



Alva Inc. is dedicated to preserving the tranquility  
and beauty of Alva  
P O. Box 2022, Alva FL 33920

**Alva Inc. Board of Directors Meeting  
March 19, 2008**

A Board of Directors meeting was held Wednesday March 19, 7:00PM at the Mother of God House of Prayer. President Ruby Daniels called the meeting to order. In attendance were 10 people.

President's Report:

1. The paving of Duke Highway will be considered by the Lee BOCC next week. Bill Redfern noted maintenance had become an issue, and Lee DOT recommended the paving, which is supported by residents.
2. Amazing Grace –Conservation 2020 negotiations proceeded from the first review towards the second review. The 250 acre parcel near Persimmon Ridge Road would provide access to the Babcock property. Equestrian, recreation, hunting and field trials are uses under consideration.

Secretary's Report:

1. Minutes of the February Board meeting were summarized and accepted.
2. A letter from Ms. Perry-Lehnert of the Lee County Attorney's office regarding financial disclosure was distributed. The secretary agreed to forward F1 Forms to Board Members.

Community Plan – Next Steps. Steven Brown offered a draft document (attached), Rural Village Mixed Use Overlay. The purpose of the document is to provide specific development guidelines and standards that would apply to the Alva Village Center. President Ruby requested members study the draft document and provide comments.

Board Vacancies. Bill Redfern reported he was soliciting candidates for position of Vice President.

By-Laws Article One. The consensus of the members was that membership requirements should be changed to read "All residents, property owners and business within the Alva Community"

Membership Drive. It was agreed to set up a table at the Alva Spring Fling. Vanity plates will be offered and both will be advertised in the April Newsletter.

Fertilizer Ordinance. B J Gerald volunteered to participate with Marty Daltry in discussions to clarify and move forward to the Lee BOCC suggestions regarding the pending ordinance.

Meeting adjourned.

Respectfully Submitted,  
Jim Green, Secretary

Attachment: 3/19/08 Draft Rural Village Mixed Use Overlay

## **Rural Village Mixed Use Overlay**

### **Purpose:**

The purpose of the Rural Village Mixed Use Overlay is to recognize and provide for the unique requirements of the Rural Village Mixed Use Overlay area 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. All new development must conform to regulations of the Mixed Use Overlay, once adopted. Re-zoning to other conventional zoning categories is not permitted within the Rural Village Mixed Use Overlay area land use designation. The Mixed Use Overlay will provide a process for administrative approval for developments determined to be consistent with the provisions of the Mixed Use Overlay regulations.

### **Applicability:**

The Rural Village Mixed Use Overlay District regulations shall apply to all residential and non-residentially used or zoned parcels located within the boundaries of the Rural Village Mixed Use Overlay District as indicated in Map ???

### **Permitted Uses, Setbacks and Heights:**

#### **A. Permitted, Special and Prohibited Uses**

Permitted and special review uses shall be as established by the underlying zoning district with the following exception. In the Rural Village Mixed Use Overlay District, a mixed-use project including attached single family residential or multifamily residential in the same building, or as part of the same project, shall be allowed as a permitted use without the requirement of special review. Additional stipulations as to use are defined as follows for each Sub-area:

- a) Rural Village Mixed Use Overlay, Sub-area 1
  - i. All ground floor uses of a building must be general retail, restaurant or hotel in nature for 75% of the ground floor area and 75% of the frontage of the building. All other ground floor uses, permitted by right and by conditional use or special exception within the base zoning district, shall be limited to 25% of the total ground floor area and 25% of the frontage of the building.
  - ii. Multi-family dwellings above the ground floor shall be permitted by right (i.e. without conditional use permit or special exception), subject to the following:
    1. There shall be no limit on the number of units per acre other than those imposed by building size, height limitation, and unit size requirements.

2. The average dwelling unit size shall not be less than 900 sq. ft. per unit, and no unit shall be less than 750 sq. ft.
- iii. Professional offices are only permitted in second-story and above office space within new office buildings.

