

# MAJOR ISSUES DISCUSSED AT 2004 EAR WORKSHOPS

## Citizen Recommendations for the E.A.R.

### **March 24, 2003 Public Workshop @ Lee County Department of Community Development Building**

- Need service roads along arterials for business use (especially w/ reference to 41)
- Lack of connectivity within Lehigh Acres
- Potential reassembly of platted lots (look into tax default in Lehigh issue - potentially pick up environmentally sensitive areas)
- Landscape and setback requirements along roadways
- Need more coordination with city government planning especially related to architecture and landscaping
- Should evaluate current sign laws and change laws to more intensively regulate signs
- Item #2 on DCA list is crucial (refers to growth pressures on eastern portions of the county)
- Re-evaluate the county's overall ideas about density - how can we look at mass transportation if there is such a low density average
- Lack of minor collector roads
- Hurricane Evacuation - should focus our efforts more on shelter rather than so much on evacuation
- Potential for school concurrency (also discussed common fears related to how over regulation could discourage growth)
- Need to connect water resources responsibility and impacts to development
- Need for 'working communities' in areas of the county that are now predominately residential.
- Issue of breeding/keeping large predatory cats in North Fort Myers - incompatible with existing residential and agricultural uses in the area.

### **March 26, 2003 Public Workshop @ Pine Island Public Library**

- Hurricane evacuation - especially important as more and more people begin to spend off season on the island.
- Water quality - red tide, loss of fresh water to salt, and impacts of poor water quality upstream (central Florida) to local waterways.

### **April 1, 2003 Public Workshop @ Riverdale Branch Public Library**

- Protect rural areas of the county - 1du/acre is not true rural, should have some rural areas become Open Land FLUC with 1du per 5 acres.
- DRGR should be left at 1du/10acres - should not allow changes that increase intensity/density in the DRGR, should not allow golf courses in DRGR.
- Need for more connected open space and parks

- Need for more connected bike and pedestrian paths
- Limit growth (rezonings and new subdivisions) to coincide with expansion of adequate infrastructure roads, water/sewer, schools...
- Need to preserve existing native vegetation for developments and require more shade trees.
- Urban Community and Outlying Suburban that abut Hickey Creek Mitigation Park should be changed to rural.
- Zoning regulation changes should run concurrent with the Lee Plan changes they seek to implement.
- Code enforcement needs to be stepped up. Also the process for reporting code violations is not clear - need a 'go to' department.
- Housing: current number of homeless in Lee County? compare to that seven years ago
- Transportation: Has the level of service on I75 changed over the past seven years?
- Conservation: number of each endangered or threatened species increased or decreased over the last seven years? health of Estero Bay improved or deteriorated over the past seven years?
- Land Use:
  - 1) How much of the Density Reduction/Groundwater Resource (DR/GR) areas [have] been urbanized over the past seven years?
  - 2) How much of the DR/GR land use area has been put in public ownership? Are there any completed north-to-south wildlife corridors?
  - 3) What proportion of developments of fifty or more dwelling units have been mixed-use developments?
  - 4) How successful has the Plan been in directing new developments away from the Coastal High Hazard Area?
- Storm Water Management:
  - 1) How much has impervious surface increased over the past seven years?
  - 2) By how much has permitted storm water runoff for new development in the past seven years increased over the pre-development runoff?
- General: How many amendments have there been to the Comprehensive Plan over the past seven years which 'encourage' but do not require specific actions, or that require specific actions but by no date certain, such as the Greenways Amendment?"
- Limit the amount of fill that can be put into existing flood plains along rivers and creeks.
- Require all new home sites to retain the first one inch (1") of rain falling on [their] lot.
- Amend the requirements for parking to allow more grass parking in lieu of pavement.
- Amend the parking requirements such that commercial properties are required to connect to their parking lots.
- Adopt stricter standards (similar to Naples) for the preservation of existing large hardwood trees.
- Amend the code to require owners to construct sidewalks along designated school paths.

