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MEMORANDUM

TO: Fort Myers Beach Local Planning Agency and Town Council
FROM: Bill Spikowski
DATE: December 3, 2002
SUBJECT: COMPREHENSIVE PLAN AMENDMENTS

The new Fort Myers Beach Comprehensive Plan became effective at the beginning of 1999. Since then there have been three cycles of plan amendments; in the year 2000 two amendments were adopted; two more were adopted in 2001; and two more were adopted by Ordinance 02-07 in September 2002 and became effective on November 15, the date when the Florida Department of Community Affairs issued its notice of intent to find these amendments "in compliance" with state law.

Attached please find replacement pages 10-17, 10-18, 10-25, 10-26, 10-27, 11-22, plus a new title page that displays a running tabulation of all replacement pages.

Please keep these pages with your copy of the comprehensive plan. Additional copies of these pages, or the replacement pages for the year 2000 or 2001 amendments to the plan, can be obtained from Town Hall or downloaded from http://www.fmbeach.org/comp_plan/index.html or <http://www.spikowski.com/beach.htm>

It is now time to consider next year's potential amendments to the plan. Future amendments are addressed on Page 15-5 of the plan, as follows:

This plan, including the Future Land Use Map, may be amended with such frequency as may be permitted by applicable state statutes and in accordance with such administrative procedures as the Town Council may adopt. Petitions for changes from landowners will be accepted annually; the Town Council may accept applications more frequently at its sole discretion.

Specific potential amendments are discussed below and should be reviewed at the LPA meeting on December 10 and the Town Council meeting on December 16. Any additional amendments that deserve consideration need to be identified at that time.

1. ANNUAL CAPITAL IMPROVEMENTS UPDATE

The last page of the new comprehensive plan describes this annual amendment as follows:

The Capital Improvements Element shall be updated annually following the adoption of the town's budget. This update, at a minimum, shall review expected revenues and include a new financially feasible five-year schedule of capital improvements to replace the existing schedule.

This amendment must occur each year after adoption of the town's budget, which contains the revised capital improvements program. It is fairly simple, replacing existing Table 11-7 in the Capital Improvements Element with the new five-year schedule of capital improvements and discussing any changes in revenue expectations. This is the only amendment that is essential for the upcoming year.

2. PRIVATELY INITIATED AMENDMENTS

Amendments to the comprehensive plan are sometimes requested by petition from private parties (usually filed by landowners for their own property, but sometimes by civic organizations for entire neighborhoods). Although private parties may persuade the town council or LPA to officially sponsor their proposal, they usually are offered an opportunity to pay a fee and get a public hearing on proposals without such sponsorship. The Fort Myers Beach Comprehensive Plan allows such privately initiated amendments to be requested once each year.

Because of the complexity of processing these applications, the town has in past years processed them on the same schedule as town-initiated amendments. The application deadline has been December 31. This same deadline will apply for the coming year.

3. EVALUATION AND APPRAISAL REPORT

Florida's growth management system requires the periodic reevaluation of the entire comprehensive plan. Reports are prepared by each local government to evaluate its comprehensive plan and identify changes that are needed; these are called "evaluation and appraisal reports." Although most of the state is now on a 7-year schedule for these reports, the state has put Fort Myers Beach on the same cycle as Lee County so that reports for all cities in Lee County will occur at the same time, during the year *after* Lee County completes its report (which is due in February 2004). The official due date that has been assigned for the Fort Myers Beach is April 1, 2005, with plan amendments required during the following year. No action is required at this time; this is just a reminder of a requirement that should be undertaken starting some time in early or mid 2004.

RECOMMENDATION

The only plan amendment that is mandatory during the coming year is to update the schedule of capital improvements (#1 above). If the Local Planning Agency or Town Council believe that some other portion of the comprehensive plan should be considered for amendment in the coming year, it should vote on December 10 or 16 to file such an application for the upcoming plan amendment cycle. If any private petitions are filed by December 31, they will be processed simultaneously.

