



VILLAGE OF ESTERO

Comprehensive Plan Amendment

CPA2019-01

Water Supply Facilities Work Plan

February 19, 2020 Council Meeting

CASE TYPE: Comprehensive Plan Amendment

CASE NUMBER: CPA2019-01

PLANNING & ZONING BOARD DATE: June 18, 2019

COUNCIL DATE: July 24, 2019 (Transmittal)

APPLICANT: Village of Estero

REQUEST

This is a Village staff-initiated request for an amendment to the Comprehensive Plan. The Plan was adopted by the Council on June 13, 2018 and became effective in November, 2019.

The request is:

- Amendment to reference Water Supply Facilities Work Plan as required by Florida Statutes.

STAFF RECOMMENDATION

Staff recommends adoption of the amendment.

BACKGROUND

The Village had a Water Supply Facilities Plan prepared as required by Florida Statutes. A comprehensive amendment is necessary to reference this Plan. The amendment was recommended for approval by the Planning and Zoning Board on June 18, 2019, and was reviewed by Council at a hearing on July 24, 2019 when Council voted to send the amendment to the State.

Staff “transmitted” the amendment to the State reviewing agencies shortly after the July 24th meeting. Subsequently, the State informed the Village that the amendment could not be

processed until the Comprehensive Plan was found to be in compliance due to the legal challenge filed by Argo. The State sent the amendment back to the Village.

The Plan has been found to be in compliance and is effective as of late November 2019. The amendment can now be adopted.

It should be noted that the State Department of Economic Opportunity provided a letter of “no comment”, as did the Water Management District.

STAFF ANALYSIS

Florida Statute Chapter 163.3177 requires local governments to prepare a Water Supply Facilities Work Plan and incorporate relevant water supply projects into the Comprehensive Plan within 18 months after the applicable water management district approves or updates its Regional Water Supply Plan.

The purpose is to improve coordination between land use planning and water supply planning. By doing so, the Comprehensive Plan also becomes consistent with the regional water supply plan prepared by each water management district.

The South Florida Water Management District approved its “Lower West Coast Water Supply Plan Update” on December 20, 2017. The Village is within this planning area and thus must amend its Comprehensive Plan, as necessary, within 18 months of water management approval.

The Village hired Johnson Engineering to prepare the Work Plan which is attached. The work plan addresses water supplies and conservation programs necessary to serve existing and new development in the Village for a minimum ten-year period.

Water is provided in the Village by Lee County Utilities and Bonita Springs Utilities. The report indicates that, because the Village does not own or operate its own water supply facilities, and because both LCU and BSU have adequate capacity and allocation to serve Estero through the planning period through 2030, the Village does not need to undertake any capital improvement projects or enter into agreements with the utility providers to ensure continued water supply at the current levels of service.

There are several policies already contained in the Comprehensive Plan (infrastructure, capital improvements, intergovernmental coordination elements and definitions) that address water supply planning and coordination.

Staff suggests that the policy below be modified to reference that the required work plan has been prepared.

The proposed amendment language is below in strike-thru/underline:

Policy INF- 1.3.2. The Village ~~shall~~ has developed a Water Supply Facilities Work Plan within 18 months after the South Florida Water Management District ~~approves~~ an update to the required water supply plan (titled the 2017 Lower West Coast Water Supply Plan Update). The Village’s Plan (The Village of Estero 10-Year Water Supply Facilities Work Plan June 2019) incorporated by reference herein, addresses issues that pertain to water supply for utilities and

requirements needed to serve current and future development in the Village. The Work Plan indicates that the Village does not own or operate its own water supply facilities, and because the water suppliers (Lee County Utilities and Bonita Springs Utilities) have adequate capacity and allocation to serve Estero through the planning period, Estero does not need to undertake any capital improvement projects.

ATTACHMENTS:

1. Ordinance No. 2019-23
2. Correspondence from Florida Department of Economic Opportunity dated December 23, 2019
3. Email from South Florida Water Management District dated December 17, 2019
4. Correspondence from Village dated November 18, 2019