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**CPA 2001-32
BoCC SPONSORED
AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Adoption Document

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(941) 479-8585*

January 9, 2003

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA 2001-32**

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

STAFF REPORT PREPARATION DATE: August 16, 2002

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 the Intergovernmental Coordination Element and the Community Facilities Element to bring the element into compliance with the provisions of F.S. Chapter 163.3177.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Staff recommends that the Board of County Commissioners transmit the proposed amendment. The specific language modifications that staff recommends is provided below:

POLICY 46.2.3: The County will collaborate with the District Board of Education when planning and making decisions regarding population projections.

POLICY 109.1.8: The principles and guidelines to be used in the planning, siting and location of new school have been established under Goal 46: Education.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Lee Plan already contains numerous policies that provide guidelines for coordinating the comprehensive plan with the plans of the school board.
- Lee County has entered into an Interlocal Agreement with the District of Education which outlines the coordination of planning, population projections and school location criteria.
- Lee County already coordinates with the School Board concerning population projections and methods through participation in Lee County's Metropolitan Planning Organization (MPO). The MPO process is continuous.
- Lee County has always made it a goal to collocate facilities with the School district.

C. BACKGROUND INFORMATION

This amendment was initiated by the Board of County Commissioners on September 25, 2001. The proposed amendment will amend the Lee Plan by bringing the Intergovernmental Coordination Element, through references to the Education sub-element, in compliance with F.S. Chapter 163.3177.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

F.S. Chapter 163.3177(6)(h)1. states:

An intergovernmental coordination element showing relationships and stating principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan approved pursuant to s.373.0361, as the case may require and as such adopted plans or plans in preparation may exist. This element of the local comprehensive plan shall demonstrate consideration of the particular effects of the local plan, when adopted, upon the development of adjacent municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require.

F.S. Chapter 163.3177(6)(h)2. states:

The intergovernmental coordination element shall further state principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards and other units of local government providing facilities and services but not having regulatory authority over the use of land. In addition, the intergovernmental coordination element shall describe joint processes for collaborative planning and decision making on population projections and public school siting, the location and extension of public facilities subject to concurrency, and siting facilities with countywide significance, including locally unwanted land uses whose nature and identity are established in an

agreement. Within 1 year of adopting their intergovernmental coordination elements, each county, all the municipalities within that county, the district school board, and any unit of local government service providers in that county shall establish by interlocal or other formal agreement executed by all affected entities, the joint processes described in this subparagraph consistent with their adopted intergovernmental coordination elements.

The Community Facilities and Services Element of the Lee Plan, Education sub-element, already addresses such coordination and guidelines. The sub-element states:

h. Education

GOAL 46: EDUCATION. *To assist the Lee County School Board and other providers of education (where appropriate) with the planning, development and siting of new schools. (Amended by Ordinance No. 94-30)*

OBJECTIVE 46.1: SCHOOL LOCATION PLANNING. *Cooperate with the Lee County District Board of Education and representatives of private and parochial school associations to ensure that school locations are consistent with county growth policies and the needs of the future population. (Amended by Ordinance No. 94-30)*

POLICY 46.1.1: *The county will work in collaboration with the Lee County District Board of Education, representatives of private and parochial (sic) school associations, and other interested institutions, for the location and development of educational systems consistent with Chapter 235, F.S., and the policies of this plan. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 46.1.2: *All educational institutions will comply with the policies of this plan and the Land Development Code where not pre-empted by state statutes or administrative rules. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 46.1.3: *By 1995, Lee County staff will develop, in conjunction with economic consultants and the Board of Education, an impact fee program for capital costs for schools and present it to the Board of County Commissioners for formal consideration. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 46.1.4: *The county, in concert with the Lee County District School Board, will assist developers considering school site contributions by providing information relating to land availability, use and other pertinent parcel data. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 46.1.5: *Lee County will coordinate with the State Board of Regents on the development of the Florida Gulf Coast University through the Campus Master Plan process, and the required Development Agreement, and through other means of intergovernmental coordination. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 46.1.6: *To the maximum extent possible, Lee County will seek to collocate public facilities, such as parks, libraries, and community centers, with public schools. (Added by Ordinance No. 99-15)*

