

#### IV.A.1. PROPOSED TEXT CHANGE

POLICY 14.2.2: In order to recognize and give priority to the property rights previously granted by Lee County for about 6,675 additional dwelling units, the county shall keep in force effective development regulations which addresses growth on Pine Island and which implement measures to gradually limit future development approvals. These regulations shall reduce certain types of approvals at established thresholds prior to the capacity of Pine Island Road being reached, measured as follows at the permanent count station on Little Pine Island at the western edge of Matlacha:

- When traffic on Pine Island Road reaches ~~840~~ 768 peak season, peak hour, annual average two-way peak direction trips, the regulations shall restrict further rezonings which would increase traffic on Pine Island Road through Matlacha. These regulations shall provide reasonable exceptions for minor rezonings on infill properties surrounded by development at similar intensities and those with inconsequential or positive effects on peak traffic flows through Matlacha, and may give preference to rezonings for small enterprises that promote the nature and heritage of Greater Pine Island.
- When traffic on Pine Island Road reaches ~~940~~ 864 peak season, peak hour, annual average two-way peak direction trips, the regulations will provide restrictions on the further issuance of residential development orders (pursuant to Chapter 10 of the Land Development Code) or other measures to maintain the adopted level of service, until improvements can be made in accordance with the plan. The effect of these restrictions must not be more severe than restricting densities to one-third of the maximum density otherwise allowed on that property.

The ~~840~~ 768 and ~~940~~ 864 thresholds were based on 80% and 90% of level-of-service "~~D~~" "E" peak season, peak hour, peak direction capacity calculated using the latest FDOT software (March, 2002) ~~1965 Highway Capacity Manual, as documented in the 2001 Greater Pine Island Community Plan Update~~. These development regulations may provide exceptions for legitimate ongoing developments to protect previously approved densities for final phases that have a Chapter 177 play site-plan approval under Ordinance 86-36.

E. INTERNAL CONSISTENCY WITH THE LEE PLAN

1. The proposal does not affect the Lee Plan population projections, Table 1(b), or the capacity of the FLUM, as the 810 and 910 trip thresholds have never been included in those computations.
2. The proposed technical revision is consistent with the following Lee Plan objectives and policies:
  - a. Policy 22.1.1: County-wide methods of establishing levels of service.
  - b. Policy 22.1.4: Use of 2000 Highway Capacity Manual.
3. The technical adjustment to Policy 14.2.2 will probably increase traffic slightly within the City of Cape Coral. The precise amount of the increase cannot be determined at this time, as the implications of exceeding the trip threshold are not established in the Lee Plan, but are left to the implementing regulations.
4. This is a technical adjustment of the trip threshold that is designed to make Policy 14.2.2 consistent with the methodology set out in Policy 22.1.1 and 22.1.4. As such, there are no state or regional plan goals or policies which are relevant to the request.

## Memo

To: Jim Mudd, Principal Planner

From: David Loveland, Manager, Transportation Planning *DJL*

Date: April 16, 2002

Subject: **LCDOT FINAL COMMENTS ON GREATER PINE ISLAND  
COMMUNITY PLAN UPDATE**

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The consultant for the Greater Pine Island Community Plan Update in his letter of February 27, 2002 has done an excellent job addressing our comments of November 26, 2001, and we agree with most of his proposed language changes. However, in response to our request that the 810/910 development limitation standards be updated, since they are based on roadway capacity calculations done twelve or more years ago, the consultant declined. He indicated that he agreed with the need for the update, but cited a lack of essential input data for the Matlacha area as a basis for not doing the calculation. That same argument, along with a comparison to the most recent capacity calculations on Estero Boulevard which suggested that the new calculations wouldn't be much different, was included in Appendix A of the update. The consultant said in his February 27<sup>th</sup> letter, "We would be pleased if Lee County were to undertake this analysis at its most sophisticated level; it was simply beyond the budget of the community planning process and not essential for supporting a policy that has already been in force for a dozen years."

Staff disagrees with the premise that the recalculation is not essential, and feels the legal defensibility of the standard would be better served by calculating a new capacity based on the most up-to-date methods, even if some of the inputs for the calculation have to be estimated and even if the results are not much different. These calculations serve as a regulatory standard to limit development, and development denials based on such standards have the possibility of being challenged in court. Lee County would be hard-pressed to defend the reliance on twelve-year-old calculations when there have been significant changes in the calculation methodologies and the input data. We do not feel the calculation is as difficult as suggested by the consultant, and have undertaken it ourselves in the interest of protecting the County.

