

2004 EAR Based Amendments

Transportation

Update the Traffic Circulation Sub-Element of the Transportation Element to reflect proposed updates identified in the EAR.

Update the Mass Transit Sub-Element of the Transportation Element to incorporate Lee Tran proposed changes.

Update the Ports, Aviation, and Related Facilities Sub-Element as identified in the EAR.

Lehigh Acres

Update Policy 1.8.2 of the Future Land Use Element to reflect the status of the Meadow Road and Gunnery Road access management plans.

Adopt the Lehigh Commercial Overlay into the Lee Plan.

Public Safety

Initiate an amendment to evaluate adding references to level of service standards set by the National Fire Protection Association to Policy 70.1.3 of the Capital Improvements Element.

Amend Objective 49.1 of the Police and Justice Sub-Element to delete the referenced date and acknowledge the ongoing nature of the objective.

Evaluate Policies 49.2.2 and 49.2.3 of the Police and Justice Sub-Element to reflect the existing status of substation facilities.

Initiate an amendment to evaluate the impacts of adding references to the National Fire Protection Association design requirements into the Fire Protection Sub-Element of the Community Facilities and Services Element.

Hurricane Evacuation/Shelter

Evaluate amending Goal 79 and 80 of the Conservation and Coastal Management Element to reflect the recommendations made in the EAR.

Schools

Evaluate the Education Sub-Element regarding school compatibility and access to surrounding neighborhoods.

Water Quality, Air Quality, and Natural Resources

Review water quality policies in the Community Facilities and Services and Conservation and Coastal Management Elements to update outdated references or dates.

Amend Policy 83.3.1 by updating the listed critical erosion areas currently under beach and dune management plans.

New Urbanism, Smart Growth

Amend the Lee Plan Glossary to include or amend definitions to incorporate principles of New Urbanism. Including pedestrian sheds, residential density for mixed-use developments, clustering, neighborhood-scaled commercial, and types of open space.

Amend the future land use and transportation elements to include policies addressing connections between internal neighborhoods and adjoining land development, promoting the development of an efficient and landscaped pedestrian/bicycle network, and promoting a mix of land uses within a 5 to 10 minute walk of new residential neighborhoods.

Amend the Future Land Use Element to designate (by mapping or policy guidelines or a combination of both) areas most appropriate to encourage higher density mixed use transit oriented developments. (Mixed Use Target Areas) Also establishing minimum densities that are needed to support efficient mass transit.

Amend the future land use element to add policies that incorporate the Charter of the New Urbanism and the urban-rural transect and that direct the creation of form-based zoning options in the Land Development Code.

Amend the Future Land Use Element to add policies to enable zoning districts for New Urbanism, Traditional Neighborhood Development, and Transit-Oriented Development in the Land Development Code. Options would include both conventional and planned development zoning districts and would include incentives when utilized in mixed-use target areas.

Amend the Future Land Use Element to strengthen policies regarding the importance and benefits of appropriate infill development

Amend the Future Land Use and Parks, Recreation and Open Space Elements to add policies encouraging flexible placement of open space to promote greater pedestrian and vehicular connectivity within and between neighborhoods. Also evaluate the LDC's buffering and open space requirements as to their appropriateness for both lower and higher intensity developments, and direct LDC changes if needed

Amend the Future Land Use Element to add policies providing incentives for projects that demonstrate self-sufficiency and include uses compatible by nature due to size, scale, orientation, and design. Also include language to address non-residential uses at appropriate scales that support residential neighborhoods and should be allowed to locate within a neighborhood with reduced buffering requirements when it can be demonstrated that pedestrian trips would be expected.

Other Future Land Use Element Issues

Amend Goal 1 of the Future Land Use Element, and the Future Land Use Map series, Map 1, by adding a new commercial only future land use category.

Amend Goal 1 of the Future Land Use Element, the Future Land Use Map series, Map 1, and Table 1(a), Summary of Residential Densities, by adding a new future land use category having a maximum density of 2 dwelling units per acre.

Amend the Conservation and Coastal Management Element and/or the Future Land Use Element to incorporate the “boating facility siting element” of the Manatee Protection Plan as required by F.S. 370.12(2)(t)(3).

Review the Economic Element for general updates as the element has not been updated since its creation 1993.

Amend the Procedures and Administration Element by updating the Single-Family Residence Provision.

Smart Growth

Amend the Future Land Use Element to include new objectives and policies developed from Smart Growth recommendations.

Amend the Transportation Element to include new objectives and policies developed from Smart Growth recommendations.

Amend the Community Facilities and Services Element to include new objectives and policies developed from Smart Growth recommendations.

