



**CPA2002-01  
ALVA COMMUNITY PLAN  
BoCC SPONSORED  
AMENDMENT  
TO THE**

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**LEE COUNTY COMPREHENSIVE PLAN**

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**THE LEE PLAN**

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

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*Lee County Planning Division  
1500 Monroe Street  
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**

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**Map Amendment**

<input checked="" type="checkbox"/>	<b>This Document Contains the Following Reviews:</b>
<input checked="" type="checkbox"/>	<b>Staff Review</b>
<input type="checkbox"/>	<b>Local Planning Agency Review and Recommendation</b>
<input type="checkbox"/>	<b>Board of County Commissioners Hearing for Transmittal</b>
<input type="checkbox"/>	<b>Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report</b>
<input type="checkbox"/>	<b>Board of County Commissioners Hearing for Adoption</b>

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 also recommends 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.

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 (1 du/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. New development within the rural area surrounding the Rural Village of Alva (as designated in Figure I) should be complimentary to the rural characteristics of that area.

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. If an acceptable proposal is submitted by the Alva Community, t-The County will amend Land Development Code, Chapter 34, Article IV, Planned Developments, to ensure that new development for the above-described area described in Objective 22.4 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.

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 Lee/Hendry County Line 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 ben 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 if 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 ben 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 meeting 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 fund-raising.

## **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~~ 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)

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 (1 du/acre) to six dwelling units per acre (6 du/acre) with bonus densities of up to 10 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.

The first paragraph Policy 1.4.8 defines the Rural Village concept. Staff's only concern with the first paragraph of the proposed policy as submitted by the applicant is that no mention is made of currently allowable bonus densities in the Urban Land Use category of up to 10 du/acre is made. Staff does not know if the elimination of bonus densities for the proposed new future land use category was intended by the applicant, but staff believes that bonus densities allowable under the Urban Community future land use category could be very appropriate with the Rural Village concept and recommends that it be made clear in Policy 1.4.8 that those bonus densities are possible to achieve.

Staff believes that the proposed future land use change from Urban Community to Rural Village at this time is premature. The lack of specific development regulations, allowable residential densities and commercial intensities and 20/20 land use allocations for the proposed Rural Village Future Land Use category make it impossible to determine if existing commercial and residential developments will be in compliance or how the creation of the Rural Village land use category will effect development proposals on currently undeveloped land. By creating a new land use category without attaching specific land use regulations, staff is concerned about both Bert J. Harris and Federal takings law implications that the county may be exposing itself to if no use of property can be permitted until those land use regulations are in place.

The application of a Rural Village Overlay District that applies to the historic core of Alva, north and south of State Route 80 that is currently in the Urban Community Future Land Use Category would not require a new future land use designation. That overlay can be implemented through the numerous Land Development Code revisions that are recommended throughout proposed Goal 22.

Staff recommends transmitting Policy 1.4.8 as revised above.

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. Participation in the Rural Village Overlay Zone is voluntary. If a landowner does not wish to utilize the Rural Village Overlay, they may develop under either the existing zoning on the site, or under a planned development. No rezoning to a different conventional zoning district would be allowed. Staff does not oppose Policy 21.1.1, but questions whether it will be widely utilized. The Rural Village could develop as a patchwork of construction utilizing conventional zoning, planned developments and the Rural Village Overlay, which may result in unusual development patterns.

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.

The Alva community, through the creation of the Alva Community Plan, has expressed a desire prohibit new or used auto dealerships within the planning boundary as shown on the enclosed map. Policy 22.2.3 is very clear that new or used auto dealerships will be permitted.

Two previously adopted community plan goals for Bayshore and Estero have policies that exclude specific uses. For example, Policy 20.1.3 for the Bayshore community states, "No new industrial activities or industrial rezonings are permitted." Policy 20.1.4 for the Bayshore community states, "No new mining uses or commercial excavations are permitted." Estero's Policy 19.2.5 states, "The following uses are prohibited within the Estero Planning Community: "detrimental uses" (as defined in the Land Development Code); nightclubs or bar and cocktail lounges not associated with a Group III Restaurant; and retail uses that require outdoor display in excess of one acre."

Staff is unaware of any organized opposition to proposed Policy 22.2.3 and recommends transmittal as written above.

X POLICY 20.1.4: No new mining uses or commercial excavations are permitted.

~~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 believes Objective 22.3 has merit and recommends transmittal as written above.

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 I), 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 I) should be complimentary to the rural characteristics of that area.

Staff requested that the applicant revise Objective 22.4 as originally submitted and recommends transmittal of Objective 22.4 as revised by the applicant above.

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. If an acceptable proposal is submitted by the Alva Community, tThe County will amend Land Development Code, Chapter 34, Article IV, Planned Developments, to ensure that new development for the above described area described in Objective 22.4 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 applicant revise Policy 22.4.1 as originally submitted and recommends transmittal of Objective 22.4 as revised by the applicant and by staff 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 meet State platting requirements, but they have not pursued those alternatives at this time.

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 Lee/Hendry County Line 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 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.

## **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 ADDRESS**

**MATT BIXLER**

**SUSAN BROOKMAN**

**DAN DeLISI**

**RONALD INGE**

**ROBERT PRITT**

**GORDON REIGELMAN**

_____
_____
_____
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**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**

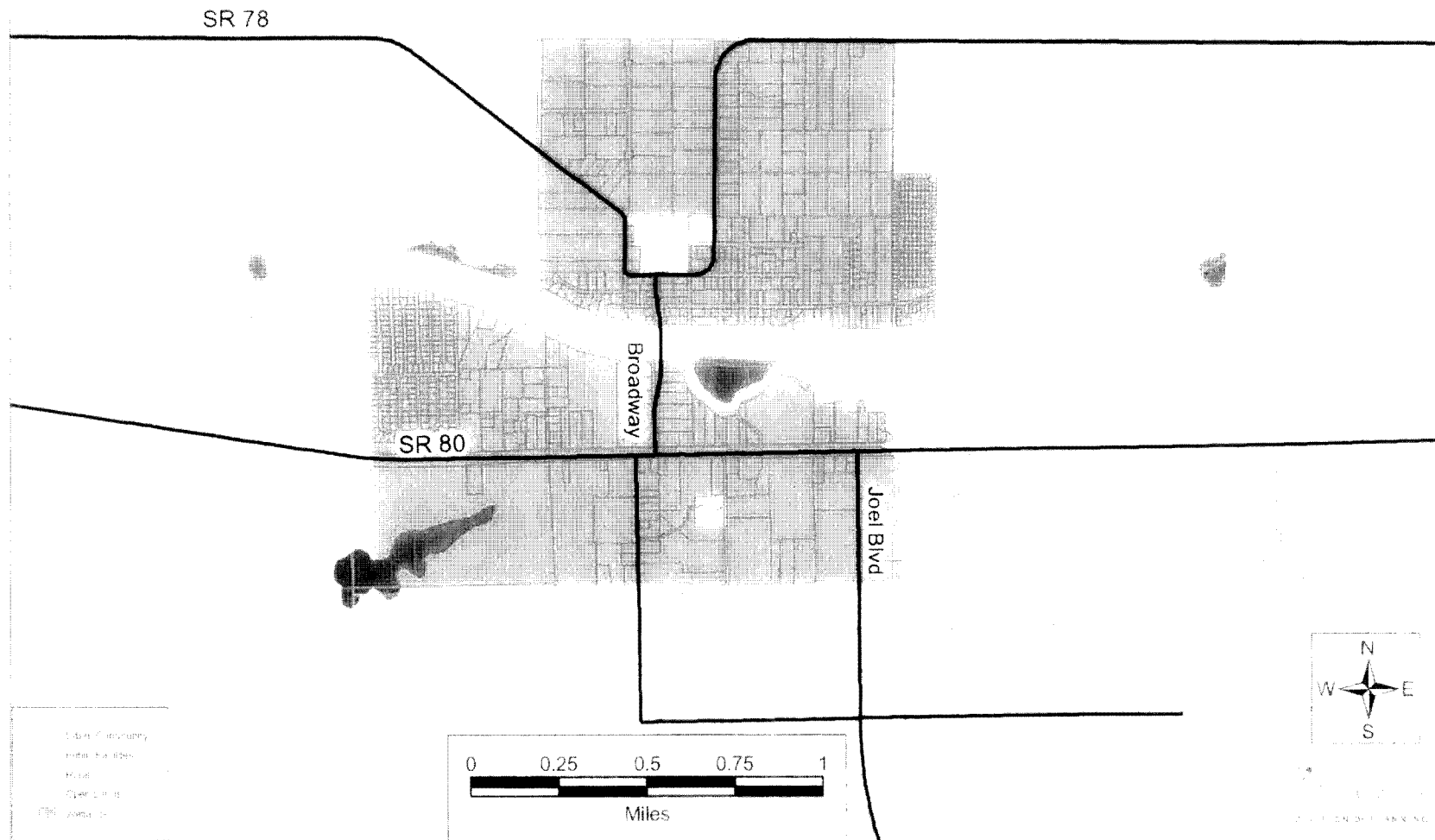
**RAY JUDAH**

**DOUG ST. CERNY**

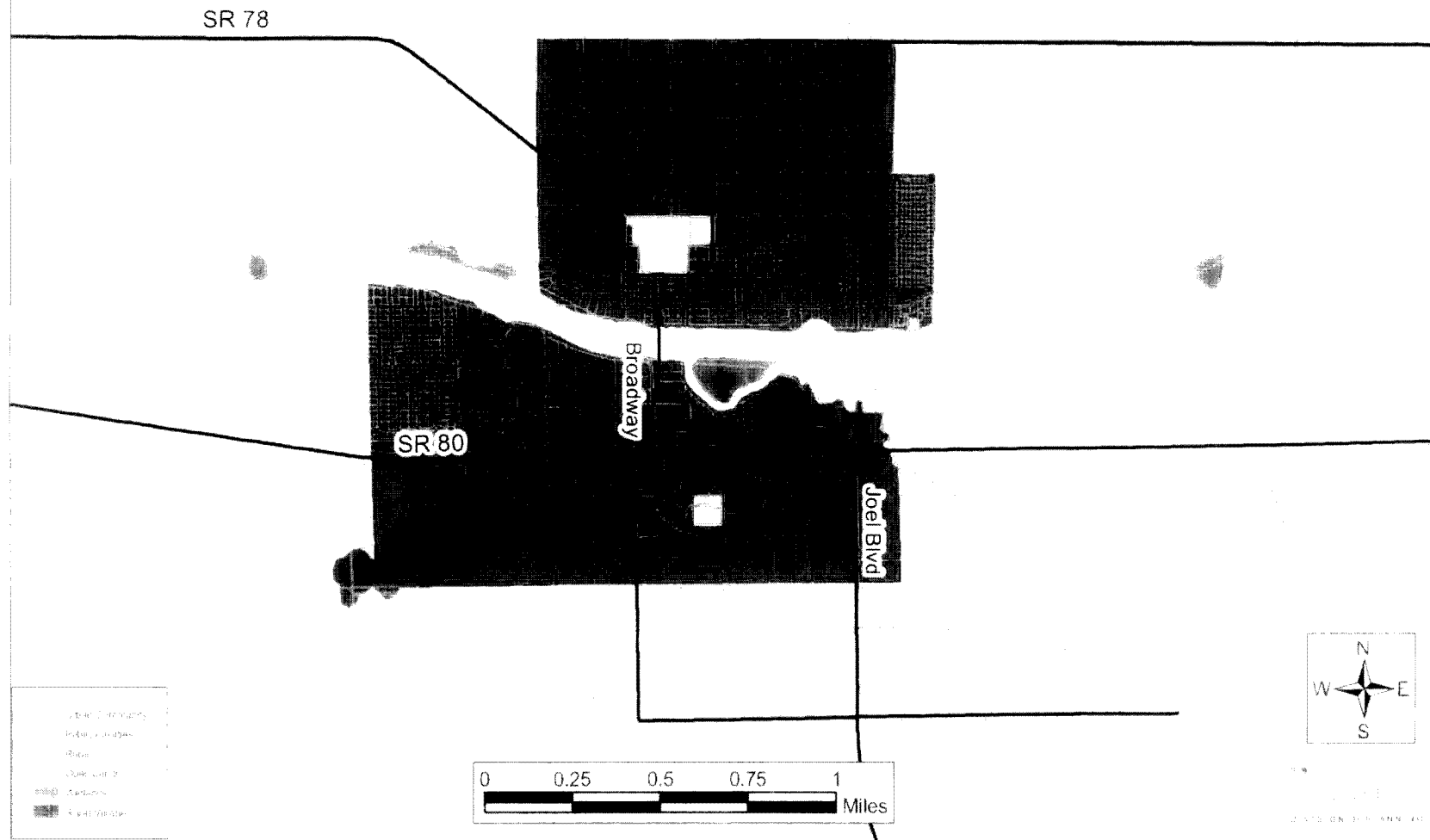
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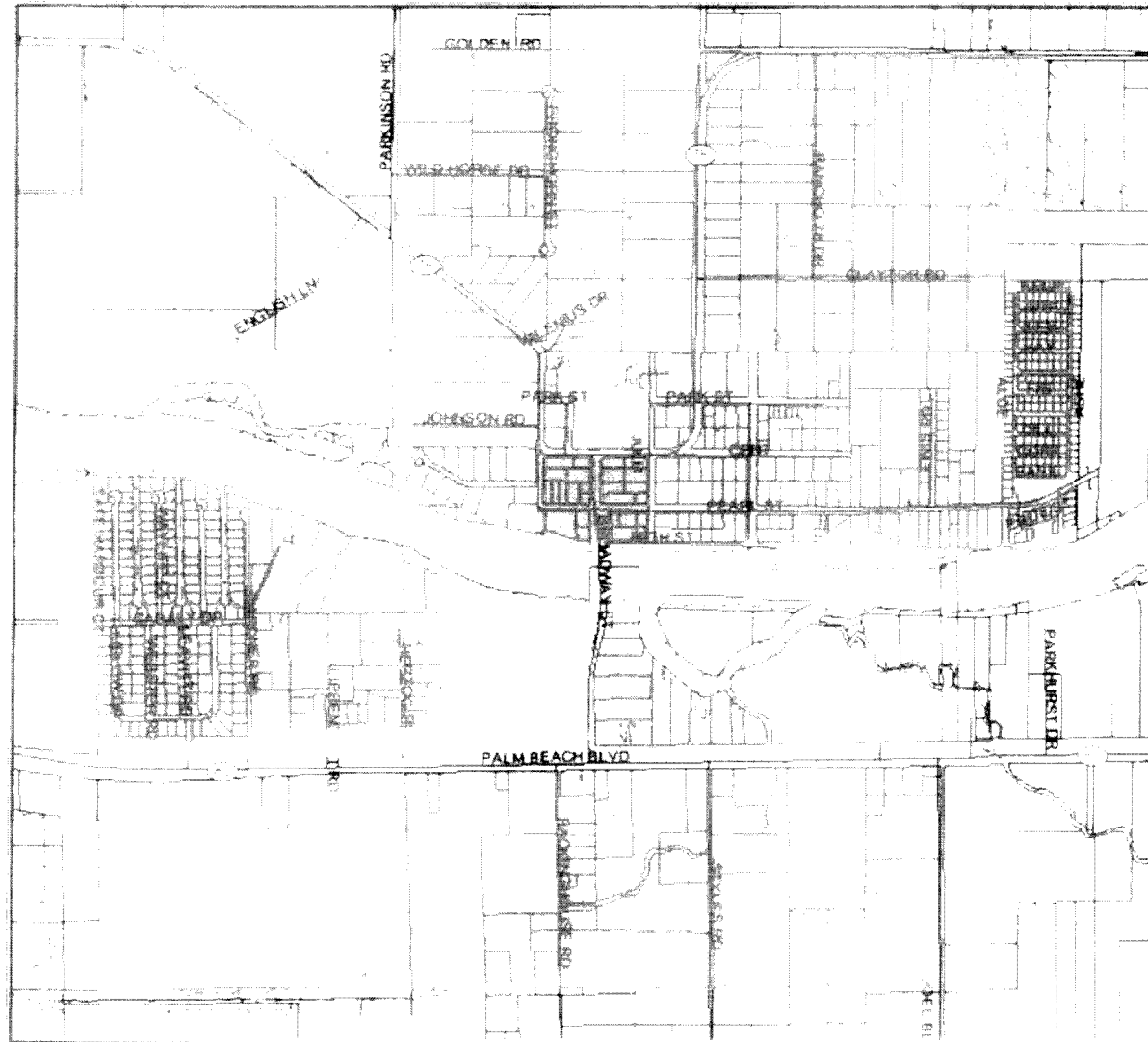
# CPA2002-01 Existing Future Land Use



# CPA2002-01 Proposed Future Land Use



# RURAL VILLAGE



## LEGEND

URB AREA

HISTORIC ZONE

WATERWAY

URB AREA

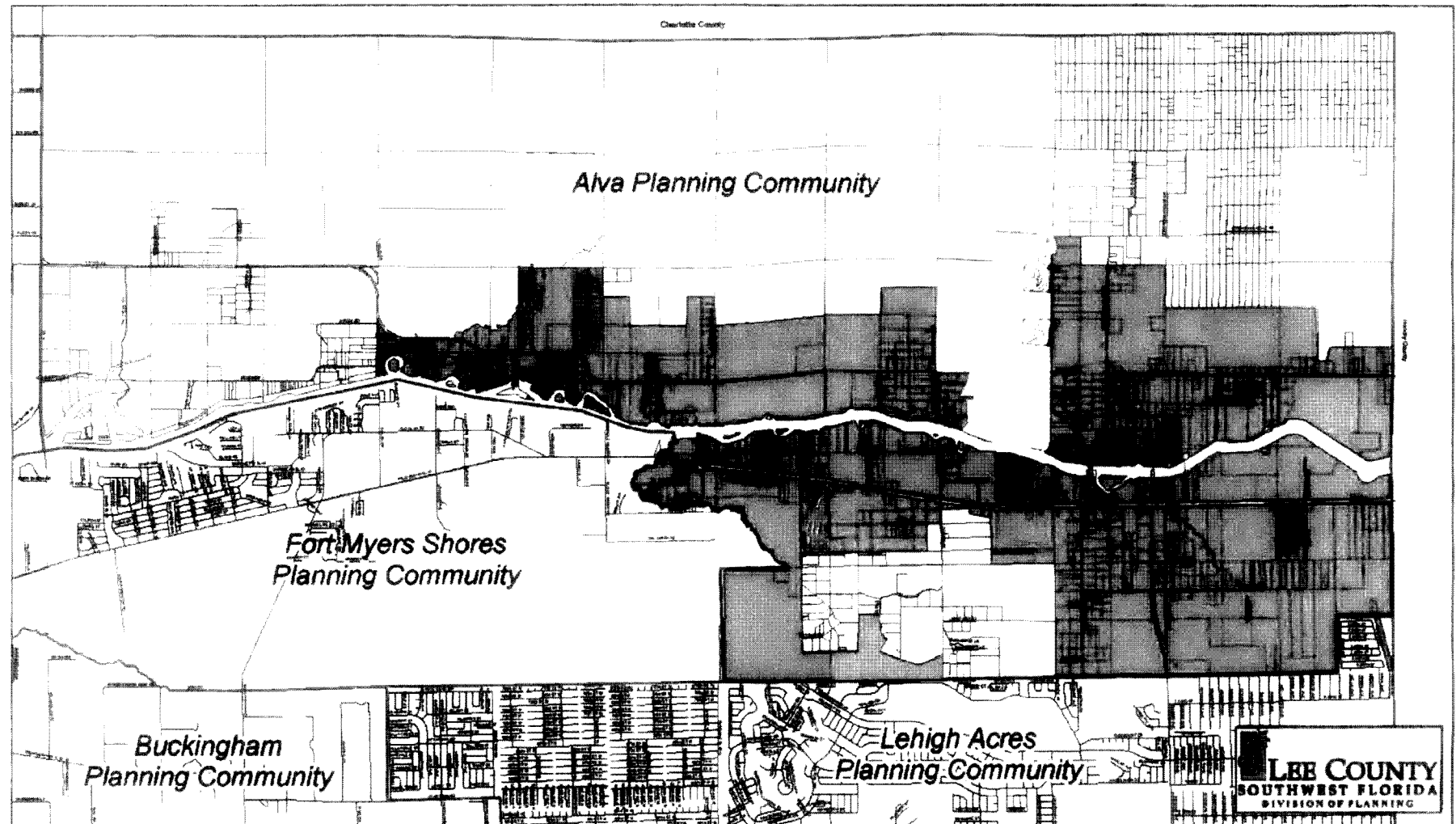
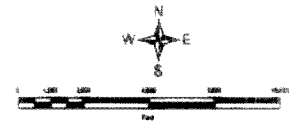
URB AREA

URB AREA

Figure 1  
**Alva Community Plan**  
Proposed Community Planning Area

 Parcels Included in Community Plan

July 22, 2002



NEWS-PRESS  
Published every morning - Daily and Sunday  
Fort Myers, Florida  
Affidavit of Publication

STATE OF FLORIDA  
COUNTY OF LEE

Before the undersigned authority, personally appeared  
Kieanna Henry  
who on oath says that he/she is the  
Asst. Legal Clerk of the News-Press, a daily newspaper,  
published at Fort Myers, in Lee County, Florida; that the  
attached copy of advertisement, being a  
Display  
in the matter of LPA Public Hearing  
in the \_\_\_\_\_ Court  
was published in said newspaper in the issues of  
May 16, 2003

Affiant further says that the said News-Press is a paper of general  
circulation daily in Lee, Charlotte, Collier, Glades and Hendry  
Counties and published at Fort Myers, in said Lee County, Florida  
and that said newspaper has heretofore been continuously published  
in said Lee County, Florida, each day, and has been entered as a  
second class mail matter at the post office in Fort Myers in said Lee  
County, Florida, for a period of one year next preceding the first  
publication of the attached copy of the advertisement; and affiant  
further says that he/she has neither paid nor promised any person,  
firm or corporation any discount, rebate, commission or refund for the  
purpose of securing this advertisement for publication in the said  
newspaper.

Kieanna Henry

Sworn to and subscribed before me this  
16<sup>th</sup> day of May 2003 by

Kieanna Henry  
personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public Brenda Leighton

Print Name

My commission Expires:



Brenda Leighton  
MY COMMISSION # DD16905 EXPIRES  
February 14, 2007  
BONDED THROUGH FARM INSURANCE, INC.

ND FLOOR  
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CEIVED  
COUNTY

MEETING NOTICE  
LEE COUNTY LOCAL PLANNING AGENCY  
PUBLIC HEARING

Notice is hereby given that the Lee County Local Planning Agency (LPA) will meet on  
Wednesday, May 14, 2003. The meeting will be held in the Community  
Development/Public Works Building, First Floor, Conference Room 1B, at 1500  
Monroe Street in downtown Fort Myers. The meeting will commence at 8:30 a.m.

AGENDA

1. Call to Order - Certification of Agenda of Proceedings
2. Pledge of Allegiance
3. Public Forum
4. Approval of Minutes from April 28, 2003
5. 2002/2003 Regular Board Plan Amendment Review:
  - A. CPA 2002-04 - Amend the Future Land Use Element of the Lee Plan, text and Future Land Use Map portion to incorporate the recommendations of the Collier/Charlotte/Glades Community Planning effort, establish a new Goal, Vision Statement and subsequent Objectives and Policies.
  - B. CPA 2002-01 - Amend the Future Land Use Element of the Lee Plan, text and Future Land Use Map portion to incorporate the recommendations of the ALMA Inc. Community Planning effort, establish a revised Vision Statement and a new Goal and subsequent Objectives and Policies.
6. Small Section Plan Amendment Review:
  - A. CPA 2003-03 - Amend the Future Land Use Map portion, Map 1, page 5 of 8 for a 0.82 acre parcel of land located in Section 19 Township 45 South, Range 23 East to change the boundary of Airport Notice Zone 3 to remove the subject property from that designation.
7. Spring 2003 Land Development Code Amendments

AN ORDINANCE AMENDING THE LEE COUNTY LAND DEVELOPMENT CODE (LDC) TO AMEND CHAPTERS 2, 3, 10, 14, 30 AND 34; AMENDING CHAPTER 2 (ADMINISTRATION); AMENDING IMPACT MITIGATION (32-253); AND

AMENDING CHAPTER 6 (BUILDINGS AND BUILDING REGULATION); CREATING COMPLIANCE WITH OUTDOOR LIGHTING STANDARDS (32-115); BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD (32-05); AND

AMENDING CHAPTER 10 (DEVELOPMENT STANDARDS); AMENDING DEFINITIONS AND RULES OF CONSTRUCTION (310-1); AMENDING AND RENUMBERING GENERAL REQUIREMENTS (310-7); AMENDING SPECIFIC REQUIREMENTS (310-9); TRANSFER (310-12); AMENDING AND RENUMBERING APPLICATION FORM AND CONTENTS (310-153); ADDITIONAL REQUIRED SUBMITTALS (310-154); AMENDING TYPES OF DEVELOPMENT ENTITLED TO LIMITED REVIEW (310-174); FINAL INSPECTION AND CERTIFICATE OF COMPLIANCE (310-183); REQUIRED PLATS (310-211); LOT RECOMBINATIONS (310-217); CONSTRUCTION OF SOIL CONDITIONS AND FLOOD HAZARDS (310-253); BIKEWAYS AND PEDESTRIAN WAYS (310-253); CONNECTION SEPARATION (310-253); CONTROLLED ACCESS ROADS (310-253); EXCAVATIONS (310-253); SITE DESIGN STANDARDS AND GUIDELINES FOR COMMERCIAL BUILDINGS AND DEVELOPMENTS (310-310); AND

AMENDING CHAPTER 14 (ENVIRONMENT AND NATURAL RESOURCES); AMENDING PURPOSE AND INTENT (CLEAN WATER PROVISIONS) (314-471); PROHIBITIONS (314-473); DEFINITIONS (314-475); INDUSTRIAL ACTIVITY (314-476); STORMWATER POLLUTION PREVENTION PLAN (SWPP) CRITERIA (314-477); MONITORING (314-478); ENFORCEMENT (314-479); AND

AMENDING CHAPTER 30 (SIGNS); AMENDING PROHIBITED SIGNS (330-01); PERMITS; INSPECTIONS (330-03); TEMPORARY SIGNS (330-15); AND

AMENDING CHAPTER 34 (ZONING); AMENDING PROVIDING FOR OR REMOVING DEFINITIONS OF "AMBIENT LIGHT", "ARTIFICIAL LIGHT OR ARTIFICIAL LIGHTING", "AVERAGE LIGHTING", "BACK-LIGHTING", "BULB", "CANDLES OR CD", "CUMULATIVELY ILLUMINATED", "DIRECT LIGHT", "EXISTING OUTDOOR LIGHTING", "EXTERIOR LIGHTING", "FIXTURE", "FLOOD OR SPOT LIGHT", "FOOTCANDLES", "FULL CUTOFF", "FULLY SHIELDED", "HIGH PRESSURE SODIUM OR HPS", "ILLUMINANCE", "ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA OR IESNA", "INDIRECT LIGHT", "LAMP", "LIGHT LOSS FACTOR OR LLF", "LIGHT POLLUTION", "LIGHTING", "LOW PRESSURE SODIUM OR LPS", "LUMINAIRE", "LUMEN", "MERCURY VAPOR", "METAL HALIDE OR MH", "NON-ESSENTIAL LIGHTING", "OUTDOOR LIGHTING", "PARTIALLY SHIELDED", "PHOTOMETRICS", "PLANNED DEVELOPMENT", "PROCESSED", "SINGLE MANAGEMENT", "SKYGLOW", "UNIFIED CONTROL", "UNIFIED CONTROL COVENANT OF TELEPHONE BOOTH OR PAY TELEPHONE STATION", "UPLIGHTING" (334-2); AMENDING FUNCTIONS AND AUTHORITY (BOARD OF COUNTY COMMISSIONERS) (334-63); LOCAL PLANNING AGENCY (334-111); MEMBERSHIP; TERM OF OFFICE (334-112); COMPENSATION OF MEMBERS; FUNDING (334-113); ORGANIZATION AND OPERATION (334-114); FUNCTIONS AND AUTHORITY (LOCAL PLANNING AGENCY) (334-115); FUNCTIONS AND AUTHORITY (HEARING EXAMINER) (334-145); FINAL DECISION; JUDICIAL REVIEW (334-143); AMENDING AND RENUMBERING GENERAL SUBMITTAL REQUIREMENTS FOR APPLICATIONS REQUIRING PUBLIC HEARING (334-202); AMENDING ADDITIONAL REQUIREMENTS FOR APPLICATIONS REQUIRING PUBLIC HEARING (334-203); APPLICATIONS (334-373); DELETING COVENANT OF UNIFIED CONTROL AND RESERVING SECTION (334-374); AMENDING PUBLIC HEARING (334-377); EFFECT OF PLANNED DEVELOPMENT ZONING (334-378); AMENDING AND RENUMBERING DURATION OF RIGHTS CONFERRED BY ADOPTED MASTER CONCEPT PLAN (334-381); AMENDING PERFORMANCE STANDARDS; CREATION OF NUISANCE (334-624); CREATING OUTDOOR LIGHTING STANDARDS (334-625); AMENDING USE REGULATIONS TABLE FOR AGRICULTURAL DISTRICTS (334-635); USE REGULATIONS TABLE FOR ONE AND TWO FAMILY DISTRICTS (334-636); USE REGULATIONS FOR ONE- AND TWO- FAMILY RESIDENTIAL DISTRICTS (334-634); USE REGULATIONS TABLE FOR MOBILE HOME DISTRICTS (334-735); USE REGULATIONS TABLE FOR CONVENTIONAL COMMERCIAL DISTRICTS (334-643); USE REGULATIONS TABLE FOR PLANNED DEVELOPMENT DISTRICTS (334-634); DEFINITIONS (PLANNED DEVELOPMENT DISTRICTS) (334-1033); TRUCKS AND COMMERCIAL VEHICLES IN RESIDENTIALLY AND AGRICULTURALLY ZONED DISTRICTS (334-1181); ASSISTED LIVING FACILITIES (334-1411); AMENDING PURPOSE OF SUBDIVISION (MINING) (334-1071); CREATING APPENDIX "M" (POTENTIAL MINING AREAS OF LEE COUNTY) (334-1072); AMENDING AND RENUMBERING PERMIT REQUIRED (334-1073); GENERAL POLICIES FOR APPROVAL AND OPERATION (334-1074); APPLICATION FOR A GENERAL MINING PERMIT; ISSUANCE OF PERMIT (334-1075); APPLICATION FOR A MINING OPERATION PERMIT (334-1076); DURATION OF MINING PERMIT (334-1077); RENEWAL OF PERMIT (334-1078); ADDITIONAL PHASE APPROVAL (334-1079); INSPECTIONS (334-1080); SITE REQUIREMENTS (334-1081); AMENDING AND RENUMBERING RESERVED PROVISIONS (334-1710); AMENDING REQUIRED SPACING - MINIMUM DIMENSIONS GENERALLY (334-2221); AMENDING AND RENUMBERING RESERVED PROVISIONS (334-3031 - 34-3103); DELETING DIVISION 38 (TELEPHONE BOOTHS AND PAY PHONE STATIONS); DELETING LOCATION (33-3070); DELETING LIGHTING AND SIGNAGE (334-3071); RENUMBERING DIVISION 38 (USE, OCCUPANCY AND CONSTRUCTION REGULATIONS); AMENDING NUMBER OF PRINCIPAL BUILDINGS ON LOT (334-3102); RENUMBERING DIVISIONS 39 THRU 43 AS 39 THRU 41; AND

PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS AND AN EFFECTIVE DATE.

8. Update on Lee County's Evaluation and Appraisal Report process.
9. Other Business
10. Adjournment

This meeting is open to the public and all interested parties are encouraged to attend. Interested parties may appear and be heard with respect to all proposed actions. Pursuant to Florida Statutes Section 163.316(2)(b), persons participating in the Comprehensive Plan Amendment process, who provide their name and address on the record, will receive a courtesy informational statement from the Department of Community Affairs prior to the publication of the Notice of Intent to find a plan amendment in compliance.

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Further information may be obtained by contacting the Lee County Division of Planning at 479-8585.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Janet Miller at 479-8583.

NEWS-PRESS  
Published every morning - Daily and Sunday  
Fort Myers, Florida  
Affidavit of Publication

STATE OF FLORIDA  
COUNTY OF LEE

Before the undersigned authority, personally appeared  
Kieanna Henry  
who on oath says that he/she is the  
Asst. Legal Clerk of the News-Press, a daily newspaper,  
published at Fort Myers, in Lee County, Florida; that the  
attached copy of advertisement, being a  
Display  
in the matter of LPA Public Hearing  
in the \_\_\_\_\_ Court  
was published in said newspaper in the issues of  
April 18, 2003

Affiant further says that the said News-Press is a paper of general  
circulation daily in Lee, Charlotte, Collier, Glades and Hendry  
Counties and published at Fort Myers, in said Lee County, Florida  
and that said newspaper has heretofore been continuously published  
in said Lee County, Florida, each day, and has been entered as a  
second class mail matter at the post office in Fort Myers in said Lee  
County, Florida, for a period of one year next preceding the first  
publication of the attached copy of the advertisement; and affiant  
further says that he/she has neither paid nor promised any person,  
firm or corporation any discount, rebate, commission or refund for the  
purpose of securing this advertisement for publication in the said  
newspaper.

Kieanna Henry

Sworn to and subscribed before me this

18<sup>th</sup> day of April 2003 by

Kieanna Henry  
personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public Brenda Leighton

Print Name \_\_\_\_\_

My commission Expires:



Brenda Leighton  
MY COMMISSION # DD169005 EXPIRES  
February 14, 2007  
BONDED THRU TROY FAIR INSURANCE, INC.

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8 21 AM 9:00

RECEIVED  
LEE COUNTY



MEETING NOTICE  
LOCAL PLANNING AGENCY  
PUBLIC HEARING

Notice is hereby given that the Lee County Local Planning  
Agency (LPA) will meet on Monday, April 28, 2003. The  
meeting will be held in the Board of County Commission  
Chambers at 2120 Main Street in downtown Fort Myers. The  
meeting will commence at 8:30 a.m.

AGENDA

1. Call to Order; Certification of Affidavit of Publication
2. Pledge of Allegiance
3. Public Forum
4. Approval of Minutes from March 24, 2003
5. Plan Amendment Review
  - A. CPA2002-01 - Amend the Future Land Use Element of the Lee Plan, text and Future Land Use Map series to incorporate the recommendations of the ALVA Inc. Community Planning effort, establish a new Vision Statement, Goal and subsequent Objectives and Policies.
  - B. CPA2002-04 - Amend the Future Land Use Element of the Lee Plan, text and Future Land Use Map series to incorporate the recommendations of the Caloosahatchee Shores Community Planning effort, establish a new Goal, Vision Statement and subsequent Objectives and Policies.
  - C. CPA 2002-06 - Amend Table 1(b), Planning Community Year 2020 Allocations, by correcting the Outlying Suburban Allocation for the Alva Community.
  - D. CPA2002-08 - Amend the Future Land Use Map series, Map 1, by updating the Conservation Lands land use categories.
  - E. CPA2002-13 - Amend the Transportation Maps of the Future Land Use Map Series and any related policy references to reflect the latest Lee County MPO 2020 Financially Feasible Transportation Plan map.
  - F. CPA2002-15 - Update Table 2(a), Constrained Roads/State and County Roads, to eliminate Old 41, which is now a City of Bonita Springs road.
  - G. CPA2002-19 - Amend the Capital Improvements Element (Tables 3 & 4) to reflect the latest adopted Capital Improvement Program.
6. Update on Lee County's Evaluation and Appraisal Report process.
7. Other Business
8. Adjournment

This meeting is open to the public and all interested parties are encouraged to attend. Interested parties may appear and be heard with respect to all proposed actions. Pursuant to Florida Statutes Section 163.3184(8)(b), persons participating in the Comprehensive Plan Amendment process, who provide their name and address on the record, will receive a courtesy informational statement from the Department of Community Affairs prior to the publication of the Notice of Intent to find a plan amendment in compliance.