- Require sand filters at the terminations of all Storm water pipes discharging into a canal or natural water body.
- Further develop the code to encourage diversity of land uses in the county by implementing measures that allow rural land to remain rural.
- Provide incentives for Smart Growth measures and green development practices.

#### **April 3, 2003 Public Workshop @ North Fort Myers Public Library**

- Bayshore widening – only east/west access for hurricane evacuation
- Improve roadways coming into North Fort Myers (beautification)
- Dumping/Trash on roadways
- High percentage of Conservation 2020 lands in area. What percentage of NFM 2020 lands is used as mitigation in other areas of the county. Effecting tax dollars.
- Encourage low cost housing developments
- Sheet flow, flooding, need creek/swale cleaning. People move out due to flooding
- CIP for area
- Need Hancock Parkway Bridge Extension
- Limit billboards

#### **April 8, 2003 Public Workshop @ South County Regional Public Library**

- Areas of County that are developed should have a good level of service and infrastructure, areas that are not developed should remain undeveloped
- Wetland regulation should be more stringent - perhaps County should reclaim jurisdiction over wetland development permit review
- More conservation lands are needed
- Enforce the existing FLUM. Do not allow changes to the FLUM that permit more intensive development.
- Lee County needs to promote/enforce sustainable water resource use and retention.
- Water quality
- Shift from going to maximum density approval for each FLUC to approval to only approving density that is compatible to surrounding area
- Re-evaluate how density is calculated especially with regard to mixed use development, also possibly change how density is calculated for land used to create lakes
- Mining:
  - 1) how will mining industry be represented in the Comp Plan
  - 2) very disappointed in Count's strategic mining report - needs more scientific foundation
  - 3) how to get old mining lakes to use as community recreation/open space
  - 4) mining should not be allowed in the DRGR

- Need to balance development interests and ground water recharge interests of DRGR, especially concerned that DRGR is being whittled away; golf courses should not be allowed in DRGR
- LDC needs to be updated concurrently with Comp Plan Amendments, especially related to Smart Growth initiative
- Need to make Comp Plan and LDC more appealing for development suited to desires of community - incentives that direct growth in addition to regulation
- County should work through a project with developers rather than just review developer's plans
- Need to reconcile the inherent conflicts in our code with Euclidean zoning, buffering use types, and smart growth
- Should eliminate development approvals for old projects that were never developed and that are no longer compatible with the surrounding area
- Need for more east/west corridors to Iona/McGregor
- Need more public open space - issue of how large number of gated communities effects overall county open space

#### **April 10, 2003 Public Workshop @ East County Regional Public Library**

- Make government more efficient and timely in permitting process - different departments do not interact to get efficient resolution of review
- Salt water intrusion into wells
- Mining
- Traffic on Homestead Road close to proposed Veteran's Park expansion
- Traffic lights on SR80
- Maintain Buckingham Rural Preserve Density at one dwelling unit per acre
- Lehigh needs more commercial - potentially create commercial out of appropriate tax default parcels
- Maintenance of existing parks

#### **April 14, 2003 Public Workshop @ Captiva Civic Association**

- Gated Communities, "desensitizing" community
- New Urbanism theory is not being addressed, The County needs to create incentives in the Lee Plan towards New Urbanism
- Address parking lots in front of buildings
- Need improved vegetation buffers and connected bike links/sidewalks.
- Need for sustainable vegetation
- Need vision as well as flexibility
- Code enforcement needed

- Water Conservation options encourage the planting of native sustainable vegetation:
  - 1) Limit water source. Max out the allowance of water by place or use for irrigation purposes.
  - 2) Trade off - if have pool by give up some irrigation rights/capacity.
- Consider adopting a model interconnection rule regarding generators as alternative energy sources