FORT MYERS BEACH COMPREHENSIVE PLAN

TOWN COUNCIL:

Mayor Anita Cereceda
 Vice-Mayor Ray Murphy
 Councilman Daniel L. Hughes
 Councilman John Mulholland
 Councilman Garr Reynolds
 Former Vice-Mayor Ted FitzSimons
 Former Councilman Rusty Isler

LOCAL PLANNING AGENCY:

Co-Chair Betty Davis Simpson
 Co-Chair Roxie Smith
 Former Chair John Mulholland
 Linda Beasley
 Johanna Campbell
 Lena Heyman
 Daniel L. Hughes
 Ron Kidder
 David Smith
 Bill Van Duzer

PREPARED BY:

Spikowski Planning Associates, Fort Myers, Florida

WITH:

Carol Cunningham & Associates
 Dover, Kohl & Partners
 Mohsen Salehi Consulting Services
 Smith•Osborne Associates
 Camp Dresser & McKee Inc.

EFFECTIVE DATE: JANUARY 1, 1999

AMENDMENTS TO THIS PLAN

| <i>Application Number:</i> | <i>Adopting Ordinance:</i> | <i>Pages Changed:</i> | <i>Effective Date:</i> |
|--------------------------------|--------------------------------|---------------------------|----------------------------|
| 2000-1-TEXT | 00-15 | 11-22 | 11/21/2000 |
| 2000-2-TEXT | 00-15 | 15-4 | 11/21/2000 |
| 2000-3-MAP | <i>[rejected]</i> | — | — |
| 2001-1-TEXT | 01-07 | 11-22 | 11/21/2001 |
| 2001-2-TEXT | 01-07 | 4-49-50 | 11/21/2001 |
| 2001-3-TEXT | <i>[withdrawn]</i> | — | — |
| 2002-1-TEXT | 02-07 | 11-22 | 11/15/2002 |
| 2002-2-TEXT | <i>[rejected]</i> | — | — |
| 2002-3-TEXT | 02-07 | 10-17, 18, 25-27 | 11/15/2002 |

foundation could work together to identify and acquire an appropriate site consistent with the hidden path network in that area. The town would provide technical assistance to the neighborhood to plan and raise funds for appropriate improvements and neighborhood stewardship of the leisure or play space. The town may be willing to assume long-term maintenance responsibility for the space as a part of the hidden path network.

“Oasis” Parks

Members of the community have also suggested creating “oasis” areas at strategic points along Estero Boulevard — at trolley stops, selected beach access points, or other logical points of intersection for pedestrians, bicyclists and motorists. Policy 1-A-3 of the Community Design Element provides for the development of a sidewalk and streetscape plan for all of Estero Boulevard, scaled to people rather than high speed traffic and which, among other things, is intended to build upon the park-like ambiance of the Island and particularly to improve the pedestrian experience. Some of the “oasis” parks could be as simple as a shaded trolley stop with benches, landscaping, bike racks, water fountain; others could be located in areas where it is appropriate to have a mix of public improvements and small commercial facilities such as a coffee shop or news stand. The sidewalk and streetscape plan proposed in the Community Design Element could identify specific locations, size, design/use criteria, and provide estimated costs and recommend phasing for the creation of “oasis” parks.

Newton Estate

The town has an opportunity to purchase the homestead of James and Eleanor Newton, located immediately southeast of Strandview Avenue with 200 feet of frontage on Estero Boulevard and on the Gulf of Mexico. This site has tremendous potential as an “oasis park” while also serving many complementary functions at a single location:

- Public ownership would allow this property to serve as a rest stop and interpretive facility accessible to those

walking on the beach. Although there are numerous beach access points, at this part of the island none of them provide more than the most minimal public facilities (usually just physical access, and in some case parking spaces).

- This property would also serve as a stopping point on the “Great Calusa Blueway,” a paddling trail being developed by Lee County. This trail will ultimately run 50 miles from the Imperial River to Boca Grande and is expected to become part of the statewide Florida Greenways and Trails System. The Great Calusa Blueway runs along the bay side of Fort Myers Beach through Matanzas Pass, which is only 1/4-mile from this site with easy access via Mid-Island Marina. This paddling trail provides another link among the environmental, cultural, and historical points of interest that can be experienced by residents and visitors.
- As the Estero Boulevard streetscape plan is implemented through the coming decade, more people will be walking and bicycling the length of Estero Boulevard. This property would serve as a rest stop and point of interest for those traveling along the boulevard.
- This site would provide an additional beach park for the town with simple facilities such as restrooms, picnic areas, trails, and meeting rooms.
- Public ownership can guarantee the preservation of a historic cottage on this site, avoid redevelopment of the site for higher-intensity purposes, and provide a beachfront habitat that will reduce the unacceptably high number of failed sea turtle nesting attempts that have occurred in recent years at this location.