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Further information may be obtained by contacting the Lee County Division of Planning at 479-8585.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Janet Miller at 479-8583.

PO# 900565

# NEWS-PRESS

Published every morning - Daily and Sunday  
Fort Myers, Florida

## Affidavit of Publication

STATE OF FLORIDA  
COUNTY OF LEE

Before the undersigned authority, personally appeared

**Kieanna Henry**

who on oath says that he/she is the

**Asst. Legal Clerk** of the News-Press, a daily newspaper,  
published at Fort Myers, in Lee County, Florida; that the  
attached copy of advertisement, being a

**Display**

In the matter of **LPA Public Hearing**

in the \_\_\_\_\_ Court

was published in said newspaper in the issues of

**March 14, 2003**

Affiant further says that the said News-Press is a paper of general  
circulation daily in Lee, Charlotte, Collier, Glades and Hendry  
Counties and published at Fort Myers, in said Lee County, Florida  
and that said newspaper has heretofore been continuously published  
in said Lee County, Florida, each day, and has been entered as a  
second class mail matter at the post office in Fort Myers in said Lee  
County, Florida, for a period of one year next preceding the first  
publication of the attached copy of the advertisement; and affiant  
further says that he/she has neither paid nor promised any person,  
firm or corporation any discount, rebate, commission or refund for the  
purpose of securing this advertisement for publication in the said  
newspaper.

*Kieanna Henry*

Sworn to and subscribed before me this

**14<sup>th</sup>** day of **March** 2003 by

**Kieanna Henry**

personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public

*Brenda Leighton*

Print Name

My commission Expires:



Brenda Leighton  
MY COMMISSION # DD169005 EXPIRES  
February 14, 2007  
BONDED THRU TROY FAJN INSURANCE, INC.

RECEIVED  
COUNTY  
00:06 AM 17  
DEV.  
WORKS. CNTR.  
2ND FLOOR

LEE COUNTY  
SOUTHWEST FLORIDA

## MEETING NOTICE LOCAL PLANNING AGENCY PUBLIC HEARING

Notice is hereby given that the Lee County Local Planning Agency (LPA) will  
meet on Monday, March 24, 2003. The meeting will be held in the Board of  
County Commission Chambers at 2120 Main Street in downtown Fort Myers.  
The meeting will commence at 8:30 a.m.

### AGENDA

1. Call to Order; Certification of Affidavit of Publication
2. Pledge of Allegiance
3. Public Forum
4. Approval of Minutes from February 24, 2003
5. Small Scale Plan Amendment Review:
  - A. CPA2003-01 - Amend the Future Land Use Map series for a specified 2.25 acre parcel of land located in Section 8 Township 46 South, Range 24 East to change the classification shown on Map 1, The Future Land Use Map, from "Industrial Development" to "Urban Community."
6. 2002/2003 Regular Round Plan Amendment Review
  - A. CPA2002-02 - Amend the Future Land Use Map series for a portion of a specified parcel of land located in Section 20, Township 46 South, Range 25 East to change the classification shown on Map 1, the Future Land Use Map, from "Rural" to "Outlying Suburban." Amend Lee Plan Policy 1.1.6 by limiting the density in the reclassified area to 2 dwelling units per acre. Also, amend Table 1(a); Note 6 to require central sewer service for development in the subject property.
  - B. CPA2002-04 - Amend the Future Land Use Element of the Lee Plan, text and Future Land Use Map series to incorporate the recommendations of the Caloosahatchee Shores Community Planning effort, establish a new Goal, Vision Statement and subsequent Objectives and Policies.
  - C. CPA2002-11 - Amend Goal 17, Buckingham, of the Future Land Use Element by adding language that allows water lines to be extended to serve the Buckingham Rural Community Preserve on a voluntary basis, with costs of extension to be paid by the petitioner. Amend Map 6, Future Water Service Areas, to show all of the Buckingham Rural Community Preserve to be within the Future Water Service Areas of the County. Amend Map 7, Future Sewer Service Areas, to add certain public facility sites to the Future Sanitary Sewer Service Areas that have existing sewer service from Lee County Utilities or have an interlocal agreement with the City of Fort Myers for sewer service.
7. Update on Lee County's Evaluation and Appraisal Report process.
8. Communication Tower Master Plan and Ordinance

AN ORDINANCE AMENDING THE LEE COUNTY LAND DEVELOPMENT CODE (LDC) TO AMEND CHAPTER 34 (ZONING); AMENDING THE DEFINITION OF "COMMUNICATION TOWER" (§34-2); FUNCTIONS AND AUTHORITY (BOARD OF COUNTY COMMISSIONERS) (§34-83); REHEARING OF DECISIONS (§34-84); FUNCTIONS AND AUTHORITY (HEARING EXAMINER) (§34-145); FINAL DECISION; JUDICIAL REVIEW (§34-146); ADDITIONAL REQUIREMENTS FOR APPLICATIONS REQUIRING PUBLIC HEARING (§34-203); AMENDING USE ACTIVITY GROUPS - ESSENTIAL SERVICE FACILITIES (§34-622); AMENDING USE REGULATIONS TABLE FOR AGRICULTURAL DISTRICTS (§34-653); FOR ONE- AND TWO-FAMILY RESIDENTIAL DISTRICTS (§34-694); FOR MULTIPLE-FAMILY RESIDENTIAL DISTRICTS (§34-714); FOR MOBILE HOME DISTRICTS (§34-735); FOR RECREATIONAL VEHICLE DISTRICTS (§34-791); FOR COMMUNITY FACILITIES DISTRICTS (§34-813); FOR CONVENTIONAL COMMERCIAL DISTRICTS (§34-843); FOR MARINE-ORIENTED DISTRICTS (§34-873); FOR INDUSTRIAL DISTRICTS (§34-903); FOR PLANNED DEVELOPMENT DISTRICTS (§34-934); AMENDING PRIVATE RECREATIONAL FACILITIES PLANNED DEVELOPMENTS (§34-941); AMENDING MODIFIED LAND DEVELOPMENT REGULATIONS, MASTER SITE PLAN - THE NORTH TAMiami REDEVELOPMENT OVERLAY DISTRICT (§34-1124); REPEALING AND REPLACING SATELLITE DISHES AND AMATEUR RADIO ANTENNA/TOWERS (§34-1175); AND CREATING A NEW SECTION ENTITLED SATELLITE EARTH STATIONS AND AMATEUR RADIO ANTENNAS, THAT PROVIDES FOR PURPOSE, APPLICABILITY, DEFINITIONS AND PROPERTY DEVELOPMENT REGULATIONS (§34-1175); REPEALING AND REPLACING ARTICLE VII, DIVISION 11, COMMUNICATION TOWERS IN ITS ENTIRETY (§§34-1441 - 34-1446); CREATING ARTICLE VII, DIVISION 11, ENTITLED WIRELESS COMMUNICATION FACILITIES; PROVIDING FOR PURPOSE AND INTENT (§34-1441); DEFINITIONS (§34-1442); APPLICABILITY AND EXEMPTIONS (§34-1443); PERMISSIBLE WIRELESS COMMUNICATION FACILITY LOCATIONS (§34-1444); REVIEW AND APPROVAL PROCESS (§34-1445); APPLICATION SUBMITTAL REQUIREMENTS (§34-1446); CREATING DEVELOPMENT REGULATIONS PERTAINING TO ANTENNA-SUPPORTING STRUCTURES, COLLOCATIONS, ROOF-MOUNTED ANTENNA-SUPPORTING STRUCTURES, SURFACE-MOUNTED ANTENNAS AND STEALTH WIRELESS COMMUNICATION FACILITIES (§34-1447); PROVIDING FOR EXPERT REVIEW (§34-1448); MONITORING AND EVALUATION (§34-1449); FEES AND INSURANCE (§34-1450); DISCONTINUED USE (§34-1451); NONCONFORMING ANTENNA-SUPPORTING STRUCTURES (§34-1452); AND VARIANCE CRITERIA (§34-1453); RENUMBERING RESERVED PROVISIONS §§34-1447 - 34-1470 TO §§34-1454 - 34-1470 (§§34-1447 - 34-1470); AMENDING EXCEPTIONS TO HEIGHT LIMITATIONS FOR CERTAIN STRUCTURAL ELEMENTS (§34-2173); AMENDING ARTICLE VIII NONCONFORMITIES (APPLICABILITY); AND PROVIDING FOR CONFLICTS OF LAW, SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS AND AN EFFECTIVE DATE.

9. Other Business
10. Adjournment

This meeting is open to the public and all interested parties are encouraged to attend. Interested parties may appear and be heard with respect to all proposed actions. Pursuant to Florida Statutes Section 163.3184(8)(b), persons participating in the Comprehensive Plan Amendment process, who provide their name and address on the record, will receive a courtesy informational statement from the Department of Community Affairs prior to the publication of the Notice of Intent to find a plan amendment in compliance.

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Further information may be obtained by contacting the Lee County Division of Planning at 479-8585.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Janet Miller at 479-8583.

PO# 900565

**APPLICATION**

**SUBMITTAL**





LEE COUNTY  
SOUTHWEST FLORIDA

Lee County Board of County Commissioners  
Department of Community Development  
Division of Planning  
Post Office Box 398  
Fort Myers, FL 33902-0398  
Telephone: (941) 479-8585  
FAX: (941) 479-8519

**APPLICATION FOR A  
COMPREHENSIVE PLAN AMENDMENT**

(To be completed at time of intake)

DATE REC'D: 9/27/02

REC'D BY: ASB

APPLICATION FEE: Waived by BOCC

TIDEMARK NO: CPA 2002-00001

THE FOLLOWING VERIFIED:

Zoning ☒

Commissioner District ☒

Designation on FLUM ☒

(To be completed by Planning Staff)

Plan Amendment Cycle: ☐ Normal ☐ Small Scale ☐ DRI ☐ Emergency

Request No: \_\_\_\_\_

**APPLICANT PLEASE NOTE:**

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: 19

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Additional copies may be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

DATE SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

9-26-02 [Signature] V.P.

Lee County Comprehensive Plan Amendment  
Application Form (06/00)

Page 1 of 10

S:\Comprehensive\PlanAmendments\Forms\Final\RevisedCompApp

**I. APPLICANT/AGENT/OWNER INFORMATION**

A Living Vision of Alva, Inc. (Alva Inc.) (Sarah Gillim)  
APPLICANT  
Post Office Box 2022  
ADDRESS  
Alva, FL 33920  
CITY STATE ZIP  
239-728-3703  
TELEPHONE NUMBER FAX NUMBER

James G. LaRue, AICP & Vince Cautero, AICP  
AGENT\*  
1375 Jackson Street, Suite 206  
ADDRESS  
Fort Myers, FL 33901  
CITY STATE ZIP  
239-334-3366 239-334-6384  
TELEPHONE NUMBER FAX NUMBER

N/A  
OWNER(s) OF RECORD  
ADDRESS  
CITY STATE ZIP  
TELEPHONE NUMBER FAX NUMBER

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

\* This will be the person contacted for all business relative to the application.

**II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)**

**A. TYPE: (Check appropriate type)**

☒ Text Amendment

☐ Future Land Use Map Series Amendment  
(Maps 1 thru 19)  
List Number(s) of Map(s) to be amended  
\_\_\_\_\_

**B. SUMMARY OF REQUEST (Brief explanation):**

The attached materials includes narrative policy revisions(see atached  
summary) and Future Land Use Map revisions encompassing a Rural Village  
classification with sub-areas included in map attachment.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY  
(for amendments affecting development potential of property)**

**A. Property Location:**

1. Site Address: Alva Community
2. STRAP(s): N/A

**B. Property Information**

Total Acreage of Property: Not known

Total Acreage included in Request: Not known

Area of each Existing Future Land Use Category: See Figure II Exhibit

Total Uplands: N/A

Total Wetlands: N/A

Current Zoning: \_\_\_\_\_

Current Future Land Use Designation: Urban Community

Existing Land Use: Rural Community

- C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

*Lehigh Acres Commercial Overlay:* N/A

*Airport Noise Zone 2 or 3:* N/A

*Acquisition Area:* N/A

*Joint Planning Agreement Area (adjoining other jurisdictional lands):* N/A

*Community Redevelopment Area:* N/A

- D. Proposed change for the Subject Property: Proposed Changes will establish a Community Plan for the Alva Community with revised Goals and Objectives and a series of Policies dealing exclusively with development issues affecting the Community of Alva.

- E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density N/A

Commercial intensity N/A

Industrial intensity N/A

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density N/A

Commercial intensity N/A

Industrial intensity N/A

#### IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats)

**A. General Information and Maps**

*NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.*

**The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).**

1. Provide any proposed text changes.
2. Provide a Future Land Use Map showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
3. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.
4. Map and describe existing zoning of the subject property and surrounding properties.
5. The legal description(s) for the property subject to the requested change.
6. A copy of the deed(s) for the property subject to the requested change.
7. An aerial map showing the subject property and surrounding properties.
8. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

**B. Public Facilities Impacts**

*NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).*

**1. Traffic Circulation Analysis**

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;

- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);
- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
- f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
  - b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;
- Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);
- c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
  - d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.

2. Provide an existing and future conditions analysis for:
  - a. Sanitary Sewer
  - b. Potable Water
  - c. Surface Water/Drainage Basins
  - d. Parks, Recreation, and Open Space.

Analysis should include (but is not limited to) the following:

- Franchise Area, Basin, or District in which the property is located;
- Current LOS, and LOS standard of facilities serving the site;
- Projected 2020 LOS under existing designation;
- Projected 2020 LOS under proposed designation;
- Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
- Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).

3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
  - a. Fire protection with adequate response times;
  - b. Emergency medical service (EMS) provisions;
  - c. Law enforcement;
  - c. Solid Waste;
  - d. Mass Transit; and
  - e. Schools.

*In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.*

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map with property boundaries and 100-year flood prone areas

indicated (as identified by FEMA).

4. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
5. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

**D. Impacts on Historic Resources**

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archeological sensitivity map for Lee County.

**E. Internal Consistency with the Lee Plan**

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

**F. Additional Requirements for Specific Future Land Use Amendments**

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)
  - a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
  - b. Provide data and analysis required by Policy 2.4.4,




- c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.
2. Requests moving lands from a Non-Urban Area to a Future Urban Area
    - a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.
  3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.
  4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.
- G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

**Item 1: Fee Schedule**

Map Amendment Flat Fee	\$500.00 each
Map Amendment > 20 Acres	\$500.00 and \$20.00 per 10 acres up to a maximum of \$2,255.00
Text Amendment Flat Fee	\$1,250.00 each

**AFFIDAVIT**

I, Robert Andrus, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

  
 Signature of owner or owner-authorized agent

9-26-02  
 Date

Robert Andrys

Typed or printed name

STATE OF FLORIDA )  
COUNTY OF LEE )

The foregoing instrument was certified and subscribed before me this 26<sup>th</sup> day of September, 2002  
by Robert Andrys, who is personally known to me or who has produced  
FL DL A536-761-59-418-0 as identification.

(SEAL)



Barbara Catlin  
My Commission CC899979  
Expires February 06, 2004

Barbara Catlin  
Signature of notary public

Barbara Catlin  
Printed name of notary public

## SUMMARY OF PROPOSED COMPREHENSIVE PLAN AMENDMENTS

In the Vision for 2020 section of the Lee Plan, revise the current language for the Alva Planning Community, second paragraph, as follows:

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. through efforts to redistribute rather than increase existing gross density currently allowed under the Lee Plan future land use categories in the area and 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.~~

Add a new land use category to Lee Plan Objective 1.4: Non-Urban Areas as follows:

**POLICY 1.4.7:** 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 (1 du/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 incorporating 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.

Adopt the following goals, objectives, and policies:

**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 countryside.

**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 regulations, 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. Re-zoning 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.<sup>1</sup>

**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, Sub-area 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

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<sup>1</sup> Wording of this policy is drawn from Section 34-1080 and 1082 of the Lee County Land Development Code.

- 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:

- 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 prepare a master plan for public access to the Riverfront, and determine an appropriate program for funding and implementing the proposed improvements.~~

**POLICY 22.1.5:** 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 22.1.6:** The County will update its historic sites survey of Alva if an update is determined to be needed.

**POLICY 22.1.7:** 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, Sub-area 2” and “Rural Village Zoning Overlay, Sub-area 3” and will submit such standards to the County for adoption into the Land Development Code. These should address:

- 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 Sub-area 3, consider the appropriateness of uses that could be proposed to serve the travelers market.
- List of civic uses that should be considered for inclusion in the Village Center.
- 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 max)
- 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 22.1.8:** The Alva Community will prepare use, design, and development standards for Traditional Neighborhood Developments that increase open space and are and for Conservation Communities 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, Sub-area 4" and will submit such standards to the County for adoption into the Land Development Code.

**POLICY 22.1.9:** Upon completion and adoption of the Rural Village Overlay Zone, the County will amend the Lee Plan 2020 Land Use Allocations of commercial acreage to the Alva Planning area by amending Table 1(b) to reflect the precise number of acres needed to implement the Village Center(s), provide for infill development in the Historic Core, incidental small centers in new rural village neighborhoods planned according to Traditional Neighborhood Design, and potentially a small center in Charleston Park.

**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:** The County will amend Lee Plan Policy 6.1.2 regarding Commercial Site Location Standards to reference the following Alva Community Plan Policy as follows:

Lee Plan Policy 6.1.2: All commercial development shall be consistent with the location criteria in this policy, except where specifically excepted by this policy or by Policy 6.1.7, or in Lehigh Acres by Policies 1.8.1 through 1.8.3, or in Alva by and 22.2.3 Policies 22.2.2.

**POLICY 22.2.2:** For the extent of State Route 80 from Hickey Creek to the Hendry County line re-zoning to Commercial shall be prohibited, and new commercial development shall be limited to only those sites designated for commercial development within the Rural Village, on sites having existing commercial zoning prior to the adoption of the Alva Community Plan, as incidental uses within the designated center of a Planned Residential Development, or on a future site designed to address the service and economic development needs of the Charleston Park community.

**POLICY 22.2.1:** In order to prevent strip development all along SR 80, the majority of acreage available for commercial development in the Alva planning area should be granted within the rural village boundaries, especially subareas 2 and 3 or on Joel Blvd adjacent to subarea 3.

**22.2.1.a:** "Formula" or standardized franchise buildings will be forbidden

**22.2.1.b:** Additional new or used auto dealerships will not be allowed.

**POLICY 22.2.3 2:** 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.

**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.

**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 ~~extending to the Charlotte County line on the north, the Hendry County line on the east, the Alva Fire District line on the south, and on the west along a line formed by the western boundaries of the~~ conservation areas and Hickey Creek (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 a point system by which to guide and evaluate projects for conformance with rural 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.

~~**POLICY 22.4.2:** The County will establish an Alva-specific Transferable Development Rights program for the above-described area by adopting appropriate procedures into the Land Development Code, if an acceptable proposal is put forward by the Alva Community. The Alva Community will undertake a study to determine the feasibility of the Transferable Development Rights concept proposed for the above-described area and to develop specific recommendations for how the program should be implemented, operated, and evaluated in order to achieve maximum effectiveness.~~



**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:** 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 regulation 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:** 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 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 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 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 be adequately controlled in Lehigh Acres so that the neighboring community of Alva is not flooded.. Care should also be taken that water flows entering the Caloosahatchee River do not negatively impact the oxbows and/or health of the river.

# Alva Community Plan

Proposed Community Planning Area

Parcels Included in Community Plan

July 22, 2002

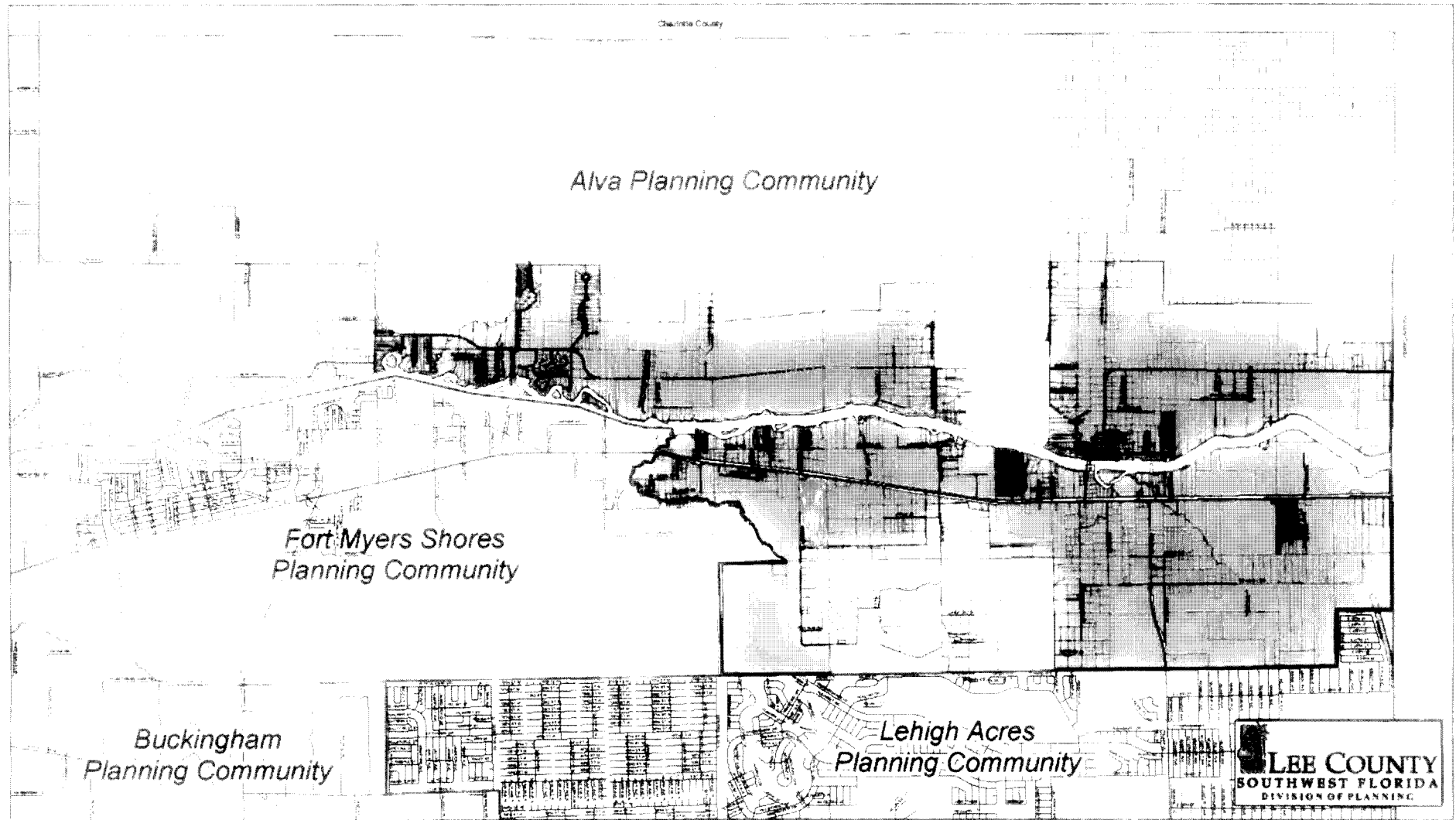
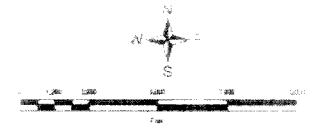


Figure 1  
**Alva Community Plan**  
Proposed Community Planning Area

Parcels Included in Community Plan  
July 22, 2002

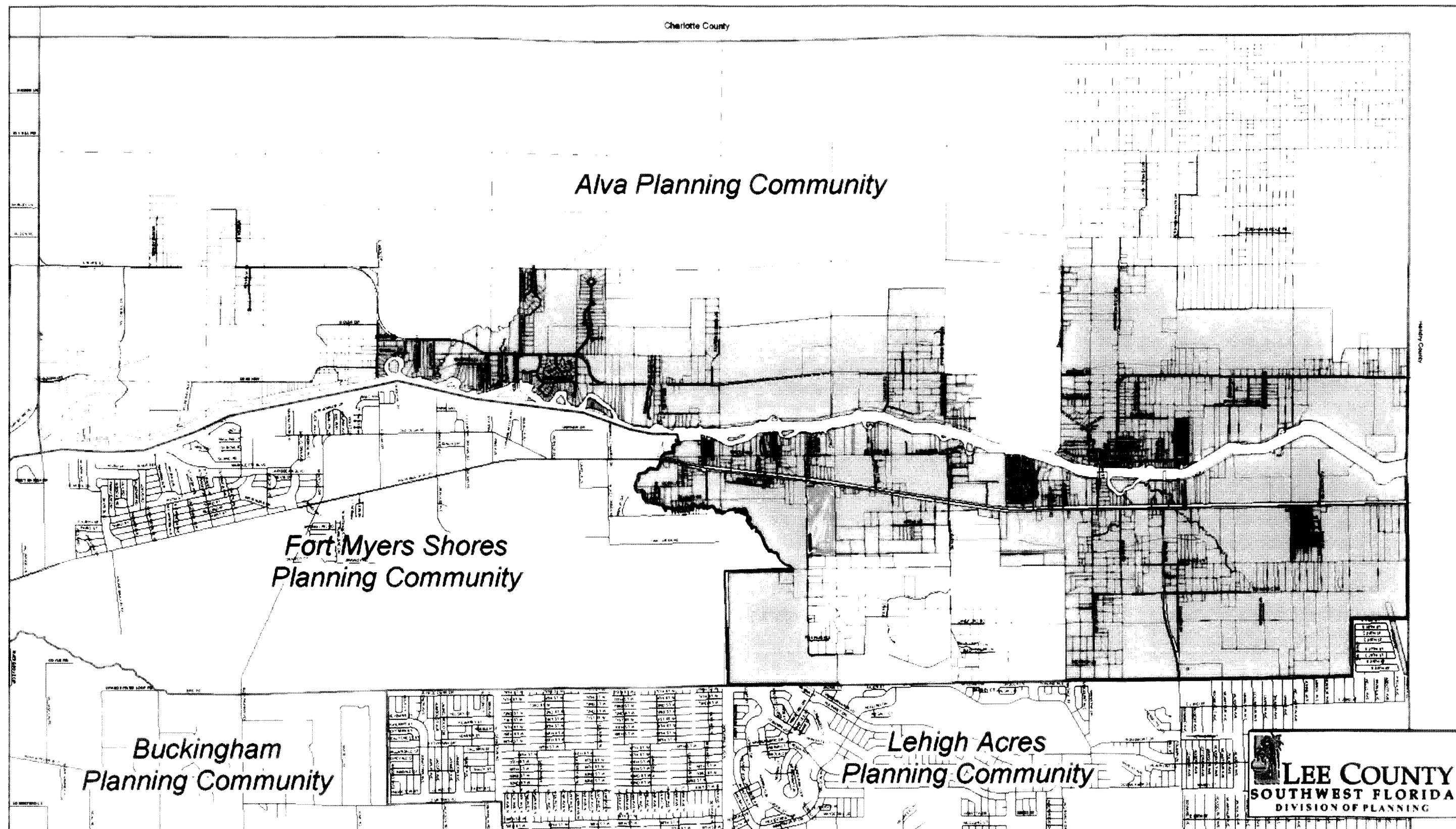
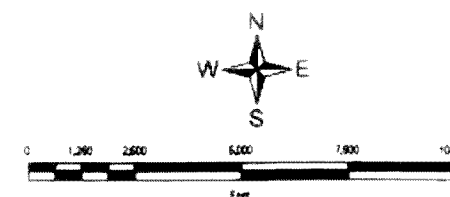


Figure II  
**RURAL VILLAGE**



LEGEND

SUB AREA 1

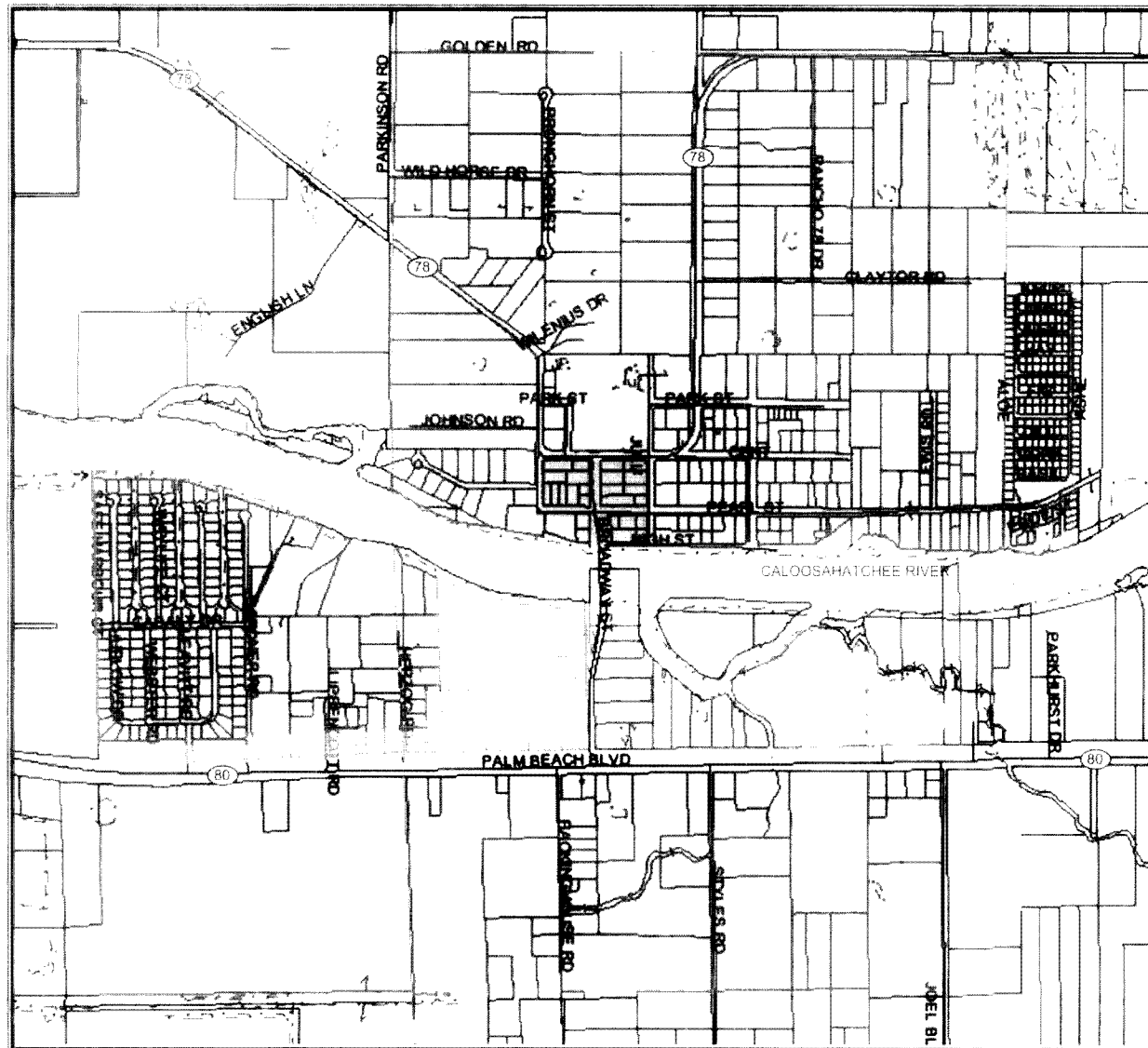
HISTORIC CORE

SUB AREA 2A

SUB AREA 2B

SUB AREA 3

SUB AREA 4





# ALVA COMMUNITY PLAN

Final Draft  
August 2002

Prepared by  
Carol Cunningham and Associates  
and  
A.L.V.A. Inc.

## **Forward to Alva Community Plan**

The plan herein is the culmination of a process that started over eighteen months ago when over 250 Alva citizens attended a meeting at the local firehouse to discuss local planning issues. Those in attendance felt a need to begin regular meetings to discuss how the community wanted to address these growth issues. From that initial meeting the civic organization ALVA, Inc., A Living Vision of Alva was formed. This civic group organized meetings and applied for a Lee County grant, which paid for a professional planner to compose the plan that we have today.

During the summer of 2001 ALVA, Inc. invited numerous guest speakers who imparted to the community their knowledge and expertise regarding various growth-related issues. Some of those speakers were: John Albion, Lee County Commissioner; Wayne Daltrey-Director of the Regional Planning Council; Dan Mosier-Lee County Bikeways coordinator; Mike Rippe Florida Department of Transportation; Members of the Army Corps of Engineers; a Sheriff's deputy representing Crime Stoppers, and more.

We then came together in November for a community charette and subsequent town hall meetings where ideas were shared, maps were drawn, and everyone was given a chance to speak their mind. These ideas were discussed, posted on the website, and finally published as a draft for the community to amend as required.

The hardest issue to resolve has been the extent of the boundaries that comprises the Community Plan. Originally the Community Plan boundaries matched Lee County's Alva Planning Community, as it seemed appropriate and sensible to coincide with the county's current boundary definition.

These initial boundaries were disputed by some of the large landowners and their representatives. Many hours and meetings were spent with the representatives of the property owners trying to understand their specific objections to being included in the plan.

Prior to the issuance of the first draft plan dated 5-23-02, a petition was circulated and signed by those people who were opposed to being included within the planning boundaries. It slowly became apparent that the primary objection was not with the policies of the plan, but being included within the boundaries of the plan.

Discussions were held with representatives who opposed the plan. The outcome was to redraw the boundary to exclude the majority of those who wished to be left out of the Alva Community Plan. It also excluded many small landowners who want to be included in the plan, but whose properties were sandwiched in between larger landowners.

We do not feel that the enclosed Alva Community Plan's boundaries are the best for the community, many still believe they should match the Lee County's planning boundary, but the boundary compromise was necessary to allow for the plan to proceed to the county without controversy.

This document begins our attempt to forge a community plan that will become the cornerstone of our collective vision for the future, yet flexible enough to be adjusted to reflect changing times.

August 2002.

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## **ALVA COMMUNITY PLAN**

### **INTRODUCTION**

#### How this Plan came to be

This 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. The Lee County Board of County Commissioners has made such funds available for grass roots planning efforts based on their recognition that unincorporated Lee County consists of many diverse communities with various visions on how their community should develop. The purpose of the Alva Community Plan is to set forth the Vision that the Alva community has developed and to propose goals, objectives, and policies to be incorporated into the Lee Plan, intended to achieve that Vision over time.

