

**CPA2002-01
BoCC SPONSORED
AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

LPA Public Hearing Document
for the
May 28, 2003 Public Hearing

*Lee County Planning Division
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P.O. Box 398
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May 28, 2003

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2002-01**

Text Amendment

Map Amendment

?	This Document Contains the Following Reviews:
?	Staff Review
	Local Planning Agency Review and Recommendation
	Board of County Commissioners Hearing for Transmittal
	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: April 28, 2003

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. SPONSOR/APPLICANT:

A. SPONSOR:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

B. APPLICANT:

A LIVING VISION OF ALVA (ALVA, INC.)
REPRESENTED BY Vince Cautero and Jim LaRue

2. REQUEST:

Amend the Future Land Use Element of the Lee Plan to incorporate the recommendations of the ALVA, Inc. Community Planning effort, revise the Vision Statement, establish a new Goal and subsequent Objectives and Policies and change the future land use map to create a new Rural Village land use category.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:

1. RECOMMENDATION: Planning staff recommends that the Board of County Commissioners transmit the proposed amendment, with the modifications proposed by staff. Staff does not recommend that the Board of County Commissioners amend the future land use map to reclassify lands in the historic center of Alva that lie north and south of the Caloosahatchee River and east and west of Broadway that are currently in the Urban community future land use category to Rural Village at this time.

With the exception of the strike through in the Vision Statement, which was submitted by the applicant, staff's recommendation is provided below in strike through, double underline format. One sentence struck through by the applicant that staff recommends retaining in the Vision Statement appears in bold.

VISION STATEMENT:

Alva - This Community is located in the northeast corner of the county and is focused around the rural community of Alva. This community roughly includes lands in Township 43 South/Range 27 East, lands north of the Caloosahatchee River in Township 43 South/Range 26 East, and, lands north of the Caloosahatchee River in Sections 1, 2 , 11-14, and 23-27 of Township 43 South/Range 26 East. The majority of this area is designated as Rural, Open Lands, or Density Reduction/Groundwater Resource. The lands surrounding the Alva "Center", which lie north and south of the Caloosahatchee River at the intersections of the Broadway (the bridge at Alva) and CR 78 and SR 80, are designated as Urban Community, most of which are located south of Bayshore Road west of SR 31. The Bayshore area has characteristics of both the Alva and the North Fort Myers Community. The division between these communities was drawn to reflect census geography. If this geography is altered, this community boundary should also be reviewed. This area currently has a rural character similar to the rest of the Alva Planning Community; however, its location/accessibility to I-75 may, in the future, render it more closely related to the North Fort Myers Community.

The Alva community vision includes an enhanced, pedestrian-oriented Historic Core in central Alva with increased public access to the River front, a Village Center south of the river providing commercial, mixed, and civic uses to serve the needs of the immediate community; bicycle linkages to the network of conservation and recreation areas; and preservation of the historic, scenic, agricultural, and environmental resources of the area. While the Alva community does offer some commercial opportunities, residents satisfy most of their commercial needs outside of this community in the more urbanized communities to the west and south. For the most part, these conditions are expected to remain through the life of this plan. The population of Alva is projected to grow from an estimated 4260 in 1996 to 4818 in 2020. Commercially, Alva will double its available square footage to nearly 150,000 s.f. In the year 2020, the Alva community will remain retain its largely rural/agricultural in nature with over half of its total acreage being used for this purpose. This will be achieved by encouraging the configuration of new development to conserve significant amounts of open space

or agricultural uses. ~~The Alva Community will also strive to protect its historic resources.~~ **The Alva Community will also strive to protect its historic resources.**

There are no distinct sub-communities within the Alva Community. (Added by Ordinance No. 99-15)

POLICY 1.4.8: A Rural Village is a small, compact, self-contained center with residential neighborhoods surrounded by extensive rural land uses such as ranches, agricultural uses, conservation lands, and acreage estate homes; where the scale, design, and placement of structures, trees, blocks, street and pathway networks, centrally located shared parking areas, and civic spaces promote walkability, social interaction, and a sense of place; where the mix of land uses and building types enable residents to find a variety of conventional housing choices, shopping, services, recreation, education, and civic activity in a compatible relationship with one another and all within walking distance; where the size, type, location, and site design of commercial uses compliment the rural village character and are directed to the local needs of village and rural area residents and those enjoying a visit to experience the charm of the rural village and the surrounding natural environment.

Standard density ranges from one dwelling unit per acre (1du/acre) to six dwelling units per acre (6 du/acre). Clustering units or otherwise designing neighborhoods to achieve a compact center, an integrated, walkable street network, with linkages to opportunities for shopping and workplaces, buildings framing the streets as public spaces, generous open space, and incorporation residential units in commercial structures as a mixed use are strongly encouraged.

On the Future Land Use Map, reclassify the area known as central Alva covered by an existing land use designation of Urban Community to the new category of Rural Village.

GOAL 22: To preserve and enhance the unique historic, scenic, agricultural, and natural resource assets and rural ambiance of the rural Village of Alva and the surrounding country-side.

OBJECTIVE 22.1 Establish the appropriate regulatory and incentive framework and identify funding mechanisms to implement the Community's vision for the Rural Village of Alva as stated in the Alva community Plan.

POLICY 22.1.1: The County will adopt a Rural Village Overlay Zone as the implementing mechanism for the Rural Village land use designation, if an acceptable proposal is submitted by the Alva Community. The Rural village Overlay Zone is established to recognize and provide for the unique requirements of the Rural Village, which cannot be adequately addressed through existing regulation, by providing a procedure and mechanism through which the area may be master planned. Master planning will include development guidelines and standards that are intended to provide an incentive driven alternative to the standard zoning currently in place and other land development regulations. Future development in the Rural Village must be consistent with existing zoning currently in place, the rural Village Overlay Zone or Planned Development. Rezoning to other conventional zoning categories is inconsistent with the Rural Village land use designation. The Rural Village

Overlay Zone will provide a process for administrative approval for developments determined to be consistent with the provisions of the Overlay Zone.

