

Development Agreements

Pursuant to the Town Attorney's suggestion to amend the our existing Development Agreement process to *"facilitate approvals of developments in the best interest of the Town by the ability to consolidate all related process, which may allow deviations from the strict development under the rules of the code"* This article shall be an alternative method for review for request for quasi-judicial rezoning, variances, special exceptions, and/or any other deviations from the strict regulations under this code..."

I propose that the LPA recommend adoption of and amended Development Agreement process to help small business owners on Fort Myers Beach, and speed up redevelopment of our devastated island.

I propose the following approach:

- Adoption of interim Development Agreement processes that would automatically sunset within one year of adoption unless extended by Council.
- The creation of at least 3 Development Agreement options to address known development approval needs.
 1. The **Small Hotel Development Agreement option** that could grant additional "density/lodging units", height and reduced setbacks without the need of a CPD.
 - Would only apply to small hotels that were in operation pre-lan
 - Would only apply to owner operated hotels
 - Would only allow up to 20-30 rooms
 - Would require the applicant to provide a sketch defining proposed setbacks
 - Would require that maximum stories, no greater than 3 stories above BFE, be identifies, as well as maximum height.
 - Would require access points to be identified and parking addressed
 - Would require a commitment to adopt coastal architectural style
 - Would require review by LPA and Council
 - Would require that the Applicant file Development Order and Building Permit applications within 18 months.
 2. The **Site Plan with Deviations Development Agreement Option** that would simplify and streamline the variance process for small business owners:
 - Would require the applicant to provide a site plan identifying proposed deviations
 - Would allow deviations to development standards including setbacks, heights and other dimensional standards but would not apply to density or FAR
 - Would require review by LPA and Council
 - Would require that the Applicant file Development Order and Building Permit applications within 18months.
 3. The **Preliminary/Conceptual CPD Development Agreement** that would provide an expedited review process for larger developments to obtain a conceptual Yay or Nay for proposed project in a reasonable amount of time. This would help expedite redevelopment on the island and remove risk and uncertainty for sellers, developers and residents.

- This process would not negate the need for a CPD and full review by staff, LPA and Council
- Would require the Applicant to provide detailed parameters of their proposed project, design and public benefits
- Would require the Applicant to hold one Neighborhood Information Meeting prior to going before the LPA and Council for the Preliminary/Conceptual CPD Development Agreement.
- Preliminary/Conceptual Approval would approve the development in concept but the Applicant would be required to work out development details and demonstrate compliance with all established parameters and commitments through the CPD process.
- This option could possibly yield a conceptual Yay or Nay within 3 months versus the typical 10-12 months for a CPD