

BOARD MANAGEMENT AND PLANNING COMMITTEE AGENDA

MONDAY, AUGUST 14, 2006

1:30 PM - 4:00 PM

COUNTY COMMISSION CHAMBERS

1. **MINING AND CORKSCREW ROAD SERVICE AREA (CRSA)**
PRESENTER: Mary Gibbs, Community Development
TIME REQUIRED: 10 Minutes
2. **CONCURRENCY AND LEVEL OF SERVICE ISSUES IN REZONING CASES**
PRESENTER: Mary Gibbs, Community Development
TIME REQUIRED: 10 Minutes
3. **WILDFIRE ISSUE**
PRESENTER: Mary Gibbs, Community Development
TIME REQUIRED: 10 Minutes
4. **DISCUSSION OF THE COMMUNITY PLANNING PROGRAM IN LEE COUNTY**
PRESENTER: Mary Gibbs, Community Development
Wayne Daltry, Smart Growth
TIME REQUIRED: 10 Minutes
5. **REVIEW CRITERIA FOR PARTNERING FOR RESULTS PROCESS**
PRESENTER: Karen Hawes and Ann Arnall, Human Services
TIME REQUIRED: 20 Minutes
6. **2006 MAJOR UPDATE TO THE TRANSIT DEVELOPMENT PLAN**
PRESENTER: Steven L. Myers, Director, Transit Division
Joel Rey, Tindale Oliver and Associates, LeeTran Consultants
TIME REQUIRED: 20 Minutes

BOARD COMMENTS/DISCUSSION

ADJOURN

FOR MORE INFORMATION ABOUT THIS AGENDA CONTACT THE
PUBLIC RESOURCES OFFICE - (239) 332-2737

The Management & Planning Meeting is carried live
on the following cable channels:

Comcast Cable Channel 11
Time Warner Cable Channel 16

Item #1

MANAGEMENT & PLANNING COMMITTEE
AGENDA REQUEST FORM
COMMISSION DISTRICT # CW

INITIATED BY: Community Development
Dept. of Transportation
Public Resources

REQUESTED BY: Board of County Commissioners

TITLE OF ITEM FOR THE AGENDA
Mining and Corkscrew Road Service Area (CRSA)

1. DESCRIPTION AND OBJECTIVE OF THE ISSUE

This issue was brought up at the 5/23 BCC meeting in relation to developing an assessment or impact fee for commercial mines to defray some of the costs of improvements to Corkscrew Road east of I-75 (see attached minutes).

2. PROPOSED POLICY, PROCEDURE OR PLAN OF ACTION

Provide direction to staff. Determine whether commercial mines should be included in the CRSA, or be subject to impact fees. Currently there are 3 mining projects under review on Corkscrew Road, encompassing nearly 2,000 acres with long-term impacts up to 25 years.

3. OPTIONS (List Advantages/Disadvantages of Each Option Listed)

1. Expand geographic area of CRSA to include additional properties (see attached map for current boundary)

This option has an advantage because it distributes the responsibility of road improvements to other properties in addition to the ones noted on the map.

Disadvantage is potential legal problems and how to assess the mines. Legal issues regarding involuntary expansion of CRSA would need to be reviewed. Questions of which properties should be included must be addressed.

2. Evaluate commercial mine impact fee

Currently, commercial mines only pay impact fees on actual buildings, if any. An impact fee option was researched in 2001 but not adopted due to legal concerns such as rational nexus. It should be noted that if an impact fee was adopted, fees would go into the impact fee district; not the CRSA fund.

3. Status Quo

Impact Fees would be paid on building square footage only. CRSA would cover existing areas on map.

06 AUG -2 PM 4:14

4. FINANCIAL IMPACTS/FUNDING SOURCE

Impacts vary depending on option chosen.