**b) Rural Village Mixed Use Overlay, Sub-area 2**

- i. At least 50% of ground floor uses of a building must be general retail, restaurant or hotel in nature for 50% of the ground floor area and 50% of the frontage of the building. All other ground floor uses, permitted by right and by conditional use or special exception within the base zoning district, shall be limited to 50% of the total ground floor area and 50% of the frontage of the building.
- ii. Multi-family dwellings above the ground floor shall be permitted by right (i.e. without conditional use permit or special exception), subject to the following:
  1. There shall be no limit on the number of units per acre other than those imposed by building size, height limitation, and unit size requirements.
  2. The average dwelling unit size shall not be less than 900 sq. ft. per unit, and no unit shall be less than 750 sq. ft.
- iii. Professional offices are only permitted in second-story and above office space within new office buildings.

**c) Rural Village Mixed Use Overlay, Sub-area 3**

- i. All ground floor uses of a building must be general retail, restaurant or hotel in nature for 25% of the ground floor area and 25% of the frontage of the building. All other ground floor uses, permitted by right and by conditional use or special exception within the base zoning district, shall be limited to 75% of the total ground floor area and 75% of the frontage of the building.
- ii. Multi-family dwellings above the ground floor shall be permitted by right (i.e. without conditional use permit or special exception), subject to the following:
  1. There shall be no limit on the number of units per acre other than those imposed by building size, height limitation, and unit size requirements.
  2. The average dwelling unit size shall not be less than 900 sq. ft. per unit, and no unit shall be less than 750 sq. ft.
- iii. Professional offices are permitted.

**B. Prohibited Uses**

1. Cemeteries/Mausoleums

2. Nursing and Convalescent Homes
3. Psychiatric Hospitals
4. Specialty Hospitals
5. Automobile Repair Services, Minor
6. Car Washes
7. Laundry or Dry Cleaning Plants
8. Convenience Stores (with gasoline pumps)
9. Restaurants (with drive-thru)
10. Service Stations (Gasoline)
11. Tire Sales
12. Market Showrooms (Furniture, Apparel, etc.)
13. Heliports
14. Railroad Terminals or Yards
15. Warehouses (general storage/enclosed) and Distribution Centers

### **C. Minimum Yards**

Minimum front, rear and side yards are required as specified below for each Sub-area, and may be reduced rear yard setbacks may be reduced by 5 feet subject to the following conditions:

1. Parking areas are placed behind the building and/or to the side of buildings to reduce the visibility of parking fields from major roads to the greatest extent feasible using “reverse mode” or “liner” building arrangements; and
2. street trees are provided along the road frontage in a tree lawn between the edge of the road and the sidewalk, or within tree grates with an attached sidewalk if sufficient right-of-way does not exist to provide a detached sidewalk.

#### **a) Rural Village Mixed Use Overlay, Sub-area 1**

*Front yard. The required front yard setback in Sub-area 1 is a minimum of 10 feet to allow for public space in the form of sidewalks, plaza areas, and landscaping between the building and street. The minimum front yard setback may be modified as stipulated above.*

*Side yard setbacks. There are no minimum side yard setback provisions in Sub-area 1 except where a lot abuts a residential district, a side yard of at least five (5) feet shall be provided.*

*Rear yard. The required rear yard setback in Sub-area 1 is a minimum of fifteen (15) feet. The setback may be reduced to zero (0) feet if an alley or other right-of-way is provided.*

#### **b) Rural Village Mixed Use Overlay, Sub-area 2**

*Front yard. The required front yard setback in Sub-area 2 is a minimum of 15 feet to allow for public space in the form of sidewalks, plaza areas, and landscaping between the building and street. The minimum front yard setback may be modified as stipulated above.*

Side yard setbacks. There are no minimum side yard setback provisions in Sub-area 2 except where a lot abuts a residential district, a side yard of at least five (5) feet shall be provided.

