

**CPA2007-49**  
**BUCKINGHAM COMMUNITY PLAN**  
**BoCC SPONSORED**  
**AMENDMENT**  
**TO THE**

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**LEE COUNTY COMPREHENSIVE PLAN**

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**THE LEE PLAN**

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**Non Transmittal Document**

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*Lee County Planning Division*  
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**October 22, 2008**

**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2007-00049**

**Text Amendment**

**Map Amendment**

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

STAFF REPORT PREPARATION DATE: November 15, 2007

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. SPONSOR/APPLICANT:**

**A. SPONSOR:**

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

**B. APPLICANT**

BUCKINGHAM COMMUNITY PLANNING PANEL

**2. REQUEST:**

Amend the Future Land Use Element, text and Future Land Use Map series to incorporate the recommendations of the Buckingham Community Planning effort. Update Goal 17 of the Lee Plan to revise policies specific to the Buckingham Community and expand the affect of Goal 17 beyond the Rural Community Preserve land use category to the Buckingham Planning Community boundary. Amend Map 1, Page 2 of 6, Special Treatment Areas to indicate that a revised Goal specific to the Buckingham Planning Community has been adopted. Update Table 1(b), Year 2030 Allocations, for the Buckingham community to allow for the projected growth through the year 2030.

## B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:

1. **RECOMMENDATION:** Planning staff recommends that the Board of County Commissioners transmit the proposed amendment, with the modifications proposed by staff. The applicants proposed changes to Goal 17 of the Lee Plan are shown below in strike through underline. Staff's recommendation are shown in bold strike through, bold underline in Part II of this report.

**GOAL 17: BUCKINGHAM.** To manage the future growth in the Buckingham area; to preserve the existing agricultural land use pattern; to diversify the choice of housing for Lee County by maintaining and enhancing the historic rural character; and to protect the unique historical and environmental values of the Buckingham Community. The boundaries of the Buckingham Community shall be extended to the Buckingham planning community boundaries. For the purposes of this plan, the precise boundaries of Buckingham are indicated on ~~the Future Land Use Map~~ Map 16 of the Lee Plan. (Added by Ordinance No. 91-19, Amended by Ordinance No. 93-25, 94-30)

**OBJECTIVE 17.1: LAND USE.** The primary land use designation for the Buckingham area is "Rural Community Preserve." Other smaller land use designations exist in the boundaries, such as Public Facilities, Urban Community, and Outlying Suburban. Existing Ppublic facilities have also been designated as appropriate. After the adoption of this amendment, no land in Buckingham will be changed to a land use category more intense than Rural Community Preserve (including Public Facilities) unless property is within a pre-existing higher density or a finding of overriding public necessity is determined by three members of the Board of County Commissioners. (Amended by Ordinance No. 00-22)

**POLICY 17.1.1:** No property within the Buckingham Community will be rezoned to RVPD. (Amended by Ordinance No. 00-22)

**POLICY 17.1.2:** The southeast and northeast quadrants of the intersection of Orange River Boulevard and Buckingham Road is designated as the commercial node for the Buckingham area. No new commercial development (as defined by F.S. 380.04) will be located outside of this commercial node. All new commercial developments in the node are required to provide a minimum of 30% open space. This commercial node is described as those lands 300 feet eastward from the easterly right-of-way of Buckingham Road and lying between Cemetery Road and a point 300 feet north of the intersection of Buckingham Road and Orange River Boulevard. In no way should this policy be construed to prohibit the designation of or commercial uses allowed in agricultural zoning districts. (Amended by Ordinance No. 94-30, 98-09, 00-22)

**POLICY 17.1.3:** Any lot created in the Rural Community Preserve land use category after the adoption of this amendment must have a minimum area of 43,560 square feet. Existing lots are excluded. Any residential planned development zoning granted in the Rural Community Preserve land use category will require a minimum size of one acre (43,560 square feet) for every residential lot. (Amended by Ordinance No. 00-22).

**POLICY 17.1.4:** Density within the Buckingham Community will be no more than one unit per buildable acre. Densities allowable prior to the adoption of this amendment are excluded. A buildable acre will not include more than 20% wetlands and will exclude road right of ways, water management areas, or natural water bodies. Bonus density is prohibited within the Buckingham Community.

**POLICY 17.1.5:** Clustering of residential development is allowed in the Buckingham Community only with residential planned development (RPD) zoning. In no case will clustered developments exceed the overall density of 1 unit per buildable acre. Density in clustered developments will be based on buildable acreage and be moved away from the property boundaries. No additional commercial space will be granted, regardless of clustered development. Clustering of residential development is achieved by limiting the areas of property available for residential homesites in the following fashion.

- 1 Homesites must be no less than 100 feet away from the RPD boundary.
- 2 The RPD must have a minimum of 10 acres in order to cluster homesites.

**POLICY 17.1.6:** Residential development along the Buckingham Community boundary should make appropriate transitions to the community by allowing only single-family homes with a graduated density as development moves away from the planning community boundaries.

**POLICY 17.1.7:** To preserve the shoreline, all new residential buildings, including attached screen enclosures will be no closer than 50 feet from the top of bank of the Orange River.

**OBJECTIVE 17.2: TRANSPORTATION AND ROADS.** To protect the rural character of the Buckingham area, the following restrictions apply:

1. The existing publicly maintained Lockett Road segments currently functioning as local roads will be retained. Any proposal to change the functionality of Lockett Road, such as to provide Lehigh Acres with access to I-75 at the Lockett Road interstate interchange, will require an analysis (Alignment Study, including public input) of the impacts to the Buckingham Rural Community Preserve. This analysis will include the review of alignments including diverting the proposed collector or arterial corridor as far south as possible, starting east of Pangola, in order to skirt the Buckingham area.
2. The extension of State Route 31 south of the Orange River is prohibited;
3. The extension of Ellis Road is prohibited;
4. The extension of Staley Road to State Route 82 is prohibited;
5. No new east/west collector roadways will be planned or built within the Buckingham Rural Community Preserve;

6. All future rights-of-way in Buckingham will be no greater than ~~100~~ 80 feet (except for Buckingham Road and Lockett Road extensions);
7. The extension and connection of Long Road to Ellis ~~r~~Road is prohibited. (Amended by Ordinance No. 94-30, 99-15, 00-22)

**POLICY 17.2.1:** Lee County will make every effort to reduce traffic and its affects through the Buckingham Community. This includes, but is not limited to, restricting the number of collector roads, analyzing alternative routes, limiting light pollution, and installing landscaping compatible with the rural character of the Buckingham Community.

