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SOUTHWEST FLORIDA

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December 21, 2006

Ray Eubanks, Administrator, Plan Review and Processing
Florida Department of Community Affairs
Bureau of State Planning
Plan Processing Section
2555 Shumard Oak Boulevard
Tallahassee, FL. 32399-2100

Re: Amendments to the Lee Plan
Transmittal Submission Package
2005/2006 Evaluation and Appraisal Amendment Cycle

Dear Mr. Eubanks:

In accordance with the provisions of F.S. Chapter 163.3184 and of 9J-11.006, this submission package constitutes the transmittal of the proposed 2005/2006 Evaluation and Appraisal Amendment Cycle to the Lee Plan. The Local Planning Agency held public hearings for these plan amendments on the following dates: May 22, 2006; June 26, 2006; July 24, 2006; August 28, 2006; September 25, 2006; October 23, 2006; and November 27, 2006. The Board of County Commissioners transmittal hearing for the plan amendments was held on December 13, 2006. Per 9J-11.006(1)(a)(3), Lee County is requesting that the Department review the proposed amendments and provide an Objections, Recommendations, and Comments (ORC) Report. The proposed amendments are not applicable to an area of critical state concern. The Board of County Commissioners has stated its intent to hold an adoption hearing in the Spring of 2006, after the receipt of the Departments ORC Report.

A summary of the plan amendment content and effect is attached to this letter. The name, title, address, telephone number, facsimile number, and email address of the person for the local government who is most familiar with the proposed amendments is as follows:

Mr. Paul O'Connor, AICP
Lee County Planning Division Director
P.O. Box 398
Fort Myers, Florida 33902-0398
(239)479-8585
Fax (239)479-8319
Email: oconnops@leegov.com

Included with this package, per 9J-11.006, are three copies of the proposed amendments, and supporting data and analysis. By copy of this letter and its attachments, I certify that these amendments have been sent to: the Regional Planning Council; the Florida Department of Transportation (FDOT); the Florida Department of Environmental Protection; Florida Department of State; the Florida Fish and Wildlife Conservation Commission; the Department of Agriculture and Consumer Services, Division of Forestry; and, the South Florida Water Management District.

Sincerely,
DEPT. OF COMMUNITY DEVELOPMENT
Division of Planning



Paul O'Connor, AICP
Director

All documents and reports attendant to this transmittal are also being sent, by copy of this cover, to:

David Burr
Director
Southwest Florida Regional Planning Council

Mike Rippe, District Director
FDOT District One

Executive Director
South Florida Water Management District

Plan Review Section
Department of Environmental Protection

Florida Department of State

Florida Fish and Wildlife Conservation Commission

The Department of Agriculture and Consumer Services, Division of Forestry

2005/2006 LEE PLAN EVALUATION AND APPRAISAL AMENDMENT CYCLE

SUMMARY OF PLAN AMENDMENT CONTENT AND EFFECT

CPA2005-05 – Three Oaks North

This privately sponsored amendment by Paul H. Freeman, Trustee, amends the Future Land Use Map Series, Map 1, for 83 acres in the northwest quadrant of I-75 and Alico Road, Section 3, Township 46 South, Range 25 East, Lee County, Florida, lying west of I-75 from “Industrial Development” to “Industrial Commercial Interchange.”

CPA2005-07 – River Hall (FKA Hawk’s Haven)

This privately sponsored amendment by Hawks Haven Investment LLC amends the Future Land Use Map Series for a specified parcel (approximately 1,727 acres) located in Sections 25, 26, 27, 34, 35, and 36, Township 43 South, Range 26 East to change the Future Land Use classification shown on Map 1 from “Rural” and “Suburban” to “Outlying Suburban” and “Public Facilities.” It also amends Table 1(a), Footnote 6 to limit development in the plan amendment area to 2 units per acre and places a specific cap on residential development of 2,800 dwelling units on the specified property.

CPA2005-08 - Caloosahatchee Shores Community Plan

This amendment, offered by the East Lee County Council and sponsored by the Board, proposes a new Policy 21.1.4 that directs the Caloosahatchee Shores Community to draft enhanced code enforcement standards for possible inclusion in the Land Development Code. The proposed code enforcement standards, once drafted, will be reviewed by staff and processed as Land Development Code amendments.

CPA2005-09 - Palm Beach Community Plan

This Board sponsored amendment amends the Future Land Use Element to add a Goal, Objectives, and Policies that are specific to the Palm Beach Community.

CPA2005-10 – Airport Noise Boundaries and Number of Gas Pumps

This Board sponsored amendment proposes to amend the Future Land Use Element, Policies 1.2.2, 1.7.1, and 5.1.4, the Community Facilities and Services Element, Policy 66.3.11, and the Future Land Use Map Series, Map 1, Page 5 of 5, to incorporate the new airport noise zones in compliance with the revised FAR Part 150 Noise Study for the Southwest Florida International Airport. In addition, the amendment proposes to amend Table 5, Southwest Florida International Airport Proposed Development Schedule, to increase the allowable number of gas pumps from the current twelve (12) gas pumps to twenty-four (24) gas pumps.

CPA2005-11 – Greenways Recreational Trails Master Plan

This Board sponsored amendment incorporates the Lee County Multi-Purpose Recreational Trails and Greenways Master Plan into the Lee Plan. It revises Goal 85, Objective 85.1, Policy 85.1.2, Policy 85.1.3, Policy 85.1.4, Policy 85.1.5, and Policy 107.1.1(4)(d). It incorporates proposed new Policy 40.4.6, Policy 40.4.7, Policy 40.4.8, Policy 77.3.6, Policy 77.3.7, new Objective 85.4, Policy 85.4.1, Policy 85.4.2, new Goal

80, new Objective 80.1, Policy 80.1.1, Policy 80.1.2, new Objective 125.3, and Policy 125.3.1. It also incorporates proposed new Map 22 (Lee County Greenways Multi-Purpose Recreational Trails Master Plan Map) into the Lee Plan.

CPA2005-12 – Captiva Community Plan

This amendment, offered by Captiva Community Planning Panel and sponsored by the Board, proposes to: amend the Future Land Use Element, by adding a new Objective 13.2, and Policy 13.2.1, and to amend Policy 6.1.2; amend the Procedures and Administration Element by adding a new standard to the Single Family Residence Provision; and, to amend the definition of Density.

The Captiva Planning Panel has identified the retention of existing commercial uses and the development of new commercial uses on the island as a priority. The high price of residential properties on the island has made the retention of existing commercial uses difficult and the creation of new commercial uses unlikely. The conversion over time of the commercial properties to residential on Andy Rosse Lane attests to this problem. These changes, which apply only to the Captiva Community, allow both commercial and residential uses on property that is currently commercially zoned, specifically in areas currently zoned C-1 and CT. These properties must be rezoned to Commercial Planned Development to take advantage of these provisions. The changes to the Single Family Residence Provision will allow those lots that are too small to meet Lee Plan density provisions to develop with a single residential unit along with commercial floor area.

CPA2005-13 – Community Planning

This amendment, offered by the Smart Growth Committee and sponsored by the Board, proposes to amend the Future Land Use Element to add a new goal, objective and two policies that address community planning activities. The new language supports both citizen and County initiated community planning efforts and assures coordination with County-wide and regional plans.

There was one contended proposed policy regarding water conservation issues. Staff contended that the policy should not be directed at community planning efforts because these plans are often driven by local community issues which may not include water conservation. The LPA recommended including the policy. At the LPA's review of a subsequent proposed amendment, CPA 2005-46, Smart Growth Recommendations, the same policy was included on a county-wide basis as Policy 54.1.13. The LPA recognized the duplicate policy and recommended that one of them should be eliminated, the Smart Growth Director agreed. This policy was kept as a county wide policy and dropped from CPA 2005-13.

CPA2005-16 – San Carlos/Estero Community Boundary

This Board sponsored amendment proposes to change Future Land Use Map Series, Map 16, Lee County Planning Communities, to adjust the boundary between the Estero and San Carlos Planning Communities west of U.S. 41. This amendment realigns the southern boundary of the San Carlos Planning Community to follow the fire district border between the Breckenridge neighborhood and the Estero Bay Buffer Preserve.

This change was initiated to address concerns raised by some San Carlos residents living along Pine Road.

CPA2005-17 – Long Range Transportation Plan

This Board sponsored amendment proposes to amend the Transportation Element to update Policy 36.1.1 and the Transportation Map series, Map 3, to reflect the new 2030 Metropolitan Planning Organization (MPO) Long Range Transportation Plan. In keeping with the recommendations of the Evaluation and Appraisal Report and the MPO's federal mandates, this change incorporates text and maps that update the Lee Plan's Transportation Element to the new planning horizon of 2030. The 3 maps, the Lee County 2030 Financially Feasible Highway Plan, the Future Functional Classification Map, and the Future Maintenance were adopted by the MPO on December 7, 2005, and revised on March 17, 2006.

