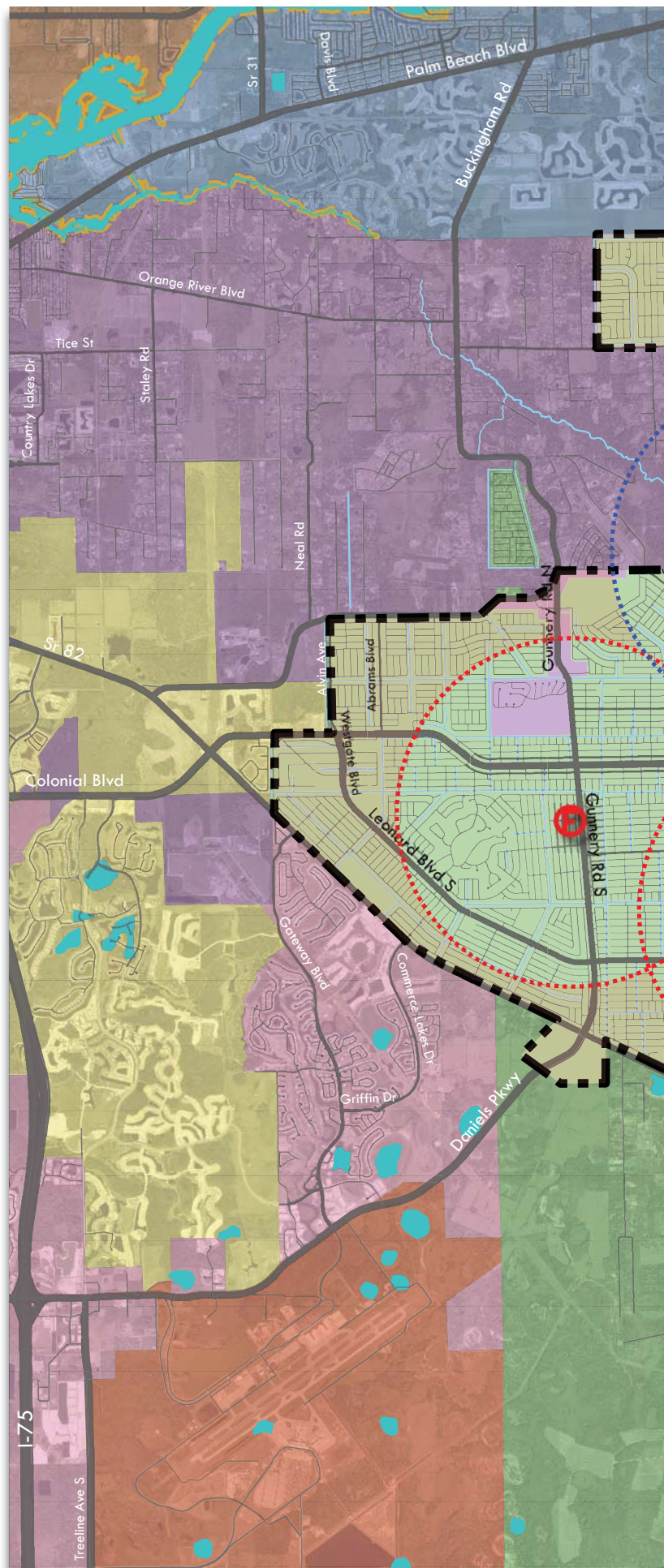
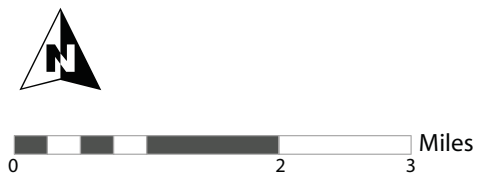


Figure 30: Fire Districts and Facilities

Source: Lee Fire Department

- Lehigh Acres
- Fort Myers Shores
- Alva
- Tice
- Bayshore
- Fort Myers
- South Trail
- SW Florida Regional
- Existing fire station
- Future fire station (currently being built)
- Existing station
- Future station



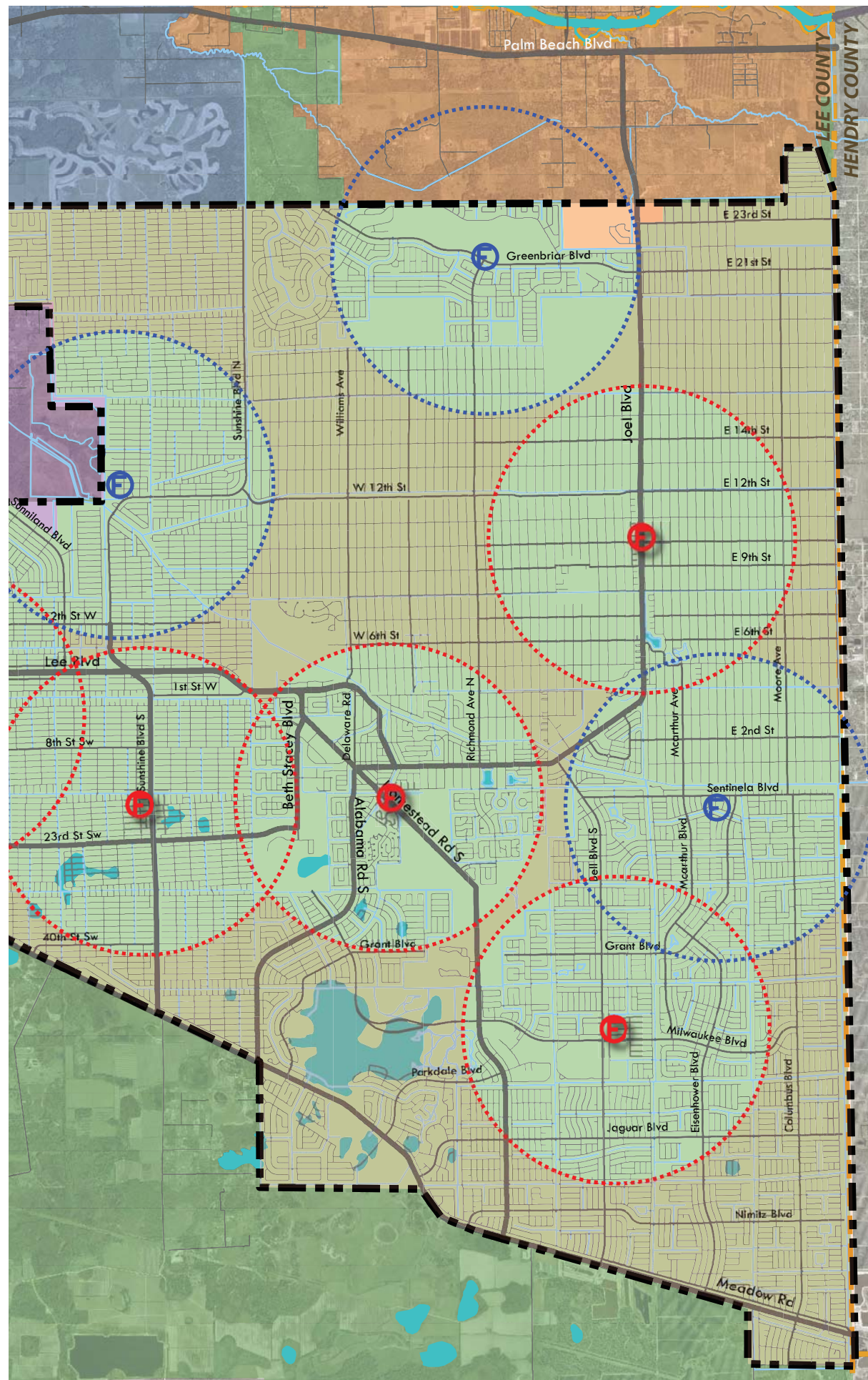
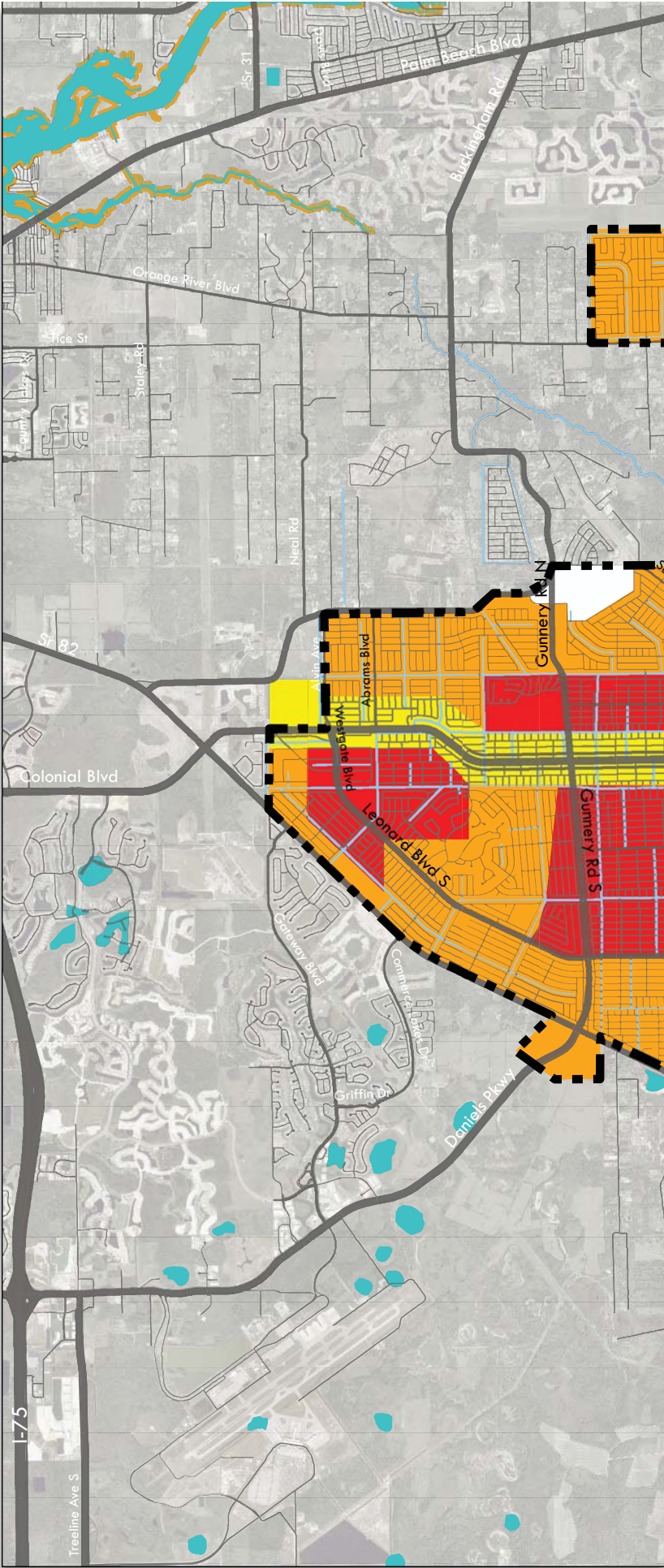
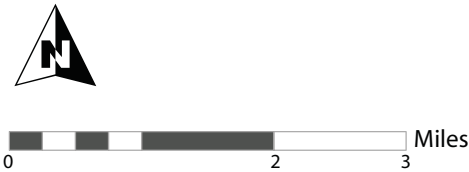