#### **April 15, 2003 Public Workshop @ Boca Grande Community Center**

- Need to coordinate planning efforts and E.A.R. process with Charlotte County
- Roads: concern about continued viability of one entry/exit road and bridge especially in light of continued increase in population and tourist numbers; want to continue to be allowed to use golf carts on roadways
- Water quality - potable water resources and waterfront impact
- Protect environment of waterways
- Address non-native/nuisance species
- Bike paths: widen to 10ft, better landscaping
- Need for more beach restoration and on faster time line
- Need to conserve land - lots are being overbuilt; quickly losing vacant land to development; add FP&L site at Port Boca Grande to existing beach park; do not allow development of existing county lands; preserve historic resources
- Need to evaluate population and visitor projections related to capacity of parking for beaches, sanitary facilities, and other public facilities
- Enforce building height limitations - may be issue with how height is measured and allowance for architectural features to extend above
- Need for Gasparilla to be more integrated - either under single county, or incorporated as a town, or unified by a community plan
- Amount of tax paid to County exceeds amount of services received from County
- Problems with odors from lift station
- Need for better code enforcement
- Need for better contact and information resources from county:
  - 1) want a county liaison that is available to answer questions and give direction with local development needs (permit process, zoning process...)
  - 2) Public hearings for Boca Grande properties should be held on Boca Grande
  - 3) Public hearings for Boca Grande should be advertised in Boca Grande papers and GICIA should be advised of all hearings - possibly have GICIA distribute leaflets
  - 4) establish a document clearing house of all planning/development activity for Boca Grande
- Too many variances are being allowed - contributes to lots being overbuilt - of concern are public hearing variances and administrative variances for historic district.
- How will Charlotte County density projections impact Boca Grande?
- Need for more police enforcement (speeding) on roads coming from Charlotte County

- Need for better waterway regulation
- Red Tide issue, prevention and clean up
- Concerns regarding hurricane evacuation, specifically lack of adequate east/west and north/south corridors for evacuation
- Vision statement revisions needed.
- Reconstruction/recovery after a storm event.

**Responses from letters and questionnaires received by mail:**

- All issues listed in DCA initial major issue list are relevant to Lee County.
- LOS has worsened, need to keep up with necessary road improvements and expansion
- Too much density has been allowed in coastal areas
- Require developer impact fees for schools, parks, roads & future water use.
- Hold firm to growth plan and DRGR lands, do not allow golf courses in DRGR without independent hydrology assessment
- Plan for county or state to purchase sensitive lands and open vacant lands
- Reduce allowable density
- In general, and especially with older existing developments, “we need to start encouraging small commercial uses, small easy-access parks for outdoor activities, and neighborhood schools.”
- Need for government coordination (federal, state, local) so that regulation and review process is “predictable and affordable.”
- Require land be saved rather than allow mitigation for the land to be developed.
- Build schools on small scale to encourage school to be part of the community center - help to keep “old fashioned downtown neighborhood.”
- We are not adequately protecting major regional natural resource systems, nor will we have adequate water for projected growth.
- Resource protection cannot be achieved from a “parts approach” where zoning or permitting cases are reviewed without relation to the cumulative effects of rezoning or permitting within a given area or natural system. Changes to the Comprehensive Plan and the Land Development Code are needed to structure a means to identify the cumulative and systemic effects of individual decisions on our natural resource systems.
- Need to identify a method and resources to develop long term solutions to growth problems. Example: Building roads with limerock mined beds that do not involve robbing future drinking water.
- Ensure that the Comprehensive Plan is constantly updated with the best available, independently funded, science on which to base sound policies for the best use of DRGR lands. Confusing Plan policy relating to mining in the DRGR as well as the permanent land use that mining entails. Must immediately stop all mining activity until the best available science is reviewed and the Comprehensive Plan and practices in protected areas can be amended, preventing further damage.