OBJECTIVE 46.2: COOPERATION. *The county will develop programs of collaboration between economic development agencies, the Lee County District Board of Education, the Edison Community College District, the administration of Florida Gulf Coast University, and USF at Fort Myers to ensure participation and achievement of shared economic goals. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 46.2.1: *Lee County will continue programs to allocate responsibility and costs for supporting the use of schools as emergency shelters. (Amended by Ordinance No. 00-22)*

POLICY 46.2.2: *The county will provide technical information to the District Board of Education to assist in identifying suitable sites for new schools. (Amended by Ordinance No. 00-22)*

OBJECTIVE 46.3: LAND USE COMPATIBILITY. *The county will seek to have the siting of all new schools follow these policies aimed at land use and transportation compatibility: (Amended by Ordinance No. 00-22)*

POLICY 46.3.1: *Protect the integrity of schools so that educational functions are not disrupted by the intrusion of incompatible land uses.*

POLICY 46.3.2: *Cooperate with the School Board in the planning and selection of future school sites and the development of mutually acceptable guidelines for the selection of such sites.*

POLICY 46.3.3: *Encourage the acquisition of school sites large enough to accommodate projected increases in enrollment.*

POLICY 46.3.4: *Consider the shared use of park and school sites when a surplus of school land is available (see also Goal 62). (Amended by Ordinance No. 94-30)*

POLICY 46.3.5: *Land uses and development will not be permitted to the extent that it could necessitate the relocation of schools due to pressures from incompatible uses. (Amended by Ordinance No. 00-22)*

POLICY 46.3.6: *Encourage the location of neighborhood elementary schools within walking distance of the residential areas they serve.*

POLICY 46.3.7: *Require that new residential developments provide for adequate pedestrian and bicycle access for school children.*

POLICY 46.3.8: *School sites will be selected in advance of the developments they are intended to serve and will be based upon planned densities and development patterns. (Amended by Ordinance No. 00-22)*

POLICY 46.3.9: *Elementary schools whenever possible must have access to local or collector streets; secondary schools must have access to a collector or arterial street. (Amended by Ordinance No. 00-22)*

POLICY 46.3.10: *Prohibit school sites that are or will be exposed to physical constraints, hazards, or nuisances which are detrimental to the health and safety of students and to the general operation of the school.*

POLICY 46.3.11: *Prohibit the location of schools in the areas designated on the Future Land Use Map as Airport Noise Zone 3 or within other high noise impact areas.*

POLICY 46.3.12: *The county will cooperate with the School Board to encourage consideration in the design and construction of new schools that they may be expected to serve as hurricane evacuation and emergency shelters. (Amended by Ordinance No. 00-22)*

Lee County and the Lee County District School Board have consistently over time cooperated on such things as collocation of facilities. The number of inter-local agreements between the County and the District are too numerous to list. Some examples are:

- 4 Soccer Fields at Bayshore Elementary School
- 3 Soccer Fields at Spring Creek Elementary School
- 3 Soccer Fields at Lehigh Middle School
- Pool at Cape Coral High School

- Pool at North Fort Myers High School
- Pool at Riverdale High School
- Pool located at Cypress Lake Middle and High Schools
- North Fort Myers Community Park and J. Collin English Elementary School

Lee County also already coordinates with the School Board concerning population projections and methods through participation in Lee County's Metropolitan Planning Organization (MPO). The MPO process is continuous. In addition, following newly adopted legislation, Lee County and the District of Education have entered into an Interlocal Agreement. This agreement outlines the coordination of planning, population projections and school location criteria.

In reviewing the Goals and Objectives of the Intergovernmental Coordination Element (ICE), planning staff believes Goal 109 and Objective 109.1 are the appropriate locations for any new language to address the state requirements. Staff also recommends that a new policy, under Goal 46: Education, be adopted to address the coordination of population projection planning.