**POLICY 17.2.2:** Lee County will improve the operational and safety issues on roads within the Buckingham Community. Specifically, Lee County will improve safety on Neal Road, Orange River Boulevard, Buckingham Road, Orange River Road, and Cemetery Road.

**OBJECTIVE 17.3: SEWER AND WATER PUBLIC FACILITIES AND UTILITIES.** ~~In order to discourage unwanted urban development, central sewer lines will not be extended into the Buckingham Rural Community Preserve, except in the areas identified by Map 7 as Future Sanitary Sewer Service Areas, Resource may be extended along major roads of the Buckingham Rural Preserve upon request of property owners, with extension and connection fees paid by th person(s) requesting the water service. Connection to this expanded water service network will be on a voluntary basis. Under no circumstances will the availability of central water be accepted as justification for a density increase, or reduction of lot size requirements, within the Buckingham Rural Community Preserve. (Amended by Ordinance No. 00-22, 03-19)~~ To protect the rural character of the Buckingham Community, public facilities and utilities that detract or diminish the overall community character are prohibited.

**POLICY 17.3.1:** In order to discourage unwanted urban development, central sewer lines will not be extended into the Buckingham Community, except in the areas identified by Map 7 as Future Sanitary Sewer Service Areas, the existing Resource Recovery Facility, and the adjacent Lee County Parks and Recreation Facility.

**POLICY 17.3.2:** Central water lines may be extended along roads of the Buckingham Rural Preserve upon request of property owners, with extension and connection fees paid by the person(s) requesting the water service. Connection to this expanded water service network will be on a voluntary basis. Under no circumstances will the availability of central water be accepted as justification for a density increase, or reduction of lot size requirements, within the Buckingham Community. (Amended by Ordinance No. 00-22, 03-19)

**POLICY 17.3.3:** Residential natural gas lines are allowed within the Buckingham Community. All other fuel transmission lines, including commercial natural gas lines are prohibited.

**POLICY 17.3.4:** All new large developments for which a local development order is required, shall install utilities underground. Utilities include, but not limited to, electricity, telephone, and cable lines.

**POLICY 17.3.5:** The Buckingham Community recognizes the historic value of the Buckingham Army Airfield, the residential airparks, and the public service contributions of the Mosquito Control District and other public safety uses of the airfield. The Buckingham Community supports the Mosquito Control District in limiting its activities to those consistent with its purpose and the provision of other public services.

**POLICY 17.3.6:** The Buckingham community encourages Lee County to acquire Gulf Coast Center for uses consistent with and appropriate to those values of historic rural character and environmental protection expressed in Goal 17 of the Lee Plan. No temporary or emergency operation disaster aftermath facilities will be allowed, including FEMA trailers.

**POLICY 17.3.7:** Detention and correctional facilities are prohibited within the Buckingham Community boundaries.

**POLICY 17.3.8:** Additional water treatment, sewage treatment, reclamation facilities, landfills, industrial facilities, and resource recovery facilities are prohibited in the Buckingham Community.

**POLICY 17.3.9:** East County Water Control District is encouraged to continue to develop and maintain its infrastructure to minimize flooding and manage flows down the Orange River. In addition, ECWCD is encouraged to develop a system to warn residents in advance of large releases of water. ECWCD is also encouraged to develop means to improve water quality.

**OBJECTIVE 17.4: LANDSCAPING, BUFFERING, COMMUNITY AESTHETICS, AND QUALITY OF LIFE.** As a means for protecting and enhancing the Buckingham Community's historic rural character and environmental values, developments, utilities, public services, road, and land use changes or improvements shall provide appropriate landscaping, buffering, and community aesthetics to ensure that a rural lifestyle is preserved.

**POLICY 17.4.1:** Public facilities are required to establish and maintain an appropriate vegetative buffer using native materials. Buffering materials must be designed to enhance and protect the aesthetic values inherent to the Buckingham community. This is to include, electrical facilities, substations, distribution and transmission lines; resource recovery facilities; and telephone facilities should install and maintain buffers that obscure unsightly facilities.

**POLICY 17.4.2:** Lee County will mitigate the negative aesthetic effects of the waste-to-energy incinerator in the Buckingham Community by regularly providing trash pick up on affected roads and establishing and maintaining an appropriate vegetative buffer.

**POLICY 17.4.3:** Within the Buckingham Community, residential walls are prohibited as boundaries for housing subdivisions or large residential developments. Berms are allowed in accordance with the Lee County Land Development Code, but should be designed to be undulating.

**POLICY 17.4.4:** Residential and commercial lighting should be designed to reduce light pollution and light trespass in the Buckingham Community.

**OBJECTIVE 17.5: ENVIRONMENT, OPEN SPACE AND PARKS.** The Buckingham community values its rural environment and has a goal of protecting open space for the present and future generations.

**POLICY 17.5.1:** Lee County will develop a plan for an interconnected system of parks, hiking, and horse riding trails within the Buckingham Community.

**POLICY 17.5.2:** Any access to the Orange River within the Buckingham Community that is to be developed by Lee County will be limited to non-commercial residential use.

**POLICY 17.5.3:** The removal of exotic plants, as defined by the state or county, is encouraged within the Buckingham Community.

**OBJECTIVE 17.6: AGRICULTURE.** In order to preserve and promote the existing agricultural land use pattern in the Buckingham Community, all policies in the Buckingham Plan shall consider value of land in Buckingham and in the granting of agricultural exemptions.

**POLICY 17.6.1:** Lee County will work closely with the Property Appraiser to insure that the Goal, Objectives and Policies of the Buckingham Plan are given full consideration in assessing the value of land in Buckingham and in the granting of agricultural exemptions.

