HENDRY COUNTY PLANNING & ZONING DEPARTMENT

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November 16, 2007

Mr. Mike McDaniel, Chief
Office of Comprehensive Planning
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32339

Subject: **Hendry County Evaluation and Appraisal Report**
Letter of Understanding - Identification of Major Issues

Dear Mr. McDaniel:

The purpose of this letter is to present Hendry County's proposed scope of work and list of major issues for its Evaluation and Appraisal Report (EAR). Hendry County's EAR of the existing Comprehensive Plan lays the groundwork for undertaking an all-inclusive update of the plan for the 2009-2030 planning period. The EAR offers a forthright evaluation and assessment of the current comprehensive plan by identifying its successes and shortcomings in guiding growth in Hendry County. Through this endeavor, Hendry County is able to monitor the changing conditions in the County and utilize this information to guide amendments to comprehensive plan.

The EAR process also provides the opportunity to identify and analyze major issues for the County that relate to the comprehensive plan and to propose actions to address them. Hendry County has utilized public input to identify the Major Issues to be included in the EAR through the Visioning process completed in 2006 and a Scoping Meeting held in September 2007. Based on these initiatives, Hendry County has identified the following Major Issues to be included as part of its Evaluation and Appraisal Report:

- **Utilities and Extension Areas/Urban Services Areas**
  - Planning residential development at a density to support building, expanding, and maintaining utility facilities;
  - Require density minimums, clustering, and smart growth features to achieve efficiency and rural resource protection
  - Having utilities in place before development occurs;
  - Providing utilities for industrial growth;
  - Promote green building standards and conservation efforts for water and energy; and

    - Discourage well, septic, and package plants as means of utilities for development.
- **Preservation of Viable Agricultural Lands**
    - Establish a Transfer of Development Rights, Transfer of Density Units or Rural Land Stewardship program with designated sending and receiving areas to protect wildlife habitat and preserve rural and agricultural areas;
    - The preservation program(s) should be applicable for large and small developments, one owner or many owners; and
    - Articulate clear goals to ensure the foundation for economic growth for the agricultural industry remains intact, as well as continued protection of the listed species of plant and animal life found on private agricultural lands.
- **Intergovernmental Coordination**
    - Increase regional consultation, cooperation, and utilize assistance of DCA in achieving regional natural resources, community planning, and economic goals;
    - More support and collaboration between all jurisdictions, including Hendry County, cities, and adjoining Counties, to solve problems and address issues as a region;
    - Balance what you want and what you can afford; and
    - Better use of technology to accurately project the service needs and provide public access to services.
- **Environmental Resource Protection**
    - Provisions must complement Florida panther and other listed species protection criteria;
    - Establish policies that will ensure compatibility between environmentally sensitive areas and residential subdivisions;
    - Watershed management planning, by basin, should be considered as a means to protect water quality, supply, and wetlands with their associated uplands; and
    - Stormwater and fertilizer issues that impact water quality should be addressed as well as implementation of Best Management Practices (BMP's) for urban areas.
- **Future Land Use Designations**
    - Determine if permitted densities are sufficient for each designation;
    - Establish appropriate incentives for density in development;
    - Provide analysis to determine which lands are suitable for development and which are suitable for preservation;
    - Provide most accurate population projections and analysis to determine development areas and densities;
    - Designate all Public and Conservation land as Conservation in order to ensure the lands are protected;
    - Evaluate the definition of mining and strengthened the mining regulations;

    - Address non-conforming parcels, flag-lots, land splitting/irregular subdivisions that have been created over time;
    - Assurances need to be provided that Private Mitigation Banks are maintained for the purposes in which they were created; and
    - Provide protection of rural lifestyle by clearly distinguishing between urban and rural areas, and address urban sprawl in rural areas of the County.
- **Economic Development**
    - Effective marketing and utilization of the Enterprise Zone designation;
    - Increase amount of acreage for commercial and industrial uses;
    - Develop industries, e.g. eco-tourism, that create a diverse economy;
    - Commercial/industrial uses should be encouraged to develop close to infrastructure and utilities, but location should meet compatibility test with residential areas;
    - Ensure that designated lands for commercial/industrial are not downgraded to residential; and
    - Impact fees should be structured to encourage economic growth first.
- **Transportation**
    - Road network connectivity within Hendry County and to surrounding counties;
    - Intergovernmental coordination in the planning of new roadways, not only between Cities and the County, but adjacent jurisdictions;
    - Access to major thoroughfares, specifically bridges and the Caloosahatchee River;
    - Truck traffic;
    - Develop countywide panther/wildlife crossing plan;
    - Improve transportation safety through road design and address pedestrian and bicycle safety needs, sidewalks, and traffic calming techniques; and
    - Plan for public transit locally and regionally.
- **Affordable/Workforce Housing**
    - Requiring developers to include a certain amount (or percentage) of the units in a newly developed subdivision to be sold at a price that is affordable to lower income families;
    - Linkage Program requiring large developments that attract a sizeable workforce to provide or procure housing for workforce that cannot be supplied by local housing stock;
    - Providing impact fee relief to households and units that are occupied, or in the case of a multi-family project, units that will be set-aside, whose total annual gross income does not exceed 80% of the Median Annual Income adjusted for family size for households or essential workers;

- Providing incentives to developers of senior housing, people with disabilities, housing for the homeless (transitional, shelter or permanent) or farm workers & essential services personnel including – teachers, fire personnel, educators, health care workers, skilled building trade personnel, and government employees;
- Reducing the affordability gap by pooling of local resources, local regulatory incentives, land use strategies and non-traditional sources of funding to build affordable housing;
- Housing for migrant/seasonal employees in support of maintaining a viable agricultural industry;
- Locating affordable housing, e.g. senior citizens, migrant, in proximity to services, public facilities, and transit;
- Establish what constitutes "affordable housing;" and
- Use of tools, such as public and private incentives, to promote affordable housing in low to mixed income areas.

- **Enhanced Recreation and Cultural Opportunities**
  - Fine arts and cultural activities;
  - Address deficiencies in regional park areas;
  - Evaluate hunting leases as recreational land even though they are not currently referenced in the Plan;
  - Establish policy on payments in-lieu of dedicating recreation space for smaller developments to facilitate better recreational opportunities for the community as a whole;
  - Identification of recreational areas on a county-wide basis for growth;
  - Consider utilizing public lands for recreational opportunities in addition to Lake Okeechobee and the Caloosahatchee River; and
  - Utilize the RPC's Marine Advisory Council to assist with public access issues.
- **Listed Species**
  - Establish provisions protecting and enhancing Florida panther habitat including dispersal zones;
  - Strengthen criteria to address negative impacts of platting and mining on panther/wildlife habitat and connectivity;
  - Develop criteria for siting, constructing, operating, and decommissioning communication towers;
  - Protect, and where needed, restore habitat linkages;
  - Coordinate with FFWCC and USFWS as well as stakeholders in the development of habitat protection policy and protection criteria; and
  - Direct incompatible land uses away from listed species and their habitat.

The analysis and recommendations of these Major Issues will become a major section of the EAR. Each of these major issues and the choices the County will make to address

them has significant implications for the community during the next 20-year planning period. These issues present a set of challenges and opportunities for Hendry County to continue its tradition of proactive planning and sustainable development as it prepares for the anticipated growth and development through the early 21st Century.

In addition to the analysis of the Major Issues section, the County will address the applicable requirements specified under Section 163.3191(2) F.S., including an evaluation and assessment of each adopted Element of the Comprehensive Plan. The EAR also evaluates population growth and changes in land area, the location of development that has occurred relative to where it was anticipated in the comprehensive plan, the extent of vacant and developable land, the infrastructure through capital improvements element, coordination of the various issues identified in the EAR, and summarizes the public participation program undertaken in preparing the EAR.

We hereby request that the Florida Department of Community Affairs (DCA) provide the County with a Letter of Understanding (LOI) agreeing to the proposed scope and list of Major Issues for the EAR. If you have any questions or comments please feel free to contact me at 863-675-5240 or email vcautero@hendryfla.net.

Sincerely,

Vincent A. Cautero, AICP
Planning and Development Director

cc: File