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Agency to tackle Pine Island land plan Not everyone agrees on interpretation

By [Karen Feldman](#)
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Just how much development is too much for Pine Island?

Residents thought that question had been clearly answered more than 15 years ago when the island's land-use plan was adopted. But now it seems that not everyone agrees on what that plan says.

The Lee County Local Planning Agency will meet at 8:30 a.m. Monday to discuss two interpretations of the plan and how county staff enforces it.

IF YOU GO

- What: Lee County Local Planning Agency meeting
- When: 8:30 a.m. Monday
- Where: Lee County Commission Chambers, 2120 Main St., Fort Myers

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Those interpretations come from a three-member committee charged with determining whether the county has been correctly interpreting Pine Island's land use plan.

The committee — composed of county attorney David Owen, planning director Paul O'Connor and community development director Mary Gibbs — split 2-1 on that question last month.

Owen and O'Connor believe the county staff has acted properly.

Gibbs disagrees but maintains that procedures could easily be altered to comply with the law and prevent overdevelopment.

The opposing views appear in written opinions released last week and they are what the planning agency will consider Monday.

The advisory board "can accept it, deny it, comment on it, provide their thoughts" on the opinions, Owen said.

Then the issues goes to the county commission, which is expected to discuss the matter at its March 14 meeting.

The commission last month temporarily halted approval of development projects while the committee examined the matter.

The question centers on a rule in the land-use plan that says the county must consider the number of cars a proposed development will generate, add that to the total already traveling Pine Island Road and that of other approved developments. It's what's known as cumulative counting.

When the traffic reaches 910 trips an hour through Matlacha at peak traffic periods, restrictions are supposed to automatically kick in that call for reducing the density of future developments.

Traffic on Pine Island Road reached that number in 2004, but the county has continued to approve development.

The issue is especially critical because a single, two-lane road and a series of two-lane bridges are all that connect the island to the mainland. As a result, residents are concerned by the continued growth and the traffic it will generate.

unequivocally states that the staff's interpretation and implementation of the regulations are "consistent with their intent and purpose."

With 6,675 vacant existing parcels on the island, which would eventually add 3,290 trips to the number on Pine Island Road, the additional burden wrote.

"There is no practical way, short of widespread moratoriums, to avoid this situation," he concluded.

In the two-page minority opinion, Gibbs wrote: "Some adjustments to current practices are needed to properly review future residential development orders in light of the wording and legislative intent of the Lee (land-use) Plan."

The current procedure is to analyze the traffic impact each development will have as if no other pending projects exist.

"The question here is whether the County Commission intended for Pine Island to be treated differently," Gibbs wrote, counting the amount of traffic impact cumulatively instead of individually.

"It is the minority opinion that the traffic impacts of projects should be counted cumulatively now that the 910 level has been reached," she concluded. "To do otherwise is not logical in a situation where roads cannot be widened as growth occurs."

If the current system remains in use, she wrote, "with no restrictions on building permits for these vacant lots, no plans to build a new bridge to Pine Island and no substantive reduction of residential development orders, the plan policies would essentially be meaningless."

Island residents have discussed the possibility of incorporating in order to take control of growth decisions or possibly taking the matter to court if the county fails to change the current practice.

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