



**Notice of a Communications Media Technology (“CMT”) Public Meeting  
Local Planning Agency  
MINUTES  
Bonita Springs Recreation Center  
26740 Pine Avenue  
Bonita Springs, Florida 34135  
Thursday, April 22, 2021  
9:00 A.M.**

**I. CALL TO ORDER.**

Board Member Sam Vincent called the meeting to order at 9:03 A.M.

**II. ROLL CALL.**

Members in attendance: Vice-Chairman Don Colapietro, Board Member Robert Bornstein, Board Member Rex Sims, Board Member Linda Schwartz, Board Member Sam Vincent.

Absent: Chairman Jeff Maturo.

**III. APPOINT A DEPUTY CHAIRMAN.**

Board Member Sam Vincent put forth Board Member Robert Bornstein for Deputy Chairman. Board Member Linda Schwartz made a motion; Vice-Chairman Don Colapietro seconded; the motion passed.

**IV. REVIEW OF THE FOLLOWING: Read into record by Board Member Sam Vincent.**

- A. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE CHAPTER 2—ADMINISTRATION, CHAPTER 3--DEVELOPMENT STANDARDS, CHAPTER 4—ZONING, CHAPTER 5—HISTORIC PRESERVATION, AND CHAPTER 6--SIGNS; TO ADDRESS INTERNAL INCONSISTENCIES AND CLARIFY STANDARDS AS A RESULT OF THE ADOPTION OF THE DOWNTOWN FORM-BASED CODE FOR THE DOWNTOWN DISTRICT; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER’S ERRORS, AND MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING AND AN EFFECTIVE DATE.

- John Dulmer, Community Development, provided the introduction stating how the enforcement of standards had exposed the additional need for further clarification, even necessary new standards that needed incorporation into the Land Development Code (LDC). The two amendments before the LPA committee were being presented as Community Development looked to provide more clarity and better define relatively new ordinances such as Old 41 and Beach Roads standards. Mr. Dulmer stated that they were looking for a quick change to assist with enforcement.
  - Mike Fiigon, Community Development, presented a summary stating that the amendments were relatively minor. The new form-based code had been in use for approximately six months, and Community Development was starting to see how it moved when it was applied on the ground. A few inconsistencies were identified, which was normal for a new code.
  - Mr. Fiigon provided an example of how the LDC had scattered throughout an outdated reference such as the Old 41 Redevelopment Overlay, which needed to be replaced with "Downtown District." There were also areas of duplications that needed to be made clearer and more concise.
  - Mr. Fiigon stated that greater clarification was needed to the applicability section for the Downtown District and changes must be calibrated so that the code did what it was designed to effectively do. Community Development looked to move away from uses overall and focus more on form, site design, and functionality. A Use Table was still being used, and the current LDC was very use heavy.
  - Additional examples were provided demonstrating necessary changes or clarity needed from the previous version of the code such as the criteria for bonus density which needed a more concise layout. Signage and enforcement concerns were discussed, and that Community Development was working closely with the City Attorney's office and Neighborhood Services to make the standards more enforceable.
- B. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE, CHAPTER 4—ZONING, TO CLARIFY LANGUAGE FOR PROPERTIES ZONED PLANNED DEVELOPMENT THAT WANT TO VOLUNTARILY DEVELOP AND/OR REDEVELOP UNDER THE BONITA BEACH ROAD CORRIDOR OVERLAY DISTRICT STANDARDS; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING AND AN EFFECTIVE DATE.
- Mike Fiigon explained that many projects were zoned Planned Development. No two Planned Development Zoning Districts were the same. He referenced the Bonita Beach Road (BBR) corridor. Mr. Fiigon stated that the overlay was designed to be a more holistic all-encompassing approach. The BBR corridor needed the same language of standards that already existed for the other overlay districts.
  - Board Member Robert Bornstein stated his belief that properties existed in the downtown area that he considered blights on Bonita Springs. Owners of certain properties were not exhibiting care for their properties. Board Member Bornstein was skeptical that the

downtown area would draw people to walking and spending money if the area were not presentable. Mr. Fiigon responded that when the code kicked in, the standard of exterior would change. Board Member Bornstein asked if the enforcement would be an aggressive approach. Mr. Fiigon stated it would not be a sweeping standard, but the form-based code would be the starting point. Board Member Bornstein expressed concern that if the City were not more aggressive, people would not conform to the standard. Mr. Fiigon replied that there were incentives to maximize use of the property such as the ability to achieve a higher density on the property. He further stated that the new form-based code established standards but was not designed to be a full-scale change; internal inconsistencies needed to be addressed. Board Member Bornstein asked if there were an aggressive approach by Community Development or the City to update these changes. Mr. Fiigon stated that when the code was being drafted, downtown business owners and residents were able to participate initially in creating the code. Board Member Bornstein expressed concerns about Bonita Beach Road and felt an upgrade was seriously needed.

- Board Member Sam Vincent stated that with the slow pace of Government, changes would not occur quickly. He believed the new form-based code pointed them in the right direction. Board Member Vincent had been using the new code and believed it would be very successful.
- Items A and B. Board Member Robert Bornstein entered a motion to approve the proposed amendments; Board Member Linda Schwartz seconded; the motion passed unanimously.

<b>RESULT:</b>	<b>PASSED [5-0]</b>
<b>MOTION BY:</b>	Robert Bornstein, Board Member
<b>SECOND BY:</b>	Linda Schwartz, Board Member
<b>AYES:</b>	Bornstein, Colapietro, Sims, Schwartz, Vincent
<b>NAYS:</b>	None

**V. NEXT MEETING.**

TBD.

**VI. APPROVAL OF MINUTES 03/25/21.**

Board Member Rex Sims motioned for approval; Board Member Don Colapietro seconded; motion passed. Board Member Robert Bornstein remarked that he had made comments on transportation and concerns for Bonita Beach/Terry Roads that he wanted specifically attributed to in the minutes. Board Member Bornstein then reiterated those concerns. John Dulmer responded that Lee County DOT, Collier County DOT, and the City were discussing options and some type of resolution would be forthcoming.

**VII. ADJOURNMENT.**

There being no further items to discuss, Board Member Sam Vincent adjourned the meeting at 9:29 A.M.

Respectfully submitted,

  
Laurie K. Hamm, Recording Secretary

APPROVED:

BONITA SPRINGS LOCAL PLANNING AGENCY:

Date: June 2021

AUTHENTICATED:

  
Chairman Jeff Maturo