

1. Discussion Objective:

Work Session Date: November 18, 2013

To discuss the findings of the Calvin, Giordano & Associates report on Downtown Redevelopment Agency and Review of Redevelopment Planning and Activities.

2. Submitter of Information:

☐ Council
☒ Town Staff – Community Development
☐ Town Attorney

3. Estimated Time for this item:

60 minutes

5. Background:

The consulting firm of Calvin, Giordano and Associates, Inc. has been working with Town Staff since February 2013 to identify all prior planning studies for the Downtown area, including planning efforts undertaken as part of the former Estero Island Community Redevelopment Agency that later became the Fort Myers Beach Downtown Redevelopment Agency. In their report, Calvin, Giordano has provided analysis of the Town's progress towards goals and projects that were identified in the plans. The report also analyzes the history of the CRA/DRA and its legal standing. They have also identified potential land use strategies and next steps toward extending the life of the CRA with an updated redevelopment plan.

Town Council adopted Ordinance 13-09 on November 4, 2013 readopting and reconfirming the CRA.

Exhibit A: Downtown Redevelopment Agency and Review of Redevelopment Planning and Activities report

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Parks & Recreation Director	Town Clerk
						

Town of Fort Myers Beach



Downtown Redevelopment Agency and Review of Redevelopment Planning and Activities

November 18, 2013

DRAFT



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS

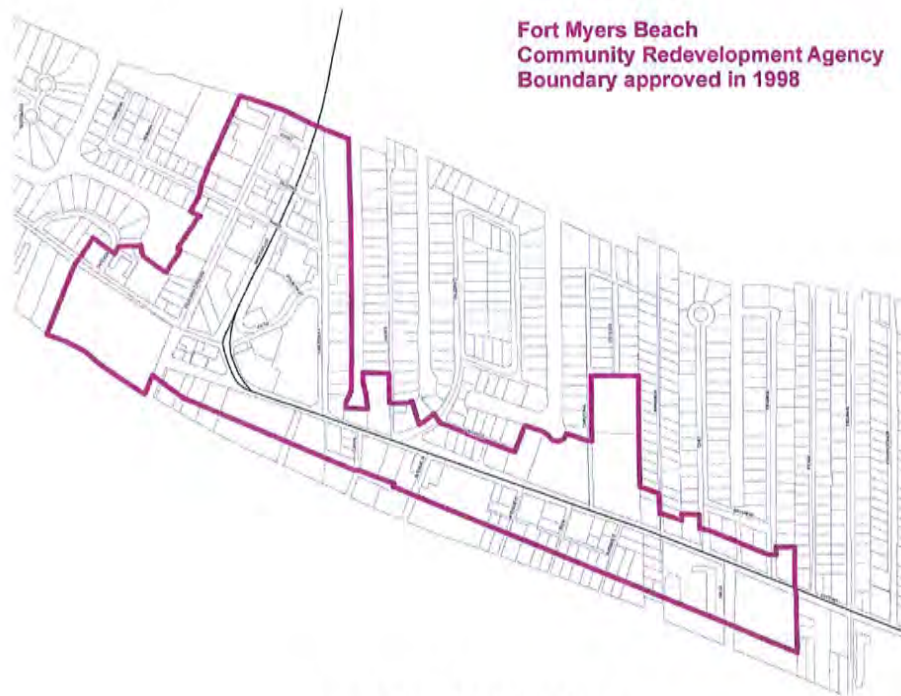
Introduction

The Town of Fort Myers Beach is a popular beach destination with ample amenities such as hotels, restaurants, and shops for visitors and residents. In addition to out-of-town visitors, many Lee County residents spend the day or evening enjoying the beach and spending time in the shops and restaurants. Fort Myers Beach has one main road through the Town, Estero Boulevard, which traverses the west side of the island. The two entrances into the Town are via the Sky Bridge near Downtown and Estero Boulevard/Bonita Beach Causeway. These limitations create continuous traffic challenges for the Town. Another challenge to the continuing success of Fort Myers Beach is the designation of the entire Town as a Special Flood Hazard Area. The majority of land within the Town west of Estero Boulevard is in a FEMA VE Zone and the remainder of the redevelopment area is in an AE Zone.

The Estero Island Community Redevelopment Agency (CRA) was established in 1991 while the area was under the jurisdiction of Lee County. In 1992, the County undertook improvements in the Times Square Area including paving and widening streets, improving the drainage system, and adding some sidewalks. The CRA adopted the Core Area Master Plan in 1995 and subsequently, Times Square was converted to a pedestrian mall in 1997. After the Town incorporated in 1995, the Town began its island-wide Comprehensive Plan which was adopted in 1999. In 1998 the Town adopted the Downtown Redevelopment Plan and established the Downtown Redevelopment Agency (DRA) in 1998 to carry on redevelopment activities and improvements started by the CRA.

The Downtown Redevelopment Area begins at the base of the Sky Bridge, extends from the Bay to the Gulf, and is bounded on the north by Lynn Hall Park, the commercial area across the street from Lynn Hall Park and the north side of Old San Carlos Boulevard. The canal south of Crescent Street defines the southerly boundary from the Bay to Estero Boulevard. The boundary then extends southward along both sides of Estero Boulevard to Pearl Street.

Map 1-1 DRA Boundary



Source: Town of Fort Myers Beach

The Town has prepared several studies supporting redevelopment activities. The studies support additional parking, floodproofing, and improved pedestrian, bicycle, and vehicle mobility. Mobility around the base of the bridge has been a continuing topic of discussion due to frequent bottleneck conditions. When Lee County acquired the Seafarers Village Mall property and expressed an interest in creating a parking lot at this location, the Town sought to review planning strategies for this area and Downtown Fort Myers Beach overall.

This Downtown Visioning document was prepared for the Town to consider a holistic approach to redevelopment. First, a review of all historic documents relating to the Fort Myers Beach DRA has been completed to determine what actions are needed to re-activate the Downtown Redevelopment Agency. Then a review of previous plans and traffic studies was completed to determine which redevelopment strategies have been implemented and what strategies could be implemented in the future.

This document is intended to promote discussion with the Town Council and Fort Myers Beach DRA stakeholders on the DRA's next steps in redevelopment. Ultimately, the Town and the DRA should consider the following:

- Identify vision for the Downtown area
- Identify redevelopment scenario for the Seafarers Commercial Planned Development district
- Identify the best design for the area to maximize pedestrian activity and minimize traffic conflicts
- Enticing prospective new businesses and developers to the Downtown area
- Increasing the utilization of undeveloped or under-developed properties
- Identify potential land use and zoning code modifications

The next steps in the redevelopment process includes a financial analysis to establish the baseline assessed property values from 1990, as well as the assessed values of the properties after the Town took control of the CRA from the County in 1998 and projections of future tax increments. The redevelopment plan should also be updated to include redevelopment strategies related to parking, traffic and transportation, land use, extension of the DRA plan to 2044 and possible expansion of the CRA boundaries.

