

VILLAGE OF ESTERO, FLORIDA

Planning, Zoning & Design Board

2023 Annual Report to the Village Council

INTRODUCTION

The Village of Estero Planning, Zoning & Design Board (PZDB) serves as the Village's State required Local Planning Agency. The PZDB is responsible for conducting all public hearings on zoning requests for proposed Estero land developments and then makes recommendations to the Village Council and/or takes actions itself on variances, deviations, development orders and special exceptions. Also, in its role as the overseer of the design and review of approved developments and portions thereto, all Development Order applications must be reviewed and acted upon by the PZDB, independently of the Village Council. The PZDB usually meets monthly (13 meetings were held in 2023) to review and decide action items and to conduct workshops and Public Information Meetings (PIM). A PIM is a session where applicants can make presentations, questions can be asked by the public or the Board, but no decisions are made. Public input is invited and encouraged at all PZDB meetings. The PZDB is directly accountable to the Village Council. The Board members serve staggered terms. Currently, the District 3 Village Councilmember, who is also the Mayor, serves as the liaison to the PZDB. The Village Director of Community Development and staff provide necessary staff support, field studies, developer/owner dialogue and reports and recommendations to the PZDB. The Village has also retained a prominent land use attorney who advises the PZDB on all legal matters that come before the PZDB. The efforts of Village staff and the land use attorney are immeasurably helpful to the PZDB, enabling it to conduct its assigned responsibility.

THE GOAL OF THE PZDB

Under Florida Statutes, landowners have the right to develop their properties on a basis that complies with local and state statutes, codes and ordinances. The PZDB has the goal of overseeing the development, redevelopment and other changes to various properties within the Village in such a way that Estero grows responsibly. This means that proposals need to be consistent with the Village's Comprehensive Plan and Land Development Code (LDC) and are consistent or complementary with the values and design concepts that Estero created over a continuum predating its incorporation in 2014 and continuing as an incorporated government. The Comprehensive Plan identifies what is important to Estero's residents, and these items are contained in the Plan's Vision Statement and other portions of the Plan.

PZDB activity also includes monitoring and planning to make sure that the Village infrastructure is able to support new development without overtaxing existing infrastructure. The PZDB, being the Local Planning Agency under the State of Florida Community Planning Act, recommends to the Village Council, after review of land development regulations and development proposals, whether they are consistent with the Village Comprehensive Plan. In concert with the Village Council and staff, the PZDB properly evaluates development proposals' effect on infrastructure

and makes necessary recommendations to the Village Council to ensure that Village growth occurs responsibly and in a fashion that maintains the safe and efficient operation of the Village. When landowners and their developer partners seek to develop, they must have approved zoning, apply for a Development Order, and receive approval from the PZDB prior to obtaining a building permit. The PZDB seeks to effectively serve several constituencies. First the residents, second the Village Council, and third, landowners who wish to develop or redevelop properties within the Village.

PZDB PROCESS

The PZDB reviews a wide variety of requests from landowners, developers or their representatives. These items range from minor changes to reviewing complex zoning change proposals and Comprehensive Plan Amendments.

The PZDB conducts zoning and Development Order public hearings in a quasi-judicial capacity. Quasi-judicial hearings occur regarding site-specific zoning and Development Order applications. The purpose of a quasi-judicial procedure, which is somewhat more formal than normal public hearings, is to assure due process to all concerned parties and to bring evidence to the PZDB (and ultimately the Village Council) that allows the PZDB to apply the existing adopted regulations/policies/requirements to a specific application (i.e., to determine whether the application for the requested action meets the existing requirements). Presenters and witnesses are sworn in and the members of the Board must disclose any ex-parte communications and any conflicts of interest. The hearing is open to the public with public comment encouraged either in person or by correspondence. Witnesses are subject to cross-examination.

PZDB RULES OF PROCEDURE

With the assistance of the Village Director of Community Development and the Village Land Use Attorney, the PZDB developed formal rules of procedure that it follows as it considers zoning applications, Development Order applications, and other matters. These rules were adopted pursuant to the authority of the Village LDC, Section 2-302.A.10. The purpose of these rules of procedure is to provide for the orderly conduct of the business of the PZDB. They are intended to ensure a reasonable and consistent process, to promote the orderly and efficient conduct of public proceedings, and to ensure the fair and impartial treatment of each person who appears before the Board. It should also be noted that the Board is scrupulous in its adherence to the Florida “Sunshine Laws”, and deviations from those laws are not tolerated in any way.

Once the Board has completed its review of a matter heard in any quasi-judicial proceeding, the Board’s decision or recommendation shall be based on competent substantial evidence in the record of the proceeding, public input, staff input, and the applicable law. Should any application be denied, the Board shall state its findings regarding the criterion or criteria that are not met.

