strategies in place of single-occupant motor vehicle travel;~~
- ~~n. Park-and-ride or commuter lots;~~
- ~~o. Variable work hours and teleworking; and~~
- i. Parking and road pricing.

POLICY 1.2.5: Ensure the county's transportation system is able to efficiently respond to the evacuation and emergency transportation needs of the community during an emergency event through:

- a. Development and maintenance of special roadway signalization, direction, and clearing plan;
- b. Establishment of alternative emergency routes;
- c. Coordination of evacuation planning and response with the county's emergency management, policy, and fire services; and
- d. Designated transit stop and shelters to ensure efficient evacuation of the transit dependent population.

In this objective some changes were made based on CSAC comments. Staff recommends that adding a reference to ADA based on the CSAC comment on Policy 1.2.1.d., "ADA Specific ADA reference?" is not necessary since ADA is part of the Federal law. However, the phrase "providing accessibility was added to address the comment "Review to ensure accessibility is covered and addressed". In (Policy 1.2.4) "Move to Objective 1.1. Separate policies for TSM and for TDM, include transit. Clarify what road pricing means." In this draft, the reference to road pricing was deleted and the related language changed to "congestion pricing" in Policy 1.1.5(h).

OBJECTIVE 1.3: Intermodal Transportation System. Promote a diverse regional economy by developing and maintaining a coordinated system of intermodal roadways, railways, aviation facilities, and ports to facilitate the safe and efficient movement of commerce.

POLICY 1.3.1: Facilitate the development of economic and employment centers by locating industrial, research, and logistic based land uses (e.g.: warehouses, cargo handling facilities, and transfer/break of bulk points) in close proximity to railways, roadway interchanges, sea ports, and aviation facilities.

POLICY 1.3.2: Ensure access routes to roadways, railways, aviation facilities, and ports are properly integrated with other means of transportation by working to make certain that those facilities are managed in close cooperation with one another as well as other public transportation related service providers such as the Lee County Metropolitan Planning Organization (MPO), Florida Department of Transportation (FDOT), Federal Aviation Administration (FAA), West Coast Inland Navigation District, Army Corps of Engineers, and others.

POLICY 1.3.3: Foster the development of a strong logistic, freight, and transportation business sector through:

- a. Location of intermodal facilities close to major transportation facilities—e.g.: rail lines, airport facilities, and ports;
- b. Encouragement of private investors to develop and use rail, roadway, aviation, and port freight facilities by promoting expansion and maintenance of existing facilities;
- c. Maintain and improve Lee County's rail link, interstate connectors, aviation facilities, and ports; and
- d. Coordinated intermodal transportation management programs for surface water, rail, roadway, and air transportation.

POLICY 1.3.4: Support economic land uses comment: does the term "economic land uses" need to be defined? by requiring development proposals to demonstrate compatibility with existing or proposed ports, aviation, rail and other commodity movement facilities and suggest mitigation measures for potential adverse impacts during the rezoning and DRI process.

POLICY 1.3.5: Encourage discussions between the Florida High Speed Rail Commission and local groups on the location of high speed rail facilities in the county.

POLICY 1.3.6: Maximize through capacity of principal arterials—(limited-access facilities, expressways, controlled access facilities, and designated truck routes) outside of designated mixed-use centers using the following measures:

- a. Design limited access facilities, expressways, controlled access facilities, State Highways, and designated truck routes ~~with identifying~~ heavy trucks (as defined in-by Florida statute) as the design vehicle;
- b. Promote terminal transfer points to support Economic and Job Center Land Use Categories at Lockett Road, Daniels Parkway, and Alico Road;
- c. Regulate access in accordance with standards adopted through land development regulations ~~to the extent permitted by state law;~~
- d. Provide sufficient distance between land access and expressway/freeway interchanges;
- e. Synchronize and space signalized intersections on arterials and collectors for efficient traffic signal operation;
- f. Prohibit on-street parking;

Formatted: Strikethrough

- g. Develop a connected transportation network of streets, access or frontage roads with wayfinding signage, transit, and dedicated and separated bicycle and pedestrian facilities to provide system capacity and a preferred route for shorter trips; and
- h. Require access to meet forecasted use needs, including turn lanes, acceleration and deceleration lanes, and funding for future signalization.

POLICY 1.3.7: Monitor the maintenance of support facility and service systems of existing ports through:

- a. Coordination with the U.S. Army Corps of Engineers on the timing of maintenance dredging on federally maintained channels;
- b. Assessment of the possibility of instituting a private channel maintenance assessment on properties benefiting from the channels; and
- c. Examination of dredging needs on a rotating five year cycle beginning in 2013.

POLICY 1.3.8: Private ports, in cooperation with the U.S. Coast Guard and the state, will be prepared to contain spills of petroleum and other toxic materials. Petroleum ports will have containment devices on site. Evaluate the adequacy of proposed containment measures during the rezoning or DRI process.

In this objective changes were made based on CSAC comments on Policy 1.3.6. "How do we identify designated truck routes, did staff consider the research diamond?" Principal arterials definition by FHWA includes limited access and expressways, not all controlled access arterials are designated as principal arterials. There are currently no designated truck routes in Lee County. In the research diamond comment, I-75 is limited access, Daniels Parkway, Ben Hill Griffin Parkway and Treeline Avenue from Alico Road to Daniels are controlled access. Since the other routes in the research diamond are included based on functional classification, Alico Road is identified in 1.3.6.b. relating to Economic and Job Center Land Use categories in Policy 1.3.6.b. Currently, truck routes are part of the maps and studies created by the MPO, which includes Alico Road. AC-11-3 is anticipated to be the appropriate tool for truck route designation and may need to be amended.

GOAL 2: TRANSPORTATION STANDARDS AND REGULATORY FRAMEWORK

Establish and maintain specified transportation multimodal level of service (LOS) standards and regulatory framework, including non-regulatory LOS standards, land development regulations, and transportation maps, to optimize quality of life and to ensure that transportation infrastructure will be available for the existing and planned population. LOS standards established pursuant to this Goal are non-regulatory, and compliance with these standards is not a requirement or consideration for development permitting, including rezoning. [Comment: This clarification was a very important part of one of the Horizon Council's adopted policy recommendations.]

OBJECTIVE 2.1: General Standards. Establish non-regulatory multimodal LOS standards on county and state transportation facilities within Lee County. Cooperate with

municipalities on the facilities maintained by Lee County within the municipalities and with FDOT on state transportation facilities.

POLICY 2.1.1: LOS "E" is the minimum acceptable LOS for principal and minor arterials, and major collectors on county-maintained transportation facilities. Level of service standards for the State Highway System during peak travel hours are "D" in urbanized areas and "C" outside urbanized areas. Meeting the standard will be determined in an inventory of county-maintained arterials and major collectors. The LOS determination will be reported in an inventory through an assessment-evaluation of all transportation modes including transit, pedestrian, bicycle, and motor vehicle. [Comment: The following sentences were NOT a part of the draft element that the Horizon Council reviewed and are troubling. They are essentially non-regulatory regulatory LOS requirements. It is unclear how these requirements will be applied at zoning and DO stages, and they shift to the private sector the responsibility for monitoring and reporting. For how long? To what extent? At what cost? The responsibility for site-related improvements is already established in the Plan and LDRs. I would suggest that the following two sentences be deleted.]Land development regulations for private development may include non-regulatory LOS reporting requirements for monitoring, planning and capital improvement processes. Land Development Regulations may require site-related improvements based on LOS analysis. The minimum acceptable LOS on Pine Island Road between Burnt Store Road and Stringfellow Road is "D" on annual average peak-hour and "E" on a peak-season, peak-hour basis.

POLICY 2.1.2: The measurement of LOS will be based on the priority of travel modes indicated in Table 1 based on the transportation facility functional classification and whether the street-corridor, segment or intersection is identified in a land use category on the Future Land Use Map 4 as a mixed-use, urban, economic and job center, suburban, or rural area. By 2015, evaluate an alternative multimodal level-of-service-LOS methodology that relies primarily on non-vehicular modes of transportation in designated areas in cooperation with the MPO as part of the Long Range Transportation Plan Update.

Table 1: Transportation Modes for LOS Determination and Priorities

	Mixed-Use centers with an adapted regulating plan	Urban land-use categories	Suburban and Economic Development land-use categories	Rural land-use categories
Principal Arterials (Interstate, Limited Access, Expressway)	Transit Motor Vehicle	Transit Motor Vehicle	Transit Motor Vehicle	Motor Vehicle
Principal	Transit	Transit	Transit	Motor Vehicle

Arterials (State Roads, BoCC Controlled Access)	Motor Vehicle Pedestrian Bicycle	Motor Vehicle	Motor Vehicle	
Minor Arterials	Transit Pedestrian Bicycle Motor Vehicle	Transit Pedestrian Bicycle Motor Vehicle	Transit Motor Vehicle Bicycle Pedestrian	Motor Vehicle
Major Collector	Transit Pedestrian Bicycle Motor Vehicle	Transit Pedestrian Bicycle Motor Vehicle	Bicycle Transit Motor Vehicle Pedestrian	Motor Vehicle
Minor Collector	Transit Pedestrian Bicycle Motor Vehicle	Pedestrian Bicycle Motor Vehicle	Bicycle Pedestrian Motor Vehicle	Motor Vehicle
Local Street	N/A	N/A	N/A	N/A

Deleted: 1
1

Table 1: Transportation Modes for LOS Determination and Priorities

[Comment: The table below was not included in the draft element that the Horizon Council reviewed. I am not sure how the "priority" preferences are to be applied for LOS. Does the priority affect funding priorities for improvements in any way? If so, the priority assigned to motor vehicle in the Urban land category may merit discussion.]