Chapter 2. Fort Myers Beach Downtown Redevelopment Agency Legal Status

Basis for the Existence of the Fort Myers Beach Community Redevelopment Agency

This section intends to lay out a basic timeline of activities undertaken by Lee County or the Town of Fort Myers Beach related to the Estero Island/Fort Myers Beach Downtown Redevelopment Agency. The purpose of this timeline is to show the actions that lead to a determination that the Fort Myers Beach Downtown Redevelopment Agency continues to exist to the date this report was authored (October, 2013).

In 1991, the Lee County Board of County Commissioners approved Resolution 91-03-13 accepting a Finding of Necessity for a Community Redevelopment Agency which established the existence of blight on the unincorporated area of the county lying on Estero Island and expanding the Lee County Community Redevelopment Agency (LCCRA) to include all of Estero Island. On June 5, 1991, the Board of County Commissioners further adopted the Estero Island Community Redevelopment Plan and established a Redevelopment Trust Fund to which increment revenues would be placed. This expansion of the LCCRA to include the entire of Estero Island was designed to direct funds back to the island to upgrade areas of the island.

In November 1995, the residents of Estero Island voted to incorporate the island into the Town of Fort Myers Beach, an incorporation that would take effect on December 31, 1995. With this incorporation, the Town formed a municipal government and began to self-govern Estero Island. Upon incorporation, the Town assumed operation of the Estero Island CRA would transfer from the County to the Town. However, the County made efforts to terminate the CRA and in response the Town adopted Resolution 96-7 rebuffing efforts by the Board of County Commissioners to terminate the Estero Island CRA.

In 1997, Lee County voters adopted a Home Rule Charter making Lee County a charter county. This is a significant issue for the CRA moving into the future and will be discussed later in this report.

In 1998, the Town of Fort Myers Beach adopted Resolution 98-13 officially declaring the Town Council as the Estero Island CRA Board. Additionally in 1998, the Town Council reduced the size of the Estero Island CRA from the entire island to an area concentrating on the area

generally referred to as the core area or the Downtown area. It can be assumed that this update of the CRA plan extended the CRA's life for 30 years from the date of the adoption of the update. Though this extension is not specifically mentioned in the Plan, it was generally assumed by redevelopment officials at this time that CRA plans automatically reset the timeline upon adoption of an update (Note: since significant questioning of municipal CRA operations by counties in 2002, it became standard to specifically address whether a CRA plan update extended the timeframe of a CRA or not. This was due to issues between counties and municipalities as to specifically when individual CRA's were to sunset).

Later in 1998, the Town of Fort Myers Beach initiated a bond validation case in the court system. The Town, seeking to utilize increment revenues for the repayment of funds to be borrowed initiated the bond validation. This validation resulted in a court determination that the Estero Island CRA indeed existed and was controlled by the Town of Fort Myers Beach. This case is vital to the argument that the Estero Island CRA continues to exist.

In 1999, the Town officially changed the name of the CRA from the Estero Island CRA to the Fort Myers Beach Downtown Redevelopment Agency (DRA). In 1999, the County acknowledged that the operation of a CRA is a matter subject to incorporation negotiations and transfer of power documents. Issues of a CRA area's existence were specifically addressed in the transfer of power and incorporation documents for the newly created City of Bonita Springs. In this case, the existing CRA in Bonita Springs was specifically cited to terminate with the incorporation of the City of Bonita Springs.

In 2001, the Fort Myers Beach Downtown Redevelopment Agency (DRA) and the Lee County Board of County Commissioners settled a case regarding the County's payment of tax increment revenues to the CRA from the time of incorporation. The DRA and Town maintained that the County continued to collect increment revenue from the CRA after incorporation of the Town that the County did not spend in the DRA. The settlement agreement between the DRA and the County stipulated that in lieu of funds owed, the County would contribute funds towards several specific projects and in return it would no longer be obligated to pay funds for community redevelopment "at any time" to the Downtown Redevelopment Agency.

In conjunction with this report, the Town adopted an ordinance on November 4, 2013 to readopt and reconfirm previous resolutions by Lee County and the Town of Fort Myers Beach related to

the purpose, powers, functions and duties of the DRA, the geographic boundaries of the Agency, the Agency's authority, the governing body membership, and other terms of the Agency's existence, financing and operation. This ordinance will satisfy a requirement to submit documents creating the DRA to the State of Florida Special District Information Program office of the Florida Department of Economic Opportunity.

As of the authoring of this report, it appears that there have been no increment revenue payments to the DRA for some time. In fact, no evidence has been found that the DRA has collected any payments from either the Town or County in recent years. The only payments to the trust funds appear to be assessments that are earmarked for the DRA. It has been further found that the DRA has been continuously registered with Florida Special District Information Program office at the Florida Department of Economic Opportunity.

It is concluded from the timeline of aforementioned events that the Fort Myers Beach DRA continues to exist. The takeover of the CRA by the Town was not undertaken in a manner that is legally ideal under the existing statutes at the time. Support for the conclusion that the DRA continues to exist is also found in its continued operation and the 1998 bond validation case in which the judge ruled the CRA continues to exist under the authority of the Town of Fort Myers Beach.

Items of Concern

There are three items of concern related to the activities outlined above. The first of these concerns is that Lee County has since repealed parts of the legislation that created the Lee County CRA, actions that are questionable in light of the fact that these are the creation documents for the Estero Island CRA, the predecessor agency to the DRA. In addition, no evidence could be found anywhere in the Town's files where the County had forwarded appropriate notification of the repeal of the legislation as required by §163.346 of the Florida Statutes to the Town. At the time the County repealed its legislation, the DRA had long been under the control of the Town. These actions were not within the confines of the incorporation documents and agreement between the Town of Fort Myers Beach and Lee County.

The second and more notable concern is the agreement between the DRA and Lee County exempting the County from paying funds towards "community redevelopment" at any time in the future. At the time of this agreement, the DRA did not have statutory authority to enter into any

agreement to exempt a taxing authority from paying increment to the Agency. At the time of the agreement, the only such exemption was only available to special districts upon application to the governing body of the CRA at the time the CRA was created. While §163, Part III, Florida Statutes has been amended since the 2001 settlement agreement to allow for exemptions from payment of increment revenues, this can only be done through an interlocal agreement between the County and the Town, not the DRA and County. Given the above, it appears that the settlement agreement is not enforceable because the agreement is between the County and the Fort Myers Beach Downtown Redevelopment Agency, a party that did not have legal authority to exempt the County from increment revenue payments. The Town was not a party to the agreement. There may be a possibility, if unenforceability of this agreement is confirmed, that the County might ask for the settlement funds to be returned to the County. The amount of increment funds the County had collected but not expended within the Estero Island CRA prior to the Town's takeover of the Agency plus accrued unpaid increment revenue since the settlement date, would most likely exceed the amount the County contributed under the 2001 settlement agreement.