B. CONCLUSIONS

In order to comply with the provisions of F.S. Chapter 163.3177 the Lee Plan should be amended to include a new policy in the Intergovernmental Coordination Element, under Goal 109, that refers to Goal 46: Education as the source for coordinating the comprehensive plan with the plans of the school board. Staff also recommends that a new policy, under Goal 46: Education, be adopted to address the coordination of population projection planning

C. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners transmit to the Florida Department of Community Affairs the proposed amendment. The specific language modifications that staff recommends is provided in Part I.B.1. of this report.

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

DATE OF PUBLIC HEARING: August 26, 2002

A. LOCAL PLANNING AGENCY REVIEW

Staff presented the amendment before the LPA on August 26, 2002. The LPA provided no discussion concerning the proposed amendment.

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 advanced by the staff.

C. VOTE:

NOEL ANDRESS	<u>AYE</u>
MATT BIXLER	<u>AYE</u>
SUSAN BROOKMAN	<u>AYE</u>
RONALD INGE	<u>AYE</u>
GORDON REIGELMAN	<u>ABSENT</u>
ROBERT SHELDON	<u>AYE</u>
GREG STUART	<u>AYE</u>

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

DATE OF PUBLIC HEARING: September 5, 2002

A. BOARD REVIEW: Staff provided a brief presentation on the proposed amendment. One Board member questioned the effectiveness of existing policies under Objective 46.3, Land Use Compatibility, regarding the selection of school sites in advance of development and the encouragement of neighborhood elementary schools. Staff responded that the Planning Division and the School Board have been and will continue to be coordinating information with each other based on the latest data resources. Another member of the Board noted their appointment of a school board member to the County's Smart Growth Committee for the purpose of investigating the balance between school siting and growth.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:** The Board of County Commissioners voted to transmit the proposed plan amendment.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact advanced by staff and the LPA.

C. VOTE:

JOHN ALBION	<u>AYE</u>
ANDREW COY	<u>ABSENT</u>
BOB JANES	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
DOUG ST. CERNY	<u>AYE</u>

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

DATE OF ORC REPORT: November 22, 2002

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 PUBLIC HEARING: January 9, 2003

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:**

A. **BOARD ACTION:** The Board voted to adopt the amendment.

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

C. **VOTE:**

JOHN ALBION	<u>AYE</u>
ANDREW COY	<u>AYE</u>
BOB JANES	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
DOUG ST. CERNY	<u>AYE</u>

**CPA 2001-32
BoCC SPONSORED
AMENDMENT
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LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

**BoCC Public Hearing Document
for the
January 9th Adoption Hearing**

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(941) 479-8585*

November 22, 2002

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA 2001-32**

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STAFF REPORT PREPARATION DATE: August 16, 2002

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A. SUMMARY OF APPLICATION

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

2. REQUEST:

Amend the Intergovernmental Coordination Element and the Community Facilities Element to bring the element into compliance with the provisions of F.S. Chapter 163.3177.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Staff recommends that the Board of County Commissioners transmit the proposed amendment. The specific language modifications that staff recommends is provided below:

POLICY 46.2.3: The County will collaborate with the District Board of Education when planning and making decisions regarding population projections.

POLICY 109.1.8: The principles and guidelines to be used in the planning, siting and location of new school have been established under Goal 46: Education.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Lee Plan already contains numerous policies that provide guidelines for coordinating the comprehensive plan with the plans of the school board.
- Lee County has entered into an Interlocal Agreement with the District of Education which outlines the coordination of planning, population projections and school location criteria.
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PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

F.S. Chapter 163.3177(6)(h)1. states:

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GOAL 46: EDUCATION. *To assist the Lee County School Board and other providers of education (where appropriate) with the planning, development and siting of new schools. (Amended by Ordinance No. 94-30)*

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B. CONCLUSIONS

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C. STAFF RECOMMENDATION

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

DATE OF PUBLIC HEARING: August 26, 2002

A. LOCAL PLANNING AGENCY REVIEW

Staff presented the amendment before the LPA on August 26, 2002. The LPA provided no discussion concerning the proposed amendment.