Land Use Categories	Urban land use categories and mixed-use centers with an adopted regulating plan	Suburban and Economic and Job Center land use categories	Rural land use categories
Mode Priorities (1-4)	1. Transit 2. Pedestrian 3. Bicycle 4. Motor Vehicle	1. Motor Vehicle 2. Transit 3. Bicycle 4. Pedestrian	1. Motor Vehicle 2. Bicycle 3. Transit 4. Pedestrian

(1) The motor vehicle mode will have first priority and transit will have second priority on Interstate 75 and limited access arterials where bicycles and pedestrians are prohibited

POLICY 2.1.3: The measurement of LOS For-for the motor vehicle mode will continue to be determined by motor vehicle traffic volumes on the transportation facility on an interim basis until (an alternative multimodal methodology is developed in cooperation with the MPO or by) 2016. Motor vehicle traffic volumes will be measured based on the

peak season, peak hour, peak direction condition of the transportation facility. The peak season, peak hour, peak direction condition will be defined as the 100th highest volume hour of the year in the predominant traffic flow direction. The 100th highest hour approximates the typical peak hour during the peak season. Peak season, peak hour, peak direction conditions will be calculated using K-100 factors and "D" factors from the county permanent traffic count station identified by Lee County Department of Transportation (LCDOT). The motor vehicle mode LOS calculation will be one component of the multimodal LOS calculation as further defined in the LDC and Administrative Code. [In this Policy and in Policy 2.1.6 below, I am uncertain what happens if 2016 rolls around and there is not an alternate methodology developed with the MPO.]

POLICY 2.1.4: Develop multimodal link-specific service volumes (capacities) for arterials and major collector roadways based on specific conditions, for determination of the motor vehicle, bicycle and pedestrian LOS of transportation facilities. These link-specific service volumes are only for short-term analyses (five years or less, as measured from the date of the last update of those service volumes). Develop generalized service volumes for future year analyses. LCDOT will be responsible for maintaining up to date service volumes. Preparers of Traffic Impact Statements for DRIs, rezonings, development orders, and other transportation analyses must use the service volumes, recommended by LCDOT.

POLICY 2.1.5: Maintain permanent and periodic traffic count program, and collection of transit, bicycle and pedestrian data, on county arterials and collectors in Lee County. Use data developed by FDOT for state highways, as the basis for determining existing transportation facility conditions.

POLICY 2.1.6: [See earlier comment under Policy 2.1.3] Until an alternative multimodal methodology is developed in cooperation with the MPO or by 2016, use the current Highway Capacity Manual and FDOT Quality LOS Handbook to calculate levels of service, service volumes, and volume-to-capacity ratios. Based on the Handbook, transit mode LOS will be determined based on the average time between scheduled weekday bus stops (headway) and presence of pedestrian facilities. Bicycle mode LOS will be determined based on the characteristics of bicycle facilities and the motor vehicle traffic characteristics. Pedestrian modes LOS will be determined based on the characteristics of pedestrian facilities and the motor vehicle traffic characteristics. The multimodal LOS calculation will be weighted by the numbered priorities listed in Table 1 for the corresponding functional classification and land use category as further specified in the LDC and Administrative Codes. Where designated, the multimodal LOS calculation may also be calculated on an areawide basis.

POLICY 2.1.7: Base connection separation standards on the functional classification of the transportation facility, mode of transportation, ~~the community context~~ and the land use categories abutting the transportation facility. Outline the standards for connection separation in the LDC. Designate by Board action, certain roadways in the LDC as

“controlled access,” to which permanent access points are restricted to locations established and set by a specific access plan adopted by the Board by resolution.

POLICY 2.1.8: Maintain motor vehicle connection separation standards, using a combination of the following: through streets, access roads, multimodal interconnections between developments, cross-access easements, reverse access, access from a lower functional classification/rear or side street and other methods. Specify these methods and exceptions hereto in the Land Development Code (LDC). Maintain an Access Road Location Map to identify where access streets are the preferred method of maintaining the connection separation standards. Public and through street connections will be given preference over private driveways in order to develop networks with a block size of 660 feet or less as indicated in Mixed-Use centers adopted regulating plans and with a block size of 660 feet or less in Urban areas land use categories.

TRANSPORTATION CONCURRENCY OPTION

~~If transportation concurrency is not retained, as recommended by staff, the following objectives and policies in *italics* should not be transmitted. If transportation concurrency is retained the objectives and policies in *italics* below should be transmitted and the remaining objectives and policies in Goal 2 will be renumbered accordingly.~~

~~**OBJECTIVE 2.2:** *Transportation Concurrency Management System. Utilize a transportation concurrency management system consistent with the requirements of Chapter 163.3180(5), F.S.*~~

~~**POLICY 2.2.1:** *Identify facilities in the Capital Improvements Element that are necessary to meet adopted levels of service during a five year period.*~~

~~**POLICY 2.2.2:** *Consult with FDOT when proposed plan amendments affect facilities on the strategic intermodal system.*~~

~~**POLICY 2.2.3:** *Exempt public transit facilities from concurrency. For the purposes of this subparagraph, public transit facilities include transit stations and terminals; transit station parking; park and ride lots; intermodal public transit connection or transfer facilities; fixed bus, guideway, and rail stations; and airport passenger terminals and concourses, air cargo facilities, and hangars for the assembly, manufacture, maintenance, or storage of aircraft. The terms “terminals” and “transit facilities” do not include seaports or commercial or residential development constructed in conjunction with a public transit facility.*~~

~~**POLICY 2.2.4:** *Allow developments of regional impact development orders, rezonings, or other land use development permits to satisfy the transportation concurrency when applicable, if it a proportionate share contribution is provided consistent with Objective 3.5.*~~

~~**POLICY 2.2.5:** Lee County will measure concurrency on all roads on a roadway segment by segment basis, except for constrained roads or where alternatives are established pursuant to this Objective and Chapter 163.3180, F.S. Transportation concurrency for Pine Island will be governed by the policies under Objective 14.2 of this comprehensive plan.~~

~~**POLICY 2.2.6:** Identify roadway conditions and available capacity on major roadways as part of an annual concurrency management report. The report will identify existing and projected LOS. Existing LOS will be determined based on the most recent available data. Projected levels of service will include estimated increases in motor vehicle traffic volume, changes in transit service, programmed transit, pedestrian, bicycle, and motor vehicle transportation facility improvements and approved, but unbuilt, development during a five year period.~~

~~**POLICY 2.2.7:** All proposed development activity (local development order requests), except activity that affects constrained transportation facilities and transportation facilities subject to concurrency alternatives, will be reviewed against the available capacity identified in the annual concurrency report based on existing conditions and for a five year period. If capacity is available no further analysis is required, otherwise a proportionate share contribution must be calculated based consistent with the formula in 163.3180(5)(h)(3).c(II)(A) in order for a concurrency certificate to be issued.~~

~~**OBJECTIVE 2.3: Transportation Concurrency Alternatives.** Pursue the adoption of an areawide LOS not dependent on any single road segment function consistent with the requirements of Chapter 163.3180, F.S.~~

~~**POLICY 2.3.1:** Explore the development of policy guidelines and techniques to address potential negative impacts on future development:~~

- ~~1. In urban infill and redevelopment, and urban service areas.~~
- ~~2. With special part-time demands on the transportation system.~~
- ~~3. With de minimis impacts.~~
- ~~4. On community desired types of development, such as redevelopment, or job creation projects.~~

~~**POLICY 2.3.2:** Explore the use of tools and techniques to complement the application of transportation concurrency such as:~~

- ~~1. Adoption of long term strategies to facilitate development patterns that support multimodal solutions, including urban design, land use mixes, intensity and density.~~
- ~~2. Adoption of an areawide LOS not dependent on the function of a single road segment.~~
- ~~3. Exempting or discounting impacts of locally desired development, such as development in urban areas, redevelopment, job creation, and mixed use.~~
- ~~4. Assigning secondary priority to vehicle mobility and primary priority to ensuring a safe, comfortable, and attractive pedestrian environment, with convenient interconnection to transit.~~

- ~~5. Establishing multimodal LOS standards that rely primarily on non-vehicular modes of transportation where existing or planned community design will provide adequate levels of mobility.~~
- ~~6. Reducing impact fees or local access fees to promote development within urban areas, multimodal transportation districts, and a balance of mixed-use development in certain areas or districts.~~

~~**POLICY 2.3.3:** Coordinate with adjacent local governments for the purpose of using common methodologies for measuring impacts for transportation facilities.~~

~~**POLICY 2.3.4:** Based on the Mixed Use Places and Urban Core, Central Places and Village Centers identified on Map ____, investigate the creation of areawide LOS or multimodal transportation districts by 2017.~~

~~**POLICY 2.3.5:** Grant concurrency vesting (i.e., a long term concurrency certificate) to DRIs under limited circumstances, including up to a 10 year time limitation, a limitation on changes to the DRI development parameters over time, and the execution of a local government development agreement where developers agree to pay the proportionate share/impact fee obligation up front.~~

~~**POLICY 2.3.6:** Lee County will continue to explore an area wide LOS transportation concurrency approach for areas identified on Map 1 as Mixed Use, Urban and along existing or planned transit routes identified on Map 3C.~~

