

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

February 22, 2018

Mr. James G. LaRue, Planning Consultant
LaRue Planning and Management Services, Inc.
1375 Jackson Street, Suite 206
Fort Myers, Florida 33901

Dear Mr. LaRue:

Thank you for submitting the City of Fort Myer's proposed comprehensive plan amendments submitted for our review pursuant to the Expedited State Review process. The reference number for this amendment package is **Fort Myers 18-1ESR**.

The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the Department's Comment Letter no later than **March 23, 2018**.

If you have any questions please contact Anita Franklin, Plan Processor at (850) 717-8486 or Brenda Winningham, Regional Planning Administrator, whom will be overseeing the review of the amendments, at (850) 717-8516.

Sincerely,

D. Ray Eubanks, Administrator
Plan Review and Processing

DRE/af

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850 245 7105 | www.floridajobs.org
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MEMORANDUM

TO: Suzanne Ray, DEP
Deena Woodward, DOS
Mark Weigly, DOE
Terry Manning, South Florida WMD
Chesna/Catala FDOT1
Margaret Wuerstle, Southwest Florida RPC
Lee County

DATE: February 22, 2018

SUBJECT: EXPEDITED STATE REVIEW PROCESS

COMMENTS FOR PROPOSED COMPREHENSIVE PLAN AMENDMENT

LOCAL GOVERNMENT / STATE LAND PLANNING AGENCY AMENDMENT #:

Fort Myers 18-1ESR

STATE LAND PLANNING AGENCY CONTACT PERSON/PHONE NUMBER:

Brenda Winningham/850-717-8516

The referenced proposed comprehensive plan amendment is being reviewed pursuant the Expedited State Review Process according to the provisions of Section 163.3184(3), Florida Statutes. Please review the proposed documents for consistency with applicable provisions of Chapter 163, Florida Statutes.

Please note that your comments must be sent directly to and received by the above referenced local government within 30 days of receipt of the proposed amendment package. A copy of any comments shall be sent directly to the local government and ALSO to the Department of Economic Opportunity to the attention of Ray Eubanks, Administrator, Plan Review and Processing at the Department E-mail address: DCPexternalagencycomments@deo.myflorida.com

Please use the above referenced State Land Planning Agency AMENDMENT NUMBER on all correspondence related to this amendment.

Note: Review Agencies - The local government has indicated that they have mailed the proposed amendment *directly to your agency*. See attached transmittal letter. *Be sure to contact the local government if you have not received the amendment*. Also, letter to the local government from State Land Planning Agency acknowledging receipt of amendment is attached.

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Div. of Community Planning and Growth

FEB 21 2018

Div. of Community Development
Dept. Economic Opportunity

February 19, 2018

Mr. Ray Eubanks, Plan Processing Administrator
Division of Community Planning and Development
Department of Economic Opportunity
107 East Madison Street
Caldwell Bldg., MSC 160
Tallahassee, Florida 32399

Reference: City of Fort Myers Proposed Comprehensive Plan Amendments (Expedited Review)

Dear Mr. Eubanks:

The City of Fort Myers Local Planning Agency (LPA) held a public hearing on March 1, 2017 to review the proposed Comprehensive Plan Amendments. The LPA forwarded its recommendation to the City Council for transmittal of the Plan Amendments to the State Land Planning Agency (SLPA) for its review. The City Council held a public hearing to review the proposed Comprehensive Plan Amendment on April 17, 2017 and voted to continue the item to August 7, 2017. The City Council held a public hearing to review the proposed Comprehensive Plan Amendment on August 7, 2017 and voted to continue the item on February 5, 2018.

On February 5, 2018, the City Council held a transmittal public hearing, at which time the Council authorized transmittal of the Comprehensive Plan Amendments as set forth herein, along with other required documentation, for an Expedited Review by the SLPA.

Pursuant to the State Expedited Review process guidelines, enclosed are three (3) copies (one printed copy and two compact discs) of the above referenced proposed Amendment to the Comprehensive Plan for the City of Fort Myers.