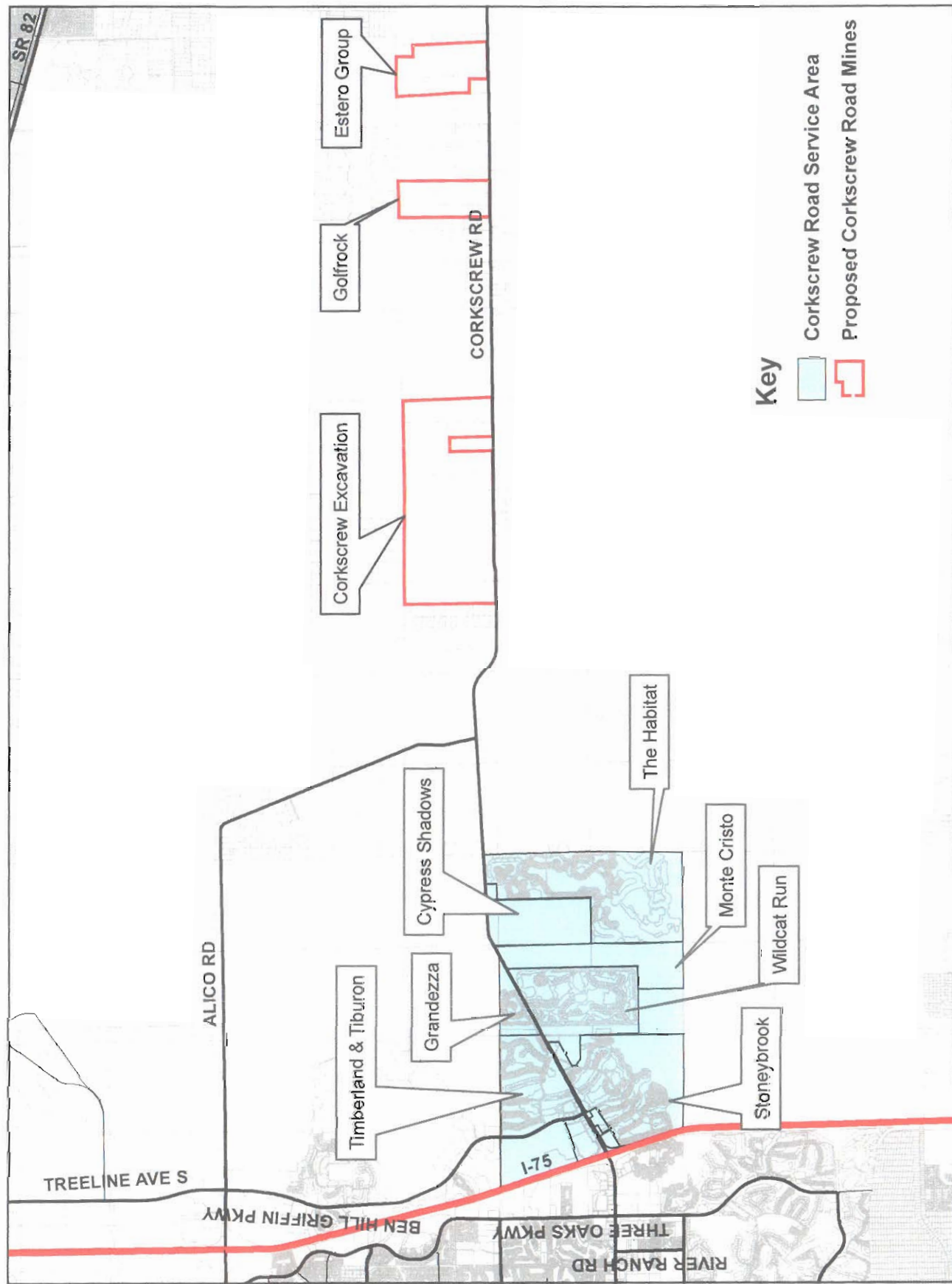
5. STAFF RECOMMENDATIONS, AND JUSTIFICATION FOR RECOMMENDATIONS

Option 2. Roads impact fees are now being updated so a mining fee could be evaluated.

6. MANDATED? Y N BY WHAT AUTHORITY?

DEPARTMENT DIRECTOR SIGNATURE	COUNTY ADMINISTRATOR SIGNATURE	MEETING DATE	TIME REQUIRED
Mary Gibbs	Holley Sanway	8/14/06	10 minutes

CRSA & Proposed Mining Operations



15 years ago was the result of an evaluation of county-wide growth and resources and what was needed. Mr. Daltry then reviewed the maps, elaborating on the cause and effect of resources versus growth. Commissioner Hall concurred with Commissioner Albion that the study clearly states it is a mapping of resources to help make better land use decisions and when it comes to conclusions there is no "wow, we need to rush out and do this". It was agreed that the peer review group, the Corps of Engineers, the South Florida Water Management District, the United States Geological Survey Center and the National Resources Conservation Service would be invited to attend the briefing at the September Management and Planning (M&P) meeting.

INCLUSION IN THE ETDM REVIEW PROCESS - Commissioner Judah stated that, at the Metropolitan Planning Organization (MPO) last week, there was discussion for an Efficient Transportation Decision Making (ETDM) Process requirement by the Florida Department of Transportation (FDOT), in their interchange justification study; that they move forward with the interchange at Coconut Road and I-75; and that the ETDM review process only includes one local organization, the City of Jacksonville, Florida. He stated that given the importance of the impacts to the surrounding lands in the vicinity of this proposed interchange, the MPO felt this was important, but Lee County needs to actually make a request to the FDOT that Lee County be included in the ETDM process and to be considered an agency along with other agencies to review and provide input. Commissioner Judah moved that Lee County be included in the ETDM review process, and that a letter be sent to the FDOT, seconded by Commissioner Janes. Division of Transportation Director Scott M. Gilbertson stated if Lee County becomes a party of interest and are a participating party, there are a number of obligations that need to be reviewed for full consideration. Commissioner Hall asked Mr. Gilbertson to Blue Sheet this item as a walk-on Tuesday to see the full scope of what needs to be done. Commissioner Judah withdrew his motion, and deferred any action to next week.

POSSIBLE ENVIRONMENTAL IMPACTS ASSOCIATED WITH COCONUT/I-75 INTERCHANGE - Commissioner Judah advised that the Metropolitan Planning Organization (MPO) again discussed the need for Lee County Commission to pursue a more in-depth analysis of the environmental impacts within the DR/GR lands east of the proposed interchange; and noted that the current DR/GR report only contains ground water resources and mining analysis and does not include the impacts to wetlands, endangered wildlife and wildlife habitat. Commissioner Albion pointed out that the National Environmental Protection Act (NEPA) is considered the toughest process at any level of road building, and expressed concern with redundancy. Commissioner Hall questioned what environmental studies were done for CR 951 or Del Prado expansions which run along environmentally sensitive lands; and expressed frustration as to what to expect if these lands are not carefully scrutinized. Division of Transportation Director Scott M. Gilbertson agreed that the NEPA reviews impacts for all environmental lands. Discussion ensued on the following: what constitutes some roads to go through environmentally sensitive lands; how this interchange has any resemblances to the Del Prado Extension; when looking at routes, alternatives must be looked at; what is being done differently now that didn't raise concerns before; that focus would be on the trip and spacing between interchanges instead of the impacts; and why the rush for the Coconut Interchange unless it's a benefit for Florida Gulf Coast University and its developers. Referring to a memorandum provided by Smart Growth Task Force Executive Director Wayne Daltry yesterday, Commissioner St. Cerny questioned if there was any reason at all for an additional study to be done. Mr. Daltry stated there was enough activity to cover the issues being raised in a comprehensive way; noted there are scientists involved in reviewing the impacts of the wetlands; and that identified species are being tracked. Commissioner St. Cerny stressed that if there is going to be continual discussions on these items, they should be brought forth as Agenda Items for public comment and input; and Commissioner Judah strongly concurred with the importance to provide the opportunity for the public to express/address these issues. Commissioner Janes stated that he was not in favor of spending large amounts of money for another study, and that there is enough information out there to make the wise decisions that are needed. The Board concurred that this would be brought back on Blue Sheet.