Rear yard. The required rear yard setback in Sub-area 2 is a minimum of fifteen (15) feet. The setback may be reduced to zero (0) feet if an alley or other right-of-way is provided.

c) Rural Village Mixed Use Overlay, Sub-area 3

Front yard. The required front yard setback in Sub-area 3 is a minimum of 20 feet to allow for public space in the form of sidewalks, plaza areas, and landscaping between the building and street. The minimum front yard setback may be modified as stipulated above.

Side yard setbacks. There are no minimum side yard setback provisions in Sub-area 3 except where a lot abuts a residential district, a side yard of at least five (5) feet shall be provided.

Rear yard. The required rear yard setback in Sub-area 3 is a minimum of fifteen (15) feet. The setback may be reduced to zero (0) feet if an alley or other right-of-way is provided.

- d) **Accessory buildings.** An accessory building not exceeding twenty (20) feet in height may occupy a required rear yard but no accessory building shall be closer than ten (10) feet to the main building or closer than five (5) feet to any rear property line.
- e) **Exception.** Outside stairways, tower balconies or fire escapes may project no more than four (4) feet beyond the face of the wall into the rear yard. Roof eaves may project no more than three (3) feet beyond the face of the wall into any yard. Window sills, bay windows, belt courses and similar architectural features, as well as rain leaders and chimneys, may project no more than two (2) feet beyond the face of the wall into any yard.
- f) **Interpretation.** When a property has two street frontages, the property line opposite the longer street frontage shall be the side yard and the property line opposite the shorter street frontage shall be the rear yard. If the two frontages are equal to the nearest foot, then both opposite lines shall be rear yards. If the property has three frontages, the remaining line shall be a rear yard.

#### **D. Building Heights**

In all Sub-areas, the maximum height for a non-mixed use proposal shall be 35 feet. For vertically mixed use buildings the following height limitations shall apply.

a) Rural Village Mixed Use Overlay, Sub-area 1

For vertically mixed use buildings with residential or office uses above a ground floor commercial use, the maximum building height shall be 60 feet.

- b) Rural Village Mixed Use Overlay, Sub-area 2  
For vertically mixed use buildings with residential or office uses above a ground floor commercial use, the maximum building height shall be 50 feet.
- c) Rural Village Mixed Use Overlay, Sub-area 3  
For vertically mixed use buildings with residential or office uses above a ground floor commercial use, the maximum building height shall be 45 feet.

### **E. Non-Conformities**

In an effort to keep existing properties viable prior to redevelopment and therefore in conformance with the regulations of this section, nonconformities in the Rural Village Mixed Use Overlay District shall be subject to the following:

- a) For a nonconforming building with multiple tenants, changes in tenants may occur without requiring the property to be brought into conformance with the standards of the Rural Village Mixed Use Overlay District as long as the uses are in compliance with the base zoning district regulations.
- b) Exterior modifications and improvements may be made to nonconforming buildings as long as:
  - i. The footprint of the existing building is not extended, expanded, or enlarged, except the front of the building may be brought within 15 feet of the right-of-way; or
  - ii. The improvements conform to all applicable requirements of the Rural Village Mixed Use Overlay District architectural guidelines; or
  - iii. The expansion does not increase any parking deficiency.

### **F. Review Procedures**

Developments within the Rural Village Mixed Use Overlay district shall be processed and reviewed in the same manner as required normally by existing provisions of the Lee County Development Code. Provision of the Rural Village Mixed Use Overlay district are intended only as supplemental provisions for permitted uses, dimensional and architectural standards and requirements for public facilities. The development application process would include whatever information is needed on development submittals to establish compliance with the standards in this Chapter.

### **G. Architectural and Site Improvement Standards**

The following standards shall apply to any building renovation within the Rural Village Mixed Use Overlay District. The standards allow flexibility in how the standard is applied if it is demonstrated that the proposed alternative compliance meets the intent of the standard:

1. Existing building features, window and door openings, porches, entrances, porte cocheres, etc. shall be retained, enhanced or replaced.