Dog Walk Area

Most beach and preserve areas are off-limits to dogs (either on or off-leash) to keep these areas clean and to avoid disturbing beachgoers and wildlife. Many residents, while supporting these protective measures, have expressed a desire for the town to take a positive approach to the current “no dogs allowed” policy by

designating safe places, away from traffic, where dogs are allowed on leash or under voice control. Such areas would support enforcement of current restrictions against dogs by providing an appropriate alternative, while also providing a place for pets and their owners to socialize.

Other Potential Facilities

Additional facilities or programs that have been suggested by community members as being needed in the community include:

- More emphasis on inter-generational activities;
- Facilities for in-line skating and skateboarding;
- More community meeting rooms;
- Shuffleboard facilities; and
- Additional tennis courts.

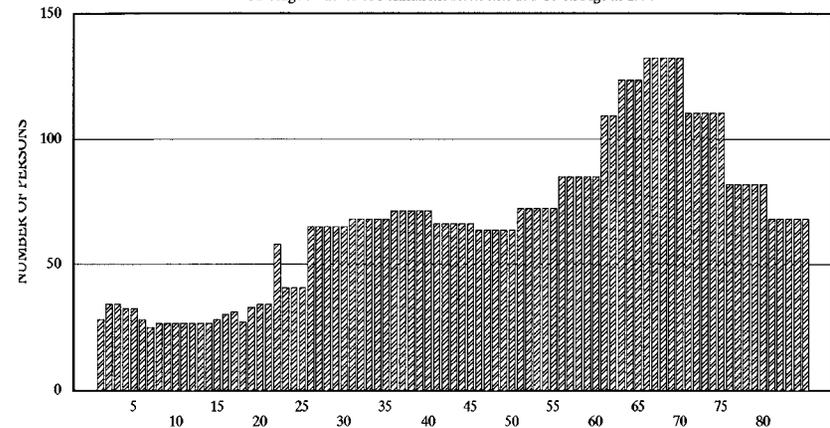
PARK CLASSIFICATIONS AND STANDARDS

Current and Projected Future Recreation Needs

This section evaluates the adequacy of existing recreational facilities, expected demand for enlargement, and the community’s vision for additional facilities. The resulting recreation standards are tailored for Fort Myers Beach, with an emphasis on improving recreational and cultural experiences of residents and visitors. Potential improvements to existing facilities have been discussed in previous sections and are summarized in Table 10-3, with recreational facilities classified by type.

In 1990, only 9% of the permanent residents were under 18 years of age, and 34% were over 65 years of age (see Figure 10). The permanent population of Fort Myers Beach is relatively stable and is expected to grow by less than 15% at build-out, adding only 805 more permanent residents (see forecasts in the Future Land use Element). With the strong array of recreational facilities in place, the town has determined that the current level of recreational facilities is adequate to serve the projected population of 6,844 permanent residents.

AGE PROFILE FOR TOWN OF FORT MYERS BEACH, 1990
Average Number of Permanent Residents at a Given Age in 1990



SOURCE: Derived from the 1990 U.S. Census by Spikowski Planning Associates

Figure 10, Age data on Fort Myers Beach permanent residents in 1990

By contrast, the number of visitors may increase. Hotel and motel construction is on the increase at Fort Myers Beach; they will strain the overloaded transportation system, but can be accommodated by the recreational system. Efforts of the Tourist Development Council are spurring summer tourism, allowing more visitors to use the same number of motel rooms. Likewise, summer visitors can use the existing recreational facilities without requiring any expansions. The town is fortunate to have two regional parks, two preserves, extensive beaches, plus a major state park (just to the south). While it is the responsibility of the county to provide regional parks to serve this broader population, the town is committed to stewardship of the regional parks and ensuring that all the pieces form an integrated park system that serves the permanent, seasonal, and tourist populations.