CPA2005-18 – LOS Standards For SIS/FIHS/TRIP Funded Roads

This Board sponsored amendment proposes to amend the Transportation Element to update Policy 37.1.1 to reflect new State Level of Service (LOS) standards for Strategic Intermodal System (SIS), Florida Intrastate Highway System (FIHS), and Transportation Regional Incentive Program (TRIP) funded roads. For the basic State and County arterials and collectors included in Policies 37.1.1 and 95.1.3, staff is proposing an expansion of facility types to reflect the categories included in the Country's existing roadway functional classification list.

CPA2005-19 – FDOT Quality LOS Handbook

This amendment, sponsored by the Board, amends the Transportation Element to update Policy 37.1.4 to refer to the 2002 Florida Department of Transportation (FDOT) Quality LOS Handbook. This changes updates the primary documents used by the County to calculate roadway level of service conditions to the current referenced FDOT handbook.

CPA2005-20 – Deletion of Policy 38.2.3

This board sponsored amendment amends the Transportation Element by deleting Policy 38.2.3. This action was first recognizes in the Evaluation and Appraisal Report. As currently written, Policy 38.2.3 requires that the Board make a finding of "overriding need" to include a County Roadway improvement within a municipality unless that municipality is a full participant in the County's road impact fee ordinance. Only the City of Fort Myers is a full participant in the County's road impact fee ordinance. All of the municipalities, except Sanibel, currently have enacted some form of road impact fees. Transportation staff believes this policy no longer serves its intended function and causes unnecessary Board action to maintain and improve the County's road system.

CPA2005-21 – Update Reference to the LeeScape Master Plan

This Board sponsored amendment amends the Transportation Element to update Objective 40.3 to refer to the latest version of the LeeScape (Lee County Roadway Landscape) Master Plan. The original LeeScape plan was adopted on October 27, 1998. A revised LeeScape plan was adopted on August 28, 2001. This amendment updates the referenced adoption date in the policy.

CPA2005-22 – Mass Transit Update

This Board sponsored amendment updates the Transportation Element Mass Transit Sub-Element's Goals, Objectives and Policies as identified in the most recent Evaluation and Appraisal Report. During the Evaluation and Appraisal Report process, mass transit staff identified a number of needed updates to the goals, objectives and policies of the Mass Transit Sub-Element. The updates correct outdated references and reflect current County practices regarding the County's mass transit system. Staff concurs with the additional recommendation of the Local Planning Agency.

CPA2005-23 – Ports, Aviation and Related Facilities Update

This Board sponsored amendment updates the Transportation Element, Ports, Aviation and Related Facilities Sub-Element's Goals, Objectives and Policies as identified in the most recent Evaluation and Appraisal Report. During the Evaluation and Appraisal Report process, Port Authority staff identified a number of needed updates to the goals, objectives and policies of the Ports, Aviation and Related Facilities Sub-Element. The updates correct outdated references and reflect current County practices regarding the County's ports and aviation systems. Staff concurs with the additional recommendation of the Local Planning Agency.

CPA2005-24– Update Transportation Concurrency Policies

This Board sponsored amendment amends the Transportation Element to update transportation concurrency related Objectives and Policies to reflect current County policy and recent changes in state law.

CPA2005-25 – Change Lee Plan Horizon to the year 2030

This Board sponsored amendment updates the Lee Plan to change the references from the year 2020 to the year 2030 and updates the Vision Statements to the year 2030. The Evaluation and Appraisal Report recommended that the planning horizon of the Lee Plan be extended to the Year 2030. Current text that references the 2020 planning horizon is being changed to the new planning horizon date of 2030. Additionally, the amendment proposed to delete any text that is date sensitive for which the time frame has passed or the intent of the text has been satisfied. The Local Planning Agency accepted the recommended changes, as proposed by staff.

CPA2005-26 – Landuse Acreage Allocation

This is a Board sponsored amendment that amends the Lee Plan text and tables to reflect the latest BEBR population projections. It also amends Map 16 to reflect current city boundaries.

CPA2005-27 – Update CIE Tables 3 and 4

This amendment, sponsored by the Board, amends the Capital Improvements Element (Tables 3 & 4) to reflect the latest adopted Capital Improvement Program (CIP). Florida Statutes require that the CIP be adopted into the comprehensive plan on a yearly basis. The proposed tables reflect the CIP adopted by the Board this past September.

CPA2005-28 – Conservation Lands Update

This Board sponsored amendment updates the Future Land Use Map Series, Map 1, by adding new conservation properties to, and removing erroneously designated properties from, the Conservation Lands future land use categories to more accurately identify conservation lands.

CPA2005-29 – Public Facilities Update

This Board sponsored amendment updates the Future Land Use Map Series, Map 1, the Future Land Use Map, by adding new publicly owned property to, and removing erroneous designated lands from, the Public Facilities future land use category to more accurately identify publicly owned lands.

CPA2005-33 – Police and Justice Sub-Element Update

This board sponsored amendment updates the Community Facilities and Services Element, Police and Justice Sub-Element Objective 69.1, Policies 69.2.2 and 69.2.3 to delete the referenced date and to acknowledge the ongoing nature of the objective and to reflect the existing status of substation facilities.

CPA2005-35 – New Urbanism Definitions

This Board sponsored amendment amends the Lee Plan Glossary to incorporate new and amend existing definitions in order to incorporate the principles of New Urbanism. Fifteen new definitions are being added and 3 existing definitions are being amended.

CPA2005-37 – New Urbanism

This Board sponsored amendment amends the Future Land Use Element to include and revise Goals, Objectives, and Policies to incorporate the concepts and principles of New Urbanism, Traditional Neighborhood Design, and Transit Oriented Development. This amends the Future Land Use Map Series to include an overlay depicting areas where mixed use development will be allowed to calculate residential density from commercial property when smart growth principles can be applied.

CPA2005-39 – Commercial FLUM Category

This Board sponsored amendment amend Goal 1 of the Future Land Use Element, the Future Land Use Map Series, Map 1, and Table 1(a), by adding a new “commercial only” future land use category. In addition, a new definition is being added to the Glossary to define Floor Area Ratio, as a way to establish limitations on intensity. At this time there are no specific areas being proposed for the new category.

CPA2005-40 – Sub-Outlying Suburban FLUM Category

This amendment, sponsored by the Board, amends Goal 1 of the Future Land Use Element, the Future Land Use Map series, Map 1, and Table 1(a), Summary of Residential Densities, by adding a new future land use category having a maximum density of 2 dwelling units per acre. There are several areas on the Future Land Use Map that are designated Outlying Suburban that have an additional limitation reducing the density to a maximum of 2 dwelling units per acre. This new category will eliminate the need to look to Table 1(a) footnotes to see where this 2 unit per acre limitation applies.

CPA2005-41 – Manatee Protection Plan

This Board sponsored amendment amends the Future Land Use Element, Objective 8.2 and the Conservation and Coastal Management Element, Objectives 107.7, 128.5 and 128.6, and their subsequent policies to incorporate the "boating facility siting element" of the Manatee Protection Plan, as required by Florida Statute 370.12.(2)(t)(3).

CPA2005-42 – Economic Element Update

This Board sponsored amendment updates the Economic Element as the element has not been updated since its creation in 1993. Economic Development staff identified a number of needed updates to the goals, objectives and policies of the Economic Element. The updates correct outdated references and reflect current County practices regarding the County's efforts to promote economic development.

CPA2005-43 – Single Family Residence Provision Update

This Board sponsored amendment amends the Procedures and Administration Element by updating the Single-Family Residence Provision. Currently two different county offices are involved in approving applications for Minimum Use Determinations. The Department of Community Development performs the review if an application for a building permit is also being requested. The County Attorney's Office issues the determination, following an application for review and a recommendation from Community Development staff, if no building permit application has been requested. This amendment would move all reviews to the Department of Community Development. It also makes it clear that a future land use category's standard density is to be used for Minimum Use Determinations, not bonus density or some other means to increase density, i.e. Open Lands ability to increase density to 1 dwelling unit per 5 acres utilizing Residential Planned Development zoning. Staff concurs with the Local Planning Agency's recommendation to not alter the access and drainage requirements.

CPA2005-45 – Beach and Dune Management Plans

This Board sponsored amendment amends the Conservation and Coastal Management Element, Policy 113.3.1 to update the list of critical erosion areas identified in the Beach and Dune Management Plans. The Department of Environmental Protection (DEP) maintains a list of critically eroded beaches in Florida. This policy update is necessary to accurately reflect the DEP list of critically eroded beaches in Lee County.

CPA2005-46 – Smart Growth Recommendations

This Board sponsored amendments amends the Lee Plan to incorporate the recommendations from the County's Smart Growth Initiative into the Lee Plan.

CPA2005-47 – Housing Element Update

This Board sponsored amendment updates the Housing Element by reflecting the findings of the most current Housing Needs Assessment. In August 2005, Lee County updated the 1997 Housing Needs Assessment. These changes are based on the analysis of existing Goals, Objectives and Policies and further the recommendations of the 2005 Housing Needs Assessment included in the Evaluation and Appraisal Report.