Amend the Capital Improvements Element to include new objectives and policies developed from Smart Growth recommendations.

Amend the Conservation and Coastal Management Element to include new objectives and policies developed from Smart Growth recommendations.

Amend the Housing Element to include new objectives and policies developed from Smart Growth recommendations.

Amend the Historic Preservation Element to include new objectives and policies developed from Smart Growth recommendations.

Amend the Intergovernmental Coordination Element to include new objectives and policies developed from Smart Growth recommendations.

Amend the Economic Element to include new objectives and policies developed from Smart Growth recommendations.

New Lee Plan Objectives and Policies Developed from Recommendations of the Smart Growth Task Force

Outlined below is a list of possible new Lee Plan objectives and policies that was developed from the list of recommendations developed by the Smart Growth Committee. The objectives and policies are organized by Lee Plan Element (chapter). The first line will be the original recommendation citation, listed for cross-referencing, followed by the new objective or policy.

II. Future Land Use Element

Smart Growth Committee Recommendation 2B2

Policy 1.7.11: The County will define the term infill and expand Lee Plan Map 15 to identify infill areas throughout Lee County. The County will also evaluate the barriers and opportunities for infill development including determining the desired densities and population accommodations.

19E1

Objective 1.9: Lee County will encourage and support community-planning efforts for geographically small areas.

20C3 and 5A3

Policy 1.9.1: The County will establish a base of standards for any community plan in the County. The standards will include a point based value system that provides credit and rewards for implementing smart growth concepts.

5A4

Policy 1.9.2: Within community planning boundaries, ensure a continuing and cooperative effort to educate and coordinate the public regarding community planning, comprehensive planning, and smart growth principles by requiring community meetings and/or better communication through community planning panels and government media access.

5A1

Policy 1.9.3: Assure that existing/ongoing community plans are coordinated with the buildout concepts and proposed buildout scenarios addressing population accommodation and infrastructure needs.

4A3

Policy 2.1.5: Develop a master plan for Lehigh Acres that will include preservation areas, reconnection of flowways, economic development opportunities and transportation corridors. Include incentive mechanisms to allow for deplatting, transfer of development rights, and land assembly to assist in plan implementation.

20D1

Policy 2.1.6: Develop a program to address the follow in Cape Coral and Lehigh Acres:

- county held tax certificates
- land banking options
- lot assemblage

8A6

Policy 2.1.7: Explore increasing density by converting unused intense areas (such as warehouses) to high-density residential areas.

19D1

Policy 2.1.8: The County will promote and incentivize development in the existing urban areas and hold the line in limiting development in rural areas.

21B1

Policy 2.6.5: Reexamine the overall CRA process with particular emphasis on the designation of CRA areas toward considering more targeted areas. Also, reassess funding mechanisms such as the Tax Increment Financing (TIF) program.

2B2

Policy 2.6.6: The County will identify opportunities and develop programs including funding and land development incentives that will improve existing older communities with new urbanism/smart growth concepts.

20B1

Policy 2.6.7: Create a community livability index program countywide to target funds to areas of greatest need. The program should be related to community plans and the development approval process.

12B3 and 14B1

Objective 2.11: Carrying Capacity. Define carrying capacity and integrate the concept into planning strategies, with the assistance of area professionals.

14B2.

Policy 2.11.1: Utilizing carrying capacity information, determine the constraints to continual development as a quality of life characteristic.

14B4

Policy 2.11.2: Prepare a general assessment (barometer of variables) that links the goal of (and) capacity of development (built environment) to environment (natural or green space).

14B3

Policy 2.11.3: Set science based goals to assess what is necessary to maintain desired environmental factors (i.e. panthers extant, Estero Bay health, etc.).

14G1

Objective 2.12: Brownfields Redevelopment. The County will develop and expand programs to identify and remediate Brownfields sites throughout the County to improve water quality and promote redevelopment.

14G6

Policy 2.12.1: The County will create a brownfields advisory coordinating committee to work cooperatively with brownfields programs in other jurisdictions.

15E3

Policy 2.12.2: Incentives will be provided for the redevelopment of Brownfields. Incentives shall include, but are not limited to: impact fee reductions and waivers, tax credits, and off-site mitigation.

15E2

Policy 2.12.3: The County will promote the development of new government facilities on remediated Brownfields sites.

7A1

Policy 4.1.3: The County will promote mixed-use developments within the same structure (ex. Commercial uses on the first floor, residential uses on the second floor).

16B1

Policy 4.1.4: The County will encourage diversity within neighborhoods to create community schools and minimize busing.

Policy 4.1.5: Promote optimal conditions rather than minimum conditions for the natural system as the basis for sound planning.

