



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

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Governor

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Secretary

January 15, 2010

The Honorable Ray Judah, Chairman
Lee County Board of County Commissioners
Post Office Box 398
Fort Myers, Florida 33902-0398

Dear Chairman Judah:

The Department has completed its review of the proposed Comprehensive Plan Amendment for Lee County (DCA 10-1), which was received on November 18, 2009. Based on Chapter 163, Florida Statutes, we have prepared the attached report, which outlines our findings concerning the amendment. It is particularly important that the County address the objections set forth in our review report so that these issues can be successfully resolved prior to adoption. We have also included a copy of local, regional and state agency comments for your consideration. Within the next 60 days, the County should act by choosing to adopt, adopt with changes or not adopt the proposed amendment. For your assistance, our report outlines procedures for final adoption and transmittal.

The County is proposing 17 separate amendments. The Department has identified issues with Amendment CPA2008-06 (Implementing Density Reduction/Groundwater Resource Study) regarding: (1) guidelines and standards for the transfer of development rights program; (2) amendments to the Rural Residential Overlay Map 17; (3) the lack of guidelines addressing density, intensity, mix of land uses, and urban form for the Rural Community and Mixed-Use Community; (4) additional urban land uses associated with private recreational facilities; (5) a self-amending provision on Map 14 regarding the addition of acreage to the Limerock Mining Overlay; (6) the lack of meaningful and predictable guidelines and standards regarding natural resource strategies and appropriate mitigation for impacts to natural resources. In addition, we have identified issues with Amendment CPA2008-07 (Lehigh Acres Community Plan) regarding: (1) the lack of guidelines for the mixture of land uses for the specialized mixed-use nodes; (2) the potential for strip commercial sprawl related to the Commercial Overlay Zones along State Road 82; (3) transportation planning for the Future Land Use Map amendment to Parcel Area 1; (4) the lack of intensity of use standards for the Industrial Development and Intensive Development future land use categories. These and all of the issues identified in the attached report should be addressed before adoption of the plan amendments.

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The Honorable Ray Judah, Chairman
January 15, 2010
Page 2

If you, or your staff, have any questions or if we may be of further assistance as you formulate your response to this Report, please contact Scott Rogers, Principal Planner, at (850) 922-1758, or Brenda Winningham, Regional Planning Administrator, at (850) 487-4545.

Sincerely,

Mike McDaniel, Chief
Office of Comprehensive Planning

MM/sr

Enclosures: Objections, Recommendations and Comments Report
 Review Agency Comments

cc: Ken Heatherington, Executive Director, Southwest Florida Regional Planning
 Council
 Paul O'Connor, AICP, Lee County Planning Director