

CITY OF BONITA SPRINGS, FLORIDA

ORDINANCE NO. 17 – 06

AN ORDINANCE OF THE CITY OF BONITA SPRINGS, FLORIDA, AMENDING THE CITY OF BONITA SPRINGS COMPREHENSIVE PLAN, AS ADOPTED BY ORDINANCE NO. 02-16, AS AMENDED, AMENDING CERTAIN ELEMENTS RELATED TO THE BONITA BEACH ROAD VISIONING STUDY; (1) FUTURE LAND USE ELEMENT: CREATING OBJECTIVE 1.16 RELATED TO THE BONITA BEACH ROAD CORRIDOR; (2) TRANSPORTATION ELEMENT: AMENDING GOAL 1 FOR INTEGRATION OF BICYCLES, PEDESTRIAN, TRANSIT AND VEHICULAR INFRASTRUCTURE; POLICY 1.1.6 TO ADD BONITA BEACH ROAD AS A CONSTRAINED ROAD; POLICY 1.1.12 FOR ADDITIONAL CRITERIA FOR ACCESS; OBJECTIVE 1.2 TO INCORPORATE BICYCLES, PEDESTRIAN, TRANSIT ALONG WITH VEHICULAR INFRASTRUCTURE; OBJECTIVES 1.3 AND 1.4 FOR COMPLETE STREETS AND PUBLIC VIEWSHEDS; POLICY 1.7.4 FOR THE BICYCLE AND PEDESTRIAN MASTER PLAN, AND THE BONITA BEACH ROAD VISIONING STUDY; CREATING GOAL 2 WITH OBJECTIVES AND POLICIES RELATED TO THE BONITA BEACH ROAD VISION STUDY; ADDING THE BONITA BEACH ROAD QUADRANT MAP AND CORRIDOR NETWORK ZONES MAP; (3) CAPITAL IMPROVEMENTS ELEMENT: AMENDING PRIORITIES TO IMPLEMENT VISION FOR A WALKABLE COMMUNITY; (4) INTERGOVERNMENTAL ELEMENT: AMENDING GOAL 4 TO SPECIFY COOPERATIVE PLANS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY, PROVIDING A CONFLICTS CLAUSE AND SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Bonita Springs, Florida recognizes the need to plan for orderly growth and development; and

WHEREAS, Chapter 163, Florida Statutes provides for amendment to adopted Comprehensive Plan; and

WHEREAS, City Council for the City of Bonita Springs adopted the City of Bonita Springs Comprehensive Plan pursuant to Bonita Springs Ordinance No. 02-16, as amended, in accordance with the Local Government Comprehensive Planning Act; and

WHEREAS, the Bonita Springs Comprehensive Plan provides for adoption of plan amendments with such frequency as may be permitted by applicable state statutes, in accordance with such administrative procedures as the City of Bonita Springs Council may adopt; and,

WHEREAS, Bonita Springs City Council, on December 3, 2014, directed staff to prepare a proposed RFP/Q for visioning services for the city to move toward “complete

streets”, where Bonita Springs would plan for and prepare for a future with additional travel options besides vehicles, including walking, bicycling, mass transit, to develop a workable vision of Bonita Beach Road and its major north/south intersections, emphasizing development of inviting and friendly pedestrian walkways, bikeways, and convenient mass transit loading and unloading areas in combination with traffic calming roadway designs;

WHEREAS, the City selected Toole Design Group, LLC, who provided the final report on the Bonita Beach Road Visioning Study in November 2016; and

WHEREAS, in addition to the Bonita Beach Road Visioning Study, the City of Bonita Springs authorized additional work pursuant to the Professional Services Agreement with McMahan Associates, who designed a Quadrant Plan for Network Enhancement Alignment; and

WHEREAS, in addition to the Bonita Beach Road Visioning Study, the City of Bonita Springs authorized additional work pursuant to the Professional Services Agreement with McMahan Associates, who designed a Quadrant plan for Network Enhancement Alignment; and

WHEREAS, Florida Statutes §163.3181 further provides an opportunity for individuals to participate in the plan amendment public hearing process, of which the City held various workshops in 2016 and 2017; and,

WHEREAS, the City has received and reviewed the proposed Amendments to the City’s Comprehensive Plan, and said proposed amendments being reviewed by the City’s Local Planning Agency at a meeting on January 19, 2017, and,

WHEREAS, the City Council has agreed with the recommendations of the Local Planning Agency that the proposed amendments comply with the requirements of Chapter 163, Florida Statutes, Part II, and that the proposed amendments are consistent with the Comprehensive Plan; and,

WHEREAS, City Council held a public hearing for the transmittal of the proposed amendment on February 1, 2017; and

WHEREAS, the City has received and responded to the Objections, Recommendations, and Comments Report; and

WHEREAS, a public hearing was held by the City Council for adoption of this Ordinance on May 3, 2017; and

WHEREAS, the City Council of Bonita Springs adopted, pursuant to Chapter 163, Part II, Florida Statutes, after holding a statutorily prescribed public hearing for the adoption of the amendment being proposed on May 3, 2017 and at said hearing approved a motion to adopt said proposed amendment as more particularly set forth herein.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

SECTION ONE: AMENDMENTS

The City of Bonita Springs Comprehensive Plan is hereby amended, which amendments consist of changes to the (1) Future Land Use Element (2) Transportation Element (3) Capital Improvements Element, And (4) Intergovernmental Element; which are further described as Exhibit A, attached hereto and incorporated herein by reference.

SECTION TWO: CONFLICTS

Whenever the requirements or provisions of this amending ordinance are in conflict with the requirements or provisions of any other lawfully adopted ordinance or statutes, the most restrictive requirements shall apply.

SECTION THREE: SEVERABILITY

If any part, section, subsection, or other portion of this Ordinance or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reasons, such part, section, subsection, or other portion of the prescribed application thereof, shall be severable, and the remaining provisions of this Ordinance, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The City declares that no invalid or prescribed provision or application was an inducement to the enactment of this Ordinance, and that it would have enacted this Ordinance regardless of the invalid or prescribed provision application.

SECTION FOUR: CODIFICATION, INCLUSION IN CODE & SCRIVENER'S ERRORS

It is the intention of the City Council for the City of Bonita Springs that the provisions of this Ordinance shall become and be made part of the Bonita Springs Comprehensive Plan; and that sections of this ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or re-lettered and typographical errors which do not affect the intent may be authorized by the City Manager, or the City Manager's designee, without need or public hearing, by filing a corrected or recodified copy of same with the City Clerk.

SECTION FIVE: EFFECTIVE DATE.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 3rd day of May, 2017.

AUTHENTICATION:

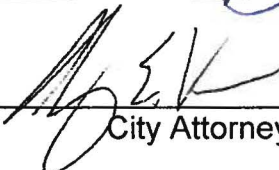


Mayor



City Clerk

APPROVED AS TO FORM:



City Attorney

Vote:

DeWitt	Aye	Quaremba	Aye
Forbes	Aye	Simmons	Aye
Gibson	Aye	Slachta	Aye
O'Flinn	Aye		

Date filed with City Clerk:

5/9/17

FUTURE LAND USE ELEMENT

GOALS, OBJECTIVES AND POLICIES

Goal 1: A balanced land use pattern that promotes a high quality of life and allows for a variety of land uses, densities and intensities and the preservation and stabilization of existing neighborhoods; encourages mixed use development; promotes an efficient transportation system; preserves the natural environment and economic vitality of the community; and, is consistent with the availability of essential services.

Objective 1.1: Designate on the Future Land Use Map a full range of land use categories of varying density consistent with the natural and built-up environment and with existing and developing growth patterns, topography and soils conditions, and the availability of essential services. Development orders shall be issued by the City only for new development or redevelopment that is consistent with the Future Land Use Map and associated Future Land Use Designations set forth in the following policies.

Policy 1.1.1: Legal Effect - The density and intensity limits and land use restrictions described in the following land use categories are legally binding immediately upon adoption of this Comprehensive Plan. During the preparation of the Land Development Code that will fully implement this plan, conflicts may arise with previous regulations, development approvals or zoning districts. The Administrative Section following these Goals, Objectives and Policies describes how such conflicts will be resolved.

Policy 1.1.2: Density, Affordable Housing Density Bonus, and Wetlands Transfer of Density

- a. While each individual land use category may include a maximum allowable density for residential uses, the actual allowable density for any given property will be stated in the Land Development Code based on, but not necessarily limited to, consideration of the following factors:
 - 1. Compatibility with surrounding existing land uses and future land use patterns;
 - 2. Vehicular access and existing and planned roadway patterns;
 - 3. Availability of public services and facilities; and,
 - 4. Environmental considerations
- b. The City shall include in its Land Development Regulations a provision for a housing density bonus to encourage private developers to include housing for low and very low income families in their development projects. This provision shall be based on the following guidelines:
 - 1. The number of additional units resulting from the granting of bonus density shall not exceed the number of rental or owner-occupied housing units allocated specifically to low and very low income households within the project
 - (a) A low income household is defined as a household whose annual income does not exceed 80% of the countywide median as defined by the Department of Housing and Urban Development (DHUD).
 - (b) A very low income household is defined as a household whose annual income does not exceed 50% of the countywide median as defined by the Department of Housing and Urban Development (DHUD).
 - 2. The maximum bonus density, in excess of the maximum density otherwise allowable within the future land use category, available to a given project shall be as set forth in the following schedule:

Maximum Density Per Land Use And Maximum Density With Bonus Density

Land Use Category	Maximum Standard Density	Maximum Density With Bonus
Estate Residential	.33 units/acre	.33 units/acre
Low Density Residential	1.3 units/acre	1.3 units/acre
Suburban Density Residential	3 units/acre	5 units/acre
Moderate Density Residential	5.8 units/acre	7 units/acre
Moderate Density Mix/PUD	6 units/acre	9 units/acre
Urban Fringe Community	2.54 to 2.77 units/acre	2.54 to 2.77 units/acre
Medium Density One & Two Family	11.6 units/acre	11.6 units/acre
Medium Density Residential-MF	6 units/acre	10 units/acre
High Density Residential-Multifamily	10 units/acre	15 units/acre
"Old 41" Town Center Mixed-Use Redevelopment ¹	15 units/acre	20 units/acre
High Density Mixed Use	10 units/acre	15 units/acre

¹Bonus Density provisions in the Old U.S. 41 Corridor Redevelopment Area apply to areas designated (Townhouses), Medium Residential, Multi-Family Residential, Hospitality and Mixed Use on the Old 41 Corridor Redevelopment Master Plan Overlay, including the Imperial River Landing. (See policy 1.1.11.b)

3. The City may include a provision for a cash contribution to a housing trust fund dedicated to the provision of housing for low and very low income households in lieu of the allocation of on-site units to low and very low income households.
4. Any project for which a density bonus provision is applied must meet the following criteria:
 - (a) the resulting development does not have substantially increased intensities of land use along its perimeter unless it is adjacent to an existing or approved development of a similar intensity;
 - (b) the additional traffic will not be required to travel through areas with significantly lower densities before reaching the nearest collector or arterial road;
 - (c) existing and committed public facilities are not so overwhelmed that a density increase would be contrary to the overall public interest;

- (d) there will be no decrease in required open space, buffering, landscaping and preservation areas or cause adverse impacts on surrounding land uses; and,
 - (e) storm shelters or other appropriate mitigation is provided if the development is located within the Category 1 Storm Surge Area for a land-falling storm as defined by the most current Hurricane Storm Tide Atlas for Lee County prepared by the Southwest Florida Regional Planning Council.
- c. Development in freshwater wetlands located in residential land use categories shall be limited to very low density residential uses and uses of a recreational, open space, or conservation nature that are compatible with wetland functions. The maximum density in freshwater wetlands identified on Figure 4, Evaluated Wetlands, in the Future Land Use Map Series shall be one unit per 20 acres, except:
1. One single-family residence will be permitted on lots meeting the single-family residence provision contained in the Administrative Section of the Future Land Use Element; and.
 2. Transfer of density provision - Owners of identified freshwater wetlands may transfer densities to contiguous uplands under common ownership as displayed in the following table at the maximum rate indicated. The table is cumulative in that the amounts shown are what is permitted under the land use, permitted with an affordable housing bonus and that permitted as a transfer the area receiving the density transfer will be, thereafter, compatible with existing or planned development on adjacent lands and not negatively impact sensitive upland habitats and species.

Density Transfer - Wetlands to Uplands Per Upland Acre (All Numbers Reflect Dwelling Units Per Acre)

Future Land Use Category	Standard Maximum Density	Maximum Additional Bonus Density	Maximum Additional Density With Transfer
Estate Residential	.33	0	0
Low Density Residential	1.3	0	0
Suburban Density Residential	3	0	0
Moderate Density Residential	5.8	0	0
Mod. Den. Res. PUD	3	3	0
Moderate Density Mix/PUD	6	3	1.5
Medium Density One & Two Family	11.6	0	0
Medium Density Residential-MF	6	4	2

Urban Fringe Community	2.54 to 2.77	0	0
High Density Residential-Multifamily	10	5	2.5
"Old 41" Town Center Mixed-Use Redevelopment	15	5	2.5
High Density Mixed Use	10	5	2.5
General Commercial, Interchange Commercial and Industrial	10	5	0

Policy 1.1.3: Height - While each individual land use category may include a maximum allowable height, the actual allowable height for any given property will be stated in the Land Development Code based on consideration of compatibility with surrounding existing land uses and future land use patterns.

Policy 1.1.4: Allowable Uses - The listing of appropriate land uses in each of the individual land use categories identifies those uses generally expected to be appropriate. However, other uses which are similar in character, intensity and impacts to those listed may also be deemed to be appropriate.

Policy 1.1.4.1 Estate Residential - Intended to accommodate a very rural style of single family living allowing for development at a maximum density of one unit for every three acres; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.

- a. Appropriate residential housing types include conventional and modular constructed single family homes on permanent foundation.
- b. Maximum allowable height of structures shall be 35 feet from the base flood elevation to the eaves.

Policy 1.1.5: Low Density Residential - Intended to accommodate and preserve semi-rural type single-family residential development at a maximum density of up to 1.3 dwelling units per gross acre; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.

- a. Appropriate residential housing types include conventional and modular constructed single-family homes on permanent foundations. Clustering shall be employed to avoid clearing and other development impacts on wetlands or rare and unique upland habitats.
- b. Maximum allowable height of structures shall be 35 feet from the base flood elevation to the eaves.

Policy 1.1.6: Suburban Density Residential - Intended to accommodate and preserve single-family development at a maximum density of three dwelling units per acre; planned unit developments with single and multi-family units at a maximum density of 3 units per acre; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.

- a. Appropriate residential housing types include conventional and modular constructed single-family homes on permanent foundations.

- b. Maximum allowable height of all residential structures shall be 35 feet from the base flood elevation to the eaves.

Policy 1.1.7: Moderate Density Residential - Intended to accommodate and preserve single-family residential development at a maximum density of up to 5.8 dwelling units per gross acre; planned unit developments at a maximum density of six units per acre; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.

- a. Appropriate residential housing types include conventional and modular constructed single-family homes on permanent foundations.
- b. Maximum allowable height of structures shall be 35 feet from the base flood elevation to the eaves.

Policy 1.1.8: Medium Density Residential - Intended to accommodate areas with a mix of single-family, duplex and town homes residential development at a maximum density of up to 11.6 dwelling units per gross acre; group homes and foster care facilities; public schools and other public, semi-public and recreational uses on a limited basis.

- a. Appropriate residential housing types include conventional and modular constructed single-family and duplex structures on permanent foundations.
- b. As an alternative to a duplex structure, and in order to encourage dispersing affordable housing throughout the community, one accessory dwelling, such as a garage apartment or accessory apartment, may be located on a single lot occupied by one single-family structure, provided development of the lot remains within the maximum allowable density. Conditions on accessory dwelling units may be required within the Land Development Regulations to prevent over crowding and to ensure compatibility.
- c. Maximum allowable height of structures shall be 55 feet from the base flood elevation to the eaves.

Policy 1.1.8.1: Medium Density Multi-Family Residential - Intended to accommodate multi-family, modular and manufactured housing, and existing mobile home and recreational vehicle parks up to a maximum density of 10 units per gross acre; group homes and foster care facilities, public schools and other public, semi-public and recreational uses on a limited basis. This land use category is applied primarily to existing properties developed with multi-family or mobile home/recreational vehicle parks located within the Coastal High Hazard Area, or lands formerly afforded a land use designation of Urban Community in the Lee Plan, or properties adjacent to existing or planned major roadways.

- a. Appropriate residential housing types include conventional and modular constructed single-family and duplex structures, on permanent foundations, cluster housing, zero lot line, townhouses, multi-family structures, and mobile homes or recreational vehicles in existing mobile home or recreational vehicle parks.
- b. Residential density shall be limited to not more than six units dwelling units per acre. If affordable housing is provided, residential density may be increased by up to four additional dwelling units per acre. This density range is consistent with the density previously afforded under the Urban Community land use designation in the Lee Plan.
- c. Commercial uses may be appropriate provided they are primarily intended to serve the residents of a mixed use project and are sensitive to nearby residential uses.
- d. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves, except that no new structures or modification of existing structures located on the islands west of the mainland may be constructed in excess of 35 feet in height.

Policy 1.1.9: High Density Residential - Intended to accommodate multi-family, modular and manufactured housing, and existing mobile home and recreational vehicle parks up to a

maximum density of 15 units per gross acre; group homes and foster care facilities, public schools and other public, semi-public and recreational uses on a limited basis.

- a. Appropriate residential housing types include conventional and modular constructed single-family and duplex structures on permanent foundations, cluster housing, zero lot line, townhouses, and multi-family structures.
- b. Residential density shall be limited to not more than 10 dwelling units per acre. In the case of multi-family, if affordable housing is provided, residential density may be increased by up to five additional dwelling units per acre.
- c. Commercial uses may be appropriate provided they are primarily intended to serve the residents of a mixed-use project and are sensitive to nearby residential uses.
- d. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves, except that no new structures or modification of existing structures located on the islands west of the mainland may be constructed in excess of 35 feet in height.

Policy 1.1.10: Moderate Density Mixed-Use/Planned Development - Intended to accommodate and provide continued flexibility of development within mixed use and residential planned developments of up to nine dwelling units per gross acre having been granted development orders prior to the adoption of the City's Comprehensive Plan.