- Must immediately stop all limerock mining in the DRGR until a substantive environmental analysis and cumulative impact study can be completed. Limerock mining is a permanent alteration of the land as well as to the affected surrounding lands and natural resource systems. The environmental analysis and cumulative study should be conducted by an independently funded, scientifically sound agency (US Geological Society) establishing the effects of limerock mining to the DRGR (natural resource systems, wildlife habitat, surrounding properties). Amend the Comprehensive Plan accordingly.
- Current process of zoning and permitting promotes a piecemeal, narrowly focused, short time horizon effect. Works against understanding the systemic and cumulative effect of zoning or development. The Comprehensive Plan must address this issue.
- Assign specific responsibility through the Comprehensive Plan for constant appraisal of the cumulative effect of rezoning/permitting development within a given area/natural resource system.
- Current proposed changes to the LDC as they relate to natural resource extraction and mining should be declined as they are based on misrepresented data.
- Develop a higher standard for research, data and analysis, outcome.
- There is little effort to allow higher density development along bus routes or in more urbanized areas or areas that can focus on scenic views/ or of cultural significance.
- Golf courses are a real problem and destroy natural environments and install artificial ones. They should be discouraged unless they allow joint use such as trails, and natural preserves.
- Allow credit for public trails & discourage gated communities in lieu of cluster developments.
- Provide for ethnic center development. IE little Cuba, little Germany...whatever.
- Airport noise zones are silly. As long as people are notified they are in one it should not be a criteria to limit development.
- Too many restrictions on higher residential development. Having 1 acre lots etc is ridiculous. And wastes resources.
- End phony AG exemptions somehow.
- Do not limit/require golf courses to an artificial number like 18 holes. Why not 6 holes?
- Transportation. Why only pay for on-road facilities? It is far safer to have a greenway type trail to connect housing with jobs etc.

## **Review Agency Recommendations For the E.A.R.**

### **Division of Forestry Agency Meeting 4/22/03**

Need for public education related to the threat of fire in wildland-urban interface areas of the County, home ignition zones, and structural safeguards for residences built in these areas.

The Division of Forestry recommends the following additions and changes to the Comprehensive Plan:

“In those geographic areas predominately shown as level 7,8, and 9 (medium, high and extreme):

- All new developments will comply with NPFA 299 Standard for Protection of Life and Property from Wildfire 1997 Edition as adopted by reference in the Florida Fire Code or the most recent amended edition.
- All new residential structures will comply with NPFA 299 Standard for Protection of Life and Property from Wildfire 1997 Edition as adopted by reference in the Florida Fire code or the most recent amended edition.
- Existing structures will be retrofitted to meet these Standards through the adoption of appropriate language in the building codes. Permits for structure improvements or repair should require adherence to these Standards.
- Vacant properties should be maintained in accordance with acceptable fire prevention practices. This would include the removal of highly flammable species such as Melaleuca and the reduction of the density of other vegetative fuels. Disincentives to the maintenance of such properties should be replaced with an incentive system to facilitate the removal of high risk vegetation.
- County owned property should have an active, on-going management plan to help reduce the County liability for damage caused by wildfires coming off County owned properties.
- The County should embark on a vigorous education program to help residents know and understand the value and need for prescribed burning in these high risk fire areas.”

### **Public Safety Agency Meeting 5/1/03**

- Reference Law Enforcement strategic plan in the Comprehensive Plan.
- Establish a type of law enforcement concurrency requirement in the Comprehensive Plan so that County decision makers will have a better idea of actual anticipated costs and anticipated changes in LOS when approving new development.
- Insufficient road capacity serving North/South corridor causes problems with response time and amount of staff required to maintain the necessary LOS for emergency services and law enforcement.
- Road capacity issue is strained by the disconnect between housing economic levels (employment generators and worker housing) and disconnect between housing and work centers.
- Goal 45 of the Comprehensive Plan, Fire Protection, needs to be updated to reflect current status.
- DCA “major issues” 7 & 8 (Linking water supply and school facilities planning to land use planning) are very important especially as relate to fire protection.
- Fire flow requirements exist for new developments, but we also need to require maintenance & updating of existing development.
- Issue of allowing large developments on periphery of fire station service franchise area. Should look into creating a cap for how far new development can be from an existing fire service station.
- Cities should not be able to annex areas that they cannot provide with fire service.
- Need to update the Comprehensive Plan with regard to actual hurricane evacuation times.