NEWS-PRESS
Published every morning - Daily and
Sunday
Fort Myers, Florida
Affidavit of Publication

STATE OF FLORIDA
COUNTY OF LEE

Before the undersigned authority, personally appeared
Elisha Wells
who on oath says that he/she is the
Legal Assistant of the News-Press, a
daily newspaper, published at Fort Myers, in Lee County,
Florida; that the attached copy of advertisement, being a
Display

In the matter of
Notice of Proposed Amendment
In the court was published in said newspaper in the
issues of
December 6, 2006

Affiant further says that the said News-Press is a paper of
general circulation daily in Lee, Charlotte, Collier, Glades
and Hendry Counties and published at Fort Myers, in said Lee
County, Florida and that said newspaper has heretofore been
continuously published in said Lee County, Florida, each day,
and has been entered as a second class mail matter at the post
office in Fort Myers in said Lee County, Florida, for a period of
one year next preceding the first publication of the attached copy
of the advertisement; and affiant further says that he/she has
neither paid nor promised any person, firm or corporation any
discount, rebate, commission or refund for the purpose of
securing this advertisement for publication in the said
newspaper.

Elisha Wells

Sworn to and subscribed before me this

14th day of December 2006 by

Elisha Wells
personally known to me or who has produced

as identification, and who did or did not take an
oath.

Notary Public *Gladys D. Vanderbeck*

Print Name Gladys D. Vanderbeck

My commission Expires December 13, 2008

NOTICE OF PROPOSED AMENDMENT TO THE LEE COUNTY COMPREHENSIVE LAND USE PLAN (Transmittal Hearing)

In compliance with the Florida Statutes, notice is hereby given
that the Lee County Board of County Commissioners will hold
public hearings to consider proposed amendments to the Lee
County Comprehensive Land Use Plan on Wednesday,
December 13, 2006. The hearing will be held in the Board of
County Commissioners Hearing Chamber in the renovated
Courtroom at 2120 Main Street in Downtown Fort Myers. The
hearing will commence at 9:30 a.m. At this hearing, the Board
will review the proposed amendments for transmittal to the
Florida Department of Community Affairs (DCA). The agenda of
this hearing is set forth below:

1. Call to Order, Certification of Affidavit of Publication

2. Consent Agenda

A. CPA2005-08 - Colossus Shores - Shores Community Plan

Adopt a new Policy 21.1.1 directing the
Colossus Shores Community to draft enhanced
code amendment standards for possible inclusion in
the Land Development Code.
Sponsor: Board of County Commissioners/The East
Lee County Council

B. CPA2005-10 - Airport Noise Boundaries and Number of Gas Pumps

Amend the Future Land Use Element Policies 1.2.2,
1.2.3, and 5.1.4 and the Community Facilities and
Use Map Series, Map 1, to reflect the
revised FAR Part 150 Noise Study for the Southwest
Florida International Airport. Incorporate proposed
pumps allowed from twelve (12) to twenty (20).
Sponsor: Board of County Commissioners/Port
Board

C. CPA2005-12 - Copiva Community Plan

Amend Goal 13, Policy 6.1.2, Chapter XII Single
Family-Residence Provision and the definition of
Density, specific to the Copiva Community, to
incorporate the recommendations of the Copiva Island
Community Planning Study.
Sponsor: Board of County Commissioners/Copiva
Community Planning Panel

D. CPA2005-13 - Community Planning

Amend the Future Land Use Element to evaluate
incorporating community planning policies into the Lee
County Comprehensive Land Use Plan.
Sponsor: Board of County Commissioners/Smart
Growth Committee

E. CPA2005-16 - San Carlos/Estero Community Boundary

Amend the Future Land Use Map Series, Map 10, to
adjust the boundary between the Estero and San Carlos Planning
Communities west of U.S. 41.

F. CPA2005-17 - Long Range Transportation Plan

Amend the Transportation Element to update Policy
36.1.1 and the Transportation Map Series, Map 3, to
reflect the new 2030 MPO Long Range Transportation
Plan.
Sponsor: Board of County Commissioners

G. CPA2005-18 - LOS Standards For SIS/FHS/ TRIP Funded Roads

Amend the Transportation Element to update Policy
37.1.1 to reflect new State LOS standards for SIS/
FHS/TRIP funded roads.
Sponsor: Board of County Commissioners

H. CPA2005-19 - FDOT Quality LOS Handbook

Amend the Transportation Element to update Policy
37.1.1.4 to reflect the 2002 FDOT Quality LOS
Handbook.
Sponsor: Board of County Commissioners

I. CPA2005-20 - Deletion of Policy 38.2.3

Amend the Transportation Element to delete Policy
38.2.3.
Sponsor: Board of County Commissioners

J. CPA2005-21 - Update Reference to the Leescape Master Plan

Amend the Transportation Element to update Objective
40.3 to refer to the latest version of the Leescape (Lee
County Roadway Landscape) Master Plan.
Sponsor: Board of County Commissioners

K. CPA2005-22 - Mass Transit Update

Amend the Transportation Element Mass Transit Sub-
Element's Goals, Objectives and Policies as identified
in the most recent Evaluation and Appraisal Report.
Sponsor: Board of County Commissioners

L. CPA2005-23 - Ports, Aviation and Related Facilities Update

Amend the Transportation Element Ports, Aviation and
Related Facilities Sub-Element's Goals, Objectives and
Policies as identified in the most recent Evaluation and
Appraisal Report.
Sponsor: Board of County Commissioners

M. CPA2005-25 - Change Lee Plan Horizon to the year 2030

Amend the Lee Plan to change the horizon from the
year 2020 to the year 2030 and update the Vision
Statements to the year 2030.
Sponsor: Board of County Commissioners

N. CPA2005-27 - Update CIE Tables 3 and 4

Amend the Capital Improvement Element (Tables 3 &
4) to reflect the latest Capital Improvement
Program.
Sponsor: Board of County Commissioners

O. CPA2005-28 - Conservation Lands Update

Amend the Future Land Use Map Series, Map 1, to
update the Conservation Lands Element categories.
Sponsor: Board of County Commissioners

P. CPA2005-29 - Public Facilities Update

Amend the Future Land Use Map Series, Map 1, the
Future Land Use Map to update the Public Facilities
Element's goals, objectives and policies by adding and/or
removing land to more accurately identify publicly
owned lands.
Sponsor: Board of County Commissioners

Q. CPA2005-31 - Police and Justice Sub-Element Update

Amend the Community Facilities and Services Element
Police and Justice Sub-Element's Goals, Objectives and
Policies to reflect the ongoing
reference data and to acknowledge the ongoing
nature of the objective. In addition amend Policies
69.2.2 and 69.2.3 to reflect the ongoing status of
substation facilities.
Sponsor: Board of County Commissioners

R. CPA2005-35 - New Urbanism Design

Amend the Future Land Use Element's
Future Land Use Map Series, Map 1, and the
Future Land Use Map Series, Map 1, to reflect the
principles of New Urbanism.
Sponsor: Board of County Commissioners

S. CPA2005-39 - Commercial FLUM Category

Amend Goal 1 of the Future Land Use Element's
Future Land Use Map Series, Map 1, and the
Future Land Use Map Series, Map 1, to reflect the
category of new commercial use, large and use
category.
Sponsor: Board of County Commissioners

T. CPA2005-40 - Sub-Outlying Suburban FLUM Category

Amend Goal 1 of the Future Land Use Element's
Future Land Use Map Series, Map 1, and the
Future Land Use Map Series, Map 1, to reflect the
category of new commercial use, large and use
category.
Sponsor: Board of County Commissioners

U. CPA2005-41 - Monrovia Protection Plan

Amend the Conservation and Open Space Element
and the Future Land Use Element
to incorporate the Monrovia Protection Plan, required by F.S.
207.12(2)(b).
Sponsor: Board of County Commissioners

V. CPA2005-43 - Economic Element Update

Amend the Lee Plan's Economic Element for general
updates of the element that have not been updated since its
creation in 1993.
Sponsor: Board of County Commissioners

W. CPA2005-43 - Single Family-Residence Provision Update

Amend the Future Land Use Element by
updating the Single Family-Residence Provision
Sponsor: Board of County Commissioners

X. CPA2005-45 - Beach and Dune Management Plans

Amend Policy 113.3.1 in order to update the list of
critical erosion areas under Beach and Dune
Management Plans.
Sponsor: Board of County Commissioners

Y. CPA2005-47 - Housing Element Update

Amend the Lee Plan to update the Housing Element
Needs Assessment.
Sponsor: Board of County Commissioners