Figure 31: Fire Hazard Index
Source: Lee County Mitigation Mastet Plan

- Extreme
- High
- Moderate



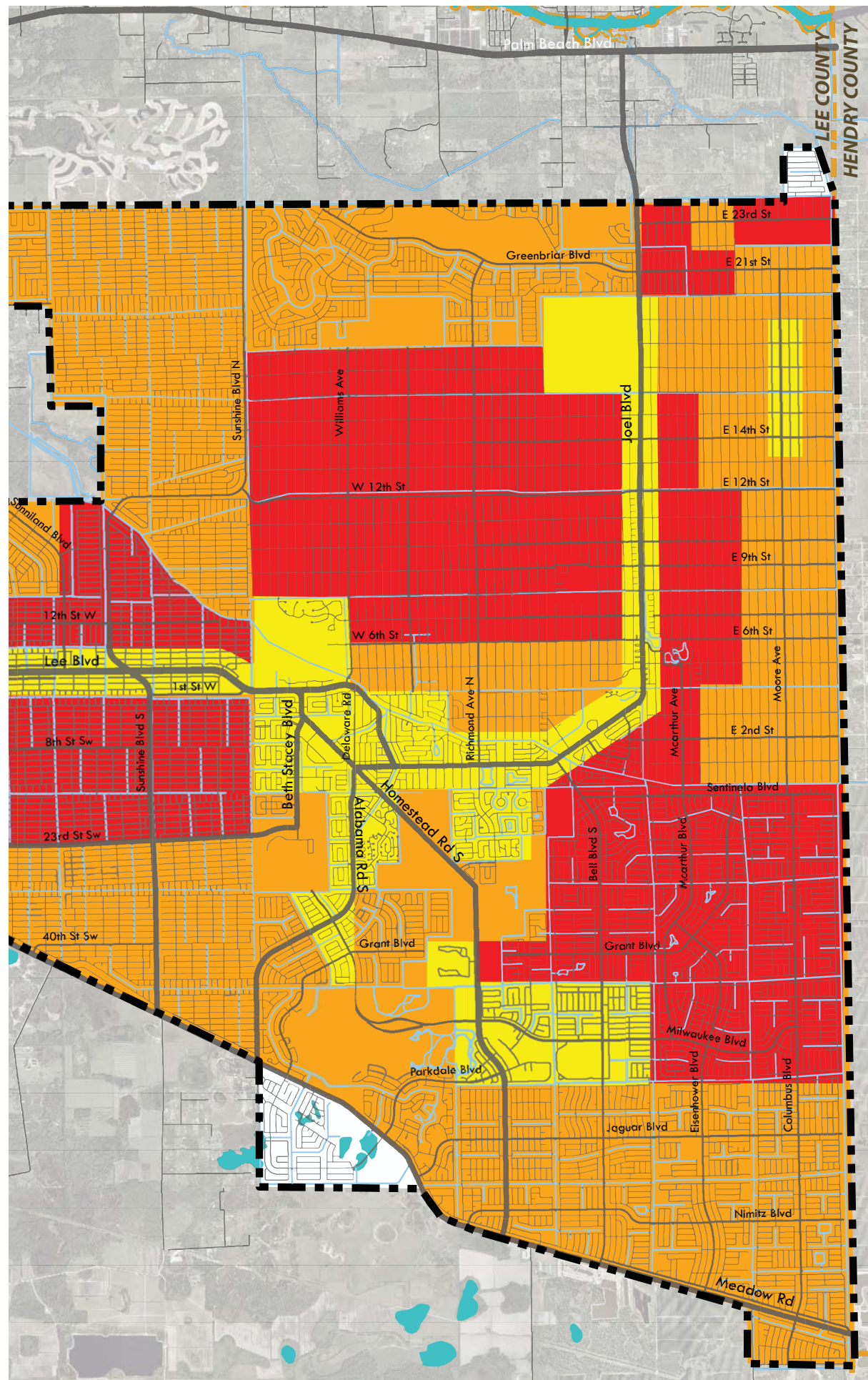
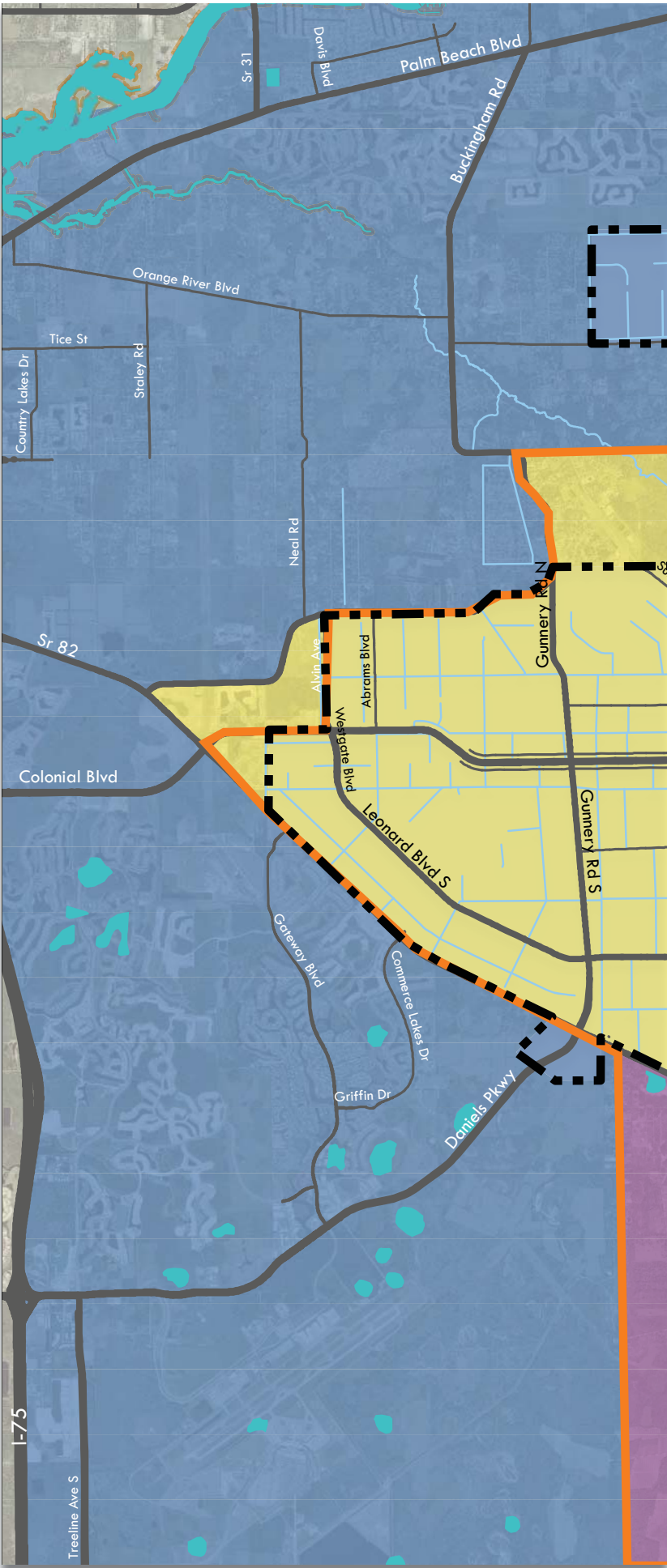
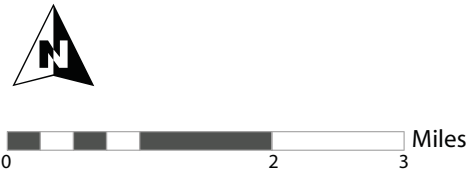


Figure 32: Police Protection
Source: Lee County Sheriff's Department

- “Bravo” Police District Boundary
- Bravo District: Zone B2
- Bravo District: Zone B3
- Bravo District: Zone B4
- Bravo District: Zone B5
- “Echo” Police District
- Sheriff's station



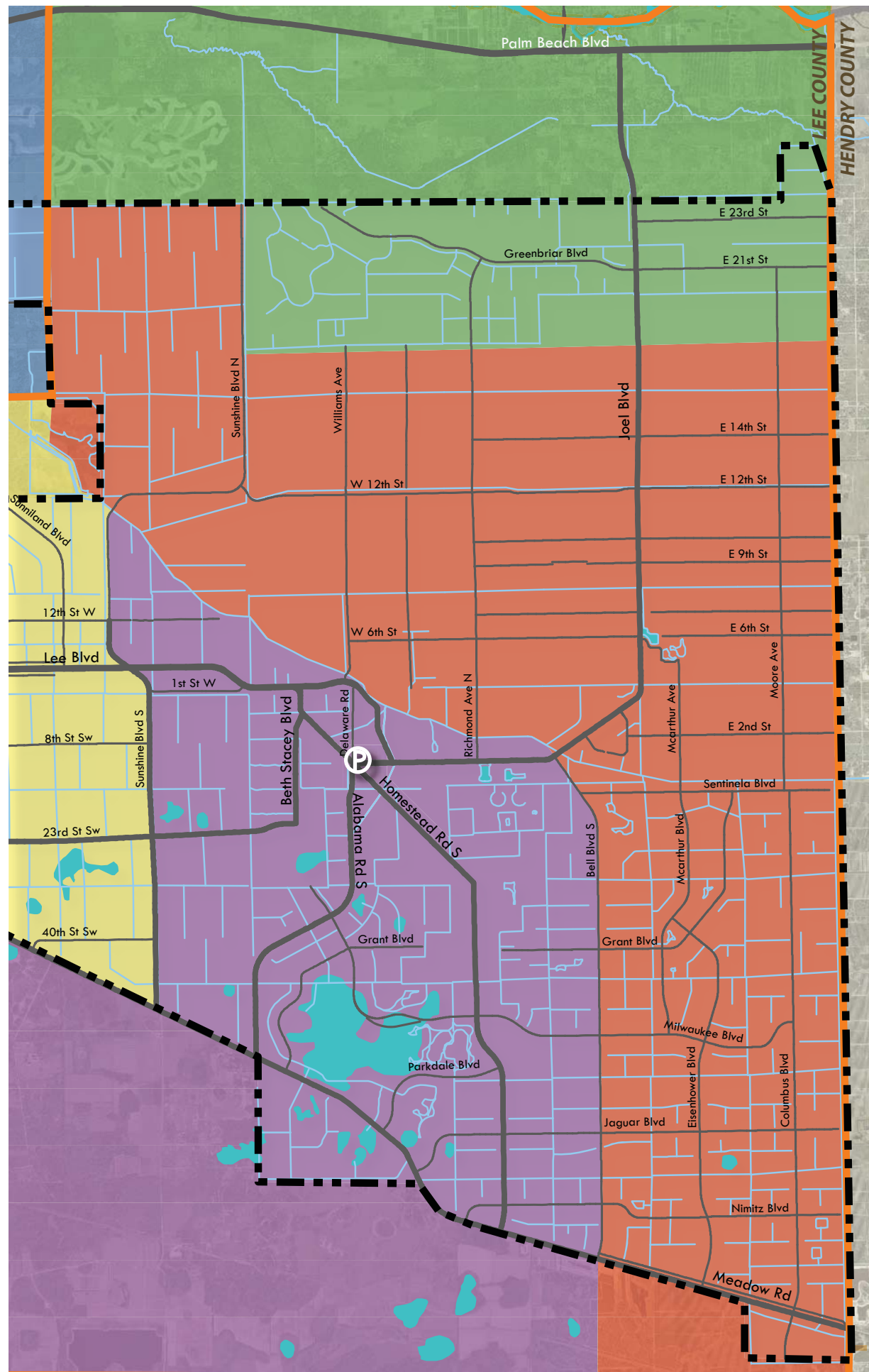
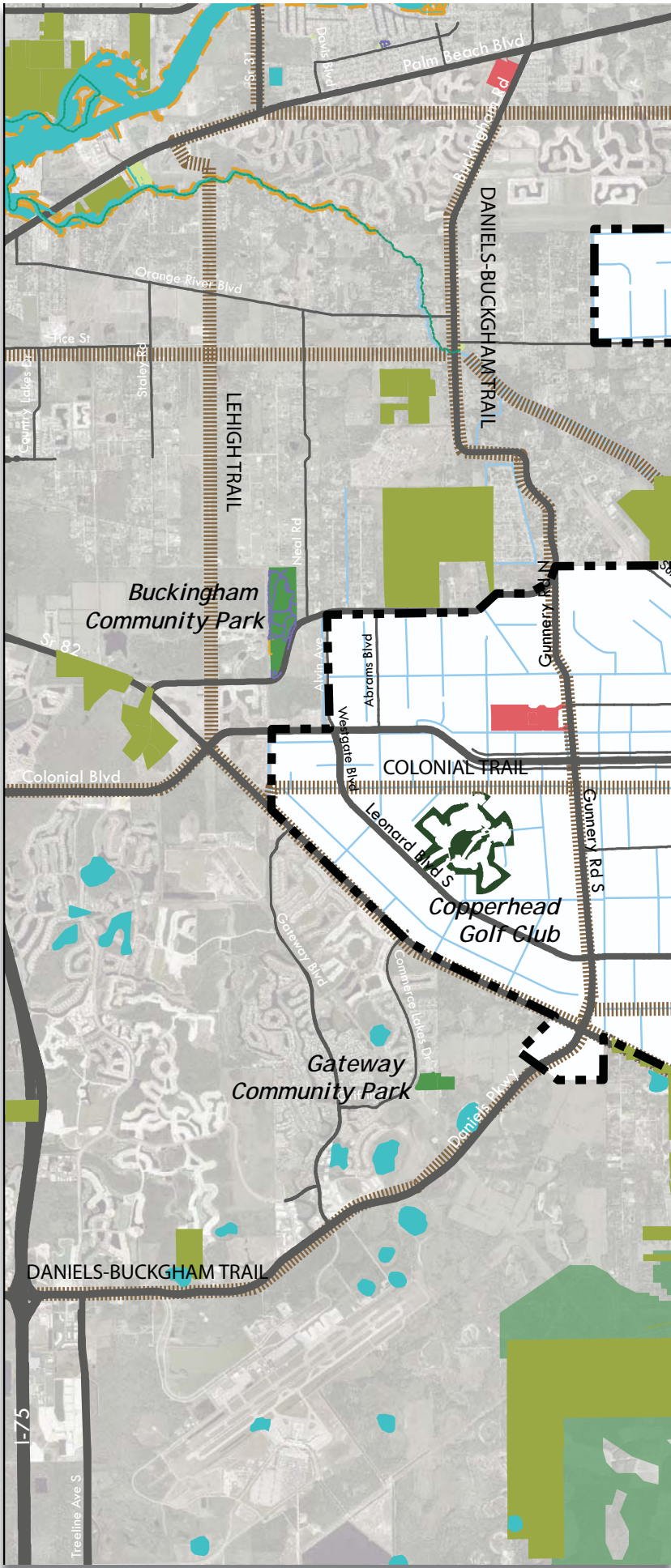
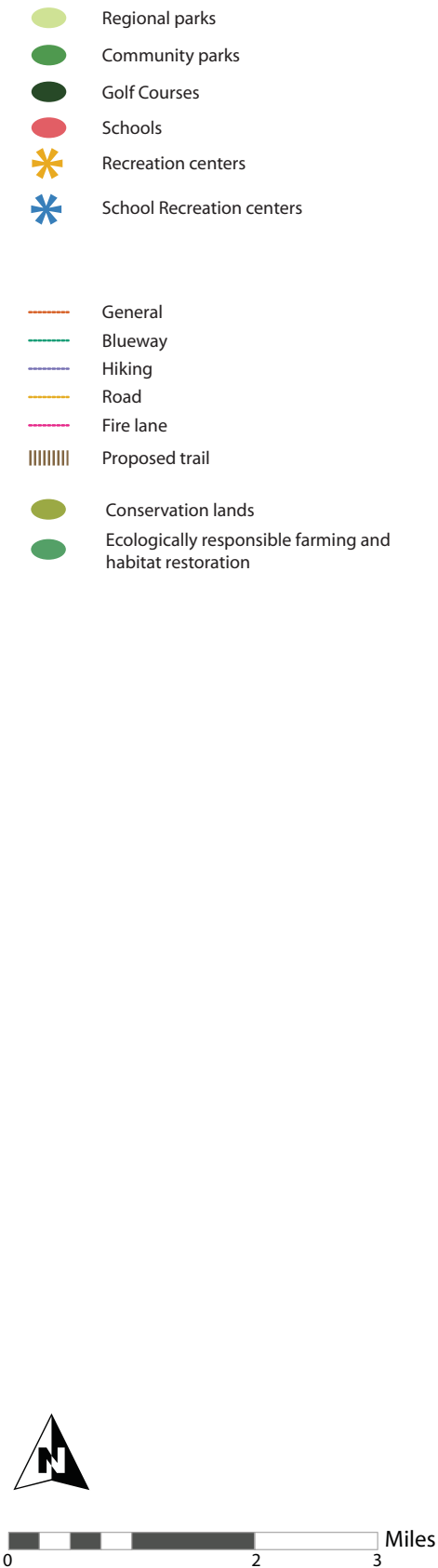