When a landowner chooses to develop under the provision of the Rural Village Overlay Zone, then compliance with all applicable portions of the Rural Village Overlay Zone will be mandatory for that property and for any abutting lot(s) or adjacent building(s) under the same ownership or control, for a period of ten years. A landowner's decision to use the provisions of the Rural Village Overlay Zone must be made in writing on a form supplied by Lee County. This form acknowledges that this decision runs with the land for the stated period. Lee County will record this form in its official record books.

POLICY 22.1.2: the Alva Community will prepare use, design, site location, and development standards for commercial and mixed-use development in the Historic Core and surrounding close-in neighborhoods to be incorporated as standards into a "Rural Village Zoning Overlay, Subarea 1" and will submit such standards to the County for adoption into the Land Development Code. These should address:

- ? Permitted and prohibited uses
- ? Site location standards for commercial uses
- ? Architectural standards for buildings (other than single family homes)
- ? Sign criteria
- ? Building setback
- ? Building height and/or number of floors
- ? Site design standards that bring buildings close to the street with parking behind
- ? Provision for shared access and parking areas across lot lines or in centralized off-site parking areas
- ? On-site landscaping and screening standards that contribute to an overall streetscape concept
- ? Variation of paving materials as alternative to impervious surfaces (shell, pavers)
- ? Pedestrian, parking and streetscape improvements
- ? Provision for pedestrian accessibility to commercial uses from side streets as well as main streets and for transitions between public and private space.
- ? Provision for density or height bonus for mixed use (commercial on the ground floor with residential above)
- ? Criteria that will allow for development of granny flats in the surrounding close-in residential areas.

POLICY 22.1.3: The Alva Community will prepare an improvement plan for the Historic Core, which will provide the mechanisms to:

- ? Connect residential and business areas by wide pathways that can safely accommodate pedestrians, bicycles, and other non-motorized methods of personal transportation;
- ? design the pedestrian way and bike lanes that cross the bridge
- ? promote pedestrian and bicycle safety and access;

- ? identify appropriate traffic calming design measures for the portion of North River Road that passes through the Historic Core;
- ? centralize/consolidate parking areas from which people can park once and easily walk to community facilities and shopping;
- ? improve connectivity of the local street network;
- ? provide for an inviting pedestrian oriented streetscape (walkways, lighting, benches, appropriate landscape, underground utilities) and buffers where appropriate;
- ? provide for the continuation of the key elements of the streetscape (such as lighting, landscaping, street furniture) at the foot of the bridge on each side of the river and on the bridge as appropriate;
- ? determine feasible methods to fund streetscape/parking/pedestrian improvements from new and infill development as it occurs.

POLICY 22.1.4: The Alva Community will work with the Lee County Parks department to explore the feasibility and potential funding for planning and implementing an expansion of the existing boat launch area and facilities.

POLICY 22.1.5: The County will update its historic sites survey of Alva if an update is determined to be needed.

POLICY 22.1.6: The Alva Community will prepare use, design, and development standards for commercial and mixed use development in the new Village Center(s) to be incorporated into a master plan concept and as standards into a “Rural Village Zoning Overlay, Subarea 2” and “Rural Village Zoning Overlay, Subarea 3; and will submit such standards to the County for adoption into the Land Development Code. These should address:

- ? a list of uses that should be permitted and encouraged as a part of a Village Center and those that are prohibited and/or discouraged as incompatible with the Rural Village character and particularly in relation to Subarea 3, consider the appropriateness of uses that could be proposed to serve the travelers market;
- ? a list of civic uses that should be considered for inclusion in the Village Center;
- ? the maximum size of building footprint (for example, not to exceed 20,000 s.f. for a single user building;
- ? architectural standards for buildings (“standardized” or “formula” franchise buildings will be forbidden).
- ? sign criteria;
- ? building setback;
- ? building height and/or number of floors. (Not to exceed 38 feet from the peak of the roof to the average grade of lot - about 2 ½ stories maximum);
- ? site design standards that bring buildings close to the street with parking behind or mid-block;

- ? pedestrian, parking and streetscape improvements;

- ? provision for pedestrian accessibility to commercial uses from side streets as well as main streets and for transitions between public and private space;
- ? maximums for block perimeters, space between pedestrian access points, spacing between storefront doors, etc. to promote walkability;
- ? parking ratios that reflect dual use and centralized parking areas;
- ? preservation of unique natural features and vegetation;
- ? provision of a riverfront public plaza and viewing area.

POLICY 22.1.7: The Alva Community will prepare use, design, and development standards for Traditional Neighborhood Developments that increase open space and are specifically tailored for compatibility with the vision for the Alva Rural Village including a program of bonus density incentives and an administrative approval process to be incorporated into a “Rural Village Zoning Overlay, Subarea 4; and will submit such standards to the County for adoption into the Land Development Code.

OBJECTIVE 22.2: Provide for appropriately located and well-planned commercial development to serve the needs of the Rural Village of Alva consistent with the vision stated in the Alva Community Plan.

POLICY 22.2.1: In order to prevent strip development along SR 80, the majority of acreage available for commercial development in the Alva planning area ~~should be granted~~ are encouraged within the rural village boundaries, especially Subareas 2 and 3 or on Joel Blvd. Adjacent to Subarea 3.

POLICY 22.2.2: “Formula” or standardized franchise buildings will be forbidden. The Alva Community will submit Land Development Code regulations that are specific to what styles of franchise buildings will be prohibited.

POLICY 22.2.3: Additional new or used auto dealerships will not be allowed.