3. Administrative Agenda

A. CPA2005-02 - Webb's Backlog Item

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

B. CPA2005-03 - Three Oaks North

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

C. CPA2005-07 - River Hall (aka Hawk's Haven)

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

D. CPA2005-04 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

E. CPA2005-05 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

F. CPA2005-06 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

G. CPA2005-07 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

H. CPA2005-08 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

I. CPA2005-09 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

J. CPA2005-10 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

K. CPA2005-11 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

L. CPA2005-12 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

M. CPA2005-13 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

N. CPA2005-14 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

O. CPA2005-15 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

P. CPA2005-16 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

Q. CPA2005-17 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

R. CPA2005-18 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

S. CPA2005-19 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

T. CPA2005-20 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

U. CPA2005-21 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

V. CPA2005-22 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

W. CPA2005-23 - Future Land Use Map Series, Map 1

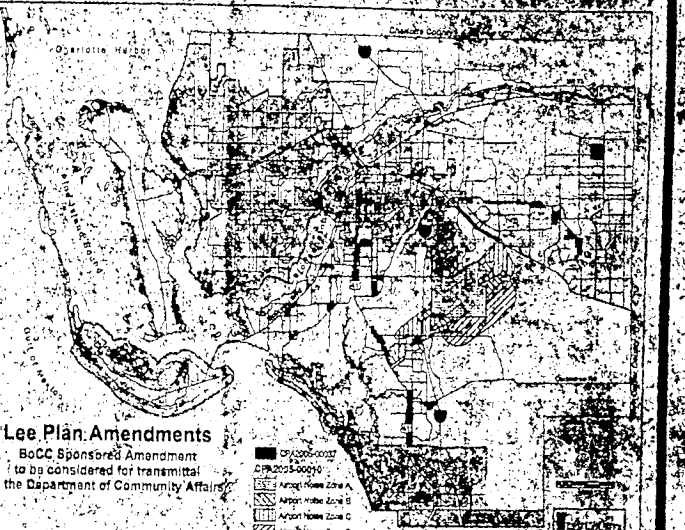
Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

X. CPA2005-24 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners

Y. CPA2005-25 - Future Land Use Map Series, Map 1

Amend the Future Land Use Map Series, Map 1, to
change #1, 25.3.3.1, and 25.3.3.2.
Sponsor: Board of County Commissioners



CPA2005-47
UPDATE HOUSING ELEMENT (TO
REFLECT FINDINGS IN THE HOUSING
NEEDS ASSESSMENT)
BoCC SPONSORED AMENDMENT
TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

DCA TRANSMITTAL DOCUMENT

Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 479-8585

December 21, 2006

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2005-47**



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 the DCA Objections, Recommendations, and Comments (ORC) Report |
| | Board of County Commissioners Hearing for Adoption |

STAFF REPORT PREPARATION DATE: November 09, 2006

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVE:

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

2. REQUEST:

Amend the LeePlan to update the Housing Element reflecting the findings of the Housing Needs Assessment.

B. STAFF AND AFFORDABLE HOUSING COMMITTEE RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Planning staff recommends the Board of County Commissioners transmit the proposed amendments to the Housing Element.

OBJECTIVE 135.1: HOUSING AVAILABILITY. Work with private and public housing providers to ensure that the ~~approximately 48,562~~ additional dwellings needed by ~~2040~~ 2025 are provided in types, costs, and locations to meet the needs of the Lee County population. It is estimated that by 2025, 114,927 additional dwelling units will be needed in all of Lee County and 39,637 will be needed in unincorporated Lee County. Lee County will update this forecast of additional dwelling units using state mandated methodologies during the next update of this Housing Element, which will occur no later than the next scheduled Evaluation and Appraisal Report. (Amended by Ordinance No. 94-30, 98-09)

POLICY 135.1.2: The county will continue efforts to form public-private partnerships to produce affordable housing for very-low, low and moderate-income households with local private non-profit housing agencies, local for profit developers, local lenders, the Lee County Housing Authority, and the Lee County Housing Finance Authority. (Amended by Ordinance No. 00-22)

POLICY 135.1.4: Provide for housing bonus density as set forth in the Land Development Code (LDC), Sections 34-1511 to 34-1520, to stimulate the construction of very-low, low and moderate income affordable housing in Lee County. Amend the Housing Density Bonus Ordinance by April, 1999 to increase its effectiveness in providing affordable housing. Revisions will be consistent with affordability and income guidelines for very low and low income households as defined by the Local Housing Assistance Plan. (Amended by Ordinance No. 94-30, 98-09, 00-22)

POLICY 135.1.6: Implement ways to achieve ongoing affordability for subsidized homeowner and rental housing by encouraging the establishment of one or more community land trust(s) and/or encouraging housing providers to design mechanisms to assure ongoing affordability of subsidized units and implement mechanisms to monitor and enforce such ongoing affordability mechanisms. Continue the operation of the publicly owned land bank with the purpose of providing land for affordable housing for low and moderate income households in conjunction with local private non-profit and for-profit housing providers. (Amended by Ordinance No. 94-30)

POLICY 135.1.7: Site selection criteria will be used in the location of housing for special needs populations as defined in Rule 67-37.002(30) ~~the elderly, transitional housing for the homeless, and institutional housing~~ which will consider accessibility, convenience, and infrastructure availability. Favorable sites include one or more of the following characteristics:

1. Located within the Intensive Development, Central Urban, Urban Community, or New Community categories on the Lee Plan's Future Land Use Map;
- ~~2. Located in a designated Community Redevelopment Area;~~
- 2.3. Located where central water/sewer service is available and within comfortable walking distance of mass transit;
- 3.4. Located on land previously converted for urban purposes; and
- 4.5. For farm worker housing, a rural site located near active cropland or groves is also acceptable.

(Amended by Ordinance No. 94-30, 00-22)

POLICY 135.1.8: The county will provide through the rezoning process for the location of adequate sites for very-low, low- and moderate-income residential development including mobile homes, and housing for special needs populations as defined in Rule 67-37.002(30) migrant worker housing, and transitional housing for the homeless. (~~Amended by Ordinance No. 00-22~~)

POLICY 135.1.11: ~~The Lee County will cooperate with the Office of Equal Opportunity will be responsible for compliance with the county's Fair Housing Ordinance to assure compliance with the Lee County Fair Housing Ordinance.~~ (~~Amended by Ordinance No. 94-30, 00-22~~)

POLICY 135.1.12: The county will coordinate its activities and cooperate with other affected public and private interests, including consumers and producers of housing, ~~and the Affordable Housing Committee, Community Action Agency, and the Neighborhood District Committee(s) and the Housing and Community Development Committee,~~ to ensure effective public participation in the housing planning process. (~~Amended by Ordinance No. 94-30, 98-09, 00-22~~)

POLICY 135.1.13: Lee County will implement initiatives to assist the homeless. ~~The county will provide adequate staff support for the Department of Human Service's Homeless Coalition and for a new service, an affordable housing hotline.~~ (~~Amended by Ordinance No. 98-09, 00-22~~)

OBJECTIVE 135.2: RURAL AND FARMWORKER HOUSING SEASONAL AND MIGRATORY HOUSING NEEDS. By the year ~~2025~~ 2005, Lee County will ~~provide have an additional 619 units of~~ affordable housing that is suitable and affordable for rural and farm worker ~~farm labor~~ housing by increasing the stock of standard affordable housing and the removal of substandard conditions. (~~Amended by Ordinance No. 94-30, 98-09~~)

POLICY 135.2.1: Assist private agricultural businesses to develop and manage housing for rural and farm workers ~~migrant farm workers~~ through information, technical assistance, and financial incentives programs.

POLICY 135.2.2: Assist non-profit agencies and other support groups to plan and coordinate arrangements for low-cost rental housing and other non-housing support services for rural and farm workers and their families through the Lee County Housing Authority.

POLICY 135.2.4: Lee County will set aside 10% of its SHIP housing subsidy for funding the development of special needs housing, which will include rural and farm worker housing. (~~Added by Ordinance No. 98-09, Amended by Ordinance No. 00-22~~)

POLICY 135.2.5: Lee County will promote the location of rural and farm worker housing close to needed services such as transportation to and from employment, medical facilities, social services, schools and shopping. Lee County will evaluate proximity to these services when county funds are requested for farmworker housing and during any rezoning process. (~~Added by Ordinance No. 98-09~~)

~~**POLICY 135.2.6:** By January, 1999, Lee County will form partnerships with local vocational training schools and other appropriate agencies to foster job training and economic development opportunities which would enable migrant farmworkers to find employment off-season and therefore become year-round employees. (Added by Ordinance No. 98-09)~~

POLICY 135.3.2: The Lee County Community Improvement Office will continue to identify homes eligible for various housing rehabilitation programs. (Amended by Ordinance No. 94-30, 98-09, 00-22)

POLICY 135.3.4: The county will vigorously enforce its housing code to assure that housing will remain habitable. (Amended by Ordinance No. 00-22)

POLICY 135.3.5: The county will continue to enforce minimum standards of housing and sanitation and require prompt action in the identification of abandoned or dilapidated property which may need demolition, including mobile homes and rural and farm worker housing. (Amended by Ordinance No. 00-22)

POLICY 135.3.8: Lee County will coordinate efforts to perform restoration and replacement of damaged housing during the aftermath of natural disasters such as hurricanes. ~~Continue to operate the Urban Homesteading program.~~

OBJECTIVE 135.4: AFFORDABLE HOUSING. Additional locations for housing for very-low, low- and moderate-income persons will be available to meet their housing needs. Very low and low income housing needs will be a priority. (Amended by Ordinance No. 94-30, 98-09, 00-22)

