

ATTACHMENT 2:

Florida Department of Economic Opportunity (DEO)
Florida Fish and Wildlife Conservation Commission (FWC)
Florida Department of Agriculture and Consumer Services (DAC)
South Florida Water Management District (SFWMD)
Florida Department of Environmental Protection (DEP)

Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

October 16, 2019

The Honorable Larry Kiker
Chairman, Lee County
Board of County Commissioners
Post Office Box 398
Fort Myers, Florida 33902-0398

Dear Chairman Kiker:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for Lee County (Amendment No. 19-07ESR) received on September 30, 2019. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the County is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the County. **If the County receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the County that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

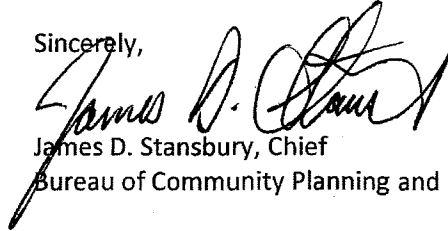
The Honorable Larry Kiker, Chairman

October 16, 2019

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If you have any questions concerning this review, please contact Scott Rogers, Planning Analyst, by telephone at (850) 717-8510 or by email at scott.rogers@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/sr

Enclosure(s): Procedures for Adoption

cc: David Loveland, Director, Lee County Department of Community Development
Margaret Wuerstle, Executive Director, Southwest Florida Regional Planning Council

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

Jenkins-Owen, Sharon

Subject: FW: Lee County 19-07ESR (CPA2019-00005 (CAM 40))

From: Hoehn, Ted [<mailto:ted.hoehn@MyFWC.com>]

Sent: Thursday, October 10, 2019 9:28 AM

To: Dunn, Brandon; DCPexternalagencycomments@deo.myflorida.com; Wallace, Traci; Greene, Sean

Subject: [EXTERNAL] Lee County 19-07ESR (CPA2019-00005 (CAM 40))

Dear Mr. Dunn:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the proposed Lee County comprehensive plan in accordance with Chapter 163.3184(3), Florida Statutes. We have no comments, recommendations, or objections related to fish and wildlife or listed species and their habitat to offer on this amendment.

If you need any further assistance, please do not hesitate to contact our office by email at ConservationPlanningServices@MyFWC.com. If you have specific technical questions, please contact Sean Greene at (386) 406-0814 or by email at Sean.Greene@MyFWC.com

Sincerely,

Ted Hoehn
Florida Fish and Wildlife Conservation Commission
Division of Habitat and Species Conservation
Office of Conservation Planning Services
620 S. Meridian Street, MS 5B5
Tallahassee, FL 32399-1600
(850) 488-8792; Cell 850-519-3106
Fax (850) 922-5679

Lee County 19-17ESR_40406_101019

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

OFFICE OF THE COMMISSIONER
(850) 617-7700



THE CAPITOL
400 SOUTH MONROE STREET
TALLAHASSEE, FLORIDA 32399-0800

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER NICOLE "NIKKI" FRIED

October 16, 2019

VIA EMAIL (bdunn@leegov.com)

Mr. Brandon Dunn
Lee county Planning Section
P.O. Box 398
Fort Myers, Florida 33902-0398

Re: DACS Docket # -- 20190926-130
Lee County CPA 2019-00005
Submission dated September 25, 2019

Dear Mr. Dunn:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on September 26, 2019 and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes, to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendment(s) are adopted. Based on our review of your county's submission, the Department has no comment on the proposal.

If we may be of further assistance, please do not hesitate to contact me at 850-410-2282.

Sincerely,

Thomas Poucher
Budget Director
Office of Policy and Budget

cc: Florida Department of Economic Opportunity
(SLPA #: Lee County 19-07 ESR)

Jenkins-Owen, Sharon

From: Dunn, Brandon
Sent: Monday, October 21, 2019 1:55 PM
To: Miller, Janet; Jenkins-Owen, Sharon
Cc: Rozdolski, Mikki
Subject: FW: Lee County, DEO #19-6ESR Comments on Proposed Comprehensive Plan Amendment Package

Please see correspondence below for CAM40.

From: Oblaczynski, Deborah [<mailto:doblaczy@sfwmd.gov>]
Sent: Monday, October 21, 2019 1:40 PM
To: Rozdolski, Mikki
Cc: Dunn, Brandon; Eubanks, Ray; Barbara Powell (barbara.powell@deo.myflorida.com); ext-Wuerstle, Margaret (swfrpc.org); DCPexternalagencycomments@deo.myflorida.com
Subject: Lee County, DEO #19-6ESR Comments on Proposed Comprehensive Plan Amendment Package

Dear Ms. Rozdolski:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from Lee County (County). The package includes two amendments addressing a 33.95-acre property changing the land use designation from Industrial Commercial Interchange to General Interchange and adjusting the 2030 population allocation table. The proposed changes do not appear to adversely impact the water resources within the District; therefore, the District has no comments on the proposed amendment package.

The District offers its technical assistance to the County in developing sound, sustainable solutions to meet the County's future water supply needs and to protect the region's water resources. Please forward a copy of the adopted amendments to the District. Please contact me if you need assistance or additional information.

Sincerely,

Deb Oblaczynski
Policy & Planning Analyst
Water Supply Implementation Unit
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406
(561) 682-2544 or email: doblaczy@sfwmd.gov

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Jenkins-Owen, Sharon

From: Dunn, Brandon
Sent: Friday, October 25, 2019 7:54 AM
To: Miller, Janet; Jenkins-Owen, Sharon
Cc: Rozdolski, Mikki
Subject: FW: Lee County 19-7ESR Proposed

Please see correspondence for CAM40

From: Plan_Review [<mailto:Plan.Review@dep.state.fl.us>]
Sent: Thursday, October 24, 2019 4:38 PM
To: Dunn, Brandon; DCPexternalagencycomments@deo.myflorida.com
Cc: Plan_Review
Subject: Lee County 19-7ESR Proposed

To: Mr. Brandon Dunn, Principal Planner

Re: Lee County 19-7ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to Plan.Review@FloridaDEP.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.



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