BILLBOARD LEGISLATION - Commissioner Judah stressed that the letter opposing the Outdoor Advertising Sign Bill be sent out today. Commissioner Albion noted that he had hoped for stronger language concerning the State's decisions made concerning land purchases on a value basis, and that the public sector be treated no lesser than the private sector. Commissioner Hall stated that Assistant County Manager Holly Schwartz would strengthen that language. Commissioner Judah moved approval, seconded by Commissioner Albion, called and carried.

CORKSCREW ROAD SERVICE AREA (CRSA) - Commissioner Judah reminded the Board that the CRSA has agreed to take the responsibility of making the necessary improvements to Corkscrew Road from Ben Hill Griffith Road to Bella Terra; and that the Board agreed it was the appropriate decision and the intention when CRSA was set up. He noted that it should be recognized that once the road is widened it will be impacted by the mining activities and trucks; and requested that Administration look at ways to defray the costs, either through penalties of overweight vehicles or an assessment/impact fee to the mining operators. He further noted that residents should not be expected to pay the total costs. The Board concurred to bring this issue back for discussion in August.

SUNSHINE LAWS - In response to Commissioner Hall's comments regarding the Sunshine obligation as Metropolitan Planning Organization members, and questioned whether the law applies to discussions

5/23/06 BCC Meeting

Item #2

MANAGEMENT & PLANNING COMMITTEE
AGENDA REQUEST FORM
COMMISSION DISTRICT # CW

INITIATED BY: Mary Gibbs
Director, Community Development

REQUESTED BY: Board of County Commissioners

TITLE OF ITEM FOR THE AGENDA

Concurrency and Level of Service Issues in Rezoning Cases

1. DESCRIPTION AND OBJECTIVE OF THE ISSUE

Level of Service and Concurrency issues have arisen at recent zoning hearings and again at the BCC meeting on June 20, when the annual concurrency report was adopted. The BCC requested this item be scheduled for discussion.

2. PROPOSED POLICY, PROCEDURE OR PLAN OF ACTION

Determine whether changes are needed in the procedure staff uses to review rezonings and development orders. The current procedure is to evaluate concurrency for roads, water, sewer and other issues when the development order is submitted, not at the rezoning stage. A summary of the current review process for transportation is attached. (See memo)

3. OPTIONS (List Advantages/Disadvantages of Each Option Listed)

1. Continue to review for concurrency during the development order review process.
Advantage – Development Order applications contain the actual uses, resulting in an accurate analysis.
2. Review concurrency during the rezoning process.
Disadvantage – The actual uses may not be known at rezoning time; road LOS can fluctuate prior to actual development order submittal; LOS could be inaccurate.
3. Adopt amendments to Concurrency (LDC Chapter 2) Ordinance with language that would allow BCC to deny projects at rezoning stage if insufficient capacity (sewer, etc.) exists. New state legislation has necessitated other changes to the ordinance, tentatively scheduled for public hearings in October and November.

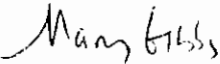

4. FINANCIAL IMPACTS/FUNDING SOURCE

Depends on option chosen

5. STAFF RECOMMENDATIONS, AND JUSTIFICATION FOR RECOMMENDATIONS

Options 1 & 3. Depending on option chosen, changes to the administrative Code (13-17) on traffic impact statements may also be necessary.

6. MANDATED? Y N BY WHAT AUTHORITY?

DEPARTMENT DIRECTOR SIGNATURE	COUNTY ADMINISTRATOR SIGNATURE	MEETING DATE	TIME REQUIRED
		8/14/06	10 minutes

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: July 27, 2006

To: Board of County Commissioners

FROM: 

Peter J. Eckenrode
Director

RE: ZONING TRAFFIC IMPACT STATEMENT REVIEW PROCESS

This memo will provide a general overview of the traffic review process for Planned Development rezoning cases. Suggested revisions to the process will be provided.

Current Review Process

- Current zoning traffic impact statement guidelines were prepared by Lee County DOT in consultation with Development Services and were adopted by the BOCC in April 1992 as Administrative Code 13-17. This document has not been modified since that date.
- Stated purpose of the guidelines is to evaluate general traffic impacts that would be created through a proposed rezoning. It is not intended to be applicable for either development order or concurrency approval.
- Applicants are required to prepare and submit a Traffic Impact Statement (T.I.S.) as a part of the zoning application in accordance with requirements of AC 13-17.
- Submittal requirements and level of service analysis are based upon number of new peak hour trips to be generated by the project.
 - Projects contributing 100 peak hour trips or less require general information such as access location, trip generation rates, directional splits and projected build-out date.
 - Projects contributing more than 100 peak hour trips require the information

Memo to BCC from Pete Eckenrode
RE: ZTIS Review Process
July 27, 2006
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noted above as well as a level of service (LOS) analysis for all collector/arterial links and intersections within the project's area of influence.

- The level of service analysis is performed on the existing condition of the road and the future condition at project build-out, both with and without project traffic being added.

- In the event project traffic results in the LOS falling below the adopted minimum, the analysis is required to identify improvements required to offset or mitigate project impacts.

Zoning and DO Differences

There are two differences between the TIS guidelines for zoning and development orders:

1. The development order TIS requires evaluation of the need for site related improvements such as turn lanes and access point signalization. The zoning TIS does not.
2. There are two different tables used to measure roadway capacity. The zoning TIS level of service analysis references the 1990 Lee Plan Generalized Peak Hour Service Volume tables for purposes of determining roadway capacities while the DO TIS utilizes the link specific volume capacities as provided in the annual Concurrency Report. In practice, the concurrency link specific tables are used in zoning cases where the projected build-out is 5 years or less. The zoning TIS guidelines should be modified to require their use under this circumstance as the projections are more accurate.

