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Lee mulls Pine Island moratorium

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By **SARAH GREENHALGH**, sgreenhalgh@news-press.com
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Lee County commissioners plan to discuss a building moratorium on Pine Island because traffic has reached a predetermined limit.

The board is meeting Monday to discuss implementing of the moratorium on development orders, because the traffic count during the peak hour is over 910 cars a day.

This would mean that developers who have already been approved for orders would be grandfathered in. But any new development orders would not be granted, and residential subdivision building on Pine Island would cease for the time being.

"The concurrency numbers do exceed the standard," said Mike Carroll of Lee County Department of Transportation. "At this point they are at 920 vehicles for the average daily peak hour."

The peak numbers are measured at the peak traffic hour every day when the most vehicles are on Pine Island Road, which is the only road on and off the island.

The average daily trip numbers are 11,500 vehicles per day. Both the peak numbers and the average daily trips have officials worried for safety reasons.

In 1989, when the Lee County land-use plan dealing with Pine Island was adopted, the planners set a rule that traffic could not exceed 910 cars. This was to limit the traffic and the growth on the island so people could be safely evacuated in the event of a hurricane.

In February of 2003, amendments to the 1989 plan dealing with development on the island were approved, but not adopted. The new plan makes minor changes to the 910 rule,

IF YOU GO

- **What:** The Lee County Board of Commissioners meeting
- **When:** 1:30 p.m. Monday, Aug. 2
- **Where:** Old Lee County Courthouse at 2120 Main Street, Fort Myers, in commissioner chambers.
- **Info:** Call 335-2224, Fax: 335-2355 or e-mail: dist1@leegov.com.



making it less restrictive than with the old plan. Several residents and organizations have banded together to oppose the new plan in court and are awaiting a county administrative hearing.

The hearing will take place as soon as an economic study initiated by the county is finished. If the hearing favors the 2003 new plan, development orders could resume, but at a reduced dwelling density.

Phil Buchanan, a Calusa Land Trust member and environmentalist, is concerned that not all the commissioners are on the same page when it comes to limiting development on the island.

"Commissioners Janes and Judah both have vigorously supported Pine Island and advocate enforcement of the 910 rule," Buchanan said. "Commissioner Coy has voiced some opposition. Commissioners Albion and St. Cerny have not responded to any of our numerous requests for assistance. We need the support of three commissioners to get the law enforced."

Developer Russell Setti has been looking to build four planned communities on Pine Island. Currently, he does not have approved development orders for the residential and commercial sites.

Setti thinks the 910 rule needs to be examined a little more closely before putting a moratorium in place.

"The 910 rule is based on antiquated information," Setti said. "It was designed from a study done in 1965. I think the commissioners should follow the recommendations for Lee County DOT and Florida DOT, not old information. A new, more comprehensive study needs to be done that reflects today's growth and a new standard should be put in place."

Carroll said they generally give the concurrency report to the commissioners in December, and that is when the Lee land-use plan would probably go into effect. However, he speculated that the commissioners could implement the moratorium sooner because of the amount of residents concerned with development.

Nan Summerall Gonzalez, executive assistant to Commissioner Bob Janes (Pine Island's district), said her phones are ringing off the hook.

"Everyone wants this settled as soon as possible," Gonzalez said. "It's time to let the people know what is going on with the numbers. I have had citizens and developers calling all week. Everyone is interested in whether there will be the dreaded M-word — moratorium."

Commissioner Janes said it is not only the members of the board, but also the county attorney and the department of transportation that will be part of the discussion.



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"Of course I am in favor of implementing the 910 rule as quickly as possible. I don't think we have any choice at this point," Janes said. "But I am not sure how my fellow commissioners feel about it. It should be an interesting discussion."

Commissioner John Albion said he will be debating the pros and cons of the 910 rule, and the legalities pertaining to private property owners.

"We need to determine whether by implementing this rule, it is a stop light, or a caution light," Albion said. "This is not a time to be sticking our heads in the sand. This has long-term future implications for Pine Island."

Gonzalez said Monday's meeting is only a workshop and reminds people they can only watch the commissioners debate the issues.

"Unless the commissioners ask for public input, they can't give opinion," Gonzalez said. "Now, if the commissioners decide to put it on the agenda for a vote on Tuesday, the public is invited to speak."

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