The third issue is the County's adoption of a home rule charter. The power to undertake redevelopment under §163, Part III of the Florida Statutes in a charter county lies with the County. In a non-chartered county, the power to undertake redevelopment lies with a municipality. If a municipality in a charter County wishes to create a CRA, the Board of County Commissioners must delegate the authority under the Statutes to the municipality which would then allow the municipality to create a CRA. A CRA which exists prior to a County's adoption of a home rule charter, however, maintains the power under the Florida Statutes to undertake redevelopment, though if it is to modify its redevelopment plan in a manner that expands the CRA boundaries, it must follow additional steps outlined in §163.361(3) of the Florida Statutes. These steps require notification to the County and an opportunity for the County to propose alternative plans, though they do not prevent the Town from approving the expansion.

Additionally, if the CRA were to expand the boundaries essentially creating a new redevelopment area, its collection of increment revenues may be limited. An existing redevelopment area is allowed to collect increment revenues from a city and a county based on each entity's operating millage. Changes to §163.387 of the Florida Statutes in 2006 limit the required county contribution to an amount of incremental taxes based on a millage rate equal to the municipality's operating millage rate if the county's rate is higher. This limitation does not

however, preclude the County from contributing increment funds based on the County's operating millage. The amount of the contribution could be negotiated so that the County's contribution is more than the required rate. This would be appropriate if the funds are then directed toward projects like the Estero Boulevard reconstruction or others which the County is otherwise financially responsible to undertake.

Strategies into the Future

It is evident that in order to undertake any significant redevelopment efforts the Town and the DRA need to engage Lee County in discussions about the DRA's future. In order to achieve maximum effectiveness, the Town and DRA should seek an extension of the DRA's life to its maximum extension available (currently it is believed that the DRA would sunset within 30 years of the 1998 redevelopment plan update, 2028). An update could be made to the redevelopment plan that would extend the DRA's life for an additional 30 years from the adoption of the update, which if done in 2014, would extend the DRA until 2044). Such an extension would allow for a maximum capture of increment revenues, a necessity to undertake projects that would be beneficial to redevelopment in the Town.

Additionally, expansion of the DRA would be ideal and would also need to be discussed with the County. Expansion, upgrading and modernization of Estero Boulevard is the project most often cited by Town officials and residents as necessary for redevelopment to occur on the island. A project which is the responsibility of the County as it owns the roadway. While the Town and County have entered into an interlocal agreement regarding the roadway, its scope is limited to cooperation between the Town and County that allows the Town to replace certain utilities concurrently and as part of any Estero Boulevard reconstruction project. Additionally, the County has only identified funding for a single section of the project. If the DRA boundaries were expanded to include more of Estero Boulevard and surrounding properties, the DRA could be more involved in this project and could collect more revenue to contribute to it. Any expansion should consider this project and the properties that would be directly impacted.

Discussions with the County should focus on the partnership between the Town, DRA and County that could result in the completion of the Estero Boulevard project in an accelerated timeframe. Additionally, redevelopment of the Seafarer's site, currently under County ownership, into a tax-generating, commercial project that generates additional redevelopment activity, could be undertaken by the DRA. This project could be designed and an appropriate

developer request for proposals or other conveyance method could be undertaken by the DRA. The project could be coupled with a parking garage in the area and traffic re-configuration to promote a more unified Downtown area that is more inviting to visitors. Ideally, it would create a better flow of traffic, more shopping opportunities for both visitor and residents, and unite the Downtown area into a more pedestrian friendly environment.

While the existence of the DRA is not in question and while the DRA can continue to operate without discussions with the County, it is reasonable to assume the County will oppose the Town's efforts and collecting increment revenue from the County will be quite difficult. However, working with the County to update the redevelopment plan to include the County as a partner and to highlight Estero Boulevard reconstruction and development of the County-owned Seafarer's site (in addition to other redevelopment projects in the Town), can be highly beneficial to both entities and the residents and businesses.

Timeline

The following is a timeline related to actions related to the Community Redevelopment Agency of the Town of Fort Myers Beach. Resolution and/or ordinance numbers are cited where known.

- 7/11/1990 Lee County establishes the Lee County Community Redevelopment Agency (CRA) through the adoption of Resolution 90-07-21.
- 6/5/1991 Estero Island Redevelopment Plan is adopted by the Lee County Board of County Commissioners.
- Lee County Board of County Commissioners establishes a Redevelopment Trust Fund by adoption of Ordinance 91-07.
- 1991 Lee County adopts a Finding of Necessity for the Estero Island CRA via County Resolution 91-03-13.
- Lee County adopts the component CRA plan for Estero Island through the adoption of County Resolution 91-03-14.
- Presumably, Resolution 91-03-13 and 91-03-14 came after the adoptions by the Lee County CRA of the Estero Island CRA Plan.
- 12/31/1995 Fort Myers Beach is incorporated
- The CRA governing board is presumed to transfer from the Board of County Commissioners to the Town Council as assumption of municipal activities through the transition of functions from the County to the new Town.
- 1996 Town declines Lee County's attempts to terminate the Estero Island CRA by Town Resolution 96-7.
- Lee County recognizes that the existence of the CRA is not a matter that was subject to the incorporation negotiations and transfer of power documents. (Whereas as the County recognized these issues after discussions with Fort Myers Beach and specifically addressed the termination of the Bonita Springs CRA upon the December 31, 1999 incorporation of the City of Bonita Spring in the transfer of power agreement between the City and the County.
- 1997 Lee County becomes a Charter County.
- The Fort Myers Beach CRA would not be subject to §163.415 Florida Statutes. as it is "grandfathered" in as a CRA created prior to the County's Charter. Rights to operate the CRA remain vested with the Town and do not transfer to the County. Certain requirements for notification and cooperation with the County

are still required if a Community Redevelopment Plan amendment which expands the boundaries of the CRA are to be considered.

1998 Fort Myers Beach Town Council officially declares itself the CRA Board by the adoption of Town Resolution 98-13.

1998 CRA and Fort Myers Beach Town Council change CRA boundary removing most of the Estero Island from the CRA and concentrating the CRA on an area in the traditional FMB downtown area.

6/29/1998 Fort Myers Beach Redevelopment Plan is adopted as an update to the 1991 Estero Island Plan.

The updated plan indicates that a plan update can extend the life of the CRA for an additional 30 years. The Plan does not specifically say state that is a purpose of the Plan. (Note: CRA practitioners during this timeframe assumed the adoption of an updated plan automatically extended the timeframe. Current practice suggests to specifically indicate this in a plan to avoid this very question).

The updated Plan addressed the significant reduction of the CRA area.

1998 CRA of the Town of Fort Myers Beach vs. State of Florida, et. al. bond validation case. The Court validated the continued existence of the CRA and the Town's control of the CRA.

1999 CRA of Fort Myers Beach changes name to the Fort Myers Beach Downtown Redevelopment Agency.

4/11/2000 Lee County Adopts County Ordinance 00-06 repealing County Ordinance 91-07 (and as amended by County Ordinance 92-39) which effectively eliminated the County's Redevelopment Trust Fund.

4/9/2001 Settlement Agreement between Lee County Board of County Commissioners and the Fort Myers Beach Downtown Redevelopment Agency.

This agreement settled a case regarding the County's payment of tax increment revenues to the CRA from the time the Town was incorporated. The agreement stipulated that in lieu of the funds owed, the County would give the CRA monies for several specific projects and it (the County) would no longer be obligated to pay funds for community redevelopment "at any time" to the Downtown Redevelopment Agency.