1A

Objective 4.2: Develop and biannually review a County Build Out Plan to:

- Identify opportunities for natural resource protection through a variety of planning techniques such as TDRs, clustering, and conservation easements.
- Identify alternative development scenarios including redevelopment of platted lands and various density options, and evaluate fiscal impacts of each scenario.
- Identify greyfield, brownfield, infill, and readaptive reuse opportunities.
- Evaluate alternative multi-modal transportation corridors and all infrastructure needs.

2B1

Policy 4.2.1: By 200_ the County will evaluate current densities based on build out plans, and use the evaluation to make recommendations on future development based on smart growth policies.

14A1

Objective 4.3: Pursue a common set of local permitting criteria, incentives, and regulatory measures specifically for Southwest Florida conditions.

Policy 4.3.1: The permitting measures developed should aim towards rehydrating the region and attaining minimum flows and levels for county waterbodies.

4A1 and 14D4

Policy 5.1.9: (amend) Pursue reassembly of lots in platted lands for environmental mediation and mixed-use development, support and create legislative reforms and public/private partnerships to make redevelopment easier for public infrastructure and private development.

III. Transportation Element

8B2

Policy 23.1.8: The County will strive to provide more collector roads in the hierarchy or road types.

10A1

Policy 25.2.8: The County will consider changing the “peaking time” congestion standard, and determine how that impacts available and projected fiscal revenues needed for solutions.

11B1

Policy 25.2.9: The County will work to reduce light pollution and associated factors where lighting hinders, rather than improves, visibility.

11D1

Policy 25.2.11: Undertake a special analysis to identify facilities that are becoming obsolescent for reasons beyond the normal aging and maintenance process, and develop strategies to address such circumstances.

11E1

Policy 25.2.12: The County will work with local organizations to identify the need for, the design of, and the application of traffic calming programs on local roads.

14E3

Policy 25.2.13: The County will explore the possibility of installing more flyovers (overpasses) over busy intersections to decrease congestion and improve air quality.

9B1 and 9C1

Policy 28.1.12: With LeeTran as the lead entity, the County will inventory current access to transit, identify those transit routes that have gaps in safe pedestrian access to transit stops, and fund the closure of the gaps, with a goal of ensuring sidewalk/pedestrian access within a half mile of transit routes.

9A3

Policy 28.1.13: By 200_, the County will identify specific multi-modal transportation needs for funding through tax increases, such as sales or ad valorem taxes, recognizing that such an approach should be a “last resort.”

9C2

Policy 28.1.14: The County will work to ensure that road ownership is not an impediment to transit or pedestrian service/facilities.

11C1

Policy 28.1.15: Develop/expand volunteer driver programs to assist the transportation disadvantaged, including programs for emergency evacuation.

9A1

Policy 28.2.2: The County will identify areas where growth is encouraged, and determine alternative transportation modes with funding and incentives, in these areas.

9D1

Policy 28.4.4: Along with the School Board, the County will develop a joint plan for transporting students on public transportation and school buses, and utilize this planning during special events.

IV. Community Facilities and Services Element

13B2

Policy 33.1.11: As the County considers options for increasing potable water supply, it will evaluate the cost of engineered solutions with more traditional conservation methods.

13C1

Policy 33.1.12: Encourage and participate in the careful study of Aquifer Storage and Recovery (ASR) and deep well injection programs impacting Lee County.

13C2

Policy 33.1.13: Develop a financing profile by which “consumptive” users pay a higher percentage of ASR costs than reuse/return users.

15A2.

Objective 33.2: Desalination. Evaluate funding mechanisms for Reverse Osmosis and desalination through taxes or hook up fees.

13B1

Policy 33.2.1: As the County considers desalination options it will evaluate the rapid and spray evaporation method.

13A4 and 15B1

Policy 34.1.12: Support and promote the Florida Yards and Neighborhood program and the Regional Irrigation Distribution System (RIDS) program throughout the County.

12B1 and 12B2

Policy 34.1.13: Promote water conservation through the use of incentives and evaluate and apply a community based planning approach to water conservation, enabling more precision to be applied in developing achievable goals.

13A1

Policy 34.1.14: Review statewide water conservation initiatives and incorporate any missing elements into relevant county plans.

13A6

Policy 34.1.15: Participate in updates of the Regional Water Supply Plan and encourage conservation measures with “sector-focused” components.

13G1

Policy 36.3.2: Pursue a regional approach to sludge (septage) disposal.

13G2

Policy 36.3.3: The County will study the possible impacts of sludge disposal on groundwater resources.

13G3

Policy 36.3.4: Disposal of domestic sludge is banned on floodplains and flowways.