POLICY 22.2.4: ~~Any new development on parcels within the Rural Village currently zoned commercial shall be evaluated for consistency with the design and use standards of the Rural Village Overlay Zone in order to contribute to the overall design concept and be compatible with the village character and adjacent neighborhoods. The Alva community will prepare Land Development Code revisions that create evaluation criteria for new development on parcels within the Rural Village currently zoned commercial for consistency with the design and use standards of the Rural Village Overlay Zone for consideration by Lee County.~~

OBJECTIVE 22.3: Increase the opportunity for public access to and enjoyment of the scenic, historic, recreational and natural resources in the rural area.

POLICY 22.3.1: The County will designate County Road 78 (North River Road) from Highway 31 to the Hendry County line a County Scenic Highway in accordance with Lee Plan Policy 2.9.1 and

will assist the Community's efforts to obtain a Florida Scenic Highways designation for the roadway. The Scenic Highway designation for North River Road will in no way preclude the ability of Lee County to widen North River Road at such time that may become necessary.

POLICY 22.3.2: The County will make every effort to implement the system of bike paths linking the conservation and recreation areas (as shown conceptually in figure III of the Alva Community Plan) by providing additional paving outside of the stripe for the travel lane and widening shoulders, based on a route and phasing plan to be developed in a cooperative effort between County staff and community representatives.

OBJECTIVE 22.4: Within the rural area surrounding the Rural Village of Alva (as designated in figure I), ensure that any proposed new Residential Planned Development is compatible with the rural surroundings.

POLICY 22.4.1: The County will amend Land Development Code Chapter 34, Article IV Planned Developments for the above-described area to include criteria, incentives and development objectives, if an acceptable proposal is put forward by the Alva Community. The intention is to encourage development design configurations that proactively promote clustering, conservation of large expanses of open space, linkages to the conservation network, use of conservation easements, among other measures that ensure that new development is compatible with the rural surroundings.

OBJECTIVE 22.5: Continue the current operation of the Alva Cemetery without interference to the unpaid Board of Trustees and also to provide for future development of the remaining portions of the cemetery in a manner consistent with the current cemetery:

POLICY 22.5.1: The County will take the necessary action to exempt the Alva Cemetery from Lee County ordinances and subdivision regulations and will support special state legislation to create such exemption from state statutes, other rules and regulations and code provisions:

OBJECTIVE 22.6: Manage the flow of surface water both north and south of the Caloosahatchee river in a cooperative effort among the SFWMD, Lee County and other appropriate private and governmental agencies in such a manner as to eliminate the flooding that occurs as a result of excess surface water flows from outside the Alva planning area. This should be done in a way that is both environmentally and hydrologically sound.

POLICY 22.6.1: Lee County will work with South Florida Water Management District to explore all options to reduce flood and other surface waters flowing into that area of Lee County lying north of the Caloosahatchee River and east of SR 31 from areas outside of Lee County shall will be conveyed to the County Line Ditch along the Lee/Hendry County line, north of the Caloosahatchee River for conveyance to the river in such a manner as to prevent reduce flooding along the ditch during periods of excess runoff and with appropriate control structures to prevent over-drainage during periods of low or no flow. Excess flows may also be used to restore historic flows to Spanish Creek

or otherwise be conveyed to the Caloosahatchee River in keeping with the principles of sound water management and SFWMD permitting criteria, thereby ~~eliminating~~ reducing downstream flooding of natural and manmade water courses within this area of Lee County. Likewise, excess waters that flow from Lehigh Acres that result in the flooding of the Hickey Creek and Bedman areas south of the Caloosahatchee river ~~shall~~ will be adequately controlled in Lehigh Acres so that the neighboring community of Alva is not flooded beyond historical levels. Care should also be taken that water flows entering the Caloosahatchee river do not negatively impact the oxbows and/or health of the river.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Alva Community Plan has been sponsored as a community service by A Living Vision of Alva (ALVA), Inc.
- Financial assistance has been provided by the Board of County Commissioners.
- The proposed Goal, Objectives and Policies are based on a community plan prepared by the Alva Community in 2002.

The Alva community, through recommendations contained in the Alva community plan which are not contained in proposed objectives or policies has expressed a desire for the following actions:

- Future measures should include design solutions to induce traffic calming and possibly restriction of access points for future development along North River Road.
- A pedestrian oriented area can be seen as a “hub” for an extensive system of bike lanes and pedestrian pathways that extend into the neighborhoods, and across the bridge into the Village center. Rather than introducing curb, gutter, and sidewalk, the design concept should emphasize use of pervious materials and emulate a rural, historic look such as might have existed in the late 1800's.
- A significant opportunity exists for funding a portion of the Historic Core Improvement Plan through the Federal Transportation Enhancement Provision.
- If and when new residential development is proposed in Subarea 4, it should be designed to conserve open space and compliment the Rural Village character rather than occur as an expanse of one-acre lots.
- In addition to those conservation lands purchased through the 2020 program, there are several large parcels owned by South Florida Water Management District. Two adjacent parcels together consisting

of over 400 acres are located just north of North River Road east of central Alva, have been identified in the community planning process as an opportunity for a future regional park. The Community should pursue discussions with South Florida Water Management District and with Lee County to explore the feasibility of adding this area to the regional recreational system and to identify the appropriate public use of the area..

- It is recommended that the community pursue a Scenic Highways Designation for County Road 78 in order to accomplish the positive objective of preserving the scenic nature of this rural county road.
- Working together with design professionals, local development interests and Lee County the Alva community can propose appropriate amendments to the Land Development Code Chapter 34, Article IV, Planned Developments, to include incentives and criteria for planned residential developments in the Rural area surrounding Alva. Such incentives and criteria could be set up as a point system similar to that proposed for Subarea 4, with a requirements that the project must obtain a certain number of points before it meets the threshold for approval.
- It is recommended that as a parallel effort to this Community Plan, representatives of Alva Inc. work with the neighbors to design a petition that identifies the concerns that are intended to be addressed and the several different approaches that could be used, so that residents have the opportunity to indicate their concern and their support for successfully resolving the issue without necessarily having to choose which approach is best. Once that is completed, the appropriate next steps can be identified.
- This Plan encourages continued efforts to make Conservation 2020 purchases (and/or purchases of conservation easements) in the area north of SR 80 to reinforce the linkage between conservation areas of the Regional Park to the north of the River and Hickey Creek Mitigation Park.
- Explore the opportunity for neighborhood serving uses in the Charleston Park Community.