The Settlement Agreement is between Lee County and the CRA, the only mention in Statutes of an ability to exempt any agency from making contributions to the Redevelopment Trust Fund vests with the "governing body" which at the time of the Settlement Agreement was the Town Council of the Town of Fort Myers Beach, an entity that was not a party to the Settlement Agreement.

Additionally, Statutes at the time of the Settlement Agreement (2001) did not have a provision for any entity other than a special district to be exempt from contributing to the Redevelopment Trust Fund and then it could only be done at the time of the creation of the Trust Fund.

- 11/28/2006 Lee County Board of County Commissioners adopts County Resolution 06-11-27 which rescinded County Ordinance 90-07-21, the ordinance which defined the County's Community Redevelopment Areas and created the Community Redevelopment Agency. No documentation can be found in Town files that indicate the County properly notified all the taxing authorities collecting a millage in the CRA as per §163.346, Florida Statutes. Information in the agenda item Summary for the item on the November 28, 2006 agenda does not indicate any advertisement of the item.
- 11/04/2013 Town of Fort Myers Beach adopts an ordinance to readopt and reconfirm previous resolutions by Lee County and the Town of Fort Myers Beach related to the purpose, powers, functions and duties of the CRA, the geographic boundaries of the Agency, the Agency's authority, the governing body membership, and other terms of the Agency's existence, financing and operation.

Chapter 3. Review of Downtown Plans

Downtown Fort Myers Beach, also referred as the “Core Area,” has had several plans prepared regarding redevelopment strategies. In addition to plans prepared specifically for redevelopment, the Comprehensive Plan, Evaluation and Appraisal Report, and some traffic studies have been conducted with a focus on revitalizing Downtown Fort Myers Beach and alleviating continuing traffic congestions issues. The studies are summarized below and Table 3-1 provides a summary of the plans and the Town’s progress on implementing the plans.

Community Workshop Issues Working Paper Estero Island Core Area (1995)

Prepared when the Core Area was a Lee County redevelopment area, this working paper was prepared by the Estero Island CRA and was based upon interviews with Core Area merchants and owners conducted in December 1994. Key topics included parking inadequacies, creating a pedestrian corridor in Times Square, a left turn from San Carlos Boulevard to 5th Street, and encouraging residential infill along Crescent Street. Since this study, accomplishments include converting Times Square to a pedestrian mall in 1996-97, a concept that originated from the 1989 “Pedestrian Mall Study.” Also, sidewalks and street trees added to Estero Boulevard from Times Square to the Lani Kai.

Fort Myers Beach Core Area Overlay Zoning Master Plan (1995)

The Fort Myers Beach Core Area Overlay Zoning Master Plan document was prepared for the Lee County CRA office. The Master Plan envisioned a lively marina, an invigorated commercial Downtown district, reduced need for off-island shopping, and replacing rundown rental cottages with infill apartments and smaller family hotels. Objectives outlined in the Master Plan included:

- Urban design goals and regulating plan
- Transportation circulation
- Stormwater management
- Enhancement of special amenities such as Lynn Hall Park, Marina, and beach

The regulating plan provided development standards and divided Downtown Fort Myers Beach into the Old San Carlos, Times Square, and Crescent Street, and Estero/Beachfront Districts. Future locations for marina-related parking, a mixed use site on Old San Carlos Boulevard, beach renourishment and beach boardwalk were identified in the plan.

In 1996, Master Plan concepts were adopted as the Core Area Overlay Zoning District. This district has been since replaced by the Downtown Zoning District by Ordinance 03-03.

Downtown Redevelopment Plan (1998)

The Town established its own Downtown Redevelopment Agency in 1998 after incorporation of the Town of Fort Myers Beach in 1995. The DRA adopted the Downtown Redevelopment Plan also in 1998 as a modification of the 1991 Estero Island Community Redevelopment Plan. It incorporated the recommendations of the Core Area Master Plan and was expected that the recommendations in the plan would be undertaken with the Fort Myers Beach Main Street Program.

Redevelopment implementation strategies in the Town of Fort Myers Beach Downtown Redevelopment Plan included:

- Shared parking behind businesses on Old San Carlos Boulevard
- Adding on-street parking and removing parking from Lynn Hall Park
- Parking garage near Times Square
- Streetscape plan including Bay-side sidewalks
- Private sidewalk reservations to ensure consistent sidewalks
- Zoning incentives for mixed use buildings
- Enhancing historic resources
- Regulating plan for Estero Boulevard in the land development code
- Developing a Marina Plaza
- Review the potential for beach boardwalk
- Providing technical assistance in floodproofing
- Evaluating raising the grade of roads and sidewalks
- Trolley pull-offs and clean fuel trolleys
- Creating a hidden path system for greater connectivity
- Signalized pedestrian crossing or pedestrian overpass
- Removing the left turn from Estero Boulevard onto 5th Street and redirect traffic to Crescent and under the bridge for northbound traffic
- Traffic demand management strategies such as employer transportation
- Limiting commercial deliveries during peak traffic periods
- Mapping existing drainage facilities

- Ensure land development regulations require best management practices that maintain historic and pedestrian character of the Town

Strategies implemented from this plan included on-street parking on Old San Carlos Boulevard and revised land development regulations including required sidewalk widths. Current land development regulations include design guidelines that encourage traditional building forms and pedestrian character.

Trolley pull-offs have been created and Lee Tran has purchased clean diesel and hybrid trolleys. Limiting commercial deliveries has been a continuing challenge in Downtown Fort Myers Beach. A group of volunteers mapped existing drainage facilities and Town staff provides technical assistance on floodproofing.

Comprehensive Plan Redevelopment Concepts (1999)

The process of writing the Comprehensive Plan began in 1995 and the Plan was adopted in 1999. The Plan was prepared to meet state requirements for Comprehensive Plan, plus an emphasis on urban design and redevelopment. A large number of Plan policies directly address redevelopment and specific projects inducing redevelopment. In addition, the optional Community Design Element attempts to outline a format for livability and provide direction on the Towns' urban form.

The following concepts are included in the Comprehensive Plan.

- *Bicycle and pedestrian circulation.* Policies 3-D-2 and 3-D-4 refer to a number of pedestrian, bike and parking recommendations from the Community Workshop Issues Working Paper and Core Area Overlay Zoning Master Plan prepared in 1995. Some of the recommendations from that plan have been implemented or partially implemented such as the color sidewalks along Estero Boulevard from Times Square to the Lani Kai and uniform sidewalks on Old San Carlos Boulevard.
- *Streetscape and gateway features.* Policies 1-B-2, 1-B-3, and 2-B-1 emphasize streetscape, street trees, and development of gateway features. Policy 3-D-6 focuses on streetscape improvements on Old San Carlos Boulevard, Crescent Street, Center Street, and First through Fifth Street. Policies 3-D-3 and 7-E-4 address provision of standard sidewalks along Old San Carlos Boulevard and using design treatments at major intersections. No gateway features or design treatments at intersections were

implemented. Old San Carlos did receive streetscape improvements. Chapter 10 of the land development regulations has specific requirements for sidewalks in the Downtown area.