- a. Appropriate uses within this category include the full range of residential uses; residential amenities such as private golf courses and other recreation facilities; limited commercial and light industrial uses; group homes and foster care facilities; schools and other public and semi-public uses.
- b. Residential density shall be limited to not more than six units per gross upland acre and one unit per 20 gross acres of wetland, except as otherwise provided for under Policy 1.1.2 relating to transfer of density from freshwater wetlands. If affordable housing is provided, residential density may be increased by up to three additional units per acre of upland area.
- c. In areas located within the Coastal High Hazard Area (CHHA), density may not be increased beyond that already approved prior to the adoption of this Comprehensive Plan.
- d. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves.
- e. Residential uses may comprise up to 100% of the acreage in a planned development.
- f. In mixed-use planned developments:
 1. Residential uses shall comprise not less than 20% of the acreage;
 2. The aggregate of commercial and light industrial uses shall comprise not more than 45% of the total acreage;
 3. Light industrial uses shall comprise not more than 20% of the total acreage;
 4. Public and semi-public uses shall comprise not more than 65% of the total acreage; and
 5. For properties of less than two (2) acres, residential uses may be combined at various proportions with commercial and non-residential uses.

Policy 1.1.10.1: Urban Fringe Community District. Intended to accommodate and provide flexibility for development in areas exhibiting substantial environmental resource protection lands combined with transitional urban characteristics. In order for land to be considered for this designation, land requested to be placed in this category shall be a minimum of 100 acres. Development within this category would be allowed from 2.54 to 2.77 gross dwelling units per acre (3300—3600 dwelling units for 1299 gross acres). Land developed within this

Urban Fringe Community District must adhere to the following innovative design and planning principles.

1. All new development within the Urban Fringe Community District shall be required to be zoned as a Planned Development.
2. Development within this Urban Fringe Community District will be required to cluster in order to minimize loss of native vegetation and wetland function. Developments within the Urban Fringe District are permitted to be clustered at higher than gross density as long as the gross density and maximum number of units are not exceeded for the total acreage within the Urban Fringe District. Significant natural systems, or wetlands which require preservation in order to comply with Local, State and Federal Permitting, shall be placed in the Resource Protection Future Land Use category and for purposes of the Urban Fringe Community District, shall be included in gross acreage for density calculations.
3. Development within the Urban Fringe Community District is encouraged to provide a mix of uses, including a mix of residential types, recreational amenities, civic spaces and convenience and commercial uses intended to serve residents and their guests in order to minimize trips outside the Urban Fringe Community District .
4. Development is encouraged to provide creative site designs, and clustering is required to provide for greater common open space and mixed-use development. The planning flexibility provided through the planned development process shall encourage and facilitate creative design techniques.
 - a. Residential Development. These areas shall include single and/or multiple family home site acreage, and shall include, but not be limited to, single-family attached and detached; duplexes and two-family units; and town homes and other multi-family dwelling types.
 - b. Non-residential Development. These areas will include vehicular and pedestrian ways, commercial and institutional areas, club houses and associated facilities, utility buildings, maintenance areas, tennis courts and associated non-residential uses.
 - c. Residential and Non-residential Development acreage may account for no more than 60% of the gross area within the Community Fringe District. Intensity/density standards for all uses within this category are set forth in the Intensity/Density Table below:

Percent Aggregate Land Use Mix Within the Mixed Use Future Land Use Map Category

Land Uses in Mixed Use	Minimum % Land Use Mix	Maximum % Land Use Mix	Maximum Density/Intensity
Residential	45%	58%	2.77 gross du/ac (3300—3600 du ¹)
Commercial/Non-residential ²	2%	15%	.35 FAR
Open Space	40%	53%	.25 FAR

¹Gross density pursuant to Policy 1.1.10.1

²Commercial uses, excluding recreational facilities (including, but not limited to, the clubhouse and ancillary facilities), will be limited to 5 total acres.

- d. Open Spaces. These areas will include preserved natural areas, buffers lakes, parks, golf courses, nature trails, retention areas, conservation areas, scenic resources, green belts, wetlands and associated areas and must account for a minimum of 40% of the Property within the Urban Fringe Community District. Golf course fairways will account for no more than fifty percent (50%) of the open space of the subject Urban Fringe Community District.
- e. The owners will employ management strategies in and around any golf course to address the potential for pesticide/chemical pollution of the groundwater and surface water receiving areas. The owners will comply with the goals of the Audubon Cooperative Sanctuary Program for Golf Courses. The management practices will include:
 - i. The use of slow release fertilizers and/or carefully managed fertilizer applications which are timed to ensure maximum root uptake and minimal surface water runoff or leaching to the groundwater;
 - ii. The practice of integrated pest management when seeking to control various pests, such as weeds, insects, and nematodes. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad spectrum pesticides is not acceptable. The management program will minimize, to the extent possible, the use of pesticides, and will include the use of the United States Department of Agriculture Soil Conservation Services Soil Pesticide Interaction Guide to select pesticides that have a minimum potential for leaching or loss to due runoff depending on the site-specific soil conditions. Application of pesticides within 25 feet of any Corkscrew Regional Ecosystem Watershed, or other adjacent public preserve lands, is prohibited;
 - iii. The coordination of the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any pesticides and nutrients;
 - iv. The utilization of a golf course manager who is licensed by the State to use restricted pesticides and who will perform the required management functions. The golf course manager will be responsible for ensuring that the golf course fertilizers are selected and applied to minimize fertilizer runoff into the surface water and the leaching of those same fertilizers into the groundwater; and
 - v. The storage, mixing and loading of fertilizer and pesticides will be designed to prevent/minimize the pollution of the natural environment.
- f. Any required perimeter buffer zones pursuant to Policy 1.1.10.1(5)(c)(iv) must be replanted with vegetation after construction. Revegetation must adhere to the following:
 - i. Seventy five percent of the total number of replanted trees used in buffers and landscaping must be indigenous, and fifty percent of the replanted shrubs must be indigenous;
 - ii. Plant material must conform to the standards for Florida Number 1 or better as given in Grades and Standards for Nursery Plants 1973, and Grades and

Standards for Nursery Plants, Part II, Florida Department of Agriculture and Consumer Services, Tallahassee.

- iii. Australian pine, cajeput, Brazilian pepper, downy rose myrtle, Cuban laurel, melaleuca, bishopwood, castor bean, common papaya, common snakeplant, day jessamine, hunters robe, queensland umbrella tree, trailing wedelia may not be used as part of the revegetation of the property after construction.
 - g. The shorelines of any stormwater management lakes must be sinuous in configuration, and must be sloped or bermed. The littoral zones around the ponds must be planted with native wetland herbaceous plants, and trees or shrubs can be included within the herbaceous plants. At least four species must be planted. The minimum required number of plants will be one plant per linear foot of lake shoreline as measured at the control elevation water level. The littoral shelf should provide a feeding area for water dependent avian species.
 - h. Height. Maximum allowable height for residential structures shall be 60 feet from the base flood elevation to the eaves.
 - i. In order to minimize adverse impacts that construction may have on wildlife, natural environmental values, and water quality, the developer will institute appropriate measures such as full compaction of any fill material placed around newly installed structures. In addition, clubhouse(s), golf course maintenance building(s), vehicular service areas and amenity centers that include outdoor pools, tennis courts, etc., must be located a minimum of 350 feet from the boundaries of the Urban Fringe Community District that abut a conservation area. This restriction does not apply to residential buildings. Further, a conservation easement of 100 feet in length shall be placed over Zone 1, which is described in Policy 1.1.10.1.5(c)(vi)(A), which is described in Policy 1.1.10.1.5(c)(vi)(A). The easement shall allow for landscaping, water management activities, passive recreational uses and other uses as set forth in Policy 1.1.10.1.5(c)(vi)(A).
 - j. Because domestic animals can create conflicts with indigenous wildlife, no free-ranging domestic animals are permitted within the Urban Fringe Community District. All applicants for a local development order shall include a provision in their covenants and restrictions that prohibit free-ranging domestic animals. Such covenants and restrictions shall also address the implementation of a bear-proof garbage can program to minimize wildlife attractants.
5. All major Resource Protection areas over 20 acres in size shall be provided public vehicular access on non-gated roadways.
- a. All naturally occurring wetlands, which have not been significantly degraded, must be designated as preserve areas and be subject to a conservation easement similar to that set forth in Section 704.06, Florida Statutes. Limited uses in preserve areas such as nature trails, bike paths, cart paths, boardwalks and the like will be allowed when permitted by appropriate State and Federal agencies. The use of wetland areas for water management, to the extent allowed by law, will not be precluded. Wetland areas being used as water management areas within the Urban Fringe Community District may be relocated if all approvals are obtained from appropriate local, State and Federal agencies and (2) where the affected wetland functions are replaced on property within the Urban Edge Fringe Community District.
 - b. Where feasible, open space areas will be designed so as to provide connections between wetlands, preserve areas, and buffers on property within the Urban Fringe Community District. The design of these open spaces areas will seek to provide areas which will be integrated with on-site and adjacent preserve properties so as to enhance habitat for small mammals and wading birds. Golf courses, when

constructed and maintained in compliance with this paragraph will be considered to be functional open space to the extent set forth above.

- c. The design of functional open space areas must incorporate the following design features:
 - i. A surface water management system that mimics the functions of the natural system, in accordance with the following:
 - A. All development proposals within the Urban Fringe Community District must recognize areas where soils, vegetation, hydrogeology, topography, and other factors indicate that water flows or ponds; and require that these areas be utilized to the maximum extent possible, without significant structural alteration, for on-site stormwater management; and require that these areas be integrated into area-wide coordinated stormwater management schemes.
 - B. Where no natural features of flow or ponding exist on a site within the Urban Fringe Community District, the City will require that water management structures be designed and constructed in such a manner as to mimic the functions of natural systems. Special engineering and design standards for such structures will be incorporated into revised development regulations.
 - C. Within the Urban Fringe Community District where traditional drainage structures exist (ditches, canals, dikes, etc.), the City may permit their continued existence and maintenance, but will discourage their expansion or extension.
 - D. Where feasible within future urban areas, surface water management plans are encouraged that mimic the functions of natural systems, notwithstanding the type or intensity of development permitted.
 - E. The South Florida Water Management District must review any Development to ensure that adequate provision is made for a flowway through the proposed Urban Fringe Community District. Any changes to any ACOE or Environmental Resource Permit in effect at the time of the adoption of this Plan Amendment must ensure adequate provision for the transport of off-site flows through the property to the south, and shall address the creation of wading bird habitat.
 - F. The policies above (1.1.10.1.5(c)(i)) are not intended to prohibit any permissible surface water management solution that is consistent with good engineering practices and adopted environmental criteria.
 - ii. Any Australian pine, cajeput, Brazilian pepper, downy rose myrtle, Cuban laurel, melaleuca, bishopwood, castor bean, common papaya, common snakeplant, day jessamine, hunters robe, queensland umbrella tree, trailing wedelia existing on the site at the time of the issuance of a development order must be removed.
 - iii. The vegetation that surrounds, or is within the open space areas should have the capacity to provide habitat for a diversity of wild life.
 - iv. For any area that drains to the Imperial River Basin, a surface water management system that is consistent with the Kehl Canal/Imperial River Basin study prepared by Agnoli, Barber & Brundage dated 1995 for the SFWMD.
 - v. Uses including, but not limited to, picnic areas, trails, benches, boardwalks, golf courses, water management systems, biking/jogging/equestrian trails,

vita courses, bird viewing blinds/tower and interpretative facilities will be permitted within functional open areas.

- vi. All development must incorporate buffers to protect adjacent natural areas from the impacts of development. The purpose of the buffer is the protect natural resources from the activities and impacts of development on property within the Urban Fringe Community District. The buffers shall be established in Zones according to the following:
 - A. *Zone 1* will be a minimum of 100 feet wide and will extend completely along all portions of the eastern and southern boundary of the Urban Fringe Community District. These are the areas of the Urban Fringe Community District which are adjacent to the Collier County Line. The buffer will consist of selected native upland forest plant species such as south Florida slash pine, live oak, laurel oak, and saw palmetto. Selected species will be tolerant of drought conditions, and will not require fertilizers and pesticides to promote growth and survival. Exotic plant species will be controlled by the periodic application of herbicides and mechanical removal. Wetland forest species will be used in situations where wetland functions remain on the Urban Fringe Community District and where soil and moisture conditions are suitable.

Zone 1 will incorporate the existing water management reservoirs which are located along the southern boundaries of the Urban Fringe Community District. These reservoirs will not require additional buffering. There will be no structures erected in *Zone 1*, however, passive recreation such as hiking, bird watching and nature study will be permitted. Construction of lakes in *Zone 1* will be allowed. Existing berms and ditches will be allowed to remain in *Zone 1*.
 - B. *Zone 2* will be adjacent to *Zone 1* and will encompass an area that is at least 50 feet wide. This area will be free of lights and other structures such as fences, pools and sheds. The permanent placement of generators, pumps, and other fixed motors will be prohibited. Homesites may extend into *Zone 2*, but no portion of the residence itself may extend into this zone. If residential lots are incorporated into this zone, those portions of yard acreage will be planted and maintained in a fashion similar to that proposed for Buffer *Zone 1*. Passive recreation such as hiking, jogging, biking, and walking will be allowed along designated trails and boardwalk system. Golf courses and lakes may extend into this zone, but may not incorporate lights or structures other than drainage structures and cart paths. All golf course acreage in *Zone 2* will be free of lights and structures and the use of golf carts will be permitted. If water, sewer or electrical lines are placed in *Zone 2* they must be buried.
 - C. *Zone 3* will be parallel to *Zone 2* and will consist of residences and other infrastructure development in a 100-foot wide band. Exterior lighting in this zone may not project toward adjacent preserve land. Measures such as directional lighting, reduced-height light supports and other light abatement technology will be used.
6. Land areas amended to the Urban Fringe Community District will be tracked by the City of Bonita Springs to address the following for all property within the Urban Fringe Community District:
 - i. maximum number of dwelling units,
 - ii. maximum square footage of commercial,

- iii. locations of public sites, and
- iv. maximum amounts of non-public recreational uses to be provided.
 - a. Every development within the Urban Fringe Community District shall enter into a Developer's Agreement with the City of Bonita Springs prior to issuance of a Development Order, in accordance with §163.3220-3243, Florida Statutes or by any other mutually agreed upon legal instrument. The intent of the Developer's Agreement or appropriate legal instrument is to identify timing, density for the project, etc. to ensure that development matches the information tracked by the City.
 - b. The Developer's Agreement or appropriate legal instrument will require an annual review in accordance with §163. 3220-3243.
 - c. The Developer's Agreement or appropriate legal instrument will inform subsequent purchasers (excluding single lots not being subdivided) who will adhere to the requirements contained within the Developer's Agreement or appropriate legal instrument.
- 7. As individual zonings to RPD are submitted to the City they shall include as a minimum the following information:
 - a. A showing of the amount of units as a part of the maximum approved for the parent parcel.
 - b. A Traffic Analysis submitted in accordance with the City's TIS requirements verifying that adequate capacity currently exists or will exist prior to the issuance of any Certificates of Occupancy.
- 8. Any lands included or amended into the Urban Fringe Community District category must demonstrate the non-existence of urban sprawl by:
 - a. Submitting a fiscal impact study demonstrating a net fiscal benefit to the City.
 - b. Directing new growth to areas where public facilities exist, are planned within the City or County Five Year Capital Improvement Plan, or are committed to through a Developer Agreement, or otherwise assured to be funded by the appropriate agency.
 - c. Providing assurances through fiscal and other means that an amendment to the Urban Fringe Community District category will expedite any additionally needed infrastructure improvements so as to not adversely impact the surrounding community outside this District.
 - d. Requiring all development to be connected to central water and sewer.

Policy 1.1.10.2: Coconut Village: Intended to accommodate marine, retail, hotel and office uses designed to enhance and protect the public use of, and access to, the marina and waterfront areas of Estero Bay. Development of wet and dry slips, boat ramps and other marine related uses will provide access for public and private club members. This future land use category is applicable to areas along Estero Bay, and shall not be located on any barrier island. Proposed development within this and future land use category shall adhere to innovative design and planning principles that incorporate the protection of the natural resources of Estero Bay while providing the recreational and boating opportunities to the City of Bonita Springs.

- a. All new development within the Coconut Village category shall be required to be zoned planned development. All density, intensity, height and types of uses will be established during the planned development rezoning process.
- b. Appropriate uses within the Coconut Village future land use category include the following:

- i. Marina and marine accessory uses. Marina uses shall not be solely for private use.
 - ii. Limited private club use as defined in planned development process may be allowed.
 - iii. Hotels/resorts and ancillary retail, cultural, and public and private recreational uses.
 - iv. Residential dwellings when incorporated into a resort complex.
- c. Development Standards:
- i. Development shall be located to minimize loss of environmentally sensitive areas.
 - ii. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.
 - iii. Residential uses with a resort character and lifestyle may be integrated into resort use and may share in resort amenities.
 - iv. Residential density shall be limited to not more than 6 dwelling units per acre.
 - v. Residential density calculations shall be considered for the gross project acreage regardless of other uses on the project.
- d. Height.
- i. Buildings over 75 feet from the base flood elevation to the eaves shall be limited to a locations that do not negatively impact adjacent property view corridors or neighborhood compatibility.
 - ii. Compatibility with surrounding buildings.
- e. Locations shall have access to a transportation network with adequate capacity and sufficient and navigable access to waters of Estero Bay.
- f. Coastal High Hazard. Impacts on sheltering and evacuation resulting from development/redevelopment activities within the CHHA shall be mitigated through cooperation and coordination with Lee County Emergency Management Operations at time of local development order. If the shelter and evacuation mitigation has been provided through the Development of Regional Impact process then no further mitigation is required at the time of local development order.

Editor's note—

Ord. No. 14-23, § 1, adopted October 15, 2014, amended the Comprehensive Plan by adding a new policy to be numbered 1.1.11. In order to prevent the duplication of policy numbers, the new provisions have been designated as 1.1.10.2 at the discretion of the editor.