#### Where we've been

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. Irby Clay, granddaughter of the third settler of Alva and retired librarian of Alva High School in writing about the early history of Alva notes: "Thus grew slowly a community that worshipped together, played together, and worked together. To those who now live in distant areas, a homecoming is a highlight they look forward to.... Alva still remains a community rather than a town."<sup>1</sup>

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 the community has continued to work together to address a number of issues important to the community.

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 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 this Alva Community Plan.

#### Where we are today

Today, the concern about how to preserve the character that makes the Alva area special is even more acute than ten years ago. Numerous people attending the community workshops noted that they had moved to this area from high quality but increasingly overcrowded areas in order to live

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<sup>1</sup> History of Alva, Lee County, Florida, circa 1960 written by Irby Clay, Librarian, Alva High School (retired), granddaughter of the third settler of Alva.



among the spacious natural areas and scenic resources and enjoy a quieter, less crowded community environment. Others who have lived in the area a long time want it to simply remain the same. Still others want to be able to maintain and realize value from their large land holdings while continuing a rural lifestyle. But most people agree that it is important to have a plan for the future so that as inevitable change occurs, it can be guided to enhance the area's special qualities rather than erode the very assets that make this rural area an attractive place to live. This Plan does not seek to encourage growth but rather to guide development to a higher quality than would otherwise be attained without this guidance.

#### Where we want to go in the future

The following Vision Statement is directly a product of two community-wide workshops held on November 17, 2001 and January 24, 2002 and also draws from the vision statements Lee Plan and its Amendments and from community's previous work on the draft 1992 Alva Sector Plan.

The purpose of a Vision is to provide a commonly held picture of the future that the Alva community hopes to create, building upon the history of the community as an expansive rural area with an historic river-based settlement at the center. A Vision can serve as a context from which to plan for the future. Some of the elements of a Vision may occur in the near term, others may be realized only in the distant future, but all elements of the Vision, policies, and implementation measures are based in a firm respect for individuals' existing property rights, do not imply or result in any mandated changes to existing homes or structures, and are planned to give Alva the best outcome possible.

#### Vision Statement

*The Caloosahatchee River and its watershed, lined with huge oaks and cypress trees, flows westward to the Gulf through acres of land devoted to citrus, cattle, farming, flower farms, and conservation areas. These resources, which characterize the Alva area, remain its primary assets. The historic character of the river town, which was originally a center of trade and transport, has been protected and revitalized, strengthening its function as a center of social interaction and civic, educational, and recreational activity.*

*The people of the community, including those who have lived on the land for generations, those who have more recently established small ranches or quiet locations on the river and others who simply enjoy the small town environment and rural ambiance, have worked together to find the balance between the pressure for growth and development with the need for protection of the viability of agricultural uses, conservation of natural resource areas, and for treasuring the historic and small town character of central Alva.*

*The community has addressed these challenges by proactively planning for the pattern and form of future growth within the context of respect for the private property rights of landowners and an understanding how value is created and maintained. The community embraces its diversity and is a place where people of varying ages, backgrounds and economic status can call home and find a range of housing choices.*

*Central Alva, originally platted in the late 1800's, has retained and enhanced its historic character. The design of new and renovated structures draws from 1890's Southern Victorian architecture. Infill development in the historic core produces a compatible mix of residential, professional office, small shops or cafes, and bed and breakfast lodging.*

*Streets remain narrow with a dense tree canopy. Interconnections of streets and the addition of pedestrian and bicycle pathways and centralized, park-once parking areas have made walking or biking pleasant and safe. Through-traffic on North River Road, which passes through the heart of the historic core, has been "calmed" and no longer threatens the safety and pedestrian ambiance of the area.*

*Riverfront pedestrian access to the Caloosahatchee River and additional dock space and children's facilities at the boat ramp area provide expanded opportunities for visitors to arrive by boat, for pedestrians to stroll along the riverfront, and for families to enjoy the recreational opportunities afforded by the River.*

*The bridge creates a sense of arrival into the community and now provides a pedestrian walkway and bicycle lane -- the essential links in the network of pathway systems connecting central Alva to the conservation and recreational areas that surround the community.*

*Residents and visitors can walk or bicycle from the Franklin Locks on to Caloosahatchee Regional Park, arriving at central Alva, and continuing south to Greenbriar Preserve and Lehigh's future linear park system. Children can walk or bike from Charleston Park on the east and River Oaks on the west side of Alva to school and the recreational facilities in central Alva. The community park has been expanded and new recreation areas have been developed to accommodate the active recreation needs of both children and adults.*

*New development south of the bridge on both sides of State Route 80 is compact and concentrated within a radius around the area of the signalized intersection rather than lining the highway with strip commercial structures. New neighborhood-scale developments combine community serving commercial uses with mixed uses (residential above commercial). Site design features internal service roads with buildings framing the public streets and maximizing the views and pedestrian access to the River.*

*The newly four-laned State Road 80 has been designed to signal entry into the central Alva area with curbed medians, a traffic signal at the Broadway intersection, enhanced with generous plantings. Strategically located median breaks and access points allow safe entry into adjacent commercial areas.*

*As pressure to convert the surrounding rural lands into residential subdivisions has increased, Alva has managed to preserve large areas of land in agricultural use or in its*

natural state through several successful programs. In addition to conservation purchases, which have contributed to a continuous system of linked conservation areas, new configurations of development have been encouraged. These conservation oriented communities cluster development allowing for more natural areas available for connections with the larger conservation network.

~~“Conservation~~ Such communities are attractive for residents seeking a cohesive, walkable neighborhood with a central focus for social interaction but surrounded by their own active and passive recreational opportunities such as community gardens, soccer fields, equestrian trails, streams and fishing areas. These pristine natural areas are an economical alternative to golf course communities. This new configuration of development not only results in preservation of the environment and a high quality of life community, but also in lower cost of construction, less infrastructure, more site flexibility, and has proved to be successful in the market.

~~A Transfer of Development Rights program has made it possible for landowners to obtain high value for their land while allowing it to remain in agricultural use or natural state, by selling their development rights.~~

Linking the large rural area together are North River Road (County Road 78) and the Caloosahatchee River. North River Road has retained its rural ambiance and is a popular scenic route for visitors and residents enjoying the countryside. The long-standing prohibition against through truck traffic has been successfully enforced; signage is limited to directional and safety signs; and residential areas located along the roadway are designed with internal streets so that access points onto the roadway are minimized.

As it has historically, the Caloosahatchee River provides transportation, food, recreation and a source of water. The citizens of Alva have joined with various volunteer organizations and public agencies to resolve the problems of water quality degradation and loss of habitat. The function, health, and beauty of the oxbows, or bends in the river that have remained after dredging projects (which began with the 1930s creation of the Cross State Ship Channel), have been gradually restored in response to the conditions unique to each. Maintenance and monitoring of their continuing viability provide an ongoing opportunity for education and scientific study.

Many opportunities exist to enjoy the river by boat, canoe, or kayak from viewing areas, or in the regional parks. Dedicated volunteers continue to work towards a vision for the future of the Caloosahatchee River, which balances human needs while protecting and promoting the resources and natural beauty of the whole system for future generations.

By working together, the Alva community has enhanced its surrounding natural amenities, preserved its heritage, and ensured its long-term quality of life.

#### How we get there

The Alva Community Plan is designed to serve as a “Strategy” to implement the Vision described above. Some of the actions recommended in the strategy will be proposed as a goal and related policies to be adopted into the Lee Plan during the upcoming plan amendment cycle.

For example, the following section provides a newly developed land use designation Rural Village to be adopted into the Lee Plan to replace the Urban Community land use designation currently assigned to central Alva. This Rural Village designation will provide the foundation to enable the mix of uses and community form and design envisioned for central Alva.

Other actions will require subsequent changes to the Lee County Land Development Code. For example, to provide the regulatory framework for implementation of the Rural Village concept, a “Rural Village Overlay Zone” will be prepared that will specify appropriate uses, design and development standards for Central Alva and provide an alternative to existing zoning.

Some of the actions suggested by the Vision are more appropriately initiated or carried out by the private sector or non-profit organizations working in cooperation with government entities. An example would be the creation of a non-profit Conservation Land Trust. This group would work with the County’s Conservation 2020 program and other funding sources to promote acquisition of appropriate parcels to further the continuity of the conservation network.

#### How the Community Plan is organized

The Alva Community Plan is organized by focusing first on central Alva and expanding outward. The Plan describes the form and character of the area that is currently designated in the Lee Plan Future Land Use Element as Urban Community and recommends a new land use category of Rural Village to replace the Urban Community designation.

Within the area to be designated “Rural Village” the Plan focuses more closely on the historic core of the Alva community, the River front and bridge (Sub-area 1), the area south of the River and north of SR 80 (Sub-area 2), SR 80 itself and the area immediately south of SR 80 (Sub-area 3), and the rural areas surrounding these areas but still within the existing Urban Community land use designation (Sub-area 4). (See figure 2, Rural Village)

Each of the sections begins with an expanded vision specific to that area, provides discussion of existing conditions and the planning issues relevant to that area, identifies opportunities for implementation of the vision, provides specific recommendations for actions that can be taken by the community and policy language for amendments to the Lee Plan needed to implement the vision for each portion of the Rural Village.

The view then broadens outward to the area surrounding central Alva and identifies specific strategies that will contribute to the preservation of rural character. Most strategies involve activities that the community can pursue in cooperation with both public and private sector interests and do not suggest amendments to the comprehensive plan. Those strategies that do

suggest amendments to the comprehensive plan are related to a specific geography relevant to the individual strategy rather than being broadly applicable within a generalized boundary.

## THE RURAL VILLAGE

### Form and Character of Central Alva<sup>2</sup>

In 1882 Captain Peter Nelson planned and platted the village of Alva on the banks of the Caloosahatchee River. In addition to the natural beauty of its location on high banks covered with native oak, yellow pine and fields of tiny white flowers which inspired the name Alva, the River location was central to the variety of transport activity on the River including paddle wheel boats, canoes, ferries and barges.

The center of Peter Nelson's original village contained churches, the school, parks, a library, and eventually two hotels that were quite popular with winter tourists. In 1903 the construction of the first bridge over the Caloosahatchee connected the settlers on each side of the River and by land to the rapidly growing Fort Myers area.

Alva is an unspoiled example of an historic river-based settlement community. The village is centered around a main street with the schools and community park at one end and the bridge and general store at the other. Residences are on both the main and side streets. The area includes a small marina and post office and public gathering places including the historic Alva United Methodist church (built in 1903) and the 1910 Alva Library, which now houses the Alva museum. A new addition to the River side is the small park and boat launch area. These are all within an approximately ¼ mile radius of the foot of the bridge on the north side of the River. This Historic Village core, anchored by the school and community park, is the traditional community-gathering place for civic and social activity.

North of the River, the neighborhood area immediately surrounding the center of the village is characterized by a wide variety of housing types on varying lot sizes. There are some vacant lots and in-town agricultural uses. The street network on the east side of North River Road is laid out on the original but incomplete grid pattern. New residential development of large-scale homes on generous sized tree shaded lots is occurring on and near the Riverfront. Characteristic of the variety of housing types found in Alva is the Oak Park mobile home park located at the easternmost edge of the developed area, which has its own private boat docks and community gathering areas. Between the ¼ and ½ mile radius and beyond, the edge of the village contains homes on acreage sites.

South of the River, on both sides of State Route 80, there are a few commercial uses. Residential uses are located on both sides of Broadway between SR 80 and the River. Several large,

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<sup>2</sup> The historical information included in the following section was drawn from the draft Alva Sector Plan, prepared by the Alva Preservation Committee, with assistance from the Lee County Planning Division, September 1992.

contiguous undeveloped lots exist with frontage on SR 80 or the River and in some cases both, and provide an opportunity for locating a Village Center with commercial and mixed uses.

Looking immediately outward from the Rural Village, the surrounding areas are primarily in agricultural use, cattle ranches, groves, wetlands, conservation areas or large regional parks or preserves interspersed with a few small neighborhood-sized developments including Charleston Park to the east and River Oaks to the west.

The Rural Village of Alva is a living example of what in contemporary times, urban designers are striving to achieve through the principles of Traditional Neighborhood Design (TND).<sup>3</sup> The design principles of Traditional Neighborhoods are intended to produce successful neighborhoods, which promote social cohesion, efficiency in the delivery of services, sustainable mobility, and overall livability.

Traditional Neighborhood Design derives its principles from historically successful patterns of development such as Alva exhibits, as contrasted to typical subdivisions. Traditional neighborhoods have a defined center of community activity where there is some opportunity for shopping for necessities, finding professional services, day care, attending community events or places of worship, visiting with friends over coffee or in a community green space, utilizing live/work spaces. "The principles include a center and edge to the neighborhood, an integrated network of walkable streets, and overall size to the neighborhood suitable for walking, buildings set close enough to the streets to spatially define the streets as public spaces, and opportunities for shopping and workplaces close to home."<sup>4</sup>

#### Proposed Rural Village Land Use Category

The community's vision for the future of Alva builds upon the historic traditional neighborhood foundation existing in Alva with recommendations that will reinforce the ingredients that make strong neighborhoods and protect the scale, character, and natural beauty that make the village so special. To do this requires a policy framework that promotes the desired form and mix of uses. Shaping this policy framework begins with addressing the Lee County Future Land Use designation for Alva. Currently, the area that comprises the center of the Alva community and its surrounding neighborhoods has a Future Land Use designation of Urban Community as follows:

POLICY 1.1.4: The Urban Community areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential

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<sup>3</sup> The Congress of New Urbanism website [www.cnu.org](http://www.cnu.org) is an excellent source of further information about Traditional Neighborhood Design.

<sup>4</sup> This quote and the design principles and techniques noted in the previous two paragraphs as well are drawn from the chapter "What Makes a Great Neighborhood", Toward Better Places. The Community Character Plan for Collier County, Florida, prepared by: Dover, Kohl & Partners; Spikowski Planning Associates, and Glatting, Jackson, Kercher, Anglin, Lopez, Rinehart, Inc., April 2001. The Community Character Plan for Collier County is one of six exemplary projects named as winners of the 2002 EDRA/Places Awards given by Environmental Design Research Association *Places, a Forum for Environmental Design*, Pratt Institute, School of Architecture, Brooklyn, NY.

uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, Fort Myers Beach, South Fort Myers, Bonita Springs, Pine Island, and Gasparilla Island. Although the Urban Communities have a distinctly urban character, they should be developed at slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6). Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum of ten dwelling units per acre (10 du/acre). (Amended by Ordinance No. 94-30)

Note: The Lee Plan Table 1(a) Summary of Residential Densities note number 3 states "These maximum densities may be permitted by transferring density from non-contiguous land through the provisions of the Housing Density Bonus Ordinance (No. 89-45, as amended or replaced) and the Transfer of Development Rights Ordinance (No. 86-18 as amended or replaced).

A new Rural Village land use category is proposed which more closely fits both the existing non-urban character of Alva as an historic river settlement and the community's Vision for the future. A Rural Village as defined in Chapter 9J5 of the Florida Administrative Code means a "small, compact node of development within a rural area containing development, uses and activities which are supportive of and have a functional relationship with the social, economic, and institutional needs of the surrounding rural areas."

The following definition of Rural Village expands upon the Chapter 9J5 definition and is intended to facilitate a development pattern consistent with Alva's history and with the principles of Traditional Neighborhood Design, while maintaining the current density allowed by the Urban Community designation.

Adoption of the Rural Village land use category and applying it to the same area now covered by the Urban Community designation will provide the necessary framework from which to make the changes to the Land Development Code to allow implementation of these principles as new development and renovation occur.

*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 all within a short 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 (1 du/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 incorporating residential units in commercial structures as a mixed use are strongly encouraged.*

#### Rural Village -- Existing Conditions

Within the portion of Alva currently designated as Urban Community there are approximately 744 dwelling units which translates to a population of approximately 1331 persons.<sup>5, 6</sup>

Public facilities in the Rural Village include the elementary school and middle school, a post office, the community park. The community has been working diligently to obtain an EMS station. There is also a church and an historic museum in the community.

#### Rural Village Overlay Zone

Even though the Rural Village is currently designated Urban Community, the existing zoning allows substantially less development than the underlying land use would provide. The area is predominantly zoned AG-2 (Agricultural District), which allows one dwelling unit per acre (1 du/ac) and TFC-2 (Residential Two Family Conservation District<sup>7</sup>), with a few parcels zoned commercial. The Alva Community Plan proposes subsequent preparation of a Rural Village Overlay Zone to be adopted into the Lee County Land Development Code. The Overlay Zone will implement the Rural Village land use designation. The Overlay Zone is intended to be very specific, master planned to the block or large parcel level for the areas designated as Sub-areas 1, 2, and 3 and be more general for Sub-area 4 (described in subsequent sections of this plan).

Note that when the "Rural Village" land use designation replaces the existing designation as "Urban Community", the allowable density range remains the same but the available zoning categories through which development may occur are limited to the existing zoning on a parcel, the Rural Village Overlay Zone, or Planned Development. It would not be permitted to re-zone to another conventional zoning category. In any case, pursuant to Section 34.341 of the Lee County Land Development Code, a Planned Development re-zoning would be required for

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<sup>5</sup> Source is the Lee County existing unit background data for the 2020 Allocation Table 1b, multiplied by the Lee County persons per household figure of 2.09 pph.

<sup>6</sup> Because this Plan contains policies relevant to several different geographies, the population and dwelling unit data is provided at several different levels of geography. Please see the Population and Dwelling Unit table contained in Appendix A.

<sup>7</sup> The purpose and intent of the TFC residential two-family conservation district is to recognize and protect existing two-family residential developments, lots, structures and uses, previously permitted but not conformable to the regulations for the other two-family residential district set forth in this chapter, and to accommodate residential use of existing lots that were nonconforming under previous zoning regulations. This district is not available for new developments, but may be used only by property owners in existing developments that comply with the property development regulations or by the Board of County Commissioners upon its own initiative to achieve the purpose mentioned in this section. Section 34-691(d) Lee County Land Development Code.



residential developments over 300 units, or a commercial development located on a parcel of ten or more acres or that includes 100,000 square feet or more of floor area.

Even though use of the Rural Village Overlay Zone is optional (that is, it will not actually replace existing zoning but provide an alternative) there will be considerable incentive to use its provisions for two reasons. One, the Overlay Zone will provide for appropriate commercial and mixed-use development in specific areas where, under current AG-2 or TFC-2 zoning, it would not be permitted.

Two, the Rural Village Overlay Zone will provide for a more efficient and simpler approval process. The administrative approval process of Rural Village Overlay Zone should be designed established with well defined guidelines so that the feasibility and suitability of a proposed development can be evaluated with ease and be more objective than subjective. to have input from a development and design review committee made up of County Staff and at least two representatives from the Alva Community, and two independent professionals skilled in specific fields such as residential or commercial development, architecture, landscape architecture, planning, and natural resource protection.

This feature provides certainty and predictability to the approval process and saves substantial amounts of time and money for a project proponent to not have to go through the Planned Development re-zoning process to achieve the same result. The Overlay, which literally functions as a master plan, provides the assurance to the community that as new development occurs it is contributing to the achievement of the Vision for the Rural Village.

#### Proposed Comprehensive Plan Amendments

In the Vision for 2020 section of the Lee Plan, revise the current language for the Alva Planning Community, second paragraph, as follows:

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. through efforts to redistribute rather than increase existing gross density currently allowed under the Lee Plan future land use categories in the area and 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.~~

Add a new land use category to Lee Plan Objective 1.4: Non-Urban Areas as follows:

**POLICY 1.4.7:** 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 (1 du/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 incorporating 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.

Adopt the following goal, objectives, and policies:

**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 countryside.

**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 regulations, 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. Re-zoning 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.<sup>8</sup>

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<sup>8</sup> Wording of this policy is drawn from Section 34-1080 and 1082 of the Lee County Land Development Code.

## HISTORIC CORE OF THE RURAL VILLAGE (Sub-area 1)

### Vision for the Historic Core and Riverfront

*The Riverfront, Bridge, and Historic Core have become the identifiable center of Alva. Enhanced views, expanded recreation and docking areas, and public spaces for strolling, dining, and relaxing have re-introduced to residents and visitors the beauty of the River and the pleasure of observing River activity. Whether one is arriving by car, walking, or biking over the bridge, the streetscape and architectural elements of the Historic Core have become a part of the view that establishes a sense of arrival or entry into the community.*

*The Historic Core functions as the “heart” of the Alva Community consistent with its history as a community gathering-place for social interaction and civic activity. Historic community facilities such as the Alva Library (now housing the museum), the Methodist Church, and the School are treasured community focal points. These, and other historic structures dating back to the 1890's, set the architectural standard for the design of new and renovated structures that frame the streets and shape the public space. Parking areas are unobtrusive and conveniently located to encourage parking once and walking to multiple destinations.*

*The dense oak tree canopy provides a park-like atmosphere for the pleasant mixture of homes, small shops, cafes, professional offices, live/work spaces, and bed and breakfast lodging. These uses enhance the attraction of the heart of the community for its residents and visitors by providing needed neighborhood services and facilities for leisure and socializing, all within a pleasant walking distance along an interconnected grid street system and tree-lined bicycle and pedestrian paths.*

*The traffic on North River Road, as it passes through the center of Alva, has been calmed. Pedestrians and bicycles can cross safely. Motorists traveling along the scenic highway take advantage of slowed speeds to appreciate the peaceful charm of the Historic Core.*

*The “historic commercial” and residential and commercial mixed uses (similar in scale and type to those that would be found in an historic river settlement) of the Historic Core are clustered primarily in the area between the River and the School in the area intersected by Broadway and Pearl Street where stores were located in the early history of the community.*

*The blocks bordering this area and extending northward adjacent to the school and community park area, feature a mix of residential uses of varying densities, live/work spaces, occasionally interspersed existing in-town agricultural uses.*

*The neighborhood to the east of the Historic Core continues to be a quiet residential area with homes of varying ages and size. New homes built on infill parcels, particularly along the River, reflect the Southern Victorian heritage.*

*The school complex continues to function as the community gathering-place for both children and adults, not only for its educational functions but also for community meetings and events.*

*The community members have worked in cooperation with the School District to expand facilities around this site to strengthen the historically "neighborhood" nature of the school and enable more local students to attend school locally.*

*The expanded Alva Community Park to the north of the school is in constant use, providing active recreation facilities for all age groups. A public use complex has been developed to house a new community cultural facility as well as space for Fire and EMS services.*

*The activity of the Riverfront and Historic Core reflect the area's historic function as a riverfront settlement and true community rather than simply a town. The community continues to be a place where people of varying ages, background, and economic status find a range of housing choices, work, shopping, recreation and social interaction close to home.*

#### Existing Conditions, Planning Issues, and Opportunities

##### Riverfront and Bridge

Currently, very few opportunities exist for public enjoyment of the Riverfront. Public access is available at the Alva Boat Ramp, a Lee County Parks and Recreation facility that is heavily used. This facility, accessed from Pearl Street, has one boat ramp, a parking lot for approximately 20 cars with trailers, a small dock, and picnic tables. The Oak Park community at the end of Pearl Street has a private marina and dock space. A small commercial marina is located at the northwest foot of the bridge.

A priority of the community is to maximize views and public access to the Riverfront as well as to better integrate the River as a transportation route, recreation system, and natural resource amenity into the fabric of the community. The most immediate opportunity to improve access would be an expansion of the Lee County boat ramp area into more of a park that provides a waterfront play area for children and a pedestrian promenade as well as additional dock space. The County could provide the in-house resources to design the expansion and work with the community to identify appropriate funding sources. This effort could be viewed as Phase 1 of the larger program of providing greater public access to the River.

~~Within easy walking distance of the Historic uses on Pearl Street and the Historic Core, this enhanced park area could be the "anchor" on the northeast side for a River-oriented pedestrian system and short-term docking area for folks traveling by boat who wish to make a stop in Alva. The pedestrian system could have River access at the Lee County boat ramp facility, but avoid crossing in front of privately owned property by winding back to the proposed pedestrian walkways along Pearl Street to reach the Historic Core.~~

Opportunities to create expanded or new day-use docking areas at or near the base of the bridge should also be explored to accommodate people arriving by boat to visit the Historic Core.

Provision of Riverfront access and pedestrian amenity areas should be required in connection with new non-residential development (or expansions of existing non-residential development) with frontage on either side of the River in this area.

In addition to being an amenity to the community, the Riverfront area can function as an “eco-tourism” destination, a place where folks traveling the extensive system of paddle trails throughout the area can find supplies and respite.

The Alva Oxbow Island just south of the River, east of Broadway, north of SR 80 provides an opportunity for a passive recreation area. A small portion of the Island is privately owned but the majority of the area is controlled by the Army Corps of Engineers. The area once was a community park, prior to the establishment of the current Alva Community Park, and could potentially be “adopted” by the community and once again made available for passive recreational use.

Just south of the Alva Oxbow Island is an area that has an existing boat basin and could be an appropriate location for an eco-tourism resort/campus area with limited heights and structures scaled to be consistent with the surrounding natural area.

Providing pedestrian and bike lanes across the bridge and enhancing the view as one proceeds from the south base of the bridge across to the Historic Core through such measures as use of lighting, street furniture, landscaping, and architectural elements should be included in the proposed Improvement Plan for the Historic Core, discussed below.

Potential funding sources for improvements that enhance access to the Riverfront include private sector funding in connection with new development (and/or developer constructed improvements), park impact fees, gas tax funds, Tourist Development Tax funds, grant funds, other.

*Historic Core - Proposed for a mix of Historic Commercial and Residential Uses*

This area includes an approximately four-block area between the River and the School on both sides of Broadway – bounded on the south by the River, on the north by Center Street and North River Road, on the east by Julia Street and on the west by Savage Street, which was a part of the original town plat. Residential uses and some vacant lots exist along Broadway, north of the River. On the west side of the base of the bridge is located a small marina and post office and further west along the River frontage are residential uses.

Turning west on Pearl Street and following it around to Savage, one finds a collection of delightfully refurbished historic cottages nestled among a dense tree canopy. This area, which contains most of the few remaining in-town historic structures, along with Pearl Street to the east of Broadway which contains the historic Methodist Church and Alva Museum, inspired the concept of an “historic street” on which the historic structures should be treasured and preserved

and set the design and scale for new structures on infill parcels and on adjacent streets included in the Historic Core

Since most of these cottages are residences, considered attention should be given to the type of uses that will be compatible with this residential character. Those suggested that could pleasantly co-exist with residential uses include live/work spaces such as an artist's or photographer's studio and gallery, law office, an old fashioned ice cream/candy store, collectibles and antiques, bed and breakfast lodging, coffee shop with a few tables, bookstore.

On Pearl Street east of Broadway there is more vacant land and/or larger parcels that could be redeveloped, thus more opportunity for uses that generate a bit more activity than those suggested above. This area could also provide some unobtrusive but centralized parking as well as a potential site as a "repository" for moving on historic structures from other locations where they might otherwise either be demolished or left to deteriorate. A cluster of historic cottages could make a charming area of small shops.

Specific design and development standards for the Historic Core including minimum and maximum floor area, lot coverage, floors, height, and maximum amount of commercial development (in square feet) appropriate for the four block Historic Core area should be developed as a part of the Rural Village Overlay Zone.

Within the entire four block area, streets are narrow and without curbs or drainage structures. Utilities are overhead. Throughout the area is a dense tree canopy of primarily oak trees and native vegetation. Views of the Riverfront are available through the trees and undeveloped lots and through the Broadway corridor.

*Surrounding close-in neighborhoods – Proposed for Residential-based Mixed Use*

This area includes the blocks immediately bordering the east side of the original Historic Core and North River Road (east of the public and private school complex, and the Alva Community Park area. The northern boundary of the Alva Community Park represents the northern extent of Sub-area 1. On the east side, east of Julia and west of Josephine, from the River to Park Street, the lots are a part of the original town plat with an average size of one-half acre and developed with single family residential uses. Homes in this area date back primarily to the 1950's and 60's although some were built in the 1920's and others just recently. Approximately 20% of the lots are undeveloped. This area has an existing zoning of TFC-2.

North of Park Street, east of North River Road the lots increase in size to approximately one-acre. This area currently contains a mixture of residential and non-residential uses, including some in-town agriculture, the schools, a private school, and the community park. In addition to residential uses, future uses could include live/work spaces, professional offices or very "low impact" commercial uses similar to those permitted in the Historic Core, such as a bed and breakfast, florist or plant shop. As in the Historic Core, adding mixed uses into a predominately residential area, even though sparsely developed, requires careful consideration of the scale and

mix of uses. Design and development standards should be created specifically for this area and be compatible with the design and streetscape of the Historic Core.

Streets in this area form a grid pattern and provide several alternate routes to reach Broadway or North River Road. One exception is in the block immediately east of the Community Park, which has no north/south connection with the grid. Further to the east, beyond the area designated for mixed use, there are also several streets that are platted but not put through or paved. Completing this grid would contribute strongly to the walkability and connectivity of the community. Existing streets are narrow with no sidewalks or drainage systems.

West of the Historic Core, the existing residential uses provide an appropriate transition between the Historic Core and the residential neighborhoods beyond. Further to the west on Captain Nelson Court, a new twelve lot residential subdivision is being developed with custom homes on approximately one-acre lots across the street from and along the Riverfront.

#### *North River Road*

North River Road (County Road 78) passes through the heart of the Historic Core. Traffic on North River Road has been steadily increasing and already is seen as having a negative impact on the pedestrian quality of the area, bicyclists, and particularly on the safety of school children. Traffic counts taken \_\_\_\_\_ indicate an increase from \_\_\_\_\_ to \_\_\_\_\_ since \_\_\_\_\_.

Currently the speed limit is between 15 /20 mph (curves and school zone) and 45 mph and there is a prohibition on through truck traffic. To address the problem in the near term, community members need to work closely with Lee County DOT to implement a reduced speed safety zone, possibly including stop signs at the school and work with the Sheriff's Department to achieve stricter enforcement of the prohibition against through truck traffic. Future measures should include design solutions to induce traffic calming and possibly restriction of access points for future development along North River Road.

#### *Pedestrian/Bicycle System*

Currently the Historic Core and the surrounding blocks proposed for mixed use have no sidewalks and no provision for safe bicycling. The Vision for the Historic Core relies on creating an atmosphere inviting to the pedestrian, where residents, visitors, and school children can park once and walk to multiple destinations, ride bikes from home or school, or walk from their boats. Creating a pedestrian environment requires provision of walking and bicycle pathways as well as an inviting streetscape that provides shade and areas for sitting and resting. This pedestrian oriented area can be seen as the "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 1800s.



### *Implementing and Funding the Improvements*

To implement the envisioned system of pathways, methods for traffic calming, central but unobtrusive parking areas, connectivity of the local street network and an inviting pedestrian oriented streetscape, the Alva Community Plan recommends policy that calls for the preparation of an Improvement Plan for the Historic Core and Riverfront as a subsequent activity to the preparation of the Community Plan. The Improvement Plan would also examine the feasibility of a number of measures that could be used in combination to fund the implementation of the Improvement plan.

Developer funded or developer constructed improvements could contribute substantially. For example, rather than being required to provide parking on-site, a developer of a new "historic commercial" structure could achieve a greater percentage of lot coverage (or provide for more green space or patio dining on-site) by paying an equivalent fee towards provision of a common centralized parking area and being assessed proportionately for on-going maintenance of the facility. Typical requirements for street frontage on-site landscaping could be replaced by a requirement to install a segment of the landscaped pedestrian pathway along the build-to line.

Such improvements could be implemented as development occurs, or a continuous system could be implemented up front by a combination of County and grant funds, with the County funds being reimbursed to the County as new development comes on line and pays its proportionate share.

Another significant opportunity for funding a portion of the Historic Core Improvement Plan comes from the Federal Transportation Enhancement Provision, which through recent legislation, has expanded funding and affirmed the eligibility of historic preservation projects with a variety of links to the transportation system. This program views functional, historical, economic, social, and visual elements, combined with scenic resources, as key elements in the preservation of communities and landscapes through which roads pass.

Successful grant projects have had a focus on community character, a strengthened sense of place, measures which contribute to revitalizing historic downtown commercial districts, and which promote heritage travel and tourism. In addition, the National Trust for Historic Preservation will work with communities to engage the potential of Transportation Enhancement activities to support historic preservation and sustainable transportation, including encouraging pedestrian and bicycle access for historic downtowns and scenic/heritage corridors. Many of the recommended activities of the Alva Community Plan fall in categories of eligibility for Transportation Enhancement grants as well as other sources of historic preservation grants. (Please see expanded discussion of the Transportation Enhancement program in Appendix B)

### Opportunities to achieve the vision for the Historic Core and Riverfront

There are a number of activities that the community can pursue during the period while the Community Plan is being reviewed and adopted as an amendment to the Lee County Comprehensive Plan. In addition, several activities listed below will provide valuable input to the subsequent preparation of a Rural Village Overlay Zone and the Improvement Plan for the

Historic Core, both of which are called for in the policy recommendations of this Community Plan.

- Describe and provide examples of Southern Victorian or Southern Florida indigenous architecture, providing a palette of design, colors and materials for incorporation into the design standards.
- Prepare design recommendations (which are advisory only) for new and renovated single-family residential development as a guide to those that wish to be consistent with historic architectural elements.
- Prepare list of permitted, strongly encouraged, and non-permitted uses (such as drive-through windows or gasoline stations) for the Historic Core and methods to encourage an appropriate mix rather than an overabundance of one type.
- Consider implications of a probable expansion of the Post Office in its present location. That is, could an expanded facility serve as an anchor for activity in the Historic Village area and enhance the pedestrian character of the Vision for that area, or do the vehicle-oriented activities of a post office facility suggest a location more accessible by automobile where the facility could serve as an anchor for new commercial and mixed use development?
- Define the mixture of uses envisioned for the surrounding close-in neighborhoods.
- Work with Lee County DOT to identify and implement methods that can be used in the near term to reduce speed and improve safety on North River Road as it passes through the Historic Core around the School. Methods could include a combination of reduced speed zone, crosswalks, stop signs, increased enforcement of no through-trucks, and limited access for new development. Obtain traffic counts for this segment for evenings and weekends as well as school crossing hours.
- Formulate a general design concept and criteria for the pedestrian and bicycle pathways for the Historic Core. Criteria would include such things as location (whether on private property as part of the site development requirements, or in the public right of way) approximate width, material, separation of uses, use of trees and other landscaping.
- Work with Lee County Parks Department to continue efforts to acquire additional acreage for expanding the existing Community Park and to plan and identify funding for the park improvements if and when expanded.
- Begin to identify candidate parcels of suitable size and location for a "community use" site. Develop a concept for the desired community uses (such as a cultural center or an amphitheater and other needed public facilities that could be on the same site) so that criteria for site selection can be identified (such as minimum number of acres, maximum distance from a specified center of the community etc). The Community Plan can have a "floating" designation to be applied when a candidate parcel of suitable size and location is available.<sup>9</sup>
- Identify potential sites for unobtrusive and conveniently located parking areas that could serve multiple parking needs of the community within easy walking distance (for example, perhaps in connection with the expansion plans of the Methodist Church).

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<sup>9</sup> A strategy for such land acquisitions could be to have an entity such as a local non-profit Conservation Land Trust raise and advance the funds and make the purchase when the opportunity is there and be repaid from park impact fees, developer contributions, or other appropriate funding sources as they become available.