**POLICY 17.6.2:** The Buckingham Community Plan recognizes the land use of small family farm of no more than ten acres, where the owner resides on the property, and stipulates that it can be a viable commercial activity.

**POLICY 17.6.3:** If a small family farm loses its agricultural exemption, the Property Appraiser will utilize appropriate formulas for applying the homestead exemption to the former agricultural land.

**POLICY 17.6.4:** The Property Appraiser will give full consideration to any agricultural or conservation easements when assessing property in Buckingham.

**POLICY 17.6.5:** Crops grown for alternative energy sources on an experimental basis, such as *Jatropha curcas*, shall be considered as a commercial agricultural activity by the Property Appraiser.

**POLICY 17.6.6: Boarding stables will be allowed to give lessons and clinics to non-boarders by right if the owner or operator resides on site, if no clinics are held after 7:00 PM and the operation does not create a use, road access or drainage nuisance to its neighbors.**

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

- The Buckingham Community Plan update has been sponsored as a community service by the Board of County Commissioners.
- The Buckingham community held a series of public meetings to collect information and to determine the communities vision of the future of the Buckingham area.
- Two surveys were conducted by the planning panel's consultant to collect additional information from the community.
- The planning panel's consultant interviewed stakeholders in the community and in adjacent areas.
- The Buckingham community has expressed a clear desire to retain their rural character.
- The Buckingham Community Plan update was financed by the Board of County Commissioners.

## **C. BACKGROUND INFORMATION**

The Buckingham Preservation Committee submitted the original Sector Plan for the Buckingham Community to the County on September 20, 1990. The sector plan provided a description of the history of the area, a description of the then existing land uses, soils, and ground water recharge, vegetation and wildlife, parks and recreation, community facilities and services, housing and transportation. The original Lee Plan Goal specific to the Buckingham community was a direct result of the work conducted by the Buckingham Preservation Committee and was adopted by the Board of County Commissioners on July 9, 1991.

The Buckingham Preservation Committee, working with County staff, updated the Lee Plan Goal specific to the Buckingham community in the late 1990's and an amendment to that Goal was adopted by the Board of County Commissioners on November 22, 1999. A second amendment to the Buckingham Goal was adopted by the Board of County Commissioners on October 23, 2003.

Early in 2007, residents in the Buckingham community formed the Buckingham Community Planning Panel, Inc. (BCPP) and requested funding from the County to undertake a more comprehensive update to what is now Goal 17 of the Lee Plan specific to the Buckingham community. This proposed plan amendment is a direct result of the work conducted by the BCPP.



## PART II - STAFF ANALYSIS

### A. STAFF DISCUSSION

The proposed publicly-initiated amendment application was received by the County on September 26, 2007. Planning staff provided copies of the proposed amendment and requested comments from various County departments, including:

County Attorney's Office; EMS Division; Lee County Sheriff; Natural Resources Division; Lee Tran; Parks and Recreation; School District of Lee County; Lee County Department of Transportation; Development Services Division; Environmental Sciences Division; Lee County Port Authority; Economic Development; Public Works Department; Utilities Division; Zoning Division; Lee County Health Department; Public Safety; Human Services.

Written comments were received from the County Attorneys Office, DOT, Public Safety and the Department of Human Services. Those comments are attached as backup to this report.

Planning staff recommends that the Board of County Commissioners transmit the proposed amendment, with the modifications proposed by staff. Staff's recommended changes to the proposed changes to Goal 17 are shown in bold strike-through, bold underline.

**GOAL 17: BUCKINGHAM.** To manage the future growth in the Buckingham area; to preserve the existing agricultural land use pattern; to diversify the choice of housing for Lee County by maintaining and enhancing the historic rural character; and to protect the unique historical and environmental values of the Buckingham Community. ~~The boundaries of the Buckingham Community shall be extended to the Buckingham planning community boundaries.~~ For the purposes of this plan, the precise boundaries of the Buckingham Community are indicated on the ~~Future Land Use Map~~ Map 16 of the Lee Plan. (Added by Ordinance No. 91-19, Amended by Ordinance No. 93-25, 94-30)

*The Buckingham Community desires to expand the boundaries of the planning area to match with the Buckingham Planning Community. No reduction in allowable densities will be imposed on the areas outside of the Rural Community Preserve, but within the Buckingham Planning Community. Staff concurs with that change to the planning area.*

**OBJECTIVE 17.1: LAND USE.** The primary land use designation for the Buckingham area is "Rural Community Preserve." Other smaller land use designations exist in the boundaries, such as Public Facilities, Urban Community, and Sub-Outlying Suburban. Existing Public facilities have also been designated as appropriate. ~~After the adoption of this amendment n~~No land in Buckingham will be changed to a land use category more intense than Rural Community Preserve (including Public

Facilities) unless a finding of overriding public necessity is determined by three members of the Board of County Commissioners. (Amended by Ordinance No. 00-22)

*Staff concurs with this Objective.*

**POLICY 17.1.1:** No property within the Buckingham Rural Community Preserve will be rezoned to RVPD. (Amended by Ordinance No. 00-22)

*There is a potential Burt J. Harris liability for areas outside of the Rural Community Preserve that are being added to the planning area because an existing potential to rezone those areas to RVPD is being taken away. Staff recommends transmitting the policy as revised to indicate that this policy is specific to the Rural Community Preserve.*

**POLICY 17.1.2:** The southeast and northeast quadrants of the intersection of Orange River Boulevard and Buckingham Road is designated as the commercial node for the Buckingham area Rural Community Preserve. No new commercial development (as defined by F.S. 380.04) will be located outside of this commercial node. All new commercial developments in the node are required to provide a minimum of 30% open space. This Rural Community Preserve commercial node is described as those lands 300 feet eastward from the easterly right-of-way of Buckingham Road and lying between Cemetery Road and a point 300 feet north of the intersection of Buckingham Road and Orange River Boulevard. In no way should this policy be construed to prohibit the designation of or commercial uses allowed that are uses by right in agricultural zoning districts. (Amended by Ordinance No. 94-30, 98-09, 00-22)

*The recommended changes to the Policy are intended to make it clear that this Policy only applies to the Rural Community Preserve and that commercial uses that are uses by right in agricultural zoning districts will not be affected.*

**POLICY 17.1.3:** Any lot created in the Rural Community Preserve land use category after the adoption of this amendment must have a minimum area of 43,560 square feet if located within a conventional zoning district. Existing lots are excluded. ~~Any residential planned development zoning granted in the Rural Community Preserve land use category will require a minimum size of one acre (43,560 square feet) for every residential lot.~~ (Amended by Ordinance No. 00-22).