Policy 1.1.11: "Old 41" Town Center Mixed-Use Redevelopment Overlay Area: The City shall adopt the Old 41 Corridor Redevelopment Master Plan and re-designate the area previously known as the "Old 41" Town Center Mixed-Use Redevelopment Overlay Area to reflect the boundaries contained therein, which are generally located from Rosemary Drive to Bonita Beach Road between Tennessee Street/Williams Road and Dortch Avenue. Permitted uses are discussed herein and illustrated with specificity on the overlay map. This area is intended for mixed-use redevelopment as a residential, commercial, cultural and community, hospitality, industrial, recreational and governmental center focused around the aesthetic and recreational value of the Imperial River and supported by "walk-to-town" neighborhoods. The following guidelines shall apply to planning and development within this overlay area. This area shall hereinafter be known as the "Old U.S. 41 Corridor Redevelopment Area."

- a. The permitted land uses in this Area are designated by the Old U.S. 41 Corridor Redevelopment Master Plan Overlay Map, which the City shall adopt as an amendment/overlay to its Future Land Use Map:

1. **Single Family Residential:** Permitted uses include traditional single-family developments and accessory buildings, as well as any other uses permitted in Policy 1.1.5. Density may not exceed 5.8 units per acre.
2. **Medium Density Residential (Townhouses):** Appropriate residential housing types include conventional and modular constructed single-family and duplex structures on permanent foundations, cluster and zero lot line development.
3. **Multi-Family Residential:** intended to accommodate higher-density, multi-family housing and town homes, and to permit other uses permitted in Policy 1.1.8. Total density may not exceed 15 units per acre.
4. **Commercial.** Commercial uses are permitted in accordance with the permitted uses in Policy 1.1.14 and as follows, according to the Old U.S. 41 Corridor Redevelopment Master Plan Overlay:
 - a. Commercial District 3a is intended for small to medium sized business, containing street frontage. The City shall implement urban design guidelines for the streetscape and building facades.
 - b. Commercial District 3b is the high-traffic Bonita Beach Road commercial corridor and is intended for higher intensity uses.
5. **Mixed-Use:** Mixed-use developments are intended to permit a mix of residential uses, not to exceed 20 units per acre, with commercial, light industrial and public and semi-public uses to provide live-work opportunities for residents within the area. Individual mixed-use buildings shall be limited to properties of two acres or more and shall only be approved as a planned development. Such uses shall accommodate retail or commercial uses and residential units in the same building. Determination of the appropriate land use types, densities and intensities shall be based upon compatibility with adjacent and surrounding properties; the need for transition between projects; and the ability to maintain established levels of service. The mix of uses shall be governed by the following guidelines:

USE	MINIMUM	MAXIMUM
Residential	35%	None
Commercial	None	65% of the overall intensity of the project.
Other Non-residential uses	None	35% of the overall intensity of the project.

6. **Public/Governmental:** Public uses are intended to congregate public facilities at the Old U.S. 41 Corridor Redevelopment Area and encourage pedestrian activity and establish the Town Center as a destination for local citizens. Permitted uses are in accordance with Policy 1.1.18
 - a. The City will pursue development of a public library in the Town Center area by seeking funding through the Department of State Library Construction Grant program.
7. **Hospitality:** Intended to encourage the restoration and/or expansion of existing historic hotels and resorts for the purpose of providing hospitality services or

residential development at a density not to exceed twenty (20) dwelling units per acre.

8. Recreation: Recreational uses are intended to provide an additional attraction to draw residents and visitors to the Town Center area, and to provide green space for the residents and to buffer the visual impact of the railroad right-of-way. Permitted uses in this category shall be in accordance with Policy 1.1.17.
 9. Industrial: This is intended to provide commercial and industrial mixed use space, with the commercial uses fronting the street on Old 41 and hiding the industrial properties in the rear. Permitted uses shall include light industrial, warehousing, recreation, heavy commercial and public and semi-public uses.
- b. The following guidelines shall apply to the Old U.S. 41 Corridor Redevelopment Area:
1. Density. The uses within the Old U.S. 41 Corridor Redevelopment Master Plan are limited to the following residential densities:

Use	Density
Single-family residential	5.8 du/ac
Medium Density Residential (Townhouses)	6 du/ac
Multi-family residential	10 du/ac
Commercial	
Mixed Use	15 du/ac
Hospitality	15 du/ac

2. Affordable Housing Bonus Density.

- A. The City shall include in its Land Development Regulations a provision for a housing density bonus to encourage private developers to include housing for low and very low income families in their development projects. This provision shall be based on Policy 1.1.2.b.1, 3 and 4, as well as the following guidelines:
 - i. Single family developments are not eligible for the density bonus.
 - ii. Medium density developments (townhouses) are eligible for a density bonus of four (4) dwelling units per acre.
 - iii. Other residential uses are eligible for a density bonus of five (5) dwelling units per acre.
- B. In addition to the criteria set forth in Policy 1.1.2, the City shall provide density bonuses for developers who provide one or more of the following:
 - i. Public river access.
 - ii. Unique design solutions.
 - iii. Contribution to the cost of proposed infrastructure or other improvements of the Old U.S. 41 Corridor Redevelopment Area.

4. To encourage mixed-use, when residential and commercial uses are contained within one building, the City may elect to exclude commercial square footage located on the first floor of the building when determining the number of residential units otherwise allowable.
5. Maximum allowable height of structures shall be 65 feet from the base flood elevation to the eaves.
6. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.

Policy 1.1.12: High Density Mixed-Use/Village - Intended to encourage the development of parcels under unified ownership in the form of planned developments with a mix of residential uses up to 15 units per acre together with commercial, light industrial and public and semi-public uses that will provide services to, and work-live opportunities for, residents within the project.

- a. Appropriate uses within this category include the full range of residential uses either freestanding or in combination with recreational amenities, limited commercial and light industrial uses developed in a manner sensitive to nearby residential uses, group homes and foster care facilities, schools and other public and semi-public uses.
- b. Residential density shall be limited to not more than 10 dwelling units per acre. If affordable housing is provided, residential density may be increased by up to five additional dwelling units per acre.
- c. Appropriate commercial uses include limited retail, service and office commercial provided they are primarily intended to serve and/or employ residents of the mixed-use project and the project is developed as a planned development. In mixed-use planned developments, commercial uses shall not exceed 10% and light industrial uses shall not exceed 5%, of the intensity of the entire project.
- d. To encourage mixed use, when residential and commercial uses are contained within one building, the City may elect to exclude commercial square footage located on the first floor of the building when determining the number of residential units otherwise allowable.
- e. Maximum allowable height of structures in this land use category shall be 75 feet from the base flood elevation to the eaves, except that no new structures or modification of existing structures located on the islands west of the mainland may be constructed in excess of 35 feet in height.
- f. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.

Policy 1.1.13: Neighborhood Convenience Node - Intended to accommodate locations for low intensity commercial concentrations serving nearby residential neighborhoods in order to relieve automobile traffic on the City's major roadways.

- a. Neighborhood convenience nodes may be appropriate within a planned residential development or at a freestanding location situated on, or with direct access to, an arterial or collector roadway.
- b. The location and development shall be designed primarily to meet the convenience commercial needs of those who are likely to travel more than one mile to reach existing commercial concentrations.
- c. The most appropriate uses include the following: convenience market without gas; laundry; dry cleaning; barber/beauty/nail salon; shoe repair; restaurant; medical, insurance, travel and real estate offices; and, similar uses intended to provide for nearby residents' everyday needs, as well as residential use above ground floor nonresidential use, and public and semi-public uses.
- d. The following limitations on intensity shall apply:

Maximum site area: 2 acres

Maximum FAR: 0.25

Maximum height: 2 stories

- e. No neighborhood convenience node shall be identified or approved by a Small Scale Development Activity Plan Amendment until such time as the implementing regulations, which may include requirements for a unified design, are incorporated into the adopted Land Development Code.

Policy 1.1.14: General Commercial - Intended to accommodate a wide range of commercial uses serving the general population of the City. This designation recognizes, but is not specifically limited to, properties that have been developed, have received development approval or have been zoned for commercial use prior to the adoption of the Comprehensive Plan.

- a. Appropriate uses include a wide range of commercial retail and service uses for residents and visitors; hotels/motels; offices; light industrial uses; schools; recreation; public and semi-public uses; multi-family uses up to 10 units per acre; and mixed residential and commercial use in planned developments.
- b. If affordable housing is provided, residential density may be increased by up to five additional units per acre.
- c. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves except that no new structures or modification of existing structures located on the islands west of the mainland may be constructed in excess of 35 feet in height.
- d. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.

Policy 1.1.15: Interchange Commercial - Intended for uses that serve the traveling public such as automobile service/gas stations, hotel/motel, restaurants and gift shops; and a broad range of tourist-oriented, general commercial, light industrial, commercial office, and multi-family residential up to 10 dwelling units per acre.

- a. If affordable housing is provided, residential density may be increased by up to five additional dwelling units per acre.
- b. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves.
- c. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.

Policy 1.1.16: Industrial - Intended to primarily accommodate light industrial, research, warehousing and office uses.

- a. Appropriate uses include heavy commercial, light industrial, warehousing, recreation, public and semi-public uses, and mixed-use planned development with residential density limited to 10 dwelling units per acre.
- b. If affordable housing is provided, residential density may be increased by up to five additional dwelling units per acre.
- c. Accessory commercial uses serving employees within the complex may be allowed provided the commercial uses are integrated within the industrial complex and do not exceed 5% of the intensity of the entire project.
- d. Residential use shall be allowed only in mixed-use planned developments, and shall not exceed 20% of the intensity of the entire project
- e. Maximum allowable height of structures shall be 75 feet from the base flood elevation to the eaves.

f. Nonresidential uses shall be limited to a maximum floor area ratio (FAR) of 1.2.

Policy 1.1.17: Recreation - Intended to recognize and accommodate existing public recreational facilities and private recreational facilities associated with, but located outside of, planned developments. Public and semi-public uses, excluding schools, are also considered appropriate within this land use category.

Policy 1.1.18: Public and Semi-public - Intended to recognize existing locations of, and provide sites for, public and semi-public uses such as institutional or governmental buildings, schools, libraries, non-profit recreational facilities, and public and private utilities.

Policy 1.1.19: Conservation - Intended for uplands and wetlands that are owned and used for long-range conservation purposes. This category includes public lands required to be used for conservation purposes by some form of legal mechanism such as a statutory requirement, funding or grant conditions.

a. Appropriate uses include wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks, their associated support facilities and services, and ancillary uses for environmental research and education; historic and cultural preservation; and water conservation lands such as aquifer recharge areas, flow ways, and potable water well fields.

b. Uses in wetland conservation areas shall not adversely affect the ecological or hydrologic function of the wetlands.

Policy 1.1.20: Resource Protection - Intended to recognize the environmental sensitivity of sizeable, privately owned, vacant lands located outside of developed areas or approved planned developments and identified as wetlands using the Lee County GIS files.

a. Appropriate uses are limited to residential use at a density of not greater than one unit per 20 gross acres and recreational uses that will not adversely affect the ecological or hydrologic functions of the wetlands.

b. Specific locations of wetlands or rare and unique upland habitats not so designated on the Future Land Use Map may still be subject to development limitations associated with provisions contained in other Goals, Objectives and Policies contained in this Comprehensive Plan.

Policy 1.1.21: Density Reduction Groundwater Resource (DRGR) - Intended to recognize geographic areas that provide significant recharge to aquifer systems associated with existing potable water wellfields or future wellfield development. Land uses in these areas must be compatible with maintaining surface and groundwater levels at their historic levels. Allowable land uses are limited to conservation uses; agriculture; residential uses at a maximum density of one dwelling unit per 10 gross acres; public uses; non-profit recreational uses and essential services needed for the health safety and general welfare of the community such as lift stations, utility lines, equipment and appurtenances necessary for such systems to furnish adequate levels of service.

Policy 1.1.22: In order to minimize incompatibility when commercial, industrial or more intensive land uses share a common boundary with residential land uses, lower intensity uses shall be located adjacent to residential uses and the Land Development Code shall include provisions for buffering in the form of fences, walls, vegetation or spatial buffers to minimize the impacts upon the residential use.

Policy 1.1.23: The City shall study and develop incentives for commercial development to provide workplace housing; such as allowing major employers and hotels to achieve greater density/intensity if on-site affordable housing is provided for employees.

Policy 1.1.24: In order to limit further strip commercial development, new major roadways in the City will be protected from over-commercialization.

Policy 1.1.25: Within one year of adoption of the Comprehensive Plan the City will prepare Land Development Regulations which implement the Comprehensive Plan and which, at a minimum:

- a. Regulate the subdivision of land to promote compatibility among adjoining uses and reduce the potential for urban sprawl by encouraging infill and redevelopment.
- b. Regulate the use of land and water consistent with this Element by including provisions:
 1. for a range of zoning districts of varying intensities matched to purpose of each district.
 2. to encourage the location of lesser intensity nonresidential uses adjacent to residential uses;
 3. for spatial and/or vegetative buffers, walls or fences, or other appropriate measures that will ensure compatibility between residential uses and more intensive nonresidential uses, to ensure compatibility of adjacent land uses;
 4. to prevent overcrowding by limiting building and impervious coverage and requiring adequate open space.
- c. Protect environmentally sensitive lands, including wetlands and rare and unique upland habitat by including provisions that limit the development footprint, requiring development only under the Planned Development provisions of the Land Development Code, and requiring use of clustering and other innovative and appropriate development techniques which shift structures and infrastructure to nonsensitive areas.
- d. Illustrate the acceptable types, dimensions and locations of signs to identify businesses.
- e. Prevent or reduce damage from periodic flooding by limiting development within the 100-year floodplain, prohibiting new mobile home parks within the CHHA, and establishing a maximum impervious surface coverage for residential and nonresidential uses.
- f. Ensure safe and convenient on-site traffic flow and vehicle parking needs through provisions that limit curb cuts, promote shared parking, encourage parking located to the rear of buildings, and facilitate pedestrian and bicycle access.
- g. Include in the requirements for development approval, consideration of topography and soil conditions to ensure that adjoining properties are protected from stormwater impacts of adjacent development and that environmentally sensitive lands are protected from the impacts of development.

Policy 1.1.26: Rural Agriculture Overlay District: The Rural Agriculture Overlay District lies generally north of Shangri-la Road, east of Old US 41, south of the City's northern boundary, and west of Interstate 75, as depicted on Figure 11. The purpose of the Rural Agriculture Overlay District is to provide for agricultural uses in the identified rural residential areas of the City.

- a) This area has an existing land use pattern of larger lots with lower density residential development consisting of single family dwelling units, varying types of ancillary agricultural uses, and vacant residential lands. Densities and intensities in this area are not to exceed the future land use classification designation except for those lots of record being permitted through a minimum use determination.
- b) Agricultural uses as a principal use are allowed in this overlay district as a permitted use subject to the standards provided in the land development code.

Objective 1.2: The City shall take the following steps to eliminate blighting influences and foster redevelopment in the "Old 41" area:

- a. Develop urban design guidelines that characterize the human scale, sense of place, and levels and types of activities envisioned for the revitalized area.
- b. Develop incentives for creative mixed-use developments where appropriate.
- c. Develop provisions to encourage preservation and adaptive reuse of historic structures.
- d. Develop provisions to encourage renovations and compatible in-fill development.
- e. Develop provisions for the employment of traditional neighborhood design in redevelopment efforts.

Policy 1.2.1: This City shall enforce the regulations contained herein and in the Old U.S. 41 Corridor Redevelopment Master Plan.

Policy 1.2.2: The City will adopt the Standard Housing Code and ensure its vigorous enforcement, either through local effort or under an arrangement whereby the City reimburses Lee County.

Policy 1.2.3: The City will continue to coordinate with Lee County to pursue the designation of the Old U.S. 41 Corridor Redevelopment Area as a Community Redevelopment Area ("CRA").

Policy 1.2.4: Property known as Riverside Park (formally Whittle Property) legally described as HEITMANS BONITA SPRINGS PB6 PG24 ALL BLKS 1+A+ BLK 2 LTS 1+2+POR 3-5+POR LTS 13-17+18+24 DESC IN OR3361 PG 494 + VAC R/W is presently designated as General Commercial (Future Land Use) and is located in the Old 41 Redevelopment Area. This property consists of approximately 2.81 acres with approximately 66% of the acreage within the Coastal High Hazard Area. Properties designated as General Commercial can be developed at a maximum of 15 dwelling units per acre. Consistent with Plan Amendment Cycle 2006-1 this entire property will be redesignated to Recreation, thereby decreasing the density that was allowed within the Coastal High Hazard Area portion of the Old 41 Redevelopment Area by 28 units. These units may be transferred to the Imperial Landing property (a.k.a Bamboo Mobile Home Site) in the Old 41 Redevelopment Area.

Objective 1.3: Improve the visual and aesthetic appearance of the City through the development and implementation of urban design, architectural and landscape guidelines.

Policy 1.3.1: The City shall prepare an Urban Design/Community Design Element to be incorporated into the Plan. This Element would be intended to describe and depict how the various physical parts of the City will work together to create the special character and livability of the community as expressed in its Vision Statement.

Policy 1.3.2: The City shall consider adopting the recommendations contained in the Bonita Beach Road Corridor Study.

Policy 1.3.3: The City shall review all applications for development orders or building permits to ensure that they comply with the Land Development Code.

Objective 1.4: Existing uses that are incompatible with the range, intensity and location of land uses identified on the City's Future Land Use Map shall be considered "inconsistent with the Plan" and allowed to continue but shall be reduced by attrition. No new uses shall be permitted that are inconsistent with the Future Land Use Map and land use restrictions associated with the individual land use categories.

Policy 1.4.1: Existing inconsistent uses shall be allowed to continue until voluntarily removed, but shall not be increased in size or intensity, and once voluntarily removed or abandoned shall not be reinstated.

Objective 1.5: Post-Disaster Redevelopment - Provide for the organized and healthy reconstruction of Bonita Springs after a major storm by showcasing successful local examples of flood-proofing, and by requiring redevelopment activities to meet stricter standards for flood- and wind-resistance.