Recommendations for Revisions to Zoning TIS Guidelines

- For projects having a projected buildout of 5 years or less, use the link specific volume tables presented in the Concurrency Report for the background traffic estimation and LOS capacities.
- For projects having a buildout greater than 5 years, require the use of the link tables as noted above for an initial 5 year LOS analysis and then perform a second analysis from 5 years to buildout using the Lee Plan Generalized Volume Tables. Require a methodology meeting with staff.

Memo to BCC from Pete Eckenrode
RE: ZTIS Review Process
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- Delete the requirement to provide intersection/signal analysis and defer to local DO
- If a LOS problem is identified on a link, require identification of the limits of project development that can occur within approved LOS capacity.
- Make revisions as required to update traffic engineering technical references.

In conclusion, it is important to recognize that the information contained in the zoning TIS is general in nature and LOS projections, particularly those that go beyond a 5 year window are subject to significant change. Projects that are approved for zoning must still obtain development orders and concurrency approval before construction can commence. A much more detailed traffic analysis is performed at this stage which provide for roadway and intersection improvements as required to maintain adopted levels of service. If adopted levels of service cannot be maintained, concurrency approval and consequently building permits will be granted only for that portion of the project where the level of service can be maintained regardless of the intensity of development approved in the zoning resolution.

cc: Mary Gibbs, Director, Dept. of Community Development
Dave Loveland, LDOT Planning
Pam Houck, Zoning Director

Item #3

MANAGEMENT & PLANNING COMMITTEE
AGENDA REQUEST FORM
COMMISSION DISTRICT # CW

INITIATED BY: Mary Gibbs
Director, Community Development

REQUESTED BY: Board of County Commissioners

05 JUL 2006 PM 2:10
COUNTY CLERK'S OFFICE

TITLE OF ITEM FOR THE AGENDA Wildfire Issue

1. DESCRIPTION AND OBJECTIVE OF THE ISSUE

Based on recent wildfires in Lehigh, Commissioner Albion requested a review of wildfire mitigation options (see attached minutes from 5/9/2006 BCC meeting).

The impacts of wildfires within Lee County are increasing as the population continues to grow and development spreads into areas that have been historically rural in nature. A survey of existing wildfire mitigation strategies in other areas of the state is attached. The survey indicates that very few areas in Florida have regulations addressing this issue. The two basic methods of mitigating wildfire danger are through education/public outreach and the managed reduction of fuel sources.

(See attachment)

2. PROPOSED POLICY, PROCEDURE OR PLAN OF ACTION

Determine whether changes are needed to land development regulations and/or lot mowing ordinance. Several options are listed below.

3. OPTIONS (List Advantages/Disadvantages of Each Option Listed)

1. Combination of Homeowner Education and managed reduction of fuel sources (prescribed burns by Division of Forestry);
2. Regulatory changes to mitigate wildfire impacts (Comprehensive Plan and/or LDC Amendments);
3. Lot clearing – (see attached – costs to clear \$7,000 - \$8,000 per lot);
4. Continue to participate in group that is working on a community wildfire protection plan.

4. FINANCIAL IMPACTS/FUNDING SOURCE

Depends on option taken

5. STAFF RECOMMENDATIONS, AND JUSTIFICATION FOR RECOMMENDATIONS

Option 1

6. MANDATED? Y N BY WHAT AUTHORITY?

DEPARTMENT DIRECTOR SIGNATURE	COUNTY ADMINISTRATOR SIGNATURE	MEETING DATE	TIME REQUIRED
<i>Mary Gibbs</i>	<i>Wally Schwager</i>	8/14/2006	10 minutes

W/12/16 Issue
5/9/06
BCC

Continued extreme dry climatic conditions have resulted in a sharp increase in residential irrigation, stretching the water resources of Lee County to their limits. To protect the resources, Lee County needs to take swift action in increasing its enforcement of Lee County Ordinance No. 05-10 to limit landscape irrigation to two days per week. (#20060573 - Utilities)

Commissioner Judah moved approval, seconded by Commissioner St. Cerny. Commissioner Judah suggested having Acting Utilities Director Ivan Velez explain the need for the increased enforcement and water conservation. Mr. Velez stressed the need to increase enforcement was due to extremely low aquifers; and pointed out that last week, one community alone had 120 residents irrigating during the day. South Florida Water Management District (SFWMD) representative Kurt Harclerode offered full support for beefing up the current ordinance; and, in response to Commissioner Judah's request to specific days and times, Mr. Harclerode explained the following:

- Lee County allows watering two days per week for Unincorporated Lee County
- The SFWMD allows watering three days per week
- The Town of Fort Myers Beach falls under the SFWMD because no local ordinance has been implemented
- The City of Cape Coral currently allows watering two days per week, and will be requesting the Council to vote on allowing watering one day per week

At the request of Commissioner Judah, Mr. Harclerode noted that none of the County's or Municipalities on the East Coast have adopted ordinances for mandatory water restrictions, and pointed out that several possibilities are now in the rule making process by SFWMD. Mr. Velez stated that the first violation would be a \$25.00 fine, the second \$100.00, and the third \$500.00 and/or imprisonment. Commissioner Albion made a motion to send a letter to SFWMD representative Aliee Carlson to review mandatory water restrictions and bring SFWMD into compliance with the local Ordinance of the Board, seconded by Commissioner Judah, called and carried with Commissioner Janes absent. The main motion was called and carried with Commissioner Janes absent.

WALK-ON ITEM NO. 3

ACTION REQUESTED:

Approve the resolution authorizing the closure of certain segments of the following public roadways in San Carlos Estates under Florida Statutes Section 336.09 - Rodger Rodger Drive, Whip-O-Will Drive, Coek Robin Drive, Sunny Drive, Melane Drive and Bonita Bill Street

WHY ACTION IS NECESSARY:

Closes the segments of roadways within the parcels acquired for the Southern Extension of Three Oaks Parkway.