POLICY 135.4.1: Support the efforts of the Lee County Housing Finance Authority, Florida Housing Finance Corporation, Lee County Housing Authority, the Lee County Department of Human Services, ~~the Lee County Community Redevelopment Agency,~~ the Lee County Department of Community Development, and local private for profit and private non-profit agencies, and assist in their efforts to determine and develop sites and programs for housing for very-low, low and moderate-income persons, including the homeless, through referrals and staff support. (Amended by Ordinance No. 94-30, 98-09)

POLICY 135.4.2: Publicly assisted housing will be provided in a dispersed rather than a concentrated manner so that, to the maximum extent feasible, all geographic areas will provide very-low, low-and moderate-income housing opportunities. (Amended by Ordinance No. 94-30)

POLICY 135.4.4: Support the Lee County Department of Human Services, and the Human Services Information Network ~~the Lee County Coalition of Emergency Assistance Providers, and the Homeless Coalition~~ in assisting very-low, low- and moderate-income persons, including the homeless, to find adequate housing and support services such as day care, emergency shelter, food and clothing, and coordination with employment services. (Amended by Ordinance No. 98-09)

POLICY 135.4.5: The ~~c~~County Department of Human Services will provide counseling services to very-low, low and moderate-income participants in any of the Department's housing

programs, including the homeless. The counseling may include financial guidance, housing maintenance information, and consumer advice to assist households seeking affordable, standard housing. Lee County will continue to offer home buyer training to program beneficiaries. (Amended by Ordinance No. 98-09, 00-22)

POLICY 135.4.8: The county will participate in state and federal housing assistance programs to aid special needs populations as defined in Rule 67-37.002(30), ~~the elderly, developmentally disabled, physically disabled, mentally ill, substance abusers, large families, farmworker, and other very-low,~~ low and moderate-income households to secure suitable, affordable housing, housing rehabilitation, home buyer training, down payment and closing cost assistance, rental assistance, and new construction home ownership programs. (Amended by Ordinance No. 98-09, 00-22)

POLICY 135.4.9: Give priority to special needs populations as defined in Rule 67-37.002(30) ~~the homeless, elderly, disabled and large families~~ with inadequate housing in recognition of the even greater problems faced by the private sector in providing this needed type of housing. (Amended by Ordinance No. 98-09)

POLICY 135.4.10: Seek to stimulate the production of housing affordable for very-low, low and moderate-income households through the creation of such institutions as a Community Land Trust which provide ongoing affordability. ~~an affordable housing trust fund, an independent private non-profit local housing development corporation, land banking and land acquisition.~~

POLICY 135.4.11: In order to facilitate the provision of affordable housing for workers and maintain a viable economy, Lee County will develop a workforce housing initiative. ~~to strengthen the family unit, and to provide increased opportunities for housing for the elderly, accessory apartments will be provided for in the Land Development Code by the end of 1993.~~ (Added by Ordinance No. 93-25, Amended by Ordinance No. 94-30, 00-22)

OBJECTIVE 135.5: MOBILE HOMES MANUFACTURED HOUSING. The county will provide adequate locations and standards for ~~manufactured housing and mobile homes, which are defined as residential units constructed to standards promulgated by HUD,~~ through implementation of Chapter 34 of the Land Development Code. (Amended by Ordinance No. 94-30, 00-22)

POLICY 135.5.1: The Land Development Code will continue to designate zoning categories for mobile home parks and to implement the requirements set forth in F.S. 773.083 Governmental Action Affecting the Removal of Mobile Home Owners. ~~and manufactured housing parks and subdivisions sufficient to meet the future land requirements for manufactured housing.~~ (Amended by Ordinance No. 94-30, 00-22)

OBJECTIVE 135.6: SPECIAL NEEDS. Locations for housing for special needs populations as defined in Rule 67-37.002(30) ~~group homes or homeless shelters or transitional housing for the homeless~~ will be available at suitable sites to ensure that the needs of persons requiring such housing are met.

POLICY 135.6.1: The Lee County Office of Equal Opportunity will continue to enforce nondiscriminatory standards and criteria addressing community residential homes (e.g. group homes or foster care facilities) or assisted living facilities for persons and households with special needs. ~~The county will continue to enforce non-discriminatory standards and criteria addressing the location of group homes and foster care facilities.~~ (Amended by Ordinance No. 00-22)

POLICY 135.6.2: In order to serve persons with special needs, disabilities, or handicaps, the county will provide for the location of adequate sites for community residential homes (e.g. group homes or foster care facilities) ~~group homes and foster care facilities through the approval of appropriate zoning districts dispersed among the residential neighborhoods of Lee County.~~ (Amended by Ordinance No. 00-22)

POLICY 135.6.3: Other community-based residential care service providers facilities needed to assist residents living in community residential homes (e.g. group homes or foster care facilities) ~~serve group homes~~ and the clients of other programs will be encouraged to locate, ~~through the zoning process,~~ at convenient, adequate, and non-isolated sites throughout ~~within the residential areas of the county.~~ (Amended by Ordinance No. 94-30, 00-22)

POLICY 135.6.5: The county will monitor the development and distribution of publicly-assisted community residential homes (e.g. group homes or foster care facilities) ~~group homes~~ and residential care facilities to insure that adequate sites and infrastructure are provided and that over-concentration in any residential area is avoided. (Amended by Ordinance No. 94-30, 00-22)

POLICY 135.6.6: Lee County will provide competitive local funding opportunities to non-profit organizations to ensure that scattered site housing is provided for persons and households with special needs. ~~The county will institute local programs providing assistance to private and non-profit sponsors to insure that adequate group homes, transitional homeless housing, and foster care facilities are developed.~~ (Amended by Ordinance No. 00-22)

POLICY 135.6.7: The county will cooperate with appropriate agencies in order to provide adequate sites for community residential homes (e.g. group homes or foster care facilities), ~~congregate living facilities, including group and foster care homes and homeless shelters and transitional housing, to meet the requirements of persons with special needs as defined in Rule 67-37.002(30),~~ ~~disabilities, and handicaps for a community residential environment and de-institutionalization.~~ (Amended by Ordinance No. 00-22)

OBJECTIVE 135.7: DISPLACEMENT. Uniform and equitable treatment for persons and businesses displaced by state and local government programs will be provided. Complaints that such efforts and/or assistance were administered in a discriminatory manner may be filed with the Lee County Office of Equal Opportunity, through the Department of Human Relations. (Amended by Ordinance No. 98-09)

POLICY 135.7.1: Lee County will ensure that reasonably located standard housing at affordable costs is available to persons displaced through public action prior to their displacement and will follow all obligations imposed by law or county policy, including those relating to equal provision of services, through the county's Voluntary Relocation Program.

~~**POLICY 135.7.2:** The county will support the efforts of local private non-profit agencies to provide standard, affordable housing for Lee County's homeless through staff support, referrals, and financial assistance where applicable. (Amended by Ordinance No. 00-22)~~

POLICY 135.8.1: Assist the rehabilitation and adaptive use of historically significant housing through technical and economic assistance programs such as Community Development Block Grant and HOME funding, State Housing Initiatives Partnership eligibility, and emergency weatherization. ~~Consider the incentives of property tax relief or abatement, transfer of development rights, and below market interest rate loans, consistent with the Historic Preservation element. (Amended by Ordinance No. 94-30, 98-09)~~

~~**POLICY 135.8.2:** The county will assist property owners of historically significant housing in applying for and utilizing state and federal assistance programs. (Amended by Ordinance No. 00-22)~~

POLICY 135.9.2: Designate appropriate areas of the county as Neighborhood Districts CDBG Target areas and Neighborhood Strategy Areas, and carry out the Department of Human Services Neighborhood District program activities in a timely and efficient manner.

POLICY 135.9.3: Plan and implement safe neighborhood programs in designated Neighborhood ~~Improvement~~ Districts. (Added by Ordinance No. 94-30, 98-09)

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- In August 2005, Lee County updated the 1997 Housing Needs Assessment. With the exception of two new Policies, these changes are based on the analysis of existing Goals, Objectives and Policies and further the recommendations submitted to DCA with the 2005 Housing Needs Assessment in the Lee County EAR.
- On August 29, 2006, the Affordable Housing Committee approved these changes.

