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# SPIKOWSKI PLANNING ASSOCIATES

1617 Hendry Street, Suite 416  
Fort Myers, Florida 33901-2947

*telephone:* (941) 334-8866  
*fax:* (941) 334-8878

*e-mail:* bill@spikowski.com  
*web site:* www.spikowski.com

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## MEMORANDUM

**TO:** Fort Myers Beach Local Planning Agency  
**FROM:** Bill Spikowski  
**DATE:** October 7, 2002  
**SUBJECT:** **LAND DEVELOPMENT CODE, Chapter 34 (New Zoning Districts)**

On October 15 the Local Planning Agency will review a complete draft of Article III of Chapter 34, which contains descriptions of all zoning districts proposed for the new land development code. The backup material for this workshop is attached, which includes the latest draft of Article III as revised through October 7. Please insert this article into your LDC binder and bring any questions or comments you may have on this material to the October 15 meeting.

Chapter 34 is divided into five articles:

- **Article I** defines the terms and phrases that are used throughout Chapter 34, including the definitions of all land uses that are used in Article III. You reviewed this article most recently in June.
- **Article II** contains all zoning procedures. You reviewed this article back in March.
- **Article III** combines the various allowable land uses into groups of compatible uses with similar impacts, then assigns these groups to the new zoning districts. Article III also includes a new zoning map and specific property development regulations for each zoning district. The map has not changed since the draft of the “interim zoning map” showing the preliminary assignment of new zoning districts that you reviewed in June (that map was dated June 17).
- **Article IV** contains supplemental zoning regulations (mainly those that apply regardless of which zoning district a parcel has been assigned). You reviewed this article, formerly numbered as Article V, back in February.
- **Article V** regulates nonconformities. You also reviewed this article, formerly numbered as Article VI, in February.

Although there may be substantial changes in Article III before it gets adopted, this draft is now complete. Changes in this latest draft include:

- There is new text for one conventional zoning district, SANTOS (see pages 90–91). This new district will implement the recommendations of 1999 Santos/Palermo study.
- This draft increases the maximum “floor area ratios” on page 94 for the RS and RC zoning districts, as discussed in my July 2 memo to you.
- The text regarding outdoor display of merchandise (see pages 102–103) has not been changed; this subject still needs further discussion. Attached to this memo is a new publication from the American Planning Association on what they call “street vending.” Street vending is not the same as outdoor display of merchandise by store-based merchants, but many of the planning issues are similar.
- This draft contains complete text for the SANTINI redevelopment zoning district, which would apply to the Santini Marina Plaza/Fishtale Marina area, as defined by the “Pedestrian Commercial” boundary. This mixed-used district is written to implement the redevelopment concepts in the Comprehensive Plan; see pages 104–106.
- This draft contains complete text for the VILLAGE redevelopment zoning district, which would apply to the Red Coconut and Gulf View Colony parks to clarify existing RV and mobile home regulations and to implement the “pre-approved redevelopment option” that is described in the Comprehensive Plan. See pages 107–110.
- This draft contains complete text for the CB (Commercial Boulevard) redevelopment zoning district, which will apply to existing stores and restaurants along Estero Boulevard that are outside any of the specific redevelopment areas. New or expanded commercial activities would require rezoning to CPD, in accordance with Comprehensive Plan Policies 4-B-5 and 4-C-3-iv. This new district is on pages 111–112 of this draft.
- This draft contains revised text for the planned development districts generally (see pages 113–114). It also contains revisions to the RPD (residential planned development) zoning district on page 115 and to the CPD (commercial planned development) zoning district on pages 115–116. The new CPD district would incorporate many existing CPDs and also would be available for future use in specialized situations, including all new commercial uses in the “Boulevard” land use category. The June 17 draft of the interim zoning map indicated all *existing* CPDs with a blue border. When the underlying zone on the new map is something other than CPD, this simply means that the best course of action for the new zoning map is still unclear.
- The commercial design standards were formally adopted into this article on June 24 and are thus shown on pages 118–127 of this draft without underlining. Some revisions are included, especially to indicate how these design standards relate to the new zoning districts (for instance, see § 34-992(a) on page 118).