



**Notice of a Communications Media Technology ("CMT") Public Meeting
Local Planning Agency
MINUTES
City of Bonita Springs City Hall
9101 Bonita Beach Rd. SE
Bonita Springs, Florida 34135
Thursday, June 10, 2021
9:00 A.M.**

I. CALL TO ORDER.

Chairman Jeff Maturo called the meeting to order at 9:01 A.M.

II. ROLL CALL.

Members in attendance: Chairman Jeff Maturo, Board Member Robert Bornstein, Board Member Jeffrey Lewin, Board Member Linda Schwartz, Board Member Rex Sims.

Absent: Vice-Chairman Don Colapietro, Board Member Robert Lombardo.

III. REVIEW OF THE FOLLOWING: Read into record by Chairman Jeff Maturo.

A. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA; AMENDING THE BONITA SPRINGS LAND DEVELOPMENT CODE, CHAPTER 4 – ZONING, TO UPDATE THE THRESHOLDS FOR DEVELOPMENTS OF CITY IMPACT, PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING, AND AN EFFECTIVE DATE. (GREENSHEET NO. 21-06-120)

B. AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING THE BONITA SPRINGS LAND DEVELOPMENT CODE, CHAPTER 4 – ZONING, TO AMEND SEC. 4-898 – PERMITTED USES WITHIN THE BONITA BEACH ROAD CORRIDOR OVERLAY DISTRICT, SEC. 4-868 – USES FOR THE DOWNTOWN FORM-BASED CODE, AND ARTICLE VI, DIVISION 26- PARKING; PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING AND AN EFFECTIVE DATE. (21-06-121)

C. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE; CHAPTER 7— ENVIRONMENT, NATURAL RESOURCES AND MARINE FACILITIES, STRUCTURES AND

EQUIPMENT—ARTICLE XII—DOCK AND SHORELINE STRUCTURES.

- John Dulmer, Community Development, provided the introduction for the three code changes presented to the LPA members. Mr. Dulmer believed that if proposed and City Council adopted the changes, the City of Bonita Springs would have a much more efficient and clearer code. He anticipated more code changes in the coming months due to different events that were exposing the code in a different light causing the need to reevaluate. Changes in clarity would be a continued effort.
- Jacqueline Genson, Community Development, provided a presentation (copy in Clerk's file) and scope on agenda Item A. Item A is an amendment that addressed the Development of City Impacts, which had been reviewed and approved based on thresholds. Ms. Genson stated that they were looking to propose changes to Non-commercial Schools and Health Care facilities.
- Board Member Robert Bornstein inquired whether anything was currently in the pipeline concerning either Non-commercial Schools or Health Care facilities. Ms. Genson responded in the negative.
- Agenda Item A. Chairman Jeff Maturo entered a motion to approve the proposed ordinance as being consistent with the Comprehensive Plan; Board Member Linda Schwartz seconded; the motion passed unanimously.

RESULT:	PASSED [5-0]
MOTION BY:	Jeff Maturo, Chairman
SECOND BY:	Linda Schwartz, Board Member
AYES:	Bornstein, Lewin, Maturo, Schwartz, Sims
NAYS:	None

- Jacqueline Genson provided a presentation (copy in Clerk's file) on agenda Item B, which was an amendment that addressed Permitted Use and Parking. Ms. Genson stated they were looking to propose Form-Base Code changes to places of worship. Proposed changes to the Bonita Beach Road Overlay Use were discussed and a list provided identifying the areas where there were changes.
- Board Member Rex Sims inquired about Section 4-1728, 5(f) regarding electric vehicle charging stations being screened from view from any abutting rights-of-way with the exception of alleys. He did not understand the philosophy of hiding the charging stations. Board Member Sims felt we should not make it more difficult for people to find the charging stations. He believed everyone should endorse this imminent change.
- Chairman Jeff Maturo asked if signage would be limited. Ms. Genson stated that there would be standards provided for signage such as warning labels or how to contact the provider for a unit deficiency. Landscaping would be part of that standard. Mr. Dulmer spoke again stating that the objective with infrastructure was to have it blend into the natural environment. Chairman Maturo questioned if this was in line with the new design philosophy of the City and not the charging stations being singled out. Mr. Dulmer responded in the affirmative.

