

ORDINANCE NO. 3850

AN ORDINANCE
To Be Entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, ADOPTING AMENDMENT NO. 18-TA-01, ALSO KNOWN AS STATE AMENDMENT NO. 19-01ESR, INTO THE COMPREHENSIVE PLAN TO MODIFY THE TRANSPORTATION ELEMENT AND THE CONCURRENCY MANAGEMENT SYSTEM ELEMENT OF THE COMPREHENSIVE PLAN; FORWARDING THE ADOPTED AMENDMENTS TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY AND OTHER AGENCIES REQUIRING NOTIFICATION; PROVIDING FOR LEGAL STATUS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR EFFECTIVE DATES OF THE AMENDMENTS AND THIS ORDINANCE.

WHEREAS: The City of Fort Myers drafted Comprehensive Plan Amendment No. 18-TA-01 to amend the Transportation Element and Concurrency Management System Element of the Comprehensive Plan; and

WHEREAS: Pursuant to Florida Statutes, two preliminary public hearings were held to inform and hear from the public, with due public notice and in accordance with adopted public participation procedures. The first public hearing was at a regular meeting of the Fort Myers Planning Board, acting as the Local Planning Agency, on May 2, 2018, and the second public hearing was the formal transmittal hearing held before City Council on August 5, 2019; and

WHEREAS: The City of Fort Myers then properly submitted the proposed amendments for review by the appropriate agencies, which assigned reference number 19-01ESR to the amendments; and

WHEREAS: The City received responses on the proposed amendments from the Florida Department of Economic Opportunity (DEO) by letter dated August 29, 2019, and from the South Florida Water Management District (SFWMD) by email dated August 29, 2019, and from the Florida Department of Environmental Protection (DEP) by email dated August 30, 2019; and

WHEREAS: The DEO letter advised the City to act by formally choosing to adopt, adopt with changes, or not adopt the proposed amendments within 180 days of receipt of agency comments as per Section 163.3184(3)(c)1, Florida Statutes, and forward copies of the newly amended elements to the Comprehensive Plan to DEO and other agencies requiring notification and copies by law.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, that:

SECTION 1. The adoption public hearing for Comprehensive Plan Amendment No. 18-TA-01 also known as State Amendment No. 19-01ESR, was held on November 18, 2019, which was within 180 days of receipt of the letter from the Florida Department of Economic Opportunity (DEO) dated August 29, 2019.

SECTION 2. The Comprehensive Plan amendments in Text Amendment No. 18-TA-01 and State Amendment No. 19-01ESR are hereby incorporated into the Transportation Element and Concurrency Management System Element as shown in Exhibits A and B. These amendments reflect recent and ongoing planning affecting transportation in Fort Myers and comply with changes in state planning statutes. These amendments will be maintained on file in the City Clerk's Office and forwarded to state agencies as required by law.

SECTION 3. The effective date of the Comprehensive Plan amendment, if the amendment is not timely challenged, shall be 31 days

after the Department of Economic Opportunity notifies the City that the plan amendment package is complete. If timely challenged, the amendment shall become effective on the date the Department of Economic Opportunity or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on the amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, the amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

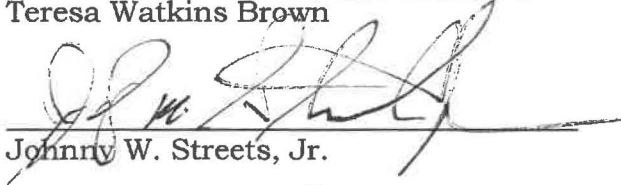
SECTION 4. If for any reason, any section, subsection, paragraph, sentence, clause or phrase of this ordinance and/or the Comprehensive Plan amendments adopted by this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance and/or the Comprehensive Plan amendments.

SECTION 5. This ordinance shall become effective immediately upon adoption.

ORDINANCE 3850

PASSED IN PUBLIC SESSION of the City Council of the City of Fort Myers, Florida, on November 18, 2019.

Aye 
Teresa Watkins Brown

Aye 
Johnny W. Streets, Jr.

Aye 
Terolyn P. Watson

Aye 
Kevin Anderson

Aye 
Fred Burson

Aye 
Gale H. Anthony
Council Members

APPROVED on November 18, 2019.

Aye 
Randall P. Henderson, Jr.
Mayor

FILED in the Office of the City Clerk on November 18, 2019.



 
Gwen Carlisle, MMC
City Clerk

Exhibit A

2

TRANSPORTATION

GOAL

To provide an efficient, safe, and responsive City transportation system consistent with environmental and land use goals.

OBJECTIVE 1 — BALANCED TRANSPORTATION SYSTEM

To meet the transportation needs of the incorporated area through a safe, convenient, and energy efficient multi-modal system of roadway, rail, air, boating, public transportation, and bicycle and pedestrian facilities.

Policy 1.1) Balanced Travel Modes. The transportation system will be examined for ways and means in which more balance between the modes can be achieved.

Action 1.1.1) The City will encourage the Lee County Metropolitan Planning Organization (Lee MPO) to ~~maintain~~ improve this balance.

Action 1.1.2) Support the continued operation of the downtown multimodal transportation center (MMTC) to provide a link between modes of passenger transportation including, but not necessarily limited to, public and private buses, taxis, transportation network companies, airport limousines, paratransit, Fort Myers' Trolleys, the AMTRAK shuttle buses, cars, and bicycles.

Policy 1.2) Public Transit. Additional transit routes and increased ridership will be promoted and public transportation friendly land uses in designated public transportation corridors will be encouraged.

Action 1.2.1) The City will encourage the Lee MPO Metropolitan Planning Organization and Lee Tran to increase ridership and add routes when appropriate using vehicles that can accommodate bicycles.

Standard 1.2.1.1) Encourage Lee TRAN to increase the number of ~~maintain 4.5~~ transit trips per capita within the City of Fort Myers.

Action 1.2.2) The City will continue to allow high-density residential development, where appropriate, within commercial districts if such mix of uses can ~~(where the majority of Lee TRAN routes are located)~~ to encourage walking, biking, and the use of public transportation as options to reduce vehicular trips.

Action 1.2.3) Policies for trolleys in downtown Fort Myers are provided under Objective 10.

Policy 1.3) Bicycle Facilities. Create a network of bicycle facilities to link residential areas with activity centers, the riverfront, ~~and the parks, schools, trails, and destinations outside the City,~~ using guidance from the Bicycle and Pedestrian Plan (City of Fort Myers, 2007) and other professional sources. ~~system.~~ The City intends to update the 2007 plan during 2020 to seek and prioritize new opportunities for improving bicycle and pedestrian facilities throughout the city.

Action 1.3.1) Bicycle facilities shall be provided whenever a new arterial or collector road is built and, when feasible, where additional lanes are added to existing arterial or collector roads.

- (a) Adult bicyclists can often share the main travel lanes, especially when the street geometry has been designed to keep most vehicles from exceeding a speed of 25 miles per hour (regardless of the posted or legal speed limit).
- (b) On streets that are designed for higher speeds, most bicyclists prefer bicycle facilities with greater separation from than conventional bike lanes. Separated bicycle facilities can take various forms, for instance:
 - i. **Buffered bike lanes**, which provide additional marked buffer space between the bike lane and adjoining travel lanes and/or parking lanes.
 - ii. **Cycle tracks**, which are exclusive bicycle lanes that are adjacent to but physically separated from travel lanes, parking lanes, and sidewalks through the use of a curb, median, row of parked cars, etc.
 - iii. **Multi-use paths**, which are further from the roadway and can be shared with pedestrians.

Action 1.3.2) The City will regularly maintain and sweep city-maintained bicycle facilities including on-street bike lanes and designated bike-friendly streets. By December 2008, the City will develop bicycle facility standards for on-roadway bike lanes utilizing the Lee County standards as a guide.

Action 1.3.3) Design, construction, and reconstruction of intersections along arterial and collector routes shall address bicycle needs. Whenever possible, this shall ~~should~~ include consideration of traffic-actuated traffic signals that are sensitive to bicycles; bike boxes that provide a designated area at the head of a traffic lane at a signalized intersection, which provides bicyclists with a safe and visible way to get ahead of queuing traffic during the red signal phase; separated bicycle facilities that run alongside a roadway separated from automobile traffic by a physical barrier, such as parked cars, bollards, a landscaped buffer, or a curb; and other bicycle network safety features such as buffered bike lanes, whenever possible.

Action 1.3.4) Identify corridors for off-road bicycle paths such as railroad and drainage canal right of ways.

Action 1.3.5) The City will provide trip-end facilities for bicycles at its facilities, including at least one bicycle space for each 30 parking spaces. The Land Development Code requires larger private parking facilities to provide one bicycle space for each 20 parking spaces.

Action 1.3.6) Policies for bicycle facilities in downtown Fort Myers are provided under Objective 10.

Policy 1.4) Pedestrian Facilities. Create a network of pedestrian facilities to link residential areas with the riverfront and activity centers, particularly those that are pedestrian intensive, such as schools, recreation sites, and commercial areas. This network will ultimately include sidewalks on both sides of all public street segments that connect to two or more other streets (thus excluding non-network streets such as short loops and dead-end streets). Network and non-network streets were mapped in the report *Sidewalks in Fort Myers* prepared for the City in 2007.

Action 1.4.1) Continue to budget monies in the Capital Improvements for sidewalk improvements to network streets, using the following priorities:-

- (a) Streets within a half mile of schools and parks, as measured by walking distance, are the highest priority; then
- (b) All collector and arterial streets, plus local streets between a half-mile and one mile of schools and parks; then
- (c) All other network streets.

Action 1.4.2) Continue to coordinate with the School District of Lee County Board to annually update a priority list of sidewalk needs near schools located within the city and explore opportunities to improve access between schools and the City's bicycle and pedestrian network.

Action 1.4.3) Develop a program for intersection improvements to aid pedestrian mobility.

Action 1.4.4) Implement section 134-73 of the Code of Ordinances of the City of Fort Myers requiring sidewalks on all new streets.

Standard 1.4.4.1) Require existing sidewalks adjacent to the property line to be in good condition before certificates of occupancy are issued for new or remodeled existing buildings.

Action 1.4.5) ~~Identify intersections for "No Right on Red when Pedestrian/Cyclist Present" signs.~~

~~Action 1.4.6)~~ Maintain Section 134-73 of the Code of Ordinances of the City of Fort Myers that places the burden of maintenance (and liability) of sidewalks on the property owners adjacent to said sidewalk.

Action 1.4.6) Policies for pedestrian facilities in downtown Fort Myers are provided under Objective 10.

Policy 1.5) Everyday Biking/Walking. Create an environment that promotes bicycling or walking to work/school and other utilitarian trips such as shopping.

Action 1.5.1) Sidewalks that are shaded encourage year-round bicycling and walking. Street trees (rows of regularly spaced trees in the right-of-way) can provide this shade and also calm the speed and behavior of drivers. Street trees should be planted by City or private organizations, using appropriate species as defined by the City and considering these priorities as proposed in the East Fort Myers Revitalization & Redevelopment Plan (2010):

- (a) Major streets that are heavily used for biking and walking, plus trails, are the highest priorities; then
- (b) Other collector and arterial streets, plus local streets that connect neighborhoods, schools, and parks; then
- (c) Other local streets.

Policy 1.6) Waterways. Suitable commercial marina sites will be promoted for areas adjacent to waterways.

Action 1.6.1) The City will incorporate provisions for marinas in the Land Development Code Regulations.

Action 1.6.2) Policies for waterways in downtown Fort Myers are provided under Objective 10.

Policy 1.7) Freight. The City will promote intermodal terminals and access to aviation, rail and seaport facilities.

Action 1.7.1) Provide appropriate assistance to maintain railroad facilities that travel through and are in use within the City.

Action 1.7.2) Provide assistance to private railroad companies to provide for a rail/truck intermodal transfer terminal by:

- (a) Making property available, for lease or purchase, in the City Industrial Park;
- (b) Encouraging local freight and trucking firms to develop a working relationship with the Seminole Gulf Railroad; and,
- (c) Assisting any potential developers of an intermodal freight terminal with permitting.