*Policy 17.1.3 is inconsistent with Policy 17.1.5 below. The community intends to allow clustering with residential planned development zoning. The requirement to have a minimum lot size of 43,560 square feet is intended only for conventional zoning districts.*

**POLICY 17.1.4:** Density within the Buckingham Community Rural Community Preserve will be no more than one unit per buildable acre. ~~Densities allowable prior to the adoption of this amendment are excluded.~~ A buildable acre will not include more than 20% wetlands and will exclude road right of ways, water management areas, or natural water bodies. Bonus density is prohibited within the Buckingham Rural Community Preserve.

*This policy, as proposed, would take the ability for the Urban Community land in the Buckingham Planning Community to achieve bonus density. Further, It could be argued that densities allowable prior to the adoption of this amendment would be that of the existing zoning, not the Future Land Use category.*

*Bonus density is not allowed in the Rural Community Preserve, but the community would like the last sentence to reinforce that restriction. Staff recommends transmitting the language above, as modified.*

**POLICY 17.1.5:** Clustering of residential development is allowed in the Buckingham Community Rural Community Preserve only with residential planned development (RPD) zoning. In no case will clustered developments exceed the overall density of 1 unit per buildable acre. Density in clustered developments will be based on buildable acreage and be moved away from the property boundaries. No additional commercial space will be granted, regardless of clustered development. Clustering of residential development is achieved by limiting the areas of property available for residential homesites in the following fashion.

- Homesites must be no less than 100 feet away from the RPD boundary.
- The RPD must have a minimum of 10 acres in order to cluster homesites.

*Staff recommends transmittal of Policy 17.1.5.*

**POLICY 17.1.6:** Residential development along the Buckingham Community boundary should make appropriate transitions to the community by allowing **only single-family homes with a** graduated density as development moves away from the planning community boundaries.

*While it may be appropriate to gradually transition density away from the Rural Community Preserve, this policy needs clarification. It appears to regulate the development of property outside of the boundary of the Buckingham community. The proposed policy raises Bert J. Harris implications since much of the property adjacent to the Buckingham Planning Community has urban land use designations that allow for higher densities and intensities including multi-family development. The Buckingham community would like to transmit the language as submitted to make a statement that their intent is to not have multi-family development, or higher densities or intensities of uses adjacent to their rural community.*

**POLICY 17.1.7:** To preserve the shoreline, all new residential buildings, including attached screen enclosures will be no closer than 50 feet from the top of bank of the Orange River.

*The County Attorney's office commented that increasing the riverbank setback from 25 to 50 feet raises the potential for claims under the Bert J. Harris Act.*

**OBJECTIVE 17.2: TRANSPORTATION AND ROADS.** To protect the rural character of the Buckingham area, the following restrictions apply:

1. The existing publicly maintained Lockett Road segments currently functioning as local roads will be retained. Any proposal to change the functionality of Lockett Road, such as to provide Lehigh Acres with access to I-75 at the Lockett Road interstate interchange, will require an analysis (Alignment Study, including public input) of the impacts to the Buckingham ~~Rural~~Rural Community Preserve. This analysis will include the review of alignments including diverting the proposed collector or arterial corridor as far south as possible, starting east of Pangola, in order to skirt the Buckingham area.
2. The extension of State Route 31 south of the Orange River is prohibited;
3. The extension of Ellis Road is prohibited;
4. The extension of Staley Road to State Route 82 is prohibited;
5. No new east/west collector roadways will be planned or built within the Buckingham ~~Rural~~Rural Community Preserve;
6. All future rights-of-way in Buckingham will be no greater than ~~100~~ 80 100 feet (except for Buckingham Road and Lockett Road extensions);
7. The extension and connection of Long Road to Ellis ~~r~~Road is prohibited. (Amended by Ordinance No. 94-30, 99-15, 00-22)

*DOT's comment is that the expansion of the boundaries from the Rural Community Preserve to the whole planning community is a concern when it comes to the road limitations under Objective 17.2. DOT is well into the Lockett Road alignment study, working with the objective as currently written, so a change could cause problems.*

*The change to point 6 under the objective is a concern. The change from 100 feet to 80 feet would appear to be an attempt to prohibit collector roads which is not good transportation planning. Buckingham is positioned between Lehigh Acres and Fort Myers and traffic is going to come through their community. Additional collector roads may be necessary in the future.*

**POLICY 17.2.1:** Lee County will make every effort to reduce traffic and its affects through the Buckingham Community. This includes, but is not limited to, restricting the number of collector roads, analyzing alternative routes, limiting light pollution, and installing landscaping compatible with the rural character of the Buckingham Community.

*Lee County DOT staff cannot support this policy as written. Please see the attached comments. Buckingham residents believe this policy is very important and think it is essential to help them maintain the rural character of their community.*

**POLICY 17.2.2: Lee County will improve the operational and safety issues on roads within the Buckingham Community. Specifically, Lee County will improve safety on Neal Road, Orange River Boulevard, Buckingham Road, Orange River Road, and Cemetery Road.**

*Staff is unsure what measures to improve safety on Neal Road, Orange River Boulevard, Buckingham Road, Orange River Road, and Cemetery Road the community is expecting. Depending on the traffic situation that needs to be addressed, 4-laning with a median might improve the safety, but that may not be a solution that the community would want. There is no data and analysis that indicates there is a safety problem on those roads and no funding sources have been identified to pay for any safety improvements. Staff does not recommend transmitting the proposed policy as written for the above reasons and because the policy language is too vague.*

*Additional Comments from the Department of Transportation and the County Attorney's Office are attached.*