The most recent software for calculating service volumes (capacities) was released by the Florida Department of Transportation in March, and is called HIGHPLAN 1.0. Staff calculated the capacity for the entire section of Pine Island Road from Stringfellow Road

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to Burnt Store Road using the new software. The software has a number of input variables, some of which we have site-specific information for and some of which rely on FDOT defaults. Because of the length of the segment we are dealing with (5.4) miles, there is some variation in the variables that required some averaging. For example, there are four different posted speeds within the segment, ranging from 30 mph to 55 mph. In examining the lengths of the different speed zones, staff developed a weighted average of 45 mph as an input to the software. There are also two different Area Types within the 5.4 mile segment; part would be considered Rural Undeveloped (about 61%) and part Rural Developed (about 39%). Staff calculated capacities under both scenarios and averaged them together using a weighted average system. The assumed input variables under each scenario are as follows:

	INPUT VARIABLES		
Area type:	Rural Undeveloped	Rural Developed	Field Data
Class:	4	3	Default
Posted Speed:	45	45	Field Data (Avg.)
Free Flow Speed:	50	50	Default
Pass Lane Spacing:	N/A	N/A	
# Thru Lanes:	2	2	Field Data
Terrain:	Level	Level	Field Data
Median:	No	No	Field Data
Left Turn Lanes:	No	No	Field Data
% No Passing Zone:	60	60	Field Data
AADT:	10900	10900	2001 Report
K-Factor:	.103	.103	2001 Report
D-Factor:	.58	.58	2001 Report
Peak Hour Factor:	.88	.895	Default
% Heavy Vehicle:	5	4	Default
Base Capacity:	1700	1700	Default
Local Adj. Factor:	.9	.92	Default
Adjusted Capacity:	1139	1180	Default

The calculation of the averaged service volumes relates to the staff determination that 61% of the segment fell into the Rural Undeveloped category and 39% was Rural Developed. Staff took the service volumes calculated under each scenario, applied the percentage of the overall segment, and added them together to get an estimated service volume. The results are below.

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**SERVICE VOLUME CALCULATIONS  
PEAK SEASON, PEAK HOUR, PEAK DIRECTION**

LOS	Rural Undeveloped	Rural Developed	Wtd. Average
A	0	90	35
B	90	240	150
C	280	490	360
D	490	690	560
E	940	990	960

These calculations include a peak season, peak hour factor (K-factor) and a peak direction factor (D-factor) as inputs, so they represent *peak season, peak hour, peak direction* conditions. The current policy language refers to *peak hour, annual average, two-way* trips. Staff had asked the consultant to reconcile the old annual average, two-way standard with the more modern peak season, peak direction standard used throughout the rest of the Lee Plan and consistent with current professional practice, but the consultant did not address that issue. There is also an inconsistency with the regulatory level of service standard applied on County roads, which is "E", and the reliance in this case on a percentage of the level of service "D" capacity. The analysis in Appendix A indicates that the use of level of service "D" was purposeful, but staff feels it would be better to be consistent throughout the plan on the use of the level of service standard relied on for regulatory purposes. Therefore, staff proposes to modify the standard in Policy 14.2.2 to establish the development thresholds at 80% and 90% of the *peak season, peak hour, peak direction* conditions at the level of service "E" capacity. Relying on the new peak season, peak hour, peak direction level of service "E" capacity calculated above (960), the 80% threshold would be 768 trips and the 90% threshold would be 864. As a point of reference, the latest Lee County Concurrency Management Report indicates that the current peak season, peak hour, peak direction volume on this segment of Pine Island Road is 627. We recommend the following changes to the policy language as proffered in the community plan:

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- When traffic on Pine Island Road reaches 840 768 peak season, peak hour, annual average two-way peak direction trips, the regulations shall restrict further rezonings which would increase traffic on Pine Island Road through Matlacha. These regulations shall provide reasonable exceptions for minor rezonings on infill properties surrounded by development at similar intensities and those with inconsequential or positive effects on peak traffic flows through Matlacha, and may give preference to rezonings for small enterprises that promote the nature and heritage of Greater Pine Island.
  - When traffic on Pine Island Road reaches 940 864 peak season, peak hour, annual average two-way peak direction trips, the regulations shall restrict the further issuance of residential development orders to one-third the maximum density otherwise allowed on that property.
- The 840 768 and 940 864 thresholds were based on 80% and 90% of level-of-service "D" "E" peak season, peak hour, peak direction capacity calculated using the latest FDOT software (March, 2002) 1965 Highway Capacity Manual, as documented in the 2001 Greater Pine Island Community Plan Update. These development regulations may provide exceptions for legitimate ongoing developments to protect previously approved densities for final phases that have a Chapter 177 plat or site-plan approval under Ordinance 86-36.

Thank you for this opportunity to comment on the Greater Pine Island Community Plan Update. Please contact me if you have any questions.

DML/mlb

cc: Bill Spikowski  
Greater Pine Island Civic Association  
Donna Loibl, President, Matlacha Civic Association  
Administrative File