C. BACKGROUND INFORMATION

The 2004 Lee County Evaluation and Appraisal Report (EAR) identified Affordable Housing as Major Issue #12. The County agreed to include the full housing needs assessment with the EAR-based amendment and to revise the Lee Plan based on the results of the assessment. The 2005 Housing Needs Assessment summarizes and compares housing data from The Shimberg Center's Florida Housing Data Clearinghouse (Shimberg), the 1990 and 2000 Census (as well as for more recent years when available) and locally generated data. A majority of the tables show a comparison from the data provided in the previous 1997 Housing Element Update to the most current data available, mostly from Shimberg. Data from the years 2000 and 2002 are the most current data available, and the 2005 Housing Needs Assessment used 2002 as the base year, with projections for the years 2005 to 2025.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

On August 29, 2006 the Affordable Housing Committee reviewed and voted to recommend approval of the amendments to the Housing element as shown in this document. Most of the proposed changes are summarized below:

Two new policies are proposed:

- Ongoing affordability for subsidized housing – Policy 135.1.6 calls for achieving ongoing affordability of subsidized housing by encouraging the establishment of one or more community land trusts(s) and/or encouraging housing providers to design alternative measures to assure ongoing affordability. This policy is already being implemented as the county is facilitating the establishment of a non-profit community land trust by providing funding and technical assistance.
- Workforce housing initiative-- Policy 135.4.11 calls for the development of a workforce housing initiative. This policy is already being implemented as the Local Housing Assistance Plan of the SHIP program has been amended to include a workforce housing strategy.

Three policies are proposed for elimination:

- Accessory apartments – Policy 135.4.11 called for the allowance of accessory apartments in the Land Development Code. This policy has been implemented and therefore no longer needed.
- Homelessness – Policy 135.7.2 is not relevant to its objective. Objective 135.7 deals with displacement by state and local programs but Policy 135.7.2 deals with all homeless persons not just displaced by public action.
- Historic buildings – Policy 135.8.2 calls for assisting owners of historically significant housing in applying for and utilizing state and federal assistance programs, however for the most part state and federal historic preservation programs, are not designed to provide assistance for the rehabilitation of privately held residential buildings.

Other changes proposed fall into the following broad categories:

- Changes identifying very low income households as a separate category – previously very low income households were not identified but just assumed to be part of the low income households category (Policies 135.1.2, 135.1.8, Objective 135.4, Policies 135.4.1, 135.4.2, 135.4.5, 135.4.8, 135.4.10)
- Changes updating terminology --changes have been made to delete organizations, programs and terminology that no longer exist and as appropriate replace them with the current terminology and organizational and program titles (Objective 135.1, Policies 135.1.7, 135.1.12, 135.1.13, 135.3.2, 135.3.4, 135.3.8, 135.4.1, 135.4.4, Objective 135.5, Policies 135.5.1, 135.6.2, 135.6.3, 135.6.7, 135.7.1, 135.9.2). Specific changes have been made to update the terminology referring to persons with special needs and special needs populations (Policies 135.1.8, 135.4.8, 135.4.9, Objective 135.6, Policy 135.6.7).
- Changes updating references of housing programs to make them more current (Policies 135.1.4, 135.1.6, 135.1.11, 135.4.5, 135.4.10, 135.6.1, 135.6.6, Objective 135.7, Policy 135.8.1).

Staff recommends transmitting the following Objectives and Policies as revised:

OBJECTIVE 135.1: HOUSING AVAILABILITY. Work with private and public housing providers to ensure that the ~~approximately 48,562~~ additional dwellings needed by ~~2010~~ 2025 are provided in types, costs, and locations to meet the needs of the Lee County population. It is estimated that by 2025, 114,927 additional dwelling units will be needed in all of Lee County and 39,637 will be needed in unincorporated Lee County. Lee County will update this forecast of additional dwelling units using state mandated methodologies during the next update of this Housing Element, which will occur no later than the next scheduled Evaluation and Appraisal Report. (Amended by Ordinance No. 94-30, 98-09)

Staff comments: Objective 135.1: Housing availability was changed to reflect the forecasted housing construction need in Lee County from 2010-2025, projecting an estimated 114,927 additional dwelling units will be need, and of that, 39,937 will be in unincorporated Lee County.

POLICY 135.1.2: The county will continue efforts to form public-private partnerships to produce affordable housing for very-low, low and moderate-income households with local private non-profit housing agencies, local for profit developers, local lenders, the Lee County Housing Authority, and the Lee County Housing Finance Authority. (Amended by Ordinance No. 00-22)

Staff comments: Scriveners correction

POLICY 135.1.4: Provide for housing bonus density as set forth in the Land Development Code (LDC), Sections 34-1511 to 34-1520, to stimulate the construction of very-low, low and moderate income affordable housing in Lee County. Amend the Housing Density Bonus Ordinance by April, 1999 to increase its effectiveness in providing affordable housing. Revisions will be consistent with affordability and income guidelines for very low and low income households as defined by the Local Housing Assistance Plan. (Amended by Ordinance No. 94-30, 98-09, 00-22)

Staff comments: Policy 135.1.4 was rewritten to show that the housing density bonus program has been amended and is consistent with the Local Housing Assistance Plan (LHAP). The Housing Density Bonus Program, Section 34-1511 to 34-1520 of the Lee County Land Development Code, provides increased densities for housing affordable housing. The program has two options: site built or cash. Under the site built option the developer is required to build the affordable units (for very-low and low-income households). Under the cash options the developer makes a cash contribution (currently in 2006 the cash contribution is \$11,429 per bonus units approved) to the affordable housing trust fund. In any given fiscal year, at least 75% of the bonus density portion of the affordable housing trust fund must be used to assist very-low and low-income families.

POLICY 135.1.6: Implement ways to achieve ongoing affordability for subsidized homeowner and rental housing by encouraging the establishment of one or more community land trust(s) and/or encouraging housing providers to design mechanisms to assure ongoing affordability of subsidized units and implement mechanisms to monitor and enforce such ongoing affordability mechanisms. ~~Continue the operation of the publicly owned land bank with the purpose of providing land for affordable housing for low and moderate income households in conjunction with local private non profit and for profit housing providers.~~ (Amended by Ordinance No. 94-30)

Staff comments: Policy 135.1.6 eliminated the public owned land bank because Lee County does not maintain a land bank of county owned properties. This policy was changed to reflect the County's Community Land Trust initiative.

POLICY 135.1.7: Site selection criteria will be used in the location of housing for special needs populations as defined in Rule 67-37.002(30) ~~the elderly, transitional housing for the homeless, and institutional housing~~ which will consider accessibility, convenience, and infrastructure availability. Favorable sites include one or more of the following characteristics:

1. Located within the Intensive Development, Central Urban, Urban Community, or New Community categories on the Lee Plan's Future Land Use Map;
2. ~~Located in a designated Community Redevelopment Area;~~
- 2.3. Located where central water/sewer service is available and within comfortable walking distance of mass transit;
- 3.4. Located on land previously converted for urban purposes; and
- 4.5. For farm worker housing, a rural site located near active cropland or groves is also acceptable.

(Amended by Ordinance No. 94-30, 00-22)

Staff comments: Policy 135.1.7 eliminated reference to a "designated Community Redevelopment Area" since the county no longer has CRA designations.

POLICY 135.1.8: The county will provide through the rezoning process for the location of adequate sites for very-low, low- and moderate-income residential development including mobile homes, and housing for special needs populations as defined in Rule 67-37.002(30) ~~migrant worker housing, and transitional housing for the homeless.~~ (Amended by Ordinance No. 00-22)

Staff comments: Policy 135.1.8 was changed to reference persons with special needs as defined in F.A.C. 67-37.002(30) since special needs is defined in Rule 67-37.002(30) Florida Administrative Code as persons with developmental disabilities, persons with mental illness/substance abuse, persons with AIDS and HIV disease, runaway and abandoned youth, farm workers, the homeless, the elderly and persons with disabilities.

POLICY 135.1.11: The Lee County will cooperate with the Office of Equal Opportunity will be responsible for compliance with the county's Fair Housing Ordinance to assure compliance with the Lee County Fair Housing Ordinance. (Amended by Ordinance No. 94-30, 00-22)

Staff comments: Policy 135.1.11 was rewritten to show that the Lee County Office of Equal Opportunity is responsible for conducting an Analysis of Impediments to fair housing choices in communities that are direct recipients of HUD Community Development Block Grant (CDBG) funds in compliance with the county's fair housing ordinance.

POLICY 135.1.12: The county will coordinate its activities and cooperate with other affected public and private interests, including consumers and producers of housing, ~~and the Affordable Housing Committee, Community Action Agency, and the Neighborhood District Committee(s) and the Housing and Community Development Committee,~~ to ensure effective public participation in the housing planning process. (Amended by Ordinance No. 94-30, 98-09, 00-22)

Staff comments: Policy 135.1.12 has been changed to update the names of committees with current information.

POLICY 135.1.13: Lee County will implement initiatives to assist the homeless. ~~The county will provide adequate staff support for the Department of Human Service's Homeless Coalition and for a new service, an affordable housing hotline.~~ (Amended by Ordinance No. 98-09, 00-22)

Staff comments: Policy 135.1.13 has been changed to clarify the county's intent to assist the homeless without limiting itself to one program.

OBJECTIVE 135.2: RURAL AND FARMWORKER HOUSING ~~SEASONAL AND MIGRATORY HOUSING NEEDS.~~ By the year ~~2025~~ 2005, Lee County will ~~provide have an additional 619 units of~~ affordable housing that is suitable and affordable for rural and farm worker ~~farm labor~~ housing by increasing the stock of standard affordable housing and the removal of substandard conditions. (Amended by Ordinance No. 94-30, 98-09)

Staff comments: Objective 135.2 was changed to show there is an increasing need for year-round farm workers, and references to seasonal, migratory or migrant farm worker was changed to rural and farm worker.