- *Parking management and improvements.* Policies 3-D-5, 7-A-2, 7-F-1, 7-F-2, 7-F-3, and 7-F-4 refer to creating shared parking near Times Square, adding 165 parallel and angled space on Old San Carlos Boulevard, on street parking through the Core area, and encouraging the private sector to provide parking lots and parking garages and signage to direct visitors to existing parking areas. Policy 7-D-3 emphasizes eliminating parking lots in front of buildings Downtown and amending the land development code to accommodate this. Shared parking facilities have been created on Old San Carlos Boulevard, but no parking garages have been built
- *Lynn Hall Park.* Policy 3-D-9 looks at enhancement of Lynn Hall Park including beach renourishment, beach volleyball and a pavilion. Beach renourishment has been completed, but beach volleyball facilities and an amphitheater have not been done.
- *Plaza on Matanzas Pass.* Policy 3-D-4 refers to the creation of a public pedestrian plaza at the east end of Old San Carlos Boulevard that was not developed. Nervous Nellie's was built, and then a small park with a fountain was created.
- *Flood proofing.* Policy 4-E-4 encourages full height dry flood proofing as an alternate to ground level commercial space in pedestrian area. The Town provides technical assistance on floodproofing.
- *Design Guidelines.* Policy 1-3-A requires the development of design guidelines for commercial and mixed use areas of Estero Boulevard that reflect a "beach cottage character" which was incorporated into the land development regulations. Design guidelines have been incorporated into the code to encourage traditional building forms, but the guidelines allow some flexibility of design and character of the building.
- *Underground utilities.* Policy 1-A-2 refers to putting utilities underground on Estero Boulevard. Policy 1-B-5 refers undergrounding utilities to beautify public spaces. Policy 5-C-6. Policies for undergrounding utilities occur in most comprehensive plan elements. Utilities are underground on all of Old San Carlos Boulevard throughout Times Square, and on Estero Boulevard from Times Square to the Lani Kai.

Old San Carlos Boulevard-Crescent Street Master Plan (1999)

This plan was designed as an implementation plan of Comprehensive Plan near Times Square. The “park once” strategy which encourages visitors to park one time and walk to various downtown destinations was introduced with shared parking concepts. Shared parking in this plan included on-street parking, businesses offering parking for a fee, jointly operated parking by private merchants, or public or private parking lots. The plan suggested that the land development code should accommodate shared parking strategies. The land development regulations allow shared parking lots that are open to the public, generally for a fee as a principal use of land.

Specific comprehensive plan objectives reviewed in this study included:

- Expanding the Times Square pedestrian-friendly zone along Old San Carlos Boulevard from Times Square to Matanzas Pass, connecting the beach to the Bay with the following strategies:
- Improving the existing parking situation by implementing:
 - On-street parallel parking
 - Shared parking lots behinds buildings including Helmerich Plaza
 - Parking garages to include liner buildings
 - Parking management strategy
- Streetscaping and orientation of buildings to the street on Crescent Street
- Maximizing pedestrian connections and parking on First, Third, and Fifth Streets
- Redeveloping Helmerich Plaza/Seafarer’s Village with buildings along the block edge with parking in the center of the block

The Plan offered two redevelopment scenarios: 1) moderate infill plan with surface parking, and 2) more intense infill with parking garages. Consensus developed with the Town Council and Local Planning Agency (LPA) was to move forward with a moderate infill plan with surface parking only. Recommendations for San Carlos Boulevard included twelve foot wide textured sidewalks and on-street parking on Old San Carlos Boulevard. These improvements were completed in 2002.

The Plan envisioned a pattern of mixed-use, multistory buildings along the sidewalks on Old San Carlos Boulevard. Crescent Street was envisioned to keep its eclectic residential feel, but

orient buildings to the street and consider waterfront dining. Seafarer's Village was seen as the link to creating solutions for improving traffic, pedestrian facilities, and parking.

New development since this plan was adopted included Bayfront Square, Nervous Nellies, and the Harbour House at the Inn. Redevelopment completed based upon these plans included Seafarer's Plaza (now demolished), Lighthouse Hotel, the Shipwreck hotel and some mixed use buildings on Old San Carlos Boulevard. Overall some infill development has occurred, but not to the same moderate intensity as envisioned in the 1999 Plan. Virtually no new development or redevelopment has occurred on Crescent Street.

Strategies for Improving Access to and Traffic Circulation within the Town of Fort Myers Beach (2002)

This study was conducted to assess options for reducing peak traffic demand periods, capturing automobile trips before they reach the Town, and transferring trips to alternate facilities. The Access and Traffic Circulation study reviewed the costs and funding options for improving transportation facilities.

In the report, it was established that drivers do not easily choose an alternate method of transportation. Any alternate method would have to be highly convenient, with short headways, reasonably priced, and able to accommodate passenger baggage and beach accessories. Through a public involvement process, the study also established that the Town welcomes visitors and does not want to have a resident-only focus.

Strategies discussed to improve circulation included:

- Trolleys
- Priority lanes for trolleys and buses
- Real time transit information
- Remote parking sites
- Parking deck construction
- Bridge replacement
- Toll facility
- Ferry
- Infrastructure improvements in Town (bike and pedestrian mobility)

A trolley system has been in place for more than twenty years and is managed by Lee County Transit. The Fort Myers Beach Trolley services runs from South Fort Myers near Summerlin Road, along the Island and has stops all along the beach to Bonita Springs. The cost and difficulty of creating exclusive lanes on the Matanzas Bridge or replacing the bridge to accommodate more traffic was determined to be cost prohibitive. Remote parking spots such as utilizing property at Summerlin Road and Old San Carlos Boulevard, now Summerlin Square, were discussed and there is an existing trolley transfer station and parking at Summerlin Square.

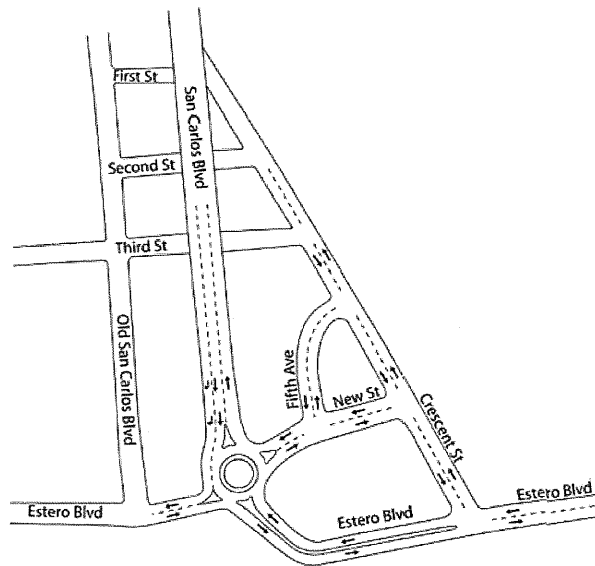
Other strategies included a ferry system to bring passengers from the mainland with their automobiles remaining on the mainland. Toll facilities similar to the toll system on Sanibel Causeway could fund improvements was also suggested.