C. BACKGROUND INFORMATION

The people of Alva have been functioning as a community since 1866 when settlers began making their homes in the Caloosahatchee River basin. The town of Alva was founded and platted in 1882.

Over the last twenty years, growth in Southwest Florida has been steadily increasing. In the early 1990's the Alva Preservation Committee worked with Lee County Planning Staff to prepare an Alva Sector Plan, applicable to the area within the Alva Fire District boundaries, which was intended to protect the community from having rural lands converted to suburban development patterns. The 1992 Alva Sector Plan was not approved but many in the community have continued to work together to address a number of issues important to many area residents.

ALVA Inc. was incorporated in the spring of 2001. Its mission is “to preserve and protect the unique historical, rural, agricultural and equestrian ambiance of Alva”. Community members, through ALVA Inc., have been working on a variety of specific measures that they believe will benefit the people of Alva, including State Route 80 design; increasing park opportunities and facilities; promoting sidewalks and bike paths; as well as spearheading the preparation of the Alva Plan.

Numerous workshops and community meetings were held prior to and during the preparation of the Alva Community Plan. Several people attending the community workshops noted that they had moved to this area from high quality but increasingly overcrowded areas in order to live in a scenic and rural environment. Some residents indicated that they wanted Alva to remain the same in terms of density and land use for many years to come, while others want to be able to maintain and realize value from their large land holdings into the future so that as change occurs they can retain development rights on their property.

The stated intent of the drafters of the Alva community plan was not to encourage or limit growth in the future, but rather guide how that growth will occur.

The Alva Community Plan has been prepared on behalf of the residents of the Alva area through the local civic organization ALVA Inc., and was funded by a grant of planning funds from Lee County and by volunteer fundraising.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

The proposed privately-initiated amendment application was received by the County on September 25, . Planning staff provided copies of the proposed amendment and requested comments from various County departments, including:

- Public Safety
- EMS Division
- Lee County Sheriff
- Natural Resources Division
- Lee Tran
- Parks and Recreation
- School District of Lee County
- Lee County Department of Transportation
- Development Services Division
- Environmental Sciences Division
- Lee County Port Authority
- Economic Development
- Public Works Department

- Utilities Division
- Zoning Division
- Lee County Health Department

Written comments were received from the Lee Tran, the Department of Transportation, the Department of Public Works and the School District of Lee County. Additional written comments were received from the Law Office of Anne Dalton and from Johnson Engineering.

Lee Tran noted that the Alva Community Plan does not address the need for the formation of transit services to the area which are currently not available in the area.

Comments from the Department of Transportation are extensive and are attached to this report. DOT comments relating to proposed objectives or policies are included in the following section of this report.

The Department of Public Works finds the proposed text amendments associated with the Alva Community Plan acceptable.

The School District of Lee County's only comment was that they would like to see a stand alone policy referencing that public schools are permitted within each community plan, in accordance with the Lee Plan.

Two other written comments were received from the public and relate to two specific properties including the Alva Cemetery and one private land owner whose property is included in the area covered by the Alva Community Plan that is requesting to be excluded. Those comments are attached to this report.

Approximately 150 petitions from residents wishing not to be included in the area covered by the Alva Community Plan were received by staff. A petition of nearly 300 residents in support of the plan was also received by staff. Other than the one property owner mentioned above, staff does not know if all of the property owners wishing to be excluded from the Alva Community Plan have been removed from the highlighted area of the map depicting the planning area.

The following section of this report includes a proposed revised Vision Statement, a new Goal, and Objectives and Policies, and a proposed future land use change. With the exception of the strikethrough in the Vision Statement that was submitted by the applicant, staff's recommended changes are in appear in strikethrough underline format. One statement that was struck through by the applicant that staff recommend retaining appears in bold.

VISION STATEMENT:

Alva - This Community is located in the northeast corner of the county and is focused around the rural community of Alva. This community roughly includes lands in Township 43 South/Range 27 East, lands north of the Caloosahatchee River in Township 43 South/Range 26 East, and, lands north of the Caloosahatchee River in Sections 1, 2, 11-14, and 23-27 of Township 43 South/Range 26 East. The majority of this area is designated as Rural, Open Lands, or Density Reduction/Groundwater Resource. The lands surrounding the

Alva “Center”, which lie north and south of the Caloosahatchee River at the intersections of the Broadway (the bridge at Alva) and CR 78 and SR 80, are designated as Urban Community., most of which are located south of Bayshore Road west of SR 31. The Bayshore area has characteristics of both the Alva and the North Fort Myers Community. The division between these communities was drawn to reflect census geography. If this geography is altered, this community boundary should also be reviewed. This area currently has a rural character similar to the rest of the Alva Planning Community; however, its location/accessibility to I-75 may, in the future, render it more closely related to the North Fort Myers Community.