**OBJECTIVE 17.3: SEWER AND WATER PUBLIC FACILITIES AND UTILITIES.** ~~In order to discourage unwanted urban development, central sewer lines will not be extended into the Buckingham Rural Community Preserve, except in the areas identified by Map 7 as Future Sanitary Sewer Service Areas, the existing Resource may be extended along major roads of the Buckingham Rural Preserve upon request of property owners, with extension and connection fees paid by the person(s) requesting the water service. Connection to this expanded water service network will be on a voluntary basis. Under no circumstances will the availability of central water be accepted as justification for a density increase, or reduction of lot size requirements, within the Buckingham Rural Community Preserve. (Amended by Ordinance No. 00-22, 03-19) To protect the rural character of the Buckingham Community, public facilities and utilities that detract or diminish the overall community character are prohibited.~~

*Objective 17.3 is not measurable. Whether a public facility would diminish the overall community character is subjective. The County may need a wastewater treatment facility within the Gulf Coast Center, if acquired. The County is currently negotiation the purchase of land owned by Lee County Mosquito Control and is planning an Emergency Operations Center on that site.*

**POLICY 17.3.1: In order to discourage unwanted urban development, central sewer lines will not be extended into the Buckingham Community, except in the areas identified by Map 7 as Future Sanitary Sewer Service Areas, the existing Resource Recovery Facility, the adjacent Lee County Parks and Recreation Facility, and any future Emergency Operations Center facility.**

*This policy raises issues with those urban areas within the Buckingham Community where the full range of urban services are anticipated. There is also the potential to affect the planned Emergency Operations Center on property the County is negotiating to acquire from Lee County Mosquito Control. Even if the County is not prevented from bringing sewer service to the EOC site, the ability of others to tie into this line may be limited, thus burdening the County with a larger portion of the cost. It is the desire of the community not to require any connection to the*

*extension of central sewer lines. With the exception of the revision recommended by staff, this policy language is already in the Lee Plan under Objective 17.3.*

**POLICY 17.3.2:** Central water lines may be extended along roads of the Buckingham Rural Community Preserve upon request of property owners, with extension and connection fees paid by the person(s) requesting the water service. Connection to this expanded water service network will be on a voluntary basis. Under no circumstances will the availability of central water be accepted as justification for a density increase, or reduction of lot size requirements, within the Buckingham Community. (Amended by Ordinance No. 00-22, 03-19)

*Staff does not have a problem with proposed Policy 17.3.2. Virtually the same language is already in the Lee Plan in Objective 17.3.*

**POLICY 17.3.3:** Residential natural gas lines are allowed within the Buckingham Community. All other fuel transmission lines, including commercial natural gas lines are prohibited.

*Planning staff received no comments on Policy 17.3.3.*

**POLICY 17.3.4:** All new large development, as defined in Chapter 10 of the Land Development Code, for which a local development order is required, shall must install utilities underground. Utilities include, but not limited to, electricity, telephone, and cable lines.

*Large development is defined as a project of ten acres or more in land area or two acres or more in impervious surface. This requirement to install utilities under ground could increase the cost of construction, however the ability to cluster development as described in proposed policy 17.1.5 could help offset costs to some degree.*

**POLICY 17.3.5:** The Buckingham Community recognizes the historic value of the Buckingham Army Airfield, the residential airparks, and the public service contributions of the Mosquito Control District and other public safety uses of the airfield. The Buckingham Community supports the Mosquito Control District in limiting its activities to those consistent with its purpose and the provision of other public services.

**POLICY 17.3.6:** The Buckingham community encourages Lee County to acquire Gulf Coast Center for uses consistent with and appropriate to those values of historic rural character and environmental protection expressed in Goal 17 of the Lee Plan. ~~No temporary or emergency operation disaster aftermath facilities will be allowed, including FEMA trailers.~~

*Lee County Public Safety and Lee County Human Services have objections to this policy. In the event of a natural disaster providing temporary housing in the Buckingham Community may be a necessity. It could be argued that a regional wastewater treatment facility or some other facility that may be proposed for that site would not be consistent and appropriate with the historical rural character of Buckingham.*

**POLICY 17.3.7:** Detention and correctional facilities are prohibited within the Buckingham Community boundaries.

*Although staff did not receive any comments on this policy, we have concerns about precluding any future need for a detention or correctional facility in this part of Lee County.*

**POLICY 17.3.8:** ~~Additional water treatment, sewage treatment, reclamation facilities, landfills, industrial facilities, and resource recovery facilities are prohibited in the Buckingham Community;~~

*Lee County may need to place a regional wastewater treatment facility in the Buckingham Community at some future time to serve the Lehigh Acres community to the east. This policy would prevent such a facility from being constructed.*

**POLICY 17.3.9:** East County Water Control District is encouraged to continue to develop and maintain its infrastructure to minimize flooding and manage flows down the Orange River. In addition, ECWCD is encouraged to develop a system to warn residents in advance of large releases of water. ECWCD is also encouraged to develop means to improve water quality.

**OBJECTIVE 17.4: LANDSCAPING, BUFFERING, COMMUNITY AESTHETICS, AND QUALITY OF LIFE.** As a means for protecting and enhancing the Buckingham Community's historic rural character and environmental values, developments, utilities, public services, road, and land use changes or improvements ~~shall will~~ provide appropriate landscaping, buffering, and community aesthetics to ensure that a rural lifestyle is preserved.

*Buffering requirements are located in Chapters 10 and 34 of the Land Development Code. The Buckingham Community has no buffering requirements in excess of those found in the LDC. If the community would like buffering requirements specific to Buckingham then new land development regulations will need to be adopted.*

**POLICY 17.4.1:** ~~Public Utility infrastructure facilities are required to establish and maintain an appropriate vegetative buffer using native materials. Buffering materials must be designed to enhance and protect the aesthetic values inherent to the Buckingham community. This is to include, electrical facilities, substations, **distribution and transmission lines**; resource recovery facilities; and **telephone facilities**. Utility companies should install and maintain buffers that obscure unsightly facilities.~~

*Staff does not know how the County could effectively buffer transmission lines. It is unclear what telephone facilities are.*

*Buffering requirements are regulated by Section 10-416 of the Land Development Code. The buffering requirement for public facilities are the same as those required for commercial uses. There are no buffering requirements for public facilities that are specific to the Buckingham*

*community. If the Buckingham community would like to see different buffering requirements for public facilities it will require an amendment to the land development regulations.*

**POLICY 17.4.2:** Lee County will mitigate the negative aesthetic effects of the waste-to-energy incinerator in the Buckingham Community by regularly providing trash pick up on affected roads and establishing and maintaining an appropriate vegetative buffer.