Policy 1.5.1: Following a natural disaster, land may be redeveloped in accordance with the Future Land Use Map or, at the landowner's option, in accordance with the following "build-back" policy. This policy applies only where development is damaged by fire, hurricane or other natural disaster, and allows for the following options:

- a. Buildings/development damaged less than 50% of their replacement cost (measured at the time of damage) may be rebuilt to their original condition, subject only to current building and life safety codes; however, this threshold is reduced to 20% for buildings previously damaged by flooding of \$50,000 or more under the National Flood Insurance Program.
- b. Buildings/development damaged more than 50% of their replacement cost may be rebuilt to their legally documented actual use, density, intensity, size, height, and style provided the new construction complies with:
 1. federal requirements for elevation above the 100-year flood level;
 2. any building code requirements for flood-proofing;
 3. current building and life safety codes;
 4. Coastal Construction Control Line requirements; and,
 5. any required zoning or other development regulations (other than use, density, intensity, size, height or style) except where compliance with such regulations would preclude reconstruction otherwise intended by this policy.
- c. Redevelopment of damaged property is not allowed for a more intense use or at a density higher than the original lawful density except where such higher density is permitted under this plan and the City's land development regulations.
- d. To further implement this policy, the City may establish blanket reductions in non-vital development regulations (e.g., buffering, open space requirements, etc.) to minimize the need for individual variances prior to reconstruction. The Land Development Code may also establish procedures to document actual uses, density, and intensities, and compliance with regulations in effect at the time of construction, through such means as photographs, diagrams, plans, affidavits, permits, appraisals, tax records, etc.

Objective 1.6: Pre-Disaster Buildback Policy - Owners of existing developments that exceed current density or height limits may also be permitted to replace it at up to the existing lawful density or intensity prior to a natural disaster. Landowners may request this option through the planned development rezoning process, which requires a public hearing and notification of adjacent property owners. The City will approve, modify, or deny such a request based on the conformance of the specific proposal with this Comprehensive Plan, including its land use and design policies, pedestrian orientation, and natural resource criteria.

Objective 1.7: To maintain, protect, and where feasible restore, the City's natural environment and resources, and to protect the City's historic resources.

Policy 1.7.1: In order to best protect ground water resources, by year-end 2004, the City shall have completed a study to identify the types and intensity of uses that should be allowed within the DRGR area, and to determine the most effective and appropriate techniques to ensure the maintenance of adequate quantity and quality of surface and groundwater resources. The study shall include, but shall not be limited to, evaluation of the following factors in the study area:

- a. Subsurface and surface water resources.
- b. Existing uses and those having received approval prior to the adoption of the City's Comprehensive Plan.
- c. Soils, wetlands, habitats and species and their quantity and quality.

- d. The Imperial River and its historical and present floodways and flow ways.
- e. Drainage and stormwater patterns and flooding.
- f. The long term water and wastewater supply and disposal needs and plans of Bonita Springs Utilities.
- g. Resource protection measures applicable and contained in the City's Comprehensive Plan and land development regulations.
- h. Allowable uses and their density and intensity.
- i. Existing and planned infrastructure in and affecting the area.
- j. SFWMD and County ownership in and projects affecting the area.
- k. Potential positive or negative effects of possible new land uses on the resource base(s) and new or amended best environmental management practices needed by the City to further its control.

Policy 1.7.2: Upon completion of the study referred to in Policy 1.7.1, the City shall amend its Comprehensive Plan to identify the uses considered most appropriate in the DRGR and the resource protection measures and practices necessary to ensure its continued viability.

Policy 1.7.3: The City shall establish a stream protection overlay zone to improve protection for the Imperial River, Oak Creek, Leitner Creek, and the Bayside drainage area of Little Hickory Island. The overlay zone shall require the use of Best Management Practices, as established in Objective 9.3 of the Conservation/Coastal Management Element, for new development and redevelopment and will target pollution control and water conservation education to existing residents. In the meantime, new development shall be required to ensure that the volume of stormwater runoff shall be no greater than that existing prior to development and that the quality of stormwater runoff shall be at least as good as that existing prior to development. Impacting these watersheds, new development will be required to adopt Best Management Practices approved by the City which will minimize runoff and reduce pollutants and are consistent with the Best Management Practices adopted by the City under Objective 9.3 of the Conservation/Coastal Management Element of this Comprehensive Plan, [reference Rules 62-4.242, 62-302, and 40E-4, F.A.C. and the South Florida Water Management District's *Basis of Review for ERP Applications*.]

Policy 1.7.4: The City shall consider establishment of a stream protection overlay zone for Spring Creek. In the meantime, new development shall be required to ensure that the volume of stormwater runoff shall be no greater than that existing prior to development and that the quality of stormwater runoff shall be at least as good as that existing prior to development. [reference Rules 62-4.242, 62-302, and 40E-4, F. A. C. and the South Florida Water Management District's *Basis of Review for ERP Applications*.]

Policy 1.7.5: During the preparation of its Land Development Regulations the City shall consider expanding regulations and permitting procedures related to wetland protection measures, including the following:

- a. The City's role in permitting related to that of the South Florida Water Management District, and the Corps of Engineers and the desirability and feasibility of increasing the City's role.
- b. Regulations the City could include in its Land Development Regulations to increase wetland protection consistent with the provisions of Sections 373.016, .023, and .414, Florida Statutes.

Policy 1.7.6: The City shall protect its environmentally critical areas by requiring the use of Planned Development in locations exhibiting characteristics of environmentally critical areas including: (1) Areas designated as Resource Protection on the Future Land Use Map; (2) other wetlands identified on the map of Evaluated Wetlands in the Future Land Use Map

Series, and; (3) rare and unique upland habitats, including sand scrub, coastal scrub and pine flatwoods identified on the Vegetation and Habitats Map contained in the Conservation/Coastal Management Element, where these habitats can be categorized as mature due to the absence of severe impacts caused by logging, drainage and exotic infestation.

Developments shall incorporate clustering or other innovative and appropriate development techniques to avoid clearing and other impacts associated with the development footprint by shifting infrastructure and other structures to appropriate nonsensitive locations.

Policy 1.7.7: The City shall include in its Land Development Regulations a provision to allow transfer of density from wetlands to developable contiguous uplands under common ownership, provided the area receiving the density transfer will be, thereafter, compatible with existing or planned development on adjacent lands and not disrupt sensitive upland habitats.

Policy 1.7.8: The City shall continue to use the Florida Department of State, Division of Historical Resources "Florida Master Site File" and Lee County's local register of historic places as the method of maintaining a record of local historically significant housing. Identification of other potential candidates for historical designation shall be accomplished in the following manner:

- a. Structures located within "Old Mainland Bonita Springs" for which applications for demolition, additions or renovations are submitted shall be reviewed by the City to determine whether or not the structure meets the criteria established by the Florida Department of State for inclusion in the Master Site File.
- b. If the Department of State's criteria are met, the City will nominate the structure for inclusion on the Master Site File and/or the National Register of Historic Places as applicable.

Policy 1.7.9: The City shall continue to protect its historic and prehistoric resources by reviewing the Planned Development provisions in its development code to ensure they include provisions that require new development to identify and preserve such resources.

Policy 1.7.10: The City shall take steps to ensure that its heritage of historically significant structures is preserved.

- a. Designating a City "Historic Preservation" Board to reinitiate historic preservation within its municipal boundaries.
- b. Adopting a municipal Historic Preservation Ordinance.
- c. Becoming a "Certified Local Government" in order to provide access to relevant historical preservation funds.
- d. Cooperating with the Bonita Springs Historical Society and owners of designated historically significant housing to obtain funding, through the various programs operated by Lee County, for rehabilitation or restoration.
- e. Considering incentives to encourage the preservation of locally identified historic structures including provisions in its Land Development Regulations or through mechanisms such as creative adaptive reuse, relocation of the structure, tax relief or tax abatement.
- f. Pursuing funding sources for historic preservation including state grants, federal grants, tax benefits, partnerships with local banks, and revolving funds.
- g. Providing for the preservation of historically significant structures when preparing Design Standards for the "Old 41" Corridor Redevelopment Master Plan of the City.
- h. Contracting for consultation, technical assistance, and on-going staff support for the City's historic preservation program when deemed necessary by City Council.

Policy 1.7.11: Upon completion of the City's Parks and Recreation Master Plan, the City will begin a sign program to identify appropriate historic and prehistoric resources.

Objective 1.8: Ensure that population densities in the Coastal High Hazard Area are not increased beyond that allowed prior to the adoption of this Comprehensive Plan.

Policy 1.8.1: This Comprehensive Plan has used, and all future City Evaluation and Appraisal Reports (EAR) and updates required by 9 J-5 shall use, the Region's Hurricane Evacuation Plan for analysis purposes.

Policy 1.8.2: The City shall, upon receiving a request by the SWFRPC, provide the City's population and other needed City data necessary to update of the Region's Hurricane Evacuation Plan.

Policy 1.8.3: The City shall continue to meet or better the Region's 18-hour, and Lee County's 24-hour, goals for evacuation time.

Objective 1.9: Coordinate future land uses by encouraging the elimination or reduction of uses that are inconsistent with the Local Hazard Mitigation Strategy report recommendations.

Policy 1.9.1: The City shall continue to participate in the Local Hazard Mitigation Strategy Working Group.

Policy 1.9.2: The City shall continue to:

- a. Enforce its "Flood Damage Prevention Ordinance" to reduce flood hazards in all areas of special flood hazard.
- b. Seek cooperative funding for the retrofit, relocation or acquisition of the seven repetitive loss properties in the City.
- c. Support the South Florida Water Management District's efforts to increase the storage capacity for stormwater in the Imperial River and Spring Creek watersheds.
- d. Give high priority to projects that improve the ability of current drainage systems to convey or divert stormwater flooding from the Imperial River.
- e. Attempt to improve the City's Building Code Effectiveness Rating System to reduce homeowner policy rates for new construction.

Objective 1.10: Coordinate with any appropriate resource planning and management plan prepared pursuant to Chapter 380, F.S. and approved by the Governor and Cabinet.

Policy 1.10.1: Within one year of the approval by the Governor and Cabinet of a resource planning and management plan under Chapter 380, F.S., the City shall incorporate into its Land Development Regulations measures that will further the intent of the management plan.

Objective 1.11: Development orders and permits for new development or redevelopment shall be issued only if public facilities and services necessary to meet the City's adopted Level of Service (LOS) standards are available concurrent with the impacts of the development.

Policy 1.11.1: In order to ensure the availability of public facilities and services necessary to support development concurrent with its impacts, prior to the issuance of a development order or permit, the City shall make and record determinations that there is adequate capacity to meet the following Levels of Service (LOS) standards:

- a. **Potable Water Facilities:** Within certified, franchised or designated service areas an available supply, treatment and delivery of 250 gallons per day per equivalent residential connection (ERC) and delivery of potable water at a minimum pressure of 40 pounds per square inch (psi) at the meter anywhere in the system.
- b. **Sanitary Sewer Facilities:** Within certified, franchised or designated service areas an available capacity to treat and dispose of a volume of wastewater equal to 200 gallons per day per equivalent residential connection (ERC), except that facilities serving only

mobile home residential structures shall have a capacity of 150 gallons per day and facilities serving only travel trailer residential structures shall have a capacity of 120 gallons per day.

c. **Facilities for Disposal of Solid Waste:** The minimum acceptable level of service standard for availability of solid waste disposal facilities shall be 7 pounds per capita per day.

d. **Stormwater Management Facilities:**

1. **Existing Infrastructure/Interim Standard**

During a 3-day storm event (rainfall) accumulation of 13.7 inches or less (3-day, 100 year storm as defined by SFWMD), one lane of evacuation routes should remain passable (defined as less than 6 inches of standing water over the crown). Emergency shelters and essential services should not be flooded.

During a 3-day rainfall accumulation of 11.7 inches or less (3-day, 25-year storm as defined by SFWMD), all lanes of evacuation routes should remain passable. Emergency shelters and essential services should not be flooded.

During coastal flooding of up to 4.0 feet above mean sea level, all lanes of evacuation routes should remain passable. Emergency shelters should not be flooded.

2. **Regulations of Private and Public Development.** The quality of water to be discharged from new surface water management systems is, and shall remain, subject to state and regional permitting programs that determine compliance with state water quality standards. Stormwater management systems in new private and public developments (excluding improvements to existing roads) shall be designed to SFWMD standards (to detain or retain excess stormwater to match the predevelopment discharge rate for the 25-year, 3-day storm). Stormwater discharges from development must meet relevant water quality and surface water management standards as set forth in Chapters 62-4, 62-40 and 62-302, and the rule 40E-4, F.A.C. New developments shall be designed to avoid increased flooding of surrounding areas.

e. **Parks and Recreation Facilities:**

1. **Regional Parks:** 6 acres per 1,000 resident and seasonal population.

2. **Community Parks:** 1 acre per 1,000 resident and seasonal population.

f. **Roadway Facilities:** The minimum acceptable peak hour/peak season/peak direction roadway levels of service shall be as follows:

I-75	D
Freeways (non FIHS)	D
Arterials*	E
Collectors*	E
Local roads	D
*Applies to both major and minor arterial/collector	

- g. The project will not increase the time necessary to evacuate the City, in the event of a hurricane, to greater than 18 hours; or,
- h. The development order or permit is specifically conditioned on the availability of the necessary facilities and services for each of the above and that said facilities are authorized when the project is authorized.

Objective 1.12: Designate sites that will allow for environmentally safe disposal of dredge spoil.

Policy 1.12.1: The City will consult with Lee County, the WCIND and appropriate agencies on a case-by-case basis to establish criteria for selection of environmentally safe and economically practical sites for dredge disposal.

Policy 1.12.2: In the interim, the City will continue to contract with Lee County and the WCIND for dredge disposal.

Objective 1.13: To coordinate the location of new and expanded sites for public educational facilities in accordance with 235.193, F.S. and to maintain and enhance joint planning processes and procedures for coordination and development of public school facilities concurrent with residential development and other services.

Policy 1.13.1: The City shall support and facilitate coordination with the Lee County School District for the location and development of public education facilities.

Policy 1.13.2: The City shall coordinate with School District staff in the siting of school facilities so that their locations are consistent with the City's Comprehensive Plan.

Policy 1.13.3: Public educational facilities of shall be an allowable use within the following land use categories: Low Density Residential, Moderate Density Residential, Medium Density Residential, High Density Residential, High Density Mixed-Use/Village, Moderate Density Mixed Use/Planned Developments, General Commercial, "Old 41" Mixed-Use Redevelopment, and Public and Semi-Public.

Policy 1.13.4: The City shall ensure that sufficient land is available proximate to urban residential areas, and within the land use categories in which public schools are allowed, to meet the projected need for public schools in coordination with the Lee County School Board.

Policy 1.13.5: The City shall, to the extent possible, endeavor to seek to collocate schools with public facilities such as parks, libraries and community centers.

Policy 1.13.6: The City shall participate in discussions with both the Lee County and Collier County School Boards to determine how to most effectively and efficiently serve the educational needs of the residents of Bonita Springs.

Objective 1.14: The City shall discourage the proliferation of urban sprawl by maintaining or increasing densities, consistent with flood hazard considerations, between Old U. S. 41 and I-75 to encourage in-fill and redevelopment.

Policy 1.14.1: The City will conduct the study referenced in Policy 1.7.1 to determine the land uses most appropriate in the DRGR area.

Policy 1.14.2: The City will allocate moderate to high densities adjacent to compatibly developed areas of the City to encourage in-fill, development and redevelopment west of I-75.

Objective 1.15: Establish regulations for the reduction of greenhouse gas emissions and for solar and other energy saving techniques.

Policy 1.15.1: By the end of 2012, the City shall implement new site lighting regulations in the Land Development Code. The purpose of these new regulations is to minimize light pollution and reduce energy consumption associated with lighting of such facilities while ensuring that the safety of residents and visitors is not compromised.

Policy 1.15.2: By the end of 2012, the City shall create guidelines within its Land Development Code to facilitate the development of "green buildings" in Bonita Springs without forcing excessive costs or other burdens upon developers, building owners or occupants. The guidelines will be applicable to all new residential and nonresidential buildings.

Objective 1.16: Bonita Beach Road Corridor and Bonita Beach Road Corridor Quadrant Map:

Establish regulations to implement the Bonita Beach Road Vision Study for the Bonita Beach Road Corridor, which is generally located between the Gulf of Mexico and the City limits to the East. The corridor serves as the main gateway to the City, and is intended for an interconnected mix of uses including commercial, civic, residential, and mixed-use development, with emphasis on compatibility, a human-scale of development, walkability and bike-ability, and a vibrant and aesthetically-pleasing streetscape.

Policy 1.16.1: Implement a cohesive set of provisions in the Land Development Code to provide enhanced standards for new development along the Bonita Beach Road Corridor relating to site design, access, land use, landscaping, parking requirements, interconnectivity, and mobility.

Policy 1.16.2: Provide for the protection and enhancement of viewsheds along Bonita Beach Road through design features and elements that emphasize the gateway character of this corridor.

Policy 1.16.3: Ensure that publicly-owned land and right-of-way is attractively and appropriately landscaped with a consistent design theme.

Policy 1.16.4: Promote use of aesthetically pleasing architectural standards, accessory structures, and additional hardscape and landscape features to create a strong sense of place along Bonita Beach Road.

Policy 1.16.5: New development and redevelopment projects shall be designed and developed to coordinate land uses, site design, access, and required infrastructure improvements with the mobility network identified in the Bonita Beach Road Vision Study.

Policy 1.16.6: Evaluate new development and redevelopment projects along the Bonita Beach Road Corridor in relationship to the "Bonita Beach Road Corridor Quadrant Map" and "Corridor Network Zones Map" to encourage appropriate land use, site design techniques, interconnectivity, and multi-modal access.

GOALS, OBJECTIVES AND POLICIES

Goal 1: To develop a safe and efficient multi-modal transportation network that provides for optimal access to the City's major activity centers; accommodates the forecasted transportation demands through the integration and enhancement of bicycle, pedestrian, transit and vehicular infrastructure; ~~encourages~~ provides for interconnections between neighborhoods and developments while enhancing neighborhood and community character; is aesthetically pleasing; and, compliments the urban and natural environment of Bonita Springs.

Objective 1.1: The implementation of a safe, convenient and energy efficient multi-modal transportation system which will be maintained and improved to accommodate the forecasted traffic demand for the year 2020 and which is consistent, to the extent possible, with the travel demand forecast model of the Metropolitan Planning Organization (MPO), the roadway system established by Lee County, and the Five-year Transportation Plan of the Florida Department of Transportation (FDOT).