The Alva community vision includes an enhanced, pedestrian-oriented Historic Core in central Alva with increased public access to the River front, a Village Center south of the river providing commercial, mixed, and civic uses to serve the needs of the immediate community; bicycle linkages to the network of conservation and recreation areas; and preservation of the historic, scenic, agricultural, and environmental resources of the area. ~~While the Alva community does offer some commercial opportunities, residents satisfy most of their commercial needs outside of this community in the more urbanized communities to the west and south. For the most part, these conditions are expected to remain through the life of this plan. The population of Alva is projected to grow from an estimated 4260 in 1996 to 4818 in 2020. Commercially, Alva will double its available square footage to nearly 150,000 s.f. In the year 2020, the Alva community will remain largely rural/agricultural in nature with over half of its total acreage being used for this purpose. This will be achieved by encouraging the configuration of new development to conserve significant amounts of open space or agricultural uses. The Alva Community will also strive to protect its historic resources.~~ **The Alva Community will also strive to protect its historic resources.**

There are no distinct sub-communities within the Alva Community. (Added by Ordinance No. 99-15)

The Alva community plan outlines a vision for the historic core of Alva which includes increased opportunities for commercial development. The applicant has struck through reference in the vision statement that the community currently satisfies most of their commercial needs outside of the community and will continue to do so in the future which is consistent with their vision of the future of the historic core. The applicant also struck out language referencing population projections for the community. While no data and analysis has been provided suggesting that those projections are not accurate, population projections are not a necessary component of a vision statement and staff does not object to the sentence referencing the population projections being removed.

Staff is recommending that the statement regarding historic resources be replaced and wonders if that sentence was struck through inadvertently as Policy 22.1.5 encourages an historic resources survey, if deemed necessary.

Finally, the applicant has added a sentence encouraging the preservation of significant amounts of open space within the community and staff has no objection.

Staff recommend transmittal of the proposed changes to the Vision Statement as written above.

POLICY 1.4.8: A Rural Village is a small, compact, self-contained center with residential neighborhoods surrounded by extensive rural land uses such as ranches, agricultural uses, conservation

lands, and acreage estate homes; where the scale, design, and placement of structures, trees, blocks, street and pathway networks, centrally located shared parking areas, and civic spaces promote walkability, social interaction, and a sense of place; where the mix of land uses and building types enable residents to find a variety of conventional housing choices, shopping, services, recreation, education, and civic activity in a compatible relationship with one another and all within walking distance; where the size, type, location, and site design of commercial uses compliment the rural village character and are directed to the local needs of village and rural area residents and those enjoying a visit to experience the charm of the rural village and the surrounding natural environment.

Standard density ranges from one dwelling unit per acre (1du/acre) to six dwelling units per acre (6 du/acre). Clustering units or otherwise designing neighborhoods to achieve a compact center, an integrated, walkable street network, with linkages to opportunities for shopping and workplaces, buildings framing the streets as public spaces, generous open space, and incorporation residential units in commercial structures as a mixed use are strongly encouraged.

On the Future Land Use Map, reclassify the area known as central Alva covered by an existing land use designation of Urban Community to the new category of Rural Village.

Policy 1.4.8 defines the Rural Village concept and staff has no problems with that proposed policy.

GOAL 22: To preserve and enhance the unique historic, scenic, agricultural, and natural resource assets and rural ambiance of the rural Village of Alva and the surrounding country-side.

Land surrounding the area proposed to be designated as the Rural Village is likely to experience modest to moderate changes in development patterns in the future. To include the surrounding country-side as a goal for preservation is probably not realistic and staff recommends striking the reference to it from Goal 22.

OBJECTIVE 22.1 Establish the appropriate regulatory and incentive framework and identify funding mechanisms to implement the Community's vision for the Rural Village of Alva as stated in the Alva community Plan.

Staff recommends transmittal of Objective 22.1. That Objective is commendable and is one that has been overlooked in several other community plans.

POLICY 22.1.1: The County will adopt a Rural Village Overlay Zone as the implementing mechanism for the Rural Village land use designation, if an acceptable proposal is submitted by the Alva Community. The Rural village Overlay Zone is established to recognize and provide for the unique requirements of the Rural Village, which cannot be adequately addressed through existing regulation, by providing a procedure and mechanism through which the area may be master planned. Master planning will include development guidelines and standards that are intended to provide an incentive driven alternative to the standard zoning currently in place and other land development regulations. Future development in the Rural Village must be consistent with existing zoning currently in place, the

rural Village Overlay Zone or Planned Development. Rezoning to other conventional zoning categories is inconsistent with the Rural Village land use designation. The Rural Village Overlay Zone will provide a process for administrative approval for developments determined to be consistent with the provisions of the Overlay Zone.

When a landowner chooses to develop under the provision of the Rural Village Overlay Zone, then compliance with all applicable portions of the Rural Village Overlay Zone will be mandatory for that property and for any abutting lot(s) or adjacent building(s) under the same ownership or control, for a period of ten years. A landowner's decision to use the provisions of the Rural Village Overlay Zone must be made in writing on a form supplied by Lee County. This form acknowledges that this decision runs with the land for the stated period. Lee County will record this form in its official record books.

The Rural Village Overlay Zone will be implemented through Lee Plan policies and proposed future Land Development Code revisions that will enact different guidelines for each of the four sub areas shown on the attached map of the Rural Village area. The Rural Village area is the area in the original plat of Alva that is currently in the Urban Community Future Land Use category.

Policy 22.1.1 describes the process for landowners who choose to develop under the overlay guidelines. **Staff has asked the applicants representative to review the second paragraph of Policy 22.1.1 and is waiting for a reply.**

POLICY 22.1.2: the Alva Community will prepare use, design, site location, and development standards for commercial and mixed-use development in the Historic Core and surrounding close-in neighborhoods to be incorporated as standards into a "Rural Village Zoning Overlay, Subarea 1" and will submit such standards to the County for adoption into the Land Development Code. These should address:

- ? Permitted and prohibited uses
- ? Site location standards for commercial uses
- ? Architectural standards for buildings (other than single family homes)
- ? Sign criteria
- ? Building setback
- ? Building height and/or number of floors
- ? Site design standards that bring buildings close to the street with parking behind
- ? Provision for shared access and parking areas across lot lines or in centralized off-site parking areas
- ? On-site landscaping and screening standards that contribute to an overall streetscape concept
- ? Variation of paving materials as alternative to impervious surfaces (shell, pavers)
- ? Pedestrian, parking and streetscape improvements
- ? Provision for pedestrian accessibility to commercial uses from side streets as well as main streets and for transitions between public and private space.