Memorandum on Discussion of Returning Second and Third Streets to Two-Way Traffic between Old San Carlos and Crescent (2001)

Second and Third Streets were converted to one-way traffic in the early 1990's to accommodate drainage improvements in the area. The one-way traffic pattern has not been evaluated in traffic studies, but was incorporated into plans for Times Square proposed by the CRA. The memorandum mentions that the 1999 Old San Carlos/Crescent Master Plan proposed to restore Second and Third Streets to two-way traffic. According to this memorandum, the main advantage to reverting Second and Third Streets to two-way traffic would be to reduce confusion for motorists who are unfamiliar with the area. Currently, Second and Third Streets are two-way streets.

Memorandum on Planning Options between Crescent Street and the Sky Bridge (2005)

This memorandum discussed four options for improving Estero Boulevard between Crescent Street and the Sky Bridge. All options were contingent acquiring right-of-way to build a short new street between Crescent Street and the foot of the bridge. The preferred option included a roundabout with a raised pedestrian island. Other options included creating this section of Estero Boulevard between Crescent Street and the Sky Bridge as a pedestrian mall, creating a one way pair with the new street, or using this section of Estero Boulevard for transit and pedestrians only.



Option 1

**Figure: Option 1 from Memorandum titled "Planning Options
Between Crescent Street and the Sky Bridge (2005)"**

Evaluation and Appraisal Report of the Town of Fort Myers Beach Comprehensive Plan (2007)

The Evaluation and Appraisal Report (EAR) reviewed redevelopment in light of accomplishing and fulfilling Comprehensive Plan goals, objectives, and policies. Major issue topics discussed in the EAR were reviewed with residents and business owners in Planning Charrettes in March and April 2005. Topics included Times Square, Estero Boulevard, and community design in light of new velocity zones designations.

The EAR also included an analysis of ten alternatives for improving Estero Boulevard between Crescent Street and the Sky Bridge. The ten alternative configurations were ranked according to traffic performance, walkability/livability, and right-of-way/feasibility. Per the traffic study that accompanied the EAR an alternative with the roundabout at the foot of Sky Bridge, raised pedestrian island, and signals at Crescent and Estero scored highest in terms of traffic performance, walkability/livability, and right-of-way/feasibility.

It was noted that with all the alternatives presented (including the preferred alternative), congested conditions beyond Crescent Street continue to cause delays for incoming and local traffic. Therefore it is recommended that more extensive land-use, parking and wayfinding strategies be explored such as rezoning, redevelopment, streetscape improvements and the construction of parking structures.

Table 3-1 Assessment of Fort Myer Beach Redevelopment Strategies

Redevelopment Strategy	Planning Document	Status of Strategies
Times Square		
Close Times Square to traffic	Working Paper Estero Island Core Area (1995)	Done.
Relax regulations on building rehabilitation	Core Area Overlay Zoning Master Plan (1995)	Not done.
Encourage renovation within guidelines to maintain pedestrian friendly environment.	Fort Myers Beach Core Area Overlay Zoning Master Plan (1995)	Ongoing
Encourage outdoor dining in Times Square	Core Area Overlay Zoning Master Plan (1995)	Done. Downtown district zoning regulations specifically encourages outdoor dining, but specific incentives provided.
Pedestrian-friendly pass-throughs to Lynn Hall Park	Downtown Redevelopment Plan (1998)	There is one pathway.
Old San Carlos Boulevard		
Create Old San Carlos Boulevard as a pedestrian friendly Street	Working Paper Estero Island Core Area (1995) Core Area Overlay Zoning Master Plan (1995) Downtown Redevelopment Plan (1998) Old San Carlos Boulevard-Crescent Street Master Plan (1999)	Done.
Reduce setbacks to encourage compact development	Working Paper Estero Island Core Area (1995) Core Area Overlay Zoning Master Plan (1995) Downtown Redevelopment Plan (1998) Old San Carlos Boulevard-Crescent Street Master Plan (1999) Comprehensive Plan (1999)	Done. Included in land development regulations.
Land development code incentives for housing in mixed use buildings	Downtown Redevelopment Plan (1998)	Not done.
Dry flood proofing	Comprehensive Plan (1999)	Required in V-zones
Create plaza at Third street	Working Paper Estero Island Core Area (1995)	Not done.
Fully develop marina for	Working Paper Estero Island Core Area (1995)	Not done. A small park and

Redevelopment Strategy	Planning Document	Status of Strategies
excursion boats, sports fishing, and water taxis	Core Area Overlay Zoning Master Plan (1995)	Nervous Nellie's was completed in the area envisioned for Bayfront plaza and marina facilities.
Create public plaza at north end of Old San Carlos or "Bayfront Square"	Working Paper Estero Island Core Area (1995) Old San Carlos Boulevard-Crescent Street Master Plan (1999)	Done.
Create public gathering space/Marina Plaza linking marina, Snug Harbor, and Matanzas Restaurant	Working Paper Estero Island Core Area (1995) Downtown Redevelopment Plan (1998) Comprehensive Plan (1999)	Not done.
Water taxi stop at marina	Core Area Overlay Zoning Master Plan (1995) Downtown Redevelopment Plan (1998)	Not done.
Parking garages at key sites	Working Paper Estero Island Core Area (1995) Downtown Redevelopment Plan (1998) Old San Carlos Boulevard-Crescent Street Master Plan (1999)	Not done.
Identify prototype garage structure to include a retail bay at street level	Working Paper Estero Island Core Area (1995)	Done. Requirements for parking garages with liner buildings included in land development regulations for the Downtown district.
Parking behind buildings at grade	Old San Carlos Boulevard-Crescent Street Master Plan (1999) Core Area Overlay Zoning Master Plan (1995)	Some existing buildings have parking behind buildings, but there are no developments or redevelopment plans of this type since these plans.
Shared parking facilities	Core Area Overlay Zoning Master Plan (1995) Downtown Redevelopment Plan (1998) Comprehensive Plan (1999) Old San Carlos Boulevard-Crescent Street Master Plan (1999)	There are some joint use parking agreements.
On Street parking on Old San Carlos, Crescent Street, Center Street, and First through Fifth Street	Core Area Overlay Zoning Master Plan (1995) Downtown Redevelopment Plan (1998) Comprehensive Plan (1999)	Not done except for on street parking on Old San Carlos