Figure 33: Parks & Recreational Areas
Source: Lee County GIS/Conservation 2020



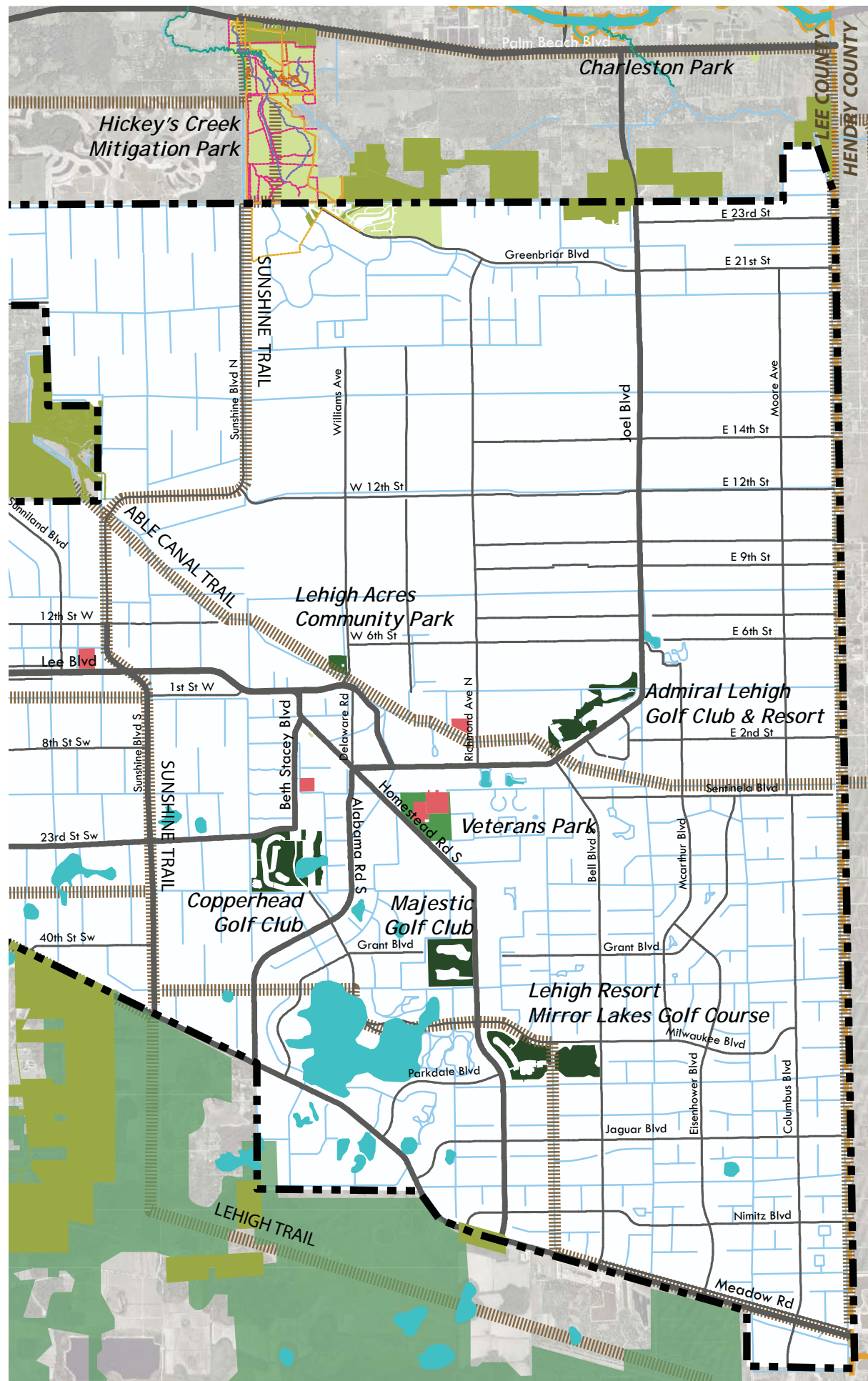
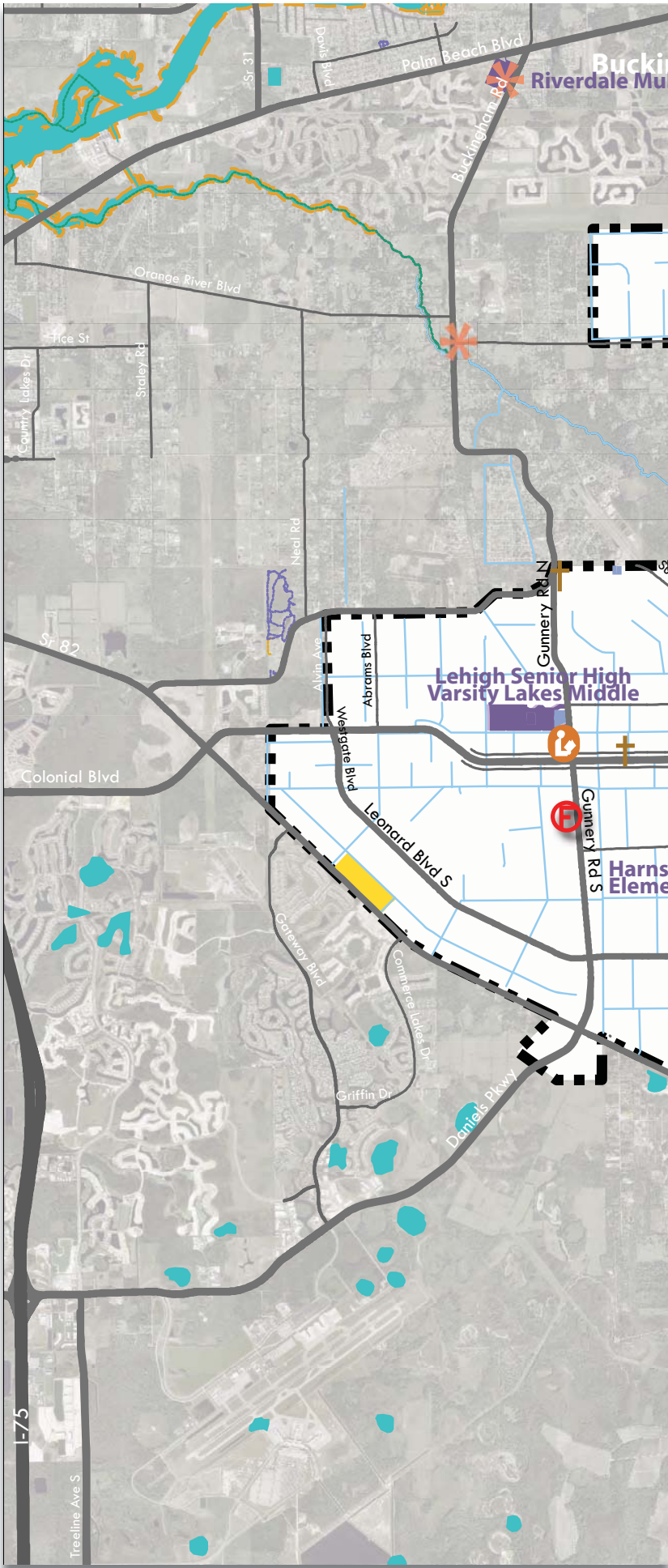
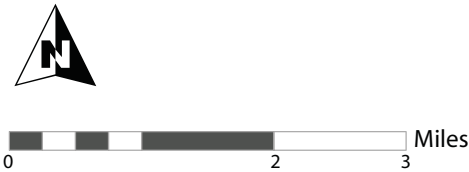
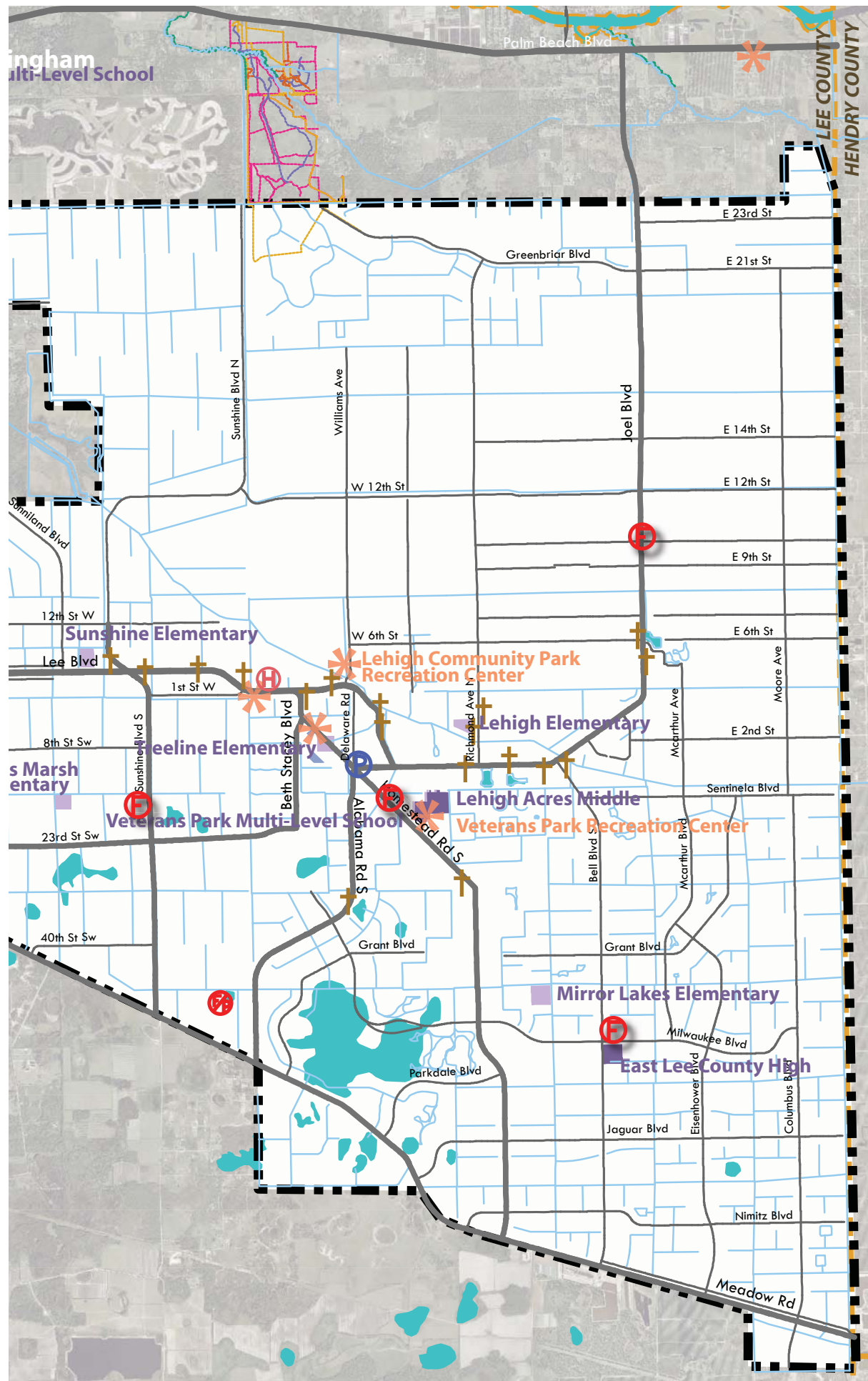


Figure 34: Community Facilities

Source: Lee County GIS

- Cemetery
- Public school with fields
- Public school without fields
- Library
- Church
- Hospital
- Police station
- Fire station
- Regional, community and neighborhood parks
- Recreation centers
- General
- Blueway
- Hiking
- Road





It is also noteworthy that, while the level of service standard may be met, there are spatial deficiencies due to the fact that the existing parks all tend to be located in the urban core of the community. Lee County does not require nor provide neighborhood parks, and many areas of Lehigh Acres are distant from the existing recreational facilities. In particular, the north, east, and southwest sectors of Lehigh Acres lack active recreation facilities.

From a passive recreation perspective, the area in general is much better served. In 2005, the Lee County Greenways Master Plan designated several greenways and connector trails throughout Lehigh Acres. The Daniels Buckingham Trail, which is part of Captiva-Hendry-Collier Greenway, is 8.5 miles long. As of the publication of the Master Plan, the trail was partially complete, but the majority was still in the planning phase. The Lehigh Trail, also part of the Captiva-Hendry-Collier Greenway, is 12.27 miles long and weaves through forested areas and farmland to connect Lee County to Hendry and Collier Counties. Lehigh Acres contains several portions of the Charlotte-Lee-Hendry Greenway, including the Lee Trail, Sunshine Trail, and Able Canal Trail. Jim Fleming Ecological Park, a 4-acre passive park, is operated by the ECWCD. Another ECWCD-owned park is the 5-acre Williams Greenway Park.

There are also several large Conservation 20/20 program properties located within or in the vicinity of Lehigh Acres, part of a large system of natural lands acquired by the County for a variety of purposes—habitat conservation and restoration, mitigation, and passive recreation. They include: Hickey's Creek Mitigation Park, a 1,158-acre property which includes a 5-mile long hiking trail; Greenbriar Connector Preserve, which contains 14 acres, just south of Hickey's Creek, and offers opportunities for hiking and bird watching; Alva Cypress Preserve, consisting of 675 acres, located at the boundary between Alva and Lehigh Acres; the Alva Scrub Preserve (160 acres); Charlie's Marsh Preserve, a 21-acre mitigation area; Harn's Marsh, a 578-acre property which serves important stormwater retention/detention functions for Lehigh Acres; and Wild Turkey Strand, a large preserve with over 3,000 acres located immediately south of SR 82.

Other Community Facilities

The majority of the developed land in Lehigh Acres is zoned Residential One- and Two- Family, which permit few community facilities as of right. Most of the existing community facilities tend to be clustered along the main arterial corridor, Lee Boulevard, and the core area around Homestead Road (Figure 34). This concentration leaves large areas of Lehigh Acres lacking facilities, and requires driving, sometimes long distances, to access existing services.

For example, there is only one library, the East County Regional Library to serve Lehigh Acres and the greater part of East Lee County. It is a 40,000 square foot facility with a large meeting room that seats 150 people and over 50 computers, typewriters and study rooms for public use.

The public school system in Lehigh Acres is controlled by the Lee County School Board. In addition to a number of private institutions, there are five elementary schools, two middle school, one high school and one multi-level school within the community. These facilities are part of the East Zone

School District or Student Assignment Zone, which also encompasses schools in Alva, Fort Myers Shores, Bayshore, Buckingham, and Gateway (and small portions of incorporated Fort Myers). This district met the level of service standard in 2007, and expected to meet it again in 2008. While the current market and economic situation has curbed growth pressure on the school system, over the past decade the population of families with young children moving to Lehigh Acres increased substantially. Land assembly for new school facilities has been a challenge for the School District due to the small parcel sizes and scattered property ownership. Many of the local schools are located near the center of the community, on Lee Blvd., Sunshine Blvd., Leeland Blvd., and Alexander Graham Bell Blvd.

There are no higher education institutions in Lehigh Acres, but Florida Gulf Coast University, Edison Community College, and Hodges University are located within 10 miles of the community.

The community has a full-service hospital, the Lehigh Regional Medical Center. The hospital, with an 88-bed capacity and all major specialties, is fully accredited by the Joint Commission on Accreditation of Health Care Organization (JCAHO).

III.9 Trends Evaluation

As the basis for developing estimates of future needs for commercial, institutional and residential and other land uses, the consultant team prepared new estimates of the potential future population of Lehigh Acres.

The first step was to determine an accurate current population from which to project. There are at least several estimates of population in Lehigh Acres that were reviewed, current as of 2006. While the number varies in each, all these estimates are in the range of 68,000 to 70,000. These figures include only permanent population.

To update these numbers to 2008, the consultant team undertook an estimate of existing population based on data provided by Lee County. The estimate of existing population is based on current land use and building permit data received from the Lee County Property Appraiser, Lee County GIS, and Lee County Community Development (Building Services). The overall population was then broken down and calculated by the three sectors or tiers previously identified in Lehigh Acres (Figure 35), based on the current degree of development (average densities) and available public services provided in each area, as follows:

Sector 1 – Predominantly Developed and Fully (or nearly Fully) Served

Sector 2 – Partially Developed and Partially Served

Sector 3 – Sparsely Developed/No Services

Existing developed single family parcels was assigned an average density of one (1) dwelling unit per parcel. On the other hand, the existing average density of multifamily units is estimated to be two (2) dwelling units per acre, as derived from an evaluation of Lee County Property Appraisal GIS parcel database. The average household size is 2.83 according to the U.S. Census 2006 American Community Survey.