Policy 1.1.1: The Transportation Map series, contained in this Plan, or as subsequently amended, is hereby adopted as the future transportation system for the City of Bonita Springs.

Policy 1.1.2: The Lee MPO's 2020 Financially Feasible Plan Map series is hereby incorporated as part of the Transportation Map series for this Element of the Comprehensive Plan. Changes to the City's Future Transportation Map series may be necessary from time to time, and the City will work with the MPO to ensure any necessary changes are incorporated into the MPO Plan so that the two plans remain consistent.

Policy 1.1.3: The minimum acceptable peak hour/peak season/peak direction roadway levels of service shall be as follows:

I-75	D
Freeways (non-FIHS)	D
Arterials*	E
Collectors*	E
Local roads	D
*Applies to both major and minor arterial/collector	

Policy 1.1.4: The adopted LOS of local roadways within the City shall be reconsidered upon completion of the transportation network study identified in Policy 1.2.1.

Policy 1.1.5: The existing levels of service as shown in the "roadway capacity analysis" in this Plan are adopted as a basis for determining degradation.

Policy 1.1.6: Due to scenic, historic, environmental, aesthetic, and right-of-way characteristics and considerations, the City and Lee County have determined that certain roadway segments should not be widened. Therefore, reduced peak hour levels of service will be accepted on those constrained roads as a trade-off for the preservation of scenic, historic, environmental, and aesthetic character of the community. These constrained roadway segments are Hickory Boulevard from Big Carlos Pass south to Bonita Beach Road, ~~and~~ Old U. S. 41 from Bonita Beach Road north to Terry Street, and Bonita Beach Road.

Policy 1.1.7: Degradation shall mean the reduction of the level of service of a roadway to a level below the level of service standard for that roadway; in cases where the roadway is functioning below the level of service standard, degradation shall mean a significant increase in traffic volume.

Policy 1.1.8: Development approvals, which will result in degradation of a roadway to the point it will operate below the adopted level of service, shall not be issued.

Policy 1.1.9: In order to reduce existing or potential congestion problems, the City shall control vehicular access onto arterial, collector, and local roadways through implementation of the following measures:

- a. Connections to streets, access roads or accessways shall be in accordance with the following minimum separations:

Arterial Roadway	660 feet from the centerline
Collector Roadway	330 feet from the centerline
Local Roadway	125 feet from the centerline
Access roads or accessways	60 feet from the centerline

- b. Driveways to a single residential building of two or fewer dwelling units on a local street may be spaced closer than minimum connection spacing requirements specified for local roadways above.
- c. The Land Development Code shall include alternative provisions for access connections for existing parcels with insufficient road frontage to meet the above standards, including lower standards for right-in/right-out connections and requirements for shared access.

Policy 1.1.10: The City shall:

- a. Require adequate on-site vehicular and bicycle parking for all residential and nonresidential uses;
- b. Encourage shared parking among adjoining uses;
- c. Require adequate off-street loading facilities; and,
- d. Review site plans during the development review process to ensure safe and convenient on-site traffic flow.

Policy 1.1.11: The City shall update its analysis of the existing level of service (LOS) standards for all roadways in the City using the FDOT Level of Service Manual and amend the adopted LOS for roadways in the Comprehensive Plan, as necessary and appropriate.

Policy 1.1.12: The City shall utilize some or all of the following system and demand management strategies, as appropriate, in its efforts to maintain and improve traffic conditions throughout the City:

STRATEGY	ACTION
Traffic Operation	One-way streets
	Installation of turn-lanes
	Roundabouts
	Intersection and roadway widening

	Traffic calming
Traffic Signalization	Local intersection signal improvement
	Arterial signal system
	Area signal system
	Timer adjustment
Pedestrian, Bicycle and Other Alternative Modes	Pedestrian grade separation
	Bikeways and bike storage
	Pedestrian control barriers
	Interconnected sidewalk system
	<u>Multi-use pathways</u>
Route Diversion	Auto restricted zones
	Pedestrian malls
	Residential traffic control and traffic calming
Parking Management	Curb parking restrictions
	Residential parking control
	Satellite parking for the beach
Inter-modal Coordination	Park-and-ride facilities
	Transfer improvements
	Evaluate the benefits of new or expanded bus routes to accommodate new commercial neighborhood development to residential development
Commercial Vehicles	On-street and off-street loading zones
	Peak-hour on-street loading controls
Prohibited	Truck route system
Pricing	Peak/off-peak transit fares
	Fares for elderly and handicapped
	Reduced transit fares
Commercial Uses	Limit or prohibit commercial uses along the frontage of collector roadways.
	Prohibit commercial uses along Hickory Boulevard and along the frontage of the new arterial known as Imperial/Three Oaks Extension.
Inter-connectivity of Street System	Prohibit non-connecting streets
	Prevent the forming of enclaves
	<u>Identify potential parallel corridors that provide alternatives to arterial roadways</u>
	<u>Require new developments to provide "through" streets</u>
Incentives for:	Large employers or major trip generators to provide park-and-ride or other traffic reducing facilities

Policy 1.1.13: The City shall consider implementing one or more programs to include, but without limitation, timely completion of road construction projects:

- a. Incentives, such as bonuses, for contractors who complete construction phases ahead of schedule;
- b. Penalties, to include payment refunds, for contractors who fall behind schedule; and
- c. Encourage private/public or public/public partnerships.

Objective 1.2: The City shall increase mobility for all modes of travel within the City, including vehicles, bicycles, pedestrians, and transit.

Policy 1.2.1: In order to provide increased mobility and to disperse traffic thereby reducing demand on the major road system, the City shall initiate a transportation network study particularly designed to address the needs of intra-city traffic and encourage the development of a balanced roadway system which is coordinated with, and consistent with, the transportation needs associated with the future land use map, existing and proposed densities, housing and employment patterns in the City. The transportation network study shall, at a minimum, include examination of the appropriateness and feasibility of the following issues:

- a. Extension and realignment of Pennsylvania between Old U. S. 41 and U. S. 41.
- b. Increasing, where possible and feasible, local north-south and east-west travel routes and access across the Imperial River and its tributaries, including (1) bridging Oak Creek to connect Matheson Avenue between East Terry Street and Bonita Beach Road and (2) bridging the Imperial River at Wisconsin Street to provide a continuous connection between East Terry Street and Bonita Beach Road.
- c. Use of one-way pairs.
- d. Improving the connectivity of the City's grid system.
- e. New methods for facilitating the paving of private local street.

Policy 1.2.2: Any road extensions or water crossings examined during the implementation of Policy 1.2.1 shall include, at a minimum, consideration of the following:

- a. Monetary costs
- b. Environmental impacts
- c. Right-of-way availability
- d. Impacts upon affected neighborhoods
- e. Traffic levels
- f. Revenue sources

Policy 1.2.3: By year-end 2010, the City shall begin a systematic program of data collection, including placing traffic counters on important collector and local roadways, to assist in determining the local traffic needs and the effects of proposed improvements following construction.

Policy 1.2.4: The City shall review existing traffic impact methodology and guidelines and procedures for traffic impact studies and modify as appropriate.

Policy 1.2.5: The City shall address issues and problems with current transportation concurrency practices (whether peak hour peak direction LOS needs to be augmented with AADT LOS, etc.) and establish traffic performance standards.

Policy 1.2.6: The City shall establish interlocal agreements and traffic methodology that address the cross-jurisdictional transportation impacts of development.

Objective 1.3: New and expanded transportation facilities shall continue to be aligned to protect existing development except where no feasible alternative exists, and be designed for all modes of travel.

Policy 1.3.1: Alignments of new or expanded ~~roads and other~~ transportation facilities or other improvements shall be selected to minimize the cost/benefit ratio while:

- a. Minimizing the number of businesses and residences displaced.
- b. Using major roads to define neighborhoods.
- c. Allowing sufficient land area between arterials to enable the formation of new neighborhoods.
- d. Distributing traffic loadings among available facilities.
- e. Implementing "Complete Streets" principles to ensure safe and efficient access for all users.

Policy 1.3.2: The alignment of arterials or expressways which penetrate or divide established residential neighborhoods shall be avoided except where no feasible alternative exists.

Policy 1.3.3: For those neighborhoods where too much through traffic is a problem, the City shall study, and implement when warranted, neighborhood traffic control devices and other traffic calming measures to protect residential areas from the harmful impacts of excessive traffic.

Policy 1.3.4: ~~The use of local streets to mitigate existing arterial or collector congestion problems shall be only a last resort.~~ The City shall evaluate opportunities to implement a system of interconnected local and collector roadways to provide alternatives to the arterial roadway network. The City shall evaluate feasibility of such improvements based upon right-of-way acquisition costs, cost of roadway improvements, impact on the roadway network, and impacts to existing neighborhoods. Planning new corridors through such areas shall be undertaken in conjunction with reimbursement for losses and a safety and buffering program for remaining residents. Whenever possible, the City shall re-route construction-related traffic away from residential areas.

Objective 1.4: The City shall improve the aesthetic qualities and appearance of roadways, and their adjacent land uses.

Policy 1.4.1: The City shall continue to enforce the provisions of its Land Development Regulations for architectural review and design guidelines for commercial development along its major arterial roadways. Other considerations shall include shared parking; parcel inter-connectivity; increased landscaping requirements; participation in the Florida Yards and Neighborhoods Program; requirements for mechanical irrigation systems; and encouragement of, and incentives or requirements to, increase the proportion of parking located on the sides of, or behind, buildings rather than along the roadway frontage in order to protect the aesthetic quality of public viewsheds and vistas.

Policy 1.4.2: The City shall enforce its property maintenance code that provides for upkeep of properties to ensure maintenance and repair of buildings, signs and parking lots adjoining its major roadways.

Policy 1.4.3: The City shall initiate development of a comprehensive "streetscape" plan which should include unifying landscape design for medians, street trees and other urban design considerations.

Policy 1.4.4: Initial emphasis shall be given to improving the appearance and aesthetics of Imperial Street, Bonita Beach Road, Old U. S. 41, U. S. 41, Hickory Boulevard and Vanderbilt Drive, each of which are gateways to the City.

Objective 1.5: The City shall investigate, and initiate if warranted, a Comprehensive Plan Amendment to designate a Transportation Concurrency Exception Area (TCEA) in order to accommodate redevelopment and infill along Old U. S. 41 between Bonita Beach Road and Terry Street.

Policy 1.5.1: Through the Comprehensive Plan amendment and review process, coordinate the City's designation of its TCEA with the FDOT, FDCA, Lee County and the MPO.

Policy 1.5.2: Subsequent to the reviews by the above agencies, the City shall prepare a Comprehensive Plan Amendment containing the guidelines and policies which specify the programs and actions the City will use in addressing the transportation needs, alternative transportation options, incentives, and traffic management techniques to be included in the TCEA.

Policy 1.5.3: The City shall include the use of waterways, sidewalks, bike paths/trails, and other such appropriate alternatives to auto travel, within the actions and programs to address the transportation needs of infill and redevelopment within the TCEA.

Objective 1.6: The City shall ensure cooperative planning with surrounding municipalities, counties, the Florida Department of Transportation and the private sector.

Policy 1.6.1: The City shall participate in the MPO, Southwest Florida Regional Planning Council (SWFRPC) and Lee County planning processes for system-wide facility needs.

Policy 1.6.2: The City declares a position of interest for land use decisions affecting county and state roads shared with adjacent municipalities or counties.

Policy 1.6.3: The City shall explore methods by which it may offer incentives to large employers or major traffic generators which provide park and ride or other traffic reducing facilities.

Policy 1.6.4: The City shall continue to utilize inter-local agreements and supplements with Lee County and any other applicable entities for the financing, planning, design, construction and operation of the road system within the Bonita Springs area.

Objective 1.7: The City will ensure a comprehensive and economically viable alternative system to vehicular travel within the City including a reasonable fare-based and efficient public transit service, based upon existing and proposed major trip generators and attractors, safe and convenient public transit stops, and transfer points and land uses.

Policy 1.7.1: When considering changes in land use densities and transportation programs, the City shall evaluate the effect upon traffic generation, levels of service, and the potential need for, or impact upon, public transportation services.

Policy 1.7.2: Coordinate with public and private transit providers to ensure adequate transit capacity to meet public transit demand within the City and actively identify improvements and enhancements needed by the system.

Policy 1.7.3: Coordinate the planning and installation of walkways, bicycle paths and other bicycle amenities with the mass transit and roadway system through the development of a parks and recreation master plan for future bike paths and sidewalks linking parks, greenways, residential areas and commercial nodes within the City.

Policy 1.7.4: The City shall review requests for development orders and building permits for compliance with the Bikeways/Walkways Facilities Plan, the Bicycle and Pedestrian Master Plan, and the Bonita Beach Road Visioning Study, and the bikeways and pedestrian ways requirements in the Land Development Code.

Policy 1.7.5: The City shall coordinate with LeeTran and the MPO to further use of public transit within the City by:

- a. Distributing LeeTran schedules;
- b. Urging City residents and visitors to use the Trolley when visiting the beaches;
- c. Providing the MPO and LeeTran with:
 1. City population growth and income characteristics by census tract or other appropriate census designation
 2. The location and characteristics of newly permitted commercial and industrial uses in the City
- d. Urging LeeTran to examine potential "park and ride" locations in the City for mainland-to-beach trolley or bus service;
- e. Including a LeeTran survey in a City mailing to assist LeeTran in gauging demand for public transit service within the City.
- f. Requesting LeeTran to provide the City with an annual summary of ridership trips, by route, originating and/or ending within the City limits so the City may assess its citizens' and visitors' use of public transit and better coordinate with LeeTran;
- g. Ensuring adequate access to, and safety of, LeeTran bus stops and ensuring adequate visibility and sidewalks;
- h. Working with LeeTran during the City's "streetscape" planning to establish design guidelines and locations for public transit shelters and kiosks within the City so as to provide safe, convenient and aesthetically pleasing service;
- i. Promoting the benefits of the public transit service provided by LeeTran to residents, visitors, employers and employees within the City by posting brochures and information in public areas..
- j. Working closely with LeeTran to coordinate land use changes in the City's "Old 41" Redevelopment Area with the provision of public transit necessary to efficiently service the area;
- k. Encouraging LeeTran to make its system fare-friendly for users while maintaining the economics necessary for its continued operation.

Objective 1.8: The City will protect existing and future rights-of-way from building encroachments while avoiding undue hardship on affected property owners.

Policy 1.8.1: The City shall prohibit the location of new structures and required parking, required landscaped areas, or site development drainage facilities in existing road rights-of-way and in future road rights-of-way indicated on the Future Transportation Map Series, except in the "Old 41" Redevelopment Area where such encroachments may be in keeping with redevelopment objectives.

Policy 1.8.2: The City shall review all site plans and applications for rezoning or development approval to ensure that existing and future road rights-of-way will not be encroached upon.

Objective 1.9: Provide opportunities for the reduction of greenhouse gas emissions.

Policy 1.9.1: In order to achieve maximum ridership and energy efficiency, the City shall continue to encourage and support LeeTran by distributing schedules, urging residents and visitors to use the trolley when visiting the beaches, and urging LeeTran to examine potential park and ride locations in the City.

Goal 2: To implement a multi-modal transportation system along Bonita Beach Road using complete streets principles that ensures the safety of all users; equitable accommodation of all modes of transportation; the interconnection of the built and natural environment with transportation infrastructure; and facilitates a grid street network that mitigates congestion and links neighborhoods.

Objective 2.1: Provide for bicycle and pedestrian needs in the design of future improvements to Bonita Beach Road.

Policy 2.1.1: Create continuous sidewalk and multi-use pathway system along the entirety of the Bonita Beach Road Corridor to facilitate all modes of travel and provide for increased bicycle/pedestrian safety.

Policy 2.1.2: Evaluate Land Development Code amendments to provide for walkability and pedestrian-scale development patterns along the Bonita Beach Road Corridor, including but not limited to:

- a. Building siting and parking lot placement in relationship to the roadway;
- b. Bicycle and pedestrian access and interconnectivity;
- c. Bicycle parking space requirements and infrastructure;
- d. Shared parking areas;
- e. Maximum parking ratios.

Policy 2.1.3: Incorporate pedestrian amenities in the design of sidewalks and pathways to increase walkability and enhance the pedestrian environment, such as benches, canopy trees, and other hardscape and landscape features.

Policy 2.1.4: Where possible, locate planted buffer areas between the travel lanes of Bonita Beach Road and multi-use pathways and sidewalks to create separation between vehicular and non-vehicular traffic and enhance bicycle/pedestrian safety.

Policy 2.1.5: Incorporate new high-visibility pedestrian and raised bicycle crossings across Bonita Beach Road to increase opportunities for safe crossings between intersections, and enhance existing crossings through signage, contrasting pavement materials, and other design approaches.

Policy 2.1.6: Evaluate funding opportunities for design and construction of a 10-foot wide multi-use pathway along the south side of Bonita Beach Road.

Policy 2.1.7: Require future development to provide accessible bicycle storage racks and similar facilities to promote bicycle usage along Bonita Beach Road.

Objective 2.2: Provide for design elements that contribute to safe travel along Bonita Beach Road for all users.

Policy 2.2.1: Utilize innovative design techniques to improve the safety and function of roadways, including modern roundabouts, where feasible.

Policy 2.2.2: Implement a variety of traffic calming and safety features in all future improvements to the Bonita Beach Road Corridor, emphasizing separation between the roadway and bicycle/pedestrian infrastructure, appropriately spaced and maintained landscaping, street lighting, and innovative design techniques that provide visual cues to drivers, bicycles and pedestrians.

Policy 2.2.3: Preserve natural and historic features in the process of improving existing roadways or building new facilities.

Policy 2.2.4: Preserve the existing street network and evaluate opportunities to enhance and expand connectivity between adjacent and parallel roads.

Policy 2.2.5: Require multi-modal cross access between all new developments and redevelopment projects along Bonita Beach Road to allow users to travel between developments without returning to the arterial roadway.

Policy 2.2.6: Require vehicular cross access between new development and redevelopment projects within the Bonita Beach Road Corridor to ensure connectivity between adjacent properties, and minimize new driveway connections to the arterial roadway.

Objective 2.3: Provide for existing and future mass transit accommodations in the planning and design of future improvements to Bonita Beach Road, and in the design of new development and redevelopment projects along the corridor.