- County does not meet adequate level of service for hurricane shelters.
- Need to make hurricane evacuation routes more efficient (possibly use new ITS measures, better route identification, or other ideas)
- Need to address LOS for County emergency radio signals. Concern that with an increasing number of tall buildings and a decreasing number and frequency of tall towers, there may be some LOS problems.
- No required maintenance on privately owned drainage systems for small development. Need public scrutiny on LOS of private drainage systems.
- Current water management evaluation practices for new development may underestimate the impacts of small developments. Possibly lower threshold of projects that are required to meet water management standards.
- Increase public information and education about flood hazards and other natural hazards.
- EMS standards have been restructured and need to be updated in the Comprehensive Plan.
- Update the # of planning communities and description of the land area of Bonita in the Vision Statement - text inaccuracies.
- Support for Division of Forestry comments.
- 2020 conservation lands and other County lands need more maintenance of vegetation and underbrush to prevent fire hazard.

#### **Review Agency Meeting 5/5/03**

- SFWMD gave information on a series of reports and mapping efforts that may assist our efforts in the E.A.R. process.
- A citizen commented that there should be more public input for the E.A.R. process.
- Look at DEP maps of recharge water areas of the County to help in evaluating impacts of future development in specific areas.
- Should investigate issue of school concurrency.
- There is a need to establish a more traditional economy that is not based so heavily on the development industry.
- Need additional trade schools to help train our workforce.
- Look at corridor studies (Gladiolus and Summerlin) in relation to Coastal High Hazard areas and Hurricane Evacuation Routes.
- Look at transportation problem areas, specifically east/west corridors connecting Lehigh to Fort Myers. This issue has been exacerbated by the Buckingham Rural Preserve future roadway provisions and the continued addition of conservation lands to County property, requiring natural transportation corridors to be redirected.
- Reduce demand along existing roadways by redirecting growth, where appropriate, and reducing travel demand by creating a better mix of uses.
- Plan does not adequately address southeast portion of the County. Especially look at future needs of FGCU, impacts of I-75 widening and expansion of airport.

- Evaluate annexation and incorporation issues - how do they impact the Lee Plan's effectiveness and the region's overall sustainable development.
- Evaluate whether there is sufficient interaction and coordination between the County and its incorporated cities.
- Need for more employment opportunities in Cape Coral to reduce the current and anticipated impact on bridges and roadways between the County and the Cape.
- Reduce density allocation table proportionally when Conservation 20/20 Lands are purchased and taken out of the acres available for development.

#### **County Department/Division Agency Meeting 5/12/03**

- Need for a general update of Goals and Policies related to transportation (will require coordination between DOT/Lee Tran/Port Authority)
- Work to reconcile the E.A.R. process with the Smart Growth process
- DOT and Natural Resources are working toward a master mitigation plan with a 20 year horizon for public works projects. Will require coordination between Planning, DOT, Lee Tran and the Airport to get clear on what updates are needed. Should be as an update to the Conservation Element and include a map.
- Update the Transportation Concurrency System.
- The Comprehensive Plan is much too vague in its attempts to reconcile the hurricane evacuation issue with continued development. Efforts should begin to focus more on shelters rather than evacuation.
- How can the County help in the downtown Fort Myers redevelopment effort through its coordination with the City?
- Smart Growth changes to the Comprehensive Plan - the proposed list is on its way.