*The Buckingham community is concerned about trash blowing off of trucks that are traveling to the County incinerator and would like for the County to increase efforts to collect that debris.*

**POLICY 17.4.3:** Within the Buckingham Community, residential walls are prohibited as boundaries for housing subdivisions or large residential developments. Berms are allowed in accordance with the Lee County Land Development Code, but should be designed to be undulating.

*There is precedent for prohibiting walls in the Pine Island community. Policy 14.3.5 states: The county will amend its land development code to provide specific regulations for neighborhood connectivity and walls and gates on Greater pine Island if an acceptable proposal is submitted by the Greater Pine Island community. These regulations would require interconnections between adjoining neighborhoods wherever feasible and would no longer allow perimeter walls around larger developments (Added by Ordinance No. 03-03)*

*The Land Development Code was amended as follows:*

*Sec. 33-1086. Residential project fences and walls. New residenetial project fences or walls are not permitted in Greater Pine Island (see section 34-1743). This restriction does not affect buffer walls that may be required by section 10-416.*

*The Land Development Code should be amended to implement Policy 17.4.3.*

**POLICY 17.4.4:** Residential and commercial lighting should be designed to reduce light pollution and light trespass in the Buckingham Community.

*Outdoor Lighting Standards are addressed in Section 34-625 of the Land Development Code. Policy 17.4.4 is not inconsistent with those standards.*

**OBJECTIVE 17.5: ENVIRONMENT, OPEN SPACE AND PARKS.** The Buckingham community values its rural environment and has a goal of protecting open space for the present and future generations.

**POLICY 17.5.1:** ~~Lee County will develop a plan for an interconnected system of parks, hiking, and horse riding trails within the Buckingham Community.~~

*The Board of County Commissioners adopted the Lee County Greenways Multi-Purpose Recreational Trails Master Plan on May 16, 2007. It is unclear what additional plans are*



*anticipated by this policy, or what funding sources would be used to pay for them. Staff does not recommend transmitting this policy at this time.*

**POLICY 17.5.2: Any access to the Orange River within the Buckingham Community that is to be developed by Lee County will be limited to non-commercial residential use.**

*Staff can envision the benefit of a limited commercial use, such as a boat rental facility, at locations that access the Orange River. Policy 17.5.2 would prevent such a facility in the future. The Buckingham community does not want any commercial facilities, such as boat rentals, near the Orange River. Residents are concerned about protecting that resource and believe that an attraction such as a boat rental operation would cause too much impact to the river.*

**POLICY 17.5.3: The removal of exotic plants, as defined by the state or county, is encouraged within the Buckingham Community.**

*The removal of exotic vegetation is encouraged County wide.*

**OBJECTIVE 17.6: AGRICULTURE.** In order to preserve and promote the existing agricultural land use pattern in the Buckingham Community, all policies in the Buckingham Plan **shall will consider value of land in Buckingham and in the granting of agricultural exemptions.**

*Objective 17.6 and several of the following policies regarding the Property Appraiser, assessments and agricultural exemptions were written with the assistance of the Lee County Property Appraiser. Staff does not necessarily see the benefit of the following policies but does not object to them.*

**POLICY 17.6.1: Lee County will work closely with the Property Appraiser to insure that the Goal, Objectives and Policies of the Buckingham Plan are given full consideration in assessing the value of land in Buckingham and in the granting of agricultural exemptions.**

**POLICY 17.6.2: The Buckingham Community Plan recognizes the land use of small family farm of no more than ten acres, where the owner resides on the property, and stipulates that it can be a viable commercial activity.**

**POLICY 17.6.3: If a small family farm loses its agricultural exemption, the Property Appraiser will utilize appropriate formulas for applying the homestead exemption to the former agricultural land.**

**POLICY 17.6.4: The Property Appraiser will give full consideration to any agricultural or conservation easements when assessing property in Buckingham.**

**POLICY 17.6.5: Crops grown for alternative energy sources on an experimental basis, such as Jatropha Curcas, shall will be considered as a commercial agricultural activity by the Property Appraiser.**

**POLICY 17.6.6: Boarding stables will be allowed to give lessons and clinics to non-boarders by right if the owner or operator resides on site, if no clinics are held after 7:00 PM, and the operation does not create a use, road access or drainage nuisance to its neighbors.**

*This policy should be further clarified in the Land Development Code. Hours of operation and scope of use are typically addressed in the Land Development Code.*

### **PART III - LOCAL PLANNING AGENCY**

#### **REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: November 19, 2007

#### **A. LOCAL PLANNING AGENCY REVIEW**

Planning staff gave an overview of the proposal and explained their recommendations to the LPA. Questions and answers ensued regarding: 1) traffic counts/accident data; 2) population estimates; 3) location of existing commercial development; 4) the allocation table that was distributed to the LPA; 5) Staff's proposed 2030 allocation for Buckingham; 6) impacts due to a large tract of land on Tice Road purchased by the School District; 7) impacts due to a large tract being proposed to be annexed into the City of Fort Myers on Lockett Road; 8) the County's plans for mitigating some of these impacts; 9) the planning community and planning area boundaries; 10) outreach efforts; 11) how staff will evaluate applications that are not within the community boundary but are adjacent to it; 12) Bert Harris issues; and, 13) Map 7 regarding sewage utility service and its extension.