12D1

Policy 40.5.4: Improve the storage within existing natural and manmade flowways.

12D2

Policy 40.5.5: Develop a capital improvements program to provide for the reconstruction and maintenance of all programmed flowways and include incentives for private participation.

12D3

Policy 40.5.6: The master flowways plan should be identified on a map and ground-truthed. It should incorporate opportunities for canal restoration and the creation of urban greenways that need restoration, preservation, and maintenance.

12D6

Policy 40.5.7: Develop a funding mechanism, possibly through the CIP, to implement the flowways program.

12D7

Policy 40.5.8: The flowways plan should be integrated with the County Build Out Plan.

12A2

Policy 41.1.5: Identify older developments and areas of specific opportunities for improved water management through remediation.

15D1

Policy 41.1.6: Fund a “mixing model” (freshwater flow into saltwater) as a management tool that will benefit recreation, water quality, public health, etc.

15E3

Policy 41.1.7: Develop a water budget that adequately describes how we currently use our water resources, and promote a water budget that achieves the goals set forth in the Lee Plan.

12A1

Policy 41.3.15: To ensure most effective treatment, the County will reevaluate the relationship of volume/area to stormwater management and storage

12C1

Policy 41.3.16: To improve water quality in more impacted areas, the County will link Best Management Practices (BMPs) to impervious cover of the impacted sub-watershed and to runoff from various land use types.

13E1

Policy 42.1.5: Develop and levy a redemption fee for certain solid waste types.

13E2

Policy 42.1.6: Evaluate and update current recycling plans to increase efficiency.

13E7

Policy 42.1.7: The County will conduct a cost/benefit analysis of expanding curbside recycling to commercial and industrial businesses.

13E5

Policy 42.1.8: Establish solid waste transfer stations in rural areas.

13E6

Policy 42.1.9: Establish a public/private partnership for the removal of abandoned vessels.

13E3 and 13F2.

Policy 42.1.10: Coordinate with the DEP to increase enforcement of solid waste and hazardous waste violations.

13E4

Policy 42.2.7: The County will promote composting programs to reduce the amount of solid waste.

16B2

Policy 46.1.7: The County will develop incentives, such as fast track permitting, to encourage developments to provide school sites on or off-site.

8A1

Policy 46.1.8: Lee County will cooperate with the School Board to identify and reserve sites within the existing urban boundaries that can be used for schools that serve surrounding community needs.

1B1

Policy 46.3.13: The County will promote smaller, geographically-diversified neighborhood school campuses, which are incorporated into relevant community plans.

17B1

Objective 46.4: Youth Corps. The County will create a Youth Corps to employ and educate youth by working with agencies and assisting with conservation, maintenance, and environmental programs.

17B2

Policy 46.4.1: Establish structured year-round recreation and education programs through schools and not-for-profit organizations.

15C1 and 15C3

Objective 46.5 Environmental Education. Develop a three-tiered program of environmental education targeting Pre-K through 12th grade school children, the general adult population, and newcomers to heighten awareness of our area's special environmental characteristics.

15B4

Policy 46.5.1: Create a community education and outreach program that fosters the construction and implementation of environmental projects, such as the filter marshes, land acquisition, and local mitigation opportunities.

15C2

Policy 46.5.2: Better utilize the Lee County school system, government access television, and various local groups in environmental education efforts.

17A1

Objective 47.2: Social Services. The County will restructure the community social services programs to a holistic approach to ensure maximum effectiveness of the services delivered to the community.

17A3

Policy 47.2.1: Review all regulations, guidelines, and funding that regulate the social services program to stipulate coordination among the agencies that provide the service.

17B3

Policy 49.1.3: The County will provide more funding for community-based policing programs to address the activities and behaviors of adults and minors.

14E4

Policy 49.1.4: Certify law enforcement officers and possibly others as visual observant inspectors.

VI. Capital Improvements Element

15A1

Policy 70.1.7: The Capital Improvement Program shall be integrated across the board to achieve recommended actions.

15A4

Policy 70.1.8: Ensure that all large CIP projects include broad public education efforts and information exchange as a component for securing public support.

VII. Conservation and Coastal Management Element

1C1

Policy 71.1.5: The County will assess all proposed commercial/community building plans for the potential of hurricane shelter opportunities.

9C2

Policy 71.1.6: The County will work with other local governments and the local media to improve public education regarding hurricane evacuation routes and location of emergency shelters.

10C3

Policy 71.1.7: The County, along with the MPO, will explore the possibility of direct access to the SW Florida International Airport from I-75.

12D5

Policy 77.1.2: To increase protection of natural resources, the County will create a public/private management team to coordinate area wide conservation easements.