- Work with County Planning Staff to develop an updated historic resources inventory, a program for recognizing historic places, and a walking tour of historic places.
- Work with County Staff to assist in informing property owners and connecting them with the array of existing programs that provide grants and loans for renovation of historic structures, commercial façade revitalization and renovation of owner-occupied income-qualifying housing.
- Pursue the concept of expanding the area near the existing school available for additional elementary and middle school classrooms so that more local children can go to school locally.
- Work with County DOT and willing property owners to develop feasible options to improve connectivity by re-establishing “walkable” blocks, linking the street grid by connecting existing dead ends and/or putting through some already platted narrow streets in key locations.
- Work with the Army Corps of Engineers to find a means by which the portion of Alva Oxbow Island that is not privately owned, may be made available for passive recreational use.
- Work with County Staff to identify funding sources for the preparation of the Rural Village Zoning Overlay, the Improvement Plan for the Historic Core, and the Master Plan for Public Access to the Riverfront. Such sources could include funding from the County’s Community Planning program, grants funds, and community fund-raising and volunteer activity.

#### Proposed Comprehensive Plan Policies

**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, Sub-area 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:

- 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 prepare a master plan for public access to the Riverfront, and determine an appropriate program for funding and implementing the proposed improvements.~~

**POLICY 22.1.5:** 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 22.1.6:** The County will update its historic sites survey of Alva if an update is determined to be needed.

RURAL VILLAGE SUB-AREAS 2 and 3 (Central Alva Commercial and Mixed Use areas north and south of State Route 80)

Vision for the Gateway and Village Centers

*On the south side of the River, across from the Historic Core, is an extensive public plaza and walkway lining the Riverfront, provided as part of the newly developed Village Center, a commercial and mixed-use center designed to compliment the pedestrian scale and 1890's architectural elements of the Historic Core.*

*The design of the Village Center embraces the natural features such as the River and the huge stand of ancient oak trees as key focal points and public spaces and provides inviting pedestrian amenities such as shaded walkways and easy access to multiple locations from small mid-block parking areas. Buildings with character help shape the public spaces. An inviting mix of stores, dwelling units, offices, and restaurants; an internalized system of service roads; and appropriate transitions from public to private space make this center attractive, livable, successful, and an asset to the community.*

*South of State Route 80, a smaller commercial and mixed-use area with frontage on State Route 80, mirrors the design principles of the Village Center to the north. A traffic signal at the redesigned intersection of SR 80, Broadway, and Packinghouse Road and strategically located median breaks and access points, allow safe vehicular entry into adjacent commercial areas. State Route 80's new curbed medians, sidewalks, and generous plantings of oak trees, framed by the buildings and landscape of these centers, announces arrival at the Gateway of the Rural Village*

*Through a cooperative effort ~~among~~ between the Community and County, ~~and~~ Habitat for Humanity, Wayside Park has become an attractive focal point and gathering place for this Gateway area, hosting periodic activities such as farmers markets as well as providing a shaded oasis equipped with benches, bike racks, water fountains, picnic tables and restroom facilities for pedestrians, bicyclists, and folks waiting for the transit that now serves the area. Interpretive signage shares the history of Alva and the story of the environment with visitors to the area.*

*Pedestrian ways and bike lanes extend from over the Bridge to State Route 80 and beyond, making it easy and enjoyable to walk or bike from the neighborhoods to the Historic Core and new Village Centers or reach the area by bicycle from as far away as the Caloosahatchee Regional Park or Charleston Park neighborhood.*

Existing Conditions, Planning Issues, and Opportunities

*Sub-area 2a (west of Broadway, north of SR 80, south of the River)*

The portion of Sub-area 2 west of Broadway is approximately ¼ mile square and extends from State Route 80 to the River. There are four parcels with frontage on the west side of Broadway, one of which is a 3+ acre vacant parcel with frontage also on State Route 80. The three other parcels between that and the River are approximately one acre each and are in residential use.

To the west of those parcels are an approximately 8 acre and a 17 acre parcel both with frontage extending from State Route 80 and the River. Two other 2 acre parcels with frontage on State Route 80 complete the square, totaling approximately 35 acres.

Excluding the existing residential uses, taken together this portion of Sub-area 2 consists of approximately 30 acres of relatively undeveloped land zoned AG-2. With frontage on both State Route 80 and the River as well as some on Broadway, this area provides an ideal location for a well-designed Village Center featuring a mix of community serving commercial, residential above commercial, stand-alone residential, and civic uses. Such a center should be sited to maximize the views and public access to the River and protect the privacy of the existing residential uses along Broadway. Building design and placement should provide structure and context to the State Road 80 and Broadway frontages and set a high quality design standard that announces the entry into the Alva Rural Village for those traveling along SR 80.

The Village Center should be pedestrian-oriented with tree shaded walkways and plazas, should include both attached and detached buildings, mid-block parking lots rather than one large parking area, minimal curb cuts, shared driveways, an internalized network of service streets. Heights, number of floors, building footprint, size of blocks, spacing between doors all should be planned and scaled to create an area that is walkable, inviting, and attractive. Taken together, the mix of uses and the design of the center should add to the charm and livability of the Rural Village.<sup>10</sup>

A key element that should be incorporated into the Rural Village Overlay Zone and master plan for the Village Center is the creation of a public plaza overlooking the south bank of the River as a requirement for new development here. Developer funding for, or developer construction of such an amenity could be required in place of some other requirement in the same cost range and would provide a marketing advantage as well as a public amenity. Provision of dock space for day use would contribute to the marketing advantage and would facilitate visits by boat to the Village Center and Historic Core, just a short walk over the bridge.

Also, it should be noted that there is a stand of very old Oak Trees on the site that should be preserved and could become the key element of an internal public plaza and possibly replace other more typical landscaping requirements.

Because this area consists primarily of large parcels under few ownerships, it is possible to develop a cooperative partnership among the property owners and community representatives to have a conceptual master plan or set of development criteria prepared for the area which could then become a part of the "Rural Village Overlay Zone – Sub-area 2", specific to this area. In this way, the community can be proactive in ensuring that any commercial and mixed-use development that would occur, is compatible with the Rural Village concept and an asset to the

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<sup>10</sup> The design principles and techniques for the Village Center are drawn from the chapter "Memorable Centers", Toward Better Places, The Community Character Plan for Collier County, Florida, prepared by: Dover, Kohl & Partners; Spikowski Planning Associates, and Glatting, Jackson, Kercher, Anglin, Lopez, Rinehart, Inc., April 2001.

community, and the property owners can be assured that the property is ideally positioned for a development that is marketable and financially feasible.

Further west along SR80 at the frontage of the River Oaks development, there is some existing undeveloped commercially zoned property. The Rural Village Overlay Zone for Sub-area 2 should also address this area to provide a mechanism to discourage strip development and encourage neighborhood compatible development, if and when commercial development of this area may be proposed.

*Sub-area 2b (east of Broadway, north of SR 80, south of the River)*

The portion of Sub-area 2 east of Broadway between the River and State Route 80 contains 6 lots. A convenience mart and gas station are located on a property zoned C-N at the corner of SR 80 and Broadway. The next parcel to the north is vacant. The next parcel is the location for the FDOT retention pond to be developed in connection with the widening of SR 80. Adjacent to the north is a parcel in use as citrus grove. Two residential uses are located between this and the River. All are zoned AG-2. The groves and the residential property are a permanent part of the Alva Community, are beautifully well maintained with frontage on or grand views of the River. Protecting their quiet rural setting should be a priority as planning for the more active uses envisioned for the Village Center on the west side of Broadway is further specified.

The Rural Village Overlay Sub-area 2b could provide for some additional commercial use, compatible with the design and uses of the Village Center, at the northeast corner of SR 80 and Broadway on the lot immediately adjacent to the north of the convenience mart. The areas with existing residential on both sides of Broadway south of the River could be designated as Residential-based mixed use so that if at some point in the future the landowner wanted to, the use of the property could be converted to a live/work, bed and breakfast type, or other river-oriented or eco-tourism uses with low traffic generation.

The planned location of the FDOT water retention pond on the east side of Broadway provides an opportunity to create a landscape feature as an amenity rather than a fenced enclosure. Treated in this way, the site could provide a permanent buffer for the residential and agricultural property on the lots to its north.

*Sub-area 3 (south of and including State Route 80)*

The area envisioned for commercial and mixed use on the south side SR 80 west of the re-aligned intersection, could consist of approximately 8 to 10 acres at the frontage of a 128 acre parcel there, currently zoned AG-2. Existing uses in this area include the Alva Diner, Wayside Park, and to the east a small parcel with a used auto dealership zoned CG.

As is the case with the Village Center north of SR 80, working with existing property owners to conceptually master plan or set criteria for future development of this area which could then become a part of the "Rural Village Overlay Zone – Sub-area 3", will ensure that new commercial and mixed-use development is compatible with the Rural Village concept while still addressing the market for services for travelers on SR 80. Design standards should direct the

character of establishments on SR 80 including directing the architectural style of franchises. Appropriate categories of commercial use and site development standards to discourage the development of such uses as big box retail, car dealerships, and strip shopping centers should be established.

The viability of existing commercial establishments such as the Alva Diner should be protected as new development occurs. Landscaping, building design elements, shared access and parking, could be instrumental in incorporating existing uses into the vitality of a new center.

*State Route 80 (regional and in rural village)*

The design of the SR 80 roadway should provide for central access to large parcels with frontage on SR 80. Central access would maintain access for current businesses and encourage the internalization of service roads in new development (buildings framing an internalized "main street"), thus minimizing the necessity for numerous direct access points from State Route 80. Currently operating businesses must be provided with median cuts or access points so that the businesses will continue to thrive and remain viable.

As SR 80 is widened it is essential that Packinghouse be re-aligned with Broadway. A traffic light at this intersection is widely supported by the community and would also increase safety and provide for the more efficient and safe movement of school buses.

Oak tree plantings in the median of the newly widened SR 80 are also a high priority of the community. Alva is willing to work with the county and DOT to raise funds to acquire and plant the oak trees.

The Ft Myers area is central to statewide networking for internet connections, and a major portion of the network runs along State Route 80. State-of-the-art telecommunications infrastructure is critically important to the development of the small business and professional office environment envisioned for the Historic Village and for the Village Center. It is important to be sure that as the fiberoptics line is installed along with the widening of State Route 80, conduit extending to the north at Broadway is provided.

In connection with the widening of SR 80, bike lanes and sidewalks should be provided to make the essential connections to central Alva from Charleston Park on the east to River Oaks on the west.

Nodes of Commercial Development

Stepping back from the focus on the Alva Rural Village and looking at the development pattern along State Route 80 in the northeast County, provides an important perspective for consideration in dealing with the issue of future commercial development. The entire length of Palm Beach Boulevard from downtown Fort Myers to Interstate 75 is lined with commercial uses. That pattern continues to Highway 31. A new commercial center is planned around the Highway 31, State Route 80 intersection. Commercial uses continue to line State Route 80 between Highway 31 and Old Olga Road, and then there is an immediate transition into the



Rural area. From Old Olga Road to Broadway, approximately six miles, there are only a few scattered commercial uses on individual lots that blend in with the rural countryside.

The concentration of neighborhood/community serving uses designed as a Village Center around the intersection of SR 80 and Broadway and connected by Broadway to the Historic Village will be entirely consistent with the Chapter 9J5 definition of a rural village a "small, compact node of development within a rural area containing development, uses and activities which are supportive of and have a functional relationship with the social, economic, and institutional needs of the surrounding rural areas."

Another node of development is planned just east of the Hendry County Line (approximately two and a half miles from the intersection of Broadway and SR 80) where a marina oriented commercial node is planned as a part of a larger development. The center is located at the future intersection of State Route 80 and a roadway extending northward from Lehigh roughly paralleling the Hendry County line.

The marina-oriented portion of the development in Hendry County is planned to attract tourists and folks traveling the River by boat as well as surrounding residents. Docking and short term lodging facilities will be available. Retailing will include specialty shops and restaurants targeted to capture a discriminating market. This marina-oriented development creates an additional node of development and activity within the rural area. Beyond this node towards LaBelle, the area returns to its rural character.

The uses and character found in the Historic Core of Alva and the marina oriented development planned just over the Hendry County line compliment rather than compete with each other, and the success of each will support the success of the other. In the same manner, the uses proposed in the Village Center of Alva do not duplicate the uses proposed at the Highway 31 intersection, which have a much wider market focus than the neighborhood or immediate community appeal of the uses planned for Alva. To the south of the Alva area another node of commercial development to serve the needs of the Lehigh community is provided for in the Lee Plan on a 40 acre parcel on Joel Road, just north of Greenbriar Boulevard.

#### Future Commercial Development

It is important not to erode the viability of well-planned commercial nodes such as these within wide expanses of scenic rural county side by allowing the pattern of strip commercial development found further west to stretch along State Route 80. Therefore it is recommended that a policy be adopted into the Lee Plan that for the extent of State Route 80 from Hickey Creek to the Hendry County line, re-zoning to Commercial shall be prohibited and new commercial development shall be limited to only those sites designated for commercial development within the Rural Village, on sites having existing commercial zoning prior to the adoption of the Alva Community Plan, as incidental uses within the designated center of a Planned Residential Development, or on a future site at the Charleston Park/SR 80 frontage designed to address the service and economic development needs of the Charleston Park community.

~~In addition it is recommended that 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 Lee Plan 2020 Allocations of Land Use allocate 46 acres of commercial development to the Alva Planning Area (as defined in the Lee Plan). Of the total 46 acres allocated, 36 already exist, leaving only 10 acres available. Exceeding the total allocation would require a comprehensive plan amendment.~~

~~This Alva Community Plan recommends that in order to ensure that there is sufficient acreage available in the Lee Plan 2020 Allocations of Land Use to implement the Village Center concept, provide for infill development in the Historic Core, and incidental small centers in new rural village neighborhoods planned according to Traditional Neighborhood Design, and possibly a small center in Charleston Park that at the time the Rural Village Overlay Zone is completed and approved, the County will amend the 2020 Allocation Table to reflect the actual acreage needed. It is recommended by the Alva community plan that the majority of acreage available for commercial development be granted in the rural village boundaries, especially subareas 2 and 3, or off Joel Blvd near or adjacent to subarea 3. Small neighborhood serving uses, for example, in Charleston Park, will also be acceptable. Access between adjacent commercial businesses in the rural village should be provided, along with safe pedestrian paths and access. Commercial building footprints will be limited to less than 20,000 sq feet in size and the architectural structure should be compatible with the community's vision of the rural village. "Standardized" or "formula" franchise buildings will not be allowed, nor will additional new and used auto dealerships. Signage standards developed by the community should also be followed. In addition it is recommended that 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.~~

#### Next Steps

There are a number of activities that the community can pursue during the period while the Community Plan is going through the approval process that will provide valuable input to the subsequent preparation of a Rural Village Overlay Zone, as follows:

- Identify a list of uses that should be permitted and encouraged as part of the Village Center north. Suggested uses to date include retail, restaurant, general store, bakery, hardware, coffee shops, professional and doctors' offices, and residential, perhaps located above the commercial uses.
- Consider what forms of residential development might be needed in the community that could be included as a part of the mix of uses in a Village Center and what civic and/or entertainment uses might be appropriate. Consider ways to be sure that development of a

new Village Center such as this does not undermine the viability of uses encouraged in the Historic Core.

- Consider the intensity of use and scale of structures that would be appropriate for the Village Center, including building heights, proportion and type of pedestrian oriented public and open space.
- Continue working diligently with FDOT and Lee DOT to secure the signalized intersection at Broadway and realignment of Packinghouse Road as well as curbed medians, median breaks at appropriate locations, sidewalks, bike lanes, and installation of conduit to enable the extension north onto Broadway of the state of the art telecommunications infrastructure to serve the central Alva area.
- Identify a list of uses that should be permitted and encouraged as a part of a new Village Center south of SR 80. Note uses that should be prohibited and define appropriate methods to prohibit uses that are incompatible with the Rural Village concept.

#### Proposed Comprehensive Plan Policies

**POLICY 22.1.7:** 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, Sub-area 2" and "Rural Village Zoning Overlay, Sub-area 3" and will submit such standards to the County for adoption into the Land Development Code. These should address and will include:

- 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 Sub-area 3, consider the appropriateness of uses that could be proposed to serve the travelers market.
- List of civic uses that should be considered for inclusion in the Village Center.
- 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 (not to exceed 38 feet from the peak of the roof to the average grade of lot) and/or number of floors. (not to exceed 2 ½)
- Site design standards that bring buildings close to the street with parking behind or mid-block. Access between commercial businesses
- 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 22.1.9:** ~~Upon completion and adoption of the Rural Village Overlay Zone, the County will amend the Lee Plan 2020 Land Use Allocations of commercial acreage to the Alva Planning area by amending Table 1(b) to reflect the precise number of acres needed to implement the Village Center(s), provide for infill development in the Historic Core, incidental small centers in new rural village neighborhoods planned according to Traditional Neighborhood Design, and potentially a small center in Charleston Park.~~

**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:** ~~The County will amend Lee Plan Policy 6.1.2 regarding Commercial Site Location Standards to reference the following Alva Community Plan Policy as follows:~~

~~Lee Plan Policy 6.1.2: All commercial development shall be consistent with the location criteria in this policy, except where specifically excepted by this policy or by Policy 6.1.7, or in Lehigh Acres by Policies 1.8.1 through 1.8.3, or in Alva by Policies 22.2.2 and 22.2.3.~~

~~**POLICY 22.2.2:** For the extent of State Route 80 from Hickey Creek to the Hendry County line re-zoning to Commercial shall be prohibited, and new commercial development shall be limited to only those sites designated for commercial development within the Rural Village, on sites having existing commercial zoning prior to the adoption of the Alva Community Plan, as incidental uses within the designated center of a Planned Residential Development, or on a future site designed to address the service and economic development needs of the Charleston Park community.~~

**POLICY 22.2.1:** In order to prevent strip development all along SR 80, the majority of acreage available for commercial development should be granted within the rural village boundaries, especially subareas 2 and 3 or on Joel Blvd adjacent to subarea 3.

**22.2.1.a:** "Formula" or standardized franchise buildings will be forbidden

**22.2.1.b:** Additional new or used auto dealerships will not be allowed.

**POLICY 22.2.3 2:** 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.

RURAL VILLAGE SUB-AREA 4 (Outlying rural areas within the existing Urban Community Land Use designation)

Vision for the Outlying Rural Areas within the existing Urban Community Land Use designation

*The acreage in the remaining area surrounding the Historic Core and Village Centers that was originally designated Urban Community strongly reflects the quiet rural environment with single family homes on large acreage parcels, homes on sites along the River, active agricultural uses and ranches, and some conservation areas.*

*Where new residential subdivisions have occurred, development has taken the form of traditional neighborhoods of walkable size with their own distinct center but strongly linked to the heart of the Alva Rural Village. Clustered development enables small groups of homes to be surrounded by natural areas that provide opportunities for seclusion, passive recreation, community gardens, hiking and equestrian trails, and environmental education.*

Existing Conditions, Planning Issues, and Opportunities

Most of the parcels in the portion of Sub-area 4 north of the River (the green area within the boundary of the rural village – figure 2) are in the 2.5 to 10 acre range and are developed as one home site on acreage. Little change is anticipated for this area where people have chosen a rural lifestyle and are continuing to build new homes on acreage parcels. Zoning in this area is AG-2. The established neighborhoods of River Oaks and Oak Park are at the western and easternmost boundaries of this area. Infill development is occurring on vacant parcels in those neighborhoods.

Parcels in Sub-area 4 south of the River and particularly south of SR 80 are generally larger, many in the 20 acre range with one parcel as large as 128 acres. These parcels are primarily undeveloped, some in agriculture use or with a mix of conventional housing and scattered mobile homes. Bedman Creek runs south from the Caloosahatchee River through this area which is primarily zoned AG-2 with the exception of a small area zoned RS-1 and some commercially zoned parcels at the intersection of Styles and the south side of SR 80 and another at the corner of Joel Road and SR 80.

If and when new residential development is proposed in Sub-area 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. Under the existing AG-2 zoning, a parcel could be developed to a residential density of one unit per acre, even though the underlying land use designation would allow up to 6 units per acre. In order to develop to that greater density and/or to cluster development, a developer could utilize the provisions of the Rural Village Overlay or re-zone to Planned Development. The Rural Village Overlay will become the implementing zoning for the Rural Village land use designation. New development must comply with existing zoning (in this case AG-2) or with the provisions of the Rural Village Overlay Zone, or re-zone to Planned Development. Any residential development over 300 units is classified as a Development of County Impact and would be processed as a major Planned Development.

The Rural Village Overlay Zone will set forth criteria for development under that threshold that reflect the principles of Traditional Neighborhood Design. It will encourage some clustering of residences with the goal to increase open space, preserve natural and native vegetation, and encourage more rural oriented uses such as equestrian, community gardens, wooded trails etc and the principles of Conservation Communities<sup>11</sup> A system of bonus points<sup>12</sup> that can be used to determine the amount of additional density that could be achieved by including specific features in the project that would result in those development configurations. (Please see Appendices C and D for a more complete discussion of the principles of Traditional Neighborhood Design). ~~Conservation Communities and.)~~ Beginning with the base density of 1 du/ac permitted by the AG-2 zoning, the maximum density that could be achieved through the Rural Village Overlay Zone bonus system is 6 units per acre.

In the context of the Rural Village Overlay Zone, a project requesting additional density beyond the AG 2 base density of 1 du/ac would be evaluated according to specific criteria and assigned points that reflect the extent to which the project meets those criteria. Table 1 provides an example. The total points obtained from the Bonus Criteria would be transferred to Table 2 that indicates the amount of additional density that could be obtained for that amount of points. ~~If a project wishes to obtain greater density than its total points would allow, it could make up the difference from Transferable Development Rights (TDR) points. A project must have at least 50% of its total points coming from the Bonus Criteria, in order to ensure that the objectives of compatibility with the rural environment are addressed before TDR density may be added. For example, if a project wanted a density of 6 units per acre, which in this illustration would require 100 points, it would need at least 50 bonus points to qualify and then could make up the remaining 50 points by purchasing TDRs.~~

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<sup>11</sup> ~~Conservation Community, an introduction to concepts and issues in the establishment of the new American Village", by Village Habitat Design, 1996, 1999, Clayton Preston and Greg Ramsey, and the work of the Florida Green Building Coalition which can be accessed at [FloridaGreenBuilding.org](http://FloridaGreenBuilding.org).~~

<sup>12</sup> The bonus density system described herein is modeled after the bonus system found in the North U.S Highway 27 Selected-Area Plan adopted as an amendment to the Polk Comprehensive Plan in 1994. The full text and tables of the Highway 27 Selected Area Plan are available on the web at [www.polk-county.net](http://www.polk-county.net). The North U.S. Highway 27 Selected-Area Plan provides an excellent example of proactive planning to address pressures of growth on a rural and the environmentally sensitive Green Swamp area. In the early 1990's owners of large parcels began to subdivide and sell off one-acre lots in this area near Disney World. Buyers were able to purchase lots relatively reasonably and sellers were making a profit, but the area was developing in a haphazard manner that would soon undermine the rural atmosphere, impact the viability of the ecosystem, and negatively affect the value of the remaining developable land. Several landowners in a 6500 acre area (bounded on both sides by the Green Swamp), joined together and developed an overall plan for how the area should develop. The plan was based on the principles of Traditional Neighborhood Design and preservation of the environment. The plan provided a system of bonus points as incentives to obtain the high standards envisioned by the Plan. After several years of planning and proceeding through the complex Comprehensive Plan amendment process, this plan has been implemented and is shaping new development in one of the fastest growing areas in Florida. The plan did not precipitate growth but rather guided the pressure for growth in the area into livable, sustainable communities surrounded by the huge expanses of preserves and open spaces that were so treasured.

In Table 1 below, columns 1 and 2 provide the criteria and maximum points for meeting the criteria. Columns 3 - 6 provide examples of how two different projects might score based on their differing site design and open space provision. Table 2 translates the points into levels of new density.

Table 1 – Bonus Criteria

Criteria	Max Points	Example 1	Points	Example 2	Points
Clustered development or Traditional Neighborhood Design with greatest density and intensity focused at the center. (Elements within this category would be specified and have points assigned to each element that could total up to 20 points). Elements would include such things as: <ul style="list-style-type: none"> <li>Variety of Housing types (single family detached, single family attached, granny flats, live/work spaces)</li> <li>Walking and bicycle paths connecting points within the development.</li> <li>Grid Street system</li> </ul>	25- 20	100 acre site with Clustered Development with all elements (base density would be 100 units)	25-20	100 acre site w TND with all elements (base 100 units)	25 20
Percent of Open Space Provided beyond required 40% (defined as open to public use, not covered with roads, buildings or impervious surface and includes stormwater retention, parks, undisturbed wetlands and flood plain and conservation network.) 2 points for each 5% over required up to 60%, then 3 points for each 5% up to 90%	30	70% open space (70 acres)	14	50 % open space 50 acres	4
Percent of Open space left in natural state or in agriculture, covered by a conservation easement. 2 points for each 10%	20	80% (56) of the 70 acres of open space are left in agriculture with a conservation easement	16	50% (25) of the 50 acres in natural state	10
Restoration/enhancement/creation of wildlife habitat (assign points per acre)	10		0	10 acres	3
Extent of preservation of specimen trees and native vegetation in development area	5-10		\$ 10		\$ 10
Linkage through site design to larger system of conservation and open lands	10		5		5
<b>Total Points from Bonus Criteria</b>	<b>100</b>		<b>65</b>		<b>53</b>
<b>Use of Transferable Development Rights</b>	<b>Max 50</b>				

Note: The criteria and points above are purely for illustration only. The actual system will require much greater specificity, may place greater weight on some items than others, and perhaps include additional factors.

Points would be totaled and density determined according to a scale as illustrated in the following table:

Table 2 – Bonus Points Worksheet

Base Density	1 unit per acre	
Density based on points	# Points	New Density
	25 or more	2
	50 or more	3
	75 or more	4
	100 or more	6

Note: The points and related density are for purposes of illustration only and do not reflect what the actual points and their relationship to density might be when the system is developed.

The benefit to the community of the Rural Village Overlay Zone approach is that the development, design, and preservation standards encourage the kind of development specifically designed to be compatible with the rural environment and discourage development patterns that are replications of the typical suburban housing developments or gated golf course communities. The bonus system provides an incentive to develop in this manner rather than subdivide into one-acre lots.

The primary incentive for developers to use the Rural Village Overlay Zone is that it is available as an option to existing zoning and does not require going through the re-zoning process. It would provide for an administrative approval process when all applicable criteria are met. The alternative would be to proceed through a Planned Development re-zoning process, which can be costly and time consuming.

#### Opportunities to Achieve the Vision

One of the activities that the community can pursue during the period while the Community Plan is being reviewed and adopted as an amendment to the Lee County Comprehensive Plan is to work with local educational institutions, design professionals, and local developers to develop some prototype designs that could work on large acreage parcels in the areas immediately surrounding Central Alva and evaluate the potential of methods such as density bonuses and an administrative approval process to act as incentives to build communities in the Traditional Neighborhood Development or Conservation Community configuration. Specific standards would be prepared subsequently in the context of the preparation of the Rural Village Overlay Zone.

#### Proposed Comprehensive Plan Policies

**POLICY 22.1.8:** The Alva Community will prepare use, design, and development standards for Traditional Neighborhood Developments and for Conservation Communities 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, Sub-area 4” and will submit such standards to the County for adoption into the Land Development Code.



## PRESERVATION OF RURAL CHARACTER

### Vision for Rural Area

*The rural area surrounding the Rural Village area has managed to preserve large areas of land in agricultural use or in its natural state. An extensive network of conservation areas, regional parks, the River and creeks that are a part of the watershed, weave through the northeast county, protecting the integrity of ecological systems and providing a beautiful amenity for residents and visitors to southwest Florida.*

*New development has taken the form of estate homes and ranches on large acreage parcels as well as self-contained and sustainable "villages" that cluster development and contribute sizable natural areas for the passive recreational enjoyment of its residents and for connections with the larger conservation network.*

*Cooperative activity and several successful programs have enabled the area to maintain the balance between preservation of the qualities that make the area valuable and special and the individual's right to realize value from landownership.*

*The Caloosahatchee River, County Road 78, and a system of bike paths provide the essential connections that enable residents and visitors to move easily from place to place and to access the scenic and historic treasures the area affords.*

The rural area surrounding central Alva has considerable natural and scenic resources – The Caloosahatchee River, which flows from Lake Okeechobee and empties into San Carlos Bay; Telegraph Swamp which drains into the Caloosahatchee River through Telegraph Creek and its associated wetlands; Cypress Creek north of the River and Hickey and Bedman Creeks on the south side of the River.

The area includes acres of conservation areas, recreation areas including the Caloosahatchee Regional Park and the Franklin Locks, acres of land in agricultural production, citrus groves, cattle ranches, homes along the River, estate homes, small ranches, a few residential subdivisions and a few scattered commercial uses. It is also an area rich in history and pre-history, inhabited by humans over ten thousand years ago, long before the earliest written accounts of the region by Spanish explorers in the early 1500's identified the early inhabitants as Calusa Indians who controlled the area from the Florida Keys to just south of Sarasota.

Efforts to preserve and enhance the natural resources of this area are ongoing, particularly through the efforts of the Lee County Conservation 2020 program that has been actively acquiring conservation lands in this area, the most notable of which, the Hickey Creek Mitigation Park, just recently had its grand opening. On going efforts at the State level through the Florida Forever program may result in the addition of the Telegraph Creek watershed area to the inventory of conservation land. The Caloosahatchee Regional Park, which provides both passive and active recreation opportunities, links these two areas together. South of the Hickey Creek Mitigation Park, conservation acquisitions have completed a link to Greenbriar Swamp.

The concept of preservation of rural character can be quite complex, having many components ranging from improving water quality in the River to supporting the viability of agricultural production. While these and many other components are critically important, many are within the capable jurisdiction other Federal, State, and local entities, as well as interested citizens groups. Of the many components, this plan focuses on a few strategies that can be initiated and pursued through grass roots efforts, in partnership with County government and private sector interests. Each is discussed below:

#### Increase the Inventory of Conservation Land

As noted above, conservation purchases in the Alva area have already made a significant contribution to the protection of water resources and other environmentally sensitive areas. Because of the important position of this area in the Caloosahatchee watershed, particularly the Telegraph swamp area, additional purchases are being negotiated at the State level.

Preserving rural character and safeguarding natural resources through conservation purchases and other measures such as the purchase of conservation easements, are positive and proactive means of addressing the issue. During the Alva Community planning process, it has been recommended that the community form a non-profit Conservation Land Trust, modeled after the highly successful Calusa Land Trust that is active in the Pine Island area. A private community land trust can provide educational opportunities on ways landowners can preserve their lands and receive tax and economic benefits in return. All easement donations or sales are entirely voluntary and based on the needs and future plans of landowners in the area. Agricultural and conservation easements can be of great value to communities and landowners in that lands remain in private ownership and care, can continue to be farmed, and stay on the property tax roles. Rather than being a duplication of effort with the County's 2020 program, a local land trust can also provide a valuable service in identifying, promoting, and facilitating acquisitions by the County's 2020 program and programs of State agencies. This step could be implemented in the very near term as a parallel activity to the Community Plan.

In addition to acquisition activities, such an entity can work with State and regional agencies to implement existing or new programs that provide incentives to keep lands in agricultural use, create conservation easements, and/or to purchase conservation land. It is anticipated that funding for a local non-profit land trust would come from private donations, volunteer fundraising, and grant funds. (Please see Appendix E for an overview of the Lee County Conservation 2020 program, the Florida Forever program, Save Our Rivers program, and an overview of the variety of land preservation tools used by the Calusa Land Trust.

#### Plan and Map a Conceptual Conservation and Recreation Network

In order to promote an expanded, interconnected conservation and passive recreation system in the northeast county area, it is important for the community, the County, South Florida Water Management District and other entities to work in cooperation to develop and map a conceptual conservation network system that is interconnected within the Alva area and linked to other portions of the existing conservation network in neighboring areas. In addition to promoting and facilitating acquisitions in the Alva area as described above, a non-profit land trust could be the

lead entity to work with the County and other agencies in mapping such a conceptual conservation network throughout the Alva area.

A model for this concept is provided by the Florida Forever Conservation Needs Assessment, an analysis of the geographic distribution of 15 resource types that are the focus of Florida Forever's conservation actions. The data layers for the Needs Assessment, which were compiled from numerous agencies and organization, could provide the base data for mapping the geographic distribution of resource types in overlay format at the scale of Lee County rather than the entire state and thus provide a conceptual model and some data layers for a conservation/recreation lands network.

This mapping would be for the purpose of identifying future nominations for acquisition from willing sellers, for tracking the progress towards a comprehensive and interlinked network, could be a useful planning tool to help identify areas which through careful site planning in new development could provide opportunities to link on-site open space to the larger network, and could identify areas which should be considered priorities for the purchase of transferable development rights from willing sellers.

#### Help Protect the Viability of Agricultural Uses

Important to the preservation of rural character is taking measures to protect the viability of agricultural uses. According to the Lee County Property Appraiser's Office data, there are a total of 21,070 acres of land in agricultural use within the boundaries of the Alva Fire District (which is somewhat smaller than the Lee Plan's Alva Community Planning area). Of this total, 14,100 acres are in pasture, 5,730 acres are in citrus use, 450 acres in nursery, 390 acres in row crops, 150 acres in horse raising, and 250 acres of miscellaneous (fish, grapes, bees etc.).

#### *Conservation Easements*

The provisions of the Rural and Family Lands Protection Act which became Laws of Florida Chapter 2001-279 will provide farmers with incentives to keep their lands in agriculture. Through this measure, farmers can be paid up to 60% of their appraised land value for conservation easements if they qualify for the program. The program is approved up to the year 2011 and it is hoped that \$100 million will be set aside for it. The purpose is to protect farmland that provides economic, open space, water, and wildlife benefits. Conservation easements are a way in which farmers can ease the financial obligations associated with taxes. A conservation easement can result in a charitable deduction on income tax equal to reduced value of land, a reduction in annual property taxes, a reduction of estate tax obligations, and preservation of the natural value of the land. Meanwhile the property remains private and the farmer retains all rights to continue farming. The Alva community can actively promote continued funding for this program and through a local land trust work closely with farmers to access this and other programs that can help make it economically feasible to continue agricultural production.

### *Water Budget<sup>13</sup>*

Another means of protecting the viability of agriculture is to take measures that will ensure that the long-term water needs of agriculture in the area are provided for. The Caloosahatchee River is the freshwater supply for Lee and Hendry Counties and is part of an enormous system that includes the central lakes of Kissimmee, Lake Okeechobee, and the St. Lucie River (see figure IV). From the main arteries, numerous canals from the lakes to the east coast, as well as to the Caloosahatchee system that serves our area, create a system whereby we are actually sharing water resources with east coast counties.

Within this system, the water needs of the counties west of Okeechobee have been under-represented. Since the deposit of water has no boundaries, a water budget would provide a system for equitably allocating water resources and ensuring that the existing and future water needs of our area are planned for.

The Southwest Florida Regional Planning Council, in late 2001, initiated a process for exploring how best to proceed with developing a water budget for our region. The process begins with development of an accurate data base since, historically, there has been no consistent system for monitoring and auditing how much water is actually being used in our area, and by whom.