The Amendment package consists of:

- Text Amendment to Future Land Use Element Policies
- Future Land Use Map (FLUM) Amendment adding a new FLUM designation.
- Agenda and minutes from the Local Planning Agency and City Council public hearings.
- Support documents and summaries on which the LPA and Council recommendations were based.

A copy of the Comprehensive Plan Amendment package and this transmittal letter have been submitted to the following agencies (via email) on the above captioned date:

Southwest Florida Regional Planning Council
South Florida Water Management District
Florida Department of Education
Florida Department of State
Florida Department of Transportation, District 1
Florida Department of Environmental Protection
Lee County Community Development

providing planning and management solutions for local governments

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In summary, the Plan Amendment package contains an amendment to the Future Land Use Map adding the Future Land Use designation Midtown. Also, the package includes a text revision to Future Land Use Policies wherein:

The maximum base density (not including bonus allocations) is proposed to be increased for the Downtown District Future Land Use Category in Policy 1.7 from 35 dwelling units per acre to 70 dwelling units per acre. The standard allowable intensity [quantified as floor area ratio (FAR)] for the Downtown District has been reduced from eighteen (18) FAR to eight (8) FAR. However, the existing Policy applied FAR to residential and non-residential uses. It is proposed that FAR will now only apply to non-residential uses.

The Midtown Future Land Use is a new Future Land Use Category proposed in Future Land Use Policy 1.8 with a maximum base density (not including bonus allocations) of 70 dwelling units per acre and a maximum non-residential FAR of eight (8). The Future Land Use Map is proposed to be amended to depict the Midtown Future Land designated areas. Currently, this area has Future Land Use Category designations of Downtown, Traditional Community, and Corridor Commercial.

Density and intensity limits are no longer included in the Comprehensive Plan for the individual zoning districts. The Land Development Regulations will specify the standard density and intensity ranges for each zoning district.

Bonus density will no longer be allocated based on the criteria in existing Future Land Use Action 1.7.7. The remaining items in renumbered Policy 1.7.5 will become requirements for all new developments, which will be implemented in the Land Development Regulations.

Bonus density, bonus intensity, and bonus height, will now be allocated according to proposed Future Land Use Policy 1.9. A maximum bonus of 30% above the standard density, intensity, and height will be allowed in the Downtown District and Midtown South District for properties which are greater than one-half acre. A maximum bonus of 40% above the standard density, intensity, and height will be allowed in the Downtown District and Midtown South District for properties which are one-half acre or less. Developments approved for bonus density, intensity, or height will be subject to a bonus incentive requirement, the standards and procedures for which shall be outlined in the Land Development Regulations. The aggregate maximum number of bonus dwelling units available within the Downtown and Midtown Future Land Use designations shall be based on surplus utility capacity which is available in the phase of the proposed development according to new Map F.

A study has been conducted to determine the amount of surplus utility capacity which is currently available past build-out at the proposed base densities. With the current utility infrastructure, it has been determined that the system can accommodate additional capacity past the proposed base density as follows, within each phase area, as depicted on proposed Map F. Surplus capacity is expressed in equivalent dwelling units (EDUs) which can be converted to residential dwelling units or office/commercial space.

- Phase Area 1: 827 Surplus EDUs
- Phase Area 2: 1,500 Surplus EDUs
- Phase Area 3A: 400 Surplus EDUs
- Phase Area 3B: 326 Surplus EDUs
- Phase Area 4: 802 Surplus EDUs

Proposed Future Land Use Policy 1.10 provides for residential neighborhood protection by limiting building heights to 6 stories for new development and redevelopment adjacent to properties zoned Urban General. Bonus height cannot be approved in violation of this Policy.

It is anticipated the proposed Amendments will be adopted in April 2018.

The proposed Plan Amendment package is not applicable to an area of critical state concern.

The contact person for this Plan Amendment is:


James G. LaRue, AICP, Planning Consultant
LaRue Planning & Management Services, Inc.
1375 Jackson Street, Suite 206, Fort Myers, FL 33901
239-334-3366 E-Mail: jim@larueplanning.com

The Plan Amendment package and the Comments Report will be made available for public inspection during normal business hours at the following location:

City of Fort Myers
1825 Hendry Street, Suite 101
Fort Myers, FL 33901

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,


James G. LaRue, AICP
President