Policy 2.3.1: Promote use of public transit, including but not limited to LeeTran and Beach Trolley, and providing adequate street features such as pull-off areas and sheltered bus stops in the design of future improvements.

Policy 2.3.2: The City shall require new development and redevelopment projects along the Bonita Beach Road Corridor to accommodate transit access to the development, and provide for transit infrastructure as part of the development review process.

Objective 2.4: Establish quadrant protection zones along the Bonita Beach Road Corridor to clearly define key intersections that contribute to mobility, as generally identified on the Bonita Beach Road Corridor Quadrant Map.

Policy 2.4.1: Evaluate alternatives to conventional road-widening improvements at the Old US 41/Bonita Beach Road and US 41/Bonita Beach Road intersections to expand capacity, while facilitating multi-modal transportation and safe access by all users.

Policy 2.4.2: Evaluate opportunities to expand the local and collector street network in identified quadrants to reduce vehicular congestion at arterial intersections.

Policy 2.4.3: Encourage mixed-use, walkable and well-integrated land uses in identified quadrants, and discourage strip commercialization and development patterns that are solely auto-oriented.

Objective 2.5: Establish distinctive Network Zones along the Bonita Beach Road Corridor to clearly define the vision for transportation needs and land uses in the following areas: Beach Zone, Historic Zone, Community Zone, Interstate Zone, and two Commercials Zones.

Policy 2.5.1: Adopt the Bonita Beach Road “Corridor Network Zones Map” into the City of Bonita Springs Comprehensive Plan.

Policy 2.5.2: Implement Network Zone-specific design regulations through amendments to the City of Bonita Springs Land Development Code.

Policy 2.5.3: Ensure that new developments and redevelopment projects along the Bonita Beach Road Corridor provide sufficient right-of-way to accommodate the multi-modal transportation system identified for each Network Zone.

CAPITAL IMPROVEMENTS ELEMENT

GOALS, OBJECTIVES AND POLICIES

Goal 1: To provide public facilities and services in the City of Bonita Springs adequate to serve the needs of both existing and future development.

Objective 1.1: Capital Improvements. Ensure the provision of public facilities at the adopted Levels of Service by establishing a capital improvements programming and budgeting system and using the City's Levels of Service as the basic gauge of need and compliance through the City's concurrency management system and 5 year schedule of capital improvements.

Policy 1.1.1: Capital Improvements Program (CIP). The City shall annually prepare and adopt by resolution a Capital Improvements Program showing all public facility development projects to be undertaken during the ensuing five-year period. The City shall also annually evaluate and update this Capital Improvements element. The following actions shall govern the development of the CIP:

- a. Preparation of the CIP
 1. The City Manager or his designee shall annually review existing facilities, level-of-service standards, and current and projected deficiencies using the level-of-service standards contained in this plan, the established geographic units for each facility, and the latest population projections. Based on identified current and projected deficiencies, the City Manager shall prepare a capital improvements program based on facilities needed to meet these deficiencies.
 2. The City Manager and members of the City Council will communicate with the general public in this process to ascertain the perceived need for each kind of public facility in the City.
 3. A proposed CIP shall be presented by the City Manager in conjunction with the presentation of the proposed annual operating budget. The proposed CIP shall be "balanced" (i.e., proposed expenditures shall not be greater than the amount of revenues available to fund the expenditures). Attached to the proposed balanced CIP shall be a report of the projects designated as needed, but which cannot be funded.
 4. The proposed CIP shall consider the consistency of the proposal with the Comprehensive Plan and the effect of the CIP on the growth management objectives of the City.
 5. The proposed CIP shall be reviewed by the City Council. The City Council shall by resolution adopt the CIP approximately the same time as the adoption of the annual operating budget. The annual operating budget shall be consistent with the first year of the adopted CIP.
 6. The adopted CIP will be reviewed by the City Council during periodic meetings, called to discuss the status of CIP projects. The City Manager will provide the City Council with a status report on all ongoing CIP projects prior to these meetings. The Council may amend the CIP at these meetings by resolution after making findings of fact that the amendment is consistent with the priorities in this policy and with the City's Comprehensive Plan in general. Where an amendment to the CIP affects the first year, the annual operating budget shall also be amended so as to remain consistent with the CIP.
 7. All estimates of facility or service demand used to develop specific facility plans, or an annual update of the capital improvement program, shall be based on the specific volume and location of demand represented by developments for which local and DRI Development Orders were issued prior to the effective date of this plan, as well as more general estimates of population and land use intensity.
- b. Priorities for the CIP

1. Projects that remove a direct and immediate threat to the public health or safety;
 2. Projects are directed by a court order or otherwise by law;
 3. Projects that are essential for the maintenance of the City's investment in existing infrastructure;
 4. Projects that remove a service level deficiency that affects developed areas;
 5. Projects that provide new or additional facility capacity.
- Factors that may be considered in ranking projects that are otherwise equal in priority include (in no particular order of significance):
- (a) Whether the project competes with other facilities that have been or could reasonably be provided by other governmental entities or the private sector.
 - (b) The revenue-generating potential of the project.
 - (c) Offers of donations of lands and/or services by the private sector and/or other governmental entities.
 - (d) The availability of grants and other revenue sources from non-city revenues.
 - (e) An extraordinary opportunity for the City.
 - (f) The flexibility of use of the project.
 - (g) Continuation of an ongoing project for which significant funds have been expended by the City in the past.
 - (h) Meets the established replacement schedule for the facility/equipment.
 - (i) Supports plans of the FDOT, FDEP and SFWMD.
 - (j) Implement the City's Vision for a walkable and bikeable community that is pedestrian friendly with interconnecting sidewalks, pathways, and publicly available transit systems.

c. Effect of the CIP

1. After adoption of the first year's projects of the CIP, no first-year public facility project shall be constructed by the City, nor shall land be acquired for such project, except in conformity with the adopted first year of the CIP.
2. It is the intent of this plan to actively pursue the development of any public facility project once it has been included in the adopted CIP. Any CIP amendment that delays or cancels a project should only be made after consideration of:
 - (a) Changes in facility needs based on more up-to-date populations projections;
 - (b) Changes in revenues compared with previous projections;
 - (c) Changes in adjusted level of service standards; and.
 - (d) Extraordinary opportunities not previously expected.
3. The City shall consider and may accept dedication of facilities contributed to the City. Where contributed facilities are not provided by city funds, they need not be included in the CIP prior to acceptance. The City may, however, establish procedures for including contributed facilities in the CIP where inclusion in the CIP is a requirement of the Concurrency Management System.

d. Capital Facility Financing

1. The City should annually prepare revenue estimates to provide information about revenue sources available to support capital facility construction.
2. The City Manager shall prepare estimates of the operating and maintenance costs of each CIP project along with the capital costs of each facility.
3. The City should actively seek grant funds from federal, state, and other sources where available and when appropriate for capital facility construction. Consideration will be given to limitations (including operating restrictions) involved in such grants.
4. The City should investigate the feasibility of charging user fees to offset the cost of each new CIP project for which user fees could reasonably and legally be collected.
5. Capital Improvement Funds shall be anticipated at mileages that will generate sufficient revenue to make all required payments.

6. A reserve for contingency should be budgeted in each capital fund. These funds should be available for reallocation by the City Council as needed during the year to fund unexpected increases in capital costs and/or to fund additional projects which could not be anticipated in the annual CIP.
7. A reserve for cash flow will be budgeted in any fund that requires monies to be carried forward into the following year to support needed expenditures until sufficient current revenues are received.
8. The City should prepare an annual analysis of financial condition. This analysis will include consideration of capital facility financing needs and revenues available to finance such needs.
9. Capital Project budgets will only be altered in one of two ways:
 - (a) Administrative approval of transfer of funds to reserves for projects funds not required for authorized expenditures; or
 - (b) City Council approval of transfer of funds from reserves to increase a project.
10. At the end of each fiscal year, unexpended fund balances at the project level in each fund will be carried over to the subsequent fiscal year budget in an amount equal to the prior year's unexpended project budget. Any unexpended fund balance in excess of project budget will be redistributed to fund other capital obligations, if necessary. The excess fund balance shall be treated as capital reserves to be allocated in subsequent fiscal years.
11. The City will limit the amount of outstanding long-term liabilities to 10 percent of the assessed property value within the City.

Policy 1.1.2: The City shall establish replacement schedules for each of its major capital facilities and rolling stock.

Policy 1.1.3: Level-of-Service Standards. Level-of-service (LOS) standards shall be the basis for facility design, for setting impact fees, and for the operation of the Concurrency Management System (CMS).

Level-of-Service Standards

- a. **Potable Water Facilities:** Within certified, franchised or designated service areas an available supply, treatment and delivery of 235 gallons per day per equivalent residential connection (ERC) and delivery of potable water at a minimum pressure of 20 pounds per square inch (psi) at the meter anywhere in the system. (Cross Reference: Infrastructure Element Policy 1.1.1)
- b. **Sanitary Sewer Facilities:** Within certified, franchised or designated service areas an available capacity to treat and dispose of a volume of wastewater equal to 200 gallons per day per equivalent residential connection (ERC), except that facilities serving only mobile home residential structures shall have a capacity of 150 gallons per day and facilities serving only travel trailer residential structures shall have a capacity of 120 gallons per day.
- c. **Facilities for Disposal of Solid Waste:** The minimum acceptable level of service standard for availability of solid waste disposal facilities shall be 7 pounds per capita per day.
- d. **Stormwater Management Facilities:**
 1. **Existing Infrastructure/Interim Standard**
 During a 3-day storm event (rainfall) accumulation of 13.7 inches or less (3-day, 100 year storm as defined by SFWMD), one lane of evacuation routes should remain passable (defined as less than 6 inches of standing water over the crown). Emergency shelters and essential services should not be flooded.
 During a 3-day rainfall accumulation of 11.7 inches or less (3-day, 25-year storm as defined by SFWMD), all lanes of evacuation routes should remain passable. Emergency shelters and essential services should not be flooded.

During coastal flooding of up to 4.0 feet above mean sea level, all lanes of evacuation routes should remain passable. Emergency shelters should not be flooded.

2. Regulations of Private and Public Development

The quality of water to be discharged from new surface water management systems is, and shall remain, subject to state and regional permitting programs that determine compliance with state water quality standards. Storm-water management systems in new private and public developments (excluding improvements to existing roads) shall be designed to SFWMD standards (to detain or retain excess stormwater to match the predevelopment discharge rate for the 25-year, 3-day storm). Stormwater discharges from development must meet relevant water quality and surface water management standards as set forth in Chapters 17-3, 17-40 and 17-302, and the rule 40E-4, F.A.C. New developments shall be designed to avoid increased flooding of surrounding areas.

e. Parks and Recreation Facilities:

1. Regional Parks: 6 acres of developed regional park land open for public use per 1000 total seasonal population.
2. Community Parks: 1 acre of developed standard community parks open for public use per 1000 permanent city population.

f. Roadway Facilities: The minimum acceptable peak hour/peak season/peak direction roadway levels of service shall be as follows:

1-75	D
Freeways (nonFIHS)	D
Arterials	E
Collectors	E
Local roads	D

- g. Public School Facilities: The following Level of Service (LOS) standards for public schools are based upon Permanent Florida Inventory School Houses (FISH) capacity.
- a. Elementary: 100% of Permanent FISH Capacity as adjusted by the School Board annually to account for measurable programmatic changes.
 - b. Middle: 100% of Permanent FISH Capacity as adjusted by the School Board annually to account for measurable programmatic changes.
 - c. High: 100% of Permanent FISH Capacity as adjusted by the School Board annually to account for measurable programmatic changes.
 - d. Special Purpose: 100% of Permanent FISH Capacity as adjusted by the School Board annually to account for measurable programmatic changes.

Objective 1.2: Concurrency Management System. To ensure that public facilities are provided in conformance with the City's adopted level of service standards, the City shall adopt, maintain and enforce a concurrency management system.

Policy 1.2.1: The City shall enforce its facility level of service standards under the concurrency requirements of Florida law upon development orders or building permits which may cause the level of service of any facility to fall below the City's adopted minimum level of service for that facility by:

- a. Withholding approval, or
- b. Proceed with approval, notwithstanding a failure of the development to satisfy transportation concurrency, when all of the following factors enumerated in Florida Statutes #163.3180(11) are met:

1. The local government with jurisdiction over the property has adopted a local comprehensive plan that is in compliance.
 2. The proposed development would be consistent with the future land use designation for the specific property and with pertinent portions of the adopted local plan, as determined by the local government.
 3. The local plan includes a financially feasible capital improvements element that provides for transportation facilities adequate to serve the proposed development, and the local government has not implemented that element.
 4. The local government has provided a means by which the landowner will be assessed a fair share of the cost of providing the transportation facilities necessary to serve the proposed development.
 5. The landowner has made a binding commitment to the local government to pay the fair share of the cost of providing the transportation facilities to serve the proposed development. or:
- c. issuing approvals subject, at a minimum, to the latest occurring of the following conditions, provided, however, that no certificate of occupancy or its functional equivalent shall be issued before the necessary facilities and services are in place and available to serve the new developments.

Public facilities and Services		Conditions	
Potable water, sanitary sewer, solid waste, and drainage facilities	Parks and Recreation	Transportation	(Dots indicate that the condition is an available option for obtaining a finding of concurrency for the related set of public facilities)
•		•	Necessary facilities and services are in place and available to serve the new development.
	•		Necessary facilities and services are in place or under actual construction no later than one year after issuance of a certificate of occupancy or its functional equivalent. However, acreage for parks and recreation facilities shall be dedicated to or acquired by the City prior to issuance of a certificate of occupancy or its functional equivalent; or, funds in the amount of the developer's fair share shall be committed to the City no later than the City's approval to commence construction.
•		•	The necessary facilities and services are subject to an executed, binding contract which provides for commencement of actual construction of facilities or provision of services within one year of issuance of the development permit.
•		•	Necessary facilities and services are guaranteed in an enforceable development agreement which requires commencement of actual construction of facilities or provision of services within one year of issuance of the development permit.
		•	Consistent with the public welfare, and except as otherwise provided in FS 163.3180, transportation facilities needed to serve new development shall be in place or under actual construction

			no more than 3 years after issuance by the local government of a certificate of occupancy or its functional equivalent.
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Policy 1.2.2: The City's concurrency management system shall conform to the provisions of Chapter 163, Florida Statutes by including commitments that:

- a. The City of Bonita Springs will maintain its adopted level of service standards for potable water, sanitary sewer, solid waste, stormwater management, parks and recreations and roads.
- b. The City of Bonita Springs will demonstrate in future Capital Improvement Elements and amendments to this element that the plan is financially feasible and that adopted level of service standards as stated in the Capital Improvement Elements Policy 1.1.3 will be achieved and maintained.
- c. The City's concurrency management system will use a system for monitoring and ensuring adherence to the adopted level of service standards, the schedule of capital improvements, and the availability of public facility capacity. The City shall:
 - 1. Maintain a listing of all City adopted levels of service as listed in Policy 1.1.3.
 - 2. Maintain a continuous inventory of "available capacity" for each facility with an adopted level of service. "Available capacity" will consist of each facility's design capacity less the demand on the capacity committed through the issuance of prior development orders.
 - 3. Allow a comparison of a proposed development project's demand on each facility's "available capacity" to the City's adopted level of service for that facility and thus ascertain if the facility has sufficient available capacity to service the proposed project.
 - 4. The City shall issue no development orders or development permits without first consulting with Bonita Springs Utilities (the City's potable water service provider) to determine whether adequate water supplies to serve the development will be available no later than the anticipated date of issuance by the City of a certificate of occupancy or its functional equivalent. The City will also ensure that adequate water supplies and facilities are available and in place prior to issuing a certificate of occupancy or its functional equivalent.
- d. The City's concurrency management system will include standards for interpreting and using level of service standards to determine when the concurrency test must be met for development orders and permits. The City's concurrency management system will:
 - 1. Consider the impact the development will have on the City's facilities and will consider the type and intensity of use of the proposed development in relation to the demands the use can reasonably be expected to make on those facilities and the times when the demand can reasonably be expected to occur during the course of the development. When measuring the expected impacts of a development, the City will include only the impacts of permanent continuing demands of the development.
 - 2. Determine whether there will be sufficient capacity considering the "conditions" in Policy 1.2.1 for these facilities to serve the development at the time the impacts of the development will occur without causing the facilities and services to function at a level of service below the minimum levels established for them. The City will add the expected impacts of the development to the levels of use of the facility at the time of the determination. Anticipated additional use will be derived from other reasonably foreseeable factors. If this sum is less than the capacity of the facility

in question to operate during the effective period at the minimum adopted levels of service and the development's projected impact is in compliance with the City's Plan, the City will certify the conclusion by a written statement.

At the latest, the test for concurrency is prior to the approval of an application for a development order or permit which contains a specific plan for development including the density and intensity of development.

- e. The City's concurrency management system will be implemented through the City's Land Development Regulations and will ensure that the issuance of development orders and permits will not result in a reduction in the levels of service beyond the City's adopted level of service for the affected facility.

Policy 1.2.3: The City's concurrency management system will allow deferrals or exemptions only as specified below.

- a. Deferrals will be allowed only when the development application does not include a specific plan for development including the density and intensity of uses or does not request or require any authorization of development.
- b. Exemptions will include:
 - 1. Dwelling permits which do not impact upon the City's facilities/services having adopted levels of service.
 - 2. Building permits for single family, two family, and duplex buildings, as well as move-on permits for mobile homes, and recreational vehicles provided that the building or unit will be located within a subdivision or plat or other development which has a valid Certificate of Concurrency which specifically authorizes the City to issue building permits.
 - 3. Commercial buildings to the extent that the Certificate of Concurrency for the Final Development Order (FDO) issued prior to adoption of the City's Comprehensive Plan specifically authorized the City to issue the building permits.
 - 4. Permits which in themselves do not authorize construction of any building or structure which could impact the City's facility/service adopted levels of service.
 - 5. Exemptions approved for vested rights.
 - 6. Any other de minimis impact consistent with FS 163,3180(6). A de minimis impact is an impact that would not affect more than 1 percent of the maximum volume at the adopted level of service of the affected transportation facility as determined by the local government. No impact will be de minimis if the sum of existing roadway volumes and the projected volumes from approved projects on a transportation facility would exceed 110 percent of the maximum volume at the adopted level of service of the affected transportation facility; provided however, that an impact of a singly family home on an exiting lot will constitute a de minimis impact on all roadways regardless of the level of the deficiency of the roadway. No impact will be de minimis if it would exceed the adopted level of service standard of any affected designated hurricane evacuation routes.
- c. The City may grant exceptions from the concurrency requirement for transportation facilities if the proposed development is otherwise consistent with the adopted local government comprehensive plan and (1) is a project that promotes public transportation or (2) is located in an area for which the City has adopted an amendment designating the area for urban infill development, urban redevelopment, downtown revitalization, or urban infill and redevelopment, which amendment includes data and analysis demonstrating that the area(s) qualify under Florida Statutes § 163.2517.