14D5

Policy 77.1.3: The County will continue to support a variety of land acquisitions programs including, but not limited to, Conservation 20/20 and Florida Forever.

15A3

Policy 77.1.4: The County will build upon the Conservation 20/20 program for funding a green infrastructure and natural functions tax, which will be evaluated and documented within the County CIP program.

14F2

Policy 77.1.5: The County will support and utilize prescribed burns, when necessary, as an effective land management tool to increase natural resource values and minimize the impacts of naturally occurring fires.

15E1

Policy 77.1.7: Create a formalized regional land management restoration collaboration to plan and pool resources and equipment.

14C1

Policy 77.2.13: Strengthen landscape ordinance to promote native plants and remove invasive (as opposed to benign) exotics countywide.

14C2

Policy 77.2.14: Prepare an exotic eradication, management, and compliance plan using tax incentives for owners to remove exotics on private lands.

14C3 and 15C4

Policy 77.2.15: Update current exotic priority list and evaluate current related education programs for need and expansion.

14A2

Objective 77.13: Environmental Monitoring. Set criteria for local programmatic monitoring and enforcement specific to Southwest Florida.

14A3

Policy 77.13.1: Conduct an analysis of enforcement and compliance needs, and establish a priority list for implementation and fund to appropriate staff level.

12E4

Policy 78.1.7: Lee County will lobby for and work towards a more immediate solution to the problem of high flows in the Caloosahatchee River than the long-range CERP improvements.

13A2

Policy 87.1.9: Require rain sensors, and provide for periodic inspection of irrigation systems.

14F1

Policy 88.1.4: Require the County's incinerator to have properly-designed air curtains.

14E7

Objective 88.2: Vehicle Emissions. The County will evaluate the impact of vehicle emissions on air quality.

14E1

Policy 88.2.1: To improve air quality, consider county-based emission standards, with particular focus on heavy trucks.

14E2

Policy 88.2.2: Research the use of bio diesel and other clean fuels in public vehicles.

14E6

Policy 88.2.3: Incorporate vehicle emission impacts into transportation system management, TSM, (signalization, overpass, queuing) project selection.

VIII. Housing Element

18A2

Policy 100.1.14: Encourage development regulations that provide a better mix of high income and low income housing to reduce crime and increase integration and service delivery.

19C1

Policy 100.3.10: The County will provide incentives to individuals to maintain and rehab existing neighborhoods and structures.

6A1

Policy 100.4.12: The County will conduct an assessment to determine the community costs of not providing affordable housing and adequate infrastructure to all citizens.

6A2

Policy 100.4.13: Pursue community wide, broad based participation in solving the problems of infrastructure and workforce/affordable housing.

8A3

Policy 100.4.14: Identify undeveloped tracts near existing school sites that could be used as workforce housing.

18A1

Policy 100.4.15: Through County housing programs, the County will promote diversity to increase integration, workforce housing, and economic development zones.

18A3

Policy 100.4.16: Explore through plan review and the permitting process a greater (30%) mix of workforce, affordable, and accessible housing within approved developments.

IX. Historic Preservation Element

20C1

Policy 104.2.2: The County will continue to encourage the preservation of archeological sites through Leasing of Development Rights (LDRs) and encourage historical tourism, sense of place, and natural areas.

X. Intergovernmental Coordination

2A3

Policy 109.1.8: The County will partner with the cities in the establishment or reinforcement of supporting functions in the downtowns, to promote redevelopment.

12E1

Policy 109.1.9: Lee County will support and participate in the region's Natural Resources Conservation Service program.

12E3

Policy 109.1.10: The County will enter into interagency agreements to achieve mutual goals for the protection of the Caloosahatchee River.

12E5

Policy 109.1.11: The County will utilize basin wide planning and work with sovereign local governments to promote greater protections for the Caloosahatchee River.

2A1

Policy 109.2.3: Lee County will work with the MPO towards establishing an MPO Smart Growth Committee consisting of MPO members and expand staff support resources to include technical staff with knowledge of smart growth and comprehensive planning. The committee will act as the institutional vehicle to facilitate coordination with the cities to implement smart growth principles. The County will also ensure that the MPO identifies in the Unified Planning Work Program a task associated with the coordination of the Smart Growth Committee. (B.1.b)

XI. Economic Element

7A2.

Policy 110.1.11: Evaluate the current land development regulatory and fiscal structure to identify the impediments to ensuring development is fiscally beneficial.

15C5

Policy 110.3.13 The County will ensure that all incentive programs also include an education program for the related industry to understand better the purpose of the incentive and the intended result.