The Alva Community can work closely with Lee County and with the Southwest Florida Regional Planning Council in the process of developing the water budget concept and in the process of gathering data, particularly as it relates to agricultural water needs and usage. When established, the water budget should provide a context within which to evaluate the individual and cumulative impacts of new development on the availability of water needed to sustain Lee County's agricultural uses.

### Surface Water Management Issues ( north of the Caloosahatchee river)

Flooding and the catastrophic movement of surface water from outside of Lee county into that area of Lee County lying north of the Caloosahatchee River and east of SR 31 is of concern to citizens in the Telegraph Creek, Fichter's Creek and Cypress Creek area. Water flows to Spanish creek area are also now lower than historical levels. This is a well-documented massive regional water management problem which directly affects the rural village of Alva and the surrounding area within the purview of the plan.

Coordination and cooperation among the South Florida Water Management District, Lee County government and other governmental agencies charged with the duty of managing the flow of surface water across Lee, Charlotte, Glades, and Hendry county lines is needed to design, finance and construct a proper solution.

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<sup>13</sup> From comments made by Wayne Daltry, Executive Director of the Southwest Florida Regional Planning Council at the Alva Community Meeting, September 27, 2001 and from Nov 14, 2001 phone conversation with Rae Ann Wessel, Ecosystem Specialists, rawessel@aol.com.

The 4 Corners Water Plan calls for 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 to 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 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 downstream flooding of natural and manmade water courses within this area of Lee County

Surface water management issues ( south of river- Hickey creek and Bedman creek area)  
Flooding has occurred in the Hickey Creek and Bedman Creek areas as a result of increased development in Lehigh Acres and diversion of waters to streams and canals that flow north of Lehigh to the Caloosahatchee River. Water control issues need to be addressed in this area . The East Lee County Water Management District must cooperate with the county and other appropriate water management entities to provide ways to convey flood flows from Lehigh Acres and other areas south of the Alva Community to the Caloosahatchee River without causing flooding in the Alva planning area. Care must also be taken not to negatively impact the health of the river or oxbows as the excess surface water is managed.

#### Help Protect the Viability of the Caloosahatchee River

The Caloosahatchee River and Estuary extend about 70 miles from Lake Okeechobee to San Carlos Bay. The watershed includes the East, West, and Tidal Caloosahatchee drainage basins; and the North Coastal, Telegraph Swamp, C-21 and S-236 drainage basins. The freshwater portion of the river has been reconfigured as a canal (C-43) extending 45 miles from the Moore Haven Lock and Dam to Franklin Lock and Dam. Telegraph Swamp is listed as one of the 4 significant natural systems within the watershed. The major issues affecting the watershed are water supply availability, salinity variations, and nutrient levels.

“The water availability issues are limited surface water sources; protection of water resources and associated natural systems; and pressure on these resources from increasing urban and agricultural demands. Increasing urban and agricultural water demands have the potential to adversely impact the region’s water resources and associated natural systems. Ground water is the most important source of supply for most of the Lower West Coast region, but the Caloosahatchee River is an important surface water source in the northern portion of the region. Rapid growth in population and irrigated agricultural acreage has caused demands for water to increase significantly. Increased withdrawals in the future may cause ground water levels to decline and potentially impact wetlands.”<sup>14</sup>

To address Lake Okeechobee regulatory releases and uncontrolled runoff, which result in alteration of freshwater flow the District is establishing MFLs (minimum flows and levels) for Lake Okeechobee and is developing a model to evaluate the effects of differing river water

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<sup>14</sup> South Florida Water Management District, District Water Management Plan, page 177.

discharges. The MFLs will also address problems of water quality from the influence of nutrient enriched waters from Lake Okeechobee.

The Caloosahatchee River Citizens Association -Riverwatch has published ten directives that the organization believes should be adopted as policy to improve the quality of the River. These are found in their entirety in Appendix F, but three of the ten are particularly relevant to the Alva area as follows: Plans for the preservation and management of the oxbows should be developed and implemented; existing public lands along the river should be evaluated for public use or as preserves and additional parcels acquired; and new requirements for setbacks for development in the floodplain (greater than the existing 25 feet required) should be determined and adopted. The Riverwatch directives explain that currently homes are allowed to be built with a 25 foot setback from the edge of rivers, creeks and streams in Lee County, which puts them in the flood plain. "When flooding occurs... yard debris, including gas cans, old batteries, fertilizers, weed killers, etc., spill their contents into the water."<sup>15</sup> The concern is that as more development occurs, particularly in the highly desirable locations along the River and creeks, flooding and the associated environmental damage will be an increasing problem unless the code is changed to keep development out of the flood plain.

Several areas in Florida have begun adopting new regulations for development in the floodplain. The community should work closely with Lee County, other relevant agencies, and the private sector to evaluate the applicability of measures successfully implemented in other areas and propose appropriate measures to be implemented in Lee County.

#### Alva Cemetery

The Alva cemetery is an historic asset to the Alva community and is the burial place of several notable citizens of the region. It has been well managed for many years by a non-profit group of local citizens. Recently county and state regulation regarding cemeteries have changed. One of these county ordinances, which requires cemeteries to operate under subdivision regulations, places unnecessary burdens and costs on the small non-profit cemetery and may result in the closure of the cemetery if relief is not forthcoming. The Alva community would like the operation of the Alva cemetery to continue without interference to the unpaid Board of Trustees and would like for the remaining portions of the cemetery to be developed in a manner consistent with the current cemetery.

The county should exempt the Alva Cemetery from Lee County ordinances and subdivision regulations and support/initiate any special state legislation that is necessary to create such exemption from state statutes, other rules and regulations and code provisions.

#### Increase Regional Recreational Opportunities

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

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<sup>15</sup> Caloosahatchee River Citizen's Association – Riverwatch, TopTen Directives for the Caloosahatchee River. Further information can be found at [www.caloosahatchee.org](http://www.caloosahatchee.org).

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, perhaps with its focus being a youth park with BMX facilities. 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.

Increase opportunities for residents and visitors to experience the historical, recreational, natural and scenic resources of the area.

*Bike Paths linking conservation and recreation areas*

During the community planning process, a high priority was given to the idea of linking the conservation and recreation areas throughout the Alva area and beyond with bike paths. Providing these bicycle linkages would create an amenity available to all county residents as well as visitors and tourists enjoying the recreational and scenic assets of the area as well as the Historic Core of the rural village of Alva. Figure III provides an illustration of a conceptual bike path system.

The most likely way to achieve the objective of an extensive and interconnected system along rural roads is to create these paths by providing additional paving outside of the stripe for the travel lane and widening shoulders. In this manner, miles of areas wide enough to accommodate safe biking can be provided cost effectively and without incurring additional liability to the County as would be the case if the lanes are dedicated and striped for bike lanes. However, when bike path routes enter the central Alva area, they would be designed and constructed according to the Historic Core Improvement Plan. Funding sources for this system of widened paving and shoulders along rural roads could come from gas tax funds, road impact fees, Transportation Enhancement and other grant funds.

*County Road 78—Scenic highways Designation*

During the community planning process there has been considerable discussion about how to preserve the scenic character of County Road 78 (North River Road) and ensure that existing and future traffic conditions do not negatively impact the rural ambiance of the area. One suggestion was to prohibit future widening of County Road 78, which would restrict the roadway to two lanes in perpetuity. Long term Transportation Planning policy would not support restriction of CR 78 to two lanes in perpetuity for the following reason. County Road 78 is the only existing parallel roadway to SR 80, which is a part of the Florida Intrastate Highway System (FIHS) and as such, is required to maintain a level of service B following the completion of four laning. Falling below LOS B would trigger an additional widening to six lanes. Either as an alternative to six laning or if after six laning, SR 80 again fell below LOS B, the County would be required to provide a parallel reliever, which could necessitate a four laning of CR 78. If CR 78 were four laned, a by-pass most likely would be included since four laning through central Alva would severely disrupt the Historic core. Even though none of these actions will occur in the foreseeable future during our lifetimes, the County's responsibility is to be sure those options are not foreclosed.

It is recommended that the community pursue a Scenic Highways Designation in order to accomplish the positive objective of preserving the scenic nature of this rural county road. The Alva Community can work closely with Lee County Staff and in partnership with other entities and private sector interests to pursue a scenic highways designation for County Road 78.

The purpose of the Florida Department of Transportation's (FDOT) Florida Scenic Highways Program is to heighten awareness of and to protect and enhance outstanding resources along Florida's roadways. The program is voluntary, with nominations coming from grass roots coalitions of citizens, civic groups, businesses, and government that form a Corridor Advocacy Group (CAG). The CAG is responsible for developing partnerships and providing documentation demonstrating eligibility of the Corridor, documenting its intrinsic resources. After eligibility is determined, the CAG in cooperation with local government prepares a Corridor Management Plan (CMP), which defines the actions, procedures, protection measures and other operational practices relevant to the protection and enhancement of the corridor.<sup>16</sup>

County Road 78 has the ingredients to meet the ten criteria for eligibility and exhibits several of the intrinsic resource criteria (only one of six must be demonstrated). It is a corridor that can "tell a story" about the pre-history and settlement history, early transportation, agricultural industry, ecological and recreational resources of the area and exhibits the distinctive and visually pleasing features of a rural and river-based region. County Roads may be designated as Florida scenic highways. Since County Road 78 extends into Hendry County where it becomes a State Road again, a cooperative application that involves segments in both counties might be appropriate.

In addition to the benefits of protecting natural resources, enhancing the travel experience, providing education and history appreciation and other benefits that designation provides, obtaining the scenic designation provides a distinct advantage in qualifying for and obtaining grant funds.

Combining the scenic highways designation with the concept of the pedestrian and bicycle improvements envisioned for the Historic Core and the concept of extending a bike path network to connect the conservation areas and regional parks, meets a wide range of eligibility criteria of numerous sources of grant funds which could be layered and leveraged to create some significant enhancements in the area that would be appreciated and enjoyed throughout the region, not simply benefiting the Alva community. (Please see Appendix G for a list of eligibility criteria, intrinsic resources and a partial list of sources of grant funds.)

*Redistribute rather than increase existing density and Encourage configuration of new development to conserve significant amounts of open space and maintain rural character* (This strategy is applicable to the portion of the rural area surrounding the Rural Village of Alva)

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<sup>16</sup> From Florida Department of Transportation website  
<http://www11.myflorida.com/publicinformationoffice/scenichighway/programoverview.htm>



~~extending to the Charlotte County line on the north, the Hendry County line on the east, the Alva Fire District line on the south, and on the west along a line formed by the western boundaries of the conservation areas and Hickey Creek boundaries as designated in figure \_\_\_\_\_,~~

Preservation of the scenic beauty and spacious natural and agricultural character of the area surrounding the rural village and encompassed by the extensive conservation network and environmentally sensitive areas is critically important to maintaining the highly desirable and valuable rural ambiance that is becoming increasingly attractive for those wishing to invest in homes on acreage or near waterways within vast expanses of natural areas. Anchored by the enhanced historic riverfront village, this unique area, threaded by the River and creeks in a park-like setting, should be fostered as one of Lee County's primary quality of life assets.

~~Within the rural area surrounding the Rural Village of Alva extending to the Charlotte County line on the north, the Hendry County line on the east, the Alva Fire District line on the south, and on the west along a line formed by the western boundaries of the conservation areas and Hickey Creek (as designated in figure I), where new residential subdivisions may be proposed, it is important to provide methods to encourage configurations with a rural ambiance such as conservation communities or equestrian communities surrounded by significant amounts of open space and if possible connected to the regional system of conservation areas. (Please see overview of "Conservation Community" concept provided in Appendix D.)~~

New residential subdivisions with frontage on the River could take the form of clustered development with views of the Riverfront and common dock facilities, nestled among large preserve areas perhaps with boardwalks and viewing areas.

Even though the Planned Development section of the Land Development Code provides some encouragements for good design in residential subdivisions, there are no specific evaluative criteria that would guide projects in the Rural areas towards design configurations that proactively promote clustering, conservation of large expanses of open space, linkages to the conservation network, the provision of conservation easements etc. as an alternative to more typical residential community site design that may not be consistent with preserving the strongly rural character of the area (such as gated golf course communities).

The following recommendations are intended to address those concerns:

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 Sub-area 4, with a requirement that the project must obtain a certain number of points before it meets the threshold for approval. As shown in Table 1 provided in the section that discusses Sub-area 4, points would be given for important project

features such as conservation of large expanses of open space in its natural state, for configuring development in a manner that is compatible with the rural surroundings etc.

By policy for the above-described portion of the rural area surrounding central Alva, the County should maintain the existing density of the area currently allowed by the existing land use categories in the Lee Plan. Existing gross density may be arranged into focused areas and correspondingly reduced elsewhere in the area through an Alva-specific Transfer of Development Rights program.

For example, if a development demonstrated its compatibility with the rural development criteria as discussed above, but wanted density greater than one unit per acre, additional units could be accommodated up to a maximum of two units per acre by purchasing development rights from a willing seller in the highest available priority sending area. This can be accomplished without exceeding the gross allowable density of 1 unit per acre by processing a planned development for both the sending parcel and the receiving parcel under one application (as non-contiguous parcels). Potential sending parcels within the area would be prioritized in advance according to established criteria (environmental sensitivity, proximity to an existing conservation area etc.) and willing sellers identified. A TDR Bank could facilitate the transaction. Please see expanded discussion below and also in Appendix H.

Utilize a system of Transferable Development Rights to assist in maintaining (rather than increasing) the overall gross density of the area if new development occurs. (This strategy is applicable to the portion of the rural area surrounding the Rural Village of Alva extending to the Charlotte County line on the north, the Hendry County line on the east, the Alva Fire District line on the south, and on the west along a line formed by the western boundaries of the conservation areas and Hickey Creek (as designated in figure —));

As noted above, in order to preserve rural areas it is important to maintain rather than increase the overall gross density of the area but provide for methods to rearrange density into focused areas, and correspondingly reduce density elsewhere in the area through such means as transfer of development rights, conservation purchases, or conservation easements. Such methods provide an opportunity for those who chose not to develop to realize substantial value from their land.

If landowners had the opportunity to sell their development rights and obtain the same or greater value for those rights than if they subdivided into one acre parcels, that would assist in discouraging the proliferation of one acre lot subdivisions. If developers could purchase additional density from willing sellers in prioritized sending sites within the Alva area, it would provide a market for sellers' development rights, assist in keeping the overall gross density of the area stable, and contribute to the preservation of open space and natural areas which makes the entire area desirable and increases the value of the developments within it.

This Community Plan proposes the development of an Alva-specific Transferable Development Rights (TDR) program. (Please see Appendix H for a more detailed discussion of Transferable

Development Rights programs and examples of how they are being used successfully in other areas). A Transferable Development Rights program for the rural area should be developed as a model, which if successful, could be made available more broadly. The area included in the program should be manageable, small enough to be able to carefully define criteria for prioritizing sending sites within the boundaries of the Alva Community Plan. Receiving sites could be located either within those boundaries or in nearby areas.

Potential sending sites should be prioritized according to criteria such as the degree to which transferring development rights from a sending site would contribute to the interconnectedness of the conservation areas or protection of the watershed, for example. This prioritization could be developed in connection with the preparation of a conceptual plan for the conservation/open space network discussed above. If there were no willing sellers in the priority one area, buyers could purchase from properties in the priority two area and so on.

In order to facilitate transactions, a TDR Bank should be established that would be able to purchase development rights under certain circumstances and bank them in anticipation of future purchases. Seed money to initiate the Bank's participation in the program could be provided in the form of a loan from the County, grant funds, private fundraising, or a combination thereof.

The first step towards initiating such a program is to undertake a study to determine the feasibility of the concept and understand the potential value of Transferable Development Rights to both sellers and buyers.

At the same time, the Community should work closely with County Staff to

- Develop a conceptual plan for the conservation/open space system
- Develop criteria for prioritizing sending areas
- Develop criteria and a system for accumulating points that could be adopted into the Planned Development process for projects developing in rural areas.
- Establish an entity that could function as a Bank for TDRs
- Seek funding sources for seed money to initiate the program

Protect the special character of existing rural and river-oriented neighborhoods where the current densities allowed by the Lee Plan are inconsistent with the existing pattern of land development and/or adjacent land uses.

#### *Hickey Creek Park Neighborhood*

This measure is specifically related to the area north of State Route 80 across from Hickey Creek Mitigation Park. Snyder Road provides access to this neighborhood from SR 80. The current development pattern in the area between SR 80 and the River is characterized by a combination of homes built on large parcels ranging from one to ten acres with substantial stands of trees and native vegetation, established neighborhoods of homes built along canals with access to the River, and several large parcels being subdivided into two to five acre home sites. Many lovely new homes are being constructed in the area.

The lands to the east and west of this area are designated Rural and zoned AG-2; however, the land use designation for this area is Urban Community (defined as an area characterized by a mixture of relatively intense commercial and residential uses which would allow a density of six dwelling units per acre with a maximum of ten dwelling units per acre). This land use designation was applied years ago in connection with an earlier vision of the Lehigh Corporation to extend Lehigh Acres to the River frontage. The density allowed under this land use designation does not reflect the current pattern of existing development, nor is it consistent with the conservation network surrounding it. Most of the area within the Urban Community designation is also zoned AG-2; however there is a small area that extends to the river frontage that is zoned Residential Single family bordered by some parcels zoned Residential – Two family.

Many residents of this area have participated in the community planning process and have expressed increasing concern about the intensity of development that re-zoning within the Urban Communities land use designation could allow in this area and have proposed that they join together and petition the County to change the land use in the area as a means of protecting the low intensity character of the area and the value associated with this character. This approach would work if all the properties in the area supported this change and formed a unified area contiguous to the adjacent Rural designations on either side.

Another approach that could protect the unique rural and river-oriented neighborhood character of the area north of the SR 80 could be to directly address the concern about re-zonings that could introduce greater density into the area by creating a “rural neighborhood character preservation zoning overlay” that allows only single-family homes, establishes a minimum lot size, provides requirements for protection of trees and existing native vegetation when lots are cleared for new development, and other measures as appropriate. The neighborhood could request that the County proceed with a County initiated re-zoning to apply that overlay as the adopted zoning for that area.

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.

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

*Urban Community designated land south of SR 80 and east of Bateman*

There has been considerable concern about the density of development that could occur in the approximately 165 acre vacant parcel south of SR 80 and immediately east of

Hickey Creek Mitigation Park which also has an Urban Community land use designation and is zoned Residential Multi-family, designations which are inconsistent with the conservation use to the west and the Rural land use to the east.

The proposed local non-profit Conservation Land Trust could provide additional support to the Conservation 2020 program's proposed acquisition of this parcel (which is currently listed as a nomination on hold or at impasse), not only to permanently deal with the question of density but also because acquisition of this property would add such a significant piece to the Hickey Creek Mitigation Park.

#### Explore the Opportunity for Neighborhood Serving Uses in the Charleston Park Community

Representatives of the Charleston Park Community have participated in the community planning process. One of their objectives has been to encourage some neighborhood serving commercial uses such as a small market and laundromat to be located at the SR 80 frontage of the Charleston Park area. A "hamlet" sized commercial center with structures designed in the Florida indigenous style and pedestrian connections to the residential neighborhood and recreation areas could provide a much-needed component to the community.

Community based economic development efforts to stimulate cottage industries and production of produce could be an appropriate companion project to a small commercial center that could provide space for community based sales outlets. Partnerships among Charleston Park and Alva community members, the County, and private sector interests developing in the rural area could foster the cultivation of cottage industries and produce production in Charleston Park and participate in the design and development of a center specifically tailored for the unique needs and opportunities in Charleston Park.

The area has a Rural land use designation and TFC-2 zoning; however, because of the agricultural component to the small center, it could be considered consistent with the commercial uses allowed in the Rural land use designation and would be a good candidate for a re-zoning to commercial or Commercial Planned Development when an appropriate and feasible project that accomplishes both the service and economic development needs of the community emerges.

#### Opportunities to achieve the Vision

The Community can proceed with the following as parallel activities or independently of the comprehensive plan amendment process.

- Take the next steps to create a local non-profit Conservation Land Trust and begin its fund-raising efforts from volunteer and grant sources. The Land Trust can propose nominations for Conservation 2020 purchases, assist in facilitating transactions and layering funding sources for complex acquisitions, work with the County and other entities to undertake mapping of a conceptual conservation and recreation network, identify priority sending areas for the Transferable Development Rights program, provide education on the economic and tax benefits of conservation and agricultural easements to landowners, and provide liaison between local landowners and state programs for establishing conservation easements.

- Work closely with Lee County and the Southwest Florida Regional Planning Council in their process of developing the water budget for the Caloosahatchee basin and particularly assist in the process of gathering data as it pertains to agricultural water needs and usage.
- Work with Lee County, other relevant agencies, volunteer organizations and the private sector to develop and propose new requirements for development in the floodplain, particularly as it pertains to the northeast county area.
- Pursue discussions with South Florida Water Management District and with Lee County to explore the feasibility of adding the approximately 400 acre SFWMD parcel (north of North River Road and east of central Alva) to the County's Regional Park system and determine the appropriate public use(s) of the area.
- Begin efforts to organize a Corridor Advocacy Group (CAG), which is the preliminary requirement for obtaining a Florida Scenic Highways designation.
- Work cooperatively with County staff to identify routes and a phasing schedule for implementation of the bike path network to link the conservation and recreation areas as shown conceptually in figure III.
- Work with County staff, design professionals, and private sector interests to proceed with developing and refining a proposal for criteria and a point system to be added to the Planned Development section of the Land Development Code pertaining to the area designated in figure I for the purpose of ensuring that new development in the designated portion of the rural area is compatible with the rural character.
- Residents of the Hickey Creek Park Neighborhood should design and circulate a petition that identifies their concerns regarding maintaining the special character of their neighborhood. On their behalf, the community should work with County staff to identify the appropriate means of addressing their concerns and put forward a proposal to the County for subsequent action.
- Facilitate a partnership among Charleston Park community members, the County, and private sector interests developing in the rural area to further the concept of a small commercial and community center at the State Road 80 frontage, specifically tailored for the unique needs and opportunities in Charleston Park.

Proposed Comprehensive Plan Policies related to Preservation of Rural Character

**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.

**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 ~~extending to the Charlotte County line on the north, the Hendry County line on the east, the Alva Fire District line on the south, and on the west along a line formed by the western boundaries of the conservation areas and Hickey Creek (as designated in figure I),~~ ensure that any proposed new Residential Planned Development is compatible with the rural surroundings, and maintain the existing overall gross density currently allowed under the existing land use categories by ~~rearranging density into focused areas, and correspondingly reducing density elsewhere in the area through transfer of development rights~~

**POLICY 22.4.1:** The County will amend Chapter 34, Article IV of the Land Development Code pertaining to Planned Development for the above-described area to include incentives, criteria and a point system by which to guide and evaluate projects for conformance with rural development objectives, if an acceptable proposal is put forward by the Alva Community. The county will assist the Alva community as needed in developing this proposal. 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.

**POLICY 22.4.2:** ~~The County will establish an Alva-specific Transferable Development Rights program for the above-described area by adopting appropriate procedures into the Land Development Code, if an acceptable proposal is put forward by the Alva Community. The Alva Community will undertake a study to determine the feasibility of the Transferable Development Rights concept proposed for the above-described area and to develop specific recommendations for how the program should be implemented, operated, and evaluated in order to achieve maximum effectiveness.~~

Additional Proposed comprehensive Plan amendments for the rural Alva community area.

**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:** The county will take the necessary action to exempt the Alva Cemetery from Lee County ordinances and subdivision regulations and will support/initiate special state legislation to create such exemption from state statutes, other rules and regulation 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:** Flood and other surface waters flowing into that area of Lee County lying north of the Caloosatchee River and east of SR 31 from areas outside of Lee County shall 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 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 Caloosatchee River in keeping with the principles of sound water management and SFWMD permitting criteria, thereby eliminating 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 Creek areas south of the Caloosahatchee River shall be adequately controlled in Lehigh Acres so that the neighboring community of Alva is not flooded.. Care should also be taken that water flows entering the Caloosahatchee River do not negatively impact the oxbows and/or health of the river.



## Recommendations for lands surrounding the Alva Community Plan Boundaries

The boundaries of the Alva Community Plan are delineated in fig. I. This boundary was chosen after considerable thought and public input. The boundary primarily encompasses where people live, work and play and includes our 2 major highways SR 80 and CR 78 and the Caloosahatchee River.

Because what happens outside the boundaries of the plan also affects the well being and future of those inside the boundaries, the Alva community plan makes the following recommendations and observations.

- 1) With the exception of the lands near Hickey Creek park which are designated in the urban land use category, the land use densities and allowances currently (2002) present in the Lee Plan adequately protect the rural lands outside the planning boundaries. The community recommends that such densities remain the same.
- 2) The community recommends that the county look at zoning and land use designations in the Hickey Creek Park area and adjust it appropriately to conform with land use elsewhere in the area.
- 3) Development that occurs in the rural lands outside our boundaries can impact our water supply and surface water flow. The community recommends that county and state agencies carefully evaluate how development outside the plan will affect our water quality and supply for both residential and agricultural needs. We also recommend that the effect of development on surface water flow be carefully evaluated.
- 4) Conservation purchases by the county, state or other agencies in the outlying areas are strongly supported.
- 5) The river, parks and public green-spaces and the proposed system of bike and pedestrian paths will provide recreational opportunities for those within and outside the Alva area. We recommend that as development occurs outside the planning area the impact on our roads and the safety of the pedestrian or cycling public be considered. Linkage of the Alva bike path system to those in neighboring communities is also desired.

## APPENDIX A

### POPULATION AND DWELLING UNITS

Table 1 – Year 2000 Population and Dwelling Units

	Year 2000 Population	Dwelling Units
For the central Alva area (that area currently covered by the Urban Community land use designation) <sup>17</sup>	1331	744
For the area covered by census tract 303 (includes central Alva) <sup>18</sup>	2555	1120
For the area included in the Alva Fire District <sup>19</sup>	2863	1245

Table 2 – Change in Population and Dwelling Units 1987<sup>20</sup> – 2000

	1987		2000		Diff		% Chg	
	pop	du	pop	du	pop	du	pop	du
Census Tract 030300	1247	611	2555	1120	1308	509	105%	83%
Alva Fire District	1643	805	2863	1245	1220	440	74%	55%

<sup>17</sup> Estimates derived from the Lee Plan 2020 Allocations background data on existing units, multiplied by Lee County's persons per household figure of 2.09 pph.

<sup>18</sup> Year 2000 U.S. Census data for census tract 030300

<sup>19</sup> Year 2000 U.S. Census data for whole or portions of census tracts 030100, 030200, 030300, 040202, 040204

<sup>20</sup> Based on Lee County dwelling unit data projected at 2.04 persons per unit, as reported in the 1992 draft Alva Sector Plan, prepared by the Alva Preservation Committee with assistance from the Lee county Planning Division.

## APPENDIX B

### TRANSPORTATION ENHANCEMENT GRANT PROGRAM

In June 1998 Congress reaffirmed Transportation Enhancement activities as a part of the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21), building upon the policies of the Intermodal Surface Transportation efficiency Act of 1991 (ISTEA), increasing Federal financial resources by 40 % and expanding eligible activities, particularly historic preservation projects.

The emphasis is on strengthening and preserving communities and the surrounding landscapes through which roads pass by enhancing one or a combination of elements including scenic, historic, economic, social, and visual resources. Successful grant projects have had as their objective strengthening community character and sense of place, supporting components of historic downtown revitalization, and promoting heritage travel and tourism. The National Trust for Historic Preservation works with the Transportation Enhancement program and communities to make the appropriate links between the program's eligible activities and historic preservation, including encouraging pedestrian and bicycle access for historic downtowns and scenic/heritage corridors<sup>21</sup>.

Projects must qualify under one of 12 eligible activities<sup>22</sup>. *The improvements envisioned in the Alva Community Plan could qualify under at least five of the twelve eligible activities as follows:*

- Provision of facilities for pedestrians and bicycles, including new or reconstructed sidewalks, walkways or curb ramps; bike lane striping, wide paved shoulders, bike parking and bus racks.
- Acquisition of scenic easements and scenic or historic sites. This category may be applied to the purchase, donation, transfer, or trade of lands which possess significant aesthetic, historic, archaeological, cultural, natural, visual, or open space values, including but not limited to, land and property listed in or eligible for listing in the National Register of Historic Places.
- Scenic or historic highway programs including the provision of tourist and welcome center facilities; construction of turnouts and overlooks on scenic or historic roads; visitor centers and viewing area; designations signs and markers along historic corridors.
- Landscaping and other scenic beautification – including street furniture lighting, public areas and lands along streets and at transit stops.
- Historic Preservation

Work Categories that may be funded include:

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<sup>21</sup> "Building on the Past Traveling to the Future, second edition, A Preservationist's guide to the Federal Transportation Enhancement Provision, edited by Dan Costello and Lisa Schames, Federal Highway Administration, National Trust for Historic Preservation

<sup>22</sup> Florida Department of Transportation website [My.Florida.com/emo/enhance/eligible.htm](http://My.Florida.com/emo/enhance/eligible.htm)

- Planning Activities – Planning efforts must either: 1) lead to the development of a proposed network or program of projects that will lead to specific construction projects; or 2) be specific planning activities necessary for defining and implementing an individual enhancement activity.
- Project Development and Environmental Work. This covers studies and work when it is necessary to develop and evaluate project alternatives and assess the environmental impacts of a proposed project.
- Design Work. This includes preliminary and final engineering, design and right of way surveying, architectural services and preparing construction plans, specifications, estimates, and contracts.
- Right-of-Way Acquisition. This includes the cost of buying property plus right of way support services such as appraisals.
- Construction
- Construction Engineering and Inspection.

Structure of state programs have been left up to the individual states. *According to the Lee County Department of Transportation, the State of Florida divides its allocation among the DOT Districts. Approximately \$4 million annually is allocated to a four county area that includes Lee County. The MPO has responsibility for ranking projects according to established criteria. There is considerable competition for funds primarily to fund sidewalk projects.*

Applications should demonstrate active public participation in the planning process how the project will promote strong relationships among transportation, historic preservation, community quality, corridor-oriented aesthetic improvements, and local economic development.

Next steps<sup>23</sup>:

- Seek add information on eligible Transportation Enhancement activities by reading “A Guide to Transportation Enhancements, published by the National Transportation Enhancements Clearinghouse.
- Contact the National Transportation Enhancements Clearinghouse for a profile of our State’s program and then call the enhancements manager in our State Transportation Agency (FDOT State Environmental Management Office) for information including an application and guidebook or guidelines and look for contracts with other project sponsors in the State for insights.
- Ask about the schedule for solicitation of projects and deadlines for application submission.
- Make sure the project is among the eligible activities, related to surface transportation and that application adequately explains what that relationship is.
- Contact our State Historic Preservation office and ask for help with the application, drawing relationships to the Historic Preservation plan and how both relate to surface transportation.

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<sup>23</sup>“Building on the Past Traveling to the Future, second edition, A Preservationist’s guide to the Federal Transportation Enhancement Provision, edited by Dan Costello and Lisa Schames, Federal Highway Administration, National Trust for Historic Preservation

- Ask State DOT or MPO for information about the ways Federal planning requirements could affect the project.
- Find a governmental partner like the County for cooperative effort and assistance writing application. Understand local partner requirements
- Make sure the links between historic preservation and transportation are clear. The transportation relationship may exist in the present or it may have existed in the past. Historic transportation facilities, vehicles, and artifacts are all eligible for Transportation Enhancement funding; archaeological and interpretive sites in the vicinity of transportation resources are likely to be eligible for funding. Other links include:
  - Native American areas and sacred sites;
  - Activities as part of a transportation project such as preserving historic road markers;
  - Showing how historic structures are or were dependent upon a road etc;
  - Providing prominently visible signage;
  - Contributing to tourism, downtown revitalization, recreational development;
  - Contributing to walkability;
  - Meeting a safety need such as traffic calming;
  - Providing safer access to a historic or scenic site;
  - Historic structures by their contributing directly to the aesthetics of the corridor;

The following are some examples of Transportation Enhancement Projects<sup>24</sup>

**Darien Trail Head Center, Darien, Georgia**

The Darien Trail Head Center crowns a new 4 mile trail that welcomes hikers, cyclists, pedestrians and motorists to this scenic coastal town. An old rooming house is new trail head and visitors center.

Transportation Enhancement Activities: Acquisition of scenic easements and scenic or historic sites; historic preservation; provision of facilities for pedestrians and bicycles; scenic or historic highway programs (including the provision of tourist and welcome center facilities)

Financing: Sponsor, City of Darien, total costs \$1,211,375; TE funds \$969,100; local match \$242,275 from the City, McIntosh County Chamber of Commerce and McIntosh County Development Authority.

**Liberty Heritage Trail, Liberty County Georgia**

Self guided driving tour linking historic districts along some of the nations oldest roads:

Transportation Enhancement Activities: historic preservation, scenic or historic highway program, provision of facilities for pedestrians and bicyclists, historic lands and other scenic beautification.

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<sup>24</sup> Ibid.

Financing: Total cost \$125,000 for phase 1. \$1 million for phase 2. Enhancement funds \$100,000 and \$800,000 respectively for Phases 1 and 2. Local match \$25,000 and \$200,000.

## APPENDIX C

### TRADITIONAL NEIGHBORHOOD DESIGN (TND)<sup>25</sup>

Traditional Neighborhood Design is a concept for producing successful neighborhoods of strong character. The principles of Traditional Neighborhood Design are drawn from elements that historically have produced neighborhoods where the built form and social interaction enabled by that form, work together to create a sense of ownership, place, and community.

Central Alva is a living example of the principles that have been translated into Traditional Neighborhood Design (TND) as it is currently applied to new development. The existing pattern of development, which the TND emulates is of more concentrated uses and greater density at its center (the Historic Core and Village Center), moderate density in the form of small neighborhoods linked around and to the center (adjacent existing residential development in the original town plat), and less density in the form of homes on large parcels further away from the center towards the outskirts of what is designated as the Rural Village.

The area surrounding the Historic Core and Village Center of Alva contains some large parcels that may at some point be proposed for residential development. In order to be consistent with the established pattern that is the basis for a successfully functioning community, any new residential developments that may be proposed in this "edge" area should be designed to contribute to this Traditional Neighborhood Design pattern by emphasizing the following principles:

New, primarily residential neighborhoods should be limited in size, designed with a defined, compact center, and a distinct edge. In a very small neighborhood, the center could be as simple as a public plaza. Centers can have more variety of uses such as a church, educational facility, or recreation center. Centers of larger neighborhoods might have some neighborhood serving retail and live/work spaces. Moving from center to surrounding residential areas, the more dense development such as patio homes should be located near the center, and less dense development such as detached homes located beyond.

Neighborhoods should be designed to encourage pedestrian activity, bringing within walking distance (approximately ¼ mile) most of the activities of daily living.

Additional elements include:

- Grid street pattern that provides several alternate routes to reach destinations
- Narrower streets and other measures for traffic calming
- Bicycle and pedestrian links to the Historic Core and Village Center and integrated into overall pedestrian and bicycle system
- Connections to adjacent neighborhoods and to the center
- Low speed streets with easy street crossings

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<sup>25</sup> The Congress of New Urbanism website [www.cnu.org](http://www.cnu.org) is an excellent source of further information about Traditional Neighborhood Design.