Redevelopment Strategy	Planning Document	Status of Strategies
Signage to direct visitors to existing parking areas	Comprehensive Plan (1999)	Very limited signage
Variable message signs for parking availability	Downtown Redevelopment Plan (1998)	Not done.
Lynn Hall Park		
Reclaim the eastern portion for amphitheater	Working Paper Estero Island Core Area (1995) Core Area Overlay Zoning Master Plan (1995)	Not done.
Create beach volleyball courts	Core Area Overlay Zoning Master Plan (1995) Working Paper Estero Island Core Area (1995) Comprehensive Plan (1999)	Not done.
Reduce parking, add sand volleyball	Old San Carlos Boulevard-Crescent Street Master Plan (1999) Downtown Redevelopment Plan (1998)	Not done.
Beach		
Renourish beachfront	Working Paper Estero Island Core Area (1995) Core Area Overlay Zoning Master Plan (1995) Downtown Redevelopment Plan (1998) Comprehensive Plan (1999)	Done on north end of island
Construct boardwalk from Canal Street to Lynn Hall Park	Working Paper Estero Island Core Area (1995) Core Area Overlay Zoning Master Plan (1995) Downtown Redevelopment Plan (1998)	Not done.
Crescent Street		
Former Helmerich Plaza reconfigured as a street-oriented-liner buildings overlooking the street with parking lot or garage in the interior.	Old San Carlos Boulevard-Crescent Street Master Plan (1999)	Not done.
Identify "Prototype" building of side yard residential units	Working Paper Estero Island Core Area (1995)	Not done.
Direct assembly and redevelopment along canal	Working Paper Estero Island Core Area (1995)	Not done.
Encourage affordable housing along Crescent Street	Core Area Overlay Zoning Master Plan (1995)	Housing affordability continues be to be concern.

Redevelopment Strategy	Planning Document	Status of Strategies
Land development code incentives for redevelopment	Downtown Redevelopment Plan (1998)	Done.
Transportation		
Signalize intersection at the foot of the bridge and restrict turns at peak hours/season	Working Paper Estero Island Core Area (1995) Core Area Overlay Zoning Master Plan (1995)	Pedestrian signalization added.
Left Turn from San Carlos Boulevard to 5 th Street	Working Paper Estero Island Core Area (1995)	Not done.
Close off Left Turn from San Carlos Boulevard to 5 th Street	Downtown Redevelopment Plan (1998)	Done.
Signalize Crescent Street/Estero Intersection	Working Paper Estero Island Core Area (1995) Core Area Overlay Zoning Master Plan (1995) Evaluation and Appraisal Report (2007)	Not done.
Raised pedestrian island on Estero Boulevard	Old San Carlos Boulevard-Crescent Street Master Plan (1999) Evaluation and Appraisal Report (2007)	Not done.
Pedestrian overpass	Downtown Redevelopment Plan (1998)	Not done.
Roundabout at foot of Sky Bridge	Planning Options Between Crescent Street and the Sky Bridge (2005) Evaluation and Appraisal Report (2007)	Not done.
Second and Third Street-one way configuration with angle parking on one side	Old San Carlos Boulevard-Crescent Street Master Plan (1999)	Not done.
Returning Second and Third Streets to Two-Way Traffic	Discussion of Returning Second and Third Streets to Two-Way Traffic (2001)	Not done.
Streetscape plans on Old San Carlos, Estero, Crescent Street, Center Street, and First through Fifth Street	Core Area Overlay Zoning Master Plan (1995) Downtown Redevelopment Plan (1998) Comprehensive Plan (1999)	Partially done. *On street parking on Old San Carlos *Textured sidewalks on Estero Boulevard

Redevelopment Strategy	Planning Document	Status of Strategies
Trolleys	Strategies for Improving Access to and Traffic Circulation (2002)	Done.
Priority lanes for trolleys and buses	Strategies for Improving Access to and Traffic Circulation (2002)	Done.
Trolley pull-offs	Core Area Overlay Zoning Master Plan (1995) Downtown Redevelopment Plan (1998)	Some pull-offs have been installed. Additional pull-offs are needed and part of Interlocal agreement with County.
Beachgoer tram for travel to Bowditch Point	Core Area Overlay Zoning Master Plan (1995) Downtown Redevelopment Plan (1998)	Not done.
Real time transit information (Nextbus)	Strategies for Improving Access to and Traffic Circulation (2002)	Done.
Trolley service past 9 PM	Core Area Overlay Zoning Master Plan (1995)	Trolley service ends at 9:30 pm
Transit bus loop around Downtown	Core Area Overlay Zoning Master Plan (1995)	Not done.
Replace trolleys with clean fuel vehicles	Downtown Redevelopment Plan (1998)	Done. Lee Tran purchased seven clean diesel trolleys and two hybrid, low-floor trolleys.
Clear trolley stop signs	Downtown Redevelopment Plan (1998)	Done.
Bus shelters at key locations	Downtown Redevelopment Plan (1998)	Not done.

Redevelopment Strategy	Planning Document	Status of Strategies
Airport shuttle service connecting to trolley	Downtown Redevelopment Plan (1998)	Not done.
Employer-sponsored transportation	Downtown Redevelopment Plan (1998)	Not done.
Limit commercial deliveries during peak traffic periods	Downtown Redevelopment Plan (1998)	Not done.
Remote parking sites	Strategies for Improving Access to and Traffic Circulation (2002)	Done. Remote parking site at Summerlin Square.
Bridge replacement	Strategies for Improving Access to and Traffic Circulation (2002)	Not done.
Ferry	Strategies for Improving Access to and Traffic Circulation (2002)	Not done.
Toll facility	Strategies for Improving Access to and Traffic Circulation (2002)	Not done.
Bike path network (Crescent to Third to Old San Carlos the along Estero to Bowditch Point.)	Core Area Overlay Zoning Master Plan (1995)	Not done.
Minimum sidewalk widths	Core Area Overlay Zoning Master Plan (1995)	Done. Per land development code, for the area with the

Redevelopment Strategy	Planning Document	Status of Strategies
		Pedestrian Commercial land use designation (Downtown area), the following sidewalks are required: • 8 feet for sidewalks that are separated from the travel lane, parking lane, or paved shoulder by a planting strip at least 5 feet wide. • 10 feet for sidewalks that immediately abut a travel lane, parking lane, or paved shoulder. • 2 additional feet of width is required wherever this sidewalk immediately abuts a building.
Urban Design		
Gateway features	Downtown Redevelopment Plan (1998) Comprehensive Plan (1999)	Not done.
Architectural guidelines	Working Paper Estero Island Core Area (1995) Core Area Overlay Zoning Master Plan (1995) Comprehensive Plan (1999)	Done. Included in land development regulations.
Up to four stories tall on Old San Carlos	Core Area Overlay Zoning Master Plan (1995)	Not permitted. Land development regulations permit up to 40 feet above base flood elevation and no more than three stories for Old San Carlos Boulevard between Fifth and First Streets.
Encourage appropriately scaled resort residential infill	Core Area Overlay Zoning Master Plan (1995)	Land development regulations limit height to 2-3 stories and a maximum 30-40

Redevelopment Strategy	Planning Document	Status of Strategies
		feet depending on the location in the Downtown district.
Flood Zone Strategies		
Flood proofing with appropriate panels	Core Area Overlay Zoning Master Plan (1995)	Required in V-zones
Provide technical assistance regarding flood proofing	Downtown Redevelopment Plan (1998)	On-going.
Evaluate raising existing grade of roads and sidewalks	Downtown Redevelopment Plan (1998)	Not done.
Drainage Improvements	Downtown Redevelopment Plan (1998)	Public Works is currently reviewing Times Square pavers where the ground is tidally influenced.
Stormwater Exfiltration System	Core Area Overlay Zoning Master Plan (1995)	Not done.
Volunteers to identify, monitor, and map existing drainage facilities	Downtown Redevelopment Plan (1998)	Public Works Department mapped drainage facilities.
Underground Utilities	Comprehensive Plan (1999)	Partially done. Utilities are underground on all of Old San Carlos Boulevard throughout Times Square, and on Estero Boulevard from Times Square to the Lani Kai
Support historic preservation	Downtown Redevelopment Plan (1999)	Historic Advisory Committee and Local Planning Agency/Historic Preservation Board continue to monitor historic preservation.