WHAT ACTION ACCOMPLISHES:

Recommend approval.

REASON FOR WALK-ON:

To close roadways in San Carlos Estates as soon as possible to facilitate the construction of the Southern Extension of Three Oaks Parkway. (#20060592 - Transportation)

Commissioner Judah moved approval, seconded by Commissioner Albion for discussion. Commissioner Albion agreed that this portion of Three Oaks Parkway needs to be done, and expressed the need to make sure good signage is in place to inform the residents when the roadway will be shut done and what alternative routes to take. Division of Transportation Director Scott M. Gilbertson confirmed that there would be signs in place, explained this was the tail end of existing roads acquired by the County that are no longer needed and would be incorporated into the overall road corridor project. Commissioner Judah concurred with Commissioner Albion, and thanked several employees who helped put this project together. The motion was called and carried with Commissioner Janes absent.

RESOLUTION NO. 06-05-16

COMMISSIONER ITEMS

OVERGROWTH ON VACANT LOTS/FIRE HAZARD - Commissioner Albion expressed concern with recent brush fires in Lehigh Acres, and the possibility of intermittent vacant lots providing a conduit for fires because of overgrowth and lack of maintenance. He requested that staff look into tougher requirements in Land Development Code (LDC) for vacant lots in urban areas of the County. Commissioner Judah stated he had no objection to changes in the LDC, but also did not want to encourage wanton clearing/removal of all vegetation. After noting the decline in the groundwater levels in Lehigh Acres, he suggested pursuing the acquisition of the Florida Governmental Utility Authority (FGUA); and stated bringing in regional sewers and raising ground levels up to where they need to be should be part of the equation. In response to Commissioner Hall's request for conformation that acquisition of the FGUA was an ongoing issue to assess the timeliness of acquiring it, Public Works Director Jim Lavender replied that it is continually being analyzed and would be coming back to the Board at the June Management and Planning (M&P) with a full menu of options. He further noted that changes in the FGUA that also affect the

BCC Minutes

5-9-06

*Copy
Buck Stewart*

AMERICAN TRACTOR SERVICE, LLC

Commercial Mowing, Lots, Acreage, Clearing & Grading

5351 Jackson Road, Ft. Myers, FL 33905

Phone/fax 239-694-8901

Cell 239-229-3748

Options for reducing fire danger in Lehigh:

Complete clearing of lots; requires large equipment such as excavators or front-end loaders. Permits, wetland determinations, etc. will be necessary.
Estimated cost \$7-8,000.00 per lot including debris removal.

Clearing of brush only, no mature trees; can be done with moderate equipment such as a skid steer loader. Permits, wetland determinations, etc. will still be necessary.
Estimated cost \$4-5,000.00 per lot including debris removal.

Grinding vegetation with a "Hydro-Ax"; removes only what is above ground, no roots. Can handle palmettos, brush, and some trees. Leaves debris on site, lots will need to be mowed at least every 6 months thereafter to maintain.
Estimated cost \$1,500-2,000.00 per lot initially, \$80-100.00 per lot each mowing.

Roller Chopping, would require doing blocks or large areas at a time. Very effective in reducing the height and density of palmettos, also very effective against brush and small trees. Debris is crushed and stays on site. Brush can be mowed for maintenance after being chopped, palmettos should just be chopped again every 1-2 years.
Estimated cost \$5-700.00 per lot.

"Heavy" mowing, uses a heavy duty bush hog, 4wd tractor in a cage and mows through very thick, very heavy brush. Can only mow small palmettos, but can mow very large bushes and some trees. Leaves debris on site, lots will need to be mowed at least every 6 months thereafter to maintain.
Estimated cost \$3-400.00 per lot initially, \$80-100.00 per lot each maintenance mowing.

Bush hog mowing, can remove thick grasses and weeds, small to medium bushes, no palmettos. Leaves debris on site, lots should be mowed at least every 6 months to prevent excessive growth of bushes.

We currently mow for code enforcement for \$80.00 per lot.

Questions regarding any of the above should be directed to Eric Widener at 239-229-3746.

Prepared by: Cyndi Widener

RECEIVED
JUN 02 2006

COMMUNITY DEVELOPMENT

Wildfire Mitigation Strategies and Survey

Division of Planning staff researched and conducted a survey of several Florida local governments to determine strategies and practices for the mitigation of wildfire hazards. Staff found only a few of local governments that have specific provisions to address wildfires. Two counties, two municipalities and three state agencies had regulations, programs, or information intended to mitigate the occurrence of wildfires. The jurisdictions addressing this issue were: Collier and Alachua Counties; the City of Palm Coast and the City of North Port; the Florida Department of Community Affairs; and, the Florida Department of Agriculture and Consumer Services, Division of Forestry.

Fundamentally, there are two basic methods of mitigating wildfire dangers, education/public outreach and the managed reduction of fuel sources.

Education/Public Outreach

Education and outreach can be an effective deterrent to wildfires. There is available literature that can assist homeowners in understanding the wildfire threat and precautions that they can take to reduce the risk of wildfire. Some of the available literature includes:

- *Wildfire Risk Assessment Guide for Homeowners*, by the University of Florida;
- *Wildfire Mitigation in Florida, Land Use Planning Strategies and Best Development Practices*, prepared by the Florida Department of Community Affairs and Department of Agriculture and Consumer Services;
- *Wildlife Assessment Guide for Florida Homeowners*, by the Florida Department of Agriculture and Consumer Services, Division of Forestry;
- *Firewise in Southwest Florida*, by the Florida Department of Agriculture and Consumer Services, Division of Forestry; and,
- *Are you Firewise Florida*, by the Florida Department of Agriculture and Consumer Services, Division of Forestry.