- Short block lengths and wide sidewalks buffered from street
- Shade trees and walkways to make walking safe and comfortable
- Open space linkages to the larger conservation network wherever possible
- Variety of residential choices in size and price range -- single family, with cottages and accessory units above garages
- Building size and placement to provide spatial definition to the street
- Garages located to the rear or in alleys
- Parks and squares as special places
- Visual connections to natural areas and special places with views terminated by focal points
- Consistent architectural theme and pedestrian scale architectural elements
- Overall image through landscape design, streetscape, street furnishings, signage program, landscaped right-of-way and parking areas and public open space
- Emphasize shared parking
- Minimize impervious surfaces
- Active recreational amenities appropriate to the size and scale of the development (swimming, tennis, trails, tot lots etc.)



## APPENDIX E

### CONSERVATION LANDS PROGRAMS

#### **Lee County Conservation 2020 Program**

In 1996, Lee County established the Conservation 2020 Land Acquisition Program based on a successful referendum to increase property taxes for seven years (generating about \$12 million per year) to purchase environmentally critical lands in Lee County.

The purpose of the program is "to acquire, preserve and restore environmentally critical or sensitive lands within the County"<sup>27</sup>. This is a willing seller acquisition program, that is, the County will not use its powers of eminent domain to acquire properties for conservation purposes through this program

The Conservation Land Acquisition and Stewardship Advisory committee (CLASAC) comprised of fifteen citizens reviews and evaluates properties nominated for purchase, which must meet a minimum of four criteria out of the following: contains documented environmentally sensitive lands; is important for water resources; is contiguous to natural navigable waters or protected environmentally sensitive lands; has good potential for the long-term management and/or public use of the natural resources; the environmental qualities of the parcel are endangered; the owner will sell at or below market value; matching funds are available to purchase the parcel.

So far, 7,500 acres have been acquired throughout the county with the smallest being 5 acres, and the largest 2445 acres. Funds for the continuation of the program will need to be reauthorized by the voters in approximately 2004.<sup>28</sup>

#### **The Calusa Land Trust<sup>29</sup>**

The following information has been excerpted from The Nature Lover's Guide to Pine Island, produced by The Calusa Land Trust and Nature Preserve of Pine Island, Inc., July 2001 edition. Chapter 18: What is a Land Trust? and Chapter 25: Land Preservation Tools, both authored by Phil Buchanan

"A land conservation trust is a grass-roots, private, non-profit, non-governmental, tax-exempt, charitable organization dedicated to nature conservancy. Its mission is to conserve land and its resources."

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<sup>27</sup> From the Conservation Lands Program – Main Page. For further information please consult <http://www.lee-county.com/countylands/Cons2020/cons2020.htm>

<sup>28</sup> From a presentation to the Alva Community by Linda Reilly, Conservation Lands Program Coordinator from the Lee County Public Works Division of County Lands, as recorded in the minutes from the Alva Community meeting held September 27, 2001

<sup>29</sup> The Nature Lover's Guide to Pine Island, produced by The Calusa Land Trust and Nature Preserve of Pine Island, Inc., July 2001 edition. Chapter 18: What is a Land Trust? and Chapter 25: Land Preservation Tools, both authored by Phil Buchanan

Based on the recognition that conservation of nature benefits the public, land trusts and their donors are entitled to certain tax and other benefits. The following provides a list of some of the available land preservation tools:

- *Purchase of land at market value.* There is no tax advantage in this method.
- *Bargain sales* whereby a seller transfers property at less than market or appraised value. With this method the seller can take the difference between appraised value and the bargain price charged as a charitable contribution tax deduction and be relieved of the real estate tax obligation on the property.
- *Options.* An option is a contract to purchase at a stated price. The Land Trust would then raise funds to complete the transaction or forfeit the option money.
- *Gifts* to the Land Trust are tax deductible for the full market or appraised value of the property. The Trust then assumes responsibility for maintenance of the property in its natural state. The donor thus avoids income tax, estate tax, property tax and maintenance costs and liability.
- *Testamentary Bequest* is a donation provided for in a will. Donor can have unrestricted use of the property until death. The full market value is an estate tax charitable deduction.
- *Reserved life Estate* allows one to continue to live on or use all or a portion of the property until death.
- *Charitable Remainder Trust* allows "conversion of a highly appreciated asset into a lifetime income without the payment of capital gains or estate taxes by transferring the asset to a trust (not the land trust)." The trustee sells the asset, invests the proceeds, pays the donor a lifetime income and when the donor dies, the trust assets go to the Land Trust.
- *Conservation Easement* separates out (in the form an easement) the right to develop the land and transfers those rights to a conservation organization, which is in turn prohibited from using those rights. This is a useful tool when the objective is to keep land in the family without the financial obligations associated with taxes. A conservation easement can result in a charitable deduction on income tax equal to reduced value of land, a reduction in annual property taxes, a reduction of estate tax obligations, preservation of the "ecological, recreational, scenic, and natural value of the land while retaining all rights to enjoy the use of the land and continue farming. The conservation easements remain privately owned with access and use controlled by the owner.

An important application for conservation easements in the Alva area would be in connection with clustered development and conservation communities which encourage tightly clustered developed areas surrounded by significant amounts of open space or land left in agricultural use. Conservation easements can be used to secure the surrounding open space, providing a more cost effective solution than treating vast amounts of open space as "common ownership areas" under the control of homeowners associations.

A Land Trust can also function as a recipient for mitigation efforts. For example the Greater Pine Island Water Association discharged its mitigation requirements for the new reverse

osmosis plant by providing \$30,000 to the Calusa Land Trust earmarked for wetlands restoration in the Greater Pine Island Mitigation Area.

Florida's Public Land Steward<sup>30</sup>

The Florida Department of Environmental Protection, Division of State Lands purpose is to acquire and dispose of lands. The Florida Forever program is the State's newest program for public acquisition and protection of environmental lands and replaces the Preservation 2000 program. Its goals include:

- Restoration of damaged environmental systems;
- Water resource development and supply;
- Increased public access;
- Public lands management and maintenance; and
- Increased protection of land by acquisition of conservation easements.

Properties may be nominated by anyone, but the sponsor must let owners know their property is being proposed for state acquisition. It is a voluntary program working with willing sellers. Twice yearly the Acquisition and Restoration Council evaluates and selects Florida Forever acquisition projects, which are divided into three categories: Full fee projects, less than fee projects, and small parcels projects. The Division of State Lands negotiates and buys, but the Governor and Cabinet must first approve the list and then approve the specific purchases. The Program is scheduled to continue to the year 2010 and receives about \$105 million annually from the sale of Florida Forever bonds.

Non-profit organizations, such as the Nature Conservancy, the Trust for Public Land, The Conservation Fund or the Land Trust Alliance sometimes act as intermediaries and assist with tax and estate planning issues. Through this program it is also possible to do life estates or conservation easements.

A project related to a portion of the Babcock Ranch is currently listed under Group A of the Less than Fee Projects on the 2002 Florida Forever List published on the website. This list was developed by the Acquisition and Restoration Council (Dec 2001) and approved by the Governor and Cabinet January 29, 2002 – Sourced Florida Department of Environmental Protection web site

Save Our Rivers Program<sup>31</sup>

In 1981, the Florida Legislature enacted the Save Our Rivers (SOR) Program. The legislation created the Water Management Land Trust Fund (Section 373.59,F.S.), which receives revenues from documentary stamp taxes and is administered by the Florida Department of Environmental Protection. Funds are also added to this program from the Florida Preservation Trust Fund,

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<sup>30</sup> Florida Department of Environmental Protection web site

<sup>31</sup> South Florida Water Management District's District Water Management Plan 1999, p.121, 122.

created through the Preservation 2000 Act in 1990 and the Florida Forever Act in 1999. Implementation tools of the SOR Program include land acquisition, land management, cooperative management agreements for public use, and environmental education. Water management districts may use SOR funds for the acquisition of fee simple, or other interest, in lands necessary for water management, water supply, and the conservation and protection of water resources. From 1981 to June 1999, approximately 359,000 acres were acquired at a cost of more than \$550 million.

# **CALOOSAHATCHEE RIVER WATCH**

The following are directives that the Caloosahatchee River Citizens Association - **Riverwatch** feels should be adapted as policy to improve the quality of the river and the life in Southwest Florida.

## **Top Ten Directives for the Caloosahatchee River**

### **1. Water Quality**

The Caloosahatchee River should be of a quality that supports both aquatic and terrestrial life. Non point source pollution, runoff, dumping, and water discharges from Lake Okeechobee and other sources must be carefully monitored and controlled.

### **2. Erosion Control**

In many places, the shoreline is eroding into the river, creating excessively high sediment loads, which limit the growth and health of submerged aquatic vegetation, a crucial part of our fisheries. Policies must be implemented to prevent erosion and improve turbidity.

### **3. Terrestrial Habitat Improvement**

Along the shoreline, turf grasses extend all the way to the river's edge, while in others; invasive exotic vegetation has created monocultures along the riverbanks. In still other places, steep banks preclude vegetative growth of any kind. We must reintroduce Cypress trees, swamp maples, wild coffee plants, wild grasses and other native species back to the shoreline.

### **4. Fishery Enhancement**

C-43 (the name the Army Corps has given the Caloosahatchee River) and its tributaries must be managed as the river system that they are naturally meant to be. Reintroduction of native aquatic vegetation, restoring riparian shorelines to more natural conditions (fewer seawalls), and adding artificial structures to compensate for lost habitat are essential steps to help ensure a healthy fishery.

## **Top Ten Directives for the Caloosahatchee River**

### **5. Oxbow Restoration**

The oxbows are unique remnants of the old crooked river that have great value as wildlife habitats and can serve as effective holding areas for watercraft during hurricanes, but they are steadily silting closed. The research that began several years ago on the oxbows should be completed, and these plans for management of the oxbows developed and implemented.

### **6. Enhanced Recreational Areas**

Existing public lands along the river should be evaluated for public use or as preserves, and additional parcels should be acquired for like use.

### **7. Restoration of River Basin Storage Capacity**

Heavy development is occurring throughout the Caloosahatchee River Basin. Management efforts must include provisions for aquifer recharge and greatly increased storage of water to provide for the needs of the natural system and its inhabitants, including, but not limited to, humans.

### **8. Sand and pollution filters in the urban areas**

Some municipalities have reduced urban pollution loads entering their river systems with low cost stormwater filters. Similar filters would benefit the Caloosahatchee River.

### **9. Restoration of inland swamps**

Swamps that used to be part of the inland tributary network have been drained and subdivided for development. Their real value is storage and cleansing of the water prior to flowing into the river. One such area is the Greenbrier swamp in Lehigh Acres. It and many like it should be left as wetlands, and not sold to unsuspecting visitors.

### **10. Increasing the setbacks from the river's, creeks and streams**

Homes are now allowed to be built 25 feet from the edge of rivers, creeks and streams in Lee County, and this puts them in the flood plain. When flooding occurs, as it does periodically in Florida, yard debris, including gas cans, old batteries, fertilizers, weed killers, etc., spill their contents into the water. Flooding happens regularly in some parts of the county, and will start to include more areas as development moves east. We do not have to let a flood become an environmental catastrophe, let's change the code to keep developments out of the flood plain.

**Riverwatch** needs your support and voice. Join with us to urge our elected policy

makers at the local and state levels to enact these directives. We can make a difference.

It all starts with a phone call or letter.

## APPENDIX G

### FLORIDA SCENIC HIGHWAYS PROGRAM<sup>32</sup>

The Florida Department of Transportation (FDOT) established the Florida Scenic Highways Program in 1996. The purpose of the program is to heighten awareness of and to protect and enhance outstanding resources along Florida's roadways. This voluntary program's emphasis is on having nominations emerge from well-organized grass-roots efforts, which can include citizens, civic groups, businesses, and government. A requirement of eligibility is the formation of a Corridor Advocacy Group, which has the responsibility of developing partnerships, community support, and the necessary documentation.

The first phase of the process requires the Corridor Advocacy Group to provide documentation demonstrating eligibility of the Corridor and outlining the Corridor's intrinsic resources. The program has ten criteria that must be met as follows:

- Resources must be visible from the roadway. In certain cases, having the resource adjacent to the roadway may satisfy these criteria.
- The Corridor must "tell a story" that relates to its intrinsic resource (information about history, culture, industry, ecology or recreational opportunities)
- The roadway must be a public road that safely accommodates two-wheel drive automobiles  
*Note: County Roads may be designated. Since County Road 78 extends into Hendry County where it becomes a State Road again, a cooperative application that involves segments in both counties might be appropriate.*
- The Corridor must exhibit significant, exceptional and distinctive features of the region it traverses. (The caliber and arrangement of the resource(s) produces a visually pleasing effect for travelers, should be representative of the geographical region, outstanding in quality and composition within the landscape and overall, regionally recognized and valued by the surrounding communities.)
- The roadway must be at least one mile in length and, if appropriate, provide access to the resource(s).
- A majority of the corridor must exhibit the qualifying resource(s).
- A Corridor Advocacy Group or CAG, must be organized to support the scenic highway designation.
- A Community Participation Plan must be developed and implemented.
- Strong local support must be demonstrated.
- A Corridor Management Plan or CMP must be developed with the endorsement of local government(s). The CMP is a written document that serves as a record of a scenic highway's development, implementation, maintenance and enhancement. Local Government becomes involved as the CMP contains a history of the Corridor's actions, procedures, protection measures and other operational practices.

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<sup>32</sup> Florida Department of Transportation, State Environmental Management Office, 605 Suwannee Street-MS 37, Tallahassee, FL 32399 [MyFlorida.com/publicinformationoffice/scenichighway/programoverview.htm](http://MyFlorida.com/publicinformationoffice/scenichighway/programoverview.htm)

Corridors must exhibit at least one of the six following intrinsic resources to qualify for designation:

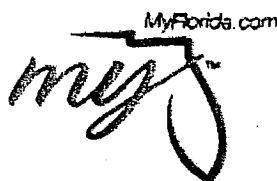
- Cultural—those that express traditions, aesthetics, values and customs passed along from generation to generation. They may include crafts, music, arts, dance or drama, rituals, tribal customs, festivals, languages, museums, foods, special events and more.
- Historical – distinctive physical elements in the landscape, either natural or manmade, that reflect the human actions in relation to past events, sites or structures. They may include buildings, Native American habitations, trails, engineering structures, settlement patterns and landscapes.
- Archaeological – embody the physical evidence or remains of known historic or prehistoric human life, activity or culture in Florida. They may include significant ruins, artifacts, inscriptions, structural or human remains. They differ from historical resources in that they may have existed before written records were kept in an area.
- Recreational – provide either active or passive outdoor recreational activities directly dependent upon the natural or cultural elements of the landscape. They may include boating, saltwater and freshwater fishing, hiking, canoeing, camping, biking, wildlife viewing, picnicking and more.
- Natural – Resources that occur naturally in the environment. Examples include wetlands, marshes, geological features, forests landforms or topography, as well as water bodies and vegetation that are indigenous and characteristic of Florida and its differing regions.
- Scenic – may include a combination of natural and manmade features that give remarkable character to the visual landscape. These resources are striking in appearance and provide a pleasing and memorable experience for viewers.

The second phase of the program involves designation. Following determination of eligibility, the CAG is responsible for preparing a Corridor Management Plan, which provides support data and recommends protection techniques and management strategies for the Corridor. The final phase is implementation during which the recommendations are put into action.

Clearly, County Road 78 can qualify under both the program criteria and the intrinsic resources. In addition to the benefits of protecting natural resources, enhancing the travel experience, providing education and history appreciation and other benefits that designation provides, obtaining the scenic designation provides a distinct advantage in qualifying for and obtaining grant funds.

Combining the scenic highways designation with the concept of the pedestrian and bicycle improvements envisioned for the Historic Core and the concept of extending a bike path network to connect the conservation areas and regional parks, meets a wide range of eligibility criteria of numerous sources of grant funds which could be layered and leveraged to create some significant enhancements in the area that would be appreciated and enjoyed throughout the region, not simply benefiting the Alva community. (Please see the following for a partial list of funding opportunities).





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## Program Funding

[Process](#)  
[Benefits](#)  
[Criteria](#)  
[Intrinsic](#)  
[Resources](#)  
[Training](#)  
[Funding](#)

While the Florida Scenic Highways Program does not supply direct funding for those groups desiring Corridor designation, FDOT does provide support for helping your group find other funding opportunities. (Note: History reflects that designated Corridors have more success in getting grant money, compared with those not designated.)


**These are just some of the funding opportunities groups may consider pursuing:**


### Federal

 **National Scenic Byways Grant** - These grant funds include projects associated with safety improvements, construction of rest areas, passing lanes, etc. and protection of historical, archeological and cultural resources. For more information, contact the State Scenic Highways Coordinator at (850) 922-7207 or visit the National Scenic Byways web site at: <http://www.byways.org>.

 **Transportation Enhancement Funds** - Use of these funds must involve projects associated with the development of


Corridor Management Plans after eligibility has been determined. For more information, contact your District Scenic Highways Coordinator (see contacts on this web site) or the Transportation Enhancement Coordinator, who can be reached at (850) 922-7221 or visit the Transportation Enhancement Program at <http://www.dot.state.fl.us/emo/enhance/enhance.htm>


 **FHWA Discretionary Grant Programs** - These discretionary grant programs represent special funding categories where FHWA solicits for candidates and selects projects for funding based on applications received. Discretionary categories include such grant programs as the Transportation and Community System Preservation Pilot Program and the Discretionary Bridge Program, as well as the two other federal sources of funding mentioned above. Each program has its own eligibility and selection criteria that are established by law, by regulation, or administratively. More information on each of these programs is available in the FHWA Discretionary Program Notebook in the References section of this web site or at the FHWA web site at: <http://www.fhwa.dot.gov/discretionary/index.htm>

 **Recreational Trails Program** - This program provides funding to develop and maintain recreational trails for motorized and non-motorized recreational trail users. Eligible projects may include maintenance and restoration of existing trails; development and rehabilitation of trail facilities; purchase/lease of equipment; construction of new trails; acquisition of property for trails or trail corridors; State administrative costs; and the operation of educational programs to promote safety

<http://www11.myflorida.com/publicinformationoffice/scenichighway/program/funding.htm> 3/27/2002


environmental protection. For more information, contact the Florida Department of Environmental Protection, Office of Design and Recreation Services at (850) 488-7896 or visit the Recreational Trails Program web site at <http://www.fhwa.dot.gov/tea21/factsheets/rec-trl.htm>.


 **Sport Fish Restoration Program** - This program provides for the management of fishery resources, conservation, and restoration. For more information, contact the Florida Game and Freshwater Fish Commission at (850) 488-3831 or find information about the Sport Fish Restoration Program on the Internet at <http://fa.r9.fws.gov>

 **Wildlife Restoration Program** - This program provides funding for the selection, restoration, rehabilitation and improvement of wildlife habitat, wildlife management research, and the distribution of information produced by the projects. For more information on the Wildlife Restoration Program, contact the US Fish & Wildlife Service at (703) 358-2156 or find information about the Wildlife Restoration Program on the Internet at <http://fa.r9.fws.gov>


Other Federal Funds - for information on other federal funds, such as the Surface Transportation Program, contact your District Scenic Highways Coordinator (see [contacts](#) on this web site).


#### State


 **Adopt-a-Highway Program** - Citizen groups adopt a section of a state highway with a two-year commitment of keeping their section free of litter. For more information, contact the Adopt-a-Highway Program, State Maintenance Office of the Florida Department of Transportation at (850) 414-0482. Or, visit the Adopt-a-Highway Program at <http://www.dot.state.fl.us/moredot/adopt.htm>

 **National Urban and Community Forestry Matching Grant Program** - These funds are for projects that develop or enhance a community's ability to have a sustained, comprehensive tree care program. For more information, contact the Florida Department of Agriculture and Consumer Services at (850) 414-8602. Or, visit their website at <http://www.urbanforestrysouth.org/cost-share/index.htm>

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 **Advertising Match Grant** - This program provides match grants up to \$2,500 to fund projects which contribute directly or indirectly to the promotion of tourism, industrial or agricultural advantages within Florida. For more information, contact the Florida Tourism Industry Marketing Corporation at (850) 488-5607 x 304. Or, visit the Visit Florida website at <http://www.flausa.com>

 **Aquatic Preserves, National Marine Sanctuaries and National Estuarine Research Reserves** - For funding opportunities, contact the Bureau of Coastal and Aquatic Managed Areas with the Florida Department of Environmental Protection at (850) 488-3456. Or, visit the Coastal and Aquatic Managed Area website at <http://www.dep.state.fl.us/cama>

 **Coastal Management Grants Program** These grants are used to fund projects such as protection and management of coastal resources, improvements in water quality and natural resource protection through coastal non-point pollution controls and more. For more information, contact the Grants Manager with the Florida Coastal Management Program at (850) 922-5438. Or, visit their website at

<http://www11.myflorida.com/publicinformationoffice/scenichighway/program/funding.htm> 3/27/2002

<http://dca.state.fl.us/ffcm>



**Cultural Grants Program** - These funds are provided to non-profit organizations and political subdivisions engaged in cultural programming, including dance, folk arts, theater, visual arts, literature and media arts. For more information, contact the Bureau of Grants Services at (850) 487-2980. Or, visit their website at <http://dos.state.fl.us/dca/grtpgrm.htm>



**Economic Analysis** - this public/private organization provides information, research and planning for economic development efforts in Florida. For more information, contact the Program Supervisor with Enterprise Florida, Inc. at (407) 316-4600.

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**Florida Communities Trust Land Acquisition Grants, Loans and Matching Grants** - These funds provide incentives to local governments to protect resources identified in their local government comprehensive plans, including the conservation of natural resources. For more information, contact the Executive Director of Florida Communities Trust, a division of the Florida Department of Community Affairs, at (850) 822-2207. Or, visit the Florida Communities Trust website at <http://dca.state.fl.us/ffct>



**Florida Highway Beautification Council Grant Program** - Funds are provided for landscape beautification projects on Florida's roadways. The funding is a matching grant of 50 percent. For more information, contact a Florida Department of Transportation Staff Coordinator at (850) 922-7210. Or, visit the Highway Beautification Program website at <http://dot.state.fl.us/emo/beauty/beauty.htm>



**Florida Main Street Program** - This program encourages revitalization of traditional downtown commercial districts. For more information, contact the Florida Main Street Manager with the Division of Historical Resources at (850) 487-2333. Or, visit the Main Street website at [http://dhr.dos.fl.us/bhp/main\\_st/](http://dhr.dos.fl.us/bhp/main_st/)



**Florida's Plant-A-Tree Trust Fund** - Use of these funds are for projects involving the planting of native trees on rural acres or urban landscapes. For more information, contact the Florida Department of Agriculture and Consumer Services at (850) 414-9912.




**Florida Recreation and Development Assistance Grant Program, Land and Water Conservation Trust Fund, Florida Boating Improvement Program, Pollution Recovery Program and the Coastal Protection Restoration Program** - These programs provide various funding resources. For more information, contact the Division of Recreation and Parks of the Florida Department of Environmental Protection at (850) 488-5372. Or, visit their website at <http://www.dca.state.fl.us/fhcd/programs/index.htm>


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**Florida Small Cities Community Development Block Grant** - Use of these grants is limited to the provision of infrastructure and facilities in low- to moderate-income neighborhoods. For more information, contact the Community Program Administrator at (850) 487-3644. Or, visit their website at <http://www.dca.state.fl.us/fhcd/programs/index.htm>

<http://www11.myflorida.com/publicinformationoffice/scenichighway/program/funding.htm> 3/27/2002


 **Florida Small Cities Community Development Block Grant - Commercial Revitalization** - Eligible projects include rehabilitation of privately owned building facades, modifications for handicapped access, sidewalks, landscaping, streets, drainage and parks. For more information, contact the Community Program Administrator with the Florida Department of Community Affairs at (850) 487-3644.


 **Greenways and Rails-to-Trails Program** - If a Corridor is adjacent and accessible to a greenway trail, a partnership between the CAG and the Office of Greenways and Trails might be arranged. For more information, contact the Office of Greenways and Trails of the Florida Department of Environmental Protection at (850) 488-3701. Or, visit their website at <http://dep.state.fl.us/gwt>


 **Historical Museums Grants-in-Aid** - These funds are used to provide matching support for the development of exhibits on Florida history, as well as for operating costs of Florida's history museums. For more information, contact the Grants Manager at the Museum of Florida History at (850) 487-1902. Or, visit their website at <http://dhr.dos.state.fl.us/bhp/grants/mg.htm>


 **Historic Preservation Grants-in-Aid** - These funds are used to assist in the identification and preservation of Florida's historic resources. For more information, contact the Grants and Education Section of the Bureau of Historic Preservation at (850) 487-2333. Or, visit their website at <http://dhr.dos.state.fl.us/bhp/grants/hpg.html>


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 **Historic Preservation Special Category Grants** - The purpose of these grant funds are to assist with major archaeological excavations, large restoration at historic structures, and major museum exhibit projects involving the development and presentation of information on the history of Florida. For more information on the Historic Preservation Special Category Grants contact the Bureau of Historic Preservation at (850) 487-2333 or visit the Special Category Grants web site at <http://dhr.dos.state.fl.us/bhp/grants/scg.html>

 **Rural Job Tax Credit Program** - This program provides an incentive for eligible businesses located within one of 15 designated rural counties to create new jobs. For more information, contact the Executive Office of the Governor, Office of Tourism, Trade and Economic Development at (850) 487-2568.

 **Section 319 Nonpoint Source Management Implementation (Storm Water Management)** - These funds are provided for the above program. For more information, contact the Storm Water Management Section of the Division of Water Facilities with the Florida Department of Environmental Protection at (850) 921-9915. Or, visit their website at [http://www.dep.state.fl.us/water/slerp/nonpoint\\_stormwater/319h/319h.htm](http://www.dep.state.fl.us/water/slerp/nonpoint_stormwater/319h/319h.htm)

 **Technical Assistance for Community-Based Organizations** - Technical assistance includes helping form an organization, identifying community development strategies, identifying financial resources for community development projects and referring to other responsible agencies. For more information, contact the Program Supervisor with Enterprise Florida, Inc. at (407) 316-4600. Or, visit the Enterprise Florida website at <http://www.floridabusiness.com>

 **Urban Job Tax Credit Program** - This program provides an incentive for eligible businesses located within one of 15 designated rural counties to create new

jobs. For more information, contact the Executive Office of the Governor, Office of Tourism, Trade and Economic Development at (850) 487-2568.



**Florida Plant Conservation Program** - The goal of the Florida Plant Conservation Program is to restore and maintain existing populations of listed plants on public land and on private lands managed for conservation purposes. Previous or ongoing projects address demography, monitoring, reintroduction, germination, pollination, and other aspects of population ecology. For more information on the Florida Plant Conservation Program, contact the Florida Division of Forestry at (850) 488-4274 or visit their web site at <http://www.fl-dof.com/Fm/statelands/ecology/plantconserve/index.html>



**Economic Recovery Grants** - These grants provide financial assistance to rural communities for the development and implementation of Community Action Plans. Educational Institutions, Non-profit organizations, State, Local, and Indian Tribal Governments can sponsor Economic Recovery grants. Only rural communities that meet certain requirements can apply for these grants. For more information on the Economic Recovery Grants, contact the Florida Division of Forestry at (850) 414-8602 or visit the Economic Recovery Grant web site at <http://www.r8web.com/spf/grants.htm>



**Other funding opportunities** - To request a guide titled "Financing and Technical Assistance for Florida Municipalities," contact the Florida League of Cities, PO Box 1757, Tallahassee, FL 32302-1757 or phone at (850) 222-9684.

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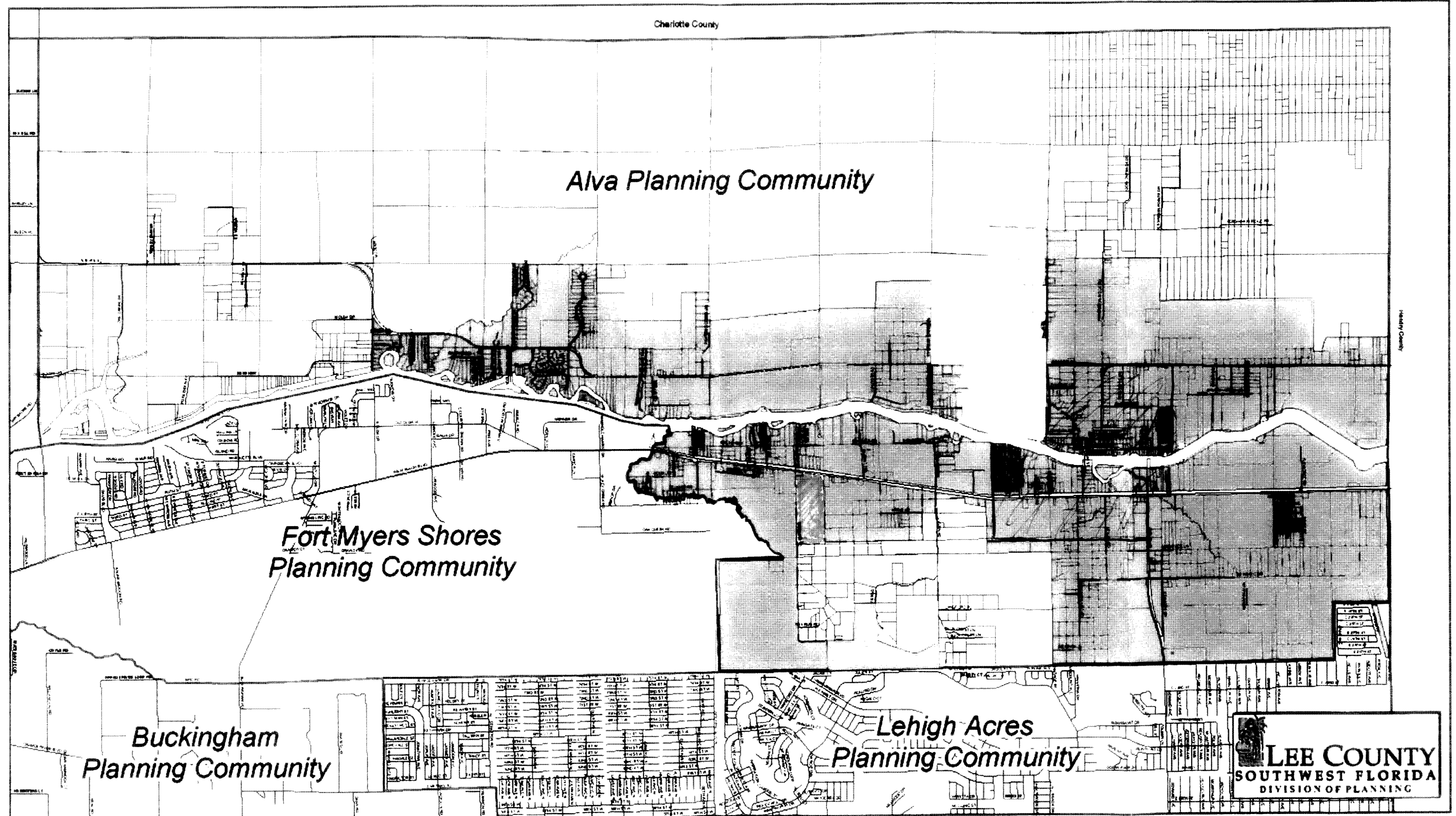
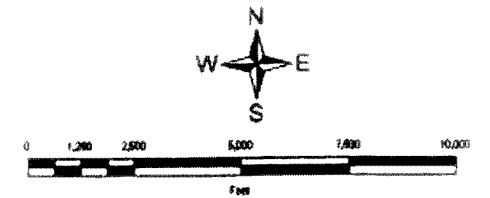
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# Alva Community Plan

## Proposed Community Planning Area

Fig 1  
Parcels Included in Community Plan  
July 22, 2002





SUB AREA 1

## HISTORIC CORE

SUB AREA 2A

SUB AREA 2B

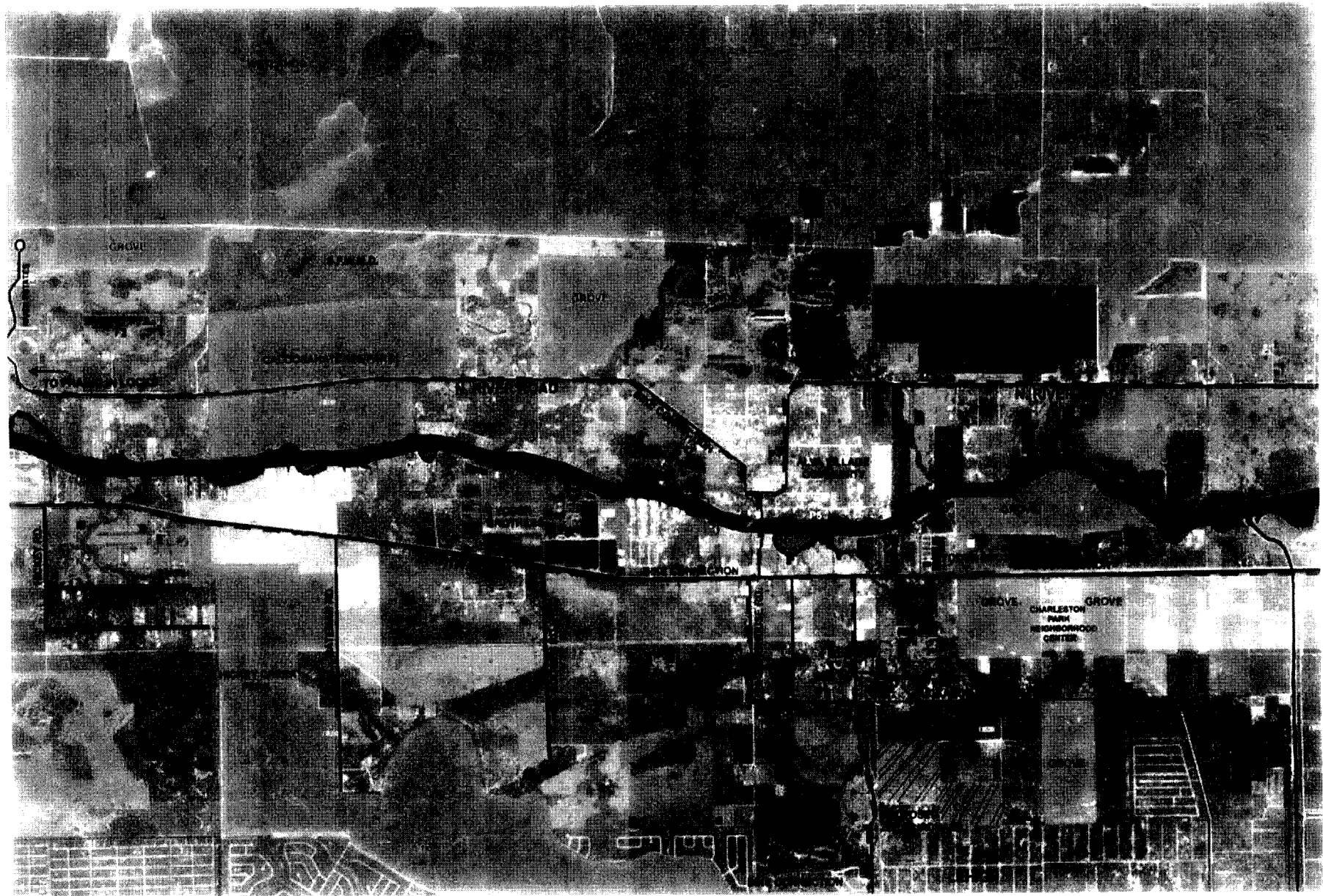
SUB AREA 3

SUB AREA 4

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# FIGURE 3 PROPOSED BIKE PATHS



