

<b>Blue Sheet No. 20150104</b>	<b>Lee County Board Of County Commissioners Agenda Item Report Meeting Date: 3/17/2015</b>	<b>Item No. 9</b>
------------------------------------	--	-------------------

**TITLE:**  
Greater Pine Island Land Development Code and Comprehensive Plan Amendments.

**ACTION REQUESTED:**  
Direct County Staff, including the County Attorney's Office, outside legal counsel and expert consultants to review the current LDC and Lee Plan and bring forward proposed amendments that would limit potential liability from current and anticipated land use and property rights cases brought by Pine Island landowners while working to preserve the unique coastal rural character of the Pine Island community, acknowledging that limited infrastructure exists to support new development, and acknowledging evacuation constraints.

**FUNDING:**  
Outside Legal and Consultant fees will be paid Account String GC5133857700.504540  
  
N/A  
  
N/A

**WHAT ACTION ACCOMPLISHES:**  
The action provides County Staff and outside consultants with direction to proceed drafting proposed changes to the LDC and Lee Plan. The Action does not include any specific direction on the actual changes to be made at this time. In approximately 30 days, the initial proposed LDC and Lee Plan Amendments will be presented to the BoCC for additional direction to move forward through the public hearing process.

**MANAGEMENT RECOMMENDATION:**  
Approve

<b>Requirement/Purpose: (specify)</b>	<b>Request Initiated</b>
<input checked="" type="checkbox"/> Statute            125.66(2)(a), F.S.	<b>Commissioner:</b>
<input checked="" type="checkbox"/> Ordinance            LDC	<b>Department:</b> COUNTY ATTORNEY
<input type="checkbox"/> Admin Code	<b>Division:</b> No Divisions
<input type="checkbox"/> Other	<b>By:</b> Michael Jacob

**Background:**  
On February 17, 2015, during the Board's Workshop meeting, the County Attorney's office, including its outside legal counsel and Planning consultant, presented detailed analysis concerning the status of the County's current Pine Island litigation. During that meeting, the County Attorney's office recommended moving forward with preparing Land Development Code and Lee Plan amendments to revise the current regulations in a manner that will protect the unique character of Pine Island, while limiting the County's liability resulting from the creation of the Coastal Rural category and corresponding development regulations. In order to proceed, the County Attorney's office is seeking formal direction from the Board to move forward with drafting necessary regulations.

Once the initial draft of the proposed Amendment is completed, the County Attorney's office will bring

<b>Required Review:</b>					
<b>Richard Wm. Wesch</b>	<b>Anne Henkel</b>	<b>Peter Winton</b>	<b>Peter Winton</b>		
COUNTY ATTORNEY	Budget Analyst	Budget Services	County Manager		

those specific changes to the Board for direction to move forward with the full public hearing process with input from County Staff, members of the public, and other interested parties. Following the public hearings, County Staff will bring forward final Amendments for transmittal and adoption. No specific direction regarding the proposed amendments is proposed as part of this blue sheet.