County staff is working with the Florida Division of Forestry to establish a Community Wildfire Protection Plan. A federally recognized plan requires

adoption by the applicable local government, the local fire department, and the state forestry agency. Such a plan may:

- Establish opportunities for Lee County to influence how federal funds can be implemented in fuel reduction projects on federal lands and potentially non-federal lands;
- Establish a method of applying for National Fire Plan grants and other federal funds to assist in the reduction of wildfires.

Managed Reduction of Fuel Sources

Managed reduction of fuel sources can be achieved through a variety of methods. Fuel (vegetation) removal techniques that have proven useful include: prescribed burning; brush mowing/disking/chopping; herbicide treatment; tree thinning; livestock grazing; and, clearing.

Most prescribed burning efforts are done by governmental entities on publicly owned lands. Owners of large tracts of land also use prescribed burning to manage farm and ranch lands.

The Division of Forestry has a program to assist private citizens who are actively pursuing the removal of wildfire fuel sources from their property with prescribed burns. This program has extremely limited funding and has not been effective to date.

Physical removal of fuel sources is another option to address the wildfire hazard. This approach, while effective, can be extremely costly and difficult to achieve. Private ownership patterns and private property rights prevent the widespread removal of fuel sources.

Code enforcement action could be utilized to force the removal of fuel sources on private lands through regulations that identify this issue as a health, safety, and general welfare concern. Standards to reduce the wildfire threat, such as clearing, mowing, disk, or bush hogging of the understory, would have to be established. It also requires staffing to identify problem properties, notify property owners, and establish corrective actions the property owner will have to undertake. Non compliance would result in code enforcement actions.

Survey Results

- City of Palm Coast Florida (Ordinance 2001-11)
 - This ordinance established the responsibilities of the City to identify properties and inform property owners of the corrective actions to be taken and identifying these properties as public nuisances and potential sites for wildfires.
 - Providing process for identification of fire hazardous areas to be deemed an unlawful fire hazard and requiring the owner to remedy the problem.
 - Establishing a fire hazard areas as criminal act punishable by law (misdemeanor).
 - Establishing a review board and methodology to enact compliance by the general public.

- City of North Port, Sarasota County
 - Ordinance 86-206 established that buildup of underbrush thicker than 12 inches and growth beyond property boundaries is prohibited. Because of the number of absentee landowners, the City is authorized to conduct prescribed burns of privately owned areas.

- Collier County
 - Established text in LDC 2.03.08(A)(2)(b)(c)(iii)
 - Requires developers seeking additional density within the Rural Fringe Mixed Use (RFMU) to work with the Division of Forestry to establish a “Wildfire Mitigation and Prevention Plan”
 - Plan will address structural design, materials, setbacks, firebreaks, buffers, water features, and prescribed burns.
 - Comprehensive Plan amendments reflect changes to the LDC.

- Alachua County -Alachua County introduced comprehensive plan text and is in the process of adding regulatory language to their Land Development Regulations to establish requirements for all new development in what they refer to as wildland interface areas. The comprehensive plan text addresses:
 - Educating the public by
 - Maintaining and updating county directives through the comp plan
 - Including local mitigation strategies to address wildfire threats within the local emergency management operational plans
 - Requiring new development to have a “Wildfire Mitigation Plan” approved by Alachua County Fire and Rescue Department that includes
 - Landscape guidelines
 - Periodic inspections
 - Ancillary water storage facilities

**MANAGEMENT & PLANNING COMMITTEE
AGENDA REQUEST FORM
COMMISSION DISTRICT # 5**

INITIATED BY: Community Development and Smart Growth

REQUESTED BY: Commissioner Albion

TITLE OF ITEM FOR THE AGENDA: Discussion of the Community Planning Program in Lee County.

1. DESCRIPTION AND OBJECTIVE OF THE ISSUE

At the June 27 BoCC meeting, following a vote on the North Fort Myers request for community planning funds, Commissioner Albion asked for a general review of the community planning program at a Management and Planning meeting. That request came after a discussion about whether to continue using the standard funding approach that has been followed since the adoption of Administrative Code 13-3, or the hybrid method that the County is using for Lehigh Acres.

2. PROPOSED POLICY, PROCEDURE OR PLAN OF ACTION

See the attached summary of the Community Planning Program. The County has funded \$348,900 for the development of Community Plans to date.

3. OPTIONS (List Advantages/Disadvantages of Each Option Listed)

- a. Continue to follow the standard approach the County has been using to fund community planning initiatives outlined in Administrative Code 13-3.
- b. Use hybrid approach in selected areas. County staff would identify those areas and bring to the BCC on a case by case basis, based upon criteria such as need, transportation or utility impacts, redevelopment issues, etc.

4. FINANCIAL IMPACTS/FUNDING SOURCE

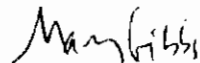

Option "a" provides up to \$50,000 for the development of a community plan and up to an additional \$50,000 for the development of land development regulations. Community panels may update community plans and land development regulations after five years. The County may authorize a grant of up to \$50,000 to defray the cost of the update.

Under Option "b", funding would be determined on a case by case basis.

5. STAFF RECOMMENDATIONS, AND JUSTIFICATION FOR RECOMMENDATIONS

Option "b"

6. MANDATED? Y N BY WHAT AUTHORITY?

DEPARTMENT DIRECTOR SIGNATURE	COUNTY ADMINISTRATOR SIGNATURE	MEETING DATE	TIME REQUIRED
		August 14, 2006	10 minutes

Community Planning Activities in Lee County

Prepared by Division of Planning

July 31, 2006

Background

With limited assistance from county staff, several communities established community plans for their areas in the late 1980's and 1990's. These included Bonita Springs, Fort Myers Beach, Greater Pine Island, Buckingham and Alva (first community plan). In response to additional communities expressing an interest in pursuing the creation of community plans to guide growth and development in their communities, staff was asked to evaluate alternatives for a community planning program. At a Management and Planning meeting in the summer of 2000, staff provided the Board with three options to increase the county's involvement in these planning studies. The Board decided to establish a grant fund to provide for partial monetary support for community planning efforts. The BoCC stressed that the community planning process should be a grass roots planning effort. The Board emphasized that there should be financial participation from the community to ensure their commitment to the process.