New facilities proposed in this element would fill gaps in the current system, either by park type or location, and are not needed to maintain the numeric “level of service” defined in Policy 10-D-3.

Skybridge for public docking, and incorporating the pier and parking area into the Marina Plaza concept. This will provide a second focus for a “walking path” around the core area and a close-by neighborhood common area for local residents; and will link the Times Square area to the water taxi system and dinghy dock. The town can assist in locating grant funding to develop this amenity.

- iii. **CENTRAL GREEN** — Promote the establishment of a third public pedestrian plaza to serve the south end of the island by implementing Community Design Policies 3-C-1 and 3-C-2 regarding the redevelopment of Villa Santini Plaza.

**OBJECTIVE 10-D COMMUNITY RECREATION —
Increase the already high level of access to recreation facilities, and maintain the required level of service for community parks.**

POLICY 10-D-1 Negotiate with Lee County to determine an appropriate balance for operating Bay Oaks Recreation Center without excluding non-town residents, and establish an equitable system of user fees to help fund its operation and enhancements.

POLICY 10-D-2 Support the efforts of the “Build-a-Pool Committee” which has committed to the Town Council to be responsible for raising the funds for the ongoing operation and maintenance of the new public swimming pool. Sources of funds will include user fees, concessions, special events, business sponsorships, and community fund raisers.

POLICY 10-D-3 The town adopts the following level-of-service standard for community parks: for each 7,500 permanent residents, 1 centrally located recreation complex that includes 2 ballfields, 2 tennis courts, outdoor basketball courts, play equipment, an indoor gymnasium, and community meeting spaces. Programming shall address all age groups and encompass active recreation, physical improvement, and social, educational, and cultural activities. The town also will maintain a cultural and environmental learning center at the historic Mound House, and contingent on obtaining grant funding for property acquisition, will purchase the Newton estate to serve as an oasis park with interpretive and rest facilities for those traversing Lee County’s “Great Calusa Blueway,” Estero Boulevard, and the walking trail provided by the public beachfront.

POLICY 10-D-4 To identify important gaps in the recreation system, the town shall conduct a community-wide survey to evaluate the adequacy of facilities and programming and measure willingness to pay fees or raise taxes to provide additional services. These services may include the following items that have been suggested in previous community workshops:

- i. more emphasis on inter-generational programs
- ii. in-line skating and skateboarding facilities
- iii. dog walk areas
- iv. little theater group
- v. shuffleboard courts
- vi. more tennis courts

POLICY 10-D-5 If the survey indicates sufficient demand, the town should investigate acquiring the privately owned Bay Beach Tennis Club which may be replaced by future phases of development of Bay Beach. A tennis club could be the nucleus of a “satellite” recreation center at the south end of the Island.

OBJECTIVE 10-E NATURAL PRESERVES — Enhance public access to the town’s nature preserve areas, while ensuring their ecological sustainability and providing for their long term maintenance.

POLICY 10-E-1 **MATANZAS PASS PRESERVE** — Prepare for the transition of the long-term maintenance responsibility of the Matanzas Pass Preserve from Lee County in accordance with Conservation Policy 6-B-3.

POLICY 10-E-2 **LITTLE ESTERO ISLAND CRITICAL WILDLIFE AREA** — Enhance the public enjoyment and protection of the area in accordance with Conservation Policy 6-B-2.

POLICY 10-E-3 **OTHER NATURAL PRESERVES** — Establish a citizen task force to evaluate opportunities to designate additional open spaces and natural preserves, and to identify potential funding sources including grants and a 3% utility tax.

OBJECTIVE 10-F CULTURAL FACILITIES AND PROGRAMS — Achieve a heightened appreciation of the town’s recent and ancient history and cultural life.

POLICY 10-F-1 Manage the Cultural and Environmental Learning Center in the historic “Mound House” (formerly known as the Long Estate). Thoroughly analyze the archaeological remains on this site. Link this facility to

other cultural and recreational points of interest by providing appropriate dockage to serve the Great Calusa Blueway paddling trail and water taxis as well as links to bike and pedestrian paths.

