



**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, July 15, 2021
9:00 A.M.**

I. CALL TO ORDER.

Chairman Jeff Maturo called the meeting to order at 9:00 A.M.

II. ROLL CALL.

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

Absent: Board Member Don Colapietro.

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

A. AN AMENDMENT TO THE BONITA SPRINGS LAND DEVELOPMENT CODE; CHAPTER 2 – ADMINISTRATION, CHAPTER 3 – DEVELOPMENT STANDARDS, CHAPTER 4 – ZONING, AND CHAPTER 6 – SIGNS.

- Jacqueline Genson, Community Development, provided the presentation (file in Clerk's office) of the proposed amendments to the Land Development Code. This included Chapter 2-Administration: (1.) Sec. 2-571. Fee schedule for planning and zoning; cost recovery; waiver and adjustment process; Chapter 3-Development Standards: (1.) Sec. 3-81. Deviation and variances, (2.) Sec. 3-159. Types of development entitled to limited review, (3.) Sec. 3-268. Refuse and solid waste disposal facilities, (4.) Sec. 3-493. Dumpster enclosures.
- Ms. Genson continued walking the committee through proposed changes in Chapter 4-Zoning: (1.) Sec. 4-2224. Clearing, grading or filling of land, and in Chapter 6-Signs: (1.) Sec. 6-112. Permanent signs in residential areas, (2.) Sec. 6-113. Permanent signs in commercial and industrial areas.

- Board Member Robert Bornstein inquired about the total amount of fees the City received every year. Ms. Genson replied that those figures would likely be memorialized in the budget in terms of revenue collection.
- Board Member Bornstein inquired if anything existed in the code to addresses how often trash pickup would occur or an odor requirement. Ms. Genson stated that would fall under usage. Mr. Bornstein asked about fines and enforcement. Ms. Genson stated those details would be in the City's Interlocal Agreement with Lee County Solid Waste. Board Member Bornstein expressed concern with new construction becoming a potential problem with no way to enforce. City Attorney Derek Rooney provided further explanation. Ms. Genson offered to convey noted concerns before City Council upon the second reading.
- Board Member Rex Sims questioned the Dumpster Enclosure section on page 11. He believed that with the 100-foot lots on Old 41, it would be difficult to comply with the dumpster shield requirements. Ms. Genson explained that there was a technical deviation process to address those concerns. Mr. Sims asked if they could get rid of all the restrictions as he believed it was overwhelming the 100-foot lot owners, and posed a discouragement to development. Ms. Genson did not necessarily believe it was the regulations per se, and staff was working to build in greater flexibility to share facilities and offer other options in the code.
- Board Member Rex Sims asked for clarification of line "L" at the top of page 19 and whether the requirement included both logo and message. Ms. Genson answered in the affirmative and explained the City Architect had been administrating this section in this way for some time. Board Member Sims believed it to be a problem stating that if one was limited this way, then the logo should not be included. John Dulmer, Community Development, did not know where the application of the code was of concern. He stated that the outline and the way it was enforced was what the City wanted; it provided another level of clarity. Board Member Rex Sims questioned if the logo could be 100 percent of the sign to which Mr. Dulmer stated in the affirmative.
- Board Member Robert Bornstein inquired if restrictions existed in the code for messages that are obscene or controversial. City Attorney Rooney stated that obscenity was the only restriction, which was viewed as a community standard.
- Board Member Linda Schwartz inquired about (3)(e.) on page 15 addressing modification to drainage flow. She was concerned about the possible development of Bonita Springs Golf & Country Club and engineers attesting that the structure would be impacted by development behind the property. Ms. Genson stated the sections was geared toward infill lots and lots that were not governed by a development order. City Attorney Rooney offered further explanation.
- Board Member Bornstein asked staff for progress of current developments, which Ms. Genson provided. Mr. Bornstein inquired whether the staff could provide a written report of updates. Ms. Genson offered to accommodate by providing a verbal summary on updates at the end of each session on agenda items where the committee took action. Board Member Linda Schwartz stated there were resources for obtaining updates such as the City Council meeting minutes and videos. Chairman Jeff Maturo felt

that no further action was necessary by staff as other resources existed for committee members to locate updates on development.

- Agenda Item A. Board Member Robert Bornstein entered a motion to approve the proposed Land Development Code amendments; Board Member Linda Schwartz seconded; the motion passed unanimously.

RESULT:	PASSED [6-0]
MOTION BY:	Robert Bornstein, Board Member
SECOND BY:	Linda Schwartz, Board Member
AYES:	Bornstein, Lewin, Lombardo, Maturo, Schwartz, Sims
NAYS:	None

IV. NEXT MEETING.

Tentative: August 12, 2021.


V. APPROVAL OF MINUTES: June 10, 2021.

Board Member Rex Sims motioned for approval; Board Member Linda Schwartz seconded; motion passed unanimously.

VI. ADJOURNMENT.

There being no further items to discuss, Chairman Jeff Maturo adjourned the meeting at 9:49 A.M.

Respectfully submitted,


Laurie K. Hamm, Recording Secretary

APPROVED:
LOCAL PLANNING AGENCY:

Date: 12/9/2021
AUTHENTICATED:


Jeff Maturo, Chairman