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May 3, 2016

The Village of Estero  
Community Development Department  
9401 Corkscrew Palms Circle  
Estero, FL 33928

**Re: CPA2016-01 Village of Estero /Village Center Comprehensive Plan Amendment**

Dear Ms. Gibbs:

Lee County has reviewed the proposed Village of Estero/Village Center Comprehensive Plan Amendment CPA2016-01 that includes changes to the Future Land Use Map, amendments to Objective 1.1, 2.12, 4.2, and 4.3, amends Goal 19 Policies, deletes Goals 12 through 18 and 20 through 35, amends Goal 6 and Objective 6.1 Policies, amends the Glossary and Tables 1(a) and 1(c). We understand no other Goals, Objectives or Policies are being amended per this amendment.

Lee County offers the following comments to the Village of Estero:

**COMMENT #1:**

**"Policy 1.7.6:** *The Planning Communities Map and Acreage Allocation Table (see Map 16 and Table 1(b) and Policies 1.1.1 and 2.2.2) depicts the proposed distribution, extent, and location of generalized land uses for the year 2030. Acreage totals are provided for land in each Planning Community in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded except in Estero Village Center area. This policy will be implemented as follows:*

1. *For each Planning Community the County will maintain a parcel based database of existing land use. The database will be periodically updated at least twice every year, in September and March, for each Planning Community.*

2. *Project reviews for development orders must include a review of the capacity, in acres, that will be consumed by buildout of the development order. No development order, or extension of a development order, will be issued or approved if the project acreage, when added to the acreage contained in the updated existing land use*

database, exceeds the limitation established by Table 1(b), Acreage Allocation Table regardless of other project approvals in that Planning Community. For limerock mining in Planning Community #18, see special Requirements in Policy 33.1.4 regarding acreages in Table 1(b).

3. At each regularly-scheduled date for submission of the Lee Plan Evaluation and Appraisal Report, the County must conduct a comprehensive evaluation of Planning Community Map and the Acreage Allocation Table system, including but not limited to, the appropriateness of land use distribution, problems with administrative implementations, if any, and areas where the Planning Community Map and the Acreage Allocation Table system might be improved. (Amended by Ordinance No. 94-29, 98-09, 00-22, 07-13, 10-20)”

**Lee County is no longer responsible for issuing Development Orders for land within the incorporated areas of the Village of Estero or for maintaining the Village of Estero database and allocation tables as provided in Lee Plan Policy 1.7.6. Data that was previously collected has been provided to the Village of Estero for their use. Please consider deleting the references to Lee County throughout the Policy.**

**COMMENT #2:**

**“Policy 19.6.3: Promote Estero Community Park as a hub for the entire community. Improve the park’s integration with the community by improving the existing connections between the park and Estero and by constructing the originally planned westerly entrance onto Via Coconut Point.”**

**The revisions appear to assert an ability to make improvements to Lee County owned property. To date, there is not an interlocal agreement with the Village of Estero that provides authority to do any of these improvements (See Lee Plan Policy 87.2.2 and 42.2.2 below). While there is a possibility that an additional connection (or connections) may be established in the future, there is no guarantee what type of improvement it would be (i.e. bicycle/pedestrian only) and where the improvement would be located.**

***Lee Plan “Policy 87.2.2: Where feasible, Lee County will enter into interlocal agreements or other such cooperative efforts with the School Board, the municipalities, regional agencies, and the state and federal governments to enhance the park and recreational facilities/services of Lee County. (Amended by Ordinance No. 94-30, 00-22)”***

***Lee Plan “Policy 42.2.2: The county will encourage interlocal agreements with the State of Florida, affected municipalities, and adjoining counties to plan, design, construct, and/or maintain selected roadway facilities. (Amended and Relocated by Ordinance No. 99-15)”***

**COMMENT #3:**

**“Policy 19.8.1: This comprehensive plan includes a Village Center category on the future land use map (also referred to as the Village Center Area”) which encourages higher densities and intensities of housing, employment, shopping recreation, and civic uses in a series of interconnected neighborhoods and mixed use areas.....”**

**The Future Land Use Map proposes to designate the county’s Estero Community Park from Public Facilities to Village Center. Lee Plan Policy 1.1.8 provides,**

**Lee Plan "Policy 1.1.8: The Public Facilities areas include the publicly owned lands within the county such as public schools, parks, airports, public transportation, and other governmental facilities. The allowable uses within these areas are determined by the entity owning each such parcel and the local government having zoning and permitting jurisdiction. (Amended by Ordinance No. 10- 10)"**

The Village Center category, as described in Policy 19.8.1, is an area for higher density and intensity development. The category does not reflect the current and future use of the Estero Park facility. Since there are no plans for Estero Community Park to develop commercially and/or residentially, there does not appear to be a benefit to change the park from Public Facilities to Village Center.