Developments located within urban infill, urban redevelopment, existing urban service, or downtown revitalization areas or areas designated as urban infill and redevelopment areas which pose only special part-time demands on the transportation system may be excepted from the concurrency requirement for transportation facilities. A special part time demand is one that does not have more than 200 scheduled events during any calendar year and does not affect the 100 highest traffic volume hours. Prior to granting an exception the City will consider the impacts on the Florida Intrastate Highway System. The exceptions may be available only within the specific geographic area of the jurisdiction designated in the plan. Any affected person may challenge a plan amendment establishing these guidelines and the areas with which an exception could be granted.

Policy 1.2.4: The City Manager, as a component of his annual review of facilities and Levels of Service, in preparing the City's annual capital improvements program, shall prepare a formal assessment of the status of the City's adopted level of service standards including:

- a. The existing demand on facilities having adopted levels of service.
- b. The capacity available to meet future demand, and
- c. The capacity of planned facilities.

Using this assessment, the City Council shall, after a public hearing, determine if there is sufficient cause to withhold or condition development orders or permits during the coming year.

Should City Council find that sufficient capacity will be available to serve all development reasonably expected to occur during the coming year, issuance of development permits may continue.

Should the City Council find that sufficient capacity will not be available to serve all development reasonably expected to occur during the coming year, City Council shall take at least one of the following actions:

1. Prepare a comprehensive plan amendment to adjust the adopted failing level of service or,
2. Identify the types of development permits which will have an immediate large demand on the failing levels of service, and direct that permits which depend on these levels of service shall not be granted or shall be granted conditionally so occupancy is dependent upon achievement of the adopted level of service and set a schedule for the reassessment of that level of service, or
3. Immediately amend the first three years of the City's 5 year schedule of capital improvement to provide or accelerate facility improvements or other means to negate or offset any apparent deficiencies in levels of service.

Policy 1.2.5: To provide for a reasonable economic use of land in those rare instances where a strict application of the concurrency requirements would constitute an unconstitutional taking of property without due process of law, the City may issue a concurrency variance certificate. This certificate may be issued only in the City finds all of the following circumstances to be true:

- a. There are not sufficient facilities available to serve the development without violating minimum concurrency requirements.
- b. No reasonable use can be made of the property unless a development permit is issued.
- c. No reasonable economic use can be made of the property by conditioning the development permit upon sufficient facilities becoming available, and
- d. The request to vary from the concurrency requirements is the minimum variance that would allow any reasonable economic use of the property in question.

Policy 1.2.6: The City shall enforce concurrency management vested rights through implementation of its Land Development Regulations.

Policy 1.2.7: The City's concurrency management system shall be administered by the City of Bonita Springs or its designee.

Policy 1.2.8: Reserved.

Policy 1.2.9: The City shall investigate and initiate, if warranted, a Comprehensive Plan Amendment to designate a Transportation Concurrency Exception Area (TCEA) in order to accommodate redevelopment and infill along Old U S 41 between Bonita Beach Road and Terry Street and through the Comprehensive Plan review process, coordinate the City's designation of its TCEA with the DEO, FDOT, Lee County and the MPO.

Objective 1.3: Other Financing Policies. Establish a broad-based system of revenue regulations that ensure that new development pays at least 90% of the capital costs of the public infrastructure directly attributable to that new development.

Policy 1.3.1: The City's impact fees for and/or fees-in-lieu of private provision of designated public facilities shall be set to capture a substantial proportion of the full and real cost of the designated facility, and shall be reviewed and updated regularly.

Policy 1.3.2: Lee County shall assist any duly constituted public agency within its boundaries, at that agency's request, in developing an impact fee program to offset the impacts of new growth on that agency or jurisdiction's capital or facility requirements.

Policy 1.3.3: Reserved.

Objective 1.4: The City, shall upon adoption of this Comprehensive Plan, limit public expenditures that subsidize development within the coastal high hazard area of the City.

Policy 1.4.1: All further City public expenditures for new facilities within the City's coastal high hazard Category 1 hurricane evacuation area shall require a finding by the City Council that such expenditures are necessary to maintain required service levels, to protect existing residents, or to provide for recreation/open space and preservation needs or enhanced water quality measures.

Objective 1.5: The City shall coordinate the City's Comprehensive Plan elements' capital requirements with the City's capital improvement program.

Policy 1.5.1: The City Manager shall, during his preparation of the proposed Capital Improvements Program for the City Council's consideration, include those capital needs identified in the Comprehensive Plan's elements.

Policy 1.5.2: Capital improvements are defined to include at least any major nonrecurring expenditure for physical facilities having an estimated useful life in excess of ten years and an acquisition cost of \$25,000 or more.

Policy 1.5.3: The City incorporates into the Capital Improvement's Element the Lee County School District's Five Year Capital Facilities Work Plan as adopted by the Lee County School Board on 9-9-2008. Beginning with an effective date of 2008 and no later than December 1st of each year thereafter, the City shall incorporate the above into its Capital Improvement's Element. The Capital Facilities Work Plan shall identify school facility projects which are necessary to address existing deficiencies and meet future needs. The Plan shall demonstrate that the School District can achieve and maintain the adopted LOS standard for the five-year planning period supported by data and analysis demonstrating financial feasibility. Further, the Lee County School District's "Educational Plant Survey," adopted on July 30, 2008 is hereby incorporated by reference.

INTERGOVERNMENTAL COORDINATION ELEMENT

GOALS, OBJECTIVES AND POLICIES

Goal 1: Service Coordination. To provide for efficient and effective coordination of provision of public services and land use by the City of Bonita Springs Special Districts including the School Board and private utilities and other units of local government not having regulatory authority over land use.

Objective 1.1: Special Districts - To provide increased coordination of service delivery and land use with units of local government providing services but not having regulatory authority over land use. The City shall prepare a mailing list of special districts and use this list to coordinate with the following Special Districts active within the City and supplement the list with any other special districts identified to be active in the City:

- Bonita Springs Fire Control and Rescue District
- Lee County School Board
- Lee County Soil and Water Conservation District
- Community Development Special Districts
- San Carlos Water Control District
- West Coast Inland Navigation District
- South Florida Water Management District

Policy 1.1.1: To assure adequate coordination with the listed districts, the City shall send each District a copy of the agenda for all City Council and Local Planning Agency meetings scheduled for deliberations concerning the Comprehensive Plan and land development regulations, including amendments thereto.

Policy 1.1.2: To resolve the need for an additional school site as expressed by the Lee County School Board, the City shall, as soon as reasonably possible, invite a representative of the Lee and Collier County School Boards to jointly meet with the City to discuss the issue. At this meeting, the City shall also discuss the establishment of a joint process for collaborative planning and decision making on future school siting in the City and enter into an interlocal agreement reflecting this process.

Policy 1.1.3: The City shall recognize campus master plans as prepared pursuant to F. S. 240.155.

Policy 1.1.4: The City shall coordinate with the Lee County Planning Department in order to develop county-wide population projections that include expected growth indicated in the City's Comprehensive Plan.

Policy 1.1.5: The City shall review the Lee County Draft Population Projections and consider using them in the City's Comprehensive Plan.

Policy 1.1.6: In order to facilitate the provision of services by the above listed special Districts, the City shall continue to maintain and renew, if necessary interlocal agreement with each identifying the services to be provided and the responsibility of the City and the District.

Policy 1.1.7: The City will meet with the Bonita Springs Fire Control and Rescue District to discuss the following issues and enter into an interlocal agreement identifying the services to be provided and the responsibility of the City and the District:

- a. Information Exchange
- b. Need for involvement of the District early in the City's Development Review Process
- c. Coordination of long range planning efforts
- d. Emergency Management and Hazardous Materials procedure

- e. Technical assistance for future fire and rescue station locations
- f. Methods to improve the District's and the City's ISO ratings
- g. Fire impact fee shortfalls
- h. "911" Enhancements
- i. Enforcement of fire prevention code
- j. Minimum housing separation

Objective 1.2: Level-of-Service Standards. The City shall continue to monitor for conflicts, or potential conflicts, in level-of-service standards for public facilities in other adjacent jurisdictions and shall pursue resolution of those conflicts.

Policy 1.2.1: The City shall maintain and annually update an inventory of the various level-of-service standards for its and adjacent jurisdictions public utilities and shall discuss with the subject jurisdiction a means of coordinating those standards which are not in agreement.

Policy 1.2.2: Where conflicts with other entities regarding service standards and other intergovernmental disputes cannot be resolved through discussion among those concerned, the City shall pursue resolution through interlocal agreements and/or the informal mediation process of the Southwest Florida Regional Planning Council.

Policy 1.2.3: Development proposals within the City shall be reviewed for their impacts on levels of service for public facilities as stated in the comprehensive plans of adjacent governments.

Objective 1.3: Coordination of Roadway and Utility Improvements - To provide more efficient coordination the City shall, work with the privately operated water and wastewater companies, and utilities to ensure that capital and maintenance road projects are not adversely affected by subsequent utility construction.

Policy 1.3.1: By year-end 2010, enter into interlocal agreements between the City and the City's water and wastewater and utility companies to establish a process to coordinate expected utility construction projects with programmed roadway maintenance and capital projects.

Objective 1.4: Spoil disposal sites and county-wide facilities - The City shall continue to coordinate with the WCIND and Lee County in the designation of spoil disposal sites and facilities of county-wide significance.

Policy 1.4.1: The City shall continue to coordinate with the WCIND and Lee County to locate spoil disposal sites on a project-by-project basis.

Policy 1.4.2: Where conflicts arise between the City and a public agency regarding location of spoil sites or facilities of county-wide significance, the City shall seek resolution through the Coastal Resources Interagency Management Committee's dispute resolution process or that of the Southwest Florida Regional Planning Council.

Policy 1.4.3: The City shall coordinate with Lee County for siting facilities of county-wide significance, including locally unwanted land uses whose nature and identity are established in an agreement.

Objective 1.5: Assure joint planning between the City and the Lee County School Board for location of schools.

Policy 1.5.1: The City shall enter into an interlocal agreement with the School Board, which establishes:

- a. Joint School Board/City staff and joint School Board/City Council governing body meeting schedules to deliberate coordination of land use and school facility planning.
- b. A process to base plans upon common projections of the amount, type and distribution of population growth and enrollment and to work with the County to annually estimate residential units and allocate these units into planning sectors mutually agreed to by the

School Board so that county-wide projections are not exceeded based on BEBR medium range population projections as adjusted by the Department of Education.

- c. A date on which the City will provide the school board with information regarding the type, number, and location of residential units which have received zoning approval, site plan approval, a building permit, or a Certificate of Occupancy. Information regarding the conversion or redevelopment of housing or other structures into residential units that are likely to generate new students will also be provided. The City will also identify any development orders issued which contain a requirement for the provision of a school site as a condition of development approval.
- d. The site selection committee to which a city staff member will be appointed in the event the school board requires a site in or near the City. The committee will identify potential sites in the area of need and the City will provide an informal assessment of the site's consistency with the City's Comprehensive Plan and relevant issues based upon the criteria identified in the interlocal agreement.
- e. A requirement that at least 60 days prior to purchasing or leasing a site, the school board will request a preliminary determination of consistency of the site with the City's land use categories and policies of its Comprehensive Plan. During this time period, the City and school board will enter into a written agreement as to required improvements, if any, and the timing, location, construction, operating and maintenance requirements of the parties.
- f. A requirement for representation by the school board on the City's local planning agency on an as needed basis and the City's development review committee when proposals with school facility impacts are considered. A requirement to notify the school board of all land use application and development proposals in the City that may affect student enrollment, enrollment projections, or school facilities so as to allow the school board to advise of impact to school capacity prior to approval by the City. The City will consider issues as identified in the interlocal agreement in reviewing and approving land use applications.
- g. A method for the City to review and comment on the school board's annual update of the five-year district facilities work program.
- h. A requirement that the City will consider the shared use or collocation of schools with other city facilities as identified in the interlocal agreement when the City annually updates its capital improvements program and when designing new or renovated community facilities. When collocation or shared use is agreed upon the City, an agreement addressing liabilities, operation and maintenance costs, scheduling of use and facility supervision will be developed.
- i. A requirement that disputes will be resolved in accordance with the procedures specified in F. S. 164.

Objective 1.6: Intergovernmental coordination - To establish and maintain a cooperative relationship with the School District and municipalities in coordinating land use planning with development of public school facilities which are proximate to existing or proposed residential areas they will serve and which serve as community focal points.

Policy 1.6.1: The City shall provide the School District with annual information needed to maintain school concurrency, including information required for the School District to establish:

- a. School siting criteria;
- b. Level of service update and maintenance;
- c. Joint approval of the public school capital facilities program;
- d. Concurrency service area criteria and standards;
- e. School utilization.

Policy 1.6.2: The City shall provide the School District with its Comprehensive Plan, along with the five-year Land Use and population projections, to facilitate development of school enrollment projections and shall annually update this information. The City shall coordinate its Comprehensive Plan and the Future Land Use Map with the School District's long-range facilities plans to ensure consistency and compatibility between the District and the City plans.

Policy 1.6.3: The City shall advise the School District of a proposed public school site's consistency with the City's Comprehensive Plan and land development regulations, including the availability of necessary public infrastructure to support the development of the site.

Policy 1.6.4: The City shall provide opportunity for the School District to comment on amendments to its Comprehensive Plan, rezonings, and other land use decisions, which may be projected to impact on the public schools facilities plan.

Policy 1.6.5: The City shall coordinate with local governments and the School District on emergency preparedness issues which may include consideration of:

- a. Design and/or retrofit of public schools as emergency shelters.
- b. Enhancing public awareness of evacuation zones, shelter locations, and evacuation routes.
- c. Designation of sites other than public schools as long term shelters, to allow schools to resume normal operations following emergency events.

Policy 1.6.6: The City shall coordinate with the School District for the collocation of public facilities, such as parks, libraries, and community centers with schools to the extent possible, as sites for these public facilities and schools are chosen and development plans prepared.

Policy 1.6.7: The City will continue to work with the Lee County School Board in locating school sites and, where possible:

- a. Co-locate parks with schools.
- b. Identify joint uses of school and park facilities.
- c. Link schools to the City's bike/pedestrian circulation system.

Objective 1.7: Population Projections - To establish a joint process and collaboration among the City, Lee County and the School District in the planning and decision making on population projections.

Policy 1.7.1: The City shall provide updated Land Use maps to the County for the conversion of the University of Florida, Bureau of Economic and Business Research (BEBR) projections into both existing and new residential units and desegregate these units throughout incorporated and unincorporated Lee County using BEBR's annual estimates by municipality, persons-per-household figures, historic growth rates and development potential. These projections shall be amended annually and provided to the School District.

Policy 1.7.2: The City commits to working with the School District and Lee County to improve this methodology and enhance coordination with the plans of the School District and local governments. Population and student enrollment projections shall be revised annually to ensure that new residential development and redevelopment information provided by the cities and the County as well as changing demographic conditions are reflected in the update projections. The revised projections, and the variables utilized in making the projections, shall be reviewed by all signatories to the interlocal agreement.

Objective 1.8: Coordination: All new public schools built within the City will be consistent with the appropriate future land use map designation, will be co-located with other appropriate public facilities (when possible), and will have needed supporting infrastructure.

Policy 1.8.1: The City and the School District will jointly determine the need for and timing of on-site and off-site improvements necessary to support new school facilities.

Policy 1.8.2: The City may enter into an agreement with the School Board identifying the timing, location, and the party or parties responsible for constructing, operating, and maintaining off-site improvements necessary to support new school facilities.

Policy 1.8.3: The City, in conjunction with the School District, will seek opportunities to co-locate public facilities with schools, such as parks, libraries, and community centers, as the need for these facilities is identified.

Policy 1.8.4: The City will forward all applications for rezonings and Comprehensive Plan amendments that increase density on the Future Land Use Map to the School District for review.

Policy 1.8.5: The School District will periodically review the Public School Facilities Element. If the School District desires amendments to the element, the proposed modifications will informally present any proposed modification to City staff for initial comments and input. The School District will be the lead agency and will make application for any desired amendment to the Public School Facilities Element.

Policy 1.8.6: The City, in conjunction with the School District, the municipalities within Lee County, and Lee County, will identify issues relating to public school emergency preparedness, such as:

- a. The determination of evacuation zones, evacuation routes, and shelter locations.
- b. The design and use of public schools as emergency shelters.
- c. The designation of sites other than public schools as long-term shelters, to allow schools to resume normal operations following emergency events.

Policy 1.8.7: In order to reduce hazardous walking conditions to schools, the City, in coordination with the School Board, will implement the following strategies:

- a. New developments adjacent to school properties will be required to provide a right-of-way and a direct safe access path for pedestrian travel to existing and planned school sites and will connect to the neighborhoods existing and proposed pedestrian improvements:
- b. In order to ensure continuous pedestrian access to public schools, provisions for construction of facilities to address hazardous walking conditions pursuant to Section 1006.23, Florida Statutes, will be included in the schedule of capital improvements adopted each fiscal year: and
- c. Evaluate school zones to consider safe crossing of children along major roadways and prioritize areas for sidewalk improvements to increase the ability of children to walk safely to school.

Objective 1.9: Five-Year Schedule of School District Capital Improvements: The five-year schedule of capital improvements will include those projects necessary to address future needs of existing and anticipated school enrollment.

Policy 1.9.1: The City will annually incorporate into the Capital Improvements Element the "Summary of Capital Improvements Program" and "Summary of Estimated Revenue" tables from the School District's annually adopted Five-Year Capital Facilities Plan.