- ? Provision for density or height bonus for mixed use (commercial on the ground floor with residential above)
- ? Criteria that will allow for development of granny flats in the surrounding close-in residential areas.

Proposed Policy 22.1.2 outlines specific provisions that the Alva community will submit to Lee County for the Rural Village Overlay, sub area 1. Land Development Code regulations for that area would be necessary to implement the Rural Village Overlay and staff recommends transmittal of Policy 22.1.2.

POLICY 22.1.3: The Alva Community will prepare an improvement plan for the Historic Core, which will provide the mechanisms to:

- ? Connect residential and business areas by wide pathways that can safely accommodate pedestrians, bicycles, and other non-motorized methods of personal transportation;
- ? design the pedestrian way and bike lanes that cross the bridge
- ? promote pedestrian and bicycle safety and access;
- ? identify appropriate traffic calming design measures for the portion of North River Road that passes through the Historic Core;
- ? centralize/consolidate parking areas from which people can park once and easily walk to community facilities and shopping;
- ? improve connectivity of the local street network;
- ? provide for an inviting pedestrian oriented streetscape (walkways, lighting, benches, appropriate landscape, underground utilities) and buffers where appropriate;
- ? provide for the continuation of the key elements of the streetscape (such as lighting, landscaping, street furniture) at the foot of the bridge on each side of the river and on the bridge as appropriate;
- ? determine feasible methods to fund streetscape/parking/pedestrian improvements from new and infill development as it occurs.

The Alva community proposes to prepare an improvement plan specific to the Historic Core located within the Rural Village overlay. That improvement plan will address the bulleted items listed above. Department of Transportation staff objects to any traffic calming measures on arterial roadways and staff recommends that traffic calming measures for CR 78 not be included in that improvement plan. Other than that one item staff has no problem with proposed policy 22.1.3.

POLICY 22.1.4: The Alva Community will work with the Lee County Parks department to explore the feasibility and potential funding for planning and implementing an expansion of the existing boat launch area and facilities.

No comments were received on this proposed policy by the Lee County Parks and Recreation and staff has no objection.

POLICY 22.1.5: The County will update its historic sites survey of Alva if an update is determined to be needed.

Proposed policy 22.1.5 is acceptable to staff. It states that the County will update its historic sites survey of Alva if an update is determined to be needed and does not give a time-frame for that undertaking. The Division of Planning has limited staff to conduct such a survey and would begin one only when adequate time and staff were available.

POLICY 22.1.6: The Alva Community will prepare use, design, and development standards for commercial and mixed use development in the new Village Center(s) to be incorporated into a master plan concept and as standards into a “Rural Village Zoning Overlay, Subarea 2” and “Rural Village Zoning Overlay, Subarea 3: and will submit such standards to the County for adoption into the Land Development Code. These should address:

- ? a list of uses that should be permitted and encouraged as a part of a Village Center and those that are prohibited and/or discouraged as incompatible with the Rural Village character and particularly in relation to Subarea 3, consider the appropriateness of uses that could be proposed to serve the travelers market;
- ? a list of civic uses that should be considered for inclusion in the Village Center;
- ? the maximum size of building footprint (for example, not to exceed 20,000 s.f. for a single user building;
- ? architectural standards for buildings (“standardized” or “formula” franchise buildings will be forbidden).
- ? sign criteria;
- ? building setback;
- ? building height and/or number of floors. (Not to exceed 38 feet from the peak of the roof to the average grade of lot - about 2 ½ stories maximum);
- ? site design standards that bring buildings close to the street with parking behind or mid-block;
- ? pedestrian, parking and streetscape improvements;
- ? provision for pedestrian accessibility to commercial uses from side streets as well as main streets and for transitions between public and private space;
- ? maximums for block perimeters, space between pedestrian access points, spacing between storefront doors, etc. to promote walkability;
- ? parking ratios that reflect dual use and centralized parking areas;
- ? preservation of unique natural features and vegetation;
- ? provision of a riverfront public plaza and viewing area.

Proposed Policy 22.1.6 outlines specific provisions that the Alva community will submit to Lee County for the Rural Village Overlay, sub areas 2 and 3. Land Development Code regulations for those areas would be necessary to implement the Rural Village Overlay and staff recommends transmittal of Policy 22.1.6.

POLICY 22.1.7: The Alva Community will prepare use, design, and development standards for Traditional Neighborhood Developments that increase open space and are specifically tailored for compatibility with the vision for the Alva Rural Village including a program of bonus density incentives and an administrative approval process to be incorporated into a “Rural Village Zoning Overlay, Subarea 4: and will submit such standards to the County for adoption into the Land Development Code.

As with the above comment, in order to implement the Rural Village overlay, Land Development Code revisions will be necessary and staff recommends transmittal of Policy 22.1.7.

OBJECTIVE 22.2: Provide for appropriately located and well-planned commercial development to serve the needs of the Rural Village of Alva consistent with the vision stated in the Alva Community Plan.

Staff does not have a problem with proposed Objective 22.2 and recommends transmittal.

POLICY 22.2.1: In order to prevent strip development along SR 80, the majority of acreage available for commercial development in the Alva planning area ~~should be granted~~ are encouraged within the rural village boundaries, especially Subareas 2 and 3 or on Joel Blvd. Adjacent to Subarea 3.

Staff believes that the rezoning process should dictate where commercial development will occur on a case by case basis and that the revised language is adequate to help guide staff and hearing examiner recommendations.

POLICY 22.2.2: “Formula” or standardized franchise buildings will be forbidden. The Alva Community will submit Land Development Code regulations that are specific to what styles of franchise buildings will be prohibited.