POLICY 135.2.1: Assist private agricultural businesses to develop and manage housing for rural and farm workers ~~migrant farm workers~~ through information, technical assistance, and financial incentives programs.

POLICY 135.2.2: Assist non-profit agencies and other support groups to plan and coordinate arrangements for low-cost rental housing and other non-housing support services for rural and farm workers and their families through the Lee County Housing Authority.

POLICY 135.2.4: Lee County will set aside 10% of its SHIP housing subsidy for funding the development of special needs housing, which will include rural and farm worker housing. (Added by Ordinance No. 98-09, Amended by Ordinance No. 00-22)

POLICY 135.2.5: Lee County will promote the location of rural and farm worker housing close to needed services such as transportation to and from employment, medical facilities,

social services, schools and shopping. Lee County will evaluate proximity to these services when county funds are requested for farmworker housing and during any rezoning process. (Added by Ordinance No. 98-09)

Staff comments: Policies 135.2.1 - 135.2.2 and 135.2.4 - 135.2.5 references to seasonal, migratory or migrant farm worker was changed to rural and farm worker.

~~**POLICY 135.2.6:** By January, 1999, Lee County will form partnerships with local vocational training schools and other appropriate agencies to foster job training and economic development opportunities which would enable migrant farmworkers to find employment off-season and therefore become year-round employees. (Added by Ordinance No. 98-09)~~

Staff comments: Policy 135.2.6 was deleted because agriculture has become a year-round activity.

POLICY 135.3.2: The Lee County Community Improvement Office will continue to identify homes eligible for various housing rehabilitation programs. (Amended by Ordinance No. 94-30, 98-09, 00-22)

Staff comments: The name of the department has been deleted as this responsibility is shared with several departments within the County.

POLICY 135.3.4: The county will ~~vigorously~~ enforce its housing code to assure that housing will remain habitable. (Amended by Ordinance No. 00-22)

Staff Comment: Policy 135.3.4 removed “vigorously” from the policy since it is a priority of the county’s to keep housing habitable and that Lee County Code Enforcement has a dedicated staff person working with home owners to rectify issues on a proactive basis.

POLICY 135.3.5: The county will continue to enforce minimum standards of housing and sanitation and require prompt action in the identification of abandoned or dilapidated property which may need demolition, including mobile homes and rural and farm worker housing. (Amended by Ordinance No. 00-22)

Staff Comment: Reference to seasonal, migratory or migrant farm worker was changed to rural and farm worker.

POLICY 135.3.8: Lee County will coordinate efforts to perform restoration and replacement of damaged housing during the aftermath of natural disasters such as hurricanes. ~~Continue to operate the Urban Homesteading program.~~

Staff Comment: Policy 135.3.8 has been rewritten since the Urban Homestead program no longer exists to reflect restoring or replacing damaged housing after a natural disaster such as a hurricane.

OBJECTIVE 135.4: AFFORDABLE HOUSING. Additional locations for housing for very-low, low- and moderate-income persons will be available to meet their housing needs. Very low and low income housing needs will be a priority. (Amended by Ordinance No. 94-30, 98-09, 00-22)

Staff Comment: Scriveners correction

POLICY 135.4.1: Support the efforts of the Lee County Housing Finance Authority, Florida Housing Finance Corporation, Lee County Housing Authority, the Lee County Department of Human Services, ~~the Lee County Community Redevelopment Agency~~, the Lee County Department of Community Development, and local private for profit and private non-profit agencies, and assist in their efforts to determine and develop sites and programs for housing for very-low, low and moderate-income persons, including the homeless, through referrals and staff support. (Amended by Ordinance No. 94-30, 98-09)

Staff Comment: Policy 135.4.1 was changed to eliminate the Community Redevelopment Agency since the county no longer has CRA designations.

POLICY 135.4.2: Publicly assisted housing will be provided in a dispersed rather than a concentrated manner so that, to the maximum extent feasible, all geographic areas will provide very-low, low-and moderate-income housing opportunities. (Amended by Ordinance No. 94-30)

Staff Comment: Scriveners correction

POLICY 135.4.4: Support the Lee County Department of Human Services, and the Human Services Information Network ~~the Lee County Coalition of Emergency Assistance Providers, and the Homeless Coalition~~ in assisting very-low, low- and moderate-income persons, including the homeless, to find adequate housing and support services such as day care, emergency shelter, food and clothing, and coordination with employment services. (Amended by Ordinance No. 98-09)

Staff Comment: Policy 135.4.4 was changed to update the names of committees with current information.

POLICY 135.4.5: The ~~cCounty Department of Human Services~~ will provide counseling services to very-low, low- and moderate-income participants in any of the Department's housing programs, including the homeless. The counseling may include financial guidance, housing maintenance information, and consumer advice to assist households seeking affordable, standard housing. Lee County will continue to offer home buyer training to program beneficiaries. (Amended by Ordinance No. 98-09, 00-22)

Staff Comment: Policy 135.4.5 was changed to show that the county coordinates with non-profit housing developers to provide counseling services to participants in any of the county's housing programs.

POLICY 135.4.8: The county will participate in state and federal housing assistance programs to aid special needs populations as defined in Rule 67-37.002(30), ~~the elderly, developmentally~~

~~disabled, physically disabled, mentally ill, substance abusers, large families, farmworker, and other very-low, low and moderate-income households to secure suitable, affordable housing, housing rehabilitation, home buyer training, down payment and closing cost assistance, rental assistance, and new construction home ownership programs. (Amended by Ordinance No. 98-09, 00-22)~~

POLICY 135.4.9: Give priority to special needs populations as defined in Rule 67-37.002(30) ~~the homeless, elderly, disabled and large families~~ with inadequate housing in recognition of the even greater problems faced by the private sector in providing this needed type of housing. (Amended by Ordinance No. 98-09)

Staff Comment: Policies 135.4.8 and 135.4.9 were amended to include the term “special needs populations” as defined in Rule 67-37.002(30) Florida Administrative Code, which characterizes special needs as persons with developmental disabilities, persons with mental illness and substance abuse, persons with AIDS and HIV disease, runaway and abandoned youth, farm workers, the homeless, the elderly and persons with disabilities.

POLICY 135.4.10: Seek to stimulate the production of housing affordable for very-low, low and moderate-income households through the creation of such institutions as a Community Land Trust which provide ongoing affordability. ~~an affordable housing trust fund, an independent private non-profit local housing development corporation, land banking and land acquisition.~~

Staff Comment: Policy 135.4.10 reflects the county’s support for the establishment of a local non-profit Community Land Trust.

POLICY 135.4.11: In order to facilitate the provision of affordable housing for workers and maintain a viable economy, Lee County will develop a workforce housing initiative. ~~to strengthen the family unit, and to provide increased opportunities for housing for the elderly, accessory apartments will be provided for in the Land Development Code by the end of 1993. (Added by Ordinance No. 93-25, Amended by Ordinance No. 94-30, 00-22)~~

Staff Comment: Policy 135.4.11 has been rewritten to direct the development of a workforce housing initiative. The original intent was deleted since Section 34-1177 of the Lee County Land Development Code (LDC) allows accessory apartments by right in certain areas, e.g. permissible by right in duplex-zoned areas where bonus units are allowed, or in RS-1 zoned areas by special exception.

OBJECTIVE 135.5: MOBILE HOMES MANUFACTURED HOUSING. The county will provide adequate locations and standards for ~~manufactured housing and mobile homes, which are defined as residential units constructed to standards promulgated by HUD,~~ through implementation of Chapter 34 of the Land Development Code. (Amended by Ordinance No. 94-30, 00-22)

POLICY 135.5.1: The Land Development Code will continue to designate zoning categories for mobile home parks and to implement the requirements set forth in F.S. 773.083 Governmental Action Affecting the Removal of Mobile Home Owners. ~~and manufactured~~

~~housing parks and subdivisions sufficient to meet the future land requirements for manufactured housing. (Amended by Ordinance No. 94-30, 00-22)~~

Staff Comments: Objective 135.5 and Policy 135.5.1 were changed to refer only to mobile homes, which are defined as residential units constructed to standards promulgated by HUD. According to data from the 2005 update for the Housing Element, the number of spaces in mobile home and RV parks has declined since 1997. A mixture of more stringent building regulations in coastal high hazard areas and rising land prices has led to a decreasing number of mobile homes.

OBJECTIVE 135.6: SPECIAL NEEDS. Locations for housing for special needs populations as defined in Rule 67-37.002(30) ~~group homes or homeless shelters or transitional housing for the homeless~~ will be available at suitable sites to ensure that the needs of persons requiring such housing are met.

Staff Comment: Objective 135.6: Special Needs was changed to reference persons with special needs as defined in F.A.C. 67-37.002(30).