Chapter 4 Potential Land Use Strategies

Fort Myers Beach has successfully implemented a number of redevelopment strategies identified in the various reports. However, the Town continues to experience high traffic volumes and challenges to redevelopment. The various redevelopment plans show a number of improvements for increasing mobility in Downtown Fort Myers Beach. However, the recommendations may not significantly reduce congestion.

Considering the geography of the island and with the limited right-of-ways, Fort Myers Beach should consider shifting development and redevelopment strategies to incorporate a larger area. Additional strategies may include those that support greater connectivity, land use, and parking strategies. More specific strategies to successful redevelopment in Fort Myers Beach may include the following:

Connectivity

- Develop streetscape strategies in conjunction with traffic movement
- Develop a wayfinding package to facilitate visitors to find parking quickly and get them out of their cars
- Wayfinding strategies to promote a less centralized destination

Mobility

- Pursue a shared bicycle program to facilitate mobility throughout the area.
- Increase cyclist use and safety over the bridge
- Increase pedestrian and bicycle safety
- Conduct a traffic study to efficiently move vehicles around Downtown, parking facilities and expanded redevelopment areas

Land Use Strategies

- Expand destination areas and encourage additional commercial activity outside the Downtown area in order alleviate some of the bottle-necking
- Review Comprehensive Plan and Land Development Regulations for rules that prohibit commercial development outside of the Core Area for possible changes.

Parking

- Continue coordination with Lee County to explore additional parking opportunities east of the Sky Bridge
- Conduct a parking feasibility study to determine if publicly-owned lands including Seafarers Village Mall or available vacant property is appropriately sized to accommodate a parking garage
- Explore redevelopment opportunities to promote aggregation of land to create a parking garage with ground-floor commercial activities and provide incentives (This option is only possible in AE Zones through the use of dry-flood proofing techniques.)

Specific Land Use Strategies

The Town of Fort Myers Beach can be thought of as having seven separate communities for planning purposes including the Core Area. Two other communities, the Civic Complex and the North End, may be good candidates for expansion of focused redevelopment activity. The Civic Complex which lies south of the Core Area serves as the other end of the revitalized portions of Estero Boulevard. Per the Comprehensive Plan, opportunities “to both live and work here and in the downtown area are available through apartments above commercial uses and from new infill apartments and townhouses designed in the historic cottage character.” The North End, north of the Core Area, maintains a residential and resort identity.

The North End has the Mixed Residential land use category. The Comprehensive Plan, when written, included avoiding commercial intrusions into residential areas in the Mixed Residential category. Non-residential uses are severely limited in Mixed Residential (but not forbidding lower-impact uses such as offices and motels).

The Comprehensive Plan identified three land use categories allowing a mix of uses: Pedestrian Commercial, Boulevard, and Mixed Residential. The Downtown Redevelopment boundaries are consistent to the area designated as Pedestrian Commercial on the Town's Future Land Use Map. Per the Comprehensive Plan, the Pedestrian Commercial is a primarily commercial district applied to the intense activity centers of Times Square (including Old San Carlos and nearby portions of Estero Boulevard) and the area around the Villa Santini Plaza.

The Civic Complex community which includes the Town Hall property has the Boulevard land use designation with the exception of the Matanzas Pass Preserve. The Boulevard mixed-use district lies along portions of Estero Boulevard including less-intense commercial areas and mixed housing types. The Comprehensive Plan requires that non-residential uses (including motels and churches) shall not exceed 70% of the land.

Specific Zoning Strategies

The zoning code divides uses into use groups which are residential, lodging, office, retail, marine, and civic. These use groups are then divided into subgroups: restricted, limited, and open. Only the Downtown and Santini zoning designations allow open lodging, office, and retail uses. Commercial Office allows open office uses and Commercial Resort allows open lodging, and office uses. Considering sensitivity to commercial intrusions into residential areas, residents and business owner involvement should be undertaken to determine if uses may be expanded in the various zoning districts. The discussions may include whether incentives for redevelopment would be appropriate.

Expansion of the Redevelopment Area

If the Town considers broadening its destination and activity center, strategies may include expanding the Downtown Redevelopment Area. This process would include identifying areas adjacent to the existing redevelopment area that exhibit characteristics of slum and blight. The Town would need to prepare a Finding of Necessity for the newly identified areas according to §163.355 of the Florida Statutes. The Finding of Necessity would be reviewed in public hearing by the Town Council.

Once the boundary has been expanded, the DRA would need to amend their DRA Plan per §163.361 of the Florida Statutes regarding modification of community redevelopment plans. Since Lee County is a charter county and the DRA was not created subject to a delegation of authority from the County, County approval would be necessary. The amended DRA would include new redevelopment for the newly expanded area.

Conclusion

Fort Myers Beach is a popular beach destination. The geography of the Town as a narrow barrier island with one main road, Estero Boulevard, with limited right-of-way provides distinct challenges to alleviate traffic issues. Broadening the area of destination uses coupled with

urban design strategies such as increased connectivity, wayfinding, and streetscaping may encourage redevelopment opportunities. Amending the land development regulations to remove some limitations on redevelopment outside of the Downtown Area should be reviewed with sensitivity to commercial intrusions in residential areas. Finally, expanding the redevelopment area and amending the DRA Plan in conjunction with the overall strategy of broadening the area of destination uses would support and provide the DRA with a tool for implementation of these strategies.

Chapter 5. Next Steps

On November 4, 2013, Ordinance 13-09 was adopted by the Town Council which reaffirmed creation of the Community Redevelopment Agency (CRA), the purpose, functions, and duties of the CRA, the geographic boundaries of the CRA, and the authority of the CRA as it relates to administrative and financial matters.

The next step in the redevelopment process is to determine the amount of tax increment that should have been paid by the County and the Town to the DRA. This will require determining values of the properties in the base year of 1990 as well as the value of the properties after the Town took over control of the CRA from the County in 1998. The financial analysis should also project future tax increments.

In addition to the financial analysis of prior and future increment revenues, the Town Council should update the current redevelopment plan in regard to parking, traffic and transportation, land use, extension of the DRA's life to 2044 and possible expansion of the CRA boundary. Once the direction and vision of the DRA's redevelopment strategies has been determined, discussions with the County should focus on the relationship between the Fort Myers Beach DRA and the County and common goals of the DRA and County. Such goals include alleviating congestion on Estero Boulevard, supporting tourism and economic development, redevelopment, and quality of life for Town of Fort Myers Beach residents.