

ATTACHMENT 2

Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

August 26, 2019

Ms. Mary Gibbs, FAICP
Community Development Director
Village of Estero
9401 Corkscrew Palms Circle
Estero, Florida 33928

Dear Ms. Gibbs:

The Department received the Village of Estero's proposed amendments CPA2019-01 and CPA2019-02 on August 1, 2019. However, during processing it was brought to our attention that the Village's comprehensive plan adopted on June 13, 2018, is not in effect and therefore the proposed amendment is being returned.

Because the Village's June 13, 2018, adopted comprehensive plan is not in effect, the effective comprehensive plan for the Village of Estero remains the Lee County comprehensive plan. Note that, pursuant to s. 163.3167(3), Florida Statutes, during the period after the Village was incorporated in 2014, and before the Village adopts a comprehensive plan in accordance with the Community Planning Act, the effective comprehensive plan for the Village is the existing Lee County comprehensive plan.

It appears that the Village has at least three alternatives available to it with regard to the proposed amendment: (1) it can revise and resubmit the amendment as an amendment to the Lee County comprehensive plan; (2) it can wait until the challenge to its June 13, 2018, adopted comprehensive plan is resolved by the Division of Administrative Hearings and the new comprehensive plan becomes effective, and then resubmit the proposed amendment as a proposed amendment to the new comprehensive plan; or (3) it can proceed in accordance with the statutory requirements of s. 163.3184(6), F.S., concerning compliance agreements.

If we may be of further assistance please contact Barbara Powell, Community Program Administrator, at (850) 717-8504 or Ray Eubanks, Plan Processing Administrator, at (850) 717-8483.

Sincerely,

James D. Stansbury, Chief
Bureau of Community Planning and Growth

cc: External Review Agencies

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