The president of the Buckingham Community Planning Panel stated that they did meet with the Lehigh Acres Community Planning Panel and the expanded planning area proposed for the Buckingham community did not conflict with the Lehigh Acres planning effort. He stated that reducing traffic and its effects was very important to the Buckingham community. He stated that the expansion of sewer and public utilities that could lead to the urbanization of the Buckingham community was not supported, but they did not object to sewer service being expanded to the proposed Emergency Operations Center facility if the community did not have to subsidize that expansion by being required to connect to the sewer service. They did object to the construction of a tower at the EOC site because of possible conflicts with the airfield.

He went on to say that the Buckingham Community did support Policy 17.3.6 that prohibits temporary emergency housing and supports Policy 17.5.2 that limits access to the Orange River to non-commercial residential use. He stated that the community wanted to keep Objective 17.6 and subsequent policies regarding the value of land and agricultural exemptions in their plan. Finally, he stated that the planning panel did not consider the allocation tables as a component of their plan, and did not address them specifically.

Several members of the public, including the President of the Buckingham Conservancy, and the

consultant that assisted in the drafting of the Buckingham Community Plan, spoke in favor of the amendment and asked the LPA to recommend transmittal of their original language.

The public comment segment was closed and one LPA member suggested the Buckingham Community Planning area be expanded beyond the Rural Community Preserve to match the Buckingham Planning Community boundaries. He stated that would give the community greater control over a larger area of land, especially growth that will affect the community. He believed the allocation table would need to be amended as well to reflect that the expanded Community Planning area is located in the Urban Community Future Land Use Map category.

One LPA member expressed concern over Objective 17.6 having people in various communities lobby the Property Appraiser to outline parameters by which the Property Appraiser should appraise properties in the plan. He had concerns with that level of specificity in the plan and having different documents for the Property Appraiser to use for the different planning communities.

Another LPA member stated there were many traffic problems on some of the roads, in particular, Buckingham Road and in the Rural Community Preserve area. She stated she wanted to see LCDOT be more proactive in trying to address some of these issues by working together with the Buckingham community.

An LPA member stated that he did not have any overall objection to this plan amendment. His concern was that there are several areas of the plan that are not specific enough. He believed this would be a problem when it is transmitted to the Department of Community Affairs for review.

An LPA member stated this community has been working on this plan for a long period of time. He did not feel the County should make changes that would override everything this community has been working towards. He stated that many of the items staff proposed to delete should be reinstated and that they needed to work with the community to help write some appropriate goal language to help them accomplish these goals.

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

**1. RECOMMENDATION: Recommend that the Board of County Commissioners transmit CPA 2007-00049 with the following changes to staff's recommendation:**

- a. Adopt the planning community boundary as the new community planning area boundary for the Buckingham community.
- b. **POLICY 17.2.1:** Lee County will ~~make every effort work with the Buckingham community to reduce traffic and its effects through the Buckingham Community. This includes, but is not limited to, restricting the number of collector roads, analyzing alternative routes and safety issues, limiting light pollution, and installing landscaping compatible with the rural character of the Buckingham Community.~~

- c. POLICY 17.3.6: The Buckingham community encourages Lee County to acquire Gulf Coast Center for uses consistent with and appropriate to those values of historic rural character and environmental protection expressed in Goal 17 of the Lee Plan. No temporary or emergency operation disaster aftermath facilities will be allowed, including FEMA trailers.
- d. POLICY 17.5.1: Lee County will work with the Buckingham community to develop a plan for an interconnected system of parks, hiking, and horse riding trails within the Buckingham Community.
- e. POLICY 17.5.2: Any access to the Orange River within the Buckingham Community that is to be developed by Lee County will be limited to non-commercial residential use.
- f. POLICY 17.6.6: Boarding stables will be allowed to give lessons and clinics to non-boarders by right if the owner or operator resides on site, if no clinics are held after 7:00 PM and if the operation does not create a use, road access or drainage nuisance to its neighbors.

The motion passed 6-1. The LPA member that voted no stated his reasons were that he was concerned about transmitting language that pertained to the property appraiser (17.6.1 through 17.6.5), and said that rather than transmitting a policy that directs Lee County to develop a plan for an interconnected system of parks, hiking, and horse riding trails within the Buckingham community, the community should work with the County to have the greenways map amended.

Another LPA member made a motion to recommend transmittal of Policy 17.3.8 with the following changes:

- g. Policy 17.3.8: ~~Additional~~ The construction of potential water treatment, sewage treatment, reclamation facilities, landfills, industrial facilities, and resource recovery facilities are prohibited in not consistent with the goals of the Buckingham Community.

The motion passed 6-1.

The LPA clarified that the motion to change the Buckingham planning area included the corresponding change in Table 1(b), Year 2030 Allocations. That would include a proposed allocation for Buckingham of 135 acres in Urban Community.

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

C. **VOTE:** The following vote was the same for both of the above motions:

<b>NOEL ANDRESS</b>	<b>AYE</b>
<b>DEREK BURR</b>	<b>AYE</b>
<b>LES COCHRAN</b>	<b>AYE</b>
<b>RONALD INGE</b>	<b>NAY</b>
<b>CARLETON RYFFEL</b>	<b>AYE</b>
<b>RAE ANN WESSEL</b>	<b>AYE</b>
<b>LELAND TAYLOR</b>	<b>AYE</b>

DATE OF PUBLIC HEARING: April 28, 2008

**D. LOCAL PLANNING AGENCY REVIEW**

During the implementation of the Evaluation and Appraisal Report in 2006 and 2007, the Board of County Commissioners decided not to increase any of the residential or commercial acreage allocations in Lee Plan Table 1(b), Year 2030 Allocation, in the Buckingham area. At that time the Board asked that the issue be addressed in the ongoing Buckingham Community Planning process. The Buckingham Community Planning update did not address the acreage allocation issue. Staff recommended that the allocations contained in the EAR amendment for Table 1(b), accounting for an additional 10 years of growth in the Buckingham Planning Community, be included.

Staff presented an April 21, 2008 memo and maps of residential uses within the Urban Community portion of the Buckingham Planning Community that is attached to this report. Staff's recommendation included increasing the Urban Community allocation from 51 acres to 150 acres; increasing the Outlying Suburban allocation from 49 acres to 66 acres; increasing the Rural allocation from 57 acres to 100 acres; and increasing the Rural Community Preserve allocation from 3,046 acres to 3,100 acres.

