

**CPA2005-00045
POLICY 113.3.1
BEACH AND DUNE MANAGEMENT PLANS
BoCC SPONSORED
AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

DCA Transmittal Document

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December 21, 2006

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2005-00045**

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

ORIGINAL STAFF REPORT PREPARATION DATE: September 18, 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 Policy 113.3.1 to update the beach and dune management program policy.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:

1. RECOMMENDATION: Planning staff recommends that the Board of County Commissioners transmit the proposed amendment to Policy 113.3.1.

The existing policy language is shown below, with modifications proposed by staff shown in strike through, underline format.

POLICY 113.3.1: The Division of Natural Resources Management, or successor agency, will be responsible for the beach and dune management program. This program will include:

1. Preparing beach and dune management plans, with priority to ~~the critical erosion areas designated by the Florida Department of Environmental Protection as critically eroded in the report entitled *Critically Eroded Beaches in Florida* (as updated April, 2006).~~
 - a. ~~south-central and southern portion of Gasparilla Island.~~
 - b. ~~northern North Captiva Island.~~
 - c. ~~all of Captiva Island.~~
 - d. ~~north end of Bonita Beach.~~
2. Coordinating with local municipalities and the Captiva Erosion Prevention District in preparing beach and dune management plans for Captiva Island.
3. Collecting information on available sources of beach-quality sand for renourishment, concentrating on areas which will have minimal impacts on the county's fisheries aquatic resources.
4. Preparing renourishment plans for eroding areas where public facilities and access exist, including ~~central-south Gasparilla Island, south end of Captiva Island, and northwest and central-south Estero Island~~ areas designated by the Florida Department of Environmental Protection as critically eroded in the report entitled *Critically Eroded Beaches in Florida* (as updated April, 2006).
5. Recommending regulations and policies to restrict hardened coastal engineering structures such as groin fields and seawalls, protect eroding coastal areas and sand dunes, and discourage development of undeveloped coastal barriers.
6. Maintaining a central clearinghouse for information on beach and dune studies and recommendations by both public and private organizations.
7. Educating citizens and developers about the costs and benefits of ~~alternative~~ beach and dune conservation approaches.
8. Preparing a sand ~~preservation~~ conservation plan that emphasizes the importance of maintaining beach quality sand within the littoral system and ~~discourages ocean dumping of usable sand from channel dredging.~~
9. ~~Lee County will continue~~ Continuing to participate in the Federal Shore Project as the local sponsor; ~~and it will also~~ coordinate beach renourishment activities, as appropriate, for the

Estero Island segment with the Town of Fort Myers Beach. (Amended by Ordinance No. 94-30, 98-09, 00-22)

10. Pursuing all available sources of funding, to specifically include state and federal funding, for implementation of beach and dune projects.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- 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.
- Other changes are editorial in nature or bring the language more in line with federal and state permitting and policy guidelines.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

Policy 113.3.1 was reviewed and discussed by staff and the Coastal Advisory Council (CAC). The CAC is a standing group of citizens with expertise on beach issues with a mission to advise the BOCC on items related to coastal beach and dune issues. In general it was agreed that specific references in the existing language were out of date and needed to be updated or broadened.

The dynamic nature of the shoreline dictates that areas of erosion will change. The state of Florida has an active and ongoing program to map critical erosion areas and changes to them over time. The DEP report is the best scientific data available and corresponds to the priority areas for beach and dune management needs.

Additionally, there have been changes in the governance of several project locations. It was necessary to expand the existing language to address the need for coordination with the municipal governments having jurisdiction over critical erosion areas. This increased need for coordination is also reflected in the complex funding scenarios for many of the ongoing projects. The CAC felt an additional point specifically about funding was warranted.

Other minor changes were editorial in nature or changes that will bring the language more in line with federal and state permitting and policy guidelines.

PART III - LOCAL PLANNING AGENCY

REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: September 25, 2006

A. LOCAL PLANNING AGENCY REVIEW

Staff explained that Policy 113.3.1 was identified through the Evaluation and Appraisal Report as needing to be updated. There were no questions or comments from the LPA.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

The LPA recommends that the BoCC transmit the proposed amendment.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The LPA accepted the findings as advanced by staff.

C. VOTE:

NOEL ANDRESS	AYE
DEREK BURR	AYE
RONALD INGE	AYE
CARLETON RYFFEL	AYE
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: This item was pulled from the consent agenda for discussion. One Board member asked that a requirement for every beach renourishment project to include a beach dune vegetation component be added to Policy 113.3.1. There was some discussion and the Board agreed to have staff draft language to require beach renourishment projects to include a beach dune vegetation component.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:** The Board voted unanimously to transmit this amendment along with a new number 11 in policy 113.3.1 addressing beach dune vegetation. Staff drafted the following language for transmittal:
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings as advanced by staff.

C. VOTE:

A. BRIAN BIGELOW	AYE
TAMMARA HALL	AYE
BOB JANES	AYE
RAY JUDAH	AYE
FRANKLIN B. MANN	AYE

As directed by the Board of County Commissioners, staff drafted the following language to be included in this amendment:

11. Where practical, require the installation of dune vegetation as a componenet of all County funded renourishment projects.

**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:

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

A. BRIAN BIGELOW

TAMMARA HALL

BOB JANES

RAY JUDAH

FRANKLIN B. MANN