Policy 1.9.2: The City, in conjunction with the School District, will annually review the Public School Facilities Element and maintain a long-range public school facilities map series, including the existing schools and ancillary facilities and the planned general location of schools and ancillary facilities for the five-year planning period and the long-range planning period.

Policy 1.9.3: Any modification of public school Level of Service (LOS) standards must be accomplished by amending the Interlocal Agreement dated January 16, 2008 and the adoption of amendments to the City Comprehensive Plan. No LOS will be amended without

a showing that the amended LOS is financially feasible, supported by adequate data and analysis, and can be achieved and maintained within the period covered by the School Districts Five-Year Capital Facilities Plan.

Policy 1.9.4: The School District staff and City staff will discuss the need to amend the CSAs, as contained in the Bonita Springs Plan, prior to the initiation of the annual regular amendment cycle following the release of the 2010 census data. School District staff will informally present any proposed modification to City staff for initial comments and input. The School District will be the lead agency and will make application for an amendment to the Bonita Springs Comprehensive Plan.

Goal 2: Growth Management. To coordinate the plans and policies of the City of Bonita Springs, and adjacent local governments so as to guide, manage, and regulate urban growth in a compatible fashion.

Objective 2.1: Effects of New Development - To provide better coordination of plans and policies the City shall to review impacts of planned developments on Lee County, the City of Fort Myers Beach, Collier County, the SWFRPC and other governmental units.

Policy 2.1.1: The City shall adopt formal coordination procedures for mandated planning activities with other local governments, regional agencies, the state, and other governmental units.

Policy 2.1.2: Where conflicts regarding growth management and development issues cannot be resolved through discussion among those concerned, the informal mediation processes of the Southwest Florida Regional Planning Council shall be used where judicial action can be avoided.

Policy 2.1.3: The City shall enter into interlocal agreements with appropriate entities, including Bonita Springs Fire Control and Rescue District, for the notification and exchange of information regarding changes in land use or zoning of areas within one mile of its boundaries.

Objective 2.2: Political intervention - To provide better coordination of plans and policies the City of Bonita Springs shall initiate methods for dialogue and communication with other local governments to address issues which have an effect beyond the municipal boundaries of the City.

Policy 2.2.1: In order to address issues that cross jurisdictional boundaries, the City Council shall initiate and coordinate interactions with political counterparts in municipalities and counties in the region.

Policy 2.2.2: The City of Bonita Springs shall continue to:

- a. Use the Metropolitan Planning Organization (MPO) for matters of coordination in transportation planning and implementation; and
- b. Use the Technical Advisory Committee to the MPO in matters requiring communication, cooperation, and coordination between the City and other jurisdictions.

Objective 2.3: The City shall coordinate the impacts of its Comprehensive Plan upon the development in adjacent local governments, the regions, and the State.

Policy 2.3.1: The City shall, during any amendments to its Comprehensive Plan's Future Land Use Element, review the adjacent local government's existing and future land uses for the City's plan(s) impact upon it.

Policy 2.3.2: The City shall send a copy of any proposed amendment of its Future Land Use Element to each adjacent local government, the SWFRPC, SFWMD, FDEP, FDOT, FDOS and FDCA in time for the government to review and comment on the amendment.

Objective 2.4: The City shall provide better coordination of its plans and policies by coordinating its Comprehensive Plan with the comprehensive plans of adjacent municipalities, the county and adjacent counties.

Policy 2.4.1: The City, when updating or amending its Comprehensive Plan shall review the comprehensive plans of adjacent municipal governments and Lee and Collier Counties for compatibility in plans.

Policy 2.4.2: When updating or amending its Comprehensive Plan to assure coordination, the City will transmit a copy of its proposed update or amendment to each local adjacent government and Lee and Collier Counties in adequate time for the adjacent government to review and respond to the City's proposal.

Objective 2.5: Resolution of land use, natural resource, infrastructure and other issues prior to annexation.

Policy 2.5.1: The City shall identify and implement joint planning areas with Lee County to resolve land use, natural resource and related issues prior to annexation of lands into the City. The following process shall be employed:

- a. The City shall identify and map the geographic area it may wish to consider for annexation.
- b. The City shall notify Lee County of the City's desire to participate with the County in joint planning for the area in order to address the following:
 1. Designation of land use categories for the annexed area in a manner to ensure compatibility with the County's future land use designations for surrounding and adjacent unincorporated areas.
 2. The general location of major transportation systems and facilities to ensure continuity between roads within the City and those in the unincorporated portions of the County.
 3. The general treatment of the area's major natural resources to ensure that protective measures employed by the City shall be adequate to, at a minimum, achieve the level of protection afforded by the County.
- c. The City shall coordinate with the County to discuss the County's plans for future land uses within the area, including sub-items b.(1) through (3), above.
- d. The City shall ask Lee County to consider an interlocal agreement addressing their joint participation as follows:
 1. Identification of the area(s) the City may wish to consider for annexation;
 2. Identification of the categories of future land use within the area, and among surrounding unincorporated areas, for which compatibility is desired.
 3. Identification of the general location of components of the major transportation system within the area and connections between roadway within the area and the surrounding unincorporated areas of the County.
 4. Identification and mapping of the major natural resources in the area and provision of a methodology to compare the levels of protection presently afforded by the County with those to be employed by the City.
 5. Continued dialogue and exchange of planning data for the area until such time as the annexation effort has been completed.
- e. The City shall employ the results of sub-item "d.4." above, to revise its natural resource protection measures as necessary to ensure that the natural resources in the area are protected to at least the same criteria as the County's regulations.

Policy 2.5.2: Through the process outlined below, the City will identify and work with the area's major service and infrastructure providers to resolve joint planning issues prior to the City's annexation of the area. The City shall:

- a. Identify and map the area it wishes to consider for annexation.
- b. Identify the current and potential providers of major infrastructure and services to potential annexation areas, i.e., franchisees and independent special districts.
- c. Notify each of the identified providers of the City's intent to annex the area and to participate with each provider in a joint planning process to resolve any issues related to needed major infrastructure or services and any transition of services.
- d. At the time of notification, have available the following information:
 1. The names of all of the providers the City has identified to participate in the joint planning process.
 2. A map, or maps, and description clearly defining the area the City intends to annex showing the City, adjacent territory, and present and proposed boundaries of the area the City intends to annex.
 3. A short description and maps showing the City's general plans for the area including land uses, density, intensity and alternative plans, if available
 4. A short description and maps showing the specific infrastructure or service concerns that may benefit from, or require, joint planning.
 5. A copy of the petition or ordinance incorporating this information will be satisfactory for purposes of notification.
- e. Participate with each of the identified providers to resolve any joint planning issues identified for the potential annexation area through either individual or group meetings or discussions with the providers.
- f. Following conclusion of the joint planning process, the City shall adopt into its annexation agreements or through the annexation ordinance address providers of major infrastructure or services for the annexed area, identifying the responsibilities of the City and the providers.

Goal 3: To protect natural resource systems that cross governmental boundaries.

Objective 3.1: The City shall continue to participate with adjacent county and city natural resource protection agencies and state and federal environmental agencies in regularly conducted natural resource protection staff intergovernmental coordination meetings.

Policy 3.1.1: The City shall continue to maintain a City representative on the Estero Bay Agency on Bay Management (ABM).

Policy 3.1.2: The City shall review each year the ABM "Guiding Principles" and incorporate into its Comprehensive Plan those found by the City Council to be appropriate to the City.

Objective 3.2: To provide increased protection of natural resource systems which cross government boundaries, the City shall continue to participate with other governments to prepare and implement water management plans, including the Estero Bay Agency on Bay Management, Charlotte Harbor National Estuary Program, the Charlotte Harbor Management Plan, the Water Management District Surface Water Improvement and Management (SWIM) plans, FDEP Aquatic Preserve Management Plans, water supply plans, and other water resource management plans.

Policy 3.2.1: The City shall re-evaluate its policies for protecting and enhancing natural resources upon a review of natural resource management plans that are newly adopted or revised by other agencies.

Policy 3.2.2: The City shall continue to pursue efforts to coordinate with Lee County, the South Florida Water Management District, the Agency on Bay Management, and other participating agencies to implement a plan for surface water management in the Estero Bay Estuary, Imperial River, and Spring Creek watersheds.

Goal 4: To cooperate with other governmental entities in the planning, funding, and construction of transportation improvements within or affecting the City of Bonita Springs.

Objective 4.1: Planning - To increase cooperation with other governments in transportation planning, the City shall continue to plan cooperatively with ~~surrounding counties, and adjacent municipalities~~ Lee County, Collier County, the Village of Estero, the Town of Fort Myers Beach, and FDOT.

Policy 4.1.1: The City will participate in the MPO and Regional Planning Council planning processes for system-wide facility needs.

Policy 4.1.2: The City will use the region's informal mediation whenever possible to resolve disputes before other formalized processes are pursued.

Objective 4.2: Financing - To increase cooperation with other governments in financing transportation improvements, the City shall continue to pursue multi-jurisdictional funding sources for shared facilities.

Policy 4.2.1: The City shall continue to maintain a roads impact fee program.

Policy 4.2.2: The City shall encourage interlocal agreements with the State of Florida, Lee County, and Collier County to plan, design, construct, and/or maintain selected roadway facilities.

Policy 4.2.3: The City shall continue to cooperate with Lee County in the joint funding of road projects in the City of Bonita Springs.

Goal 5: To coordinate the Water Supply Facilities Plan with the appropriate agencies.

Objective 5.1: The City shall continue to participate and coordinate with Bonita Springs' water providers to adequately address water supply limitations.

Policy 5.1.1: The City will maintain a water supply facilities work plan that is updated every five years and is coordinated with South Florida Water Management District (SFWMD) Water Supply Plan by updating its own work plan within 18 months of an update to SFWMD's District Water Supply Plan that affects the City.

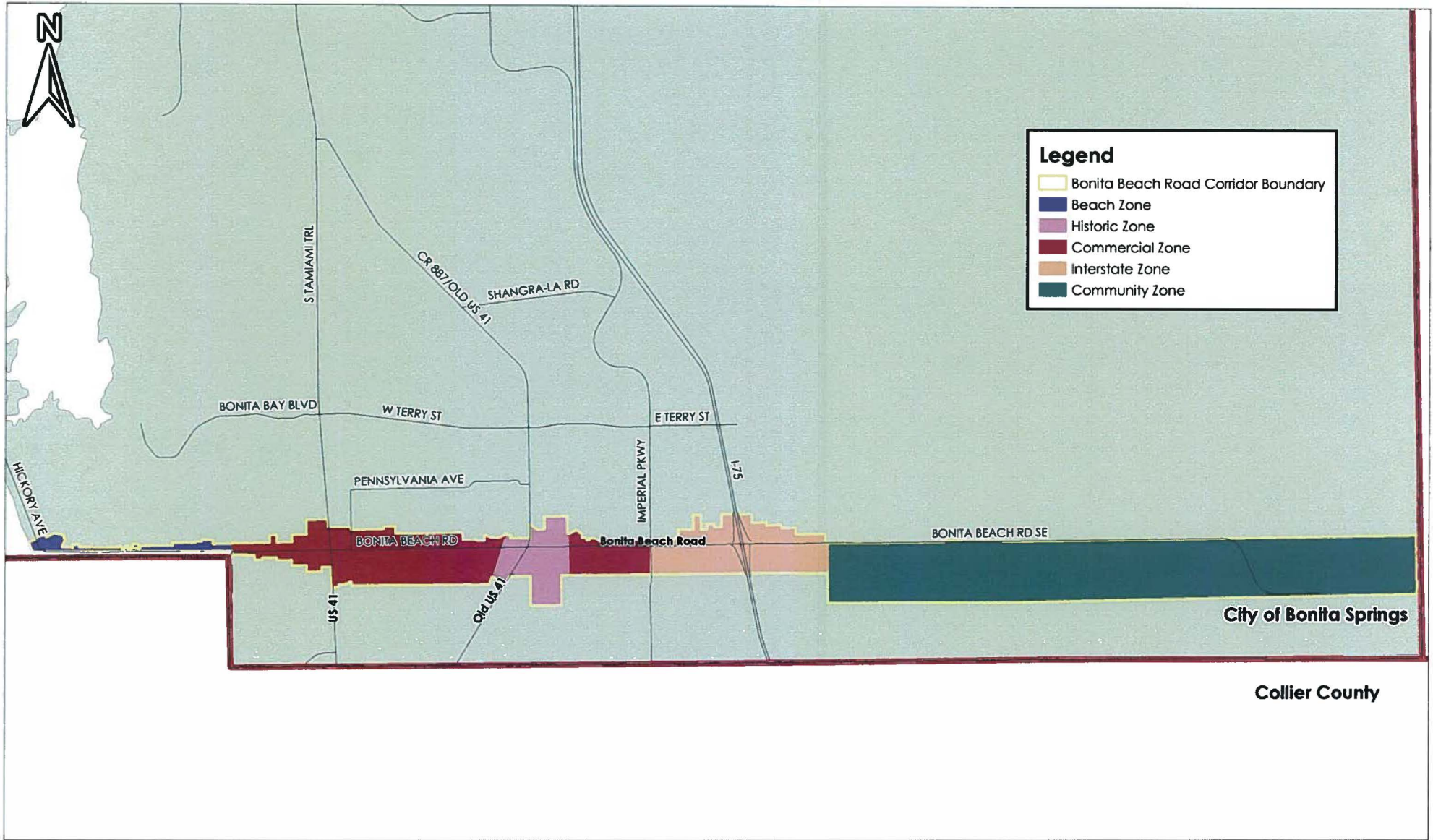
Policy 5.1.2: The City will participate in the development of updates to SFWMD's Water Supply assessment and district's Water Supply Plan and in other water supply development related initiatives facilitated by the SFWMD that affects the City.

Objective 5.2: Infrastructure Coordination.

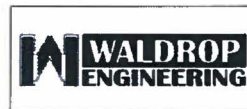
Policy 5.2.1: The City will work with water suppliers when alternative sources of providing potable water need to be evaluated.

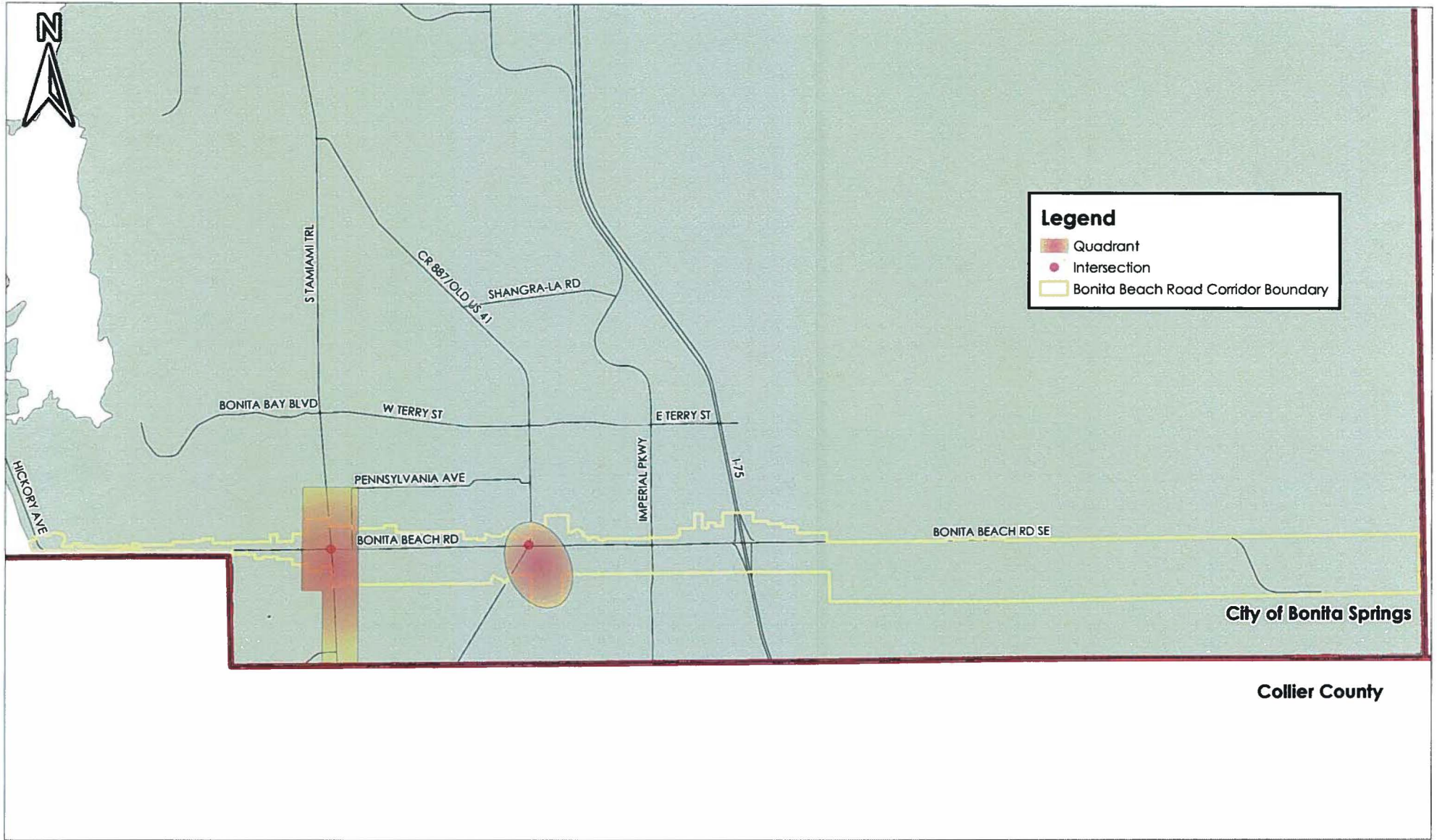
Policy 5.2.2: The City will work with water suppliers to coordinate alternative water source uses for activities that do not require potable water. (Cross Reference: Conservation Element Policy 16.5.6)

Policy 5.2.3: The City work with other agencies to determine appropriate stormwater management practices that assist with achieving water supply plan objectives.



Network Zone Map
CITY OF BONITA SPRINGS, FLORIDA





Bonita Beach Road Quadrant Map
 CITY OF BONITA SPRINGS, FLORIDA

