

TOWN OF FORT MYERS BEACH FLORIDA  
ORDINANCE NO. 96- 20

AN ORDINANCE ADOPTING THE FORT MYERS BEACH CORE AREA OVERLAY ZONING DISTRICT TO PROVIDE FOR OPTIONAL DEVELOPMENT STANDARDS WITHIN THE DISTRICT; PROVIDING FOR PURPOSE AND INTENT, ELEMENTS OF THE REDEVELOPMENT OVERLAY DISTRICT, MASTER PLAN, LIMITATIONS ON APPROVALS, MODIFIED DEVELOPMENT REGULATIONS, PROCEDURES FOR APPROVAL, APPEALS OF ADMINISTRATIVE DECISIONS, MAP DESCRIPTION OF OVERLAY DISTRICT, MASTER SITE PLAN, STORM WATER MANAGEMENT PLAN, PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, INCLUSION IN THE LAND DEVELOPMENT CODE, SCRIVENER'S ERRORS, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, prior to the incorporation of the Town of Fort Myers Beach, Lee Plan Policy 2.7.1 provided that community redevelopment activities would be conducted by the Lee County Community Redevelopment Agency within approved redevelopment areas according to adopted redevelopment plans; and

WHEREAS, Lee Plan Policy 110.4.10. provided that the Lee County Community Redevelopment Agency would continue local revitalization efforts in the County's redevelopment areas to leverage private investment activities through public investment and community development and infrastructure improvements; and

WHEREAS, prior to the incorporation of the Town of Fort Myers Beach, Lee County's Community Redevelopment Agency authorized the Fort Myers Beach Core Area Overlay Zoning Master Plan to be prepared hereinafter called the Master Plan; and

WHEREAS, Chapter 34 of the Fort Myers Beach Land Development Code provides for the establishment of a redevelopment overlay district also referred to as the Downtown District encompassing Districts One through Four as shown on 3 maps attached hereto, incorporated herein and labeled as follows; Map 1- Proposed Land Use by District-Fort Myers Beach Core Area Overlay Zoning Master Plan; Map 2- Storm Water Management Plan-Fort Myers Beach Core Area Overlay Zoning Master Plan; Map 3- Illustrative Master Plan; to recognize and provide for the unique requirements of redevelopment which cannot be adequately addressed through existing regulations; and

WHEREAS, the purpose of a redevelopment overlay district is to create favorable conditions for the revitalization of redevelopment areas by establishing a procedure through which such areas *may* be master planned; and

WHEREAS, master plans may include development guidelines and standards which, to the extent covered, are intended to provide an incentive driven alternative to the standard zoning and other land development regulations; and

WHEREAS, it is the express policy of the Town Council that development consistent with an approved master plan be *voluntary*; and

WHEREAS, the Master Plan was unanimously approved by the Estero Island Local Redevelopment Planning Committee and the Lee County Community Development Advisory Committee on September 14 and November 2, 1995 respectively; and