~~**OBJECTIVE 2.4: Proportionate Fair Share Program.** Implement a Transportation Proportionate Fair Share Program by 2013, consistent with the requirements of Subsection 163.3180(5)(h)(3), F.S., that provides a method by which the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors.~~

~~**POLICY 2.4.1:** Allow applicants of DRI development orders, rezonings, or other land use development permits to satisfy the transportation concurrency requirements of the local comprehensive plan, the local government's concurrency management system, and F.S. 380.06, when applicable, if:~~

- ~~a. The applicant enters into a binding agreement to pay for or construct the proportionate share of required improvements.~~
- ~~b. The proportionate share contribution or construction is sufficient to accomplish one or more mobility improvements that benefits a regionally significant transportation facility.~~
- ~~c. (1) The landowner will be assessed a proportionate share of the cost of providing the transportation facilities necessary to serve the proposed development. Applicant's are not responsible for the additional cost of reducing or eliminating deficiencies.~~

~~(II) An applicant will not be required to pay or construct transportation facilities whose costs are greater than a development's proportionate share of the improvements necessary to mitigate the development's impacts.~~

~~(A) The proportionate share contribution will be calculated based upon the number of trips from the proposed development expected to reach roadways during the peak hour from the stage or phase to be approved, divided by the change in the peak hour maximum service volume of roadways resulting from construction of an improvement necessary to maintain or achieve the adopted LOS, multiplied by the construction cost, at the time of development payment, of the improvement necessary to maintain or achieve the adopted LOS.~~

~~(B) In using the proportionate share formula provided in this subparagraph, the traffic analysis must identify the roads or facilities that have a transportation deficiency as defined in the glossary. The proportionate share formula in this subparagraph will be applied only to those facilities determined to be significantly impacted by the project traffic under review. If any road is determined to be deficient without the project traffic under review, the costs of correcting that deficiency will be removed from the proportionate share calculation and the necessary transportation improvements to correct the deficiency will be considered in place of the proportionate share calculation. The improvement necessary to correct the transportation deficiency will be the funding responsibility of the entity that has maintenance responsibility for the facility. The development's proportionate share will be calculated only for the needed transportation improvements that are greater than the identified deficiency.~~

~~(C) When the provisions of this subparagraph have been satisfied for a particular stage or phase of development, all transportation impacts from that stage or phase for which mitigation was required and provided will be deemed fully mitigated in the transportation analysis for a subsequent stages or phases of development. Trips from previous stages or phases that did not result in impacts for which mitigation was required or provided may be cumulatively analyzed with trips from a subsequent stages or phases to determine whether an impact requires mitigation for the subsequent stage or phase.~~

~~(D) In projecting the number of trips to be generated by the development under review, any trips assigned to a toll-financed facility will be eliminated from the analysis.~~

~~(E) The applicant will receive a credit on a dollar-for-dollar basis for impact fees, mobility fees, and other transportation concurrency mitigation requirements paid or payable in the future for the project. The credit shall be reduced up to 20 percent by the percentage share that the project's traffic represents of the added capacity of the selected improvement, or by the amount specified by the LDC, whichever yields the greater credit.~~

~~**POLICY 2.4.2:** The Proportionate Fair Share Program does not apply until a deficiency has been identified through the County's Concurrency Report.~~

~~**POLICY 2.4.3:** Amend the LDC to include methodologies for the calculation of proportionate fair share contributions to enable developers to satisfy transportation concurrency requirements.~~

~~**POLICY 2.4.4:** Annually review and update, as necessary, the Capital Improvement Element to reflect proportionate fair share contributions received pursuant to the program.~~

~~**TRANSPORTATION CONCURRENCY OPTION - END**~~

In this objective, changes were made based on the following comments. LPA commented to clarify development regulation levels and applicability to concurrency and enhance coordination with the MPO and FDOT on level of service. CSAC commented to base multimodal level of service on a existing model in another jurisdiction (the City of Jacksonville mode priorities by area), general recommendations to eliminate the transportation concurrency option and outline a joint county-MPO process to develop transportation performance standards and a mobility plan. Horizon Council comment to eliminate transportation regulatory level of service and concurrency. CSAC also had a general recommendation to remove or amend this objective and articulate goals for a replacement approach. Staff does not agree with removing this objective. FS 163.3177(3)(a)(3) requires level of service standards for public facilities. The staff recommended language provides for an interim use of the transportation multimodal level of service consistent with current guidance and similar to systems currently in use by Pasco County, the City of Jacksonville and Gainesville while a replacement approach can be developed in coordination with the MPO and FDOT.

OBJECTIVE 2.2: Constrained Roads. Certain roadway segments will be deemed "constrained" due to scenic, historic, environmental, aesthetic, and right-of-way characteristics and considerations and will not be widened to increase motor vehicle capacity. Reduced motor vehicle peak hour LOS will be accepted on those constrained roads as a trade-off for the preservation of the scenic, historic, environmental, and aesthetic character of the community. Constrained roads are identified in Table 2(a).

POLICY 2.2.1: ~~An~~ A Potential Multimodal Operational Improvement Program is established for the constrained roads identified in Table 2(a). The program identifies operational and capacity enhancing improvements capable of implementation within the context of a constrained system. Operational and capacity enhancing improvements may include adding transit facilities, bicycle lanes, paved shoulders, sidewalks, and motor vehicle turn lanes. The Potential Multimodal Operational Improvement Program for constrained roads is identified in Table 2(b).

POLICY 2.2.2: Develop a list of deficient roadways identifying roadway segments (transportation facilities) existing or projected to operate below the adopted LOS.

In this objective, the referenced Tables 2(a) and 2(b) were not part of the changes presented in the 20-12/2013 review. The tables have been updated to add road segments and identify options for each transportation mode. Staff recommends changing the title of Table 2b as noted.

OBJECTIVE 2.3: Transportation Maps. Maintain and implement an integrated series of maps that provide a graphical depiction of the policies and programs for transportation facilities in this plan.

POLICY 2.3.1: Review the adopted Transportation Map Series every two years, and amend maps as necessary.

POLICY 2.3.2: Construction of new and improved transportation facilities will be based on a prioritized list of the improvements needed to create the network depicted in the Transportation Map series. Develop and update the list annually consistent with the policies in Capital Improvements Program.

POLICY 2.3.3: Incorporate by reference, the MPO's Long Range Transportation Plan Map (LRTP), Bicycle and Pedestrian Master Plan (BPMP) series, and FDOT Transportation Plan, as most recently amended, into the Lee Plan. The current adopted version of the following LRTP and BPMP Maps are included in this plan:

Deleted: and

- a. The Transit Needs Network (LRTP Figure 8-1);
- b. The Cost Feasible Transit Network (LRTP Figure 12-4);
- c. Lee County Highway Needs Plan (LRTP Figure 10-1);
- d. The Cost Feasible Needs Network (LRTP Figure 12-3, most recently amended);
- e. The Feasible Pathways Network (LRTP Figure 12-5);
- f. Primary Network Needs Map (BPMP Exhibit WW);
- g. Secondary Network Needs Map (BPMP Exhibit ~~WWXX~~);
- h. Pedestrian Priority Needs Map (BPMP Exhibit ZZ);
- i. Bicycle Priority Needs Map (BPMP Exhibit AAA); and
- j. Prioritized Needs Plan Table (BPMP Exhibit BBB);
- k. FDOT Transportation Improvement Plan; and
- l. FDOT Strategic Intermodal System Plan.

POLICY 2.3.4: Include a Future Functional Classification Map in the Transportation Map series to identify the future functional classification of transportation facilities in county land development regulations. Identify the existing classification of transportation facilities further in an Administrative Code consistent with the existing functional classification structure adopted by FDOT and coordinated through the MPO.

POLICY 2.3.5: Incorporate the Cost Feasible Transit Plan Map from the Transit Development Plan and the future mass transit facilities from the Transit Vision Plan in the Future Transportation Map series.

POLICY 2.3.6: Develop an interconnected pedestrian and bicycle system through the development of facilities consistent with the Pedestrian and Bicycle Facilities map series and the Greenways Multi-Purpose Recreational Trails Master Plan. Implementation of the system reflected in the transportation map series will include the incorporation of bicycle/pedestrian facilities into: 1) projects identified in the transportation and transit capital improvements plan (CIP); 2) requirements for new development to install facilities; 3) federal and state grant applications; and 4) annual county funding of improvements.

In this objective, changes were made based on further refining language to include MPO and FDOT plans and maps by reference and coordination of functional classification with the MPO and FDOT.

OBJECTIVE 2.4: Planning and Development Tools. Establish a set of planning and development tools—including the LDC, plans and studies, and development practices—to achieve the county’s goal of establishing a comprehensive, multimodal transportation network.

POLICY 2.4.1: Implement planning and development strategies, incentives, and practices to address concerns related to mixed-use form, multimodal transportation design, and walkable communities through:

- a. Long-term strategies and incentives regarding multimodal alternatives, traffic calming, safe streets, urban design, land use mixes, and appropriate intensity and density standards;
- b. Area wide LOS standards not dependent on any single road segment function;
- c. Reduced transportation-related development fees and provide incentives to promote development within infill, redevelopment, mixed-use, and urban areas; multimodal transportation districts; or for affordable or workforce housing;
- d. Prioritization and incentivization of pedestrian, bicycle, and transit facilities in areas designed for walkability, mixed-use, and community connectivity;
- e. Multimodal connections to existing and planned transit facilities; and
- f. Context-oriented transportation requirements based on specific geographic locations and community character place types.