POLICY 10-F-2 Establish a task force on eco/heritage tourism to develop and implement the town’s “eco/heritage” program. The task force would work closely with the Marine Resources Task Force to advise the town on appropriate components of the statewide plan of the Governor’s Advisory Committee on Eco-Heritage Tourism when adopted.

POLICY 10-F-3 Acquire the beachfront estate of James and Eleanor Newton and operate it as a small community park with close links to the paddling trail in Matanzas Pass, the pedestrian and bicycle facilities on Estero Boulevard, and the adjoining public beach.

OBJECTIVE 10-G PUBLIC ACCESS — Increase the number and quality of public access points to the Gulf beaches and Estero Bay.

POLICY 10-G-1 Maintain or improve existing levels of beach and bay access pursuant to Coastal Management Policies 5-E-1, 5-E-2, and 5-E-3 which provide for the continued maintenance of existing beach access points, and evaluate the need for more parking.

POLICY 10-G-2 Support and participate in Lee County’s “Great Calusa Blueway” paddling trail by making convenient links between the trail and the town’s environmental, cultural, and historical points of interest.

POLICY 10-G-3 Acquire one or more beach access points at the southern end of the island in addition to acquiring the Newton estate (see Policy 10-

F-3) for additional public access to the beach and as a mid-island interpretative facility and rest area for the “Great Calusa Blueway” and the natural walking trail that is provided by the continuous beachfront along Estero Island.

OBJECTIVE 10-H NEIGHBORHOOD PARKS — Within five years, begin providing small-scale parks to serve individual neighborhoods and pedestrians.

- POLICY 10-H-1 Provide a mechanism for requesting neighborhoods to create and manage a small children’s play area or “visiting” area, as a part of the “hidden paths” and/or “residential streets” programs described in the Community Design Policies 2-A-1 and 2-B-2. Develop a program of guidelines and technical assistance available to requesting neighborhoods. Evaluate the program within two years of initiation and, based on actual demand, and set standards if necessary to regulate the pace and equity of implementation.
- POLICY 10-H-2 As provided for in Community Design Policy 2-A-1, facilitate the establishment of a local foundation or community land trust which among other responsibilities, would be responsible for planning and acquiring vacant parcels or easements for the hidden path and “postage stamp” park concept.
- POLICY 10-H-3 Provide occasional “oasis” areas (resting places for pedestrians and bicyclists) at selected trolley stops and other strategic locations along Estero Boulevard as a part of the Estero Boulevard Streetscape Plan described in Community Design Policy 1-A-3(iv). The first oasis area shall be the Newton estate at

Strandview Avenue (see Policy 10-F-3) which shall be closely linked to the Great Calusa Blueway paddling trail, the public trolleys and sidewalks/bike paths along Estero Boulevard, and to the public beachfront.

OBJECTIVE 10-I IMPLEMENTATION — Provide a comprehensive and cost-effective recreational system that meets the future needs of Fort Myers Beach.

- POLICY 10-I-1 Demonstrate through the annual budget and five-year Capital Improvements Program that the park and recreation standards of this plan are being met.
- POLICY 10-I-2 The town shall work with the county, surrounding jurisdictions, state and federal agencies, non-profit organizations, national, state and local land trusts, private organizations and corporations, and other groups to identify funding sources and mechanisms and to structure partnerships to implement the policies of this Recreation Element.
- POLICY 10-I-3 Promote a cooperative effort among the town, Lee County, city of Sanibel, and other counties and regional agencies to develop cost-sharing mechanisms for improvements needed to improve the experience of visitors.
- POLICY 10-I-4 The town shall require through its development regulations that major redevelopment activities include adequate private recreational facilities for their residents.