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 advanced by the staff.

C. VOTE:

NOEL ANDRESS	<u>AYE</u>
MATT BIXLER	<u>AYE</u>
SUSAN BROOKMAN	<u>AYE</u>
RONALD INGE	<u>AYE</u>
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B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:** The Board of County Commissioners voted to transmit the proposed plan amendment.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact advanced by staff and the LPA.

C. VOTE:

JOHN ALBION	<u>AYE</u>
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**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: November 22, 2002

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 PUBLIC HEARING: January 9, 2003

B. BOARD REVIEW:

C. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

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September 5, 2002

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A. STAFF DISCUSSION

F.S. Chapter 163.3177(6)(h)1. states:

An intergovernmental coordination element showing relationships and stating principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan approved pursuant to s.373.0361, as the case may require and as such adopted plans or plans in preparation may exist. This element of the local comprehensive plan shall demonstrate consideration of the particular effects of the local plan, when adopted, upon the development of adjacent municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require.

F.S. Chapter 163.3177(6)(h)2. states:

The intergovernmental coordination element shall further state principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards and other units of local government providing facilities and services but not having regulatory authority over the use of land. In addition, the intergovernmental coordination element shall describe joint processes for collaborative planning and decision making on population projections and public school siting, the location and extension of public facilities subject to concurrency, and siting facilities with countywide significance, including locally unwanted land uses whose nature and identity are established in an

agreement. Within 1 year of adopting their intergovernmental coordination elements, each county, all the municipalities within that county, the district school board, and any unit of local government service providers in that county shall establish by interlocal or other formal agreement executed by all affected entities, the joint processes described in this subparagraph consistent with their adopted intergovernmental coordination elements.

The Community Facilities and Services Element of the Lee Plan, Education sub-element, already addresses such coordination and guidelines. The sub-element states:

h. Education

GOAL 46: EDUCATION. *To assist the Lee County School Board and other providers of education (where appropriate) with the planning, development and siting of new schools. (Amended by Ordinance No. 94-30)*

OBJECTIVE 46.1: SCHOOL LOCATION PLANNING. *Cooperate with the Lee County District Board of Education and representatives of private and parochial school associations to ensure that school locations are consistent with county growth policies and the needs of the future population. (Amended by Ordinance No. 94-30)*

POLICY 46.1.1: *The county will work in collaboration with the Lee County District Board of Education, representatives of private and parochial (sic) school associations, and other interested institutions, for the location and development of educational systems consistent with Chapter 235, F.S., and the policies of this plan. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 46.1.2: *All educational institutions will comply with the policies of this plan and the Land Development Code where not pre-empted by state statutes or administrative rules. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 46.1.3: *By 1995, Lee County staff will develop, in conjunction with economic consultants and the Board of Education, an impact fee program for capital costs for schools and present it to the Board of County Commissioners for formal consideration. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 46.1.4: *The county, in concert with the Lee County District School Board, will assist developers considering school site contributions by providing information relating to land availability, use and other pertinent parcel data. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 46.1.5: *Lee County will coordinate with the State Board of Regents on the development of the Florida Gulf Coast University through the Campus Master Plan process, and the required Development Agreement, and through other means of intergovernmental coordination. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 46.1.6: *To the maximum extent possible, Lee County will seek to collocate public facilities, such as parks, libraries, and community centers, with public schools. (Added by Ordinance No. 99-15)*

OBJECTIVE 46.2: COOPERATION. *The county will develop programs of collaboration between economic development agencies, the Lee County District Board of Education, the Edison Community College District, the administration of Florida Gulf Coast University, and USF at Fort Myers to ensure participation and achievement of shared economic goals. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 46.2.1: *Lee County will continue programs to allocate responsibility and costs for supporting the use of schools as emergency shelters. (Amended by Ordinance No. 00-22)*

POLICY 46.2.2: *The county will provide technical information to the District Board of Education to assist in identifying suitable sites for new schools. (Amended by Ordinance No. 00-22)*