POLICY 2.4.2: Require the interconnection of adjacent developments in the LDC. Where a developer proposes private local streets with access control, an alternate means of interconnection may be proposed provided the means does not require all local traffic to use the arterial network. Design interconnections to implement traffic calming.

POLICY 2.4.3: Establish and implement parking regulations in the LDC that consider include motor vehicle and bicycle parking requirements. Regulations may consider the

land use category, mixture of uses, shared parking, available multimodal facilities and other alternative means of travel. In urban land use categories, mixed-use centers and public facilities, regulations may also include flexibility to consider available on-street parking and off-site public parking, and may establish maximums for at-grade on-site parking~~the context of the community when determining parking needs. Motor vehicle and bicycle parking will be specified in the LDC for:~~

- a. ~~Urban and mixed-use centers: options including on-street parking, shared parking, off-site public parking, and on-site parking up to a maximum;~~
- b. ~~Suburban areas: on-site parking standards with minimum and maximum parking amounts with reductions for shared and bicycle parking, transit connections, and pedestrian access;~~
- c. ~~Rural areas: on-site parking meeting minimum standards.~~

POLICY 2.4.4: Implement land development regulations that require developers to provide and maintain the following multimodal features, as needed:

- a. Safe and accessible pedestrian facility connections;
- b. Bicycle storage areas and facilities;
- c. Bus shelters with route information displays; and
- d. Bus accommodations such as dedicated transfer/loading areas, adequate lane widths and turnarounds.

POLICY 2.4.5: Implement LDC regulations that ensure adequate fire and rescue access. New development with greater than ten residential parcels will provide a minimum of two access points to the development. [Two Comments: (1) use of "ten residential parcels" could mean anywhere from 10 du to 1000+ du. Wouldn't it be better to use a numerical threshold for number of du rather than parcels? (2) How do you interpret 2 access points? Can one of the access points be emergency access only, since the intent of this policy appears to be adequate fire and rescue service? This is a common issue and subject of frequent deviations in the zoning process. Would it be better to simply delete everything after the 1st sentence and leave the particulars to the LDRs?

Formatted: Superscript

POLICY 2.4.6: ~~By 2013, d-~~Develop or participate in a pedestrian and bicycle safety action plan to identify and evaluate road corridors, segments and intersections with recurring pedestrian and bicycle accident patterns. Identify contributing factors, safety improvements, and transportation practices that would reduce the number and severity of crashes. The target is to reduce bicycle and pedestrian crashes by 20 percent in successive five-year periods.

POLICY 2.4.7: Incorporate innovative safety-oriented transportation measures and design features into planning documents, the LDC, and facility designs to improve safety conditions on all travel modes for all users. Development regulations for design will focus on safety.

POLICY 2.4.8: Through the zoning process, direct high-intensity land uses to parcels that abut designated future transit corridors identified in the transportation map series.

POLICY 2.4.9: Utilize the Lee County Transit Development Plan to enhance and improve the county's transit system so that it becomes a highly valued transit system that attracts a variety of users through the following practices:

- a. Evaluate enhancements to existing fixed route services;
- b. Develop fixed route service alternatives such as Flex Routes, Circulator Routes, High Occupancy Vehicle Lanes, Dedicated Transit Lanes, and Bus Rapid Transit;
- c. Transit ridership surveys that assess and identify changes in ridership profiles preferences and needs;
- d. Conduct a route and stop by stop analysis to determine functionality and adequacy of meeting transit customer needs; and
- e. Assess existing problems and needs.

POLICY 2.4.10: Complete a Comprehensive Operations Analysis every ten years to provide a complete understanding of existing transit service, its customers, and their needs.

POLICY 2.4.11: Enhance the multimodal transportation system and consider both roadside and median plantings through landscape practice and procedures adopted as part of the LeeScope Master Plan and LDC. The county's landscape practices and procedure will provide for:

- a. Median plantings that emphasize tree canopy, high visibility, shade, and an overall foundation for site design;
- b. Roadside plantings with a primary purpose of providing a fifty percent tree canopy in urban and mixed-use areas by 2035, to provide shade for transit riders, bicyclists and pedestrians;
- c. Increased emphasis of roadside landscape development and maintenance in urban, suburban, and mixed-use areas;
- d. Landscaping levels that will include a "core level" and enhanced options that may be added to projects over time; and
- e. Road cross-sections that consider safety, beauty, and Florida-Friendly design that minimizes maintenance burdens.

In this objective, changes were made based on specific CSAC policy comments for Policy 2.4.3) "In LDC amendments, make distinctions in parking requirements in different types of character places in mixed use, urban, suburban and rural areas"; and (Policy 2.4.6) "Revise the "2013" date and add "corridors" for identification and evaluation".

OBJECTIVE 2.5: Babcock Ranch Community. Minimize the development impacts of the Babcock Ranch Community (BRC) in Charlotte County on the Lee County transportation system, with the goal of protecting the rural nature of northeastern Lee County, and to assure the transportation impacts in Lee County, generated by the Babcock Ranch Community

(BRC) approved in Charlotte County, are funded entirely by the BRC Independent Service District (ISD) or other BRC related funding mechanism. In addition, to provide a process by which these identified improvements are added to the Lee Plan Transportation Map Series and the Capital Improvement Program (CIP).

POLICY 2.5.1: Lee County views as a priority the proposed East-West Connector roadway and related interstate interchange and any other transportation/mobility improvements that will minimize the impacts in Lee County from the development of the BRC in Charlotte County. Support the use of the Lee County and Charlotte County MPO plan update processes in a comprehensive, coordinated, cooperative fashion to consider the need for, and location of, an East-West Connector roadway and related interstate interchange, as well as evaluation of transportation alternatives that might serve the projected need related to development of the BRC while minimizing the impacts to the rural nature of northeast Lee County. Upon inclusion in the MPO plan(s), funding for the East-West Connector roadway or transportation/mobility alternatives will be allocated in accordance with Policy 2.5.3(c) below.

POLICY 2.5.2: The comprehensive transportation analysis of the BRC has identified the potential need for numerous transportation/mobility improvements in Lee County. In order to address the impacts of the development of the BRC in Charlotte County, additions to the Lee Plan Transportation Map Series and the CIP may be necessary.

- a. Lee County does not have the responsibility to fund the capital transportation/mobility improvements required by the development of the BRC in Charlotte County; and
- b. As contemplated in the Interlocal Planning Agreement dated March 13, 2006, and the Babcock Ranch Community Road Planning Agreement dated May 23, 2006, the capital transportation/mobility improvements required by the development of the BRC will be funded entirely by the BRC Independent Service District (ISD) or other BRC related funding mechanism (hereinafter the Developer).

POLICY 2.5.3: Analysis of the development of the Babcock Ranch Community in Charlotte County identified potential transportation/mobility improvements beyond the financially feasible improvements currently reflected in the Lee Plan Transportation Map Series; therefore future amendments to the Lee Plan Transportation Map Series related to the BRC will be consistent with the procedures set forth below:

- a. The funding necessary to construct the transportation/mobility improvements resulting from BRC development may exceed the proportionate share contribution anticipated from the BRC DRI increments. Developer contributions exceeding the DRI proportionate share assessment for a given increment may be necessary to satisfy the financially feasible standard required to support an amendment to the Lee Plan Transportation Map Series, as well as future amendments to the CIP.
- b. Prior to Lee County amending the Lee Plan Transportation Map Series and the CIP to include specific BRC-related transportation/mobility improvements, the ISD, or other BRC-related funding mechanism, will have to commit to fully funding these

improvements if the proportionate share assessment does not fully fund these identified improvements.

- c. Developer contributions in excess of its DRI proportionate share assessment may be applied directly toward identified improvements through pipelining. The funding necessary to justify inclusion in the Lee Plan will be delivered via development agreements, interlocal agreements, or other mechanisms acceptable to Lee County, which mechanisms will coincide with each increment of the BRC. Upon execution of a development agreement, interlocal agreement, or other mechanism acceptable to Lee County providing for full funding of the identified transportation/mobility improvement, the County will include the transportation/mobility improvement on the Lee Plan Transportation Map Series and the transportation/mobility improvements will be included in the Capital Improvements Program (CIP) as funded by developer contributions.
- d. Failure of the developer of the BRC to fully fund the transportation/mobility improvements necessary to serve the BRC will prevent the inclusion of those transportation/mobility improvements as amendments to the Lee Plan Transportation Map Series and the CIP.

POLICY 2.5.4: In recognition of the environmentally sensitive nature of the area, any transportation/mobility improvements in Lee County or within two miles of the Lee County border must include an analysis of the location and design of wildlife crossings. The wildlife crossings must be coordinated with federal, state and local agencies including: South Florida Water Management District (SFWMD), Florida Fish and Wildlife Conservation Commission (FWC), Charlotte County, U.S. Fish and Wildlife Service (USFWS), and Lee County Division of Environmental Sciences.

In this objective staff does not recommend any changes from the current plan policies. CSAC in Policy 2.5.3 recommended “That “transportation/mobility improvements” should include transit”. Mobility improvements include transit by definition.

GOAL 3: TRANSPORTATION INFRASTRUCTURE SYSTEM. Establish a comprehensive multimodal transportation system that is well-managed, funded, and planned.

OBJECTIVE 3.1: Infrastructure Demands and Priorities. Ensure that site location, functional design, and services of future infrastructure projects address environmental, financial, and community development concerns of all users and all modes.