ALVA HISTORIC VILLAGE



YODER BROTHERS GROVE



CONSERVATION LANDS



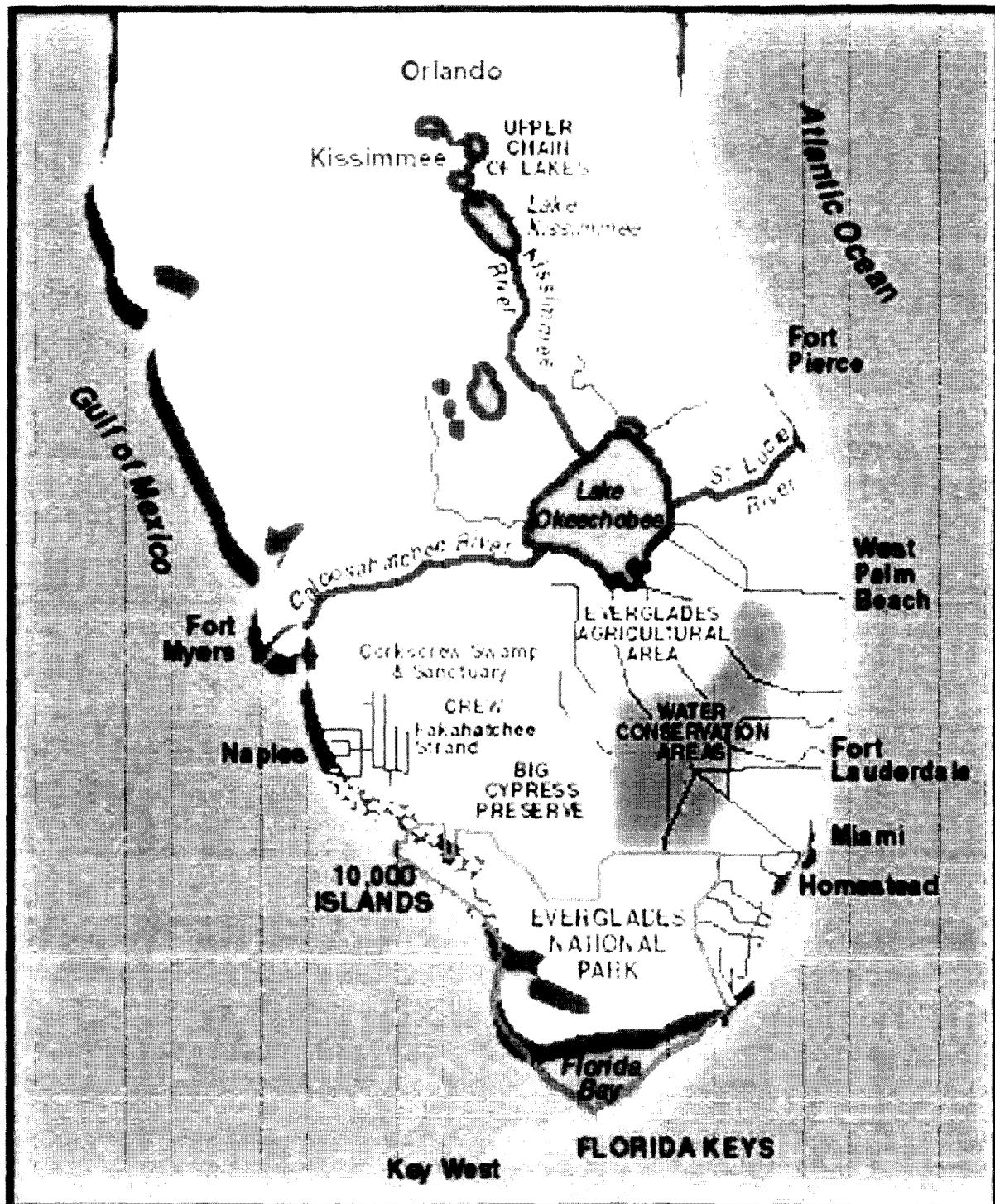
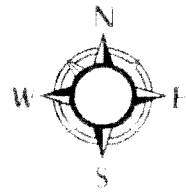
GROVE LANDS, WETLANDS,  
PARK/PRESERVATION LAND

SIX UNITS PER ACRE LAND USE



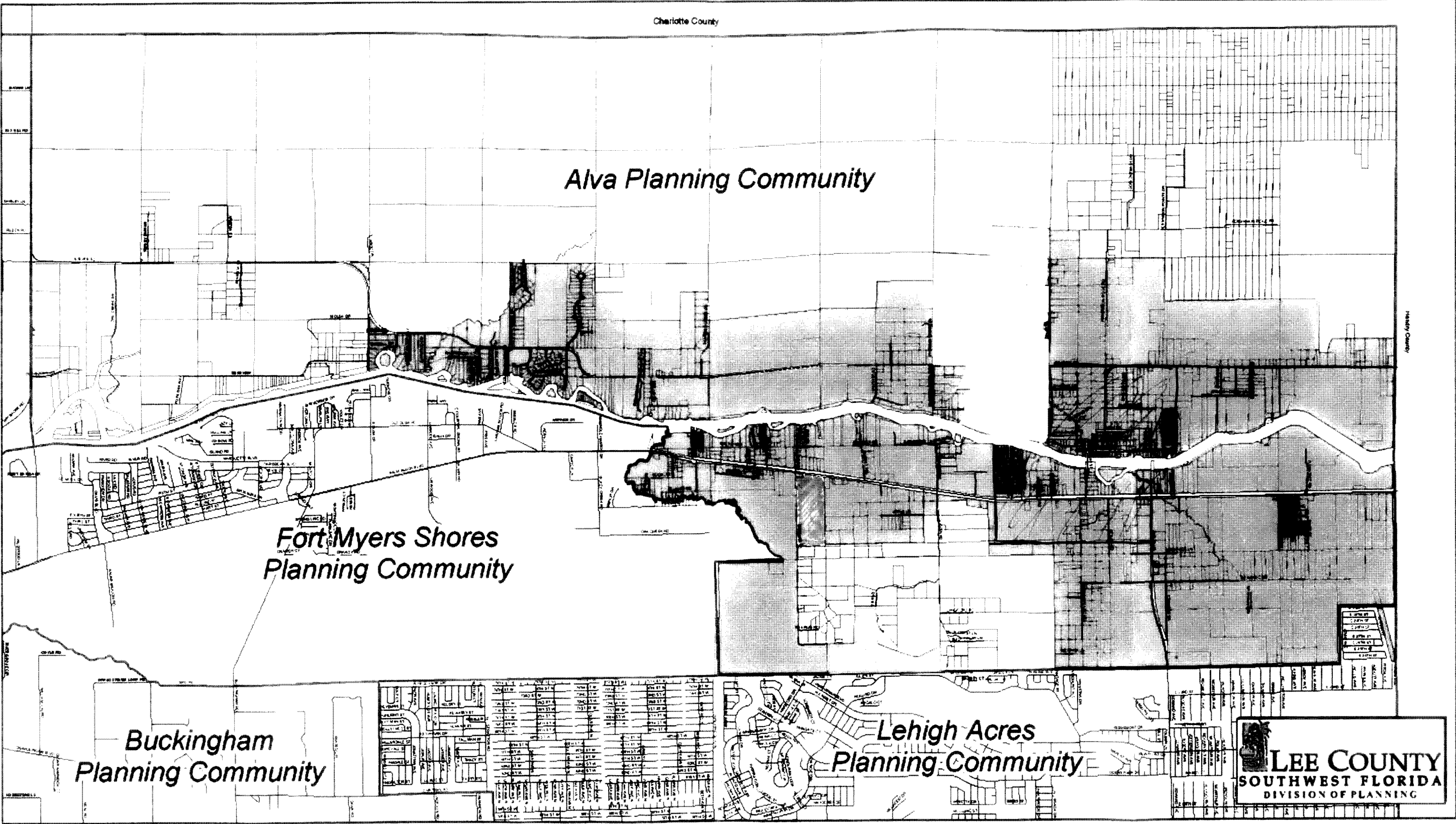
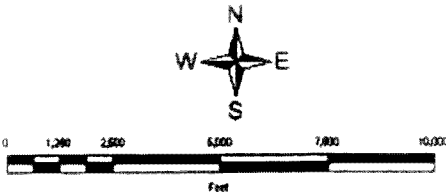
**FIGURE 4**

## **Caloosahatchee River Freshwater Recharge Sources**



**Alva Community Plan**  
Proposed Community Planning Area

Fig 1  
Parcels Included in Community Plan  
July 22, 2002





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May 27, 2003

Mr. Jim Mudd, AICP  
Principal Planner  
**Lee County Division of Planning**  
P.O. Box 398  
Fort Myers, Florida 33902

**RE: ALVA Community Plan**  
**CNA 2002-01**

Dear Mr. Mudd:

Thank you very much for submitting the draft and final staff reports for the ALVA Community Plan. My clients and I evaluated your report in detail and wish to thank you for your support and thoroughness in considering our goal, objectives, and policies.

Our comments are listed below pertaining to areas where we wish to clarify an item and/or relay additional information to County Staff.

*Policy 22.1.1.* We believe there may be a miscommunication in the implementation of this policy. While it is true that property owners may develop in accordance with existing zoning or a Planned Unit Development (PUD), we propose that certain criteria applicable to the Rural Village will have to be met. While rezoning to PUD is voluntary and a land owner may develop under existing zoning, it is our intent that certain criteria will be in place to ensure consistent development patterns.

*Policy 22.3.1.* ALVA, Inc. does not oppose the language added by staff, however it is our intent to seek restriction of future access points for future development along North River Road. We request that this language be added to the policy or a new policy be created.

*Policy 22.3.2.* ALVA, Inc. appreciates the DOT Staff comments regarding use of gas tax funds and road impact fee funds related to this project. We propose addition of a sentence to this policy to clarify use of various funding sources.

*Addition:* "County Staff, with assistance from ALVA, Inc., will explore possible grant funding to effectuate implementation of these bike paths."

*Policy 22.4.1.* We appreciate staff's willingness to work with ALVA, Inc. on new language pertaining to future development. After further analysis, we wish to state clearly our intent to encourage various types of development (residential, commercial, or mixed use). We respectfully request that this language be added to this policy.

Mr. Mudd  
May 27, 2003  
Page 2

### **Recommendations**

ALVA, Inc. proposes that the recommendations included in the submittal package be adopted as policies. Regarding the recommendation of traffic calming along North River Road, we request that the County consider the following alternatives to this recommendation:

1. Future measure should include design solutions to induce traffic calming, if appropriate, and possibly restriction of access points long North River Road; or
2. Future measure should include design solutions to induce traffic calming within the Rural Village, and possibly restriction of access points for future development along North River Road.

Regarding the Historic Core funding issue on page 23 of the staff report, we propose the following change: "Explore opportunities for funding a portion of the Historic Core Improvement Plan through the Federal Transportation Enhancement Provision."

Finally, I understand the staff's position on not recommending that the Future Land Use designation be changed from Urban Community to Rural Village at this time. However, we wish to restate our position with regard to future land development regulations. If the plan amendment is adopted, it is our belief that the Rural Village land use category be placed on the Future Land Use map. The Plan's goal, objectives, and policies (where applicable) would pertain to the rural areas surrounding the village as depicted in Figure 1 of our submittal. This is significant to our organization in that proposed LDC amendments will be drafted with this in mind, as well as potential land use amendments.

We thank you for the opportunity to comment and look forward to seeing you at the LPA hearing on May 28.

Sincerely,

**COASTAL ENGINEERING CONSULTANTS, INC.**

Vincent A. Cautero, AICP  
Vice President  
Planning Services

cc: Rob Andrys

...\\data\\2002\\02263\\5-27-03 ALVA comm pln ltr to jim mudd

**STRAYHORN & STRAYHORN, P.L.**  
A Professional Limited Liability Company  
2125 First Street, Suite 200 • Fort Myers, Florida 33901

Guy M. Strayhorn (1889-1981)  
Norwood R. Strayhorn (1911-1982)  
Guy R. Strayhorn  
E. Bruce Strayhorn, P.L.  
Richard W. Pringle, P.A.

Reply to:  
Richard W. Pringle  
P. O. Box 1545  
Fort Myers, FL 33902-1545

Telephone: 239/332-4717  
Facsimile: 239/332-4718

E-Mail: [Richard@strayhornlaw.com](mailto:Richard@strayhornlaw.com)

May 27, 2003

VIA EMAIL DELIVERY

Lee County Local Planning Agency  
Attn: Board Members  
P.O. Box 398  
Fort Myers, FL 33902

RE: CPA2002-01-Alva Community Plan- Property Owned By Mary Povia-  
Parcel I.D. Number 16-43-26-00-00001.000

Dear Board Member:

I represent Mary Povia who owns approximately 320 acres in the Alva area immediately west of Old Olga Road and immediately south and immediately west of Highway 78. The parcel identification number for Ms. Povia's property is 16-43-26-00-00001.000. I have appeared on behalf of Ms. Povia on numerous occasions while the Alva Community Plan has worked its way through the County's review process. Unfortunately, I have a schedule conflict for the meeting Wednesday morning, May 28, 2003 and will probably not be able to attend the meeting to present public input on behalf of Ms. Povia concerning the Alva Community Plan agenda item.

Please accept this correspondence as my appearance for the record of the meeting of the Local Planning Agency, May 28, 2003, on behalf of Ms. Povia as the landowner of the above referenced property. Since the beginning of the process to create the Alva Community Plan area, Ms. Povia has continually maintained her objection to having the above referenced real property included in the Alva Community Plan area. It is my understanding that the current proposed boundaries of the Alva Community Plan area ends at the east side of Old Olga Road so that the Alva Community Plan area does not include the above referenced property owned by Ms. Povia. On the possibility that the plan area is modified again, I take this opportunity to once again appear on the record as objecting to the inclusion of any of the above referenced property in the Alva Community Plan area and I respectfully request that the Local Planning Agency not support any amendment to the future land use element of the Lee Plan or the future land use map which includes any portion of the above referenced property owned by Ms. Povia.

Page Two  
May 27, 2003

As a final note, I respectfully request that a copy of this correspondence be placed in the record of the public input section of the Local Planning Agency's hearing on CPA2002-01.

Respectfully Submitted,

Richard W. Pringle

Richard W. Pringle  
(Electronically signed to avoid delay  
in handling)

RWP/sd



April 16, 2003

Jim Mudd, AICP  
Principal Planner  
Lee County  
Department of Community Development  
Division of Planning  
Post Office Box 398  
Fort Myers, Florida 33902-0398

RE: Proposed Alva Plan Amendment  
CPA 2002-00001

Dear Mr. Mudd;

On behalf of our client, Roy Custer and Bonita Glade LLC, I would like to thank you for taking the time to meet with me last week to discuss my client's concerns about the proposed Alva Plan Amendment. As we discussed at our meeting, I am forwarding to you my comments regarding the proposed amendment. My comments can be broken down into two categories; 1. Our basis for our Client's properties being excluded from the delineated limits of the proposed amendment; and, 2. Our analysis of the proposed amendment. It should be noted that our analysis of the proposed amendment relies upon the version of the proponent's application posted on the County's website being a complete and accurate copy of the proponent's original application to the County.

By way of background, I have attached a map (Exhibit 1) depicting properties owned by our client's, Roy Custer and Bonita Glade, LLC (Roy Custer-Managing Partner). Roy Custer owns the 100 acres identified as Parcel 1 on Exhibit 1, he also owns the 9+/- acres identified as Parcel 3 and he owns the 10 acres identified as Parcel 4, Bonita Glade LLC owns the 73 acres identified as Parcel 2.

#### **Basis for exclusion from the Alva Plan**

Dating back to the inception of the Alva Planning effort, our Client has specifically requested not to be included within the delineated limits of the Alva Plan. In the attached letter (Exhibit 2), dated June 7, 2002 our client requests that his acreage be excluded from the Alva Plan. Further, in the attached letter (Exhibit 3), dated August 5, 2002, our client thanks Alva, Inc. for removing his land from the Alva Plan. However, in the subsequent Alva Plan Final Draft, dated August 2002, his property appears to have been pencilled back into the Alva Plan (Exhibit 4). You'll note that Exhibit 4 is dated July 22, 2002 and

our client's acreage appears to be pencilled in. In the attached Exhibit 5, also, dated July 22, 2002, you'll note our client's property is not pencilled in and is in fact excluded from the Alva Plan, this is in fact the graphic that our client relied upon as representing that his property would not be included in the Alva Plan. At the public hearing on the proposed amendment, we would request specific clarification as to how our client's property came to be "pencilled in" on the Alva Plan.

In the "Forward to Alva Community Plan," there is a representation made that boundaries of the plan had been redrawn "to exclude the majority of those who wished to be left out of the Alva Community Plan." The record should note, that in contradiction to this statement, our client requested to be left out and was not.

From a purely planning sense, we believe that there is strong justification for excluding our client's land from the delineated boundaries of the Alva Plan, for the following reasons;

1. Historically, Parcel 1 has been included in the East Lee County Water Control Tax District of Lehigh, which is in fact a distinctly different planning district than Alva (Exhibit 6). It should noted, in 2002 our client paid \$8,810 in taxes to this taxing authority;
2. Historically, Parcel 1 has been included in the Florida Water Service of Lehigh service area, which again is another planning area that is distinctly different than Alva (Exhibit 7);
3. Historically, Parcel 1 has been included in the Lehigh Area Tax Fire District (Exhibit 8); and,
4. Historically, Parcel 1 has been included in the Lehigh Area Tax Light District.

#### **Analysis of the proposed Alva Plan Amendment**

We have reviewed the proposed Alva Plan Amendment against all of the applicable statutory, Comprehensive Plan and Land Development Code requirements and find that for the following reasons the proposed amendment is not justified:

1. The application for the proposed amendment fails to satisfy the basic application requirements, as required pursuant the County's Application for a Comprehensive Plan Amendment. The following required supporting documentation has not been submitted, as required by the County application:
  - a. No map and description of existing land uses has been provided;
  - b. No Future Land Use Map showing the proposed land uses has been provided;
  - c. No map and description of existing zoning has been provided;
  - d. No legal description for the limits of the proposed amendment area has been provided;




- e. No deeds for properties within the proposed amendment area have been provided;
  - f. No letter of consent from property owners have been provided;
  - g. No analysis of impact on public facilities has been provided, including traffic circulation analysis, sanitary sewer, potable water, surface water and drainage basins, parks recreation and open space, fire protection, law enforcement, emergency medical services, solid waste, mass transit and schools.
  - h. No assessment of environmental impacts has been provided;
  - i. No assessment of impacts on historic resources has been provided;
  - j. No analysis of internal consistency with the Lee Plan has been provided; and,
  - k. No justification statement supporting the need for the proposed amendment has been provided;
2. The proposed Comprehensive Plan text amendments do not provide a clear range of permitted uses, densities and/or intensities. Specifically, numerous policies rely on setting forth these standards, as well as criteria, incentives and point systems, in the Land Development Code. These policies do not provide a time period for implementation of these code requirements, nor does it provide interim uses or reversion uses in the event said code amendments are not implemented in a timely fashion;
3. Figure 1 (Alva Community Plan) of the Alva Community Plan depicts parcels included within the Alva Community Plan and further delineates the area identified as the "Rural Village." However, the proposed future land use language appears to provide for some range of uses within the area designated "Rural Village," but it does not appear that it establishes any permitted uses for those areas within the Alva Planning Community that are outside of the "Rural Village." Further, the proposed amendment does not discuss the disposition of those areas presently designated "Urban Community" (within the Alva Planning Community) lying outside of the newly created "Rural Village;"
4. Pursuant to Florida Administrative Code Rule 9J-11.006(1)(b) the proposed amendment is lacking the following required information:
- a. A map depicting the present future land use map designations of the subject property and abutting properties has not been provided;
  - b. A map depicting existing land uses of the subject property and abutting properties has not been provided;
  - c. The size of the subject property in acres has not been provided;
  - d. An analysis of the impact on public facilities, including sanitary sewer, solid waste, drainage, potable water, traffic circulation and recreation, has not been provided; and,
  - e. An assessment of the proposed land use plan amendments compatibility with the County's Comprehensive Plan objectives and policies; and,
5. Lastly, in general terms, the applications lack of details and specific information makes it difficult, if not impossible, to assess the impact of the proposed amendment upon the potential future development of our client's properties. For

example, under the current land use and zoning on our client's properties, we are able to give our client a reasonable projection of potential development scenarios and uses of his properties. However, the proposed text amendments do not provide the fundamentally requisite ranges of permitted uses and densities, therefore, we can only conclude that the proposed amendment will effectively strip our client of the development rights he presently enjoys on his properties.

In closing, we would request to be informed, in writing, of all future meetings, actions and correspondence regarding the proposed Alva Plan Amendment. Further, we would request that the record reflect that we are adamantly opposed to the inclusion of any of our client's properties within the boundaries of the proposed Alva Planning Community and we are opposed to the proposed Alva Plan Amendment application. Should you need any additional information or clarification, please do not hesitate to contact me.

Sincerely,

JOHNSON ENGINEERING, INC.

A handwritten signature in black ink, appearing to read "Walter G. Fluegel", is written over the printed name.

Walter G. Fluegel, AICP  
Senior Planner

cc: Roy Custer  
County Commissioner John Albion

Wgf/amb/20033856



Roy F. Custer  
6924 Willow Lane  
Miami Lakes, FL 33014  
(305) 823-6365

June 7, 2002

To: Alva, Inc.  
17651 Cypress Creek Road  
Alva, Fl 33920

From: Roy F. and Peggy M. Custer

Subject: We request that our acreage be excluded from the Alva, Inc. Plan. 99.72 acres of S30-T43-R27 lying south of Hwy 80 and east of Bateman Road

Reasons: This acreage is part of:

1. East Lee County Water Control District of LEHIGH  
Refer to their published maps
2. Florida Water Service of LEHIGH  
An exclusive Franchise Area for Wastewater  
Refer to Lee County Map dated 25June01
3. LEHIGH Area Fire District  
Refer to Lee County Map dated 8Nov01
4. Future Land Use "Urban Community" Designation of Lee County. We do not wish to change this planning category for our acreage.  
Refer to Future Land Use Map # 1, 13Feb01. A representation of future land use as adapted by the Lee County Commission. Division of Planning

Sincerely Yours,

*Roy F. Custer*

Roy F. Custer  
6924 Willow Lane  
Miami Lakes, FL 33014  
(305) 823-6365

## Exhibit 3

August 5, 2002

To Alva, Inc.  
17651 Cypress Creek Road  
Alva, Fl 33920

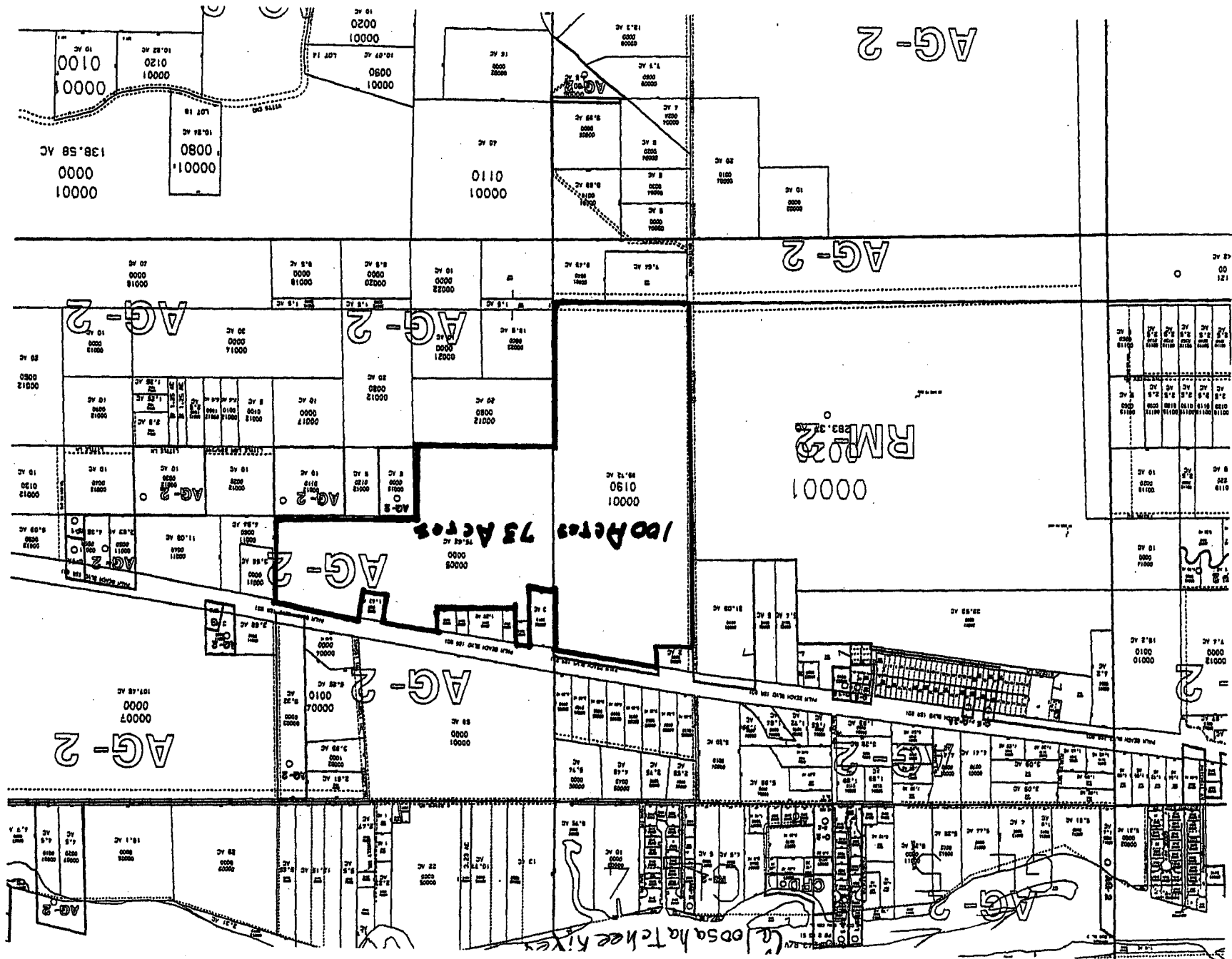
From: Roy F. Custer

Subject: We request that our additional acreage be excluded  
from the Alva, Inc. Plan.

I wish to thank Alva, Inc. and its members for removing my 100 acres on Bateman Rd. from the Alva Community Plan. I am in the process of closing at the end of this month on the adjacent 73 acres. This tract is lying immediately east of the 100 acres. I request that this additional parcel be removed from the Alva Community Plan.

Very Truly Yours,

*Roy F. Custer*



September 10, 2001

Board of County Commissioners, Lee County  
P.O. Box 298  
Ft. Myers, FL 33901

Re: Highway 78 Property Owner and The Alva Community Plan

Dear Commissioners:

In late July, 2001 we learned that our properties were being considered for inclusion into the proposed Alva Community Plan Boundary. At that time, we attended the Alva group's meeting and requested they amend their boundary. Unfortunately they told us that they would not amend the boundary and were in fact required to have the same boundary as the Alva Planning Community. We have since learned that there is flexibility in the boundary and they could have amended their proposed boundary if they had wanted to. We now understand that the Babcock Company has requested that their lands be excluded also.

In September, the Lee County Commission will be asked to approve funding for a Community Plan for the Alva area. At that same time the commission will be asked to approve a boundary for that Community Plan. We the undersigned respectfully request that The Board of County Commissioners of Lee County exclude our properties from the Alva Community Plan boundary. We do not have any objections to the Alva community creating a plan for their immediate community. However, we believe that including our properties within the Alva Community Plan is inappropriate for a number of reasons. For example:

1. The proposed boundary stretches from Highway 31 eastward to the Hendry County line. This is a total distance of approximately 12 miles east to west and includes over 34,000 acres of land. We believe this is entirely too large and would recommend that the boundary end on the east side of the regional park.
2. There is no requirement that a community plan cover all of the area of a Planning Community. For example the Palm Beach Blvd. Community Plan does not cover all of the area of that planning community.
3. The proposed boundary of over 34,000 acres is larger than the entire city of Ft. Myers which has approximately 25,000 acres.
4. Although we consider the residents of Alva our neighbors we do not consider that we have the same current goal nor potential long term desires for the utilization of our property. We do not believe that people in that setting understand the financial consequences to farmers of certain land use regulations. We are therefore not supportive of placing our future's in the hand of people who may not have the same goals that we need today or will find we might need in the future.
5. We the undersigned have owned our properties in most cases for over 30 years. You will find the actual number of years we have owned our properties next to our individual names.

6. The current Lee Plan has designated our lands as Rural, Open Lands or DRGR. These are low density agriculture uses for the current time on our property. These restrictions can only be changed by coming to The Board of County Commissioners for future changes to the Lee Plan. We believe that we the property owner's, not they the resident's of Alva, should be the sponsors and determine the timing for when regulations need to change on our properties.
7. We fully believe that their only interest in including our lands within their community plan will be to further restrict the potential for development in years ahead. Although we do not have any immediate development plans we do not believe that is fair for them to be setting future development regulations on our property.
8. We and Babcock represent approximately 55% of all land within the proposed Alva community plan boundary. However, We and Babcock represent 82% of the area we are recommending be excluded from the proposed Alva Community Plan boundary.

In closing we would simply ask The Board of County Commissioners to exclude our properties from the Alva Community Plan boundary. We will monitor their progress and the benefits of creating a community plan. At a later date, we may request authority to create our own community plan. Please find attached a map of our proposed boundary for the Alva Community Plan area. Your support of our request is greatly appreciated.

Sincerely,

Cary Family 4 Generations

*Nancy Povia - Shauna Povia*  
Povia Family 4 Generations

Singletary Family 4 years

Baker Family 25 years

VanRoekel Family 25 years

Oliver Family 3 years

*Anna Lynne Flint*  
Flint Family 4 Generations

Armeda Family 3 Generations

Hasley Family 2 Generations

Weathers Family 25 years

Simon Family 35 years Alva area

Krienbrink Family 5 years



6. The current Lee Plan has designated our lands as Rural, Open Lands or DRGR. These are low density agriculture uses for the current time on our property. These restrictions can only be changed by coming to The Board of County Commissioners for future changes to the Lee Plan. We believe that we the property owner's, not they the resident's of Alva, should be the sponsors and determine the timing for when regulations need to change on our properties.
7. We fully believe that their only interest in including our lands within their community plan will be to further restrict the potential for development in years ahead. Although we do not have any immediate development plans we do not believe that is fair for them to be setting future development regulations on our property.
8. We and Babcock represent approximately 55% of all land within the proposed Alva community plan boundary. However, We and Babcock represent 82% of the area we are recommending be excluded from the proposed Alva Community Plan boundary.

In closing we would simply ask The Board of County Commissioners to exclude our properties from the Alva Community Plan boundary. We will monitor their progress and the benefits of creating a community plan. At a later date, we may request authority to create our own community plan. Please find attached a map of our proposed boundary for the Alva Community Plan area. Your support of our request is greatly appreciated.

Sincerely,

Cary Family	1920's
Povia Family	4 Generations
Singletary Family	4 years
Baker Family	25 years
VanRokde Family	10 years
Oliver Family	3 years

Flint Family	4 Generations
Armeda Family	3 Generations
Hasley Family	2 Generations
Weathers Family	25 years
Simone Family	35 years Alva area
<i>Mike Leonard 8/15/01</i>	
Greenwell Family	7 years

6. The current Lee Plan has designated our lands as Rural, Open Lands or DRGR. These are low density agriculture uses for the current time on our property. These restrictions can only be changed by coming to The Board of County Commissioners for future changes to the Lee Plan. We believe that we the property owner's, not they the resident's of Alva, should be the sponsors and determine the timing for when regulations need to change on our properties.
7. We fully believe that their only interest in including our lands within their community plan will be to further restrict the potential for development in years ahead. Although we do not have any immediate development plans we do not believe that is fair for them to be setting future development regulations on our property.
8. We and Babcock represent approximately 55% of all land within the proposed Alva community plan boundary. However, We and Babcock represent 82% of the area we are recommending be excluded from the proposed Alva Community Plan boundary.

In closing we would simply ask The Board of County Commissioners to exclude our properties from the Alva Community Plan boundary. We will monitor their progress and the benefits of creating a community plan. At a later date, we may request authority to create our own community plan. Please find attached a map of our proposed boundary for the Alva Community Plan area. Your support of our request is greatly appreciated.

Sincerely,

Cary Family	4 Generations
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Flint Family	4 Generations
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Povia Family	4 Generations
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Armeda Family	3 Generations
---------------	---------------

Singletary Family	4 years
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Hasley Family	2 Generations
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Baker Family	25 years
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Weathers Family	25 years
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 VanRoekel Family	25 years
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Simon Family	35 years Alva area
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Oliver Family	3 years
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Krienbrink Family	5 years
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6. The current Lee Plan has designated our lands as Rural, Open Lands or DRGR. These are low density agriculture uses for the current time on our property. These restrictions can only be changed by coming to The Board of County Commissioners for future changes to the Lee Plan. We believe that we the property owner's, not they the resident's of Alva, should be the sponsors and determine the timing for when regulations need to change on our properties.
7. We fully believe that their only interest in including our lands within their community plan will be to further restrict the potential for development in years ahead. Although we do not have any immediate development plans we do not believe that is fair for them to be setting future development regulations on our property.
8. We and Babcock represent approximately 55% of all land within the proposed Alva community plan boundary. However, We and Babcock represent 82% of the area we are recommending be excluded from the proposed Alva Community Plan boundary.

In closing we would simply ask The Board of County Commissioners to exclude our properties from the Alva Community Plan boundary. We will monitor their progress and the benefits of creating a community plan. At a later date, we may request authority to create our own community plan. Please find attached a map of our proposed boundary for the Alva Community Plan area. Your support of our request is greatly appreciated.

Sincerely,

Cary Family	4 Generations
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Flint Family	4 Generations
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Povia Family	4 Generations
--------------	---------------

Armeda Family	3 Generations
---------------	---------------

Singletary Family	4 years
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Hasley Family	2 Generations
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Baker Family	25 years
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Weathers Family	25 years
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VanRoekel Family	25 years
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Simon Family	35 years Alva area
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Oliver Family	3 years
---------------	---------

Krienbrink Family	5 years
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*Ronald M. Schmidt*

*RONALD M. SCHMIDT*

6. The current Lea Plan has designated our lands as Rural, Open Lands or DROA. These are low density agriculture uses for the current time on our property. These restrictions can only be changed by coming to The Board of County Commissioners for future changes to the Lea Plan. We believe that as the property owners, not they the residents of Alva, should be the sponsors and determine the timing for when regulations need to change on our properties.
7. We fully believe that their only interest in including our lands within their community plan will be to further restrict the potential for development in years ahead. Although we do not have any immediate development plans we do not believe that is fair for them to be setting future development regulations on our property.
8. We and Babcock represent approximately 55% of all land within the proposed Alva community plan boundary. However, We and Babcock represent 82% of the area we are recommending be excluded from the proposed Alva Community Plan boundary.

