

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20050788

1. ACTION REQUESTED/PURPOSE: Adopt a Resolution extending the prohibition against accepting or processing any comprehensive plan amendments to the Density Reduction/Groundwater Resource Future Land Use Category until September 1, 2005.

2. WHAT ACTION ACCOMPLISHES: Prevents any amendments to the Density Reduction/Groundwater Resource Future Land Use Category until the Groundwater Resource and Mining Study can be peer reviewed and finalized.

3. MANAGEMENT RECOMMENDATION: Adopt the Resolution.

4. Departmental Category: 04 *A4a* **5. Meeting Date:** June 14, 2005

6. Agenda:		7. Requirement/Purpose: (specify)		8. Request Initiated:	
<input type="checkbox"/> Consent	<input type="checkbox"/> Statute			Commissioner	
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Ordinance			Department Community Development	
<input type="checkbox"/> Appeals	<input type="checkbox"/> Admin. Code			Division <i>Planting</i>	
<input type="checkbox"/> Public	<input checked="" type="checkbox"/> Other			By: <i>POC 06/02/05</i>	
<input type="checkbox"/> Walk-On				Paul O'Connor, Director	

9. Background: At the March 22, 2005 regular meeting, the Board directed staff not to accept or process any amendments to the Density Reduction/Groundwater Resource Future Land Use Category until June 30, 2005, in order to provide time for the ongoing Groundwater Resource and Mining Study to be finalized and properly review and acted upon by the staff. However, staff and peer review of the study has not been completed within the time frame that was assumed in March. Therefore, it is necessary to extend the existing prohibition against changes to the Density Reduction/Groundwater Resource Future Land Use Category in order to give the County sufficient time for staff and peer review following release of the study.

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>Mary Gibbs</i>	<i>NA</i>	<i>NA</i>	<i>NA</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

Rec. by CoAtty
Date: <i>6/14/05</i>
Time: <i>2:10</i>
Forwarded To: <i>[Signature]</i>

RECEIVED BY COUNTY ADMIN <i>[Signature]</i>
<i>6-2-05</i>
<i>2:10</i>
COUNTY ADMIN FORWARDED TO: <i>[Signature]</i>
<i>4/2/05</i>
<i>S: [Signature]</i>

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

WHEREAS, the County hired a consultant to perform a Groundwater and Mining Study of the lands in the County that are designated Density Reduction/Groundwater Resource in the Lee County Comprehensive Plan; and,

WHEREAS, release and peer review of this study is still ongoing and has not yet been completed as expected; and,

WHEREAS, the Board of County Commissioners has determined that it would be inappropriate and detrimental to the public health, safety, and welfare to consider any changes to the lands designated Density Reduction/Groundwater Resource until the ongoing study is complete and the County has had time to properly respond to the information revealed by the study; and,

WHEREAS, on March 22, 2005, the Board of County Commissioners directed the County staff not to accept or process any amendments to the Density Reduction/Groundwater Resource Future Land Use Category until the Groundwater and Mining Study is finalized; and,

WHEREAS, at that time, the Board of County Commissioners expected the study to be complete and analyzed by the County by the end of June 2005; and,

WHEREAS, staff and peer review of the study has not yet been completed and the County will, therefore, need a longer period of time to analyze and react to the information presented in the study, beyond the current June 30, 2005, deadline.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS that:

1. The County staff is hereby directed not to accept or process any amendments to the Density Reduction/Groundwater Resource Future Land Use Category until September 1, 2005; and,

2. This action is necessary in order to protect the public health, safety, and welfare by allowing the County appropriate time to review and react to the information to be provided by the ongoing Ground Water and Mining Study of the Density Reduction/Ground Water Resource area.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and, being put to a vote, the vote was as follows:

ROBERT P. JANES
DOUGLAS R. ST. CERNY
RAY JUDAH
TAMMY HALL
JOHN E. ALBION

DULY PASSED AND ADOPTED this __ day of _____ 2005.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Douglas R. St Cerny
Chairman

APPROVED AS TO FORM:

By: _____
Office of the County Attorney