Table 6 shows the factors that have been used to estimate the existing population in Lehigh Acres, and the current population estimate.

	Area 1	Area 2	Area 3	Totals
Total # of single family (SF) parcels	15,414	7,495	4,615	27,524
Multifamily (MF) land acreage	173	393	27	593
2006 Average Household Size	2.83	2.83	2.83	-
Estimated population of SF units	43,622	21,211	13,060	77,893
Estimated population of MF units	979	2,224	153	3,356
Total Estimated Current Population	44,601	23,435	13,213	81,249

Table 6: Current Population Estimate

Source: WRT based on Lee County GIS

Capacity Analysis

Additional population capacity was derived from zoning data. First, all vacant parcels that are zoned as 'one- and two-family' and 'multifamily' were identified in the GIS data base.

The density for residential use is permitted in the Lee Plan, with up to 10 dwelling units per acre in the "Central Urban" designation and up to 15 dwelling units per acre in the "Urban Community" designation. However, taking into consideration that the existing density of multifamily development in Lehigh Acres is estimated to be two (2) dwelling units per acre, it was assumed that future multifamily development would occur at a higher average of 3 dwelling units per acre.

Two-family zoned lots are assumed to develop at an average of 2 dwelling units per acre. While existing zoning data combines the single family and two-family categories, in this analysis, parcels that are smaller than the average lot size (approx. 0.4 acres) are considered as single family parcels, and properties that are larger or equal to 0.4 acres are considered as two family.

	Area 1	Area 2	Area 3	Total
Average Lot Size	0.4	0.4	0.4	-
Number of undeveloped One- and Two-Family Parcels > 0.4 acres	11,245	25,071	39,825	76,141
Number of undeveloped One- and Two-Family parcels < 0.4 acres	2,680	3,585	5,037	11,307
Total undeveloped Multifamily Acreage	372	1,291	444	2,107
2006 Average Household Size	2.83	2.83	2.83	-
Additional population capacity of undeveloped One- and Two-Family parcels	46,992	91,242	141,214	279,448
Additional population capacity of undeveloped Multifamily parcels	3,158	10,961	3,770	17,888
Total Estimated Additional Population Capacity	50,150	102,203	144,984	297,337

Table 7 Additional Population Capacity

Source: WRT based on Lee County GIS

Based on these calculations the future potential population of Lehigh Acres is shown in Tables 8 and 9. Table 8 shows future total population assuming that, in the future, little or no additional development would be permitted in Sector 3, while Table 9 shows the future population assuming development of Area 3 continues untethered until buildout.

	Area 1	Area 2	Area 3	Totals
Estimated current population	44,601	23,435	13,213	81,249
Estimated additional future population capacity	50,150	102,203	-	152,353
Total potential population capacity	94,751	125,638	13,213	233,602
Additional dwelling units (capacity)	17,116	34,881	-	51,998

Table 8: Scenario A - No additional development in Area 3

Source: WRT

	Area 1	Area 2	Area 3	Totals
Estimated current population	44,601	23,435	13,213	81,249
Estimated additional future population capacity	50,150	102,203	144,984	297,337
Total potential population capacity	94,751	125,638	158,197	378,586
Additional dwelling units (capacity)	17,116	34,881	49,483	101,480

Table 9: Scenario B - Full buildout

Source: WRTc

Population Projection

The consultant team prepared a population projection using a top-down projection model that assumes homogeneous regional development over the next 20-25 years. The Lehigh Acres study area, as currently defined, encompasses approximately 8 percent of the total land area of Lee County, and currently supports about 12 percent of the total permanent population. The population model suggests that the Lehigh Acres study area might support nearly 14 percent of the total county population and capture more than 12 percent of county population growth by 2030.

Based on the analysis and the existing constraints affecting Lehigh Acres, a 2030 base population of approximately 166,000 (an increase of about 84,500) permanent residents is projected with a corresponding population density of nearly 1,700 persons per square mile. With an additional population capacity of approximately 152,000 persons in Sectors 1 and 2 combined—based on present zoning—it is evident that the bulk of the projected population growth can be easily accommodated within these two areas. If all growth were directed into these areas, their buildout would be achieved in 25-30 years. This forecast represents the theoretical physical population and density maximums possible.

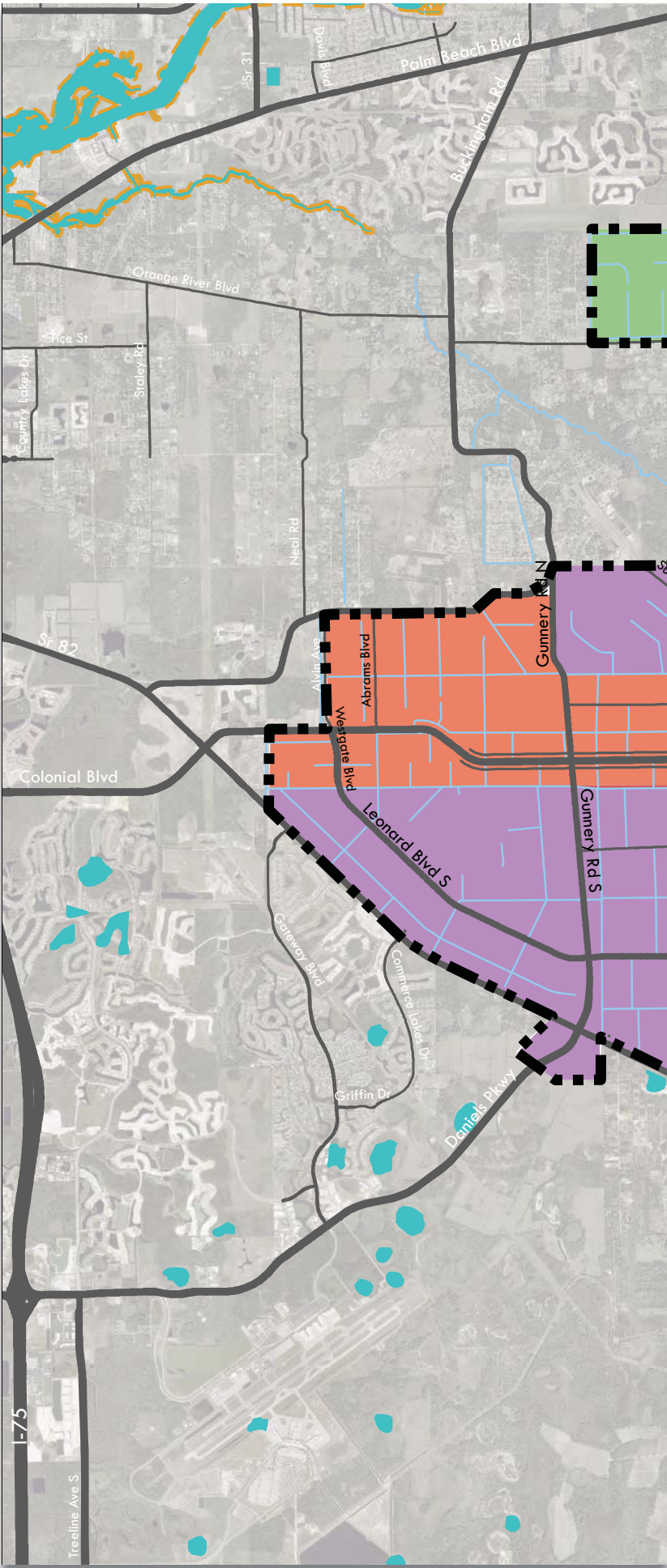
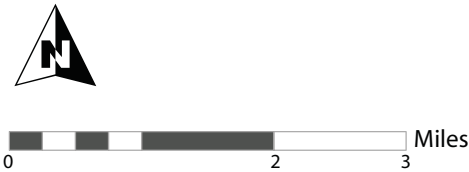
While it is physically possible that the 96 square-mile Lehigh Acres study area could achieve an even denser character, based on the maximum number of housing units that could be “fit” into the subdivision (given the current platted parcelization), it is very unlikely that the region will intensify to such a degree. If Lehigh Acres continues to possess a deficit of commercial and public land and development, the community may not be able to attract a population corresponding with the platted buildout without addressing these deficiencies.

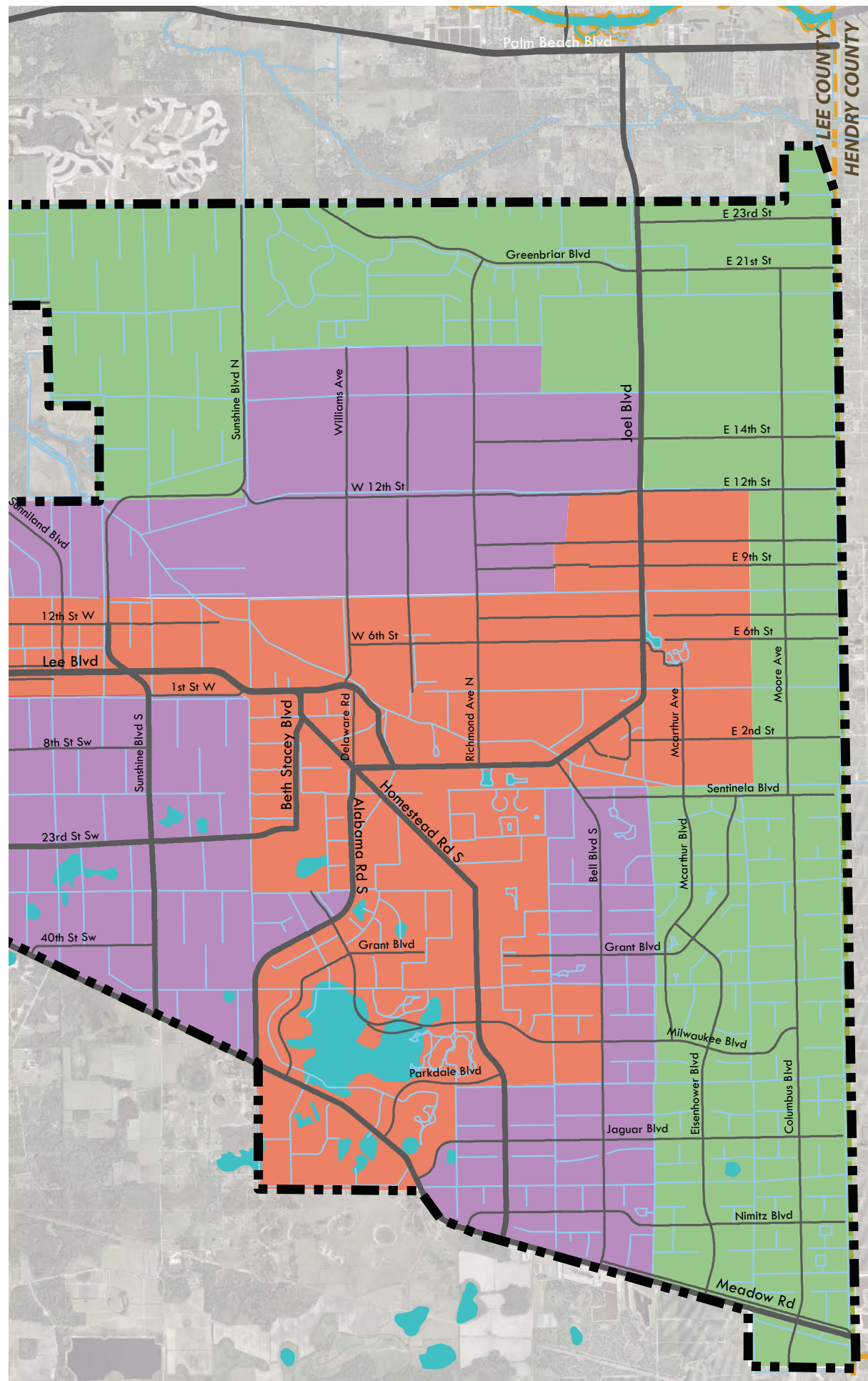
Needs/Demand Analysis

The limited commercial development and local employment base and the lack or shortage (absolute or spatially relative) of cultural, civic, and recreational activities suggest that Lehigh Acres is still functioning as a vast bedroom community, and will not easily become a self-sustaining community.

Figure 35: Tiered Growth Concept
Source: WRT based on Lee County GIS

- Predominantly developed
- Partially developed
- Sparsely developed





Based on the population estimates, a rough analysis of land needs for commercial/industrial uses, schools, and parks and recreation was conducted (Table 10). The projected demand for these uses is shown in the following tables. In each case, it is assumed that action will have to be taken to curtail development in Tier 3 (Sparsely Developed) in order to create a more viable scenario for the provision of services and facilities.

Estimated current population	81,249
Additional population capacity	152,353
Total number of parcels in Lehigh Acres	125,855
Total number of residential parcels	29,455
Acreage of current developed commercial land	297
Additional undeveloped commercial acreage	710
2030 projected commercial land acreage required	1,565
Current deficit of commercial land acreage	558
Current developed industrial land acreage	173
Additional undeveloped industrial land	84
2030 projected industrial land acreage required	701
Current deficit of industrial land acreage	444

Table 10: Estimated 2030 Demand for Commercial and Industrial Land

Source: WRT and RERC, based on Lee County GIS

Today, limited commercial development is distributed over the older residential service area in Lehigh Acres, while areas outside the water service boundary are almost entirely without substantial commercial development. The infrastructure constraints, if unmitigated, necessitate the intensification of both residential and commercial development within the existing water service boundary. As residential populations and densities grow unchecked outside the current service area boundary, and locate increasingly farther from the established Lehigh Acres urban core, non-residential demands will likely have to be supplied by commercial development outside of the Lehigh Acres study area. Further, the projected deficit of commercial and industrial land may never be completely met within Lehigh Acres, particularly for regional-serving commercial retail and intense employment generators.