2023 PZDB ACTIVITY

When the Board or Council approves an application for development, it can take several years for the approved development to be completed. In addition, Estero, like most of Florida, is a rapidly growing community experiencing high demand for quality residential development thus

creating an environment where multiple projects are underway simultaneously. There are numerous developments in various stages ranging from initial land acquisition, planning, application submission, zoning approval, Development Order approval, permitting and construction.

In our 2022 Annual report we noted that “It is not possible to accurately predict how, if at all, recent high inflation, higher loan interest rates, supply chain issues or Hurricane Ian aftermath will impact Estero's development. It is a fact that Estero is a strong, highly regarded and desirable place to live and work.”

Despite the uncertainty, 2023 development and infrastructure activity was robust. Developers recognized a demographic trend towards smaller residential and/or rental products. Multi family, rental apartments, town homes and even hotel projects constituted the majority of residential development. Estero is now 90% developed. The largest undeveloped parcel is 100 acres in size, located east of US41 and north of Williams Road.

The commercial/retail side saw several new projects approved including restaurants, banks, office, medical office, and day care. The largest approved development is the Woodfield project located on 46 acres immediately west of US41 and north of Coconut Road, directly across from the Coconut Point Mall. It will be a mixed-use development that includes retail, office and residential.

Renovations and/or expansions were approved for several existing residential communities including expansion of pickleball court facilities and renovation of clubhouses, amenity centers and parking facilities.

The Village approved plans to develop the South portion of Estero River Park as a low impact park setting featuring scenic walking trails. Also approved were designs for Village entrance signage that will greet individuals as they enter Estero.

The Village also developed and the PZDB approved plans for the 19-acre tract of Village owned land on the north side of Williams Road just east of Via Coconut. This property will be utilized for indoor and outdoor recreation featuring new Pickleball courts, indoor recreational activities and restaurants operated by private partners.

PROJECTS OUTSIDE THE VILLAGE

There are several projects in Lee County and the City of Bonita Springs that will affect the Village and are worth noting:

Corkscrew Road Area East of I-75:

The Place at Estero, 2,895 residential units; Wild Blue, 2,064 residential units; Verdana Village, 2,400 residential units and commercial; Corkscrew Shores, 1423 units; Kingston, 10,000 residential units and commercial; Florida Farm Development (FFD), 5208 units. These projects total 24,000 new residential units and will have significant traffic impacts. Corkscrew Road is a county-maintained road and the Village will coordinate with Lee County to accommodate the

anticipated traffic flow from these non-Estero developments.

Coconut Road Area west of US 41:

The Ritz Carlton Residences is a twin high-rise development with marina and restaurant north of the Hyatt Regency resort (formerly the Weeks Fish Camp site). Construction is underway.

The PZDB also engaged in governance related activities during the year. In response to an increase in interest driven by Hurricane Ian, an Ordinance establishing Standards for Elevated Single-Family homes requiring enhanced appearance and visual screening of support structures was recommended to the Village Council and adopted.

HURRICANE IAN AFTERMATH

We can never forget that on September 28, 2022, Category 4 Hurricane Ian struck Estero. An unprecedented 14-foot storm surge inundated the communities principally along West Broadway, Pelican Sound and the West Bay Club, rendering hundreds of homes and condominiums severely damaged or uninhabitable. Thousands of homes throughout Estero were also damaged. Ian was the worst hurricane in Florida history and number 3 nationwide in terms of damage (\$112 billion).

The Village continued to support Estero victims with many services. The massive storm debris site at US41 and Coconut Road is gone. In most areas it is difficult to tell that such devastation occurred, but there are still many people who are rebuilding their lives, principally in the hardest hit areas. Much of the Village's work involves requiring proper permitting which may seem like an unnecessary exercise, but it is very important to protect Estero residents from unscrupulous contractors who prey upon innocent victims in the aftermath of a major storm. Village staff was severely impacted by the influx of necessary permit requests and has worked tirelessly to reduce the backlog. Permits increased by 23% over the prior year. 2023 saw the highest number of permits issued since Estero incorporated in 2014.

THE OUTLOOK FOR ESTERO IN 2024

Growth will continue but at a more measured pace within Estero because the Village is 90% developed. Future projects principally outside Estero, as noted earlier, will increase the impact of growth requiring infrastructure investment. As previously noted, this growth takes several years to mature but it requires advance planning to provide necessary infrastructure including not only roads, storm water management, water supply and utilities, but also public safety (police, fire, and EMS), public education, recreation and other essential public services.

The work of Village staff, the Village Council and the Planning, Zoning and Design Board continues. The goal remains responsible development.

Respectfully submitted to the Residents of Estero and the Village Council.

The Village of Estero Planning, Zoning and Design Board

Scotty Wood, Chairman
Anthony Gargano, Vice Chairman
Kristin Jeannin
Barry Jones
Mike Sheeley
James Tatooles
Jim Wallace