



**LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS
CITY OF BONITA SPRINGS**

The Council staff has reviewed the proposed evaluation and appraisal based amendments to the City of Bonita Springs Comprehensive Plan (DEO 17-2ESR). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

Factors of Regional Significance

<u>Proposed Amendment</u>	<u>Location</u>	<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DEO 17-2ESR	No	No	No	(1) Not regionally significant (2) Consistent with SRPP

RECOMMENDED ACTION:

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and the City of Bonita Springs.

COMMUNITY PLANNING ACT

Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda

Collier County, Everglades City, Marco Island, Naples

Glades County, Moore Haven

Hendry County, Clewiston, LaBelle

Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel

Sarasota County, Longboat Key, North Port, Sarasota, Venice

COMPREHENSIVE PLAN AMENDMENTS

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

Regional Planning Council Review

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government".

After receipt of comments from the Regional Planning Council and other reviewing agencies, DEO has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.

CITY OF BONITA SPRINGS COMPREHENSIVE PLAN AMENDMENT (DEO 17-2ESR)**RECEIVED: MARCH 9, 2017****Summary of Proposed Amendment**

City of Bonita Springs DEO 17-2ESR consists of the City's Evaluation and Appraisal Review. The City contracted with Florida Gulf Coast University to conduct the Review. The transmittal includes amendments to the Future Land Use Element, Transportation Element, Housing Element, Infrastructure Element, Conservation and Coastal Management Element, Intergovernmental Coordination Element, Capital Improvements Element, Public Participation, Monitoring, Updating, and Evaluation Process Element, Public School Facilities Element, and Definitions.

The Future Land Use Element adds estimates of how much land is in each Future Land Use Category. New language is added that discourages urban sprawl and encourages new urbanism concepts. A new Policy is added that states that newly annexed land will keep their existing FLUC until they can be formally categorized by the City of Bonita Springs.

The Transportation Element proposes to eliminate a Policy that refuses to issue development approvals that result in roadway degradation to the point that it will operate below the adopted level of service. A Policy has been proposed that makes public transit facilities exempt from transportation concurrency requirements.

The Housing Element adds that the City will use the State Statute's definition of workforce housing (380.0651(3)(h), F.S.) and specifies that the City shall use a 10 year planning horizon when forecasting housing needs. The utility sub-elements promise that the City will coordinate with and provide relevant data to utility service providers within the City.

The Conservation/Coastal Management Element adds a directive to minimize flood risk resulting from high-tide, storm surge, flash floods, stormwater runoff, and sea-level rise. It also requires comp plan amendments in the Coastal High Hazard Area (CHHA) to meet one of three State Statutory requirements. A new Policy urges developments to consider site development techniques to reduce losses due to flooding.

Regional Impacts

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant regional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

Extra-Jurisdictional Impacts

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

Conclusion

No significant adverse effects on regional resources or facilities and no extra-jurisdictional impacts have been identified. Staff finds that this project is not regionally significant.

Recommendation

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and the City of Bonita Springs.

MAPS

City of Bonita Springs

DEO 17-2ESR

Growth Management Plan

Comprehensive Plan Amendment

City of Bonita Springs Future Land Use Map - 2012