The County understands that the Seth Harry & Associates March 2014 planning workshop document (attached to the application) includes Town Center conceptual drawings that indicate three new connections to Via Coconut Point. The County maintains that designating the Estero Community Park to Village Center is not necessary and retaining the Public Facilities category would not preclude future connections.

**COMMENT #4:**

***"Policy 19.8.7: Base and maximum residential densities will be set by the Village Council during the planned development rezoning process based on its determination of an application's compliance with this comprehensive plan and the specific standards and requirements for each tier. Increases in base residential densities may be allowed after consideration of incentive offers as provided in the Land Development Code. Densities cannot exceed the top of the following ranges:***

- a. *Tier 1: Base level is up to 6 dwelling units per acre of Tier 1-only land plus up to 3 additional dwelling units per acre of Tier 1-only land after consideration of accepted incentive offers, for a maximum of 9 dwelling units per acre of Tier 1-only land.*
- b. *Tier 2: Base level is up to 10 dwelling units per acre of Tier 2 land plus up to 4 dwelling units per acre of Tier 2 land after consideration of accepted incentive offers, for a maximum of 14 dwelling units per acre of Tier 2 land.*
- c. *Tier 3: Base level is up to 15 dwelling units per acre of Tier 3 land plus up to 5 dwelling units per acre of Tier 3 land after consideration of accepted incentive offers, for a maximum of 20 dwelling units per acre of Tier 3 land.*
- d. *Tier 4: Base level is up to 21 dwelling units per acre of Tier 4 land plus up to 6 dwelling units per acre of Tier 4 land after consideration of accepted incentive offers, for a maximum of 27 dwelling units per acre of Tier 4 land."*

The proposed Village Center designation extends beyond the Mixed-Use Overlay areas. The MPO Land Use Scenario was a planning tool in the development of the Long Range Transportation Plan (LRTP) for Lee County in the 2040 horizon year. On page 13, the MPO Land Use Scenario C did show two Place Types in similar locations as the proposed Village Center designation areas. Transit Station Neighborhood (15 DU/AC on page 6) and Transit Station Core (20 DU/AC on page 6) are shown. The MPO is required to base LRTP evaluation of transportation needs on a countywide allocation of the Bureau of Business Research (BEBR) medium growth scenario population projection for Lee County.

Page 25 of the MPO Land Use Scenario indicates "For Lee County, that population level is 1,044,323 permanent residents,.....To adapt Scenario C for use in the regional travel model, two significant adjustments were required:

- Identify how many dwelling units would not have permanent residents; and
- Scale the level of development (population and employment) back from build-out levels to anticipated 2040 levels.”

Transportation facilities in the MPO LRTP are based on the population scaled back from build-out (over 1.5 million) to anticipated 2040 levels (1.04 million). The MPO LRTP likely reflects substantially less than 15 or 20 DU/AC in these areas. Population and employment data are allocated to each Traffic Analysis Zone (TAZ) based on Census data. In evaluation of a proposal to increase densities and intensities, the first step is to compare the proposal to existing population and employment data in each affected TAZ to the proposed density and intensity. The MPO LRTP TAZ areas do not match up to the proposed Village Center designation.

No data and analysis was provided comparing the maximum development scenario resulting from the proposed Village Center amendment that would allow up to 27 dwelling units per acre to the current TAZ data for population and employment. Also, no information was provided to identify if any capacity improvements would be needed to support the maximum development scenario to maintain level of service expectations and evacuation clearance times.

**COMMENT #5:**

**“Policy 4.3.5 (c):** *A connector street system Public streets will provide multiple vehicular, bicycle, and pedestrian linkages to adjacent local destinations, including residential neighborhoods, as an alternative to arterial and collector roads, except where such connections are precluded by physical layout of natural environmental features.”*

Policy 4.3.5(c) appears to expand or create expectations for the facilities that will be placed on all “public streets” rather than “a connector street system” as previously provided. This Policy may have little impact since the Village doesn’t own any roads; however, there may be expectations that the County is going to require the construction of “multiple vehicular, bicycle, and pedestrian linkages to adjacent local destinations” on County owned roads within the Village. Expectations should be clarified and agreed upon in an interlocal.

Please contact me if you have any questions regarding these matters.

Sincerely,



Mikki Rozdolski  
DCD Planning Manager

Cc: Mr. Ray Eubanks, Florida Dept. of Economic Opportunity  
Ms. Brenda Winningham, Florida Dept. of Economic Opportunity  
Mr. David Loveland, Director, Lee County Dept. of Community Development  
Mr. Michael Jacob, Managing Assist County Atty, Lee County Attorney’s Office  
Ms. Sharon Jenkins-Owen, Principal Planner, Lee County Planning Section