

PLANNING FOR ESTERO LAND USE TRANSITION

OUR NEW LAND USE BOARDS.

USE OF BOCA RATON MODEL

- For purposes of this analysis, we used the model ordinances of the City of Boca Raton.
- They formed the basis for our ECPP and EDRC.
- They are simply stated ordinances which have withstood all legal challenges and have created a beautiful community.
- There were many choices within the Boca Ordinances that were discussed at a joint meeting of the ECCL, ECPP, and EDRC members, and at subsequent public meetings of these groups.

PLANNING AND ZONING BOARD

□ COMPOSITION:

- Number: Seven Members

- Term: Three years (Staggered).

- Qualifications:

- At least 4 members are residents of Estero, others must either own a business in Estero, own property in Estero, or work in Estero.
- Diverse backgrounds and sympathetic with the Estero Community Plan;
- No other appointed or elected office.

PZB ORGANIZATION

- APPOINTMENT: By Village Council on an at large basis, subject to the qualifications.
- ORGANIZATION/MEETINGS.
 - ▣ Organizational Meeting each April 1st.
 - ▣ Officers: Chairman appointed by the Village Council, and Vice Chairman elected by members, each for 1 year terms.
 - ▣ Chairman shall be well versed in land development process and quasi-judicial hearings.
 - ▣ Secretary appointed by Village Manager (not a member).
 - ▣ Quorum equals four members.

POWERS OF PZB

- DESIGNATED AS LPA: All powers of LPA under Community Planning Act FS 163.3174

- Legislative Role:
 - Comprehensive Planning: Preparation of Village's first Comp. Plan.
 - Review of all Comp. Plan Amendments, including Future Land Use Map (FLUM) amendments.
 - Zoning District Amendments, including zoning map amendments.

POWERS OF PZB (Cont.)

- ▣ Initial LDC and all Amendments to LDC (LDCAC, EROC);
- ▣ Development of plans, codes and ordinances related to land use and development.
- ▣ Quasi-Judicial Roles:
 - ▣ Re-zonings of Properties.
 - ▣ Review of Subdivisions.
- ▣ Other Powers:
 - ▣ Conducts public informational meeting prior to sufficiency;
 - ▣ Makes decisions on special exceptions;
 - ▣ Makes decisions on variances;
 - ▣ Determines administrative actions.

SAMPLE PZB FLOW CHART

Current process for rezonings:

- Public Informational Meeting at ECPP and sufficiency;
- Preparation of Staff Report;
- Quasi-Judicial hearing before Hearing Examiner and HEX Advisory Report;
- Final hearing before BOCC.

Proposed Process for rezonings:

- Public Informational Meeting at PZB and sufficiency;
- Preparation of Staff Report;
- Quasi-Judicial hearing before PZB and PZB Advisory Report;
- Final hearing before Village Council.

DESIGN REVIEW BOARD

COMPOSITION:

- ▣ Number: Eight Members
- ▣ Term: Two Years (staggered)
- ▣ Qualifications:
 - At least 4 members are residents; other members either own a business in Estero, own property in Estero, or work in Estero.
 - At least 3 members are architects, and at least one other member is a landscape architect.
 - Remaining members are architects, landscape architects, planners, engineers, building contractors, real estate professionals, or similar backgrounds.
 - Members must not hold other public office, appointive or elected.

DRB ORGANIZATION

- APPOINTMENT: Appointed by Village Council on an at large basis subject to the qualifications.

- ORGANIZATION/MEETINGS.
 - Organization Meeting each April 1st.
 - Officers: Chairman appointed by Village Council, and Vice Chairman elected by members.
 - Formulates its own rules and regulations for conduct of business.
 - DRB conducts public informational meeting prior to sufficiency.

DRB ORGANIZATION (Cont.)

- ▣ Minutes must be kept, approved and filed with Clerk.
- ▣ Majority vote of members present required to act.
- ▣ Quorum is four members.
- ▣ Meetings at least twice per month or more often as may be required to prevent unnecessary delay.
- ▣ Rules, regulations, and procedures shall be adopted by the DRB to govern meetings.
- ▣ Village Manager appoints the secretary.
- ▣ Appeals may be taken to Village Council sitting as an appeals board.

DRB POWERS

- REVIEW OF PLANS AND SPECIFICATIONS:
 - Signature of Chairman or presiding member on plans is prerequisite for issuance of Development Order or building permit.
 - General standards of architecture, beauty and harmony are established by the Ordinance.
 - Supplemental Standards to be adopted by the Village Council for the guidance of the DRB.
 - DRB General Criteria specified in the ordinance include existing Estero LDC Standards.

DRB GENERAL CRITERIA (Part 1)

- GOOD TASTE: The project is in conformity with good taste, good design, and in general contributes to the image of the Village as a place of beauty, spaciousness, harmony, taste, fitness, and high quality.
- NOT INFERIOR QUALITY: The proposed development is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.

DRB GENERAL CRITERIA (Part 2)

- CONFORMITY WITH CODE. The Plans are in conformity with the Standards of the LDC, including the Estero provisions, relating to location and appearance of the buildings and structures. Conditions may be applied when the buildings do not conform in order to bring them into conformity.
- HARMONY WITH AREA. The project is in harmony with the proposed developments in the general area, fully consistent with the Comprehensive Plan, and the DRB Supplemental Standards to be developed and approved by the Village Council.

DRB GENERAL CRITERIA (Part 3)

- LANDSCAPING AND IRRIGATION. The project shall promote water conservation. Water requirements may be reduced by providing for:
 - ▣ Preservation and reestablishment of native plant communities.
 - ▣ The use of drought-tolerant, site specific, and shade producing plants, and
 - ▣ Design and maintenance of irrigation systems, which eliminate waste of water or loss from damage.

DRB SUPPLEMENTAL CRITERIA

- Supplemental Criteria are adopted by the Village Council as an ordinance.
- They may be amended from time to time by the Village Council and may be considered based on the recommendations of the DRB.
- Supplemental Criteria are expected to be similar to the Estero LDC Revisions in scope. They will deal with architecture, landscaping, site plans, buffering, and specific developments like big box stores, gas stations etc. as envisioned in that project.

PUBLIC PARTICIPATION

- GOAL: Enhanced public participation.
- Procedural Rules of both Boards to be developed to insure:
 - ▣ Notice of Meetings at least 1 week before meeting;
 - ▣ Agenda published with 7 days notice;
 - ▣ Walk-ons limited to emergencies;
 - ▣ Detailed minutes vetted, approved and filed with Clerk;
 - ▣ Detailed findings of fact and decisions filed with Clerk;
 - ▣ Development of a process to provide written notice to all communities impacted by matters before the Boards.

NEXT STEPS:

- Notice has been given for adoption of the Land Use Boards Ordinance;
- First Reading to be on April 6th with final reading and proposed adoption on April 17th.
- In interim, Village Council to determine the process to obtain as many volunteers as possible to populate these Boards, consider the application form, and the process of vetting and approval of candidates.

CONCLUSIONS:



- ❑ QUESTIONS AND COMMENTS?
- ❑ WHAT CAN WE DO TO IMPROVE THESE CONCEPTS?
- ❑ LET'S HEAR FROM THE PUBLIC AS TO THESE LAND USE BOARDS.
- ❑ THANK YOU ALL FOR PARTICIPATING!