Proposed Policy 22.2.2 will require Land Development Code revisions to implement. The policy as submitted provides no guidance for staff to determine what a “Formula” or standardized franchise building is or what they look like. Specific Land Development Code guidelines will be required and staff recommends transmittal of the revised language.

POLICY 22.2.3: Additional new or used auto dealerships will not be allowed.

~~**POLICY 22.2.4:** Any new development on parcels within the Rural Village currently zoned commercial shall be evaluated for consistency with the design and use standards of the Rural Village Overlay Zone in order to contribute to the overall design concept and be compatible with the village character and adjacent neighborhoods. The Alva community will prepare Land Development Code revisions that create evaluation criteria for new development on parcels within the Rural Village currently zoned commercial for consistency with the design and use standards of the Rural Village Overlay Zone for consideration by Lee County.~~

Staff does not see any value in proposed policy 22.2.4 as written. There is no discussion on who will be evaluating new commercial development or what criteria new development will be evaluated by. Staff recommends the above replacement language as an alternative.

OBJECTIVE 22.3: Increase the opportunity for public access to and enjoyment of the scenic, historic, recreational and natural resources in the rural area.

Staff does not object to this objective.

POLICY 22.3.1: The County will designate County Road 78 (North River Road) from Highway 31 to the Hendry County line a County Scenic Highway in accordance with Lee Plan Policy 2.9.1 and will assist the Community's efforts to obtain a Florida Scenic Highways designation for the roadway. The Scenic Highway designation for CR 78 will in no way preclude the ability of Lee County to widen North River Road at such time that may become necessary.

The Department of Transportation noted in the attached comments that as long as such a designation would in no way preclude their ability to widen CR 78 in the future that they can support the proposed policy 22.3.1. To ensure that they retain that ability, staff recommends transmitting the proposed policy 22.3.1 as amended above.

POLICY 22.3.2: The County will make every effort to implement the system of bike paths linking the conservation and recreation areas (as shown conceptually in figure III of the Alva Community Plan) by providing additional paving outside of the stripe for the travel lane and widening shoulders, based on a route and phasing plan to be developed in a cooperative effort between County staff and community representatives.

The Department of Transportation comment on this proposed policy as attached states "The description of the paths as "additional paving outside of the stripe for the travel lane and widening shoulders" seems consistent with the designation on Map 3D for SR 80 and CR 78....If the community plan is contemplating the use of gas tax funds and road impact fees beyond (that already-established program, then DOT staff objects.

OBJECTIVE 22.4: ~~Within the rural area surrounding the Rural Village of Alva (as designated in figure D), ensure that any proposed new Residential Planned Development is compatible with the rural surroundings. New development within the rural area surrounding the Rural Village of Alva (as designated in Figure D) should be complimentary to the rural characteristics of that area.~~

Staff requested the applicants representative to revise the original submitted language for Objective 22.4 and that revision is shown above. Staff recommends transmittal of revised Objective 22.4.

POLICY 22.4.1: ~~The County will amend Land Development Code Chapter 34, Article IV Planned Developments for the above-described area to include criteria, incentives and development objectives, if an acceptable proposal is put forward by the Alva Community. The intention is to encourage development design configurations that proactively promote clustering, conservation of large expanses of open space,~~

~~linkages to the conservation network, use of conservation easements, among other measures that ensure that new development is compatible with the rural surroundings. **The Alva community will prepare and present for consideration by Lee County** will amendments to the Land Development Code, Chapter 34, Article IV, Planned Developments, to ensure that new development for the above described area will be encouraged to use the following design criteria in their development:~~

- ~~1. Clustering in order to create and conserve open space areas,~~
- ~~2. Linking pedestrian and bicycle paths to conservation areas, and~~
- ~~3. Conservation of large open space areas by means of conservation easements and/or other available options.~~

Staff requested that the applicants representative revise the original submission of Policy 22.4.1 to be more specific regarding the types of land development code revisions that the policy directs. Staff has modified that revision slightly and recommends transmittal of Policy 22.4.1 as revised above.

~~**OBJECTIVE 22.5:** Continue the current operation of the Alva Cemetery without interference to the unpaid Board of Trustees and also to provide for future development of the remaining portions of the cemetery in a manner consistent with the current cemetery.~~

~~**POLICY 22.5.1:** The County will take the necessary action to exempt the Alva Cemetery from Lee County ordinances and subdivision regulations and will support special state legislation to create such exemption from state statutes, other rules and regulations and code provisions.~~

Proposed Objective 22.5 and Policy 22.5.1. would remove all regulation of land use for the Alva Cemetery from Lee County. Staff does not support that approach. Staff and the County Attorney's Office have offered Alva Cemetery Inc. other alternatives to remedy State platting req

~~**OBJECTIVE 22.6:** Manage the flow of surface water both north and south of the Caloosahatchee river in a cooperative effort among the SFWMD, Lee County and other appropriate private and governmental agencies in such a manner as to eliminate the flooding that occurs as a result of excess surface water flows from outside the Alva planning area. This should be done in a way that is both environmentally and hydrologically sound.~~

Staff is not opposed to Objective 22.6 and recommends transmittal.

~~**POLICY 22.6.1:** Lee County will work with South Florida Water Management District to explore all options to reduce flood and other surface waters flowing into that area of Lee County lying north of the Caloosahatchee River and east of SR 31 from areas outside of Lee County shall will be conveyed to the County Line Ditch along the Lee/Hendry County line, north of the Caloosahatchee River for conveyance to the river in such a manner as to prevent reduce flooding along the ditch during periods of excess runoff and with appropriate control structures to prevent over-drainage during periods of low or no flow. Excess flows may also be used to restore historic flows to Spanish Creek or otherwise be conveyed to the Caloosahatchee River in keeping with the principles of sound water management and~~

SFWMD permitting criteria, thereby eliminating reducing downstream flooding of natural and manmade water courses within this area of Lee County. Likewise, excess waters that flow from Lehigh Acres that result in the flooding of the Hickey Creek and Bedman areas south of the Caloosahatchee river shall will be adequately controlled in Lehigh Acres so that the neighboring community of Alva is not flooded beyond historical levels. Care should also be taken that water flows entering the Caloosahatchee river do not negatively impact the oxbows and/or health of the river.