POLICY 3.1.1: Provide for the infrastructure and service needs and demands of pedestrians, bicyclists, transit users, and motor vehicle users by addressing the demands and priorities regarding the use, function, and operations of the county’s transportation system. Consistent with the transportation map series, future transportation infrastructure will focus on:

- a. Improved connectivity and integration of transportation facilities;
- b. Development of diverse and interconnected public spaces that improve access and connectivity within local neighborhoods, economic centers, and civic areas;
- c. Improvements to the right-of-way for transit, bicycling and walking;
- d. Equitable distribution of transportation infrastructure, amenities and services to ensure local community needs are met and county-wide connectivity is improved;
- e. Infill and redevelopment of established transportation corridors and public resources;
- f. Improved roadways by directing vehicular access to interconnections, shared driveways and adjacent streets, and minimizing direct arterial connections;
- g. Traffic calming measures that improve roadway conditions, safety, and accessibility;
- h. Increased use of transit, bicycle, and walking for all trip types as well as reduced dependency upon vehicles for local commutes, errands, and social trips based upon estimates of latent demand for facilities; and
- i. Providing alternative transportation services within existing right-of-ways.

POLICY 3.1.2: Evaluate future infrastructure improvements including the following considerations:

- a. Need and demand for expansion of existing facilities;
- b. Expansion of other transportation alternatives and available system capacity;
- c. Allowance of peak period congestion; and
- d. Alternative improvements as part of a “no build option”.

POLICY 3.1.3: Improve the county’s character ~~[comment: not sure what "character" means in this context]~~, facilitate the development of mixed-use areas, and ~~promote provide incentives for~~ the redevelopment of older development areas through transportation projects that:

Formatted: Strikethrough

- a. Support the character and improve the connectivity of the surrounding community;
- b. Better link land uses between arterials and major collectors;
- c. Expand multimodal system alternatives and improve existing transportation facilities;
- d. Improve safety for pedestrians and bicyclists and accessibility needs of all people consistent with the Public Right-of-Way Accessibility Guidelines;
- e. Improve the grid network by improving connections and bridging gaps within transportation infrastructure systems;
- f. Minimize the number of displaced businesses-and, residences and purchases of entire parcels;
- g. Incorporate stormwater facilities into community amenities; and
- h. Avoid the alignment of new arterials or expressways that penetrate or divide established residential neighborhoods with high bicycle and pedestrian use except where no feasible alternative exists.

POLICY 3.1.4: Promote increased transportation connections throughout the county by implementing a ~~system of parallel-reliever~~ network of transportation facilities for use by local traffic in order to protect the inter-regional and intrastate travel functions of ~~I-75~~ principal arterials.

POLICY 3.1.5: Construction of a new road or street may only be implemented by the county in suburban or rural areas when:

- a. Providing improved connectivity to or between designated future urban areas and it is specifically identified in the transportation map series;
- b. Specifically identified in a LDC Chapter 32 regulating plan street network; or
- c. Total project costs are fully reimbursed by MSTU/MSBUs or a similar funding mechanism initiated by property owners.

POLICY 3.1.6: Implement a landscaping program for county maintained roadways utilizing the guidelines for design implementation and long term maintenance set forth in the Roadway Landscape (LeeScape) Master Plan and Lee County LDC.

POLICY 3.1.7: Prioritize bicycle and pedestrian improvements by improving connectivity to transit stops. Encourage the construction of pedestrian facilities within ½ mile walking distance of a transit stop and bicycle facilities within 1 mile of a transit stop. Prioritize connections to premium transit service such as intermodal transfer stations, BRT, and fixed routes utilized as transfer locations between routes.

POLICY 3.1.8: By the year 2025, expand fixed-route service and frequencies to develop and maintain headways of 15 minutes or less for public transit for regional mixed-use centers, 20 minutes or less for urban areas such as central Fort Myers and Cape Coral, and 40 minutes or less for other major centers of employment, airports, shopping, medical, educational, and recreation centers.

POLICY 3.1.9: Promote the use of transit by improving services and linkages between outlying suburban communities and large employment and economic centers through the development and expansion of:

- a. Park and ride lots;
- b. Multimodal transfer facilities;
- c. Various ridesharing techniques;
- d. Inter-county transit services;
- e. Convenient transit schedule; and
- f. Para-transit service.

POLICY 3.1.10: Increase transit services through scheduled service improvements that accommodate high-use populations including college students, elderly, persons with disabilities, and others. Coordinate transit services with local, regional, and state public and private agencies that serve such persons in order to ensure the appropriate services are put in place to serve targeted populations.

This objective was changed to address the CSAC comments for Policy 3.1.3.f "to add "and purchases of entire parcels""; Policy 3.1.3.h "delete "with high bicycle and pedestrian use""; Policy 3.1.4 and "I-75 is now 6 lanes, why is this policy still relevant? Why limit to I-75, include other principal arterials?". Staff does not recommend a policy change for the CSAC comment (Policy 3.1.2) "Change "evaluate" to strengthen the policy. Is there an opportunity to prevent flyovers, evaluate the network capacity first, especially in mixed-use and also urban areas? Strengthen to change business as usual and force a new way of thinking. Is there an opportunity to limit widening to 4 lanes?". The evaluation of projects for system-wide decision-making occurs at the state level through the MPO process. Other policies address coordination with the MPO and FDOT.

OBJECTIVE 3.2: Fiscally Sound Transportation Infrastructure System. Establish a well-managed and operated multimodal transportation system by establishing objective, predictable, and fiscally sound transportation budgeting, planning, and development practices.

POLICY 3.2.1: Develop and implement a transportation funding strategy that uses a variety of new and existing funding resources, options, and programs (e.g.: Capital Improvement Program, user fees and tolls, private financing and developer contributions, grants, and other transportation funding mechanisms) to construct, operate and maintain current and future transportation infrastructure components through their life cycle (e.g. street reconstruction, bridge replacement).

POLICY 3.2.2: Ensure that transportation revenue sources are economically stable by developing and maintaining a long-term transportation funding strategy to implement the following transportation priorities:

- a. Provision of complete streets that include a variety of pedestrian, bicycle, transit, and vehicular facilities;
- b. Protection of community and neighborhood integrity through context-oriented transportation services, functions, and design;
- c. Increased connections and improved linkages between different community areas;

- d. Promotion of physical activity, healthy lifestyles, and safe streets;
- e. Development of better integrated mixed-use and urban areas; and
- f. Implementation of the transit development plan.

POLICY 3.2.3: Provide the transit, bicycle, and pedestrian facilities identified on the transportation map series through capital and privately initiated improvements including street and road extensions, additional lanes and turn lanes, new connections, street reconstruction, and resurfacing.

POLICY 3.2.4: Support the development of a well-functioning and funded intra-state transportation system, to connect people and goods to other people, places, and markets within the county, region, and state by participating in the funding and planning of improvements to state roads.

POLICY 3.2.5: Establish a capital improvements program (CIP) that assists in the budgeting and implementation of transit, pedestrian, bicycle, and motor vehicle improvement projects. CIP priorities will be analyzed, reviewed and determined based upon input received from advisory committees, stakeholders, and interdepartmental staff based upon the project ability to improve the overall function of the county's transportation system and to:

- a. Provide a variety of transportation options and improve connectivity throughout the county;
- b. Implement established local community planning priorities and community identified projects. Community funded projects (e.g.: grants, private contributions, MSTU/MSBU, and other sources) may be assigned a higher priority;
- c. Improve high-hazard crash locations and structural and non-structural improvements to mitigate hazards that reduce the number and severity of all crashes;
- d. Fund the Traffic Signal/Intersection Improvement program to make the transportation system safer and more efficient; and
- e. Fund transportation improvements related to traffic calming, transit stops, trails and greenways, pedestrian facilities, bicycle facilities, complete street initiatives, roadway access, and other transportation needs.

POLICY 3.2.6: Further direct transportation infrastructure improvements and maintenance with priorities based on ~~CIP policy~~ the Capital Improvement Element and the following hierarchy of evacuation routes and the ~~future-land use map or equivalent municipality comprehensive plan land use designation~~ :

- a. Hurricane evacuation routes on Map 3 (old 3H);
- b. Urban Core Land Use Category mixed-use centers with an adopted regulating plan

- c. Mixed-use centers with an adopted regulating plan;
- d. Economic and Job Center Land Use Categories;
- e. Urban Core Land Use Category;
- f. Urban Places Land Use Category;
- g. Urban Neighborhood Land Use Category;
- h. Suburban Land Use Categories~~mixed-use areas;~~ and
- i. Rural Land Use Categories~~mixed-use areas;~~
- j. ~~Suburban areas; and~~
- k. ~~Rural areas.~~

POLICY 3.2.7: Ensure that private development contributes to a comprehensive multimodal system that meets the travel needs of the entire county and mitigates the impacts their development has on the county's transportation infrastructure system.

POLICY 3.2.8: Develop and maintain standards, criteria, and fees to equitably define developers' obligations and costs associated with the development for necessary site-related and off-site improvements, and to provide incentives for infill development and redevelopment of older developed areas. Lee County policy guidelines and techniques to address potential impacts of development will address:

- a. Site-related impacts on the public road system must be funded by new development. The site-related improvements are not eligible for credit against the proportionate share payment of transportation impacts;
- b. Provisions that allow development agreements with developers and landowners who commit to provide improvements to public facilities beyond those required by the Lee Plan and other county regulations, and to provide incentives for infill and redevelopment;
- c. Protection of existing and planned transportation corridors to meet state standards for future multimodal improvements consistent with the Transportation Map series;
- d. Requirements to provide access to existing or planned public transportation facilities and connections to adjacent existing or planned pedestrian and bicycle facilities; and
- e. Need to ensure proposed development within municipalities construct or pay for improvements to access county maintained transportation facilities as a condition of permit approval. Improvements may also include transit, bicycle, and pedestrian facilities along their frontage.