In the spring of 2001, the Board of County Commissioners authorized the addition of a community planning staff position to assist communities in the development and implementation of community plans. Shortly thereafter the Board adopted Administrative Code (AC) 13-3, Administrative Procedures Governing Community Planning Efforts Receiving Financial Support from the BoCC. The BoCC amended AC 13-3 in June, 2005 to increase the funding available to community panels for developing community plans and made funding available for developing implementing regulations and for five year updates to community plans. Since the initial adoption of AC 13-3, all communities receiving funding from the County to assist in the development of their community plans have followed the requirements of the Administrative Code.

Recent Community Planning Efforts

Since the addition of the community planning staff position, planning staff has assisted the following communities in developing community plans:

- Bayshore*
 - Estero*
 - Pine Island*
 - Captiva*
 - Caloosahatchee Shores*
 - Alva (second community plan)
 - Palm Beach Boulevard
 - Boca Grande*
- * Community plans resulting in amendments to the Lee Plan

Planning staff is working with the following communities that have recently begun the community planning process:

- Page Park
- Lehigh Acres
- North Ft. Myers

Planning staff has assisted the communities of Estero and Pine Island in developing land development regulations to implement their plans. Regulations for Estero have been adopted and staff will continue to assist Pine Island with the incorporation of their proposed regulations into the County's code. The Board has approved funding for Boca Grande and Captiva to begin work on LDC amendments to implement the Lee Plan amendments adopted by the BoCC. Palm Beach Boulevard and Caloosahatchee Shores submitted a request for funding to the County to begin work on developing land development regulations for their communities on July 10, 2006. Staff will schedule that request for BoCC consideration following this M&P meeting.

The Board of County Commissioners has provided public funding to several community planning efforts over the past years. The following table summarizes the funding amounts, the dates those funds were made available, and the consultants who assisted the communities with their planning efforts.

Community	Funding Amount	Date Funded	Consultant
Pine Island Community Plan	\$ 5,000.00 \$20,000.00 (LDC)	December 4, 2001 June 4, 2003	Spikowski and Associates
Alva	\$25,000.00	Sept. 25, 2001	Carol Cunningham
Palm Beach Boulevard	\$25,000.00	December 11, 2001	Vanasse Daylor
Caloosahatchee Shores	\$25,000.00	December 11, 2001	Vanasse Daylor
Captiva	\$25,000.00 \$25,000.00 (LDC)	Jan. 8, 2002 April 28, 2006	Morris Depew Gooderham & Assoc.
Estero	\$25,000.00 (LDC)	Feb. 26, 2002	Vanasse Daylor
Boca Grande	\$25,000.00 \$50,000.00 (LDC)	Dec. 21, 2004 April 12, 2006	Morris Depew Morris Depew
Page Park	\$48,900.00	Sept. 23, 2005	DRMP
North Fort Myers	\$50,000.00	Board Authorized on June 27, 2006	To be determined
Lehigh Acres	To be determined	To be determined	Contract negotiations with WRT underway

Total funding committed: \$348,900.00

Total expenditures to date: \$223,663.48

Future Community Planning Efforts

With the exception of Lehigh Acres and North Fort Myers, all of the above communities have interviewed, selected, and retained their own planning consultants. The County has provided partial funding of the planning efforts through agreements with the legal entity representing the planning panels. The community planning agreements require planning panels to follow the guidelines of Administrative Code 13-3.

The current approach has worked well in past situations but certain areas such as Lehigh Acres and North Fort Myers have larger problems that need to be addressed. These areas may require an effort that goes beyond the provisions of AC 13-3. Some communities may not have the resources, or may have specific transportation (for example, changes resulting from a major public works initiative), or utility or redevelopment issues that need to be addressed to prevent further decline. These communities can be identified by staff for the new “hybrid” approach.

The growth or redevelopment of these areas is of such importance that they are recognized by the County as requiring focused action, that on a case by case basis Staff bring to the Board for consideration a planning action for such areas.

**MANAGEMENT & PLANNING COMMITTEE
AGENDA REQUEST FORM**

PRESENTED BY:
Karen Hawes/Ann Arnall

REQUESTED BY:
Karen Hawes

TITLE OF ITEM FOR THE AGENDA:
Review criteria for Partnering for Results Process

1. DESCRIPTION AND OBJECTIVE OF THE ISSUE

Review previously established criteria (attached) used to determine if a not-for-profit agency is eligible to submit a proposal for funding under the Partnering for Results competitive funding process. Receive feedback from the Board of County Commissioners on the criteria to be used by the Ad Hoc Committee that will review the Partnering for Results process and make recommendations.

2. PROPOSE POLICY, PROCEDURE OR PLAN OF ACTION

On June 12, 2006 a memorandum from Karen Hawes was sent to the Board of County Commissioners indicating that Human Services would assemble an Ad Hoc Committee to review the Partnering for Results process (Attachment 1). This committee will meet in August and September and subsequently make recommendations to the Board of County Commissioners for the 2006-2007 fiscal year Partnering for Results process. Prior to the committee meeting, staff is requesting direction from the Board to establish the minimal criteria to be used for the Partnering for Results process.

3. OPTIONS (List Advantages/Disadvantages of Each Option Listed)

See attached list of minimal criteria (Attachment 2). Removing such requirements would lessen the established safeguards and require additional monitoring and technical assistance on the part of county staff.