While the Division of Natural Resources agrees that conveying surface waters from outside Lee County to the County Line Ditch along the Lee/Hendry County line has been identified as one method of handling surface runoff; they would like to keep other options open. Staff recommends transmitting Policy 22.6.1 as revised.

The following recommendations in the Alva community plan that are not addressed in the proposed policies discussed above follow with staff comments to follow each recommendation.

- Future measures should include design solutions to induce traffic calming and possibly restriction of access points for future development along North River Road.

CR 78 is an arterial roadway and Department of Transportation staff is opposed to implementing traffic calming measures on arterial roads in Lee County.

- A pedestrian oriented area can be seen as a “hub” for an extensive system of bike lanes and pedestrian pathways that extend into the neighborhoods, and across the bridge into the Village center. Rather than introducing curb, gutter, and sidewalk, the design concept should emphasize use of pervious materials and emulate a rural, historic look such as might have existed in the late 1800's.

DOT staff has stated in the attached comments that the plan is seriously lacking because it does not include discussion of the cost of such an alternative concept, or how such non-standard features will be maintained. The County does not typically commit to maintain such non-standard features, and will not allow them in County rights-of-way without maintenance commitment from the group proposing them.

- A significant opportunity exists for funding a portion of the Historic Core Improvement Plan through the Federal Transportation Enhancement Provision.

DOT staff provided the following comment: While the facilities contemplated in the Community Plan would be eligible for Enhancement funding, in reality there is very little funding available. These funds are governed by the Florida Department of Transportation (FDOT), and are spread out among the twelve counties within District One. Applications are submitted every year to the Lee County Metropolitan Planning Organization, which then develops a priority list to give to FDOT. Typically Lee County only gets one project a year funded through this program, and the Alva community would be competing with the rest of the County and the Cities. Given that reality, it does not seem appropriate to characterize the Enhancement program as “significant”.

- If and when new residential development is proposed in Subarea 4, it should be designed to conserve open

space and compliment the Rural Village character rather than occur as an expanse of one-acre lots. This recommendation applies to an area within the rural village and does not preclude the creation of one acre lots; therefore, staff has no objection to the wording of that recommendation.

- In addition to those conservation lands purchased through the 2020 program, there are several large parcels owned by South Florida Water Management District. Two adjacent parcels together consisting of over 400 acres are located just north of North River Road east of central Alva, have been identified in the community planning process as an opportunity for a future regional park. The Community should pursue discussions with South Florida Water Management District and with Lee County to explore the feasibility of adding this area to the regional recreational system and to identify the appropriate public use of the area.

Staff has no problem with that recommendation.

- Working together with design professionals, local development interests and Lee County the Alva community can propose appropriate amendments to the Land Development Code Chapter 34, Article IV, Planned Developments, to include incentives and criteria for planned residential developments in the Rural area surrounding Alva. Such incentives and criteria could be set up as a point system similar to that proposed for Subarea 4, with a requirements that the project must obtain a certain number of points before it meets the threshold for approval.

If the Alva community wishes to come forward with a land development code revision proposal to provide incentives for landowners develop in certain specific ways staff is not opposed.

- It is recommended that as a parallel effort to this Community Plan, representatives of Alva Inc. work with the neighbors to design a petition that identifies the concerns that are intended to be addressed and the several different approaches that could be used, so that residents have the opportunity to indicate their concern and their support for successfully resolving the issue without necessarily having to choose which approach is best. Once that is completed, the appropriate next steps can be identified.

Staff has no problem with that recommendation.

- This Plan encourages continued efforts to make Conservation 2020 purchases (and/or purchases of conservation easements) in the area north of SR 80 to reinforce the linkage between conservation areas of the Regional Park to the north of the River and Hickey Creek Mitigation Park.

Staff encourages efforts toward acquisition of 2020 properties that the Conservation Lands Selection Advisory Committee deems valuable.

- Explore the opportunity for neighborhood serving uses in the Cardston Park Community.

Staff encourages Alva residents to do so.

FUTURE LAND USE MAP AMENDMENTS

The Community Plan is proposing one Future Land Use Map amendment. The area requested to be amended is that area north and south of the Caloosahatchee River and east and west of Broadway in Alva that is currently in the Urban Community Future Land Use designation as shown on the attached map. Staff does not recommend transmittal of this request at this time.

FUTURE LAND DEVELOPMENT CODE AMENDMENTS

The Community Plan proposes several future amendments to Lee County's Land Development Code. Topics for potential LDC amendments include use, design, site locations and development standards for new development in the proposed Rural Village land use category.

B. CONCLUSIONS

The proposed revised Vision Statement, Goal, Objectives and Policies are the result of nearly a two-year long planning process. They reflect the vision that ALVA and many members of the Alva community have for its future growth and development. Staff believes that this amendment should be viewed as another step in a continuous process that addresses planning needs in Alva. Many issues have been addressed through this amendment, but there are others, such as those policies (or portions thereof) that staff has recommended for deletion, that will require more consideration in the future.

C. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners transmit the proposed amendment with staff's recommended language as shown in Part I, Section B.1 of this report.

**PART III - LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: May 28, 2002

A. LOCAL PLANNING AGENCY REVIEW

**B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT
SUMMARY**

1. RECOMMENDATION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

NOEL ANDRESS

MATT BIXLER

SUSAN BROOK MAN

DAN DELISI

RONALD INGE

ROBERT PRITT

GORDON REIGELMAN

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: _____

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

B. STAFF RESPONSE

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

BOB JANES

RAY JUDAH

DOUG ST. CERNY