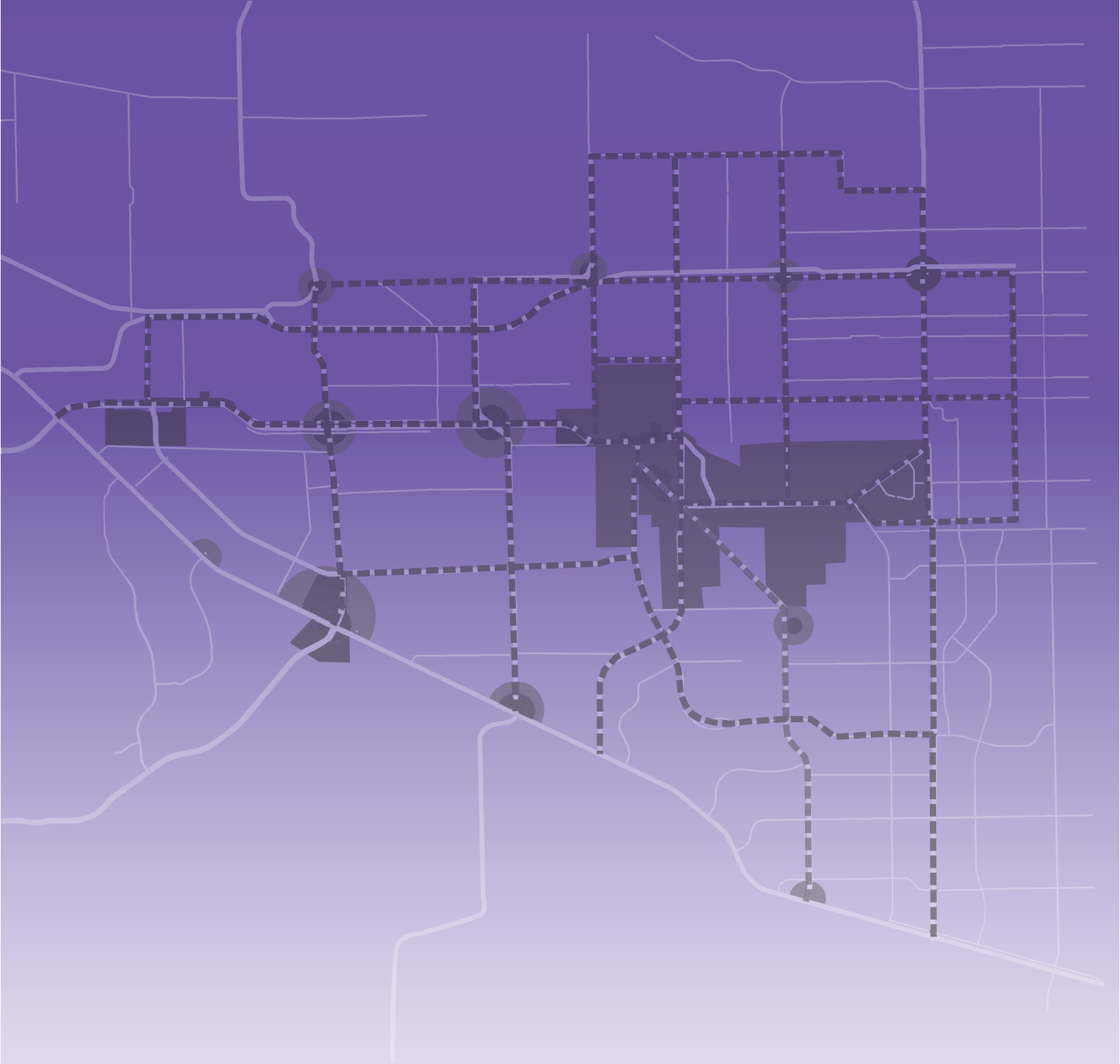
Table 11 shows the two different types of County parks that exist in Lehigh Acres and the projected recreational land needs for 2030. Even though there is a deficit for Regional Parks, Hickey's Creek Mitigation Park is immediately adjacent to Lehigh Acres and can be considered to meet the "local" Lehigh Acres need for regional parks.

Currently there are three elementary school, three middle schools, and two high schools in Lehigh Acres. An evaluation of the existing educational facilities service areas and their enrollment capacity indicates that, based on the projected population and anticipated share of school-age children, there will be a need for 17 elementary schools, 17 middle schools, and 6 high schools by 2030. At standard acreage for each of these facility types, the land demand for these facilities will approximate 1,400 acres. (These estimates for the purpose of estimating potential land needs only. They are not based on School District projections, which were not available to the Consultant, nor have they been vetted by the District).

There are five existing fire stations in the community, which are enough to respond today's demand. To address future demand, the Fire District is examining three potential general locations for future fire stations in Lehigh Acres. A preliminary assessment was conducted of the impact of the proposed additional fire stations in improving service response times. Using a 5-minute response time, 2-mile distance as a rule of thumb for adequate service, the total coverage area for existing and future fire stations was estimated. Therefore, the current facilities serve an area of 34,239 acres. The addition of three new stations could increase the coverage of a 2-mile response distance to 48,586 acres, a 42% increase. Areas that would still miss the timely service are the outlying areas in the northeast and northwest corners of Lehigh Acres (refer to Figure 30).

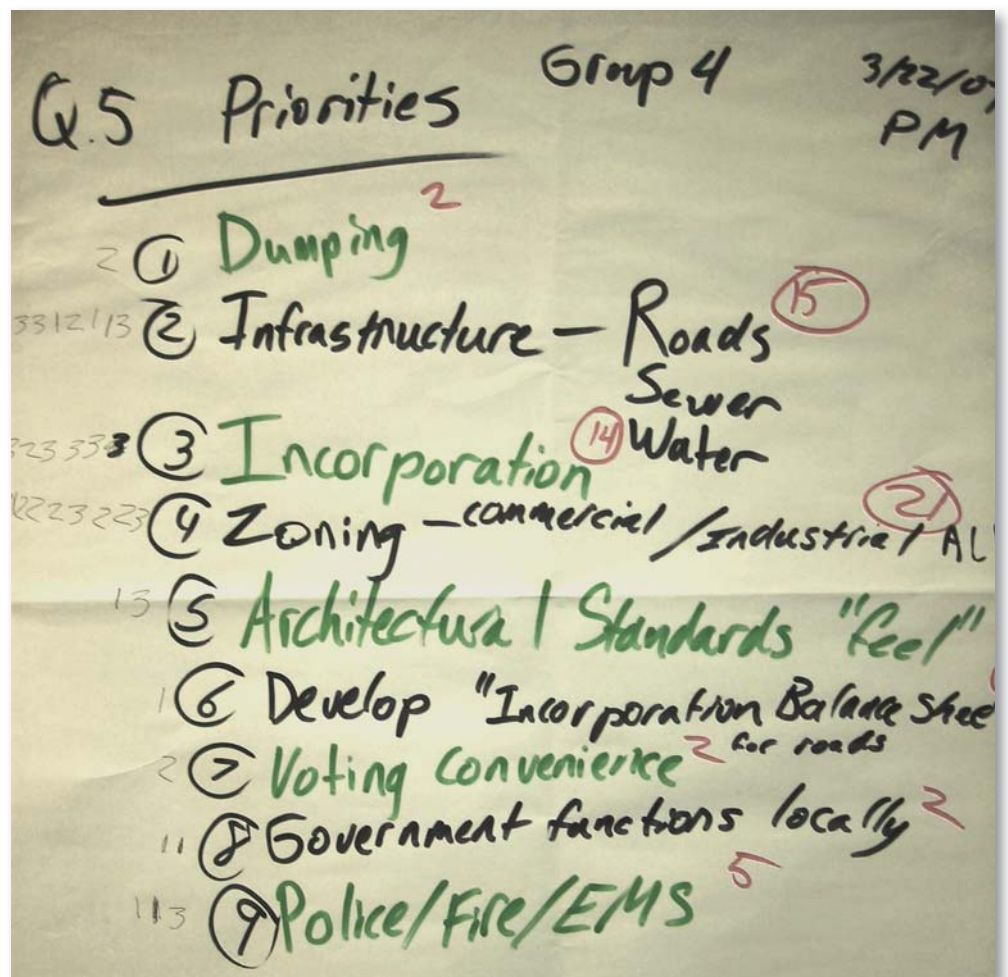
	Acerage	%	Current Standard (ac/ 1000 persons)	Future Standard (ac/ 1000 persons)	Existing condition (ac/ 1000 persons)	Current Surplus (/Deficit) in acres	Projected need (ac @ current std/future std)	2030 Deficit in ac @ current std/ future std)
Regional Parks	1,158	86.7	6	8	15	708	1300/1700	(592/992)
Community Parks	120	13.2	0.8	2	1.6	30	180/430	(60/310)
Private/Public Partnership	1	0.1						
Total	1,279	100					1480/2130	(201/851)

Table 11: Summary of 2030 projected recreational land demand in Lehigh Acres Source: WRT based on Lee County GIS



SECTION IV

THE VISION



Four (4) community forums were held between March 21 and April 28, 2007 with Lehigh Acres residents. The raw input received at these forums laid the foundation for a long-term community vision, and provided the core elements of the Vision Statement. Moreover, coupled with the analyses conducted concurrently (summarized in the previous section), the community input helped to identify the top concerns and expectations that the planning effort needed to focus on to meet future needs.

Based on the aspirations and concerns publicly expressed by residents, the long term vision for Lehigh Acres is:

“...to become a “Sustainable Community of Choice,” a community that is safe, affordable, connected, well-served, livable, attractive, and populated by a diverse and engaged citizenry.”

This vision has informed and inspired every aspect of the Community Plan. The following are the key elements of the long-term vision for Lehigh Acres:

Managed / Balanced Growth: Encourage growth in areas where a full range of public services is in place or planned, and discourage or slow growth in outlying areas lacking in water, sewer and other basic infrastructure. Diversify the land use pattern and strengthen the local economy and tax base by reserving land and retrofitting existing land use patterns to incorporate adequate employment, commercial and mixed-use development. Strengthen downtown and other centers of activity and promote sound land uses along important highway corridors.

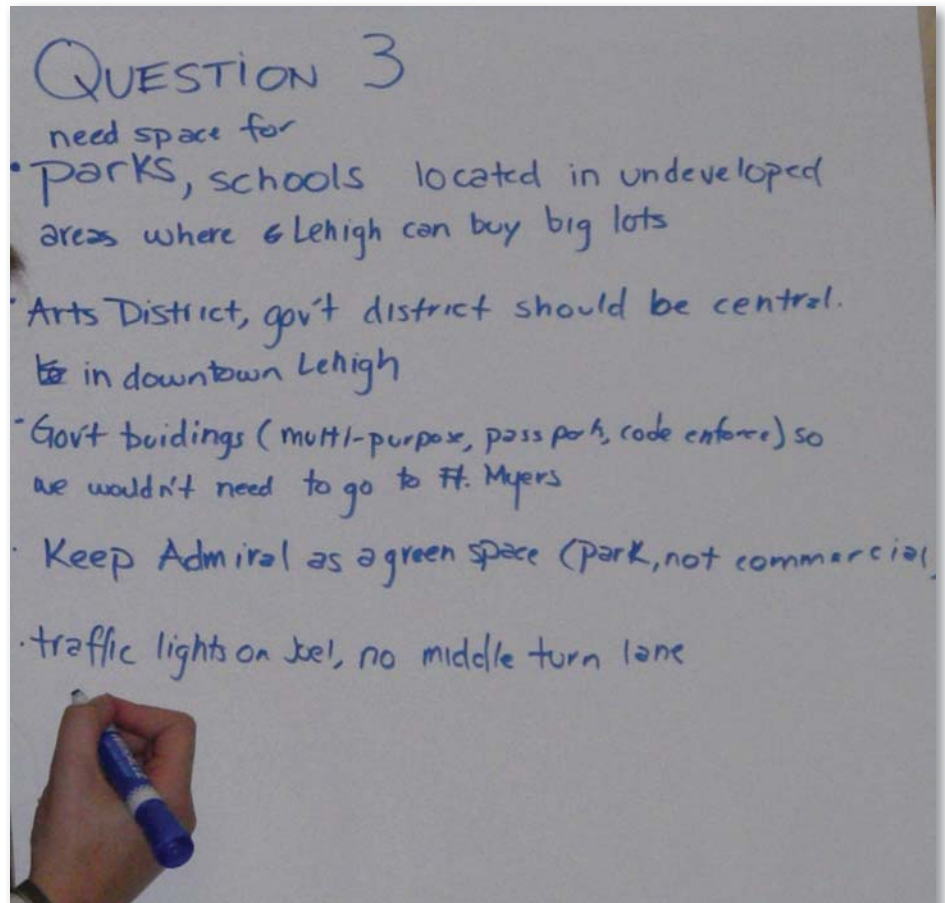
Community Character: Enhance community identity and pride, raising the bar for development quality, architectural character and quantity and quality of landscape materials. Integrate parks, open space, enhanced canal corridors and greenways as community form-givers and amenities to enhance quality of life.

Natural Resource Protection / Restoration: Protect the quality and quantity of groundwater by reducing the impact of septic systems and by providing for adequate groundwater and aquifer recharge. Promote a “greening” of Lehigh, emphasizing the use of native landscape species.

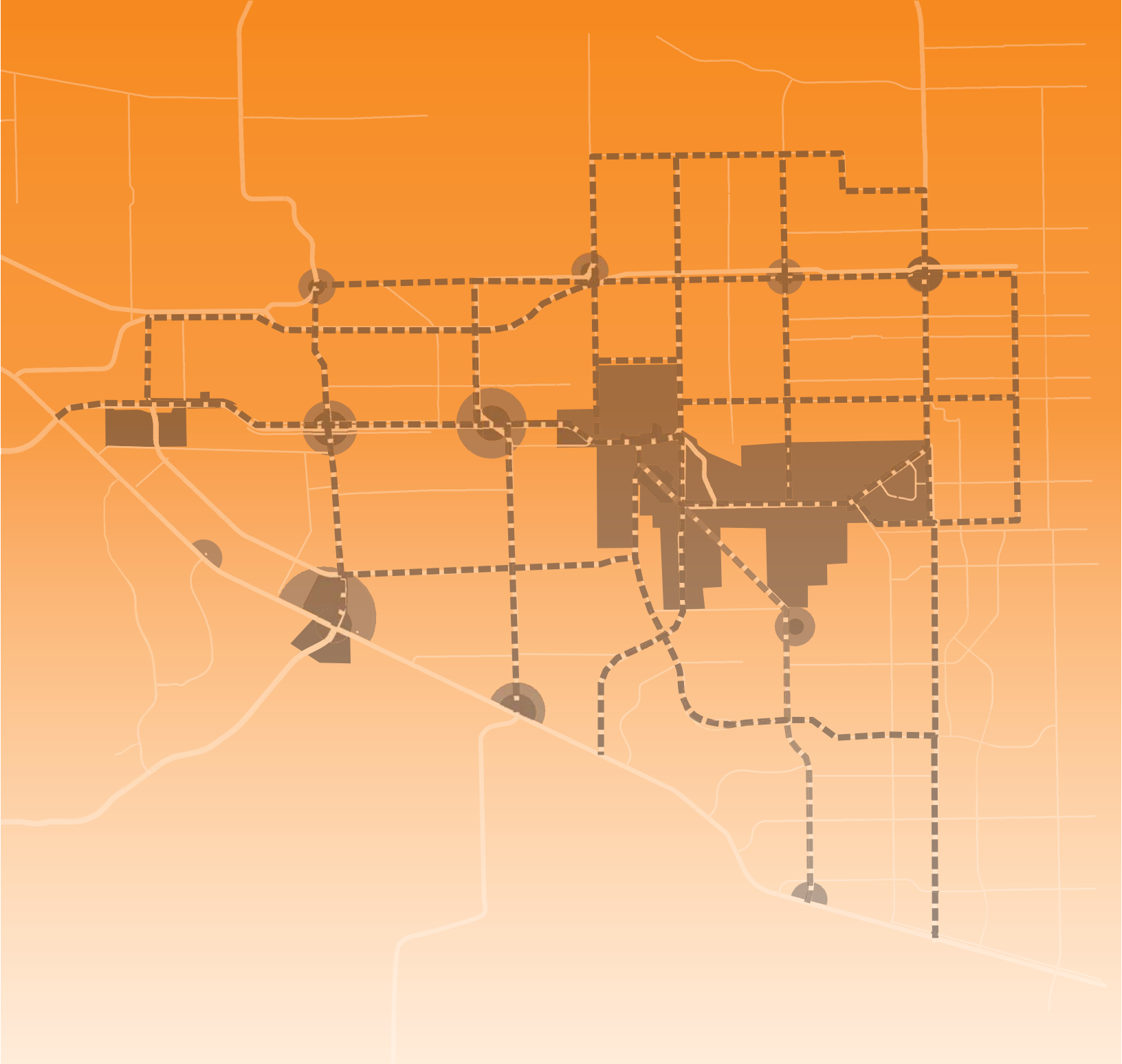
Efficient Transportation: Upgrade the condition and capacity of the local road system, improving connectivity and applying principles of access management along major roadway corridors. Promote alternatives to auto reliance through transit, and improved networks of sidewalks and pedestrian and bicycle trails as part of community greenways.