4. FINANCIAL IMPACTS/FUNDING SOURCE

Lessening bidder requirements could result in the need for additional staff to handle increased technical assistance and monitoring.

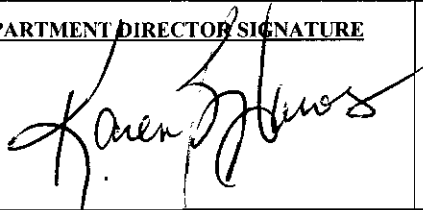
5. STAFF RECOMMENDATIONS, AND JUSTIFICATION FOR RECOMMENDATIONS

Maintain the existing criteria.

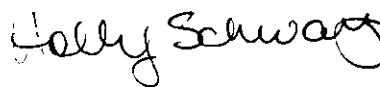
6. Mandated: Y N

BY WHAT AUTHORITY?

DEPARTMENT DIRECTOR SIGNATURE



COUNTY MANAGER SIGNATURE



MEETING DATE

~~8/7/06~~
8/14/06

TIME REQUIRED

20 minutes

**MEMORANDUM
FROM THE
COUNTY MANAGER'S OFFICE**

To: Board of County Commissioners
Districts 1, 2, 3, 4 and 5

Date: June 12, 2006

From: Karen Hawes *HB* *KA*
Human Services Director

RE: Partnering for Results Review Process

We are aware that there are some questions about the Human Services Partnering for Results (PFR) review process so DHS staff is taking steps to form a procedural review committee to review the process. This committee will consist of three members assigned by the Human Services Council, the Multicultural Affairs Advisory Committee and the Partnering for Results Review Panel. The Clerk's Audit staff and Budget Services Grants Analyst will also participate in the review panel process. The recommendations from this PFR Procedural Review Committee will be considered for the 2007-2008 fiscal year since the FY 2006-2007 recommendations have already been reviewed and recommended by the current Partnering for Results Review panel.

Thank you.

Cc: Donald D. Stilwell, County Manager
Tony Majul, Budget Services Director
Ann Arnall, Deputy Human Services Director
Paul Valenti, EEO Manager
Andrea Fraser, Chief Assistant County Attorney
Chuck Short, Internal Audit Director
Human Services Council
Multicultural Affairs Advisory Committee
Partnering for Results Review Panel

ATTACHMENT 2

Partnering For Results Process

Minimal Criteria

Organization must have:

- 501 (c) 3 status
- One year of operational experience
- An independent financial audit
- Service must be based on a unit rate
- Provide measurable outcomes for service delivered
- Outcomes must support the following areas:
 - Supportive Housing/Living
 - Economic Opportunity
 - Activities for Youth
 - Basic Assistance
- Agency must provide direct services to clients
- Services must benefit residents of Lee County
- Minimum proposal amount \$15,000
- Maximum agency award 15% of total funds
- Agency must receive cash to support the program from sources other than Lee County
- Proposal must be submitted by advertised deadline date – no exceptions

PARTNERING FOR RESULTS

Ineligible Requests for Funding

- 1. Medical education or services**
- 2. Construction or purchase of capital equipment**
- 3. Programs requiring religious participation**
- 4. Educational or extra curricular activities that operate during the school day**

**MANAGEMENT & PLANNING COMMITTEE
AGENDA REQUEST FORM
COMMISSION DISTRICT #**

PRESENTED BY:

Steven L. Myers, Director, Transit Division
Joel Rey, Tindale Oliver and Assoc., LeeTran Consultants

REQUESTED BY:**TITLE OF ITEM FOR THE AGENDA:**

2006 Major Update to the Transit Development Plan

1. DESCRIPTION AND OBJECTIVE OF THE ISSUE

Transit staff along with the consulting firm Tindale Oliver and Associates has recently completed a major update to the County's Transit Development Plan. (TDP) The TDP is a strategic plan to guide transit staff in planning services over the next 10 years. The objective of the plan is to provide a 10-year window of transit and mobility needs, cost and revenue projections, and community transit goals, objectives, and initiatives. An additional objective to this update is to establish a "New Service Implementation Guide" to establish a set methodology for the coordination and implementation of new transit service within municipalities given the current "Pay As You Go" philosophy. A second additional feature of this TDP is the establishment of a "Performance Monitoring Program" to assist staff in better tracking of route performance, efficiency and effectiveness of LeeTran's routes and services.

2. PROPOSE POLICY, PROCEDURE OR PLAN OF ACTION

Florida Statutes (Sections 341.052 and 341.071) mandate the preparation of a TDP for all transit systems that receive Block Grants from the State of Florida in order to remain eligible for the grant funds.

3. OPTIONS (List Advantages/Disadvantages of Each Option Listed)

Advantage -- An adopted TDP establishes a basis for coordination among transportation planning efforts by stating priorities for the transit agency as well as levels the playing field for transit and highway projects in metropolitan areas. Finally, the TDP provides clear justification for funding requests and identifies a vision for the near-term future direction of the transit division.

Disadvantage -- Without the adoption of the TDP the County will no longer be eligible for Block Grant Funding from the State. Additionally, without the "Performance Monitoring Program" transit staff will continue evaluating route performance annually, with system planning revolving around the budget process. The Board may elect to review the TDP and adopt the plan at a later date.

4. FINANCIAL IMPACTS/FUNDING SOURCE

Both state and federal agencies require adoption of the TDP. Failure to adopt the TDP will result in a loss of funding.

5. STAFF RECOMMENDATIONS, AND JUSTIFICATION FOR RECOMMENDATIONS

Staff recommends adoption of the TDP at the August 29, 2006 BoCC meeting.

6. Mandated: Y N

BY WHAT AUTHORITY?

DEPARTMENT DIRECTOR SIGNATURE

SLM
Steven Myers

COUNTY MANAGER SIGNATURE

Wally Schwab

MEETING DATE

8/14/06

TIME REQUIRED

20 minutes