OBJECTIVE 46.3: LAND USE COMPATIBILITY. *The county will seek to have the siting of all new schools follow these policies aimed at land use and transportation compatibility: (Amended by Ordinance No. 00-22)*

POLICY 46.3.1: *Protect the integrity of schools so that educational functions are not disrupted by the intrusion of incompatible land uses.*

POLICY 46.3.2: *Cooperate with the School Board in the planning and selection of future school sites and the development of mutually acceptable guidelines for the selection of such sites.*

POLICY 46.3.3: *Encourage the acquisition of school sites large enough to accommodate projected increases in enrollment.*

POLICY 46.3.4: *Consider the shared use of park and school sites when a surplus of school land is available (see also Goal 62). (Amended by Ordinance No. 94-30)*

POLICY 46.3.5: *Land uses and development will not be permitted to the extent that it could necessitate the relocation of schools due to pressures from incompatible uses. (Amended by Ordinance No. 00-22)*

POLICY 46.3.6: *Encourage the location of neighborhood elementary schools within walking distance of the residential areas they serve.*

POLICY 46.3.7: *Require that new residential developments provide for adequate pedestrian and bicycle access for school children.*

POLICY 46.3.8: *School sites will be selected in advance of the developments they are intended to serve and will be based upon planned densities and development patterns. (Amended by Ordinance No. 00-22)*

POLICY 46.3.9: *Elementary schools whenever possible must have access to local or collector streets; secondary schools must have access to a collector or arterial street. (Amended by Ordinance No. 00-22)*

POLICY 46.3.10: *Prohibit school sites that are or will be exposed to physical constraints, hazards, or nuisances which are detrimental to the health and safety of students and to the general operation of the school.*

POLICY 46.3.11: *Prohibit the location of schools in the areas designated on the Future Land Use Map as Airport Noise Zone 3 or within other high noise impact areas.*

POLICY 46.3.12: *The county will cooperate with the School Board to encourage consideration in the design and construction of new schools that they may be expected to serve as hurricane evacuation and emergency shelters. (Amended by Ordinance No. 00-22)*

Lee County and the Lee County District School Board have consistently over time cooperated on such things as collocation of facilities. The number of inter-local agreements between the County and the District are too numerous to list. Some examples are:

- 4 Soccer Fields at Bayshore Elementary School
- 3 Soccer Fields at Spring Creek Elementary School
- 3 Soccer Fields at Lehigh Middle School
- Pool at Cape Coral High School

- Pool at North Fort Myers High School
- Pool at Riverdale High School
- Pool located at Cypress Lake Middle and High Schools
- North Fort Myers Community Park and J. Collin English Elementary School

Lee County also already coordinates with the School Board concerning population projections and methods through participation in Lee County's Metropolitan Planning Organization (MPO). The MPO process is continuous. In addition, following newly adopted legislation, Lee County and the District of Education have entered into an Interlocal Agreement. This agreement outlines the coordination of planning, population projections and school location criteria.

In reviewing the Goals and Objectives of the Intergovernmental Coordination Element (ICE), planning staff believes Goal 109 and Objective 109.1 are the appropriate locations for any new language to address the state requirements. Staff also recommends that a new policy, under Goal 46: Education, be adopted to address the coordination of population projection planning.

B. CONCLUSIONS

In order to comply with the provisions of F.S. Chapter 163.3177 the Lee Plan should be amended to include a new policy in the Intergovernmental Coordination Element, under Goal 109, that refers to Goal 46: Education as the source for coordinating the comprehensive plan with the plans of the school board. Staff also recommends that a new policy, under Goal 46: Education, be adopted to address the coordination of population projection planning

C. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners transmit to the Florida Department of Community Affairs the proposed amendment. The specific language modifications that staff recommends is provided in Part I.B.1. of this report.

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

DATE OF LPA PUBLIC HEARING: August 26, 2002

A. LOCAL PLANNING AGENCY REVIEW

Staff presented the amendment before the LPA on August 26, 2002. The LPA provided no discussion concerning the proposed amendment.

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 advanced by the staff.