Full Array of Public Services and Facilities: Expedite the staged extension of water and sewer systems, connect lots previously served by on-site septic and wells, and discourage additional development reliant on on-site well and septic systems. Reserve land and promote intergovernmental coordination for the development of local schools, libraries, recreation centers and other facilities and services necessary for a sustainable community of choice. Act in

multi-faceted ways to protect public safety, including maintaining adequate emergency response times, ensuring necessary fire (water) flows, avoiding undue concentrations of multi-family and rental housing and by providing a range of engaging activities for children, youth, adults and seniors.







SECTION V

CONCEPT PLAN

Through the Community Assessment and Trends Evaluation, the current conditions and pattern of development in Lehigh Acres appeared to be incompatible with the future community characteristics articulated in the Lee Plan as currently adopted and is inconsistent with the new Vision Statement developed by the community. Without focused efforts to extend infrastructure, acquire land for community facilities, and spur commercial development, a sustainable, urban community future land use will more than likely be unattainable for much of the sparsely developed areas within Lehigh Acres. Without action or change of course, urbanization of the entire Lehigh Acres study area appears to be a very low probability outcome in any foreseeable time frame given the current conditions, impediments created by small parcelization, and cost prohibitions.

In an effort to bring reality closer to the vision (both Lee Plan's and the community's), the concept plan establishes a framework for decision-making geared, fundamentally, at downscaling the urbanizing/urbanizable area of Lehigh Acres into a smaller, more compact, more sustainable form. This will reduce public costs by encouraging a more efficient use of existing and future infrastructure, while recognizing the critical importance of intergovernmental coordination and partnerships to realize the plan's objectives.

V.1 Guiding Principles

Three key Principles—derived from the Project Parameters established in Phase One of the planning process, and the Vision Statement developed in Phase Two with the input of Lehigh Acres residents—guide the plan for Lehigh Acres. The Guiding Principles are as follows:

1. Consolidate Development Patterns by Directing Growth

The quantity of growth to be absorbed in Lehigh Acres over the next 20 years will not be sufficient to fully build-out and consolidate the development patterns throughout the community. To avoid further fragmentation and population dispersion, and in the interest of sustainability and livability, growth should be guided first into areas that already have the necessary array of public services and facilities, and then to areas which may achieve a critical mass of growth to support a full array of public services and facilities over the plan horizon.

Conversely, growth should be discouraged in those areas likely to remain sparsely built over the next 20 years.

2. Reserve Land for Non-residential/Service Uses

A fundamental flaw in the initial planning and platting of Lehigh Acres was a lack of consideration for the need to reserve appropriately-sized and located parcels to serve as sites for shopping and employment centers, schools and other civic uses, as well as for alternative housing types and mixed use activity centers.

Sites should be reserved, and incentives provided for the development of such future uses, while discouraging conversion of land for additional residential use.

3. Anticipate Long-Range Risks to Public Health, Safety and Welfare

While there is little direct evidence today of an immediate health threat, at some point in the future the continued proliferation of private wells and septic systems could reach a critical mass of impact upon the quantity and quality of groundwater resources, and create a peril to public health.

Similarly, while present levels of traffic congestion may be endurable, incremental growth of population and automobile trips, if not accompanied by proportionate, staged increases in traffic capacity, may reach a critical mass of intolerable gridlock.

The continued spread of scattered development, coupled with the existing deficiencies in roadway network continuity, is also potentially detrimental to public safety, as emergency response times are increased.

For these reasons, Lee County should anticipate and prepare to respond to such risks by working with regional and local agencies and organizations, including ECWCD, FGUA, the Health Department, Lee DOT, and others, to:

- (a) more thoroughly study these issues specifically related to Lehigh Acres;
- (b) pace the propagation of development in the sparsely settled areas of Lehigh Acres, where infrastructure systems, including roadways, are most incomplete/ inadequate;
- (c) collectively and coordinately initiate actions and programs to avert or minimize potential threats.

V.2 Strategic Directions

The following paragraphs outline the potential interventions or strategic directions that respond to the key principles, and address areas of concern raised by Lehigh Acres residents and other stakeholders or derived from the analysis of existing conditions and key factors.

Strategic Direction 1: Undertake “early action” zoning and regulatory changes for improved highway corridor development (for example, to restrict “model homes”), commercial development standards, urban design guidelines for “downtown” Lehigh Acres, improved residential development, and modifications to the land development/zoning patterns (e.g, to reduce concentrations of duplexes and other uses).

Strategic Direction 2: Stage and direct growth over time. Until Lehigh Acres develops a critical mass of development capable of generating enough tax revenue, growth should be directed into areas presently served by infrastructure, or areas approaching a critical mass of development where extension of said infrastructure should be programmed, and away from areas likely to remain sparsely developed for the foreseeable future.

Strategic Direction 3: Implement a 10-Year Capital Improvement Program in Tiers 1 and 2, as follows:

SD 3-A: Accelerate provision of central water, sewer, and other public facilities in Tier 2 within a 10-year period, and sooner within Tier 1 to enhance capacity needed to accommodate infill, redevelopment and intensification.

SD 3-B: Identify priority road network enhancements in Tiers 1 and 2 to improve road network condition and connectivity.

Strategic Direction 4: Coordinate Stormwater Improvement Initiatives with the East County Water Control District (ECWCD), including, potentially, large-scale land acquisition for stormwater storage and/or groundwater recharge.

Strategic Direction 5: Address the long-range impacts of septic systems and private wells. Working closely with the Lee Health Department, the Department of Environmental Protection, ECWCD, and other agencies, investigate the potential environmental and public health threats and become prepared to alter permitting of on-site systems as necessary. The County should also enforce retroactive tie-in requirements where water and sewer service is in place, and make provisions to mitigate the financial impact of tie-ins upon homeowners by extending payments over time.

Strategic Direction 6: Selectively acquire and assemble property for non-residential uses in Tiers 1 and 2, through the establishment of a land trust, community redevelopment agency, or comparable entity, limited in area.

Strategic Direction 7: Create Municipal Services Taxing Units to Fund Capital Improvements. The cost of providing basic infrastructure and facilities is well beyond what current property taxes collected within Lehigh Acres could alone support. Although Lehigh Acres already has in place an MSTU for street lighting, additional MSTU's should be considered for application in Tiers 1 and 2 for street paving, sidewalks/trails, community parks, and water and sewer service (in conjunction with FGUA).

Strategic Direction 8: Initiate Large Scale Land Acquisition for Conservation throughout Tier 3, working with FDEP, ECWCD, and new or existing land trusts, develop a strategy for phased acquisition, relocation and environmental restoration.

V.3 Development Staging (Tier System)

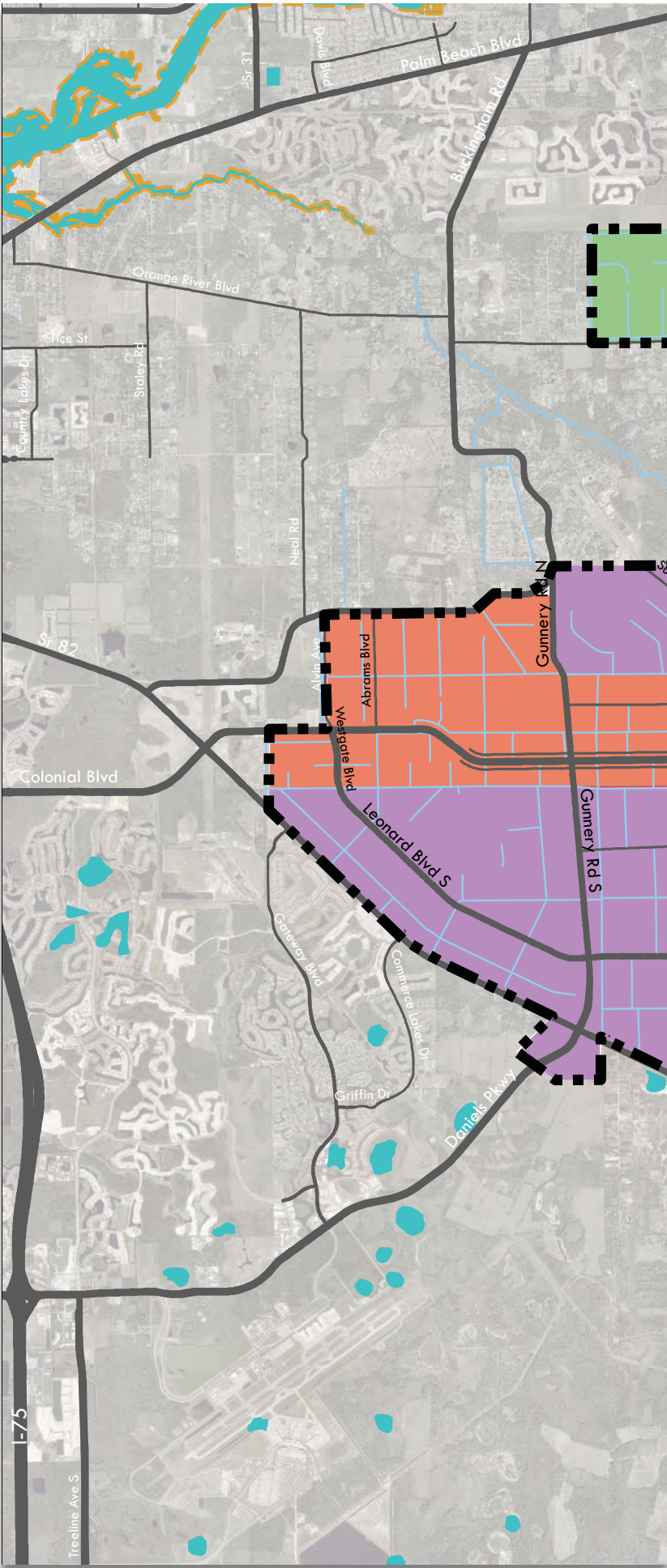
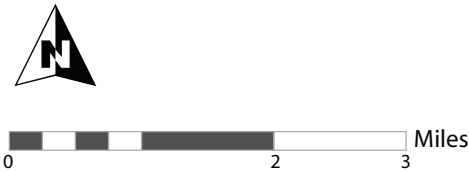
The pace and location of new development and infrastructure expansion in Lehigh Acres should be guided by a Tier System to ensure a more functionally and fiscally sustainable future. The proposed tiers, shown in Figure 36 are consistent with the three general sectors identified as the key components of the community structure. They are defined as follows:

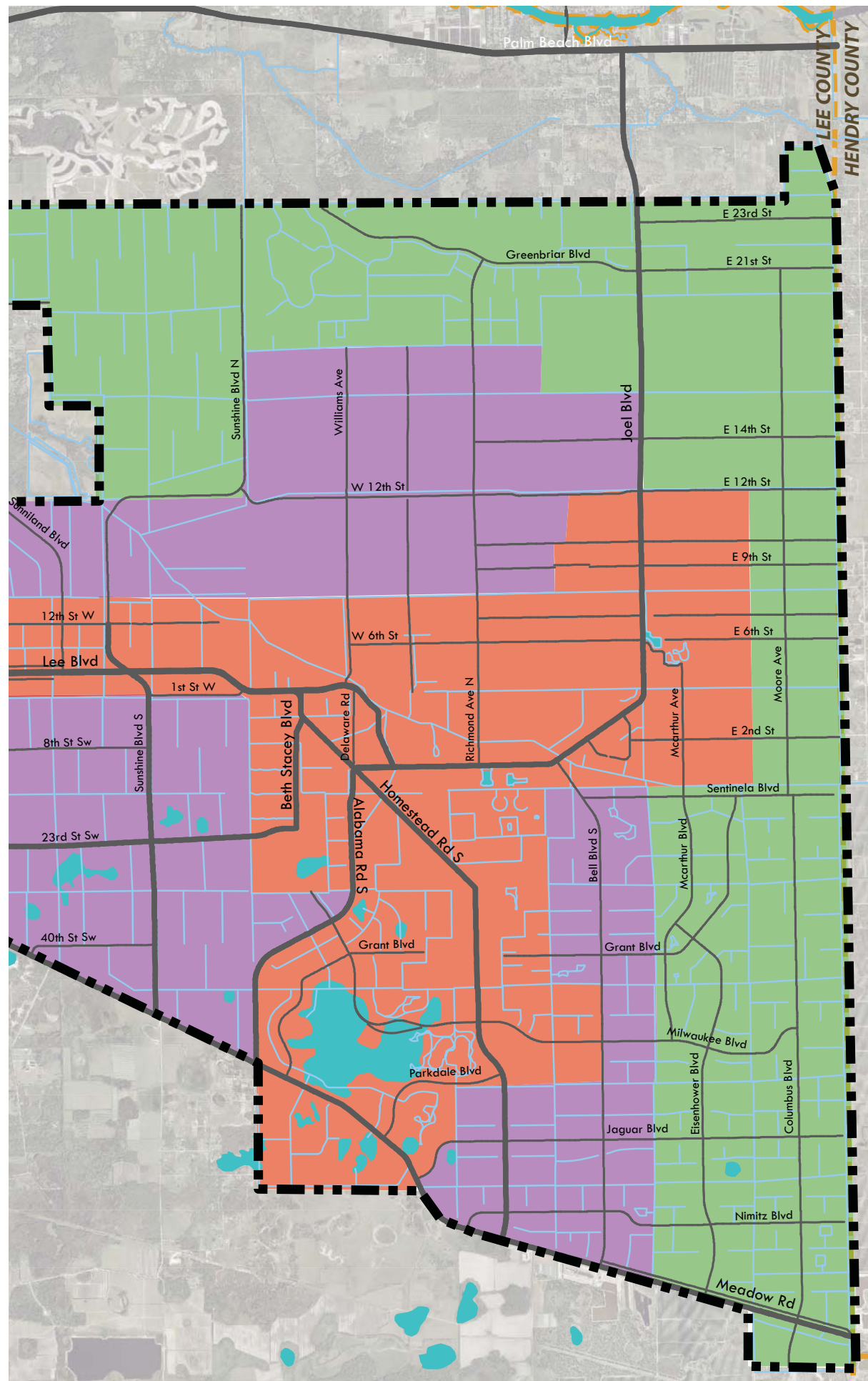
Tier 1 – Largely Developed - Priority Area 1 (0-10 years)

Tier 1 consists of the older urbanized core of Lehigh Acres that is largely served by an existing array of public services and facilities, including a well-developed road network, water and sewer facilities, schools, and the bulk of Lehigh Acres' commercial development. This tier consists generally of an east-west band of land along Lee Boulevard, approximately between 4th Street and 16th Street and a north-south band generally extending to the west and east of Homestead Road. Although Tier 1 is the most developed and urbanized portion of Lehigh Acres, approximately 50% of its resi-

Figure 36: Tiered Growth Concept
Source: WRT based on Lee County GIS

- Predominantly developed
- Partially developed
- Sparsely developed





dential lots remain undeveloped. Tier 1 also contains the bulk of the commercial land uses in Lehigh Acres, some of which- such as the models homes and small strip centers- may represent opportunities for redevelopment and the introduction of mixed uses and higher density housing. However, lacking in Tier 1 are elements of community structure, including definable neighborhoods, mixed-use centers, road hierarchies and civic uses. The County should accelerate development of the complete array of infrastructure, services, and community form-givers in this tier, with a goal to complete within a 10-year period.

Tier 2 – Partially Developed - Priority Area 2 (10-20 years)

Tier 2 consists of those areas immediately adjacent to Tier 1 where public facilities such as water and sewer are not fully available today, but where the provision of these public facilities should be prioritized in the second decade of the planning horizon, 10 to 20 years from adoption of the plan. Approximately 22% of the parcels in Tier 2 are presently developed. Because land costs are likely somewhat lower than in Tier 1, Tier 2 will likely continue to experience rapid growth. However, the absence of public facilities, the proliferation of septic systems, coupled with the distance to the commercial services and the discontinuous road network, will continue to compromise quality of life in Tier 2.

Taken together, Tiers 1 and 2 have a development capacity sufficient to meet the growth demands of Lehigh Acres for the next 25 to 30 years. Given this circumstance, combined with the significant cost to extend and maintain infrastructure in the sparsely developed sections of Lehigh Acres (Tier 3), future development in those areas should, at a minimum, be discouraged. Also, because Tiers 1 and 2 contain a substantial amount of undeveloped land, there are opportunities to incentivize the assembly of land for commercial and civic uses and for the introduction of higher density residential development, with the potential for density transfers from Tier 3 and/or the DR/GR.

Tier 3 – Sparsely Developed – Priority Area 3 (beyond 20 years)

Tier 3 consists of the extreme northern and eastern fringe of Lehigh Acres. This area is the least developed, with only 11% of the properties built upon, and is the lowest in zoned density due to the preponderance of one acre and half acre lots. This area has virtually no public services and facilities, little commercial uses and many roads that are in poor or very poor condition. Due to its remote location, sparse development, and distance from police and fire services, Tier 3 is highly vulnerable to crime and illegal activities. Because of its lack of livability and the overwhelming cost to provide public services and facilities, and because Tiers 1 and 2 have sufficient development capacity, the general policy for this area should be to discourage development and to provide minimal levels of public investment, other than public safety.

It is acknowledged that the vested rights agreements that are in effect likely would prevent an outright ban on development. For this reason, there are two possible scenarios that would seek to minimize additional development in Tier 3, while respecting existing vested rights agreements and Florida law:

A. Retention/Improvement of Existing Tier 3 Development Pattern

This scenario would seek to curtail development in Tier 3 temporarily, using all legal means available over the next 25-30 years or until Tiers 1 and 2 have approached buildout. During this time, Lee County, in coordination with the Lee County School Board and the East County Water Control District and other entities, will prepare Tier 3 for a more sustainable future, by acquiring and assembling land for commercial development, and developing schools, parks, stormwater management and other public services and facilities needed to support the complete buildout of Lehigh Acres, without changing the present pattern of platted lots, land use and streets.

B. Acquisition/Conservation/Environmental Restoration

In this scenario, vacant land throughout Tier 3 would be permanently set aside through acquisition and conservation programs, for the purpose of creating a “greenbelt” to serve mitigation, environmental remediation, and stormwater management functions. This effort should be collectively supported and carried out by a consortium of entities including the East County Water Control District, Lee County, Florida DEP and USACOE.

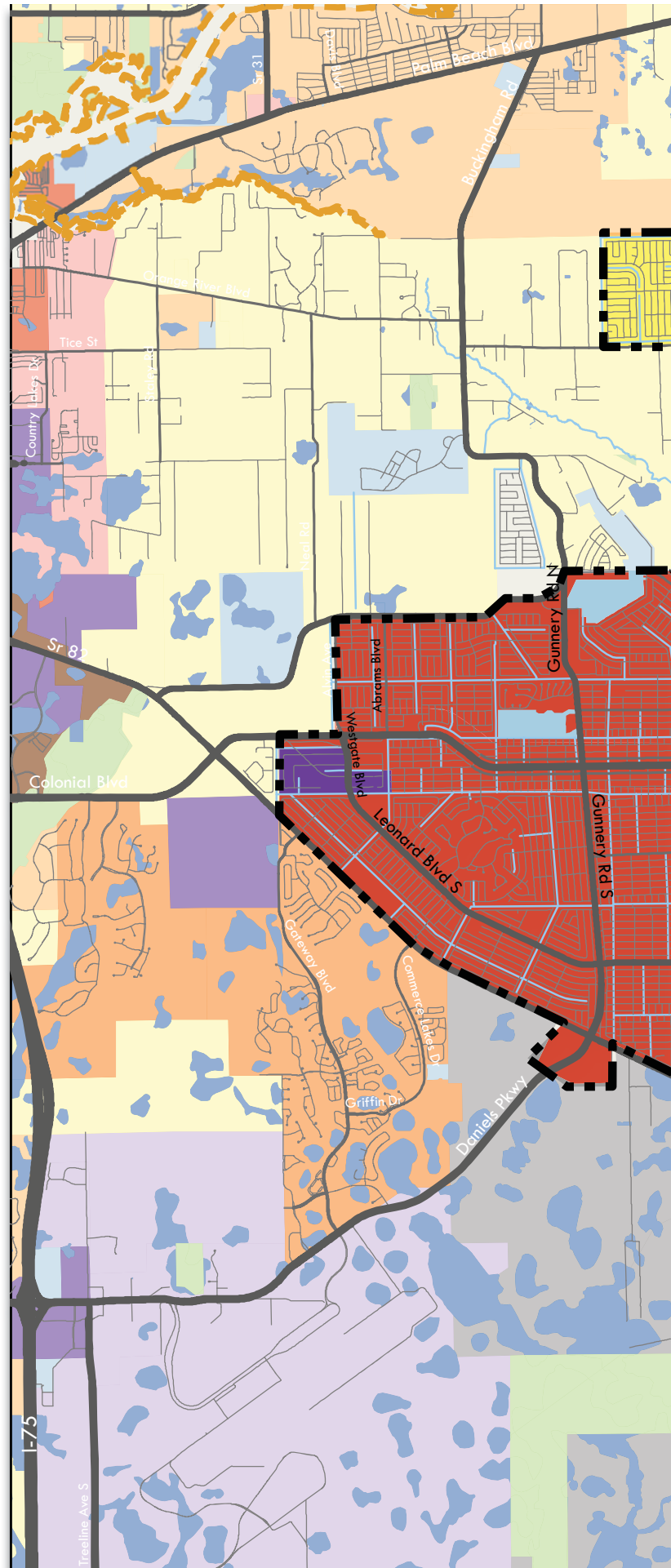
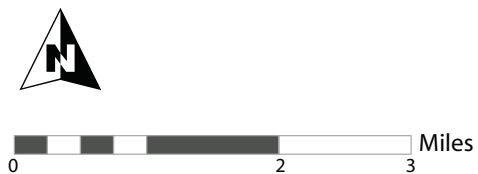
V.4 Areawide Development/Land Use Concept

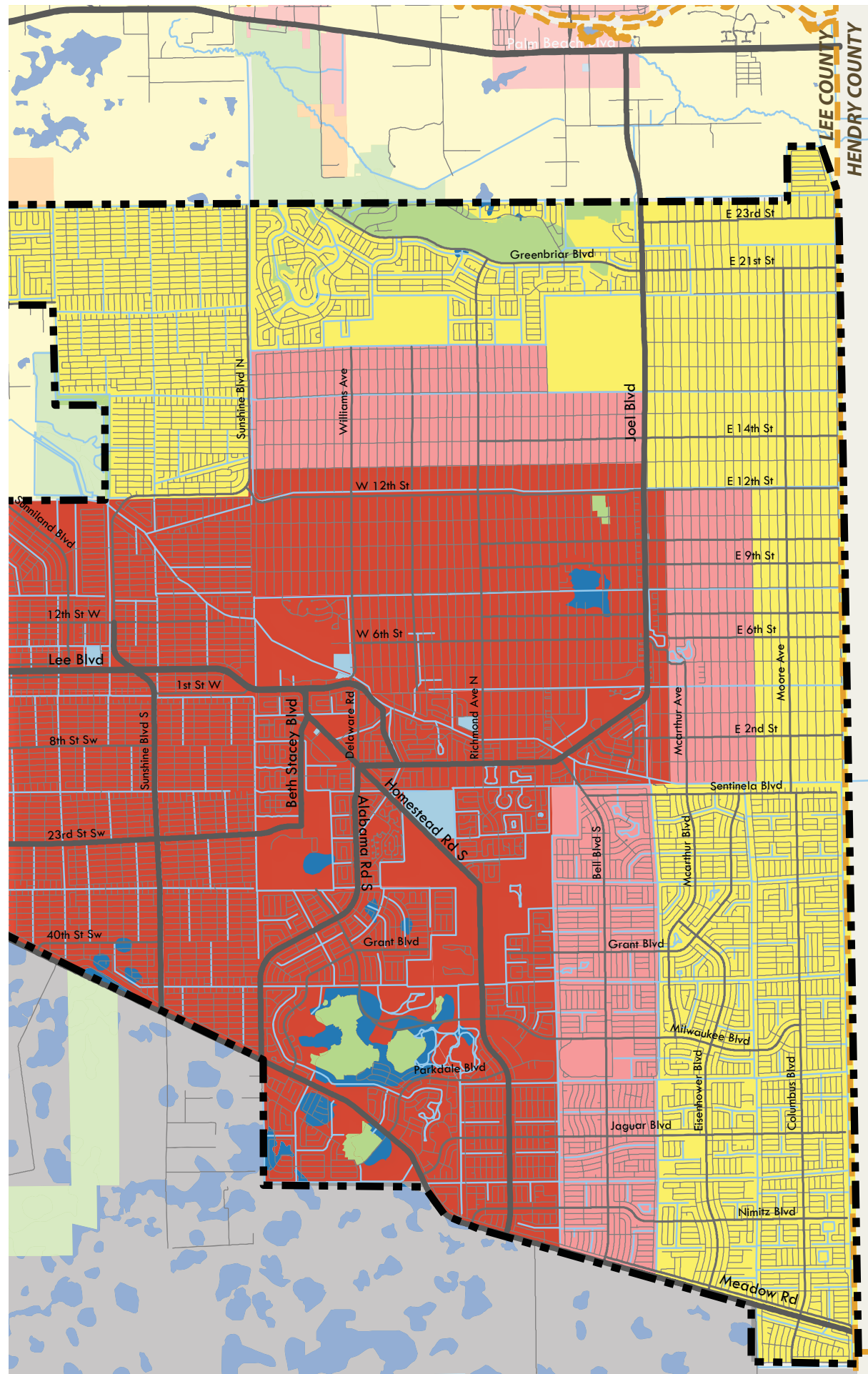
The Proposed Future Land Use and Development Concept Map depict the conceptual long-range development patterns and general distribution of land uses (Figure 37). Today, there is a noticeable disconnect between the envisioned land use character for Lehigh Acres—Central Urban area surrounded by Urban Community—and the development pattern and densities achievable through platting and zoning.

The proposed land use concept provides a “roadmap” for future development that can be phased in over time. It creates a framework for directing growth and for creating a viable community form where one does not exist today. The areawide framework is predicated on the notion of a smaller urbanized Lehigh Acres—an effective community land area reduced by approximately one-third of its size, in order to rationalize investment and development in a more realistic, practical manner. Based on the long-range projected population growth, it is estimated that existing vacant residential land available in the urbanized areas (Tiers 1 and 2) of Lehigh Acres will, combined, easily accommodate growth for at least the next two to three decades. Future development in Tier 3 is discouraged (though not prohibited). Disincentives should be coupled with land acquisition for mitigation, habitat restoration, conservation, and recreation purposes.

Source: WRT based on Lee County GIS

Source: WRT based on Lee County GIS





It is also predicated on the establishment of a hierarchy of plan “units” (as described in more detail in subsection V.6), ranging from the community scale, to the corridor, to the neighborhood, and to the node or activity center.

The land use concept uses the same basic, broad land use designations that currently apply in Lehigh Acres, re-aligning their boundaries to coincide with the area of the community that is expected to urbanize within the time-frame of the plan.

Tier 1 and the southwestern portion of Tier 2 (now—with the exception of the westernmost portion—designated “Urban Community”) are designated as the “Central Urban,” calling for a full array of infrastructure and services to serve higher intensities of development. Allocating portions of Tier 2 to this land use designation will allow the introduction of incentives to higher residential densities and a broader range of housing types (townhomes and apartment buildings), to disperse the concentration of duplexes and single family homes in this area.

While the remaining portions of Tier 2 (to the north and east of Tier 1) are also expected to urbanize within the timeframe of the Plan, they are expected to do so at a lower pace and to remain more suburban in character, consistent with the parcelization pattern. Therefore, these areas are designated as Urban Community. They will serve as a transition between the Central Core and the sparsely developed, sparsely improved Tier 3, which is proposed to be redesignated as the “Lehigh Acres Outlying Suburban Overlay.” This new Comprehensive Plan special overlay designation is described in more detail in Section VI, Implementation, and is one of the recommended amendments to the Lee Plan and the Future Land Use Map.