POLICY 135.6.1: The Lee County Office of Equal Opportunity will continue to enforce nondiscriminatory standards and criteria addressing community residential homes (e.g. group homes or foster care facilities) or assisted living facilities for persons and households with special needs. ~~The county will continue to enforce non-discriminatory standards and criteria addressing the location of group homes and foster care facilities. (Amended by Ordinance No. 00-22)~~

Staff Comment: Policy 135.6.1 was changed to reflect the county's Fair Housing Ordinance to provide for equal housing opportunity throughout Lee County and to show that the Lee County Office of Equal Opportunity takes complaints regarding this type of discrimination.

POLICY 135.6.2: In order to serve persons with special needs, disabilities, or handicaps, the county will provide for the location of adequate sites for community residential homes (e.g. group homes or foster care facilities) ~~group homes and foster care facilities through the approval of appropriate zoning districts dispersed among the residential neighborhoods of Lee County. (Amended by Ordinance No. 00-22)~~

POLICY 135.6.3: Other community-based residential care service providers facilities needed to assist residents living in community residential homes (e.g. group homes or foster care facilities) ~~serve group homes~~ and the clients of other programs will be encouraged to locate, ~~through the zoning process,~~ at convenient, adequate, and non-isolated sites throughout within ~~the residential areas of the county. (Amended by Ordinance No. 94-30, 00-22)~~

POLICY 135.6.5: The county will monitor the development and distribution of publicly-assisted community residential homes (e.g. group homes or foster care facilities) ~~group homes~~ and residential care facilities to insure that adequate sites and infrastructure are provided and that over-concentration in any residential area is avoided. (Amended by Ordinance No. 94-30, 00-22)

Staff Comment: Policy 135.6.2, Policy 135.6.3, and Policy 135.6.5 use the term “community residential homes” (rather than congregate living facilities, group homes or foster care facilities) which are dwelling units licensed to serve clients of the state department of rehabilitative services to provide a living environment for one to six unrelated resident who operate as the functional equivalent of a family, including supervision and care by a supportive staff as may be necessary to meet the physical, emotional and social needs of the residents (to include the aged, physically disabled, developmentally disabled, mentally ill or children).

POLICY 135.6.6: Lee County will provide competitive local funding opportunities to non-profit organizations to ensure that scattered site housing is provided for persons and households with special needs. The county will institute local programs providing assistance to private and non-profit sponsors to insure that adequate group homes, transitional homeless housing, and foster care facilities are developed. (Amended by Ordinance No. 00-22)

Staff Comment: Policy 135.6.6 was changed to providing competitive local funding for non-profits to reflect the 10% of SHIP funds set aside by the county for special needs housing and the Continuum of Care program that assists non-profits that create transitional and other housing for the homeless.

POLICY 135.6.7: The county will cooperate with appropriate agencies in order to provide adequate sites for community residential homes (e.g. group homes or foster care facilities), ~~congregate living facilities, including group and foster care homes and~~ homeless shelters and transitional housing, to meet the requirements of persons with special needs as defined in Rule 67-37.002(30). ~~, disabilities, and handicaps for a community residential environment and de-institutionalization.~~ (Amended by Ordinance No. 00-22)

Staff Comment: Policy 135.6.7 uses the term “community residential homes” (rather than congregate living facilities, group homes or foster care facilities) which are dwelling units licensed to serve clients of the state department of rehabilitative services to provide a living environment for one to six unrelated resident who operate as the functional equivalent of a family, including supervision and care by a supportive staff as may be necessary to meet the physical, emotional and social needs of the residents (to include the aged, physically disabled, developmentally disabled, mentally ill or children). Policy 135.6.7 was also amended to include the term “special needs populations” as defined in Rule 67-37.002(30) Florida Administrative Code, which characterizes special needs as persons with developmental disabilities, persons with mental illness and substance abuse, persons with AIDS and HIV disease, runaway and abandoned youth, farm workers, the homeless, the elderly and persons with disabilities.

OBJECTIVE 135.7: DISPLACEMENT. Uniform and equitable treatment for persons and businesses displaced by state and local government programs will be provided. Complaints that such efforts and/or assistance were administered in a discriminatory manner may be filed with the Lee County Office of Equal Opportunity. ~~through the Department of Human Relations.~~ (Amended by Ordinance No. 98-09)

Staff Comments: Objective 135.7: Displacement was changed to show the Lee County Office of Equal Opportunity will investigate an allegation of displacement made by persons and businesses displaced by state and local government in an advisory capacity.

POLICY 135.7.1: Lee County will ensure that reasonably located standard housing at affordable costs is available to persons displaced through public action prior to their displacement and will follow all obligations imposed by law or county policy, including those relating to equal provision of services, through the county's Voluntary Relocation Program.

Staff Comments: Policy 135.7.1 was changed because there is no Voluntary Relocation Program in Lee County.

~~**POLICY 135.7.2:** The county will support the efforts of local private non-profit agencies to provide standard, affordable housing for Lee County's homeless through staff support, referrals, and financial assistance where applicable. (Amended by Ordinance No. 00-22)~~

Staff Comments: Policy 135.7.2 was removed because it is not relevant to its objective. Objective 135.7 deals with displacement by state and local programs but Policy 135.7.2 deals with all homeless persons not just those displaced by public action.

POLICY 135.8.1: Assist the rehabilitation and adaptive use of historically significant housing through technical and economic assistance programs such as Community Development Block Grant and HOME funding, State Housing Initiatives Partnership eligibility, and emergency weatherization. ~~Consider the incentives of property tax relief or abatement, transfer of development rights, and below market interest rate loans, consistent with the Historic Preservation element.~~ (Amended by Ordinance No. 94-30, 98-09)

Staff Comments: In Policy 135.8.1, the county continues to provide technical and financial assistance through its HOME, CDBG and the historic preservation grant assistance programs, and historic preservation grant assistance is also available through the municipalities of Ft. Myers Beach and Bonita Springs. With regard to the last sentence in Policy 135.8.1, the Historic Preservation Board (HPB) has discussed the possibility of a tax relief or abatement program for historic properties that are rehabilitated. However, the HPB decided against the implementation of such a program as it is most successfully implemented in an area with larger historic buildings that need massive rehabilitation, such as downtown Ft. Myers or the Art Deco District in Miami Beach.

~~**POLICY 135.8.2:** The county will assist property owners of historically significant housing in applying for and utilizing state and federal assistance programs. (Amended by Ordinance No. 00-22)~~

Staff Comments: Policy 134.8.2 was removed as state and federal historic preservation programs, for the most part, are not designed to provide assistance for the rehabilitation of privately held residential buildings.

POLICY 135.9.2: Designate appropriate areas of the county as Neighborhood Districts ~~CDBG Target areas and Neighborhood Strategy Areas~~, and carry out the Department of Human Services Neighborhood District program activities in a timely and efficient manner.

POLICY 135.9.3: Plan and implement safe neighborhood programs in designated Neighborhood Improvement Districts. (Added by Ordinance No. 94-30, 98-09)

Staff Comments: Policy 135.9.2 – 135.9.3 were changed to update the names of programs and district titles with current information.

CONCLUSIONS

Based on the information in Lee County's 2005 Housing Needs Assessment, it is recommended to change selected objectives and policies in the Housing Element to reflect current conditions as delineated in Section A, above.

B. STAFF RECOMMENDATION

Planning staff recommends the Board of County Commissioners transmit these proposed amendments to Objectives and Policies of the Housing Element of the comprehensive plan.

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

PUBLIC HEARING DATE: November 27, 2006

A. LOCAL PLANNING AGENCY REVIEW: Staff provided a brief overview concerning the proposed amendments. One member of the LPA questioned why the projections in the Housing Element only went to the year 2025 when the Plan horizon is proposed to go to the year 2030. Staff explained that the Housing Element is required to use projections provided by the Shimberg Center for Affordable Housing which only go to the year 2025. These figures have been reviewed by DCA as part of the EAR and found to be sufficient.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

- 1. RECOMMENDATION:** The LPA recommends that the Board of County Commissioners transmit the proposed amendments to the Housing Element.
- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

C. VOTE:

| | |
|-----------------------|--------|
| NOEL ANDRESS | AYE |
| DEREK BURR | AYE |
| RONALD INGE | AYE |
| CARLETON RYFFELL | ABSENT |
| RAYMOND SCHUMANN, ESQ | AYE |
| RAE ANN WESSEL | AYE |
| VACANT | |

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

DATE OF TRANSMITTAL HEARING: December 13, 2006

A. BOARD REVIEW: The Board of County Commissioners provided no discussion concerning the proposed plan amendment. This item was approved on the consent agenda.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION: The Board of County Commissioners voted to transmit the proposed plan amendment.

2. BASIS AND RECOMMENDED FINDINGS OF FACT: The Board accepted the findings of fact advanced by staff and the LPA.

C. VOTE:

BRIAN BIGELOW

AYE

TAMMARA HALL

AYE

BOB JANES

AYE

RAY JUDAH

AYE

FRANK MANN

AYR

**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:

D. BOARD REVIEW:

E. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

F. VOTE:

BRIAN BIGELOW

TAMMARA HALL

BOB JANES

RAY JUDAH

FRANK MANN

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