C. VOTE:

NOEL ANDRESS	<u>AYE</u>
MATT BIXLER	<u>AYE</u>
SUSAN BROOKMAN	<u>AYE</u>
RONALD INGE	<u>AYE</u>
GORDON REIGELMAN	<u>ABSENT</u>
ROBERT SHELDON	<u>AYE</u>
GREG STUART	<u>AYE</u>

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

DATE OF TRANSMITTAL HEARING: September 5, 2002

A. BOARD REVIEW: Staff provided a brief presentation on the proposed amendment. One Board member questioned the effectiveness of existing policies under Objective 46.3, Land Use Compatibility, regarding the selection of school sites in advance of development and the encouragement of neighborhood elementary schools. Staff responded that the Planning Division and the School Board have been and will continue to be coordinating information with each other based on the latest data resources. Another member of the Board noted their appointment of a school board member to the County's Smart Growth Committee for the purpose of investigating the balance between school siting and growth.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:** The Board of County Commissioners voted to transmit the proposed plan amendment.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact advanced by staff and the LPA.

C. VOTE:

JOHN ALBION	<u>AYE</u>
ANDREW COY	<u>ABSENT</u>
BOB JANES	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
DOUG ST. CERNY	<u>AYE</u>

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

DATE OF ORC REPORT: _____

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

B. STAFF RECOMMENDATION

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

DATE OF ADOPTION HEARING: _____

B. BOARD REVIEW:

C. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY

**CPA 2001-32
BoCC SPONSORED
AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

LPA Public Hearing Document
for the
August 26th, 2002 Public Hearing

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(941) 479-8585*

August 16, 2002

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA 2001-32**

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

STAFF REPORT PREPARATION DATE: August 16, 2002

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 the Intergovernmental Coordination Element and the Community Facilities Element to bring the element into compliance with the provisions of F.S. Chapter 163.3177.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Staff recommends that the Board of County Commissioners transmit the proposed amendment. The specific language modifications that staff recommends is provided below:

POLICY 46.2.3: The County will collaborate with the District Board of Education when planning and making decisions regarding population projections.

POLICY 109.1.8: The principles and guidelines to be used in the planning, siting and location of new school have been established under Goal 46: Education.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Lee Plan already contains numerous policies that provide guidelines for coordinating the comprehensive plan with the plans of the school board.
- Lee County has entered into an Interlocal Agreement with the District of Education which outlines the coordination of planning, population projections and school location criteria.
- Lee County already coordinates with the School Board concerning population projections and methods through participation in Lee County's Metropolitan Planning Organization (MPO). The MPO process is continuous.
- Lee County has always made it a goal to collocate facilities with the School district.

C. BACKGROUND INFORMATION

This amendment was initiated by the Board of County Commissioners on September 25, 2001. The proposed amendment will amend the Lee Plan by bringing the Intergovernmental Coordination Element, through references to the Education sub-element, in compliance with F.S. Chapter 163.3177.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

F.S. Chapter 163.3177(6)(h)1. states:

An intergovernmental coordination element showing relationships and stating principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan approved pursuant to s.373.0361, as the case may require and as such adopted plans or plans in preparation may exist. This element of the local comprehensive plan shall demonstrate consideration of the particular effects of the local plan, when adopted, upon the development of adjacent municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require.

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C. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners transmit to the Florida Department of Community Affairs the proposed amendment. The specific language modifications that staff recommends is provided in Part I.B.1. of this report.

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

DATE OF LPA PUBLIC HEARING: August 26, 2002

A. LOCAL PLANNING AGENCY REVIEW

**B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT
SUMMARY**

1. RECOMMENDATION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

NOEL ANDRESS

MATT BIXLER

SUSAN BROOKMAN

RONALD INGE

GORDON REIGELMAN

ROBERT SHELDON

GREG STUART

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

DATE OF TRANSMITTAL HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY

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

DATE OF ORC REPORT: _____

- A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**

- B. STAFF RECOMMENDATION**

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

DATE OF ADOPTION HEARING: _____

B. BOARD REVIEW:

C. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:**

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:**

C. VOTE:

JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY
