

October 6, 2023

The Honorable Brian Hamman  
Chairman, Lee County  
Board of County Commissioners  
Post Office Box 398  
Fort Myers, Florida 33901-0398

Dear Chairman Hamman:

The Florida Department of Commerce (FloridaCommerce) has reviewed the proposed comprehensive plan amendment for Lee County (Amendment No. 23-05ESR) received on September 7, 2023. The review was completed under the expedited state review process. After consideration of the proposed amendment and citizen input, we have a comment regarding the proposed amendment.

The amendment appears to fly a "false flag" of "resilience" as a primary purpose. When, in reality, the amendment is clearly at least in-part for the purpose of an increase in hotel room density. Whether or not an increase in hotel room density is appropriate is for the community to decide. Rather, we are simply urging you to have a transparent discussion with the community about the actual purpose of the amendment.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the County is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the County. **If the County receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to FloridaCommerce and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be transmitted to FloridaCommerce within ten working days after the second public hearing pursuant to 163.3184(3)(c)2., F.S.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after FloridaCommerce notifies the County that the amendment package is complete or, if challenged, until it is found to be in compliance by FloridaCommerce or the Administration Commission.

If you have any questions concerning this review, please contact Scott Rogers, Regional Planning Administrator, by telephone at (850)-717-8510 or by email at [scott.rogers@commerce.fl.gov](mailto:scott.rogers@commerce.fl.gov).

Sincerely,



James D. Stansbury, Chief  
Bureau of Community Planning and Growth

JDS/sr

Enclosure(s): Procedures for Adoption

cc: David Loveland, Director, Lee County Department of Community Development  
Margaret Wuerstle, Executive Director, Southwest Florida Regional Planning Council