Staff distributed a document with some revised numbers for the allocation and reviewed the handout and the basis of the allocations with the LPA and public. At a minimum, staff recommends transmittal of the Urban Community allocation.

General questions and answers ensued between the LPA and staff. Topics discussed were: 1) Lehigh Village; 2) Industrial allocations; 3) the rationale for this increase; 4) Buckingham exceeding the allocation in the Urban Community designation within the Buckingham planning community; and, 5) how this information is used for keeping track of infrastructure needs relative to growth.

The LPA Chairman asked if anyone from the public wished to comment on this item. Public comment was received from:

Four members of the public spoke against staff's recommendation. An attorney representing the interests of several clients and their affiliated legal entities spoke in favor of staff's recommendation.

An LPA member felt there seemed to be a piece missing that would link this exercise with establishing infrastructure needs. There are 95 acres of single family homes already platted, so we have some large acreages that may be designated Urban Community, but there is no Development Order approval yet. She did not feel this amendment was helping to plan this community. She asked why we would increase these allocations when we have no infrastructure change to support it.

Another LPA member noted these allocations were a planning tool, however, the rules seem to have changed and the Board has decided that these allocations have meaning beyond just a planning tool. These allocations only seem to deal with development, but the people in the community do not want any development, so these county-wide allocations do not work for this particular community. He did not want to support staff's recommendations because although they may make sense from a planning perspective, they did not fit in with the perspective of the people in the community.

Another LPA member did not see any reason to change this because it does not take care of the underlying problem. The allocation is currently fixed at 51. As time goes on, that number is going to continue to grow as these lots are developed. Eventually, there will be no more Urban Community available in this community. Therefore, he did not see the point in making this change.

Another LPA member expressed concern with using our Land Use Map as a Zoning Map. He noted there were two separate processes in Lee County. The Land Use Map designates the future land use. However, there is still a zoning process that includes the Hearing Examiner and the Board of County Commissioners. If these changes go through, it does not mean that a contentious zoning case automatically happens. The Board of County Commissioners would make the final decision on that regardless of what the map says. He was in support of staff's recommendation since they explained why they felt these acreages need to be changed.

Another LPA member stated her main concern was the amount of the increase since the numbers are changing from 51 to 150. She felt this was a huge increase projection and was uncertain if that projection would continue to increase over time. She was also not certain whether 150 was a realistic number.

An LPA member stated the current system is of concern to the people in this community. He felt staff should approach the Board and discuss modifying the procedure that has always been used in the past so that when a single family lot is sold the allocation will automatically adjust. If this is done, staff will no longer need approvals or actions from the LPA.

An LPA member stated that one of the concerns is that no one is envisioning stopping any single family platted lots. There are currently 95 acres undeveloped that have not been zoned and have not received development orders. She reiterated that we are not linking our infrastructure needs to these development numbers.

Another LPA member agreed this is a problem because the property is already in the FLUM in this category, but it cannot be developed because of the allocation. The zoning does not match the FLUM. He noted this was a problem all over the County.

After lengthy discussion a motion was made to transmit the allocations recommended by staff in the April 21, 2008 memo. The motion failed 4-2. No other action was taken by the LPA.

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

- 1. RECOMMENDATION: A motion to recommend that the Board of County Commissioners make the changes to the allocation tables that are set forth in the April 21<sup>st</sup>, 2008 memo from staff to the LPA failed 4-2. According to Administrative Code 13-6 this is a recommendation to not transmit the staff recommended changes to Table 1(b).**

**F. VOTE:**

<b>NOEL ANDRESS</b>	<b>NAY</b>
<b>LES COCHRAN</b>	<b>NAY</b>
<b>RONALD INGE</b>	<b>AYE</b>
<b>JACQUE RIPPE</b>	<b>NAY</b>
<b>CARLETON RYFFEL</b>	<b>ABSENT</b>
<b>RAE ANN WESSEL</b>	<b>NAY</b>
<b>LELAND TAYLOR</b>	<b>AYE</b>

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

DATE OF TRANSMITTAL HEARING: October 22, 2008

**A. BOARD REVIEW:**

Staff advised the Board that the LPA recommendation was to transmit the amendment as recommended by the community with changes made by the LPA, **not** as recommended by staff with changes made by the LPA. Staff explained that the motion made by the LPA was not clear to them and that there was a misunderstanding.

Staff explained that if the amendment is to be transmitted as recommended by the community that there are several implications that needed to be explained and that there were a couple of conflicting policies that would need to be resolved. Staff reviewed those policies.

Following staff's presentation, several members of the public spoke in favor of transmitting the amendment as submitted by the community, with some of the LPA recommendations, but not with any of staff's recommendations.

The public hearing was closed and the amendment was discussed by the Board. The Board asked several questions of staff and after a short break a motion was made to **not** transmit the amendment and to include CPA 2007-00049 in the 2008/2009 round of amendments and to send it back to the LPA for their recommendation. The Board directed staff to work with the community prior to sending the amendment back to the LPA.

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**Motion not to transmit CPA 2007-00049 and to include the amendment in the 2008/2009 round of comprehensive plan amendments.**

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

The Board of County Commissioner accepted the findings of fact as advanced by staff and the LPA.



**C. VOTE:**

<b>A. BRIAN BIGELOW</b>	<b>AYE</b>
<b>TAMMARA HALL</b>	<b>AYE</b>
<b>ROBERT P. JANES</b>	<b>AYE</b>
<b>RAY JUDAH</b>	<b>AYE</b>
<b>FRANKLIN B. MANN</b>	<b>AYE</b>

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

DATE OF ORC REPORT: \_\_\_\_\_

**A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**

**B. STAFF RESPONSE**

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

DATE OF ADOPTION HEARING: \_\_\_\_\_

**A. BOARD REVIEW:**

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

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

**C. VOTE:**

<b>A. BRIAN BIGELOW</b>	_____
<b>TAMMARA HALL</b>	_____
<b>ROBERT P. JANES</b>	_____
<b>RAY JUDAH</b>	_____
<b>FRANKLIN B. MANN</b>	_____