#### **Additional Comments Received by Mail or Email as of 6/16/03**

- Address institutional infrastructure - "Each issue raised on the list needs to be examined as to whether we can address it as a sovereign, as a partner (and do the partnerships really exist to that detail) or as an advocate to fix it."
- Reexamine the inventory of water dependent overlays and expand them where possible. Properties within the overlay that have not been rezoned to marine or port districts should be rezoned immediately.
- Public Works mitigation- Linking the County Transportation CIP and Utility CIP to Watershed based mitigation Plan. (Effort of Public Works with other county departments)
- Affordable Housing- Taking advantage of greyfields (redevelopment of aging commercial sites)
- Lehigh Acres-
  1. Escheating lots for redevelopment for environmental recharge and greenspace; affordable housing; public use sites (schools); and commercial development.
  2. A long range master plan, evaluating shortcomings with current platted land use distribution.
- Redevelopment- Implementing Brownfields program.
- Water Quality-

1. A regional response to the Caloosahatchee River flow and quality impact on estuary and Gulf. 2. Maximizing partnership opportunities with other public bodies and the private sector in nutrient reduction to impaired waters.

### **Agency Scoping Meeting 6/23/03**

- Should F.I.H.S. roadway L.O.S. be dealt with separately from other roads during E.A.R.?
- Need to focus on transit for special needs groups
- Wildlife underpasses - where do they exist and how effective have they been?
- Sidewalk connectivity to schools in a two mile radius
- Provide convenient transit access to school sites
- Create a map of locations that should be examined to determine if traffic calming devices will be necessary
- Obsolete highways - especially rural to urban transition areas.
- Aquifer recharge through land acquisition (especially default tax lots)
- How is existing Lehigh Plan working? Reevaluate how well commercial land use study amendments worked.
- East Lee County Water Control District - how to effectively deal with water issues in two separate drainage districts
- County/County especially related to DRGR issues
- Lee County Incorporation to stem municipal incorporations
- Post-mine landscape should be included in the strategic mining plan - what should happen with a property after mining is finished?
- Need a comprehensive look at the DRGR
- Need for an independent scientific study of the effectiveness of DRGR and of the impacts of uses allowed in the DRGR
- Residents should be included in the DRGR evaluation/planning process
- Where are the groundwater recharge areas in the DRGR
- Evaluate air quality due to emissions from an increases number of autos and land clearing. Use voluntary compliance in efforts to evaluate.
- New Urbanism is not encouraged by the existing Lee Plan or LDC
- Encourage mixed use development by encouraging commercial intensity and residential density to be calculated on the same property (double dip)
- Write regulations to describe what can be done rather than what cannot.
- Create a more comprehensive approach to development review and permitting - systemic approach

- Make use of CRAs and CPOs (Community Planning Organizations) in creating community sign regulations
- Locate schools to reduce trip lengths
- Get the most out of school facilities - multiple uses
- Develop alternate resources for water supply
- Impaired waters designation - nutrient partnership management system
- Bacteriological impairment of waterways is causing loss of shellfish waters and making beaches less attractive and biologically productive
- Evaluate effects of impervious areas existing and future with regard to water retention
- Include the flow ways plan map in the Comprehensive Plan
- Evaluate how water is being used today and how we expect to use water in the future so that County can have a lobbying position on water when interact with other governments
- Consider properties that flood repeatedly for appropriate regulatory changes and response.
- Locate workforce housing close to schools
- Design communities to promote “active lifestyles”
- Account for all of the N.I.M.B.Y. uses that are needed by the County
- What amount and kind of lands have been preserved and developed? Have we accomplished what we set out to do with regard to directing development and preserving land?
- Consider adequacy of marina sites open to public use currently and projected into the future
- Consider boating density and use of local waterways
- Clearly define water dependent uses. Strengthen regulations that require use of certain properties for water dependent uses only
- Create a “blue-ways” designation to protect water ecosystems for manatees, shellfish, etc.
- How effective have efforts been to encourage co-location of schools and parks?
- Assess the economic buildout for the County’s current quality of life as it ties to tourism and retirement living