POLICY 3.2.9: Implement an effective and fair system of mobility fees, impact fees, or similar mechanisms to ensure that development creating impacts on transportation facilities pays a fair share of the costs to mitigate its (off-site) impacts. This may include evaluation of a tiered system of fees for urban, suburban and rural areas as an incentive

for urban redevelopment. Issue credits against future fees consistent with county development practices and procedures.

POLICY 3.2.10: Roadway and intersection improvements mandated by development orders will be determined on the basis of demonstrated need resulting in part or in total from the impacts of that development. These improvements will be based on roadway and intersection improvement needs resulting from new development and will not be limited by jurisdictional responsibility for specific road segments. The use of Road Impact Fee revenues to improve state roads is an acceptable application of those funds.

POLICY 3.2.11: In order to acquire rights-of-way and complete the construction of the transportation facilities designated on the Transportation Map series, adopt regulations to encourage voluntary dedications of land and construction by developers as described below:

- a. Encourage voluntary dedication of rights-of-way necessary for streets, transit facilities, bicycle facilities, pedestrian facilities, and landscaping installations that are proposed to be county maintained;
- b. Encourage voluntary construction of transportation facilities that lie within or abut the development; and
- c. Grant Mobility, Park, or Roads Impact Fee credits consistent with the provisions of the Lee County LDC.

POLICY 3.2.12: Establish MSTUs/MSBUs to implement, operate and maintain transportation facilities through innovative means to fund complete streets improvements for transit, bicycle, and pedestrian facilities, ~~or maintain transportation facilities above the established LOS.~~ Establish MSTUs/MSBUs to correct deficiencies in specific areas or neighborhoods. Regularly review MSTUs/MSBUs to determine whether existing units can be eliminated or new units should be created.

POLICY 3.2.13: Review on a regular basis and update all user fee revenue sources, such as tolls, ~~mobility fees,~~ and roads impact fees. As an alternative to roads impact fees, evaluate a mobility fee structure, including a mobility plan, by the year 2016. Include an evaluation of reduction in fees to provide incentives for urban redevelopment and infill. [Comment: This is a good example of providing for incentives for urban redevelopment and should be expanded to infill. This should be expanded to other policies as noted.] Adopt the programs that reflect travel characteristics, construction and right-of-way costs. Determine if capital impacts and maintenance costs are met by the fees and if the fees are economically sustainable and applied fairly.

POLICY 3.2.14: Designate various transportation facilities (e.g.: causeways, expressways, bridges, arterials, and major collectors) as toll facilities and utilize toll revenues for operation and construction of those facilities. Employ efficiency measures such as the institution of automated toll collection and the Variable Pricing Program to encourage reduced-peak usage of toll facilities.

POLICY 3.2.15: Seek out new and innovative funding to supplement public funding for transit operations and cooperate with the private sector to increase privately funded transit service, especially in areas with large seasonal populations.

POLICY 3.2.16: Promote street connectivity by discouraging the use of dead-end streets that create inefficiencies in the transportation network by preventing the development of a connected, grid street network. Utilize the following practices to discourage the development of dead-end streets:

- a. Include connectivity criteria as a requirement for acceptance of private roads for county maintenance;
- b. Place a low priority on resurfacing and maintenance of dead-end local streets and encourage adjacent property owners to take on the maintenance responsibility;
- c. Implement reduced design standards, such as reduced width, for very low volume dead-end local streets; and
- d. Resurface and repair dead-end local streets to the reduced design standard or where feasible, connect to other transportation facilities.

POLICY 3.2.17: Explore joint funding mechanisms (such as an MSTU/MSBU) to pay for the widening of Alico Road east of Ben Hill Griffin Parkway to encourage economic development in the Alico Road area. Require properties that generate traffic on the segment of Alico Road east of Ben Hill Griffin Parkway that have not already fully mitigated traffic impacts to participate in the funding mechanism. Participation will be creditable against future road impact fees or DRI proportionate share obligations consistent with County regulations. Property that was subject to CPA2009-01 agreed to donate 75 feet of right-of-way along the entire frontage of Alico Road without compensation. The donation of right-of-way along Alico Road from that property will not be creditable against road impact fees or DRI proportionate share obligations. To facilitate large truck movement and volumes, consider designation of Alico Road east of I-75 as a controlled access facility.

Changes were made to this objective to reflect the CSAC comments on Objective 3.1 “Add a policy to do life-cycle costs analysis.”; Policy 3.2.5 “Review/analyze existing CIP projects for the new vision and complete streets.”; Policy 3.2.6 “replace CIP policy with “the Capital Improvement Element”; Policy 3.2.12 “Clarify what “LOS” means in this context to refer to infrastructure or maintenance levels. It shouldn’t allow for roadway

Deleted: (

Deleted: :

expansion.”; and (Policy 3.2.16) “Delete “the development of”, add language to connect gaps.” Staff addressed the Horizon Council comment “incentive urban redevelopment by a reduction in impact fees” by changes to Policy 3.2.9 and Policy 3.2.13. The category references in Policy 3.2.6 were updated based on coordination with the draft Land Use element.

OBJECTIVE 3.3: Environmental Impacts. Diminish the negative impacts transportation facilities and systems have on natural environments by maximizing existing transportation facilities, promoting and incentivizing infill and urban redevelopment, promoting clean transportation alternatives, and utilizing TDM strategies to effectively manage transportation systems and resources.

POLICY 3.3.1: Develop and maintain an environmentally sensitive transportation system including consideration of the following practices:

- a. Alternative transportation modes that diminish the need for increased road capacity and vehicular trips. Coordinate the development of such facilities with the Lee County Bikeways/Walkways Facilities Plan, The Transit Development Plan, and Lee County Greenways Master Plan.
- b. Promotion of alternative fuel vehicles, mixed-use developments, walkable and bikeable communities, and transit to conserve energy, reduce air pollution, and manage natural resources;
- c. Transportation infrastructure that utilizes sustainable or recycled materials, uses innovative design techniques and technologies, stormwater areas as community amenities; and energy efficient components such as street lighting, traffic signals, and roundabouts;
- d. Reduce heat island effects by minimizing addressing paved surface areas and maximizing planting areas with native canopy trees and other vegetation on county-maintained roadways;
- e. TDM strategies to effectively manage transportation systems and resources, minimize system delays, reduce vehicle miles-traveled, and ~~contain-greenhouse-gas~~ reduced vehicle emissions;
- f. Conversion of transit vehicles from diesel propulsion systems to alternative fuels or hybrid propulsion systems;
- g. Location of archaeological sites, which will not be destroyed unless full recovery of data and artifacts is included in the process; and
- h. Protection of natural habitats and protected or listed species.

POLICY 3.3.2: New roads or expansion of existing facilities will not be extended through ~~environmentally critical areas~~ areas of ecological concern except in instances of overriding public interest and unless:

- a. It is the only feasible route within mixed-use and urban areas;
- b. The crossing is culverted or bridged so as to maintain to the greatest degree possible, maintaining predevelopment volume, direction, distribution, and surface water hydroperiod consistent with county standards and providing adequate wildlife corridors; and
- c. Equivalent mitigation is provided ~~in basin and in jurisdiction as the first preferred option.~~

Formatted: Strikethrough

Formatted: Strikethrough

POLICY 3.3.3: Include an environmental impact assessment (EIA) in the design phase of new or improved arterial and collector roads that affect protected or listed species habitat, wetland systems, or estuarine water bodies. Ensure an EIA addresses impacts on historic structures, archaeological resources, and environmentally critical areas.

POLICY 3.3.4: Consider the safe passage of wildlife across new or reconstructed county roads.

POLICY 3.3.5: Support low-carbon and high resource-efficiency transportation options through the development of supporting infrastructure, fuel purchasing, and local fuel production.

Changes were made to this objective to reflect the CSAC comments on Policy 3.3.1.d “Add electric vehicle charging stations and bike sharing.”; and Policy 3.3.1.e “replace “contain greenhouse gas” with “reduced vehicle”. In Policy 3.3.2, the reference to environmentally critical areas was updated to the current language in the Coastal and Conservation Element “areas of ecological concern”. Staff deleted the reference in the comment on Policy 3.3.2.c “Clarify “in basin and in jurisdiction” to mean “in same basin and jurisdiction”.

OBJECTIVE 3.4: Intergovernmental Coordination. Utilize intergovernmental partnerships to provide well-coordinated transportation services that meet the needs of all users and all modes. In particular, the county will work with the Lee County Port Authority, Lee County Metropolitan Planning Organization (MPO), Southwest Florida Regional Planning Council (SWFRPC), Florida Department of Transportation (FDOT), Federal Highway Administration (FHA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA), United States Department of Transportation (USDOT), surrounding counties, and the cities of Sanibel, Cape Coral, Fort Myers Beach, Bonita Springs, and Fort Myers, and higher education facilities.

POLICY 3.4.1: Coordinate land use decisions and permitting processes affecting county and state transportation facilities with municipalities and FDOT.

POLICY 3.4.2: Promote non-motorized transportation greenway and blueway projects throughout the county. Coordinate multi-use trail projects whenever feasible with LCDOT and other agencies with jurisdiction over facilities identified in the transportation map series and the Greenways Master Plan (Map 22).

