

**FORT MYERS BEACH
JOINT TOWN COUNCIL/LOCAL PLANNING AGENCY MEETING
SEPTEMBER 10, 1996**

Nations Bank, Council Chambers
2523 Estero Boulevard
FORT MYERS BEACH, FLORIDA

I CALL TO ORDER

The meeting was opened on Tuesday, September 10, 1996, at 7:03 P.M. by Mayor Anita Cereceda.

Present at the meeting were: Anita T. Cereceda, Mayor and Council Member; Ted FitzSimons, Vice Mayor and Council Member; Council Members Rusty Isler, Ray Murphy, and Garr Reynolds; LPA Chairman John Mulholland, LPA Members Johanna Campbell, Lena Heyman, Betty Simpson, Roxie Smith, and Bill Van Duzer, and LPA Alternate Ron Kidder; Marsha Segal-George, Town Manager; and Attorney Richard Roosa.

Absent from the meeting: LPA member Daniel Hughes and LPA Alternate Linda Beasley.

II PLEDGE OF ALLEGIANCE

All assembled recited the Pledge of Allegiance to the flag.

III PUBLIC COMMENTS AND INQUIRIES

There were no public comments.

IV PRESENTATION BY VICTOR DOVER ON FUTURE PLANNING OPTIONS FOR THE TOWN

Bill Spikowski introduced Carol Cunningham and Victor Dover, members of the planning team. He gave a summary of some of the preliminary plans which have been studied by the LPA over the summer, and briefly explained the contents of the memos in the packet. Included in the packet is a status report of all development permits in the Town and maps showing existing land use, current zoning, future land use, and vacant properties on the island. He stated that the Town will be under pressure from the state regarding additional development, due to the fact that we are a barrier island with the potential for flooding and evacuation. The studies are based on the year round population, but need to be looked at from the standpoint of seasonal population. Also in the packet is a memo about land-use issues of immediate concern, a memo on the option to create a Fort Myers Beach CRA, and a memo about the option to create a stormwater utility.

Regarding the immediate land-use issues, they tried to limit the list to the most urgent six issues that the Town has inherited: multiple dwellings in neighborhoods zoned for single family homes; hotel and motel density; effect of mandatory flood regulations on future rebuilding; "creeping commercialization" of the island; peak-season parking shortage; and the future of land fronting Estero Boulevard from the Key Estero Shops to Skipper's Galley. He asked the group to tell them if these are not the highest priorities so that time can be spent where it is needed most.

Within the first year after the comp plan is accepted, the Town must enact land development regulation changes. Although the inspiration for incorporation was for control, the Town needs to institute procedures that are fair for a long period of time. They need to make choices that will make the Town better rather than worse over time. Victor Dover talked about the two major methods of land development regulation:

Conventional zoning which divides the island into districts that are assigned a permitted land use. He said that it is difficult to have conventional zoning in a tourist community where people go to see the town as well as the natural resources. Studies have shown that even though single family homes do not create density, they usually generate more car trips per day. Density coupled with dimensional regulations is the most common plan in use. It is the easier form of zoning, but it doesn't handle special situations very well, such as historic districts. It is possible to have a special zone where the rules are different, such as our overlay in Times Square.

Design-orientated codes require more deliberation, more consensus-building, and more political will. Streets become more agreeable, public places are well defined, civic buildings are given geometric proportions, and build-to lines makes buildings look consistent.

Mr. Dover introduced the matrix format, which can allow pictures which helps people to find the part of code that applies to them quickly. He stressed that if the comp plan is not good, the council and the LPA will be overwhelmed by variances.

Carol Cunningham talked about the schedule for the LPA. Although it is an aggressive schedule, it shows that the comp plan can be completed in a year.

There will be at least three separate public hearings on the comp plan. First it will be heard in front of the LPA, then the Council, before the plan goes to the DCA. After being approved by the DCA, the Town Council will hold one more hearing before it becomes a final document.

The Council and LPA took a break at 8:25 PM. Mr. Mulholland reconvened the meeting at 8:45.

V PUBLIC COMMENTS AND INQUIRIES

Bill Van Duzer asked if floodproofing is really a viable option. The consultants stated that this should be the highest priority. Retail at floor level works much better than any other way, but FEMA has not changed their rules in a long time, and flood insurance is so high that most municipalities adopt the FEMA rules just to be safe. But many of the dry floodproofing solutions will not work for our island, such as creating a berm. It is probably possible to wet floodproof up to 2 feet, but much higher than that and the floodwater pressure makes the walls collapse. You can build stronger walls, but that may make windows so small that they aren't practical for retail. Some things can be done in the A zone which won't work in the V zone. The Times Square area contains both kinds of zones.

Fran Myers asked what we want the design to be. The core area design is being called Old Florida. Will the rest of island need to conform to that design too? Mr. Dover said that usually you deal with design a neighborhood at a time. He suggested that because the island is so long, people on the south end can have a different picture from Times Square.

Mr. Dover stressed the need to persuade the town that developing the comp plan is an historic moment that will really count and that it can really impact them if they don't participate. The Town needs a multi-media approach to get the word out: hang banners across the main street, take surveys, start a telephone network, go on the internet or cable access, have a booth at a July 4 picnic, etc. The merchants need to be reached in a different way than householders: mailing lists, monthly newsletter, etc. We should encourage the local papers to cover the LPA meetings, not just the Council meetings.

Mr. Roosa reiterated that the code needs to be something that a lay person can sit down and read. The Lee county code takes 6 full-time attorneys to interpret it. He likes the positive approach of telling people what they have to do (such as build-to lines), not what they can't do. Dictating maximum size and height is OK, but he said it is important to try not to dictate architectural style because everyone does not have the same taste, and you want the community to have some interest and variety.

Bill Whitaker spoke as a Times Square business man who wanted to thank the Town for the overlay zoning. It has done a lot for them.

Mr. Isler noted that we are so seasonal that it makes it hard to project for the future. He pictured a scenario where the economy goes down and people can no longer afford a unit that is only lived in a few months a year, so they sell and the economy of the Town dives. Or if they can no longer afford two homes, they might sell the other home and move here and now the seasonal population is here all the time. Can the plan cover the extremes? Mr. Dover said that real cities change and they all go through cycles. The Town should concentrate on the basics and make a long term plan anyway. Although tourism is somewhat vulnerable, it is the third fastest growing industry and is part of the plan for the whole state.

VI ADJOURNMENT

The meeting was adjourned at 9:45 P.M.

Respectfully submitted,

Peggy Salfen
Recording Secretary