2. The retention and addition of building detailing or ornamental trim is encouraged. Long, blank walls that lack visual interest along street frontages shall be avoided. The addition or enhancement of balconies, terraces, awnings, windows, covered walkways, porticos and/or arcades, raised cornice parapets over entries and other elements are encouraged.
3. Changes in roof lines, including the use of stepped cornice parapets, a combination of flat and sloped roofs, or pitched roofs are encouraged. In creating new architectural features, shallow, false façade elements are discouraged and full gable roofs or parapets with traditional cornice elements are encouraged.
4. Any awnings and canopies shall be constructed of high quality, durable, fade resistant, and fire retardant materials.
5. Rooftop building equipment shall be screened from view from the street front with parapets or other design features that are integrated with the facade.
6. The use of high-quality, durable materials is encouraged. Recommended materials include brick, stone, and decorative, integrally textured and colored masonry block.
7. Color schemes shall use muted, earth tones as the primary color scheme, with very bright colors or tones limited to use as accent elements.

## **H. Parking Standards**

### **1.Consolidation of Parking**

#### **2. Off-Street Parking Requirements:**

Any new off-street parking area shall not exceed 110% of parking requirements. For non-residential uses, off-street parking requirements may be reduced to 80% of the required parking, if an equivalent area that would have been needed to meet the full parking requirement is dedicated to additional open space or site amenities. Such open space or amenities shall be in addition to minimum required buffer yards and open space requirements, and may include additional curbside buffer yard, landscaped common areas, or patio or courtyard spaces. Storm water facilities may not be counted toward such additional open space dedications.

**3. Residential Parking Requirements:** For residential units in a mixed-use project, the parking requirement shall be one (1) space per efficiency unit, one and one-half (1.5) spaces per one bedroom or, two (2) spaces per two or more bedroom units, plus one (1) space per four (4) units for guest parking. On-street parking spaces on streets near or adjacent to the site may be counted toward meeting parking requirements. Also, a driveway tandem space in front of a garage unit may also be counted toward meeting parking requirements.

**4. Shared Parking:** Shared parking may be permitted for mixed-use projects if it is demonstrated that the need for parking will be adequately met for all uses. In a shared parking arrangement, the cumulative parking requirement for all uses in the project may be reduced based on the anticipated peak parking demand characteristics

of each use. Industry standards, such as those published by the Urban Land Institute, American Planning Association, and/or Institute of Transportation Engineers may be used in establishing shared parking programs.

## **I. Sign Criteria**

1. The Rural Village Mixed use Overlay District requires an allowance for multiple signs for different users within a single building. In such instances a building sign package shall be provided for approval by the Planning and Zoning Commission and consist of building identification signs and attached signs for individual tenants. Said package shall include:
  - a. A site plan and elevations of the entire building and property.
  - b. Locations, details and sizes of the building identification sign(s).
  - c. Locations, sizes, and photo-simulations of all potential and/or proposed attached signs for individual tenants.
2. The limited setbacks and pedestrian oriented nature of the Rural Mixed Use Overlay District eliminates the need for permanent freestanding business signs. In the overlay, signs shall be placed on or attached to buildings.
3. Directional signage and projecting signs over the public right-of-way or public open space for a permitted or conditional use are allowed provided that they are approved by the Planning and Zoning Commission as part of the building sign package on finding that the sign placement will not compromise public health, safety or welfare.
4. All proposed signage within the Rural Village Mixed Use Overlay District shall be in scale and harmonious with the development and shall be so located and sized as to ensure convenience to the visitor, user or occupant of the development while not adding to street clutter or otherwise detracting from the planned unit nature of the Downtown district and the purposes of architectural and urban design elements.
5. Business Signage
6. Residential Signage
7. Off Premise Signs

## **J. Pedestrian/ Bicycle Linkages**

## **K. Landscaping Standards**

## **L. Streetscape Standards**

## **M. Density Bonuses for Mixed Use**