

**CPA2010-16
REMOVE DUPLICATE
BOCA GRANDE GOAL
BoCC SPONSORED
AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

Lee County Board of County Commissioners
Sponsored Amendment and Staff Analysis

BoCC Public Hearing Document
for the
September 28th 2011 Public Hearing

*Lee County Planning Division
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September 14, 2011

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2010-16**

Text Amendment

Map Amendment

✓	This Document Contains the Following Reviews:
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
✓	Board of County Commissioners Hearing for Transmittal
✓	Staff Response to Review Agencies Comments
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: February 14, 2011

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. SPONSOR/APPLICANT:

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

2. REQUEST: Remove the duplicate Boca Grande goal from the Lee Plan.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:

1. RECOMMENDATION

Staff recommends that the Board of County Commissioners **adopt** the proposed amendment to delete Goal 15, Gasparilla Island, from the Lee Plan.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Boca Grande community began their community planning process in the summer of 2003 following a community meeting with staff during the Evaluation and Appraisal Report process.
- Lee Plan Goal 22 was adopted on October 12, 2005 as part of Lee Plan amendment CPA2004-12.

- Goal 22 addresses a much greater number of issues affecting the Boca Grande Planning community than Goal 15.
- Lee Plan Goal 15 (concerning Gasparilla Island) was superseded by Goal 22.
- Lee Plan Goal 15 was not deleted as part of the adoption of Goal 22, resulting in redundant policies for the Boca Grande Planning Community.

C. BACKGROUND INFORMATION

On October 12, 2005, the Board of County Commissioners adopted CPA2004-12, the Boca Grande Community Plan. Goal 22 established a new vision statement and a new Goal, including Objectives and Policies specific to the Boca Grande community. It was based on recommendations submitted by the Boca Grande Community Planning Panel as revised by Staff. At the time that CPA2004-12 was adopted, no provision was made to remove Goal 15 from the Lee Plan. Goal 22 was the result of a community planning effort and was meant to update and replace Goal 15.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

Goal 22 contains the recommendations of the Boca Grande Community Planning Panel as amended by staff. The planning panel recommended the creation of a new goal and objectives rather than amending the existing Goal 15. The new goal addressed all of the same subjects as the original Goal 15 in addition to the new material included by the planning panel. The amendment as adopted contained no provision for the deletion of previous Lee Plan Goals, Objectives, and Policies pertaining to the Boca Grande Planning Community.

B. CONCLUSIONS

The adoption of Goal 22 represents an update to Lee Plan policies in regards to Boca Grande and the Boca Grande Community Plan. The regulations of Lee Plan Goal 15 have been superseded and should no longer be applicable to Boca Grande. Therefore, Goal 15 should be deleted from the Lee Plan.

C. STAFF RECOMMENDATION

Staff recommends that the Board transmit the proposed amendment to delete Goal 15 from the Lee Plan.

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

DATE OF PUBLIC HEARING: February 28, 2011

A. LOCAL PLANNING AGENCY REVIEW

Staff gave a brief presentation regarding the proposed amendment. No members of the LPA had any comments concerning the amendment. No members of the public spoke appeared or addressed the proposed plan amendment.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** The LPA recommended that the Board of County Commissioners transmit the proposed amendment.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	AYE
CINDY BUTLER	AYE
JIM GREEN	AYE
MITCH HUTCHCRAFT	AYE
RONALD INGE	AYE
JACK MEEKER	AYE
VACANT	

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

DATE OF TRANSMITTAL HEARING: June 13, 2011

A. BOARD REVIEW:

The Board of Commissioners adopted the proposed amendment as part of the consent agenda. The Board provided no comment on the proposed amendment. No member of the public appeared or provided comments concerning the proposed amendment.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

The Board of Commissioners voted to **transmit** the proposed amendment as part of the Consent Agenda.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The Board of Commissioners accepted the findings of fact as advanced by Staff and the Local Planning Agency.

C. VOTE:

BRIAN BIGELOW	AYE
TAMMY HALL	AYE
RAY JUDAH	AYE
FRANK MANN	AYE
JOHN MANNING	AYE

**PART V – REVIEWING AGENCIES’ OBJECTIONS,
RECOMMENDATIONS AND COMMENTS**

DATE OF DCA COMMENTS: July 29, 2011

A. COMMENTS FROM STATE AGENCIES

No reviewing agencies provided comments concerning the proposed amendment that need to be addressed.

B. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners adopt the proposed amendment as transmitted.

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

DATE OF ADOPTION HEARING: September 28th, 2011

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

**BRIAN BIGELOW
TAMMARA HALL
RAY JUDAH
FRANK MANN
JOHN MANNING**