POLICY 3.4.3: Work with the MPO to plan, manage, and fund the development of a multimodal transportation system. ~~Implement the efforts that result for this collaborative effort through the:~~

- a. Consideration of improvements identified through the MPO's Congestion Management System (CMS); and
- b. ~~Amendment-Incorporation of the~~MPO Plan amendments ~~Lee Plan map series are incorporated into the Lee Plan map series~~ MPO Plan so that the two plans remain consistent.

POLICY 3.4.4: Encourage municipalities to maintain a roads impact fee, mobility fee or similar program or to participate in the county's program.

POLICY 3.4.5: Improve transit services and provide for the needs of specific, targeted transit rider populations by coordinating transit services with the Lee County Port Authority, School District of Lee County, ~~Florida Gulf Coast University~~higher education facilities, ~~Edison College~~, Lee County Government, MPO, FDOT, Federal Transit Administration, and local employers, public service entities, and local governments.

Changes were made to this objective to reflect the CSAC comment "Add FGCU and Edison". Staff recommendation is to add the phrase "higher education facilities". Changes were made to Policy 3.4.3 to clean up the language.

Portions of Goal 4: Aviation, are also being reviewed as a separate Comprehensive Plan Amendment (CPA2011-00022, Hazardous Wildlife Attractant Update). Any revisions to goals, objectives, and policies will be reflected in this document following transmittal of CPA2011-00022.

GOAL 4: AVIATION. Develop and maintain a coordinated system of aviation facilities to facilitate the safe, cost-effective, and efficient movement of commerce consistent with community values and economic objectives.

Objective 4.1. Southwest Florida International Airport. SWFIA is the only commercial Service Airport in Lee County and is a major economic driver in the region. Given the

valuable role the airport plays it is imperative to provide protections for the development and expansion of aviation and non-aviation related uses at SWFIA while ensuring surrounding development is compatible with growing demand of aviation in Lee County.

POLICY 4.1.1: SWFIA includes airport and airport-related development as well as non-aviation land uses. This mix of uses is intended to support the continued development of the SWFIA. The intensity of the proposed aviation and non-aviation land uses at SWFIA must be consistent with the Airport Layout Plan (Map 3F) and Lee Plan Table 5(a). Map 3F depicts the planned expansion of the SWFIA through 2020.

POLICY 4.1.2: Future airport expansion or development of aviation-related and non-aviation uses at SWFIA will offset environmental impacts through the Airport Mitigation Lands Overlay (Map 3M) or other mitigation.

POLICY 4.1.3: The SWFIA Master Plan and Airport Layout Plan will be updated as required by the FAA, or as determined by the Lee County Port Authority. If the airport master planning process precipitates a substantive change to the Airport Layout Plan (Map 3F), then the Port Authority must amend Map 3F, prior to obtaining local development approval. The non-aviation related development areas have been depicted on the approved Airport Layout Plan sheets (Maps 3F). These uses will be constructed upon Airport lands with long term leases.

POLICY 4.1.4: Development within the non-aviation area, as designated on Map 3F, is limited to a maximum of 300 acres north of runway 6-24 and approximately 52 acres within the midfield terminal area. All development must be in compliance with Map 3F and the intensities outlined in Table 5(a). Development of additional acreage will require prior Lee Plan amendment approval.

POLICY 4.1.5: Future airport expansion or development of aviation-related or non-aviation related uses will provide buffer areas, as determined by Lee County, for the protection of groundwater resources in the Southeast and Northeast quadrants of the airport property.

POLICY 4.1.6: Design wetland mitigation for future expansion of aviation or non-aviation uses on Airport Lands so that it does not create wildlife hazards. Development and land management practices on airport property will be in accordance with FAA directives and other agency approvals.

Staff does not recommend changes to this Objective. Staff recommends that the CSAC comment “Add multimodal access here or in Policy 4.3.3.” is addressed in Policy 4.8.4 which identifies coordination with other transportation interests and establishing multimodal transfer facilities.

OBJECTIVE 4.2: Page Field General Aviation Airport. Page Field General Aviation Airport plays a vital role as a reliever airport facility to SWFIA. In its role as a reliever

airport, Page Field reduces general aviation traffic from SWFIA, thereby increasing the capacity and efficiency of SWFIA. This designation should include adequate land to accommodate the projected growth needs of Page Field General Aviation Airport in its continued role as an airport reliever, including the industrial, commercial and office uses necessary to continue viable aviation activity through 2025.

POLICY 4.2.1: In order to create the revenue source necessary to maintain Page Field General Aviation Airport as a viable aviation operation and reliever to SWFIA, the Port Authority seeks to establish non-aviation uses on the Page Field General Aviation Airport property. Suitable locations for these non-aviation uses are designated on the Page Field Airport Layout Plan adopted as Lee Plan Map 3G. The Page Field Airport Layout Plan sheet (Map 3G) was adopted by the FAA as part of the 2002 Page Field Airport Master Plan Update. This update and documents comprising the 2002 Master Plan approval are incorporated into the Lee Plan by reference as support for adoption of Map 3G and Table 5(b).

POLICY 4.2.2: Page Field General Aviation Airport includes airport and airport-related development as well as non-aviation land uses. This mix of uses is intended to support the continued development of Page Field General Aviation Airport. The intensity of the proposed aviation and non-aviation land uses must be consistent with the Airport Layout Plan (Map 3G) and Lee Plan Table 5(b) and will be required to comply with the Lee County LDC regulations, including, but not limited to, the impact fee regulations. Map 3G depicts the planned expansion of the SWFIA through 2020.

POLICY 4.2.3: If the Port Authority determines expansion of the Page Field General Aviation Airport boundaries is necessary in order to provide continued viability to Page Field as a reliever to SWFIA, then the Port Authority will submit to the BOCC the application and support documentation to amend Map 3G Table 5(b) and the Future Land Use Map to reflect the land added to Page Field General Aviation Airport.

POLICY 4.2.4: Environmental mitigation deemed necessary to support development of Page Field General Aviation Airport property will be addressed separately by each development project and is not entitled to claim a benefit from the Airport Mitigation Lands Overlay area (Map 3M).

POLICY 4.2.5: The Page Field Airport Master Plan and Airport Layout Plan will be updated as required by the FAA, or as determined by the Lee County Port Authority. A comprehensive plan amendment will be submitted by the Port Authority to update Map 3G and Table 5(b) to reflect the updated Page Field Master Plan as approved. The planning horizon used for the master plan update should be consistent with the Lee Plan Horizon, which can be verified by Lee County as part of the Master Plan Update process. Lee County staff will be included in the Master plan update process as required under the terms of the existing memorandum of understanding regarding airport development.

POLICY 4.2.6: If the airport master planning process precipitates a substantive change to the Airport Layout Plan (Map 3G), then the Port Authority must amend Map 3G prior to obtaining local development approval. The non-aviation related development areas have been depicted on the approved Airport Layout Plan sheets (Map 3G). These uses will be constructed upon Airport lands with long term leases.

OBJECTIVE 4.3: Economic Growth. To aid in the diversification of the county's economic growth the capacity and long term development of the SWFIA and Page Field General Aviation Airport will be expanded in compliance with Maps 3F and 3G, and Table 5(a) and 5(b). Specific project implementation and approval of the proposed development will be coordinated through the annual Capital Improvement Program process and be consistent with the Airport Layout Plans (Map 3F and 3G). These expansions will be funded through user fees, airline contributions, and other funding sources not involving general county tax dollars. The Port Authority will strive to minimize impacts to surrounding land uses while maintaining a safe and efficient facility for airport operations.

POLICY 4.3.1: The Port Authority will coordinate the implementation of scheduled infrastructure and facility improvements for the SWFIA and Page Field General Aviation Airport consistent with the approved Airport Layout Plan sheets (Map 3F and Map 3G, respectively) and the Development Schedules (Table 5(a) and (b), respectively).

POLICY 4.3.2: The development potential of SWFIA will continue to be protected by the acquisition of additional land for runway and taxiway, road access, storm water management, and environmental mitigation use, consistent with the adopted Airport Master Plan and the Port Authority's Capital Improvement Program.

POLICY 4.3.3: The Port Authority will continue to expand existing and proposed aviation facilities such as the terminal building, airport aprons, cargo facilities, roadways and parking in order to meet the forecasted demand.

POLICY 4.3.4: The Port Authority will continue to investigate commercial and industrial potentials at Page Field General Aviation Airport and at SWFIA through market surveys and the solicitation and receipt of acceptable proposals for land lease at fair market value as well as efforts to cultivate public/private partnerships in pursuing this potential.

POLICY 4.3.5: The Port Authority will capitalize on its Port of Entry and Foreign Trade Zone status to encourage economic diversification. This will be accomplished by actively: (1) seeking to increase international commerce movement; (2) implementing an international marketing program designed to increase tourist activity; (3) continuing planning efforts to ensure availability of adequate airport facilities to accommodate increases in international air traffic; and, (4) pursuing development of international corporate activity.

Staff does not recommend changes to this Objective. Staff recommends that the CSAC comment “Add multimodal access here or in Policy 4.3.3.” is addressed in Policy 4.8.4 which identifies coordination with other transportation interests and establishing multimodal transfer facilities.

OBJECTIVE 4.4: Development Compatibility. Together with the Port Authority, evaluate development proposals for property located within the vicinity of existing aviation facilities to ensure land use compatibility, to preclude obstructions to aircraft operations, and to protect airport capacities.