Table 11-7 — Revised Five-Year Schedule of Capital Improvements, FY 01/02 to 05/06

| | FY 01/02 (Budgeted) | FY 02/03 (Projected) | FY 03/04 (Projected) | FY 04/05 (Projected) | FY 05/06 (Projected) |
|--|------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| TRANSPORTATION CAPITAL IMPROVEMENTS: | | | | | |
| Transportation/drainage maintenance, etc. ¹ | \$300,000 | \$250,000 | \$1,250,000 | \$100,000 | \$100,000 |
| Traffic calming (Connecticut Street) | \$0 | \$0 | \$0 | \$100,000 | \$100,000 |
| Estero Boulevard streetscaping | \$0 | \$300,000 | \$1,250,000 | \$250,000 | \$250,000 |
| Estero Boulevard safety project (paving north end) | \$100,000 | \$0 | \$0 | \$0 | \$0 |
| Variable pricing congestion traffic project | \$50,000 | \$0 | \$0 | \$0 | \$0 |
| Contribution to DRA project (Old San Carlos Blvd.) | \$200,000 | \$0 | \$0 | \$0 | \$0 |
| “Hidden Paths” walking and biking system | \$50,000 | \$0 | \$0 | \$0 | \$0 |
| Total of proposed annual expenditures: | \$700,000 | \$550,000 | \$2,500,000 | \$450,000 | \$450,000 |
| Anticipated annual transportation revenue: | \$800,000 | \$600,000 | \$600,000 | \$600,000 | \$600,000 |
| Anticipated year-end transportation reserves: ² | \$3,985,767 | \$4,035,767 | \$2,135,767 | \$2,285,767 | \$2,435,767 |
| NON-TRANSPORTATION CAPITAL IMPROVEMENTS: | | | | | |
| Office equipment | \$86,500 | \$10,000 | \$0 | \$0 | \$0 |
| Land acquisition (Newton property) | \$2,000,000 | \$0 | \$0 | \$0 | \$100,000 |
| Mound House capital improvements | \$100,000 | \$100,000 | \$0 | \$0 | \$0 |
| Times Square improvements | \$100,000 | \$0 | \$0 | \$0 | \$0 |
| Public docks | \$30,000 | \$15,000 | \$0 | \$0 | \$0 |
| Matanzas Harbor plan | \$15,000 | \$0 | \$0 | \$0 | \$0 |
| Beach renourishment | \$800,000 | \$10,000 | \$10,000 | \$10,000 | \$10,000 |
| Land acquisition, gulf-front park | \$0 | \$0 | \$0 | \$0 | \$0 |
| Community pool improvements & walkway | \$30,000 | \$50,000 | \$0 | \$0 | \$0 |
| Neighborhood landscaping (matching funds) | \$10,000 | \$10,000 | \$10,000 | \$10,000 | \$10,000 |
| Bay Oaks park improvements | \$50,000 | \$0 | \$0 | \$0 | \$0 |
| Total of proposed annual expenditures: | \$3,221,500 | \$195,000 | \$20,000 | \$20,000 | \$120,000 |
| Anticipated annual non-transportation revenue: | \$2,204,567 | \$160,000 | \$110,000 | \$110,000 | \$110,000 |
| Anticipated year-end non-transportation reserves: ³ | \$99,789 | \$64,789 | \$154,789 | \$244,789 | \$234,789 |
| DOWNTOWN REDEVELOPMENT AGENCY (DRA): | | | | | |
| Phase II Times Square streetscape | \$25,000 | \$0 | \$0 | \$0 | \$0 |
| Old San Carlos/Crescent streetscape | \$900,000 | \$0 | \$0 | \$0 | \$0 |
| Transit improvements (tram service) | \$0 | \$0 | \$0 | \$0 | \$0 |
| Farmers’ market, street performers, festivals | \$9,650 | \$0 | \$0 | \$0 | \$0 |
| Outside legal/planning services | \$10,350 | \$0 | \$0 | \$0 | \$0 |
| Total of proposed annual expenditures: | \$945,000 | \$0 | \$0 | \$0 | \$0 |
| Reimbursement of funds spent in prior years: | \$172,990 | \$0 | \$0 | \$0 | \$0 |
| Anticipated annual contribution from Town funds: | \$200,000 | \$0 | \$0 | \$0 | \$0 |
| Anticipated year-end DRA reserves: ⁴ | \$1,066,079 | \$1,066,079 | \$1,066,079 | \$1,066,079 | \$1,066,079 |

¹ These items are routine recurring maintenance, including periodic road resurfacing (tentatively scheduled for FY 03/04).

² Initial transportation reserves were \$3,885,767.

³ Initial non-transportation reserves were \$1,116,722.

⁴ Initial DRA reserves were \$1,941,888, plus \$42,181 Town obligation 01/02