- Board Member Rex Sims reiterated his concerns about the accessibility to charging stations and improving the scope. Mr. Dulmer stated that we were in the infancy of this technology and in five years, it would appear quite differently. He did not want to put the City in a position where protections and standards were not in place to address the inevitability of the changing market.
- Ms. Genson spoke on the section of Parking and language added such as for existing sites in need of ADA upgrades. An administrative option was provided for sites to come into ADA compliance. Board Member Robert Bornstein asked the City's current and future view on unpaved temporary parking areas downtown as he felt it was a mess. Ms. Genson provided a response. Board Member Bornstein pointed out that at the last LPA meeting, the possible misuse of certain areas by business or residential were discussed. He inquired if they might be able to take some of the bad areas and use for a park or parking lot. Ms. Genson offered to bring forth the ideas and suggestions to City Council or coordinate with Neighborhood Services to address those areas of concern.
- Board Member Sims referenced the Meeting Halls and other places for group assembly and the minimum requirement of one parking space per 100 square feet of floor area. He did not feel the parking for City Hall was adequate. Ms. Genson explained that the referenced section of the code was not proposed for amendment, but the City was in the process of obtaining a copy of the Institute of Transportation Engineers' manual to look for any updates on whether a higher parking ratio may be appropriate for this use. Ms. Genson stated that the City was aware of the concerns of parking availability and would address.
- Agenda Item B. Chairman Jeff Maturo entered a motion to approve the proposed ordinance as being consistent with the Comprehensive Plan; Board Member Rex Sims seconded; the motion passed unanimously.

RESULT:	PASSED [5-0]
MOTION BY:	Jeff Maturo, Chairman
SECOND BY:	Rex Sims, Board Member
AYES:	Bornstein, Lewin, Maturo, Schwartz, Sims
NAYS:	None

- Laura Gibson, Community Development, provided a presentation (copy in Clerk's file) on agenda Item C, which addressed changes to the Dock and Shoreline Structures code. Ms. Gibson stated the City originally adopted the Land Development Code from Lee County in 2001.
- Ms. Gibson stated that the identified changes would assist in making the language clearer and more concise and would aid in repairing discrepancies in the code and add clarity to regulations. Ms. Gibson spoke about the main changes, which would address Resiliency/Flood Control, and Water Quality/Protection of Aquatic Life.
- Board Member Robert Bornstein questioned if there were any requirements to the vessel size in relation to the dock size. Ms. Gibson stated that it was left to the owner

and contractor to be aware of the appropriate depth specifications. The one restriction would be they could not go passed 20% of the waterway width.

IV. PUBLIC COMMENT.

- Brent Stokes, local business owner, applauded the staff's efforts to improve the code. His concern was for the impact of proposed changes. Increasing setbacks were also of concern. Mr. Stokes wanted to see more clarification differentiating between natural and artificial waterways. Did not want to see restrictions on the size of the docks or number of slips that can exist.
- Joe Mazurkiewicz, local business owner, discussed public policy comments He supported the flexibility of raising seawalls and small lots. His concern was for differentiating between natural and artificial waterways. Consider status quo with respect to limitations. Mr. Mazurkiewicz supported staff's recognition of the need to update the code.
- Board Member Robert Bornstein inquired if there would be consideration to grandfather in anyone. Mr. Dulmer stated that there were processes in place to address. Board Member Bornstein remarked that staff needed to listen to the users. Mr. Dulmer agreed.
- Board Member Bornstein complimented City staff and contractors on the reconstruction of City Hall. He also thanked John Dulmer and staff for what he considered very professional verbal and written presentations. He requested to receive updates on the committee's decisions versus the final decisions of City Council on a continuum. Mr. Dulmer stated that it could be done.
- Agenda Item C. Chairman Jeff Maturo entered a motion to approve the proposed ordinance as being consistent with the Comprehensive Plan; Board Member Linda Schwartz seconded; the motion passed unanimously.

RESULT:	PASSED [5-0]
MOTION BY:	Jeff Maturo, Chairman
SECOND BY:	Linda Schwartz, Board Member
AYES:	Bornstein, Lewin, Maturo, Schwartz, Sims
NAYS:	None

V. NEXT MEETING.

Tentative: July 8, 2021.

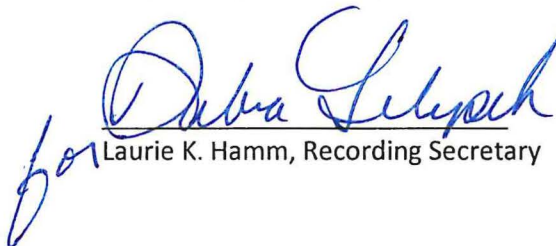
VI. APPROVAL OF MINUTES 04/22/21.

Board Member Rex Sims motioned for approval; Chairman Jeff Maturo seconded; motion passed unanimously.

VII. ADJOURNMENT.

There being no further items to discuss, Chairman Jeff Maturo adjourned the meeting at 9:58 A.M.

Respectfully submitted,


for Laurie K. Hamm, Recording Secretary

APPROVED:
LOCAL PLANNING AGENCY:

Date: AUGUST 18, 2022
AUTHENTICATED:


Chairman Jeff Maturo