

**Defining Overriding Public Necessity (OPN)
Buckingham Community Meeting
February 19, 2015**

Meeting Synopsis	
Amendment to Objective 17.1:	<ul style="list-style-type: none"> • The term “legitimate” needs to be defined • Gives the BoCC the power to override community • It should take more than 3 Commissioners to allow change
OPN Definition	The Buckingham Community will work on a proposed definition for Overriding Public Necessity and send it to us.
OPN Discussion:	<ul style="list-style-type: none"> • Should be rigid/strict, something difficult to meet • Prevent circumventing
	<ul style="list-style-type: none"> • Urgent need for a group of services that the people need • The need should be specific to the Buckingham Community
	<ul style="list-style-type: none"> • Define Public Necessity as what we need in the area. We don’t need junk, or department stores. We have too many public uses like the dump, bus lots etc. • Referred to crime associated with affordable housing
	<ul style="list-style-type: none"> • We want to remain rural • We chose to live in a rural place. • We moved out here to get away from development
	<ul style="list-style-type: none"> • They would like a special election to let members of the community decide if a proposed use meets OPN. • OPN is not met by providing a sidewalk • It should not allow property owners to rezone property to whatever they want • OPN should be determined by the community • Maintain current densities
	<ul style="list-style-type: none"> • Add “as determined by the planning community” to proposed preliminary draft OPN definition. <p>“Overriding Public Necessity” - is an essential need of the community as determined by the planning community that requires precedence over other considerations or interests. When used in the context of a community plan, the term “public” is defined as the community planning area in which the applicant’s property is located or, when applicable, the community planning areas neighboring the applicant’s property.</p>
	<ul style="list-style-type: none"> • Proposed preliminary draft language is too broad • More restrictive would be better • The term, “Other consideration or interests,” needs to be defined
	<ul style="list-style-type: none"> • “Public facilities as appropriate” • Roads cannot be widened • Needs to be based on local public necessity • Public defined as the Community Planning area
	<ul style="list-style-type: none"> • Is an essential need as determined by the affected community

	<ul style="list-style-type: none"> • Need as determined by community e.g. fire station, sheriff substation
	<ul style="list-style-type: none"> • Affected community should be the defined as the community planning area residents. • Consider adding the adjacent areas by adding a certain mile radius that surrounds community planning area
	<ul style="list-style-type: none"> • Limit OPN • Make sure it doesn't change the zoning (Lee Plan) density
	<ul style="list-style-type: none"> • County should hold a hearing in the community to determine if OPN is being met
	<ul style="list-style-type: none"> • Campaign to protect lands that are considered "empty" • Serves a legitimate purpose – the people that would be affected or impacted
	<ul style="list-style-type: none"> • Narrow the term to define what public is affected or impacted • Limit term essential • Clearly define public relative to the land use. • Precedence over other considerations or interests • No changes to land use category

50 +/- Attendees: See attached sign in sheet

DRAFT

LCMCD EXECUTIVE *Preparation for* HOME DEPARTS SERVICES/PROGRAMS ABOUT
Chikungunya *Areas of Treatment*

UNCATEGORIZED



« [Older](#)

March 5, 2015 Monthly Board Meeting

February 13, 2015

MARCH 5, 2015

The Lee County Mosquito Control District and the Lee County Hyacinth Control District will hold the regular monthly board meeting on March 5, 2015 at 10:00 AM with a workshop immediately following the Board Meeting. The Board Meeting will be held at District Headquarters located at 15191 Homestead Road, Lehigh Acres, FL 33971. This Homestead Road is located off Buckingham Road, not Lee Boulevard. This is a public meeting. For information, please call 239-694-2174. A copy of the agenda will be posted closer to the meeting date.

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**BUCKINGHAM COMMUNITY MEETING
FEBRUARY 19, 2015**

DEFINING "OVERRIDING PUBLIC NECESSITY"

Proposed Amendment to Glossary

"Overriding Public Necessity" - is an essential need of the community that requires precedence over other considerations or interests. When used in the context of a community plan, the term "public" is defined as the community planning area in which the applicant's property is located or, when applicable, the community planning areas neighboring the applicant's property. *(Preliminary draft language for community discussion)*

Proposed Amendment to Buckingham Community Plan

OBJECTIVE 17.1: LAND USE. The primary land use designation for the Buckingham Community is "Rural Community Preserve." Other land use designations exist within the Buckingham Community, such as Rural, Sub-Outlying Suburban, Conservation Lands, and Wetlands. Public Facilities have also been designated as appropriate. No land in the Buckingham Community will be changed to a land use category more intense than Rural Community Preserve (including Public Facilities) unless a finding of overriding public necessity for the requested land use is made ~~is determined~~ by three members of the Board of County Commissioners. Land use decisions will be guided by preserving the rural and agricultural land use pattern.

The overriding public necessity requirement may be set aside by a supermajority vote of the members of the Board of County Commissioners upon making a legislative finding that setting aside the requirement serves a legitimate public purpose.

Buckingham Sign-In

2-19-2015

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TJ © buckingham-farms.com

**BUCKINGHAM COMMUNITY MEETING
FEBRUARY 19, 2015**

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