In doing we would simply ask The Board of County Commissioners to exclude our properties from the Alva Community Plan boundary. We will monitor their progress and the benefits of creating a community plan. At a later date, we may request authority to create our own community plan. Please find attached a map of our proposed boundary for the Alva Community Plan area. Your support of our request is greatly appreciated.

Sincerely,

Cary Family	4 Generations
Pova Family	4 Generations
Singhary Family	4 years
Baker Family	25 years
VenRokke Family	25 years
Oliver Family	3 years
Wagner, Little, Little and Little	50 years
Wagner, Little, Little and Little	50 years
Kronbrink Family	5 years
Armada Family	3 Generations
Hesley Family	2 Generations
Weather Family	25 years
Simon Family	35 years Alva area



✓ ACC/Boots

**Harry C. Powell Jr.**  
President

**REAL ESTATE —**

- Investment
- Development
- Marketing

September 20, 2001

Commissioner John Albion - Commissioner Andy Coy  
Commissioner Bob Janes - Commissioner Ray Judah  
Commissioner Doug St. Cerny

**LEE COUNTY BOCC**

2115 Second Street  
Fort Myers, Florida 33901

**re: Alva Community Plan**

Dear Commissioners:

On behalf of Robert Stewart, CPA, Trustee for 228.11 acres, who is in Illinois at this time, and as an owner of the following referenced property, we formally object to having this property included in the Alva Community Plan. The current comp plan adjacent to this property is classified as Rural and allows us to utilize the property in accordance with what a Rural Comp Plan will allow.

We don't feel that another layer of government is necessary for the utilization of this property. The property is also adjacent to Lehigh Acres, where the Comprehensive Land Plan classification is Urban.

I've enclosed some exhibits to further describe the location of this property. The legal descriptions are as follows:

34-43-27-00-00008.1000	134.46 acres
34-43-27-00-00008.2040	58.68 acres
03-44-27-00-00002.0020	34.97 acres

We support the alternative boundary, as enclosed, consisting of 9,000 acres instead of 34,000 acres.

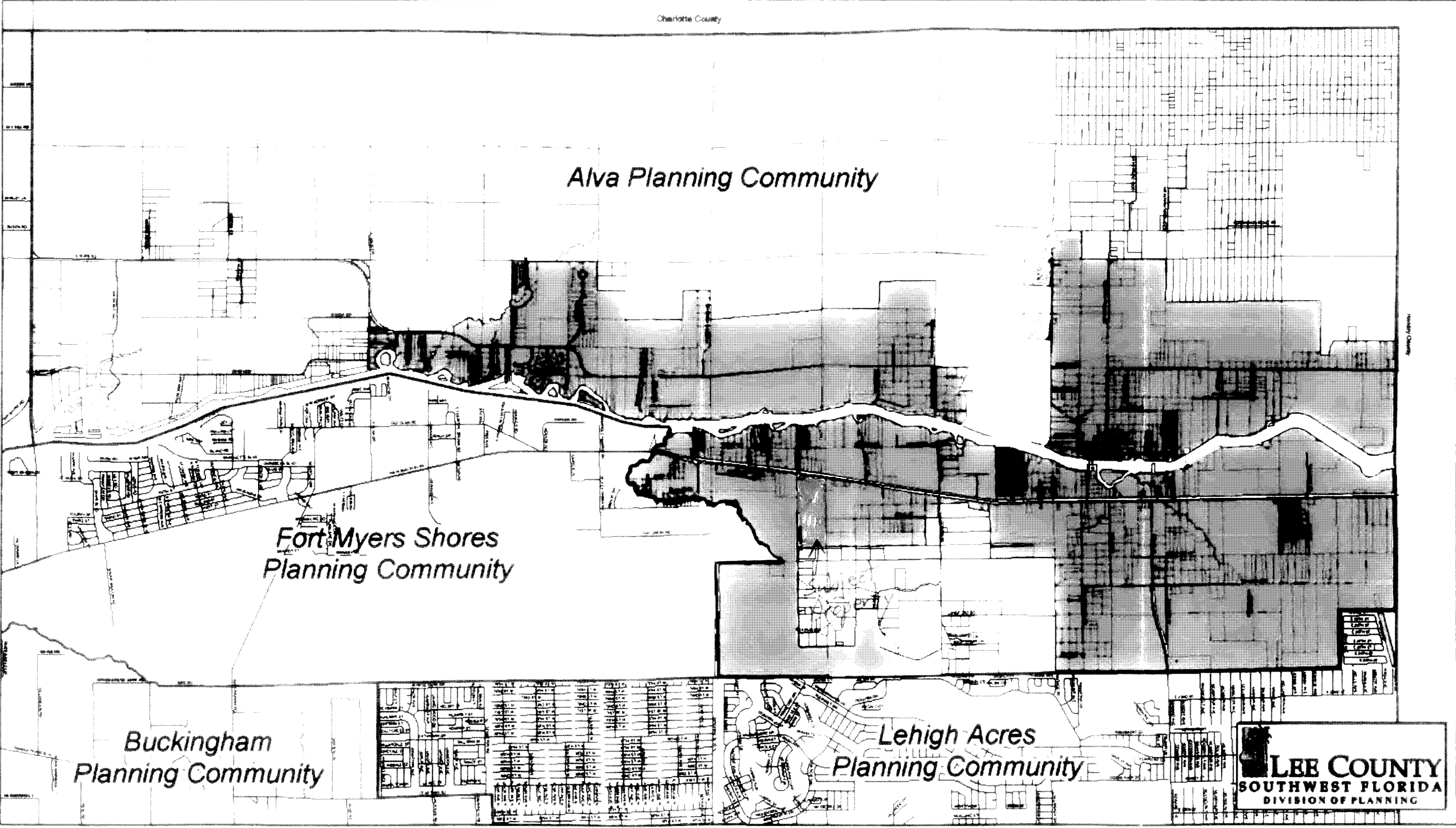
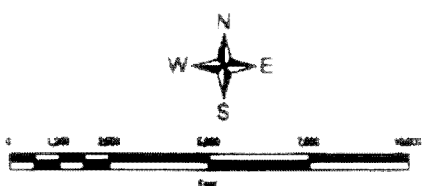
Sincerely,

Harry C. Powell, Jr.  
HCP/ra

cc: Robert Stewart, CPA

Figure 1  
**Alva Community Plan**  
Proposed Community Planning Area

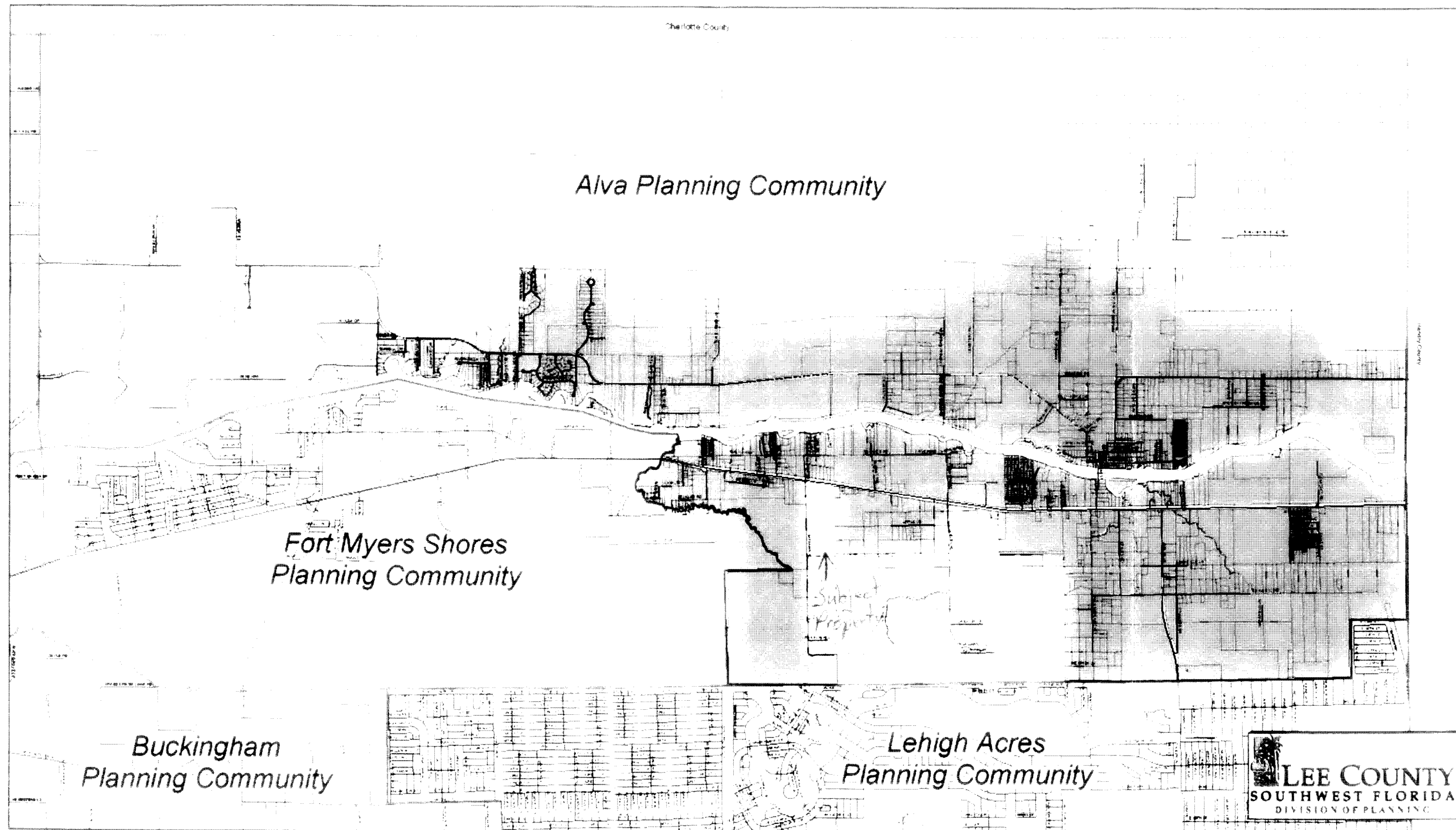
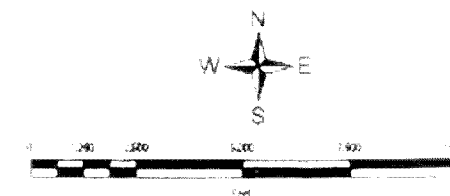
Parcels Included in Community Plan  
July 22, 2002



# Alva Community Plan

## Proposed Community Planning Area

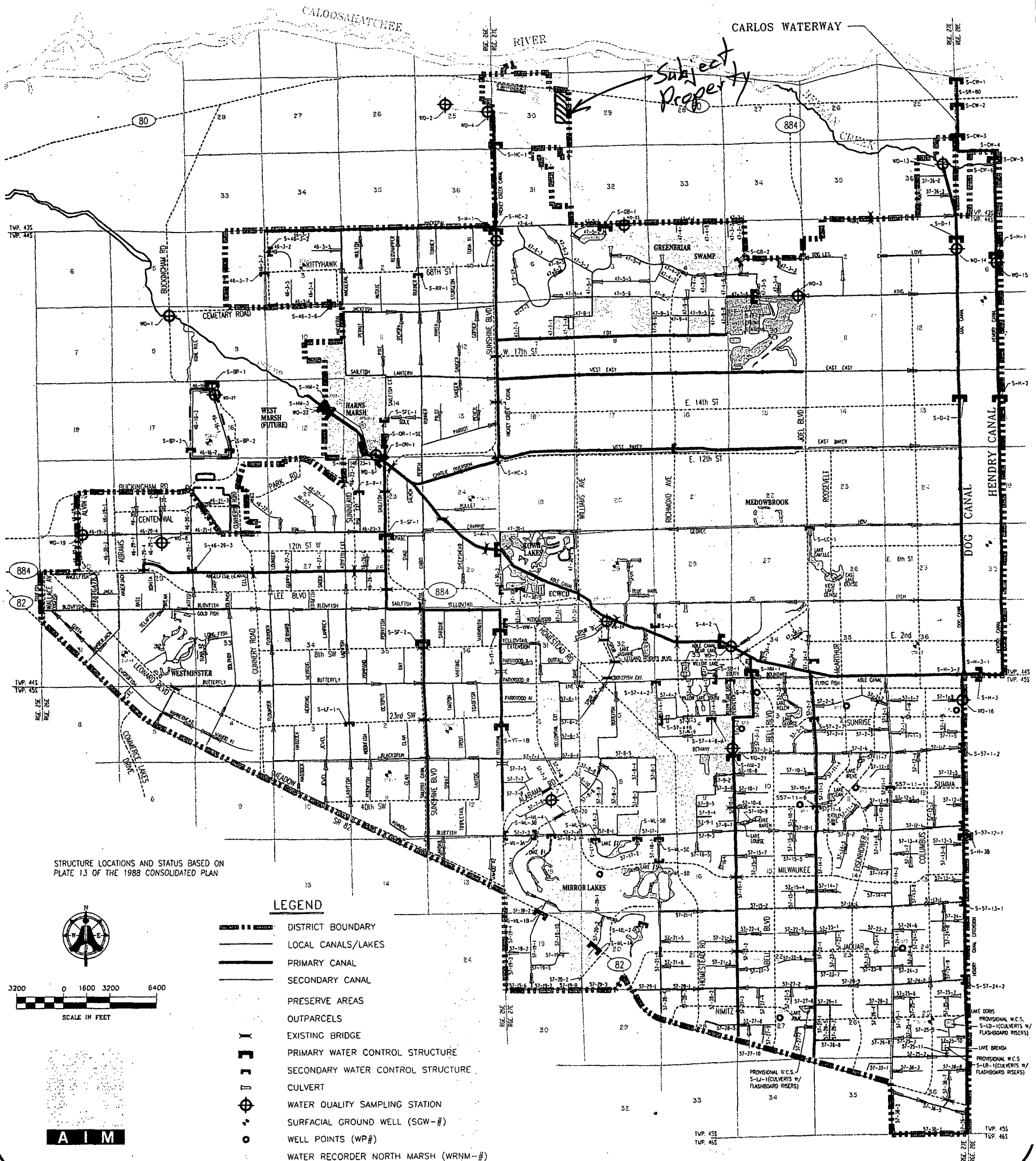
Parcels included in Community Plan  
July 22, 2002





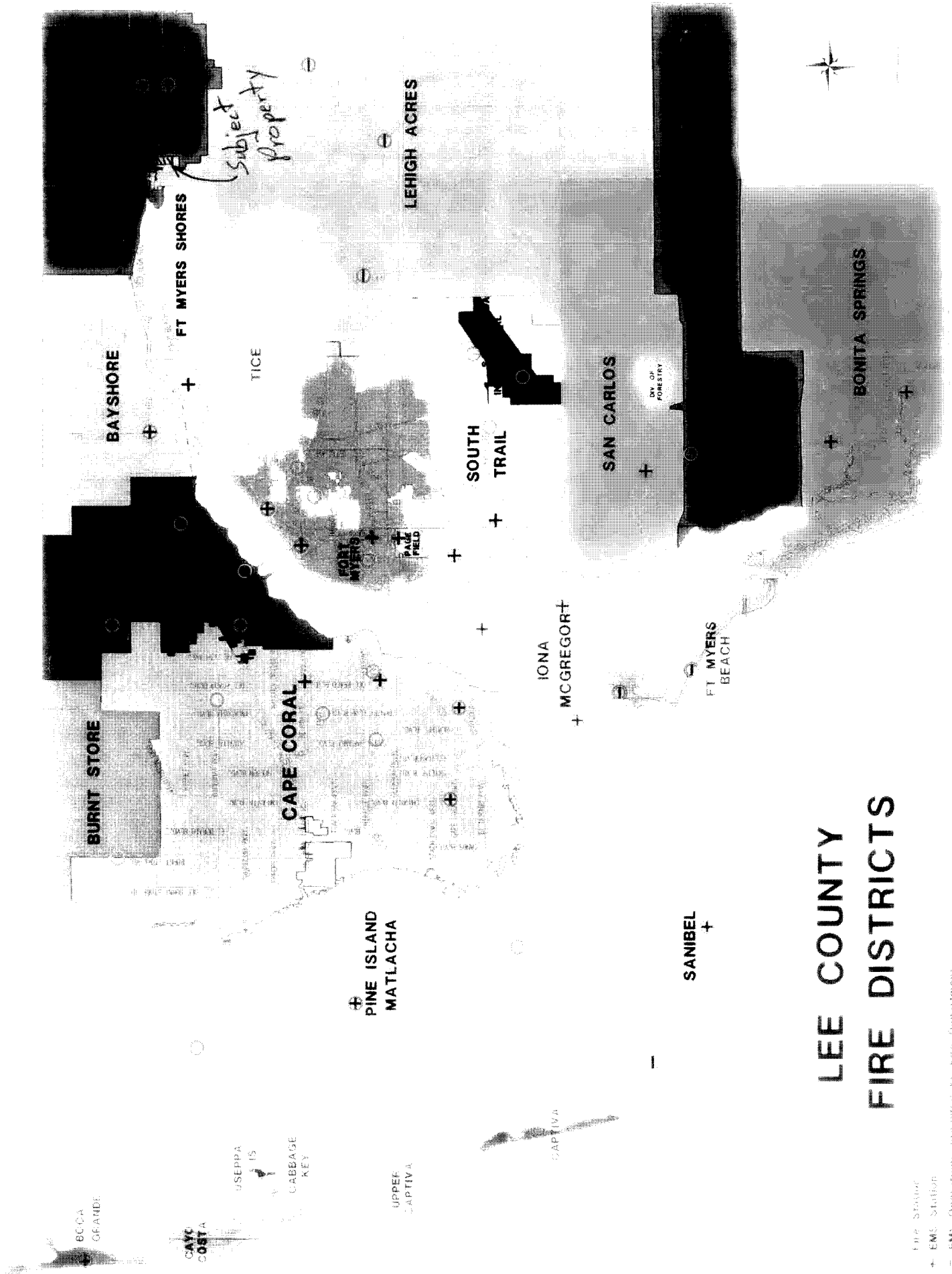
# EAST COUNTY WATER CONTROL DISTRICT

## FACILITIES MAP











**COASTAL  
ENGINEERING  
CONSULTANTS  
INC**

A CECI GROUP COMPANY

CECI Group Services

Civil Engineering

Planning Services

Survey & Mapping

Coastal Engineering

Real Estate Appraisal

Website: [www.coastalengineering.com](http://www.coastalengineering.com)

**MEMORANDUM**

**TO:** Jim Mudd, AICP, Principal Planner  
Lee County Division of Planning

**FR:** Vince Cautero, AICP

**RE:** ALVA Community Plan


April 16, 2003

I appreciate the opportunity to speak with you and Matt Noble today about the ALVA Community Plan. As I stated my clients respectfully request that the hearing be continued until the May, 2003 Lee County LPA meeting. This will allow us additional time to read comments received by your Division and the staff report once it is completed.

Please feel free to contact me for any questions and/or follow-up at 643-2324, ext. 120 or [vcautero@cecifl.com](mailto:vcautero@cecifl.com).

## Memorandum

To: Jim Mudd, Principal Planner

From: David M. Loveland, Manager, Transportation Planning 

Date: April 9, 2003

Subject: LCDOT REVIEW OF ALVA COMMUNITY PLAN

---

The Lee County Department of Transportation has reviewed the Alva Community Plan, draft dated August 2002 as transmitted by Planning staff in December, as well as a revised version of proposed policies transmitted by Planning staff in January. We offer the following comments.

*Historic Core of the Rural Village*  
*Existing Conditions, Planning Issues, and Opportunities*  
*North River Road Discussion, Page 17*

1. The draft plan includes a statement about traffic steadily increasing on North River Road and its negative impact, but the only attempt to provide supporting data and analysis, a reference to the traffic counts, has blanks where the numbers should be. More data needs to be provided to support this contention, possibly including accident statistics.
2. The discussion also states that "Future measures should include design solutions to induce traffic calming and possibly restriction of access points for future development along North River Road." This road is currently classified as an arterial by County staff, and County Administrative Code AC-11-14 states clearly in Section A.1 "Roads which are functionally classified as arterial roads have the primary purpose of serving through traffic. Use of these roads by the general public is encouraged; and, **therefore, no traffic calming measures intended to decrease such usage will be adopted.**" (*Emphasis added*) Besides, staff notes that the extreme curvature of North River Road in the Historic Core area already has a traffic calming effect.

*Pedestrian/Bicycle System Discussion, Page 17 and*  
*Implementing and Funding the Improvements Discussion, Page 18*

3. The vision for the Historic Core emphasizes creating a pedestrian environment, but puts off the in-depth discussion of implementation (i.e., funding) to a future "Improvement Plan". Requiring or encouraging new development or redevelopment to provide such facilities is fine, but it would

be a mistake to assume the County would fund such a vision under current policies. The County operates under a "core service level" concept, attempting to equalize services throughout unincorporated Lee County. Under that concept, and given limited funding, the County focuses on providing bicycle/pedestrian facilities only on major roadways identified in Map 3D of the Comprehensive Plan. Adding such facilities to local streets is usually limited to school access needs, which actually was the justification for the sidewalk the County added on Center Street in Alva. The Community Plan proposal should include a comparison of the desired bike/ped network to Map 3D of the Comprehensive Plan, and should propose amendments to Map 3D where necessary to ensure consistency.

4. The plan does discuss one funding opportunity, the Federal Transportation Enhancement Program, but the author clearly doesn't understand how that program functions in Lee County. 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 (MPO), 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 a "significant" funding opportunity. Perhaps the plan should include discussion of establishing a special taxing district for the Alva area as a way to fund this pedestrian vision.
5. The Pedestrian/Bicycle System discussion also states "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." The plan document 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 a maintenance commitment from the group proposing them.

*Opportunities to achieve the vision of the Historic Core and Riverfront, Page 19*

6. The discussion identifies a number of activities to aid in the preparation of the Rural Village Overlay Zone and the Improvement Plan. One states "Work with Lee County DOT to identify and implement methods that can be used in the near term to reduce speed and improve safety on North River Road as it passes through the Historic Core around the School. Methods could include a combination of reduced speed zone, crosswalks, stop signs, increased enforcement of no through-trucks, and limited access for new development

Obtain traffic counts for this segment for evenings and weekends as well as school crossing hours.” County DOT staff is certainly willing to meet with the community and discuss options, but as previously noted, traffic calming approaches on arterials are contrary to current County policy. We would also note that the enforcement issue is for the Sheriff’s Office, not DOT. Finally, there is no supporting discussion as to why the additional traffic counts would be necessary.

7. Another activity is “Formulate a general design concept and criteria for the pedestrian and bicycle pathways for the Historic Core. Criteria would include such things as location (whether on private property as part of the site development requirements, or in the public right of way) approximate width, material, separation of uses, use of trees and other landscaping.” Please note our previous comment about maintenance of non-standard facilities. Also, the County DOT will not maintain any facilities outside the rights-of-way.
8. An additional activity reads “Work with County DOT and willing property owners to develop feasible options to improve connectivity by re-establishing “walkable” blocks, linking the street grid by connecting existing dead ends and/or putting through some already platted narrow streets in key locations.” Again, the funding issue is not addressed, but these are not the kind of activities that fit within the County’s normal road funding policy or the core service level definition.

The above comments also apply to the related portions of proposed policies, 22.1.2 and 22.1.3.

#### *Rural Village Sub-Areas 2 and 3*

##### *Existing Conditions, Planning Issues, and Opportunities*

##### *State Route 80 Discussion, Page 25*

9. Some of the discussion focuses on working with FDOT during their process to widen SR 80. Because that project was advanced under the Governor’s Economic Stimulus initiative, FDOT has already let a design/build contract for that portion of SR 80, and construction could be underway in a matter of weeks, leaving little opportunity for adjustments to reflect the community plan desires.

#### *Preservation of Rural Character*

##### *Increase opportunities for residents and visitors to experience the historical, recreational, natural and scenic resources of the area*

##### *Bike Paths linking conservation and recreation areas discussion, page 40*

10. 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. However, the community plan should include an assessment of how the desired network compares to Map 3D and an identification of amendments to the map that may be necessary. Also, the

discussion includes a reference to funding sources. Presumably the reference to the use of gas tax funds and road impact fees refers to the County's bike/ped program in the CIP, the allocation of which is determined by the County's Bicycle/Pedestrian Advisory Committee. 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. The same comment applies to proposed policy 22.3.2.

*County Road 78 – Scenic Highways Designation, Pages 40-41*

11. The discussion recognizes the County's concern with attempting to limit our ability to widen CR 78 if needed in the future, and then suggests the community should pursue a Scenic Highway designation for the road. As long as such a designation would in no way preclude our ability to widen CR 78 in the future, we can support it. Otherwise, we would be forced to oppose it. The same comment applies to proposed policy 22.3.1.

Thank you for this opportunity to comment on the Alva Community Plan.

DML/mlb

cc: Paul Wingard, LCDOT Deputy Director  
John Davis, LCDOT Traffic Engineering Manager  
Andy Getch, LCDOT Senior Engineer  
Mike Tisch, LCDOT Engineer, County Bicycle/Pedestrian Coordinator

# MEMORANDUM

from the  
TRANSIT DIVISION



**Your Ride Is Here.**

**DATE:** February 6, 2003

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**TO:** Jim Mudd, AICP

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**FROM:** Steve Myers

---

**RE:** Alva Community Plan  
Caloosahatchee Shores Community Plan  
Palm Beach Boulevard Community Plan

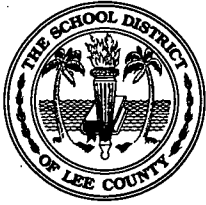
Lee Tran staff has reviewed the above referenced draft community plans and proposed policies and has determined that the proposed amendments would have no fiscal or human resources impact for the transit division of Lee County.

Public transportation is currently not available in the area described as the Alva Community and the proposed amendments to the Alva Community Plan do not address the formation of transit services to the area.

The Caloosahatchee Shores Community Plan does address transit use in a minor way. The opportunities for a "park and ride" were well liked by the residents of the community attending the community charrette, and Lee Tran anticipates continued service in this area via SR 80 east to Old Olga Road. The community should keep transit-oriented development in mind when designating certain areas as commercial nodes. (i.e. Policy 23.2.1 and policy 23.3.3)

Finally, with regard to the Palm Beach Boulevard Community Plan, Lee Tran looks forward to participating in the redesign work of the section of SR 80 recommended for redevelopment; a corridor with heavy transit use. Lee Tran envisions transit amenities such as bus stop bump outs or pull off lanes, and more passenger shelter and bench use for this area.





# THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901-3916 • (239) 334-1102

JEANNE S. DOZIER  
CHAIRMAN • DISTRICT 2

ELINOR C. SCRICCA, Ph.D.  
VICE CHAIRMAN • DISTRICT 5

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DISTRICT 1

JANE E. KUCKEL, Ph.D.  
DISTRICT 3

STEVEN K. TEUBER  
DISTRICT 4

JOHN W. SANDERS, Ed.D.  
SUPERINTENDENT

KEITH B. MARTIN  
BOARD ATTORNEY

February 26, 2003

Mr. Jim Mudd, AICP  
Principal Planner, Division of Planning  
P. O. Box 398  
Ft. Myers, FL 33902

Re: Alva Community Plan

Dear Jim:

This letter is in response to your request for comments on the Alva Community Plan, the Caloosahatchee Shores Community Plan and the Palm Beach Boulevard Community Plan. In all three instances, our only comment would be the need for a stand alone policy referencing that public schools are permitted within each community, in accordance with the Lee Plan. Each of these communities is anticipated to contain additional student growth and in an effort to meet local needs, the construction of one or more schools including all ancillary and athletic facilities may be needed in each community. As such, these plans should reflect this anticipated growth and support this development.

If you have any further questions or comments, please give me a call. Thank you for the opportunity to provide input to you in this endeavor.

Sincerely,

Stephanie Keyes, Facilities Planner  
Construction and Planning

LEE COUNTY  
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03 FEB 27 AM 8:57  
SCHOOL DISTRICT  
PUB. AFF. CNTR.  
OFFICE 1100R



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**MEMORANDUM**

**TO:** Jim Mudd, AICP, Principal Planner  
Lee County Division of Planning

**FR:** Vince Cautero, AICP

**RE:** ALVA Community Plan

April 16, 2003

I appreciate the opportunity to speak with you and Matt Noble today about the ALVA Community Plan. As I stated my clients respectfully request that the hearing be continued until the May, 2003 Lee County LPA meeting. This will allow us additional time to read comments received by your Division and the staff report once it is completed.

Please feel free to contact me for any questions and/or follow-up at 643-2324, ext. 120 or [vcautero@cecifl.com](mailto:vcautero@cecifl.com).

**MEMORANDUM**  
**FROM THE**  
**DEPARTMENT OF**  
**PUBLIC WORKS**


LEE COUNTY  
RECEIVED

06 JUN 23 AM 9:12

PLANNING DIV.  
PUBLIC WORKS CNTR.  
1000

**DATE:** January 21, 2003

**To:** Jim Mudd, AICP  
Principal Planner, Lee County  
Planning Division

**FROM:** Michael P. Pavese   
Principal Planner

**RE:** **LEE PLAN TEXT AMENDMENTS**  
**ALVA COMMUNITY PLAN**  
**CALOOSAHATCHEE SHORES COMMUNITY PLAN**

Thank you for the opportunity to review the proposed Lee Plan text amendments associated with the above referenced community plans. The proposed text amendments associated with the Alva Community Plan are acceptable to Parks and Recreation staff.

The proposed changes associated with the Caloosahatchee Shores Community Plan referenced in Policy 23.5.3 would mandate that Lee County Parks and Recreation provide "reasonable" public access to the riverfront through any lands which are located along the Caloosahatchee River or Orange River and are acquired through the 2020 Conservation Plan

The Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) is the advisory board that is charged with the responsibility for recommending how Conservation 20/20 lands will be managed as well as which lands are acquired. It has been the policy of CLASAC to determine the appropriateness of public access on 20/20 properties on a case-by-case basis after a thorough environmental site survey and analysis has been conducted and with public input at the management plan public meeting. The mandatory nature of the language proposed as part of this amendment may preclude these site specific reviews.

Further, the majority of the 20/20 lands that have been acquired on the Orange River and Caloosahatchee River have significant barriers to public access, including large wetland systems along the shoreline and FP&L power line easements. In addition, Planning staff should consider how the term "lands" will be defined. The current language may be interpreted to mean that each and every "parcel" acquired must provide an individual access to the river front. Due to the nature of multiple property ownerships along our waterfront, the County has acquired many lands in somewhat of a piecemeal fashion to form meaningful preserves. Consideration should also be given as to how this policy may affect the management funding priorities that have been approved on the Conservation 20/20 properties.

Staff recommends that the Planning Division contact Anik Smith to schedule this proposal for the

next CLASAC Management Sub-Committee for its review. Both the Management Sub-Committee and the full CLASAC should be provided the opportunity to review the proposed policy before it is presented to the Board of County Commissioners.

Staff would recommend deleting or revising the proposed language included in Policy 23.5.6 which would require that the county reevaluate the boundaries of the Impact Fee Districts to ensure that impact fee monies generated from new development in the Caloosahatchee Shores community remains within or benefits the Caloosahatchee Shores area. This language could be interpreted to require the county to establish a separate impact fee district for this community or to preclude distribution of these funds to other areas within the existing Impact Fee Benefit District (Lehigh/East Lee County). In the same manner, this language could also be interpreted to limit the distribution of Regional Park Impact Fees to this area of Lee County.

Should you have any questions or require any additional information, please do not hesitate to contact me.

cc: Jim Lavender, Director, Department of Public Works  
John Yarbrough, Director, Lee County Parks and Recreation  
Lynda Riley, Conservation 2020 Program Coordinator, Division of County Lands

LEE COUNTY  
RECEIVED

02 OCT -8 AM 9:42

COMM. DEV. /  
PLN. WRKS. CNTR.  
SECOND FLOOR  
(239) 337-7900 (voice)

The Law Office of  
**ANNE DALTON, ESQUIRE**  
2044 Bayside Parkway  
Fort Myers, Florida 33901  
annedalton@att.net

(239) 337-7616 (fax) cc: Pte  
Pam

To Pam - why are  
we doing this?  
are you going to  
respond?  
M.G.  
10/8

Paul O'Connor  
Director of Planning  
Lee County  
P.O. Box 398  
Fort Myers, FL 33902

October 2, 2002

RE: Lee County Comprehensive Plan Amendment/Alva Cemetery

Dear Paul:

As a follow-up to my letter of September 27, 2002, on the referenced subject (copy enclosed), please note that I have corrected a minor scrivener's error in the attachment sent with said original letter. The Range description had been inadvertently omitted, and this amendment merely adds such description. The attachment is otherwise the same, and contains no substantive changes of any kind. Therefore, I would appreciate this attachment to be considered as having been filed on September 27, 2002.

I would appreciate your forwarding our enclosed proposal along to the appropriate staff.

Thank you.

Sincerely,



Anne Dalton, Esquire

CC: Lee County Commission (w/enclosure)  
John Albion, Lee County Commissioner, District Five (w/enclosure)  
Lindsay Harrington, State Representative, District 72 (w/enclosure)  
Mary Gibbs, Director of Community Development, Lee County (w/enclosure)  
James Yeager, Esquire, County Attorney (w/enclosure)  
Tim Jones, Esquire, Assistant County Attorney (w/enclosure)

MAD\os

## **ALVA CEMETERY**

**GOAL:** To recognize, preserve and enhance the unique historic, scenic, and natural resource asset and ambience represented by the Alva Cemetery, a non-profit cemetery in existence for over one hundred years, in its location in Section 16, T43S, Range 27E, north of CR 78/North River Road, Strap Number 16-43-27-00-00003.0000.

**OBJECTIVE:** 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:** The County will 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.

*The Law Office of*  
**ANNE DALTON, ESQUIRE**  
2044 Bayside Parkway  
Fort Myers, Florida 33901  
annedalton@att.net

(239) 337-7900 (voice)

(239) 337-7616 (fax)

Paul O'Connor  
Director of Planning  
Lee County  
P.O. Box 398  
Fort Myers, FL 33902

September 27, 2002

RE: Lee County Comprehensive Plan Amendment/Alva Cemetery

Dear Paul:

Please be advised that the undersigned represents the Board of Trustees for the Alva Cemetery, Inc. Board of Trustees. Please note that my client is a small not-for profit entity.

We have been working with A.L.V.A., Inc. and believe that certain suggestions we have made will be incorporated into their overall recommendation to Lee County. However, we also want to submit our proposal to you for consideration at the next available Lee County Comprehensive Plan hearing, or any meeting prior thereto which discusses either Alva or the issue of cemetery zoning or land use changes.

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MAD\os

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LEE COUNTY  
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MAD\os



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02 SEP 27 PM 2:45

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PUB. WRKS. CNTR.  
SECOND FLOOR  
(239) 337-7900 (voice)

*The Law Office of*  
**ANNE DALTON, ESQUIRE**  
2044 Bayside Parkway  
Fort Myers, Florida 33901  
annedalton@att.net

(239) 337-7616 (fax)

To: J. Mudd  
9/30/02 Paul - what  
is this?  
M.G.  
9/30  
cc: Pek  
bm  
Draft a  
response  
i.e. My e-mail

Paul O'Connor  
Director of Planning  
Lee County  
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September 27, 2002

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