POLICY 4.4.1: The safety of aircraft operators, aircraft passengers, and persons on the ground will guide the Port Authority in the operation of county airports, and hazardous wildlife attractants on or near the airports will be avoided.

POLICY 4.4.2: Coordinate with the Port Authority to ensure that regulations in the Lee County LDC restrict land uses in areas covered by the Airport Noise Zones (ANZ) to those uses that are compatible with the operation of the airport.

POLICY 4.4.3: Future updates of the Page Field General Aviation Airport and SWFIA Master Plans will monitor and incorporate development of non-aviation uses at the airports and suggest aviation-related uses.

POLICY 4.4.4: To the greatest extent possible, future airport master plans will retain the long term aviation expansion capability and capacity at both Page Field General Aviation Airport and the SWFIA.

POLICY 4.4.5: Future aviation and non-aviation development at Page Field General Aviation Airport must comply with the provisions of the Educational Restriction Zone established under Florida Statutes, section 333.03 and the School Zone Map adopted as part of the Lee County LDC.

POLICY 4.4.6: The Port Authority will seek to eliminate or modify existing uses on the Page Field property deemed incompatible with existing aviation activity or causing a diminution in the Page Field Airport capacity. In order to protect Page Field as a SWFIA reliever, the Port Authority will use its capacity/authority as a reviewing entity to influence land-use decisions and approvals with respect to development of the lands surrounding Page Field in order to promote development that is compatible with the aviation activity at Page Field General Aviation Airport.

POLICY 4.4.7: Utilize the approved Airport Master Plans and FAR Part 150 Study, including updates, as a basis to amend the comprehensive land use plan and the LDC to prohibit development that is incompatible with the SWFIA or Page Field General Aviation Airport; and, to ensure future economic enhancement consistent with Objective 46.2.

POLICY 4.4.8: Maintain the tall structure permitting process to ensure that proponents of potential structural hazards to aviation coordinate with the Port Authority and the FAA to properly place, mark and light potential obstructions as necessary.

POLICY 4.4.9: Through an interlocal agreement, the Port Authority and the City of Fort Myers will continue to coordinate the review of new land uses that have the potential to create tall structure obstructions to aviation and to ensure compatibility with aviation within the City of Fort Myers.

POLICY 4.4.10: In the interest of the safety of air commerce, the county will not approve a temporary or permanent structure that exceeds the height limitation standards, or does not comply with placement, lighting and marking standards, established by the Port Authority, Florida Statutes, or the FAA rules and regulations.

POLICY 4.4.11: Consider land use compatibility when reviewing development proposals within the vicinity of existing or proposed aviation facilities.

POLICY 4.4.12: Coordinate with private investors by reviewing plans and otherwise providing technical assistance in the development of aviation facilities to ensure land use, airspace, and environmental compatibility.

POLICY 4.4.13: Protect existing and proposed aviation facilities from the encroachment of incompatible land uses by updating the Future Land Use Map as needed to achieve consistency with revisions to the respective FAR Part 150 Studies (if applicable), and Airport Layout Plans for SWFIA and Page Field General Aviation, as proposed by the Port Authority.

POLICY 4.4.14: In cooperation with local, state and federal regulatory agencies, the Port Authority will work to minimize and correct any wildlife hazards arising from existing wetlands located on or near airport property. Site improvements on airport property will be designed to minimize attractiveness to wildlife of natural areas and man-made features on airport property such as detention and retention ponds, landscaping, and wetlands, which can provide wildlife with the ideal locations for feeding, loafing, reproduction and escape.

OBJECTIVE 4.5: Future Demands. The Lee County Port Authority will continually evaluate the projected demands for public aviation facilities and ensure their adequate provision.

POLICY 4.5.1: Efficient use of airport facilities should be ensured before expanding or developing new facilities.

POLICY 4.5.2: If the FAA/FDOT mandate navigational improvements (NAVAIDS) or require improvements related to Airport security or safety at SWFIA or Page Field General Aviation Airport, then the Port Authority may pursue installation of the

improvement even though the improvement is not specifically identified on Table 5(a) or Table 5(b). However, the Port Authority must obtain all appropriate approvals and permits prior to installation, including approval from Lee County. If these improvements precipitate a substantive change to Table 5(a), Table 5(b), Map 3F, or Map 3G, then the Port Authority must pursue a Lee Plan amendment incorporating the changes in the next available amendment cycle.

POLICY 4.5.3: The Port Authority will plan to accommodate growth at the existing facilities and provide for the development of future aviation facilities as warranted.

OBJECTIVE 4.6: Access. The SWFIA is an intermodal facility of significant value to the regional, state and federal transportation systems. Protecting this resource requires the provision of adequate landside and airside capacity.

POLICY 4.6.1: Access from Interstate 75 to the SWFIA is designated as a priority intermodal connector in the National Highway Plan and Florida Intrastate Highway System Plan. Together with the Port Authority, the county will work with the MPO, FDOT and the Federal Highway Administration to ensure that this access receives funding and is developed compatibly with the intermodal access needs of the region.

POLICY 4.6.2: Map 3F, as currently incorporated into the Lee Plan, includes transportation improvements that exceed those shown on the balance of the Transportation Map Series maps. The direct access improvements to I-75 depicted on Map 3F, which are being pursued by the Port Authority to benefit the midfield terminal, include an interchange at I-75 and grade separation at Treeline Avenue/Ben Hill Griffin Parkway. These future improvements are the Port Authority's desired access to the airport. The Port Authority will be responsible for achieving consistency between Map 3F and the balance of the Transportation Map Series concerning access to I-75. The Port Authority will serve as the lead agency for achieving direct access to I-75.

POLICY 4.6.3: The County and Port Authority recognize the significance and value of the SWFIA. The Lee County Port Authority will aggressively pursue Federal and State funding for access roadway improvements as identified on the Airport Layout Plan.

POLICY 4.6.4: Development of non-aviation related uses on airport property will be required to meet concurrency standards set forth in the Lee County LDC.

OBJECTIVE 4.7: Coordinated Commerce Movement. The Port Authority will provide facilities that are economically feasible and compatible with adjacent land uses, environmental standards and public safety, and that also meet the needs of commerce movement enterprises and facilities.

POLICY 4.7.1: The Port Authority will continue to coordinate plans for existing and proposed aviation facilities with transportation agencies such as the FAA, the

Transportation Security Administration, the Lee County MPO, the FDOT, Lee Tran and the Lee County Department of Transportation.

POLICY 4.7.2: The county will monitor roads leading to Page Field General Aviation Airport and the SWFIA in order to facilitate efficient and convenient access for airport users.

POLICY 4.7.3: Locations adjacent to or near aviation facilities are identified in the Future Land Use Map as suitable for commerce movement support facilities such as warehouses, cargo handling facilities, and other transfer points, and will be periodically reviewed and updated.

POLICY 4.7.4: The Port Authority will encourage cargo and freight development at the SWFIA by implementing domestic and international cargo marketing programs and by expanding airport facilities, as needed, in order to accommodate large domestic and international cargo carriers.

POLICY 4.7.5: The county will encourage the provision of warehouses, cargo handling facilities, and freight transfer points at aviation facilities needed for the movement of commerce by local industries, trade, and commercial enterprises.

OBJECTIVE 4.8: Aviation Coordination. Ensure that existing and future air system needs can be met safely and with a minimum of land use conflict by coordinating aviation facility plans with federal, state, regional, and local review and permitting agencies.

POLICY 4.8.1: The Port Authority will coordinate and obtain approval for airport development from the County through the annual capital improvement planning and programming process; local permitting process; Airport Master Plan Update process; and, the Lee Plan amendment process to ensure compatibility with other County programs. The Port Authority will provide Lee County copies of the annual Capital Improvement Plan or other similar document for the SWFIA and Page Field General Aviation Airport. Airport development will remain consistent with the MPO LRTP and will support the provision of regional transportation facilities for the efficient use and operation of the transportation system and airports. Additional specific coordination requirements are contained in Objective 151.4 and subsequent policies.

POLICY 4.8.2: While airport facilities will be operated in conformance with applicable state and federal regulations, the Port Authority will strive to ensure that Lee County environmental and other regulations are also implemented to the greatest extent possible.

POLICY 4.8.3: The Port Authority will develop plans for aviation in the county that are consistent with the Continuing Florida Aviation System Planning Process and the National Plan of Integrated Airport Systems.

POLICY 4.8.4: The Port Authority will coordinate efforts with aviation and other transportation interests at the SWFIA to establish multimodal transfer facilities.

POLICY 4.8.5: The Port Authority Executive Director will coordinate all expansion plans contained in approved airport master plans with the FAA and the FDOT to ensure that projects of interest to the Port Authority are included in the federal and state funding programs.

POLICY 4.8.6: The County and Port Authority will coordinate aviation facility expansion costs and demand, consistent with the Airport Layout Plan and approved Port Authority Capital Improvement Program, through the County's annual Capital Improvement Program in conjunction with regular briefings by Port Authority staff to County staff.

POLICY 4.8.7: Ensure that adverse structural and non-structural impacts of aviation facilities upon natural resources and wildlife are mitigated consistent with FAA policies and procedures and in coordination with federal, state, regional and local environmental agencies.

POLICY 4.8.8: The Port Authority will abide by all other relevant parts of this comprehensive plan in the construction and operation of Page Field General Aviation Airport and the SWFIA.

POLICY 4.8.9: The Port Authority will coordinate surface transportation planning for Page Field and the SWFIA with the Lee County MPO, the county Department of Transportation, Lee Tran, and the FDOT to ensure adequate access to the airports.