

**PAT 96-40
BoCC SPONSORED
EAR ADDENDUM AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Adoption Document

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June 3, 1998

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
PAT 96-40**

T	This Document Contains the Following Reviews:
T	Staff Review
T	Local Planning Agency Review and Recommendation
T	Board of County Commissioners Hearing for Transmittal
T	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
T	Board of County Commissioners Hearing for Adoption

ORIGINAL STAFF REPORT PREPARATION DATE: October 27, 1997

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

2. REQUEST:

Amend Objective 83.3 to acknowledge the adoption of a beach management plan and its ongoing nature.

B. BACKGROUND INFORMATION

1. 1994 EAR PLAN AMENDMENTS

During the time the 1994 EAR was prepared and adopted, Lee County had not yet prepared a formal plan for a beach and dune management program. In 1994, the Board of County Commissioners was in the process of forming a beach preservation citizen task force to develop a plan for multi-jurisdictional beach preservation and renourishment projects. The 1994 EAR recommended that the target deadline

to implement Objective 83.3 be updated. The subsequent plan amendment was adopted as part of the 1994 EAR plan amendments (Ordinance 94-30):

OBJECTIVE 83.3: BEACH AND DUNE SYSTEMS.

By ~~1991~~ 1995, the Lee County shall establish a beach and dune management program which may include beach renourishment, sand budget analysis, storm surge modeling, tide and wave measurement, and appropriate development regulations Beach Preservation Task Force will present a proposed beach preservation and management plan to the Board of County Commissioners for formal approval. Implementation of the plan will begin no later than 1996.

2. CURRENT LEE PLAN TEXT:

OBJECTIVE 83.3: BEACH AND DUNE SYSTEMS. *By 1995, the Lee County Beach Preservation Task Force will present a proposed beach preservation and management plan to the Board of County Commissioners for formal approval. Implementation of the plan will begin no later than 1996. (Amended by Ordinance No. 94-30)*

3. 1996 EAR ADDENDUM

The 1996 EAR presented an update on activities and changes which occurred after the 1994 EAR was adopted. [See 1995 EAR Update Addendum; pgs. 54-56 and 1996 EAR Addendum; pg. 39.] The update included a discussion of actions taken by the Lee County Beach Management Task Force and Lee County to adopt and begin implementation of a beach management plan. It also contained an extensive summary of the plan. The 1996 EAR recommended that the target dates be deleted from Objective 83.3 to acknowledge the completion of the objective.

4. SUBSEQUENT ACTIONS

After the Beach Management Plan was adopted, the Lee County Beach Management Task Force was replaced by the Lee County Coastal Advisory Council to implement the plan.

C. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION: Staff recommends that the text be amended for Objective 83.3 as follows:

OBJECTIVE 83.3: BEACH AND DUNE SYSTEMS. *By ~~1995~~, the ~~Lee County Beach Preservation Task Force~~ will present a proposed beach preservation and management plan to the Board of County Commissioners for formal approval. ~~Implementation of the plan will begin no later than 1996.~~ Lee County will continue to implement a beach preservation and management plan through the Lee County Coastal Advisory Council or successor agency. (Amended by Ordinance No. 94-30)*

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

Objective 83.3 is now obsolete because the objective has been implemented. The target dates should be deleted from this objective to acknowledge the adoption of a beach management plan. The objective

should also be amended to acknowledge the creation of the Lee County Coastal Advisory Council to implement the beach preservation and management program.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

Objective 83.3 of the Conservation and Coastal Management Element of the Lee Plan presently provides target dates of 1995 for approval of and 1996 for implementation of a beach preservation and management plan. On October 11, 1995, the Lee County Board of County Commissioners approved a Beach Management Plan for Lee County. The County began implementation of the plan in 1996.

These deadlines have been met. The 1996 EAR recommended that Objective 83.3 be updated again to remove the now completed deadlines and to recognize the ongoing nature of this plan. The recommended plan amendment will implement that recommendation.

B. CONCLUSIONS

The objective should be revised to indicate the ongoing nature of the beach management planning process.

C. STAFF RECOMMENDATION

Adopt the recommended plan amendment as stated in Section I.C.

**PART III - LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: May 29th, 1997

A. LOCAL PLANNING AGENCY REVIEW

No one from the public commented on the amendment and the LPA had no discussion.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** The LPA recommends that the Board of County Commissioners transmit this amendment.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advance by the staff.

C. VOTE:

CARRON DAY	ABSENT
RICHARD DURLING	ABSENT
EARL HAMILTON	AYE
RONALD INGE	AYE
BILL SPIKOWSKI	AYE
GREG STUART	AYE
MATT UHLE	AYE

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: November 5, 1997

A. BOARD REVIEW: There was no public testimony or Board discussion on this plan amendment.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION: The Board approved the transmittal of this plan amendment to DCA.

2. BASIS AND RECOMMENDED FINDINGS OF FACT: The Board concurred with the findings of fact as advanced by staff.

C. VOTE:

JOHN ALBION	AYE
ANDREW COY	AYE
RAY JUDAH	AYE
JOHN MANNING	AYE
DOUG ST. CERNY	AYE

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS
OBJECTIONS, RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: February 5, 1998

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

The DCA had no objections, recommendations, or comments concerning this amendment.

B. STAFF RECOMMENDATION

Adopt the amendment as transmitted.

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: May 27, 1998

A. BOARD REVIEW: The Board provided no discussion on this amendment. This item was approved on the consent agenda.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION: The Board voted to adopt this amendment.

2. BASIS AND RECOMMENDED FINDINGS OF FACT: The Board accepted the findings of fact as advanced by staff.

C. VOTE:

JOHN ALBION	AYE
ANDREW COY	AYE
RAY JUDAH	AYE
JOHN MANNING	AYE
DOUG ST. CERNY	ABSENT