

**CPA2009-02
NORTH OLGA COMMUNITY PLAN
BoCC SPONSORED
AMENDMENT
TO THE
LEE PLAN**

LEE COUNTY COMPREHENSIVE PLAN

**Lee County Board of County Commissioners
Sponsored Amendment and Staff Analysis**

**BoCC Public Hearing Document
for the
June 16th, 2010 Transmittal Hearing**

*Lee County Planning Division
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June 10, 2010

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2009-02**



Text Amendment



Map Amendment

This Document Contains the Following Reviews:	
<input checked="" type="checkbox"/>	Staff Review
<input checked="" type="checkbox"/>	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: May 14, 2010

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. A. SPONSOR

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

B. APPLICANT

North Olga Community Planning Panel (NOCPP)

2. REQUEST:

Amend the Future Land Use Element to incorporate Goals, Objectives, and Policies specific to the North Olga Community into the Lee County Comprehensive Plan. Amend the Future Land Use Map series to include a Special Treatment Area on Map 1, Page 2 of 8 for the North Olga Area.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Planning staff is recommending that the Board of County Commissioners *not* transmit the proposed amendment to the Comprehensive Plan. In the event the BoCC desires to transmit the proposed amendment, staff recommends that the language included below be transmitted.

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

DATE OF PUBLIC HEARING: April 26, 2010

A. LOCAL PLANNING AGENCY REVIEW

The applicant, North Olga Community Planning Panel (NOCPP), made a presentation to the Local Planning Agency on February 22, 2010. The NOCPPs presentation included the recent history of the planning panel and the progress that has been made on the creation of the North Olga Community Plan. Members of the Local Planning Agency made a few comments but did not ask many questions of the applicant because the comprehensive plan amendment application had not been found sufficient, and staff had not presented a staff report. The Local Planning agency was not asked to make a recommendation on this date.

DATE OF PUBLIC HEARING: May 24, 2010

A. LOCAL PLANNING AGENCY REVIEW

Planning staff gave a brief presentation concerning the proposed amendment. The presentation clarified that staff found the applicant's proposed Goals, Objectives, and Policies consistent with the Lee Plan. However staff found that there is not consensus within the Alva Planning Community about the creation of the North Olga Community Plan. Members of the Local Planning Agency asked a few general questions of staff to clarify staff's position. The applicant, gave a brief presentation, and also stated that they were in agreement with staff on the Goals, Objectives, and Policies and the proposed community boundary, but they did not agree with staff about the consensus issue. After a short break the members of the public provided comments about the creation of the North Olga Community Plan. Sixteen individuals that live within the area that would be directly affected by the North Olga Community Plan addressed the Local Planning Agency. Of these individuals, ten supported the North Olga Community Plan, and six were against creating the plan. In addition to those who lived within the proposed boundaries, there were six other individuals who spoke against the creation of the North Olga Community Plan. These individuals included the presidents of the Alva Inc, Concerned Citizens for Bayshore, and East Lee County Council. Following public comments, the meeting was continued at the request of the applicant's representative to a date and time certain on June 7, 2010.

DATE OF PUBLIC HEARING: June 7, 2010

A. LOCAL PLANNING AGENCY REVIEW

Staff addressed the Local Planning Agency, stating that there was no changes to the staff report or the staff recommendation. Staff also reminded the Local Planning Agency that the public comment portion of the hearing had been closed. A representative of the applicant provided a presentation to the Local Planning Agency again stating that the applicant has met all of the community planning requirements, and agrees with staff that the Goals, Objectives, and Policies are consistent with the Lee Plan and the surrounding communities, but that the did not agree with the that there was not consensus within the community. Following the applicant's presentation members of the LPA made general statements about the issue and asked questions of both staff and the applicant.

A motion was made to not transmit CPA2009-02, as recommended by staff. The motion failed 3-3. A separate motion was made to transmit CPA2009-02. The motion failed 3-3. One member of the Local Planning Agency abstained due to a conflict of interest.

According to Administrative Code 13-6 Part D(3), when the vote results in a tie vote “the recommendation of the LPA will be conclusively presumed to be a recommendation not to transmit”. Therefore the LPA does not recommend transmittal of CPA2009-02.