Action 1.7.3) Policies for future transportation uses of the CSX/Seminole Gulf rail corridor are provided in Policies 6.4, 6.5, and 6.6 of this element and Policy 3.6 and Action 3.6.1 of the future land use element.

Policy 1.8) Safety. ~~Safety for among and between~~ all modes of transportation is of paramount importance ~~will be promoted~~ on the transportation system.

Action 1.8.1) The City will consider traffic circulation safety in the Land Development Code Regulations.

Policy 1.9) Off-Street Parking. The City will re-examine the number of private parking spaces that the Land Development Code (LDC) requires for each new development and will identify approaches that avoid requiring more private parking spaces than needed to meet future demands. These approaches may include any or all of the following:

- (a) Where appropriate, reduce the minimum number of off-street parking spaces that the LDC requires for new development and redevelopment.
- (b) Eliminate the requirement in the Downtown SmartCode that every downtown development must provide its own off-street parking lot.
- (c) Authorize shared off-street parking lots through joint-use agreements between businesses that have different peak operating periods or surplus parking spaces.
- (d) Encourage developers to request a deviation from the minimum number of off-street parking spaces if LDC standards would require parking lots with more spaces than necessary for a proposed development.
- (e) Seek opportunities to provide park-and-ride lots and to provide shared on-street parking spaces within city rights-of-way (see Action 3.7.4).

OBJECTIVE 2 — ROAD CAPACITY

To maintain ~~and~~ or provide adequate road and transportation system capacity to meet present and anticipated future traffic needs, coordinated with the future land use map and existing and proposed population, housing, and employment patterns, and protecting existing and future rights-of-way.

Policy 2.1) ~~The City will codify its transportation regulations, design standards, internal procedures, and funding priorities and make them easily available to the public and to landowners.~~

Action 2.1.1) ~~Requirements for development approvals will be described in the Land Development Code. These requirements apply to private landowners and developers and to City facilities such as public buildings, parks, and recreation centers.~~

Action 2.1.2) ~~Standards and technical specifications for the design and construction of City transportation facilities, and for private transportation facilities to the extent required by the Land Development Code, will be set forth in the City's Design and Construction Standards Manual and its Complete Streets Guidelines (see Policy 3.1).~~

Action 2.1.3) ~~The City's Public Works Management Practices Manual will continue to document internal operational procedures for traffic operations and will be continually updated to address latest technologies associated with traffic signals, roundabouts, traffic calming, etc. on public streets.~~

Policy 2.1) ~~Each existing collector and arterial roadway will be examined for its potential for expansion within existing right of way to meet forecasted needs.~~

Action 2.1.1) ~~The City will enforce minimum right-of-way requirements based upon the Future Functional Classification and Major Thoroughfare Maps. These maps will be coordinated with the Metropolitan Planning Organization, Lee County, and the Florida Department of Transportation.~~

Standard 2.1.1.1) ~~Rights-of-way (ROW) standards for new and existing roads are as follows:~~

Classification	Width
Local Streets: Curb and Gutter (urban)	50'
Local Streets: Other, Swale (rural)	60'
Collector: Urban Section	100'
Collector: Rural Section	150'
Arterial: Urban Section	150'
Arterial: Rural Section	200'

Standard 2.1.1.2) ~~Reduced (or expanded) rights-of-way will be considered on a case-by-case basis.~~

Policy 2.2) Network Capacity. The City will provide a roadway network that features a level of redundancy that can be achieved with a denser network of interconnected streets, rather than by achieving high capacities on individual collector and arterial streets that are spaced farther apart. New transportation rights-of-way will be acquired at sufficient widths to ensure that likely future needs for expansion are met, to the extent authorized by Florida Statutes.

Action 2.2.1) The City will incorporate this provision into its Land Development Regulations by December 31, 2007.

~~Standard 2.2.1.1) Minimum rights of way acquisition standards are defined in Standard 2.1.1.1.~~

Policy 2.3) Funding Priorities. Roadways, where necessary desirable, will be added or adjusted expanded to the optimal necessary widths and laneage after consideration of complete-street strategies and multi-modal opportunities. to meet traffic needs.

Action 2.3.1) The City will include transportation projects and road construction costs within its five-year Capital Improvements Plan in accordance with the policies of this Comprehensive Plan and within the extent of anticipated revenue sources.

~~Standard 2.3.1.1) In ranking projects for inclusion in the capital improvements program, the following factors will be considered:~~

- ~~(a) Safety, quantified using the Equivalent Property Damage Only (EPDO) value identified in the most recent Traffic Accident Report;~~
- ~~(b) Present Volume, using the most recent Traffic Count Report;~~
- ~~(c) Present Level of Service, using the Present Volume and the Florida Department of Transportation's Generalized Level of Service Tables using the Present Volume and ART-PLAN, ART-TAB, FREE-TAB, U2LN-TAB, or UMUL-TAB, or using the "Lee County Generalized Tables and Link Specific Service Volume Tables";~~
- ~~(d) Projected Volume, using volumes produced by the Metropolitan Planning Organization's long range transportation plan;~~
- ~~(e) Projected Level of Service, using the Projected Volume and the Florida Department of Transportation's Generalized Level of Service Tables or the Lee County service volume tables;~~
- ~~(f) Network Importance, based on Functional Classification and Hurricane Evacuation data;~~
- ~~(g) High Growth vs. Low Growth, using socio-economic data according to local knowledge;~~
- ~~(h) Service Life of the proposed facility (how long this improvement will last): Widening/new road—Service Life of 20 years; Signal timing change—Service Life of 3 years; Intersection improvement (minor)—Service Life of 5 years; Grade separation—Service Life of 15 to 20 years;~~
- ~~(i) Cost, using Florida Department of Transportation cost estimates. If the improvement is an increment of several projects, do not include previous costs; and,~~
- ~~(j) Reducing level of service deficiencies on backlogged facilities created by capacity expansion constraints and projects permitted prior to adoption of the Comprehensive Plan.~~

Policy 2.4) New and Expanded Corridors. New roadway corridors will be provided when justified by need, where feasible, and when existing corridors cannot meet the need. The healthy functioning of cities and commerce is hindered by limited-access freeways and by major roads that restrict travel to a single direction. Freeways should be the very last resort in cities of all sizes.

Action 2.4.1) New corridor construction will be incorporated into the Capital Improvements Program.

Action 2.4.2) Include on the Major Thoroughfare Plan (Map G), regional corridors consistent with the Southwest Florida Strategic Regional Policy Plan, the Lee County Metropolitan Planning Organization's long range transportation plan, and the Florida Transportation Plan.

Action 2.4.3) One-way arterials and collectors should not be constructed; where they currently exist, such streets should be converted to two-way streets wherever possible.

Policy 2.5) New Development. ~~Maintain land development regulations in the Land Development Code to require new development to have an effective internal traffic circulation system network so that to serve the traffic generated by the development does not overload the external network.~~

Standard 2.5.1.1) Proposed developments shall be built such that each phase provides a traffic circulation network that satisfies the phased traffic generation required for ~~For each phase, development to be built in phases must have in place, provide, or assure a traffic circulation system that will handle the traffic generated by the development at the adopted level of service.~~

Standard 2.5.1.2) ~~Developments of Regional Impact (DRI) and other developments~~ At the discretion of the City, developments may satisfy the adopted Comprehensive Plan's concurrency requirements by entering into a development agreement to pay for or construct a proportionate share of one or more mobility improvements that will benefit a ~~the payment of a share contribution for local or and regionally significant transportation facility, traffic impacts of said DRI or other development, provided that the criteria of Chapter 163.3180(12), Florida Statutes are met.~~ Transportation projects that qualify for share contributions/pipelining contributions must be approved by the City of ~~Fort Myers~~ Engineer and may not include site-related improvements as defined in Lee County's impact fee program. Share contributions may include, but are not necessarily limited to, cash payments, right-of-way, construction, and road impact fee credits, as approved by the City of ~~Fort Myers~~. The approval by the City shall specifically include the timing and date of completion of the proposed transportation improvement, the amount of funding to be approved, the administration of the funds, and the name of the project to be funded. These standards will be implemented through the proportionate fair-share program in the Land Development Code, which shall be updated to comply with all revisions to Chapter 163.3180(5), Florida Statutes.

~~Standard 2.5.1.3) Other non-DRI developments may satisfy the adopted Comprehensive Plan's concurrency requirements, if consistent with the requirements of the City of Fort Myers Fair Share Ordinance.~~

Policy 2.6) Level-of-Service Standards. The City will pursue acceptable level of service standards for its roadways while recognizing that vibrant cities require multi-modal transportation options. During the busiest hours of peak days, traffic cannot always flow freely, and some roads will be unable to achieve desirable levels of service. ~~and coordinate the standards with Lee County and the Florida Department of Transportation.~~

Action 2.6.1) The City will obtain traffic counts and intersection studies to determine current service levels.

Action 2.6.2) The City will ~~continue the interlocal agreement~~ cooperate with Lee County DOT ~~regarding joint participation~~ in undertaking traffic counts within the City.

Action 2.6.3) The City will construct roadways, or make roadway improvements, consistent with adopted level of service (LOS) standards. In addition, the City will require other governmental agencies, having authority to construct roadways and/or roadway improvements within the City, to construct such roadways or improvements consistent with the City's adopted LOS standards. In the Downtown Mobility Area as shown in Map I, the City has determined that instead of widening roads to maintain adopted LOS standards, mobility will be enhanced through a coordinated series of measures as described in the Downtown Fort Myers Mobility Plan and summarized under Objective 10; see also Policy 2.12. This modification will be reflected in chapter 134 of the Land Development Code.

Standard 2.6.3.1) Acceptable levels of service for roadways and intersections within the City of Fort Myers that are non-Florida Intrastate Highway System (FIHS) roads are:

Classification	Peak Hour/Peak Season/Peak Direction
Local	C
Collector	E
Arterial	E
Limited Access	E

Standard 2.6.3.2) Acceptable levels of service for roadways and intersections within the City of Fort Myers that are Florida Intrastate Highway System (FIHS) roads are:

Table 3: Level of Service Standards FIHS Roads¹

Classification	Peak Hour/Peak Season/Peak Direction
Urbanized	C/D²
Transitioning	C
Rural	B

¹ The City may seek variances to the level of service standards for the FIHS facilities as may be authorized under Florida Statutes. If granted, the level of service standards will be as approved by the Florida DOT in the Order Granting Petition for Variance.

² If any portion of I-75 or an FIHS road is determined to be within an urbanized area over 500,00 people, based on the latest year 2000 Census by Florida DOT pursuant to applicable rules, then the standard becomes "D" for any such area.

For minimum acceptable levels of service determination, the peak season, peak hour, peak direction condition will be defined as the 100th highest volume hour of the year in the predominant traffic flow direction. The 100th highest hour approximates the typical peak hour during the peak season.

Standard 2.6.3.3) Due to scenic, historic, environmental, aesthetic and/or right-of-way (ROW) characteristic and considerations, the City has determined that certain roadway segments will be deemed "constrained" and, therefore will not be widened. Reduced peak hour levels of service will be accepted on those constrained roads as a trade-off for the preservation of the scenic, historic, environmental, and/or aesthetic character of the community. A maximum volume-to-capacity (V/C) ratio of 1.85 is established for the constrained roads. No building permits will be issued that cause the maximum V/C ratio to be exceeded or that affect the maximum V/C ratio once exceeded. Permits will be issued when capacity enhancements and operational improvements are identified and committed for implementation that will maintain the V/C ratio on the constrained segment at or below 1.85. Changes made to Table 4 in 2019 will be reflected in chapter 134 of the Land Development Code, along with mitigation changes in Policies 2.11 and 2.12.

Table 4: Constrained Roads Conditions

Roadway	Segment	Constrained Condition
McGregor Blvd.	City Limits to US 41	ROW, Scenic, Historic, Environmental
US 41	City Limits to Caloosahatchee River	ROW
West First Street	McGregor Blvd. to US 41	ROW, Scenic, Aesthetic
First Street SR-80	US 41 to Seaboard Street	ROW, Scenic, Aesthetic
Second Street	<u>Monroe St. to Palm Beach Blvd.</u>	<u>ROW</u>
Colonial Blvd.	McGregor Blvd to Six Mile Cypress Pk	ROW
Dr. Martin Luther King Jr. Blvd.	<u>US 41 to Central Ave.</u>	<u>ROW</u>

Action 2.6.4) For constrained roadways, the City shall give priority to those facilities in capital improvements programming and other operational consideration such as traffic signal optimization, access management, on-street parking and loading restrictions, parallel facilities improvements, and the like.

Standard 2.6.4.1) If LOS standards defined in Action 2.6.3 are exceeded; the developer shall provide the necessary improvements to bring the LOS to the required levels.

Action 2.6.5) For each constrained road, the City will identify operational and capacity enhancement improvements that can be implemented within the context of the constrained roadway system.

Action 2.6.6) The City shall prepare, or use from a professionally recognized source, future level of service analyses based on the most recent edition of the Highway Capacity Manual or an equivalent source.

Standard 2.6.5.1) Level of service analyses should reflect City of Fort Myers, Lee County, Lee MPO or Florida DOT traffic counts and projections.

Policy 2.7) Concurrency Management. New development will not be permitted that causes traffic to exceed the adopted level of service of the roadway system within the City, except for urban redevelopment unless located within the "Existing Urban Service Area" (as shown on Map S and described in Policy 2.4 of the Concurrency Management System Element), or as addressed in Policy 2.11 or Policy 2.12 of this element.

Action 2.7.1) No development will be allowed access to roadways functioning at inadequate levels of service, except as otherwise provided herein.

Action 2.7.2) Traffic impact analyses and levels of service determinations shall be required for all rezoning, site development plan approval, comprehensive plan amendments that impact traffic, annexations, and concurrency applications. The most current methodologies and criteria reflective of sound engineering and planning practices shall be used.

Standard 2.7.2.1) The requirements and scope of the required traffic impact analysis and statement shall be defined in the City's Land Development Code Regulations.

Action 2.7.3) Transportation concurrency will be determined on a roadway segment basis or unless it is a master study approved by the City Council, consistent with the level of service standards identified above, except where the City has designated constrained roads, created transportation concurrency management areas, transportation concurrency exception areas, or long-term transportation management systems.

Action 2.7.4) Transportation concurrency will not be applied to transit facilities such as public transit stations, transit station parking lots, park-and-ride lots, intermodal transfer facilities, air cargo facilities, and aircraft hangars.

Action 2.7.5) ~~4) Maintain Land Development Regulations to include~~ Continue participation in the Lee County Road Impact Fee program.

Action 2.7.6) Explore with Lee County the potential for expanding the Road Impact Fee program to broaden allowable expenditures to include alternative modes of travel, including public transit and bicycle and pedestrian facilities, and other mobility improvements.

Action 2.7.7) The concurrency management regulations in the Land Development Code will be amended as necessary to incorporate changes to this element and to state law.

Policy 2.8) Funding for Constrained Roads. Constrained roadways (see Standard 2.6.3.3) shall receive priority for: (a) Mass transit routes; (b) Alternate mode facilities (bicycle/pedestrian); (c) Improvements to alternate or parallel roadways; (d) Traffic operations improvements; (e) Turn lane improvements; and (f) "Soft" improvements such as ridesharing and staggered work-hour programs.

Policy 2.9) Access Management. Land use and traffic circulation patterns will relate to the designated functional classification of each roadway.

Action 2.9.1) Preserve the through-traffic functions of arterials and collectors by maintaining in the Land Development Code Regulations provisions for access management, which may include connection separation requirements along principal arterials, minor arterials, major collectors, and minor collectors as designated on Map F. These requirements can provide for smooth flow of through traffic, minimize conflicting movements, promote safety for motorists and pedestrians, and allow adequate visibility and sight distance. These requirements will not apply in the Downtown Mobility Area shown in Map I.

Action 2.9.2) Implement access management provisions through the site plan review permitting processes.

~~Standard 2.9.2.1) The number of access points, connection separation, proposed locations, and design shall be determined in order to provide a) Smooth flow of through traffic; b) Minimal conflicting movements; c) Automotive and pedestrian safety; and d) Adequate visibility and sight distance. Reduced (or expanded) rights-of-way will be considered on a case by case basis. Relief may be provided~~

~~through specific corridor studies or through administrative procedures where existing development or environmental concerns prohibit implementation of the connection separation standards defined in Table 5.~~

Table 5: Connection Separation Standards

Classification	Centerline Distance
Arterial	660'
Collector	330'
Local	125'

~~Standard 2.9.2.2) Frontage or access roads will be used on newly developing arterials or collectors when the improvement will enhance traffic circulation patterns.~~

Standard 2.9.2.1) ~~3)~~ On-street parking will not be allowed on arterials or collectors, except in the Downtown Mobility Area as shown in Map I and as otherwise specifically approved by the entity maintaining those streets. ~~Downtown Redevelopment Area.~~ To support local businesses, on-street parking spaces may be provided near business corridors on nearby local streets that the city determines to have sufficient right-of-way. Chapter 86 of city codes should be modified to incorporate the recommendations for designing and managing on-street parking that were provided in City of Fort Myers Parking Review (2015).

Standard 2.9.2.2) ~~4)~~ Driveways to single residential buildings of two dwelling units or less on local streets may be spaced closer than the connection spacing requirements specified above for local streets. Where residential lots are proposed for a subdivision on arterial or collector streets, the City may authorized lesser separation distance if joint access agreements are provided to maximize driveway connection separation distances. On local streets, where frontage dimensions of existing platted commercial or industrial lots do not accommodate required connection separation distances, the City will assign the access point(s) to accommodate spacing and safety concerns.

Standard 2.9.2.5) The ~~above~~ minimum connection separation standards in the Land Development Code do not apply to roads determined by the City of Fort Myers City Council and / or the Lee County Board of County Commissioners to be controlled access roads with designated access points. Access on those roadways are identified on an access management plan. Those roads may include, but are not limited to, the following:

County Roadways

- (a) Treeline Avenue
- (b) Summerlin Road
- (c) Six Mile Cypress Parkway
- ~~(d) Daniels Parkway~~

City Roadways

- (a) Veronica S. Shoemaker Boulevard
- (b) Winkler Avenue Road (US 41 to Six Mile Cypress Parkway)
- (c) Forum Boulevard

Standard 2.9.2.6) Access for all uses located on County roads within the City limits shall comply with the connection separation ~~County access management~~ standards in the Lee County Land Development Code.

Standard 2.9.2.7) Access for all uses located on State highways / roadways within the City limits shall comply with the Florida Department of Transportation's connection spacing requirements. ~~access management standards~~.

Action 2.9.3) Preserve the local access function of local streets through development review using standards in the Land Development Code.

~~Standard 2.9.3.1) Access point spacing on other than single-family local streets shall be a minimum of 125 feet.~~

Action 2.9.4) Re-establish the local access function of local, single-family, streets through public improvements utilizing Transportation System Management measures.

Action 2.9.5) Encourage local traffic to utilize Ortiz Avenue, Six Mile Cypress Parkway, Treeline Avenue, Forum Boulevard, and Veronica S. Shoemaker Boulevard for local trips instead of Interstate 75.

~~Action 2.9.6) The Functional Classification and Thoroughfare Plan Map will be consistent with Lee County and coordinated with the Florida Department of Transportation.~~

Policy 2.10) Private Streets. Residential streets may be retained as private roads provided a homeowners association or other entity is established to maintain said facilities. Signage and pavement markings shall conform to the latest MUTCD standards.

Action 2.10.1) The City will adopt and enforce standards for construction and repair of private roads and related drainage facilities.

Policy 2.11) Mitigation on Constrained Roads. All development impacting McGregor Boulevard, other constrained roads, roads in the Downtown Redevelopment Area, or roads in any transportation concurrency management or exception area that may be established by the City, shall mitigate their traffic impacts.

Action 2.11.1) Mitigation shall be proposed outlined in the traffic impact statement and may include direct physical improvements or indirect improvements of an equal monetary value as deemed warranted by the City Engineer, City Council policy at that time.

Action 2.11.2) The developer shall provide the necessary improvements to mitigate the development's impacts.

Policy 2.12) Mitigation Downtown. Development or redevelopment taking place in the Downtown Mobility Area, as shown in Map I, is exempt from any concurrency requirement that would otherwise prohibit or restrict development based on inadequate levels of service on roadways. This exemption will ensure that development or redevelopment that otherwise carries out key city goals and policies can proceed. The City of Fort Myers has determined that, instead of widening roads to enhance mobility in downtown Fort Myers, mobility will be enhanced through a coordinated series of measures as described in the Downtown Fort Myers Mobility Plan and summarized under Objective 10.

OBJECTIVE 3 — COMPLETE STREETS

[existing Objective 3, Policies 3.1/ 3.2, Actions 3.1.1 / 3.2.1 are being merged with Objective 8]

To become a premier walking and cycling city, known for its safe, accessible, appealing and interconnected Complete Streets that equitably accommodate everyone's daily mobility needs.

Policy 3.1) Vision and Initial Activities. The City will establish and maintain a Complete Streets program that creates an interconnected network of streets, sidewalks, and paths that safely serve users of all ages and abilities and that fully integrate neighborhoods with shopping, employment, and civic features.

Action 3.1.1) In 2020, the City intends to adopt, by resolution, a work program titled *Ten Steps to Complete Streets in Fort Myers* that will describe in greater detail the steps the City will take to carry out the Complete Streets objective, policies, and actions in this comprehensive plan. The *Ten Steps* publication will replace the original Complete Streets policy resolution that had been adopted by the City Council in 2011.

Action 3.1.2) In 2020, the City intends to update and adopt, by resolution, *Complete Streets Guidelines* to provide a local supplement to state and national best practices on street networks, on the design and operation of streets and sidewalks, and on optimal relationships between street design and community design.

Action 3.1.3) The City will amend the Land Development Code as needed to implement the Complete Streets program, for instance adjusting the following traffic circulation requirement in chapter 134:

- (a)** Reference the *Complete Streets Guidelines* and other best practices for designing streets so they will apply to streets being built by developers and to streets that will be maintained by the City.
- (b)** Modify the street standards in article 2 of chapter 134 that conflict with Complete Streets policies and actions in this element and the *Complete Streets Guidelines*.

Action 3.1.4) The City will amend the transportation portion of the City's *Design and Construction Standards Manual* to become consistent with the Complete Streets program as defined by the policies and action under Objective 3 and supplemented by *Ten Steps to Complete Streets in Fort Myers* and the *Complete Streets Guidelines*. The City will amend its *Public Works Management Practices Manual* in the same manner.

Action 3.1.5) The City will consider expanding the mandate and membership of its Bicycle Pedestrian Advisory Board so that it may provide advice to the City Council and staff on improving coordination between land-use and transportation planning and on implementing the Complete Streets program (see Action 3.10.1 for details).

Policy 3.2) All Modes and All Users. The best Complete Streets accommodate “all modes”— including walking, bicycling, cars, trucks, and public transit — on streets that are safe for “all users,” including the most vulnerable: children, older adults, and those with disabilities.

Action 3.2.1 The City will strive to achieve a fatality-free transportation system that allows travel by any mode without fear of serious crashes or other incidents; to move toward that goal, the City will actively participate in Florida DOT's holistic Target Zero program.

Policy 3.3) All Projects and All Phases. The City's Complete Streets program will be integrated into everyday operations and procedures and will apply to all transportation-related projects including new construction, reconstruction, retrofits, rehabilitation, and reallocation of pavement on existing streets whenever feasible.

Action 3.3.1) The City will design, construct, operate, and maintain facilities for pedestrians, bicyclists, motorists, and public transit in all projects; possible exceptions are described in Policy 3.4. Public input will be solicited and Complete Streets principles will be incorporated at the earliest possible points in the planning and design process.

Action 3.3.2) The City will strive to plan and design new streets and improve existing streets to support all potential users while minimizing negative impacts on neighborhoods and the natural environment. The City will require that new streets created by developers achieve these same goals.

Action 3.3.3) When allocating resources, the City will give special attention to areas with deteriorated or discontinuous facilities or without adequate facilities.

Action 3.3.4) The City will also implement its Complete Streets program through its participation with the Lee County Metropolitan Planning Organization and Florida DOT, through cooperation with neighboring cities and counties and the Lee County School District, through participation in the Lee County Transit Development Plan, and through involvement with businesses, non-profit organizations, and local residents.

Policy 3.4) Exceptions. Every street is different; some cannot be ideal for all types of travel. While the City will continually seek to provide the greatest accessibility for everyone, there will be streets that cannot accommodate all travel modes.

Action 3.4.1) The City will identify facility types where travel modes should be separated, such as the following:

- (a) Where pedestrians and bicyclists are prohibited by law from using a facility.
- (b) Where motorized vehicles, motorized bicycles, or motorized scooters should be prohibited, such as urban plazas, cycle tracks, and trails.

Action 3.4.2) The City will maintain a transparent system to document unusual or extraordinary circumstances on particular transportation projects and to identify alternate opportunities to accommodate users that must be excluded on a particular thoroughfare. Such circumstances may include the following:

- (a) Where existing right-of-way does not allow for the accommodation of all users and purchase of additional right-of-way is not feasible.
- (b) Where the cost would be disproportionate to the value provided.

(d) Where application of the principles would create unreasonable adverse impacts on the environment or on neighboring land uses.

(d) Where the work is routine maintenance without opportunity or need for design retrofit.

Policy 3.5) Network Connectivity. The City strives to create an interconnected network of streets that will improve travel by providing more direct paths to destinations, reducing delays, and creating redundancy of options for all users. A highly connected network will disperse vehicular travel across many streets and intersections, reducing the need to construct overly wide streets and intersections that create barriers to walking and bicycling and increase crash rates and injury severity for all users. A fine-grained network will allow for streets to complement each other, some suited for faster travel and others offering more comfort and safety for bicyclists and pedestrians.

Action 3.5.1) The City will achieve the highest level of connectivity in the local street network, among off-street trails, and throughout the collector/arterial network as shown on Map F.

Action 3.5.2) The City will identify and fill gaps across existing pedestrian and bicycle facilities, with special attention to schools, parks, civic uses, shopping, and connections to local and regional trail networks.

Action 3.5.3) Wherever possible, the City will improve the connectivity of the local street and trail network:

(a) Seek opportunities to convert one-way streets to two-way streets or develop unused rights-of-way to improve connectivity for pedestrians, bicyclists, motorists, and public transit.

(b) Avoid closing or vacating existing or platted streets except under extreme circumstances; amend article IV of chapter 130 of the Land Development Code to reflect this priority in the criteria for vacating streets.

(c) New development and redevelopment projects should provide interconnected sidewalks, bikeways, and multiuse paths along local street networks that create small blocks.

Policy 3.6) Jurisdiction. The City will work closely with other entities that provide or affect transportation services to carry out the City's Complete Streets program.

Action 3.6.1) The county and state both construct and maintain streets throughout the City; the City urges those entities to follow the City's Complete Streets Guidelines as they design and modify streets and trails within the City.

Action 3.6.2) Private entities construct and sometimes operate streets in the City; the Land Development Code will specify how the Complete Streets program will apply to those streets.

Action 3.6.3) Public rights-of-way are sometimes used by utility companies and other entities in ways that inadvertently hinder pedestrians and bicyclists. Encourage or require those entities to follow the Complete Streets Guidelines and other best practices to minimize or eliminate conflicts.

Action 3.6.4) The School District, Health Department, and the Lee Memorial Health System share common interests in safety and health of local residents. Encourage their involvement in implementing the Complete Streets program.

Policy 3.7) Facility Design. The City will apply current best practices when designing, retrofitting, and maintaining all streets, sidewalks, and paths. Specific design resources are identified in *Ten Steps to Complete Streets in Fort Myers*, the City's *Complete Streets Guidelines*, and recent Florida DOT design standards and publications on Complete Streets.

Action 3.7.1) Streets should be designed to match the desired speed of traffic to provide "self-enforcing" traffic calming. Travel lanes that are wider than necessary, along with intersections with overly large turning radii, encourage drivers to exceed the design speed, endangering themselves and other users of the street (also see Action 5.3.3).

Action 3.7.2) Accommodate pedestrians and bicyclists on all streets and crossings using techniques such as: sidewalks buffered from curbs; highly visible crossings including midblock crossings; street trees for shade; designated slow zones; pedestrian lighting; and shaded transit stops and benches.

Action 3.7.3) Accommodations for bicyclists including additional techniques such as: protected bicycle lanes; separated paths and trails; low-volume slow streets; and special pavement markings and signs.

Action 3.7.4) On-street (parallel) parking may be provided on city streets that the city determines to have sufficient right-of-way where it can reduce the need for repetitive parking spaces on private property and can serve a traffic-calming function, both of which are beneficial to walkable neighborhoods.

Action 3.7.5) Consider design techniques that improve the surrounding area and natural environment, such as: pervious pavement to minimize runoff, distributed detention and infiltration of collected stormwater; and treatment of stormwater runoff to improve water quality.

Policy 3.8) Surrounding Context. The City recognizes that the character and quality of its streets are key factors in keeping neighborhoods desirable and making business districts economically viable.

Action 3.8.1) Before planning and designing new streets or widening existing streets, the City will determine the existing physical context of the surrounding area using Florida DOT's context classifications or a similar system. The Land Development Code and adopted redevelopment plans will then be consulted to determine if the context will be changing. The character of each street will be based on its existing context, or the planned context if change is anticipated, in addition to its role in the overall street network.

Action 3.8.2) The City will design and redesign streets to improve accessibility and safety and contribute to their immediate surroundings and the larger community through landscaping, shade trees, street furniture, public art, etc.

Action 3.8.3) The City will integrate natural features including waterways, preserves, and parks when planning street corridors.

Policy 3.9) Performance Measures. The City will monitor performance measures that assess how successfully the Complete Streets program is being implemented.

Action 3.9.1) Measurable factors will be identified in *Ten Steps to Complete Streets in Fort Myers* and may be updated from time to time. Measurable factors vary by travel mode and may include:

- (a) Service Quality (as experienced by users), such as availability of facilities, level of service, pavement condition, distance between crosswalks along active pedestrian corridors, miles of shaded sidewalks and paths, locations that are particularly stressful to bicyclists and pedestrians, etc.
- (b) Outcomes, such as crash rates, mode splits, travel time, etc.
- (c) Cost Efficiency, such as cost per mile and cost per user.

Action 3.9.2) Baseline data for each factor will be compiled within six months after these Complete Streets policies and actions take legal effect. This data will be published by the City along with maps that identify locations that have proven dangerous to bicyclists and pedestrians.

Action 3.9.3) Within six additional months, benchmarks will be established for each factor to identify desired annual progress for each factor.

Policy 3.10) Ongoing Implementation. The Complete Streets program affects many aspects of city government. Several initial implementation activities are described in Actions 3.1.1, 3.1.2, and 3.1.3; the actions listed below describe additional implementation activities.

Action 3.10.1) Advisory Board. An expanded advisory board (see Action 3.1.5) will provide advice to the City Council and administrative staff on implementing the Complete Streets program. The City Council and the Planning board may appoint liaisons to this board. City and county staff members may be asked to sit on this board in addition to private citizens and representatives from bicycling, disabled, youth/elder groups, and similar advocacy organizations. This advisory board may have other duties as suggested in *Ten Steps to Complete Streets in Fort Myers*.

Action 3.10.2) Facility inventory. The City will create and maintain a comprehensive mapped inventory of all existing and proposed pedestrian and bicycling facilities.

Action 3.10.3) Training. To successfully implement the City's Complete Streets program, the City will develop plans to prioritize, design, and fund training activities. Training for staff and elected/appointed officials will enable them to learn how other communities have successfully accomplished similar goals and to familiarize them with the various city and state Complete Streets programs and best-practice resources that now exist.

Action 3.10.4) Outreach. The City will initiate and collaborate with other agencies and organizations to carry out the Complete Streets program. Potential collaborators include county, regional, and state transportation agencies including Lee Tran (the county public transit agency), Lee Memorial Health System, and the Lee County School District whose students walk and bike to school or use the district's extensive bus network.

OBJECTIVE 4 — DOWNTOWN PARKING

The City will ensure adequate parking and pedestrian space within the Downtown Redevelopment Area.

Policy 4.1) ~~The City will provide an adequate~~ ~~will promote an increase in the number of parking spaces available within the Downtown Redevelopment Area to be consistent with the adopted Downtown Fort Myers Plan.~~

Action 4.1.1) ~~The City Fort Myers Redevelopment Agency will monitor development within the Downtown Redevelopment Area and together with the City Redevelopment Agency will promote additional public and private parking spaces as necessary.~~

~~Action 4.1.2) In order to ensure that the number of parking spaces within the Downtown Redevelopment Area keeps pace with the level of development, the City will adopt a downtown parking master plan by 2008.~~

~~Policy 4.2) The City will take an active role in providing adequate parking for the Downtown Redevelopment Area as stated in the Downtown Fort Myers Plan.~~

~~Action 4.2.1) The City shall review and implement appropriate recommendations from the parking study performed in 2006 for the Downtown Redevelopment Area in order to provide adequate parking for the areas deemed insufficient.~~

~~Policy 4.3) Access to the Downtown Redevelopment Area will continue to be provided to pedestrians by the enhanced system of sidewalks defined for in the Downtown Fort Myers Plan.~~

~~Action 4.3.1) The Fort Myers Redevelopment Agency will continue to implement the streetscape improvement plan in conjunction with the Downtown Fort Myers Plan.~~

~~Standard 4.3.1.1) The public rights of way within the Downtown Redevelopment Area will continue to be improved in accordance with the adopted streetscape catalog.~~

Policy 4.2) 4.4) Available parking lots and/or garages shall not be concentrated in one area of the Downtown Redevelopment Area.

Action 4.2.1 4.4.1) The potential location of parking lots and/or garages for the Downtown Redevelopment Area shall ~~be studied in order to provide parking for all areas and avoid to eliminate~~ the concentration of parking in a limited area (i.e. two- or three- block area).

~~Action 4.4.2) The City will undertake a trolley feasibility study by December 31, 2007 and if shown to be feasible a trolley system will be implemented to provide access to and around the Downtown Redevelopment Area. A primary objective of the trolley system shall be to provide access from parking areas in the fringe areas into and around the Downtown Area. [this subject is now being addressed under Objective 10]~~

OBJECTIVE 5 — LAND-USE AND TRANSPORTATION PLANNING

To preserve the integrity and quality of residential areas, major activity centers, and recreational and environmental resources.

Policy 5.1) Coordination. Proposed transportation improvements will be coordinated with existing land uses, ~~and the Future Land Use Map, and the Lee County Metropolitan Planning Organization's long-range transportation plan.~~

Action 5.1.1) Changes to the Future Roadway Facilities and Classifications - ~~2040 2030~~ (Map F) that would change proposed rights-of-way requirements will be developed in accord with adjacent land uses as well as in accord with the City's overall needs.

Action 5.1.2) No new ~~development activities or~~ transportation corridors or improvements will be permitted that would preclude those indicated on the Major Thoroughfare Plan ~~2040 2030~~ (Map G). Any proposed amendment to the Thoroughfare Plan must be consistent with all ~~Transportation Element Traffic Circulation~~ policies, actions, and standards as well as other Comprehensive Plan Elements.

Policy 5.2) McGregor Boulevard. Any transportation improvements proposed for McGregor Boulevard shall consider its qualities as a special historic and scenic corridor.

Action 5.2.1) In particular, there shall be no new street connections, road connections, road intersections, or the widening of any existing intersections and no overpasses or underpasses made either with, under, or over McGregor Boulevard or any alteration of the physical dimensions, appearance, or location of this corridor except as follows:

- (a) Bicycle paths, the construction of which does not require the removal of any palm tree;
- (b) Construction by owners of property or easements abutting this corridor of driveways or other such minor entrances and exits to McGregor Boulevard. Should such construction require the removal of a living palm, the effected palm shall be relocated;
- (c) The ordinary maintenance and repair of the road, provided the physical dimensions and location of the road are preserved;
- (d) Any work that is necessary for the public health or safety as determined by the agency having jurisdiction of the land area surrounding the portion of the road involved;
- (e) The establishment of three-lane turn intersections, if such can be accomplished without the dislocation of immediately bordering palm trees, or can be accomplished by transplanting the effected trees to conform with the revised intersection design;
- (f) Be consistent with the Land Use, Conservation and Coastal Management, Community Appearance, and Historic Preservation Elements; and,
- (g) The establishment of roundabouts at "key" intersections, ~~such as McGregor Boulevard and Virginia Avenue,~~ provided that they can be accomplished without the dislocation of immediately bordering palm trees, or can be accomplished by transplanting the effected trees to conform with the roundabout design.

Policy 5.3) Local Streets. Transportation improvements proposed in or near residential areas will contain appropriate mitigation measures.

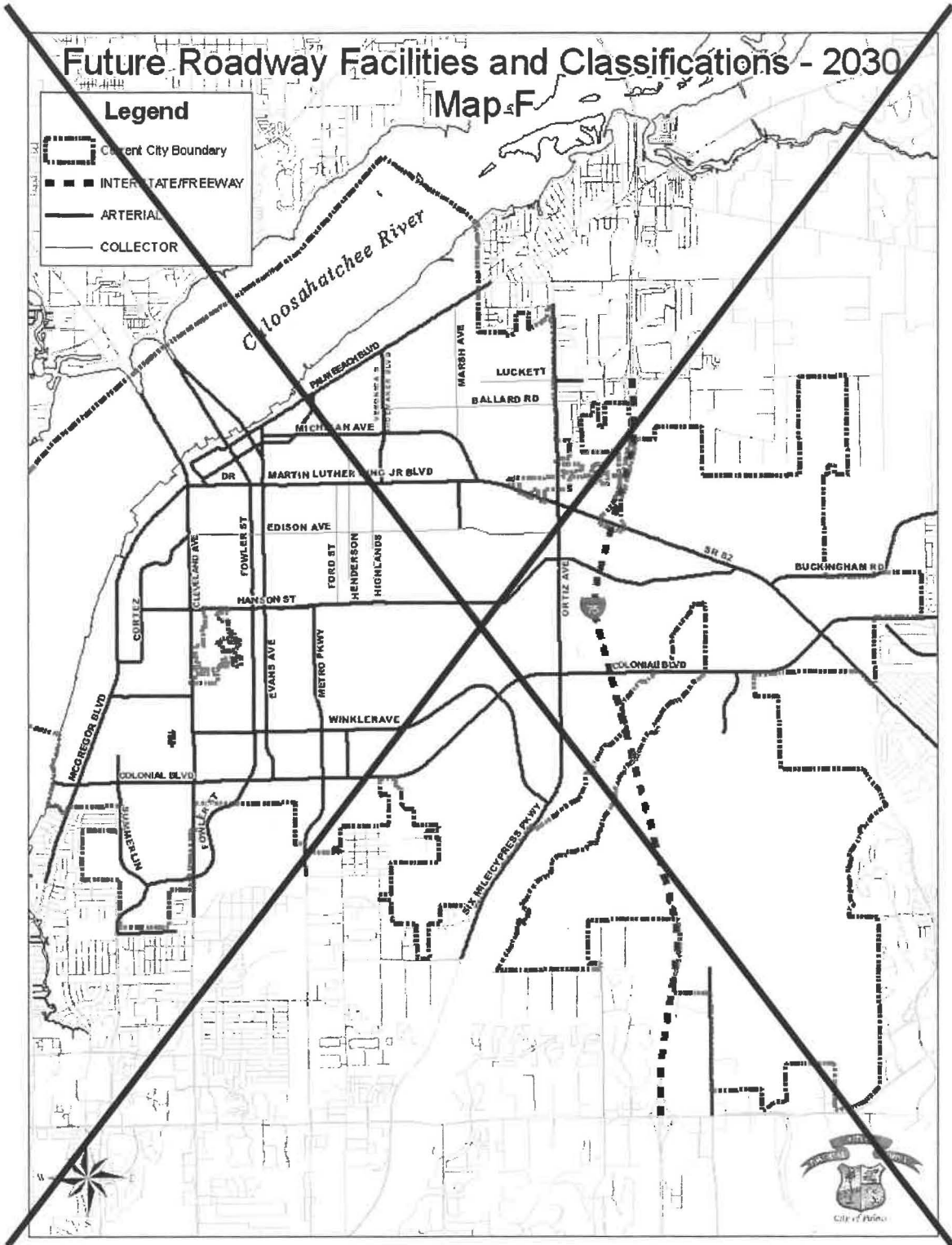
Action 5.3.1) ~~No transportation corridors/improvements will be permitted that would, due to its nature as a Limited access facility, facilities should not force local traffic on the existing corridors to seek alternate routes through established residential neighborhoods.~~

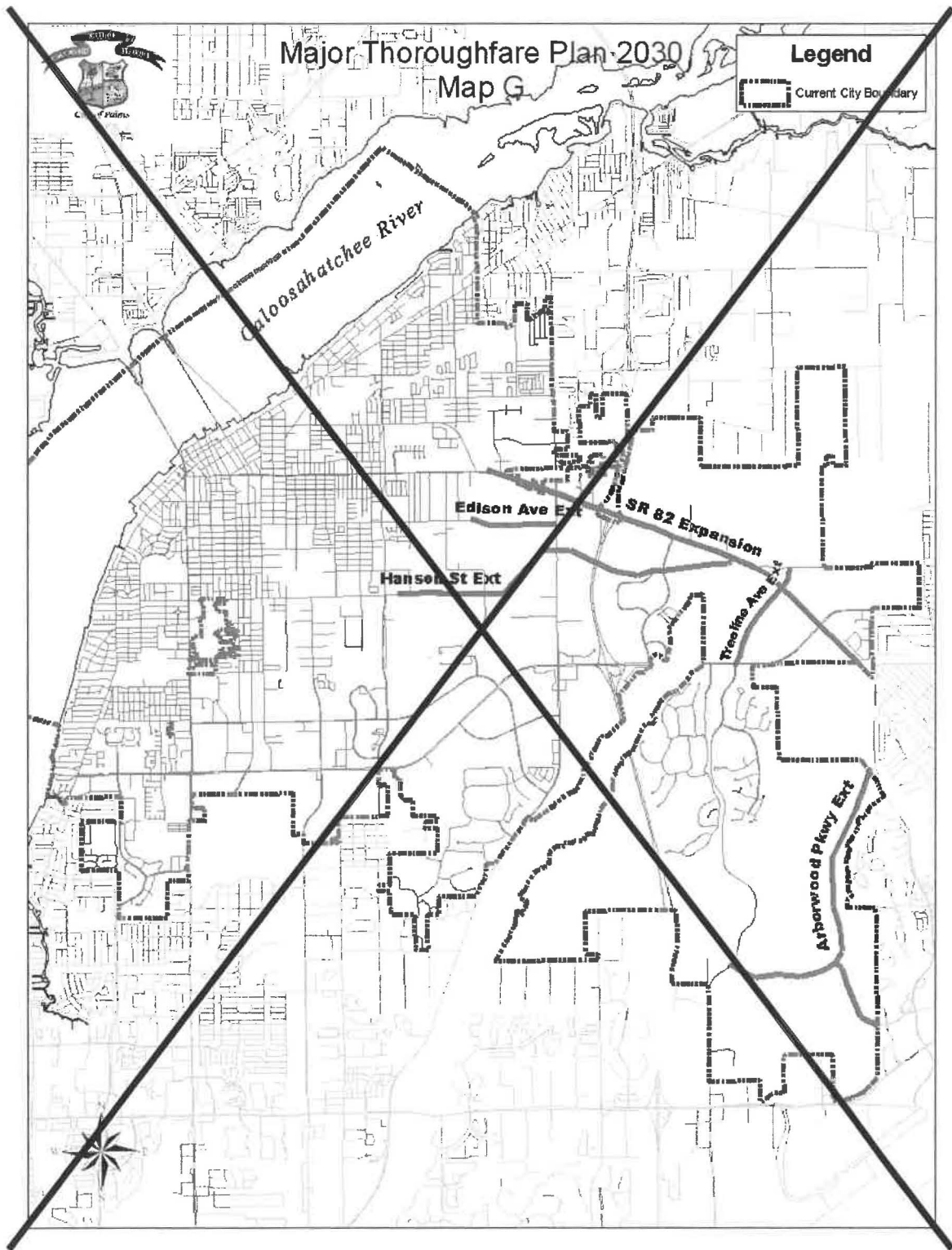
Action 5.3.2) ~~This policy will be incorporated into the Development Regulations; other Mitigation measures that will be considered in residential neighborhoods include special traffic control, traffic calming measures, heavy vehicle limitations or prohibitions, additional buffering for noise or aesthetics, and additional pedestrian considerations.~~

Action 5.3.3) The City will evaluate and, if determined to be feasible, implement traffic calming measures in neighborhoods, which are experiencing excess pass-through traffic and excessive speeds. Such traffic calming measures ~~may~~ could include, but are not limited to: street closures, speed bumps ~~humps~~/tables, roundabouts, and/or increased enforcement, when such measures are feasible and have been approved by the residents of the specific neighborhood. Funding for this program may come from a variety of sources, including but not limited to MSTU/MSBUs, developer contributions, special assessment districts, grants or other sources. Guidance on traffic-calming techniques is available in the Complete Streets Guidelines and in the City-Wide Traffic Calming Plan (2003 or updated version).

~~Policy 5.4) Transportation improvements that conflict with the Charlotte Harbor Comprehensive Conservation Management Plan will not be promoted.~~

~~Action 5.4.1) The Community Development Director, or his/her designee, will review all proposals to ensure consistency.~~





TRANSPORTATION ELEMENT: *[showing changes approved through Ordinance No. 3850]*

Last Amended on November 18, 2019 Through Ordinance No. 3850

OBJECTIVE 6 — LONG-RANGE PLANNING

To coordinate and obtain the cooperation and active participation of all responsible governments (including the Lee County Metropolitan Planning Organization (Lee MPO), Lee County, and the Florida Department of Transportation) in the implementation of the ~~2040~~ 2030 Metropolitan Planning Organization's long range transportation plan.

Policy 6.1) Long-Range Transportation Plans. All proposed major transportation improvements within the Lee County Metropolitan Planning Organization ~~2040~~ 2030 Transportation Plan, including all improvements which extend beyond the limits of the City, will be coordinated with the other affected jurisdictions prior to City approval of the improvement.

Action 6.1.1) Functional Classification Map. Map F identifies the functional classification of existing and proposed roads as delineated by the MPO while preparing its 2040 plan. These classifications describe the role of each type of road in the transportation system:

- (a) **Principal arterial:** Serves a large percentage of travel between cities and other activity centers where minimizing travel time and distance is important.
- (b) **Minor arterial:** Provides service for trips of moderate length; serves geographic areas that are smaller than principal arterials and offers connectivity to them.
- (c) **Collector (major and minor):** Collects traffic from local streets and connects them with arterials or other collectors; provides more access to adjacent properties than arterials.

Action 6.1.2) Major Thoroughfare Plan. Map G is the City's Major Thoroughfare Plan. Map G includes all committed and cost-feasible projects identified in the Lee MPO's 2040 transportation plan. Projects in the City of Fort Myers on Map G include:

- (a) **Construct new road:** North Airport Road Extension to Metro Parkway; Hanson Street Extension from Veronica Shoemaker Boulevard to Ortiz Avenue; Edison Avenue Extension from Arcadia Street to Ortiz Avenue; Arcadia Street Extension from Hanson Street to Edison Avenue Extension; connect Rockfill Road to Hansen Street Extension.
- (b) **Add lanes:** Colonial Boulevard from Winkler Extension to Forum Boulevard; Ortiz Avenue from Colonial Boulevard to Lockett Road; Metro Parkway south of Winkler Avenue; Hanson Street from US 41 to Shoemaker Boulevard; and Edison Avenue from US 41 to Fowler Street.
- (c) **Revert to two-way:** First Street and Second Street from Fowler Street to the Seaboard Street intersection with Palm Beach Boulevard.
- (d) **Construct median:** Fowler Street from Dr. Martin Luther King Jr. Boulevard to Fowler/Metro.
- (e) **Reconstruct alignment:** Edison Avenue between McGregor Boulevard and US 41.
- (f) **New sidewalks:** Marsh Avenue from Michigan Avenue to Palm Beach Boulevard; Treeline Avenue from Colonial Boulevard to Pelican Preserve Boulevard; Hanson Street from US 41 to Montclair Avenue; Six Mile Cypress Parkway from Winkler Avenue Extension to Challenger Boulevard.
- (g) **New trails:** Hill Avenue from McGregor Boulevard to US 41 at Carrell Road; extension of John Yarborough linear park trail along Ten Mile Canal from Colonial Boulevard to Hanson Street.
- (h) **Intersection upgrades:** Colonial Boulevard between McGregor Boulevard and US 41; Dr. Martin Luther King Jr. Boulevard at Cranford Avenue and Palm Avenue; right-turn lane on northbound Winkler Avenue at Colonial Boulevard.

Future Roadway Facilities & Classifications -- 2040 Map F



Major Thoroughfare Plan -- 2040 Map G



Action 6.1.3) The City will update its *Design and Construction Standards Manual* to reflect the current versions of Map F and Map G.

Action 6.1.4) ~~1)~~ The City will serve on the governing board ~~participate in the committees~~ of the Lee County Metropolitan Planning Organization to ensure that the policies under Objective 6 are ~~this policy is~~ met.

Policy 6.2) Other Jurisdictions. The City will actively participate in the development and review of transportation improvements proposed by other jurisdictions.

Action 6.2.1) The City will participate on ~~in~~ the Lee County Metropolitan Planning Organization's Planning Technical Advisory Committee to ensure that this policy is met.

Action 6.2.2) The City will also participate on other Lee MPO committees, including the Bicycle Pedestrian Coordinating Committee, the Traffic Management and Operations Committee, and the Citizens Advisory Committee.

Policy 6.3) MPO Priorities. The City will consider the conclusions ~~rankings~~ of the Lee County Metropolitan Planning Organization's 2040 2030 Transportation Plan when programming city-sponsored transportation improvements into the Capital Improvements Program to provide for a transportation network which functions at acceptable levels of service.

Action 6.3.1) ~~2)~~ Transportation network improvements will be considered if cost feasible based on revenue projections.

Policy 6.4) Rail Corridor as Statutory Transportation Corridor. The CSX / Seminole Gulf rail corridor, as shown on Map H, is hereby designated as a strategic regional transportation corridor. This designation has been recommended by the Lee County Metropolitan Planning Organization as a means for cities and counties along the rail corridor to recognize the regional nature of this asset and jointly commit to efforts to protect it in its entirety. This designation includes the designation of the rail corridor as a "transportation corridor" pursuant to F.S. 337.273. The following actions will further this designation:

Action 6.4.1) The City encourages Florida DOT with appropriate funding partners to purchase the real estate interests in the entire rail corridor from Arcadia to north Naples from its current owner, CSX Transportation Inc.

Action 6.4.2) The City will formally oppose any attempts at abandonment of the rail corridor before the U.S. Surface Transportation Board, and will support use of federal rails-to-trails authority to railbank the corridor, if abandonment ever succeeds, in order to preserve the corridor for possible future rail service.

Action 6.4.3) Fort Myers will cooperate with Lee County, the Village of Estero, and the City of Bonita Springs to develop a transportation corridor management ordinance that would manage land uses within and adjacent to the rail corridor, as suggested by F.S. 337.273(6).



Action 6.4.4) Fort Myers will cooperate with Lee and Collier Counties, the Village of Estero, and the City of Bonita Springs in evaluating and potentially operating public transportation through their jurisdictions and creating new redevelopment opportunities near potential stations.

Action 6.4.5) Fort Myers will cooperate with all counties and cities along the rail corridor to pursue common goals for trails and continued freight service to the corridor's northern terminus in Arcadia.

Policy 6.5) Multiple Uses in Rail Corridor. The City supports the vision and efforts of the Lee County Metropolitan Planning Organization as described in its Lee County Rail Corridor Feasibility Study (2013) to enhance freight capability through the entire rail corridor and on nearby industrial land, to allow hiking/biking/walking trails and paths to be added to portions of the corridor, and to add capability for commuter rail, light rail, or bus rapid transit from east Fort Myers to northern Collier County.

Policy 6.6) Transit-Oriented Development. Future Land Use Policy 3.6 and Action 3.6.1 describe the City's strong support for transit-oriented redevelopment around potential future stations for commuter rail, light rail, or bus rapid transit.

OBJECTIVE 7 — TRANSPORTATION DISADVANTAGED

To increase the mobility opportunity of the transportation disadvantaged, and promote efficient public transit services.

Policy 7.1) Accessible Facilities. Those City operations which are open to the public will be designed to be accessible to the transportation disadvantaged and others, in accordance with the Americans with Disabilities Act (ADA).

Policy 7.2) Transit Service. The number of trips provided for transportation disadvantaged citizens should be increased above year 2000 levels by the year 2020 ~~2010~~.

Action 7.2.1) Coordinate with the designated official planning agency for the Transportation Disadvantaged Program (Lee County Metropolitan Planning Organization) and the Community Transportation Coordinator to assist or facilitate in planning and increasing ridership above year 2000 levels.

OBJECTIVE 8 — EFFICIENCY

To minimize total costs of the transportation system in a manner consistent with system performance objectives and to promote energy-efficient designs in transportation systems and facilities, thereby reducing air pollution, and reducing per capita energy use and fossil fuel use below year 2000 levels. [*incorporates language being moved here from Objective 3*]

Policy 8.1) Cost-Effectiveness. Cost effectiveness analysis will be part of the review procedure for any transportation improvement.

Policy 8.2) Mode Alternatives. Less costly alternatives, including other mode alternatives, will be a part of the review procedure for any transportation improvement.

Action 8.2.1) The Public Works Department shall incorporate the above two policies within its review procedures.

Policy 8.3) ~~3-1)~~ Intersections. ~~Transportation system~~ Intersections will be designed and upgraded to minimize prevent unnecessary traffic delays and improve safety.

Action 8.3.1) ~~3-1-1)~~ The City of Fort Myers Public Works Department maintains a prioritized list of intersection improvements based upon the results of intersection studies.

Action 8.3.2) Depending on traffic volumes, modern roundabouts are often safer and perform better than conventional intersections by slowing travel speeds and reducing vehicle conflict points. The City will identify existing and proposed intersections with these conditions and consider installing modern roundabouts. Technical guidance on roundabouts is provided in the Lee County MPO Roundabout Study (2017).

Policy 8.4) ~~3-2)~~ Energy Efficiency. The City will promote transportation improvements which are more energy efficient in construction, operations, and maintenance than other alternatives.

Action 8.4.1) ~~3-2-1)~~ The City will incorporate this consideration in its transportation improvement programming.

OBJECTIVE 9 — DEMAND MANAGEMENT

To make efficient use of the existing capacity of the transportation system before investing in additional facilities.

Policy 9.1) Downtown. Car-pooling, staggered work hours, park-and-ride, and other capacity-increasing techniques will be promoted for use and considered as ways for efficient use of parking and the transportation system in the Downtown Redevelopment Area.

Action 9.1.1) The City shall incorporate these concepts in the evaluation of transportation improvements for the Downtown Redevelopment Area.

Action 9.1.2) The City encourages the formation of a Transportation Management Association by downtown businesses and organizations and would participate as a major employer in shared solutions for getting to and parking downtown. Details about such an association can be found in the *Bicycle and Pedestrian Plan* (City of Fort Myers, 2007).

Policy 9.2) Transportation System Management. Transportation System Management improvements will be examined and budgeted.

Action 9.2.1) The City shall prepare annually a list of Transportation System Management Improvements for the Capital Improvement Program.

OBJECTIVE 10 — DOWNTOWN MOBILITY PLAN

To enhance mobility in downtown Fort Myers by emphasizing multi-modal transportation alternatives and minimizing the widening of streets.

Policy 10.1) Downtown Fort Myers Mobility Plan. The City of Fort Myers will enhance mobility within the Downtown Mobility Area, as shown in Map I, through a coordinated series of measures as described in the Downtown Fort Myers Mobility Plan, some of which are highlighted in this element. The City will consider expanding this mobility area to include neighborhoods to the immediate east and south which have similar physical characteristics.

Policy 10.2) Trolley. The City strongly supports the downtown trolley and is seeking funding to support on-going service. Action 4.4.2) The City will undertake a trolley feasibility study by December 31, 2007 and if shown to be feasible a trolley system will be implemented on a trial basis to provide access to and around the Downtown Redevelopment Area. A primary objective of the trolley system shall be to provide access from parking areas in the fringe areas into and around the Downtown Area.

Policy 10.3) Bike Sharing. The City supports the establishment of a downtown bike-sharing program and will modify its regulations, if necessary, to accommodate bike docking stations in public rights-of-way. Initial stations may include the Yacht Basin, the downtown library, the Rosa Parks Transportation Center, Publix at First Street Village, and the Edison-Ford Winter Estates.

Policy 10.4) Bike Parking. The City will expand downtown bike parking to encourage bicycle usage by providing alternatives to chaining bikes to street trees or lampposts. Bicycle parking facilities inside parking garages encourage bicycle commuting by providing longer-term, weather-protected bicycle parking.

Policy 10.5) Walking. The City will maintain downtown Fort Myers as one of the best pedestrian environments in southwest Florida. Pedestrian crossings will be enhanced to improve safety at key intersections and mid-block crosswalks.

Policy 10.6) Riverwalk. The City will work to extend the downtown Riverwalk westward to the Edison-Ford Winter Estates, eastward to the Tarpon Street Pier, and northward to include bridges over the Caloosahatchee. These extensions will be accomplished through a combination of development regulations, conditions on discretionary approvals, leasing of submerged lands, agreements with landowners, and construction on City-controlled properties. The City's development regulations shall be amended to require the Riverwalk and/or a public esplanade from Billy's Creek to the Tarpon Street Pier, and to remove the standard requirement for an undisturbed native-vegetated buffer where the Riverwalk or public esplanade will be built.

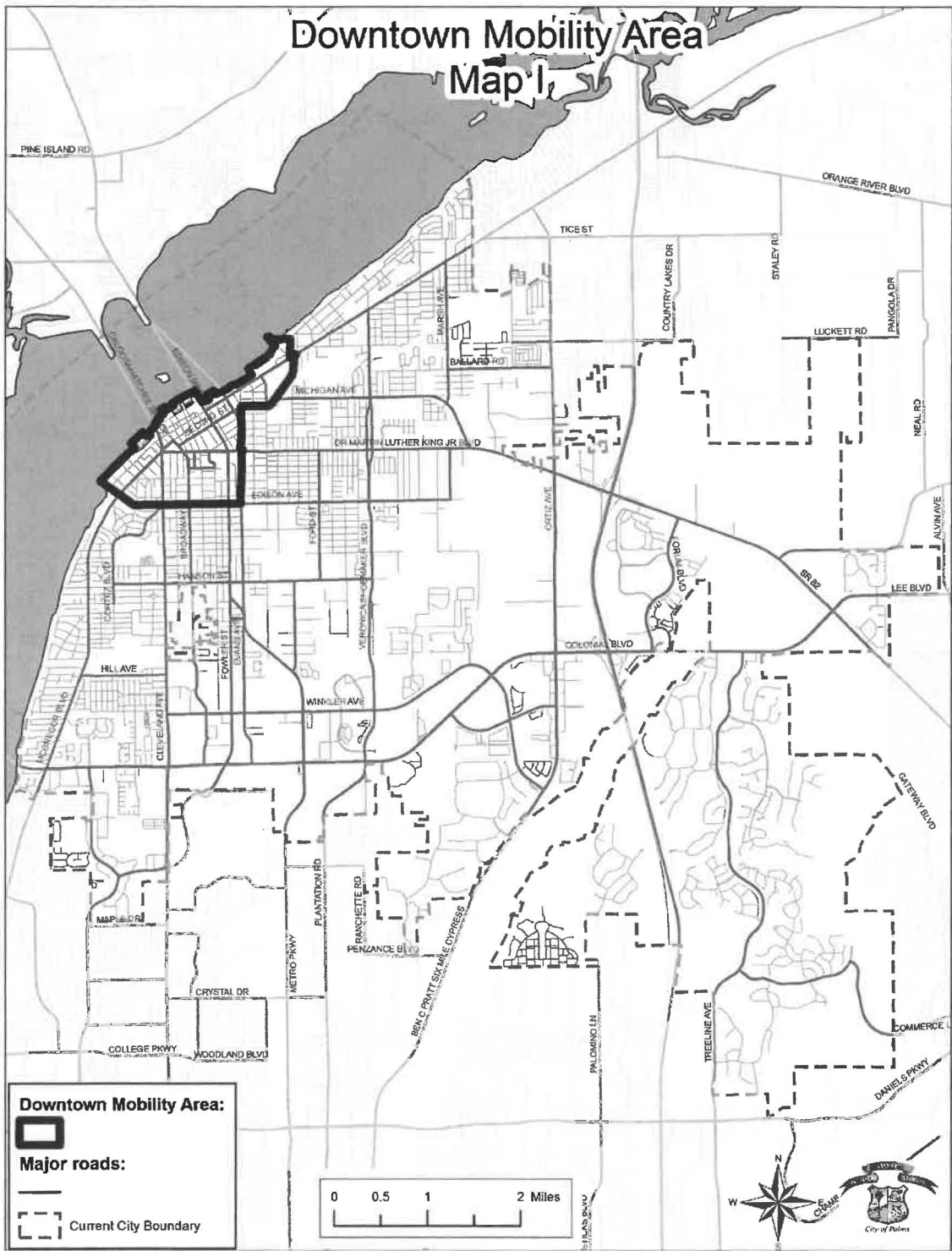
Policy 10.7) Marinas. The City will maximize the use of the Caloosahatchee for water transportation by continuing to maintain and improve the Yacht Basin and by considering leasing City-owned submerged land for private marinas.

Policy 10.8) Water Taxis. The City supports the establishment of private water taxis and shuttles which would combine mobility with recreation and wildlife viewing. Potential stops include the Yacht Basin, Legacy Harbor Marina, Edison / Ford Winter Estates, the Oasis towers, and sites outside downtown. The City will consider waiving any requirements for on-site parking for such facilities.

Policy 10.9) All Types of Travel. The City will ensure that every downtown street becomes a Complete Street that accommodates multiple travel modes and is safe, comfortable, and accessible for users of all ages and abilities.

Policy 10.10) Local Street Grid. Downtown Fort Myers has a well-developed grid of streets, nearly all of which have been restored to two-way travel. This pattern is conducive to walking and bicycling and spreads vehicular travel across the entire grid rather than forcing it to travel on a few major streets. The street system can function even better for private and transit vehicles with certain additional improvements, such as restoring two-way travel on First Street and Second Street, adding roundabouts at complex intersections, removing unnecessary traffic signals, reconnecting Market Street across the railroad tracks, and providing alternative travel paths for vehicles now dependent on Dr. Martin Luther King Jr. Boulevard through downtown.

Policy 10.11) Transit-Oriented Development. The City supports transit-oriented development that can take full advantage of existing transit service. The City also supports transit-ready development, walkable concentrations of housing and jobs that are situated and designed to accommodate transit when it becomes available. Transit-ready development typically begins with surface parking that is laid out so that parking can be reduced or converted into parking structures as transit arrives and the mix of uses reduces travel demand.



OBJECTIVE 10

Encourage the Lee County Metropolitan Planning Organization to develop data and analysis sufficient to support removing the east-west one-way pair (First Street / SR 80 and Second Street) from the long range transportation plan within the City of Fort Myers.

~~Policy 10.1) The City will promote an alternative methods for determining long range transportation needs.~~

~~Action 10.1.1) The City will request the Metropolitan Planning Organization Technical Advisory Committee and technical staff to consider the following alternative methods for projecting long range transportation needs:~~

- ~~(a) Transportation needs based on current year deficiencies should be based on current year traffic analysis zonal data to test alternative actions to correct existing deficiencies;~~
- ~~(b) Transportation needs for five year forecasts should be based on existing and committed transportation networks tested with socio-economic data forecasts for each five year increment; and,~~
- ~~(c) Transportation needs for ten and twenty year forecasts should be based on low, medium, and high projections of socio-economic data to determine transportation needs.~~

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CONCURRENCY MANAGEMENT SYSTEM

GOAL

To ensure that all needed public facilities and services are available concurrent with the impacts of development.

OBJECTIVE 1

Coordinate land development with the public and private provision of community services and facilities.

Policy 1.1) Development shall not be permitted unless adequate capital facilities levels of service as defined in the respective comprehensive plan elements exist or are assured. The City of Fort Myers will provide public services and infrastructures (e.g. roads, sanitary sewer, solid waste management, drainage, potable water, and parks and recreation) at an adopted Level of Service (LOS) concurrent with the impacts of new development.

Action 1.1.1) Maintain Land Development Regulations to require community facilities and services (potable water, sanitary sewer, stormwater/drainage facilities, roadways/transportation facilities, solid waste, and parks and recreation facilities) to be in place or assured that meet adopted level of service requirements prior to issuance of development orders or building permits.

Standard 1.1.1.1) The following community facilities and services must be provided for or assured prior to development permitting:

- (a) Transportation facilities;
- (b) Water, sewer, and utilities;
- (c) Stormwater management;
- (d) Solid waste management; and,
- (e) Parks and recreation facilities.

Action 1.1.2) The Land Development Regulations will maintain regulations that incorporate level of service standards.

Action 1.1.3) The City will update its 10-Year Water Supply Facilities Work Plan in accordance with Florida law. The City shall maintain consistency with the SFWMD Lower West Coast Water Supply Plan (2005-2006 Update), as amended, and meet with the SFWMD water supply planning staff on an annual basis to provide the latest estimates and projections of potable water use.

Policy 1.2) The Capital Improvement Element shall set forth a financially feasible plan which demonstrates that the adopted level of service standards are being achieved and maintained.

Action 1.2.1) Annually monitor the level of service of the facilities and services contained in Standard 1.1.1.1, including the availability of additional public facility capacity and review capital projects actually constructed to ensure adherence to the schedule of capital improvements.

OBJECTIVE 2

Maintain a Concurrency Management System to verify that level of service requirements are being met for development prior to issue of a development order or permit for construction/rehabilitation.

Policy 2.1) The City's Land Development Regulations will maintain regulations that specify and implement the Concurrency Management System, as well as require the Public Works Department to verify that adopted level of service standards are being met prior to issuance of a development order or permit.

Action 2.1.1) Maintain a current record of the level of service for:

- (a) Transportation facilities;
- (b) Water, sewer, and utilities;
- (c) Stormwater management;
- (d) Solid waste management; and,
- (e) Parks and recreation facilities in comparison to adopted level of service standards.

Action 2.1.2) Ensure adherence to the adopted level of service standards by conducting a concurrency test for facilities and services (public and private) listed in Action 2.1.1 prior to issuance of development orders or permits, by comparing the available capacity of a facility or service to the demand created by the proposed project. Capacity shall be ensured as follows:

Standard 2.1.2.1) Sanitary sewer, potable water, solid waste management, and surface water management/drainage facilities shall have capacity adequate to meet the demands of the proposed development in place and available or the provision of such capacity must be otherwise guaranteed through an enforceable development agreement or development order, at the time of the issuance of a certificate of occupancy.

Standard 2.1.2.2) Parks and Recreation acreage adequate to meet the demands of the proposed development must be dedicated or acquired by the City of Fort Myers prior to issuance of a certificate of occupancy. Parks and recreation facilities and services needed to serve the new development must be in place and available, or otherwise guaranteed through an enforceable development agreement or development order, within one year after issuance of a certificate of occupancy as provided in the adopted City of Fort Myers or Lee County Five Year Capital Improvement Program. In lieu of this requirement, the developer's fair share of funds to meet the parks and recreation needs created by the development may be committed to the City of Fort Myers.

Standard 2.1.2.3) Transportation facilities (roads and mass transit) adequate to meet the demands of the proposed development:

- (a) Must be in place and available; or,
- (b) Must be scheduled to be in place or under actual construction; or,
- (c) Must be demonstrated by the conditions of the development order or permit subject to the requirement that the necessary facilities and services needed to serve the new development are scheduled to be in place or

under actual construction not more than three years after issuance of a certificate of occupancy as provided for in the adopted City of Fort Myers or Lee County Five Year Capital Improvement Program or the first three years of the Florida Department of Transportation five year work program.

Policy 2.2) Development approval will be issued only if the proposed development does not lower the existing level of service (LOS) of the City's public facilities and services below the adopted level of service standard in the respective elements of the Comprehensive Plan as follows:

Action 2.2.1) The City shall not permit development unless adequate water facilities are in place or assured, in accordance with Policy 2.1, Action 2.1.2, Standard 2.1.2.1, Policy 2.3, and Policy 2.4, of this Element, as follows:

Standard 2.2.1.1) Minimum system pipe size (not service lines) should be 6-inch for single-family development and 8-inch for multi-family, commercial, business, and industrial development. Minimum fire flow rates shall be maintained in the Land Development Regulations.

Standard 2.2.1.2) Dead-end pipes shall be limited to 8 inch minimum size; 1,000 foot maximum length, with a hydrant or 4-inch blow-off at each dead end, provided adequate fire flow is available for the area type.

Standard 2.2.1.3) A maximum length for 2-inch pipe of 1 block or 1,500 feet, whichever is shorter, between parallel 6-inch or larger lines, may be considered adequate for infill single-family use in existing subdivisions.

Action 2.2.2) The City shall not permit occupancy of new development unless adequate water facilities for firefighting are in place or assured, at the time of the issuance of a certificate of occupancy, as follows:

Standard 2.2.2.1) Adequate fire flows must exist.

Standard 2.2.2.2) The maximum distance from any property to the nearest fire hydrant, measured along streets, shall not exceed 250 feet for single-family units and 150 feet for other uses.

Standard 2.2.2.3) Fire hydrants shall be installed on the largest size pipe practical, but in no case on less than a six-inch line for single-family or an eight-inch line for other uses.

Standard 2.2.2.4) Single-family uses may infill in existing subdivisions with inadequate piping or substandard hydrant spacing, provided that adequate fire flows exist.

Action 2.2.3) All new development will be required to use the public water system, in accordance with Policy 2.1, Action 2.1.2, Standard 2.1.2.1, Policy 2.3 and Policy 2.4 of this Element, as follows:

Standard 2.2.3.1) The City will implement and enforce an ordinance providing for oversizing of lines. Should the City Master Plan call for the extension of lines sized greater than that required to serve the development, the City may reimburse the

developer for cost of materials only above what was needed to serve the development.

Action 2.2.4) All new development will be required to use the municipal solid waste disposal system, which the City shall maintain as a self-supporting solid waste disposal system which is equitable and reasonable in cost, at the time of the issuance of a certificate of occupancy, as follows:

Standard 2.2.4.1) Maintain the municipal solid waste disposal system capacity as defined in Action 1.1.2 of the Solid Waste section of the Municipal Services Element.

Action 2.2.5) No new development will be permitted unless an adequate sewer system is in place or assured, in accordance with Policy 2.1, Action 2.1.2, Standard 2.1.2.1, Policy 2.3 and Policy 2.4, of this Element, as follows:

Standard 2.2.5.1) Existing gravity sewers will periodically be analyzed based upon existing characteristics to determine capacity. Gravity lines will not flow over 90% of capacity at peak flow conditions.

Standard 2.2.5.2) Unless actual flows can be documented, the wastewater production rates and peak flow factors defined below in Table 1 and Table 2, respectively, shall be used.

Table 1: Wastewater Production Rates

<i>Use</i>	<i>Rate</i>
Residential	75 gal/capita/day
Industrial	2500 gal/acre/day
Commercial	1900 gal/acre/day
Shopping Malls	0.2 gal/sq. ft./day
Hospitals	200 gal/bed/day
Schools with Showers	20 gal/student/day
Schools without Showers	12 gal/student/day

Table 2: Wastewater Production Rates - Peak Flow

<i>Tributary Sewered Area (acres)</i>	<i>Ratio of Peak to Average Flow</i>
Less than 100	4.0
100 < 200	3.8
200 < 500	3.6
500 < 1,000	3.4
1,000 < 2,000	3.2
2,000 < 4,000	3.0
4,000 < 6,000	2.8
6,000 < 8,000	2.6
8,000 < 10,000	2.4

Minimum flow for any service area is assumed to be 0.4 of average daily

Standard 2.2.5.3) An infiltration allowance of 200 gallons per mile per inch diameter per day should be used in new construction.

Standard 2.2.5.4) Pumping stations must be capable of handling the peak flow condition with the largest pumping unit out of service.

Standard 2.2.5.5) Force mains shall flow at a maximum of seven feet per second and a minimum of two fps. Connection of a new force main to an existing force main shall require complete hydraulic analysis to determine the resultant effects. Additional treatment shall be required as needed to prevent anaerobic conditions.

Standard 2.2.5.6) Maximum sewer plant flows allowed are defined in Table 3 below.

Table 3: Maximum Sewer Plant Flows

<i>Type</i>	<i>Central Plant (MGD)</i>	<i>South Plant (MGD)</i>
Annual Average Daily	11.0	12.0
Maximum Monthly	16.5	18.0
Maximum Daily	22.0	24.0
Short Term Peak	27.5	30.0

Source: City of Fort Myers Public Works Department

Action 2.2.6) No new development will be permitted unless an adequate surface water management system is in place or assured, in accordance with Policy 2.1, Action 2.1.2, Standard 2.1.2.1, Policy 2.3 and Policy 2.4, of this Element, as follows:

Standard 2.2.6.1) Post-Development run-off shall not exceed pre-development runoff in rate or quantity, based on a twenty-five year, three day storm event.

Standard 2.2.6.2) Run-off shall not be channeled directly into natural water bodies or primary channels, but shall be routed through swales, settling basins, surface skimmers, or other devices intended to improve water quality.

Standard 2.2.6.3) Natural watercourses will not be altered unless it can be shown that the watercourse's natural features and functions will be improved by said alterations.

Standard 2.2.6.4) New development shall not discharge stormwater with pollutant loads greater than the maximum allowed (numeric and narrative criteria) according to the Florida Administrative Code, Rule 62-302.530 Table: Surface Water Quality Criteria, based on the five classifications of water as defined by the Department of Environmental Protection. The individual criteria should be read in conjunction with other provisions in water quality standards, including Rules 62-302.500 and 62-302.510. It is presumed that development meeting the permitting criteria of the South Florida Water Management District will meet this standard.

Standard 2.2.6.5) Water levels in: primary channels (any drainage channel included in the Surface Water Management Plan and/or maintained by the City) will not be allowed over bank levels in a 25-year, 3 day storm event; minor channels (any drainage channel maintained in a drainage easement or as part of a development's on-site water management system) will not be allowed over bank levels in a 25-year, 3-day storm event.

Action 2.2.7) No new development will be permitted unless adequate recreation and open space is in place or assured, in accordance with Policy 2.1, Action 2.1.2, Standard 2.1.2.2, Policy 2.3 and Policy 2.4, of this Element.

Standard 2.2.7.1) In order to be considered adequate, parkland must be of sufficient size to meet the population standards for both the existing and proposed population within the service area for a particular park. To fulfill the functions of two or more classifications at one site, the facilities must be analyzed cumulatively; e.g., acreage at a park shall be construed to meet either classification, but not double counted toward each. Table 4 outlines the parkland standards by park classification.

Table 4: Parkland Standards

<i>Classification</i>	<i>Size</i>	<i>Maximum Service Radius</i>	<i>Level of Service Standard Acres/Pop.</i>
Community	20 ¹ – 100 acres	2 miles	1/1,000
Neighborhood	3 ² - 5 usable acres	½ to 1 miles	2.5/1,500
Urban Plaza / Park	½ - 1 acre	¼ mile	N/A
Civic Gathering Space	5 acres	City Wide	N/A
Special Use Facilities	Varies	City Wide	N/A
Conservation Areas	Varies	Varies	N/A
Greenways and Trails	12' Wide	City Wide	N/A

¹ A minimum of 20 usable acres. Less than 20 acres may be acceptable in older neighborhoods where available land is constrained.

² Less than 3 acres may be acceptable in neighborhoods with special circumstances.

Standard 2.2.7.2) A variety of recreational needs will be met by providing an assortment of facility types. Table 5 outlines the various facilities the City may provide. When new types of facilities are added to Table 5, the City shall have 5 years to bring the Level of Service of the new type of facility into compliance.

Table 5: Specialized Facility Standards

<i>Facility</i>	<i>Level of Service Standard: Population Served</i>
Baseball/Softball Field	6,000
Basketball Court	10,000
Football/Soccer/Rugby Field	18,000
Golf Courses (18 holes)	50,000
Racquetball/Handball Court	12,000
Recreation Center Building	15,000
Shuffleboard Court	5,000
Swimming Pool	30,000
Tennis Court	3,000
Volleyball Court¹	6,000

¹ Volleyball Courts are a new addition as of 2007.

Standard 2.2.7.3) The City has determined that existing acreage is adequate to serve 2000 U.S. Census Bureau population data. The Acreage Level of Service Analysis from the 2006 Parks and Open Space System Master Plan projects a potential deficiency in acreage for the year 2030 if no new parkland is acquired. The City will require from new developments the dedication of parklands or a fee in lieu of dedication to ensure adequate parklands exist in 2030.

Standard 2.2.7.4) 3) Needed parkland relative to the Service Area Analysis as reported in the 2006 Parks and Open Space System Master Plan should be scheduled in the Capital Improvement Program.

Standard 2.2.7.5) 4) Needed facilities will be scheduled in the Capital Improvement Program relative to the year they are required, subject to funding constraints, as reported in the 2006 Parks and Open Space System Master Plan.

Standard 2.2.7.6) 5) Privately provided facilities or parkland may be counted to fulfill the functions of a neighborhood or community park, provided they meet the requirements in Policy 1.4 and associated Actions and Standards of the Recreation and Open Space Element.

Action 2.2.8) No new development will be permitted unless an adequate transportation system is in place or assured, in accordance with Policy 2.1, Action 2.1.2, Standard 2.1.2.3, Policy 2.2, Policy 2.3, Policy 2.4 and/or Policy 2.5, along with relevant policies, actions, and standards 2.5.1.1, 2.5.1.2, and 2.5.1.3, of the Transportation Element, as follows:

~~Standard 2.2.8.1) Adequate rights-of-way for existing roadways (when available) and for new roadways are defined as follows:~~

Table 6: ROW Standards

<i>Classification</i>	<i>Width</i>
Local Streets: Curb and Gutter (urban)	50 ¹
Local Streets: Other, Swale (rural)	60 ¹
Collector: Urban Section	100 ¹
Collector: Rural Section	150 ¹
Arterial: Urban Section	150 ¹
Arterial: Rural Section	200 ¹

Standard 2.2.8.1) ~~2)~~ Adequate levels of service for roadways and intersections within the City of Fort Myers that are non-Florida Intrastate Highway System (FIHS) roads are:

Table 7: Level of Service Standards Non-FIHS Roads

<i>Classification</i>	<i>Peak Hour / Peak Season / Peak Direction</i>
Local	E
Collector	E
Arterial	E
Limited Access	E

Standard 2.2.8.2) ~~3)~~ Adequate Acceptable levels of service for roadways and intersections within the City of Fort Myers that are Florida Intrastate Highway System (FIHS) roads are:

Table 8: Level of Service Standards FIHS Roads¹

<i>Classification</i>	<i>Peak Hour / Peak Season / Peak Direction</i>
Urbanized	C/D ²
Transitional	C
Rural	B

¹ The City may seek variances to the level of service standards for the FIHS facilities as may be authorized under Florida Statutes. If granted, the level of service standards will be as approved by the Florida DOT in the Order Granting Petition for Variance.

² If any portion of I-75 or an FIHS road is determined to be within an urbanized area over 500,00 people, based on the latest year 2000 Census by Florida DOT pursuant to applicable rules, then the standard becomes "D" for any such area.

Standard 2.2.8.3) 4) For minimum acceptable levels of service determination, the peak season, peak hour, peak direction condition will be defined as the 100th highest volume hour of the year in the predominant traffic flow direction. The 100th highest hour approximates the typical peak hour during the peak season.

Standard 2.2.8.4) 5) Due to scenic, historic, environmental, aesthetic and/or right-of-way (ROW) characteristic and considerations, the City has determined that certain roadway segments will be deemed "constrained" and, therefore, will not be widened. Reduced peak hour levels of service will be accepted on those constrained roads as a trade-off for the preservation of the scenic, historic, environmental, and/or aesthetic character of the community. A maximum volume-to-capacity (V/C) ratio of 1.85 is established for the constrained roads. No building permits will be issued that cause the maximum V/C ratio to be exceeded or that affect the maximum V/C ratio once exceeded. Permits will be issued when capacity enhancements and operational improvements are identified and committed for implementation that will maintain the V/C ratio on the constrained segment at or below 1.85.

Table 9: Constrained Roads Conditions

Roadway	Segment	Constrained Condition
McGregor Blvd.	City Limits to US 41	ROW, Scenic, Historic
US 41	City Limits to Caloosahatchee River	ROW
West First Street	McGregor Blvd. to US 41	ROW, Scenic, Aesthetic
First Street SR-80	US 41 to Seaboard Street	ROW, Scenic, Aesthetic
Second Street	Monroe St. to Palm Beach Blvd.	ROW
Colonial Blvd.	McGregor Blvd to Six Mile Cypress Pk Fowler Street	ROW
Colonial Blvd.	Winkler Road to Six Mile Cypress Pk.	ROW
Dr. Martin Luther King Jr. Blvd.	US 41 to Central Ave.	ROW

Standard 2.2.8.5) 6) For roadways that are backlogged or have capacity expansion constraints, the City shall give priority to those facilities in capital improvements programming and other operational consideration such as traffic signal optimization, access management, on-street parking and loading restrictions, parallel facilities improvements, and the like.

Standard 2.2.8.6) 7) Development or redevelopment taking place in the Downtown Mobility Area, as shown in Map I in the Transportation Element, is exempt from any concurrency requirement that would otherwise prohibit or restrict development based on inadequate levels of service on roadways. This exemption will ensure that development or redevelopment that otherwise carries out key city goals and policies can proceed. The City of Fort Myers has determined that, instead of widening roads to enhance mobility in downtown Fort Myers, mobility will be enhanced through a coordinated series of measures as described in the Downtown Fort Myers Mobility Plan and summarized under Objective 10 of the Transportation Element.

Policy 2.3) Development approval may be issued subject to the condition that the necessary facilities and services will be in place concurrent with the impacts of development (phasing) and guaranteed by a binding executed agreement to be in place concurrent with the impacts of development.

Policy 2.4) For the purpose of issuing a development order or permit, a proposed urban redevelopment project located within the "existing urban service area", as defined in Section 163.3164(49)(29)-F.S. and as shown on Map S, shall not be subject to the concurrency requirements of subparagraphs 9J-5.0055(3)(c)1. 4., F.A.C. for up to 110 percent of the transportation impact generated by the previously existing development. A "previously existing development" is defined as the actual previous built use that was occupied and active between 1900 and the date of permit application. "Urban redevelopment" means the demolition and reconstruction or substantial renovation of existing buildings or infrastructure.

Policy 2.5) For the purpose of issuing a development order or permit, a proposed development may be deemed to have a de minimis impact and may not be subject to the concurrency requirements of Policy 2.1, Action 2.1.2, and Standard 2.1.2.3 of this Element, if all of the following conditions are met:

Standard 2.5.1.1) The development proposal is for an increase in density or intensity of less than or equal to twice the density or intensity of the existing development, or for the development of a vacant parcel of land, at a residential density of less than four dwelling units per acre, for non-residential uses, at an intensity of less than 0.1 floor area ratio. Isolated vacant lots in predominantly built residential areas where construction of a single-family house would be the most suitable use, may be developed for single-family residential under the de-minimis exception even if smaller than one quarter acre in size.

Standard 2.5.1.2) The transportation impact of the proposed development alone does not exceed 0.1 percent of the maximum service volume at the adopted level of service standard for the peak hour of the affected transportation facility.

Standard 2.5.1.3) The cumulative total transportation Impact from the de-minimis exemptions does not exceed three percent of the maximum service volume at the adopted level of service standard of the affected transportation facility if the facility does not meet the minimum level of service standard.