While the Future Land Use Map depicts generalized land use categories, each one of these categories can accommodate a range of specific land activities and development types, which are illustrated in the next section of this report. For example, the older urban core of Lehigh Acres—generally extending between Sunshine Blvd. North and Joel Blvd., north and south of Lee Blvd./Leeland Heights, south on Beth Stacy Blvd. and Alabama Rd.—is identified in the Concept Plan as the community’s “downtown.” It is the most densely developed, most established in terms of land use mix, infrastructure, services, facilities, and landscaping. There are also areas within the downtown that run the gamut from the comfortably mature to the vulnerable and declining. The downtown area offers significant opportunities for infill and redevelopment at higher densities and a higher design standard.

For commercial land uses, the concept plan proposes the development of commercial nodes as part of a new framework of mixed-use activity centers, to be located at key points—generally the intersection of major arterials, or arterials and collectors. These centers or nodes will be the areas of most intensive development within the community, and collectively are estimated to satisfy between 30 and 50 percent of the 2030 projected commercial and employment acreage demand (between approximately 300 and 500 acres, developed at higher intensities than the current development pattern). Even more important than the amount of commercial or employment land acreage they will provide, these nodes will expand convenience and accessibility to goods and services needed by residents on a day-to-day basis at the area-

wide and neighborhood scales. If appropriately located and designed, these nodes can help increase the range of housing types; create new venues for local employment; expand access to public services; increase recreation opportunities; and provide alternative transportation options.

The nodes offer a viable alternative model to address the existing conditions and counteract the prevalent pattern of strip commercial development along major Lehigh Acres' major roadway corridors (specifically, Lee Blvd. and SR 82). The approach is to instead promote the development of transitional higher density residential uses (specifically townhouses or, where appropriate apartments, as shown in Figure 40) along most of these frontages, while concentrating the commercial uses around the key intersections on larger (assembled) parcels that provide better property depths and therefore opportunities for more creative site design. Higher density housing options are also encouraged as part of the land use mix within the nodes. Additional density to build the critical mass of these nodes may be transferable from Tier 3, or perhaps from the DR/GR.

Two major types of nodes are contemplated: *Community-Scale Mixed-Use Centers*, which are shown at two key intersections on Lee Boulevard and two on SR 82 (in both cases, the intersections of these roads with Gunnery Rd. and Sunshine Blvd.); and *Neighborhood-Scale Mixed-Use Centers*, which are shown occurring along the improved 12th Street (Luckett Rd. extension project, which may provide well-timed opportunities for assembly of land for commercial uses) and at some intersections along SR 82. The size of these centers will range between 50 acres (Community scale) and 15 (Neighborhood scale). The proposed development character and proposed land use pattern of two of these nodes are depicted in more detail in the next section of this report.

The intersection of Gunnery Road and SR 82 offers a special opportunity. Not only is it a major access point into and out of Lehigh Acres, but a significant amount of vacant land is available on the south side of the highway. The size, access and visibility of this location suggests the potential to create a gateway designed around an employment/ commercial center to serve Lehigh Acres residents.

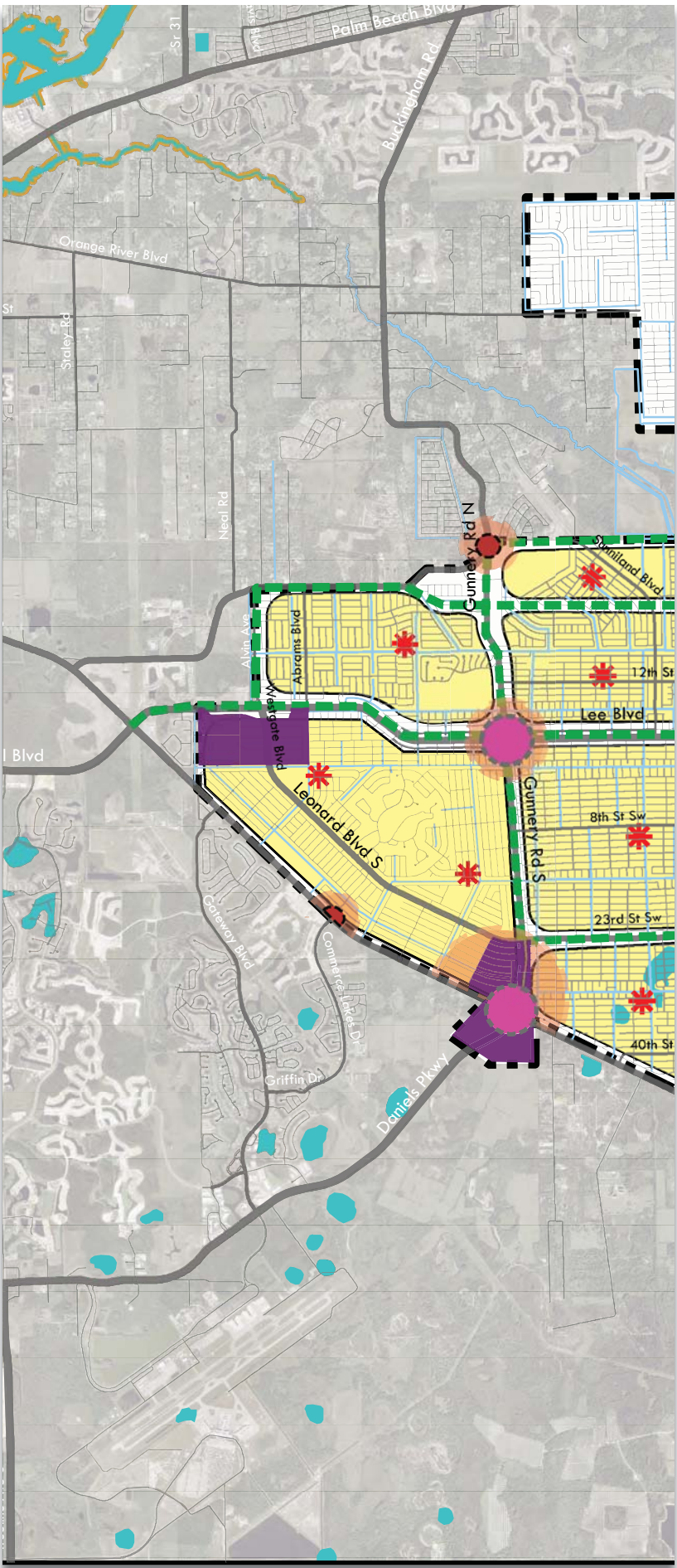
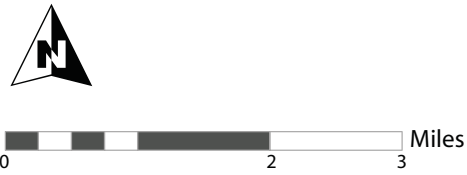
V.5 Community Structure/Urban Design Framework

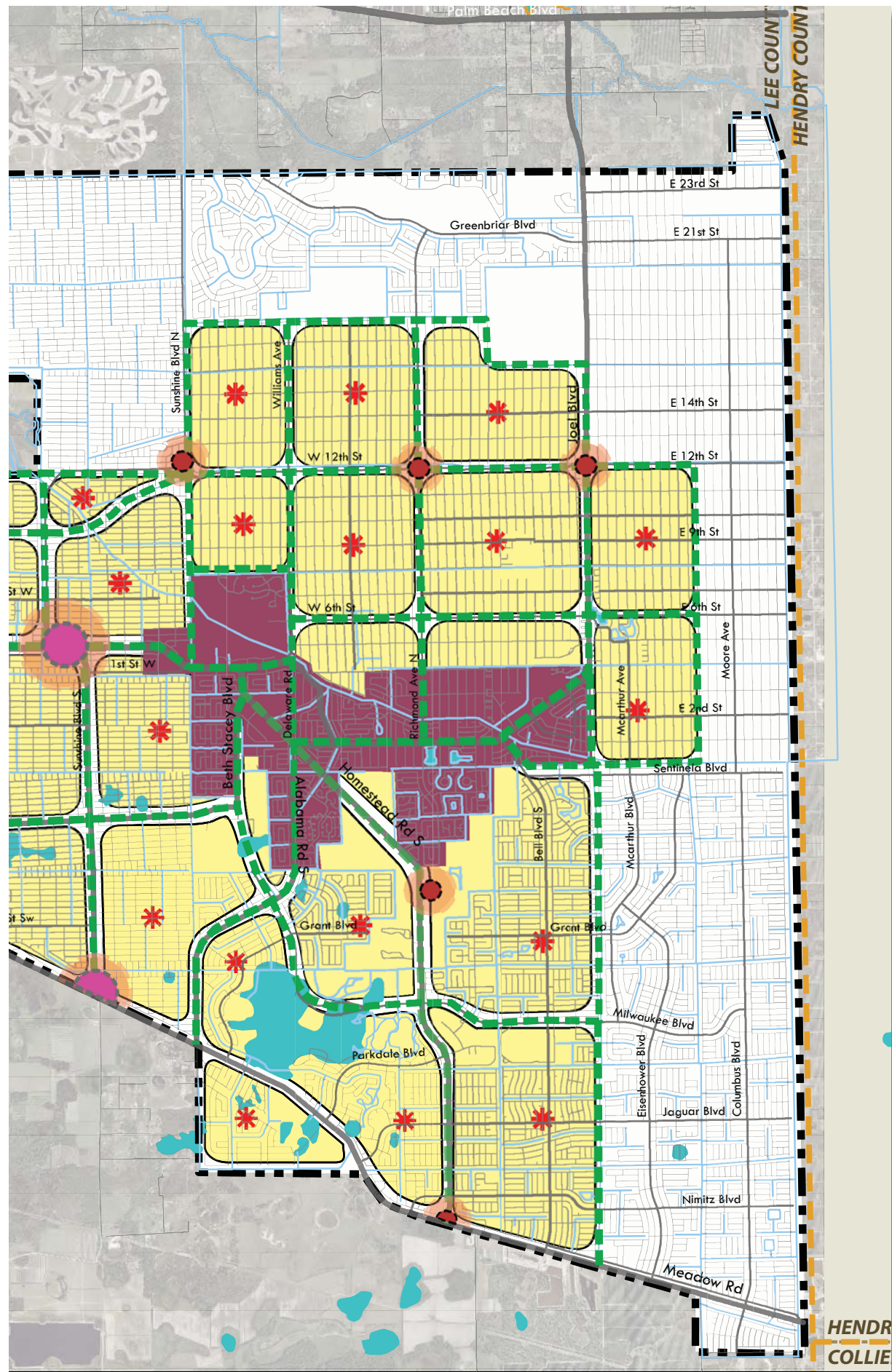
While a grid system is seen by many urban planners and designers as an ideal transportation and development system, at Lehigh Acres the grid has been carried to an extreme, creating a monotonous and disorienting environment. Almost every street has a similar character, and a thru street is virtually impossible to discern from a dead-end street. Further, there is uniformity in the "blanket" of single-family parcels, which does not allow for significant variations in housing types or other uses (institutional, commercial, recreation, etc.).

The proposed urban design solution, illustrated in Figure 38, establishes a hierarchy of community modules or units to impose structure, introduce form-givers, and create "places." At the same time, the framework has built-in flexibility, allowing its multiple components to be assembled in different

Figure 38: Community Structure
Source: WRT based on Lee County GIS

-  Proposed Neighborhood Mixed-Use Center
-  Proposed Community Mixed-Use Center
-  Existing or Proposed Employment Center
-  Proposed Local Activity Centers
-  "Downtown" Lehigh Acres
-  Proposed Parkways
-  Lehigh Acres Study Area
-  County Boundary





manners, like a puzzle, to fit the conditions of a specific location. The proposed “units” serve as prototypes—as models—but each location must be examined more closely, and each will be a variation of the “idealized community structure.” These variations will be the factor that gives each location its own identity and sense of place.

Following is a description of the Urban Design Framework elements:

Street hierarchy (parkway system)

First, the framework identifies streets that are, or will become arterials or collectors, and proposes to give them a character that is different from that of local streets. To create a hierarchy of streets where none currently exists, the main arterials and collectors should be developed or retrofitted as “parkways,” with a median (preferably landscaped) in the center. The “parkways” will be a signal to the driver that these are “through streets” and will not lead to the dead end of a canal (refer to Figure 38)

At the intersections of some of the parkways, roundabouts are proposed as a traffic-calming device at key locations, as well as to punctuate the monotony of the endless grid. These roundabouts could be further set up as gateways to the community (at the edges), or to specific neighborhoods (internally) through the introduction of a vocabulary of landscaping or water features. It should be noted that, although reviewed by the Consultant team’s Traffic Engineer, the roundabouts shown on Figure 38 are strictly conceptual. To determine the appropriateness of the recommended locations, sizing, and engineering design, feasibility studies will have to be conducted later.

Essentially, the parkways will serve to delineate the boundaries of smaller “building blocks” that bring down the massive expanse of Lehigh Acres to a more manageable (for example, in terms of capital investment) and more “human” scale (as described below in more detail). Each building block or unit is likely to comprise several neighborhoods (neighborhood clusters) based on size. In turn, each cluster and each neighborhood will have its own internal structure, built on the same principles as the larger units—street hierarchy, a more balanced mix of uses, and a “center.” (refer to Figure 39)

New parkways can be developed in conjunction with planned roadway improvements (for example, the Luckett Road extension/W. 12th Street improvement; or the North Gunnery Road improvement project). Existing



Parkways will serve as a navigational wayfinding system and will help to delineate and identify smaller community units

roadways can also be retrofitted as parkways in a phased approach. The first phase of a retrofit project could be the introduction of a median within the existing right-of-way (one lane on each side of the median), whereas landscaping, additional lanes, sidewalks, curbs, etc., could be phased in over time.

Neighborhood clusters

Within the framework of the larger parkway grid, neighborhoods, or neighborhood clusters, will be encouraged to infill and develop over time to create their own unique identity (Figure 39). The conceptual parkway grid creates “modules” that average a little more than a square mile (640 acres) in land area. After deducting for complementary uses (nonresidential), these modules could accommodate a population ranging between 6,000 and 10,000 residents at full build-out—approximately the population of a small town.

Small, mixed-use activity centers are proposed at the heart of each of these clusters, to include neighborhood-scale commercial and institutional and civic uses (churches, elementary schools, government offices, etc.). These activity centers will allow residents to reduce some of their automobile trips by providing at least basic services within a short distance—short enough to allow bicycling and walking. The primary anchor of these small centers would be a public park, the size of which can vary depending on land availability and the needs of the community that it will serve. Generally, their size will range between 5 acres and 25 acres. Ideally, the school will be located adjacent to the park, and both can share use. Along the edges of the neighborhood clusters—at key intersections along the parkways—higher density housing (e.g., townhouses and apartments), larger-scale commercial and

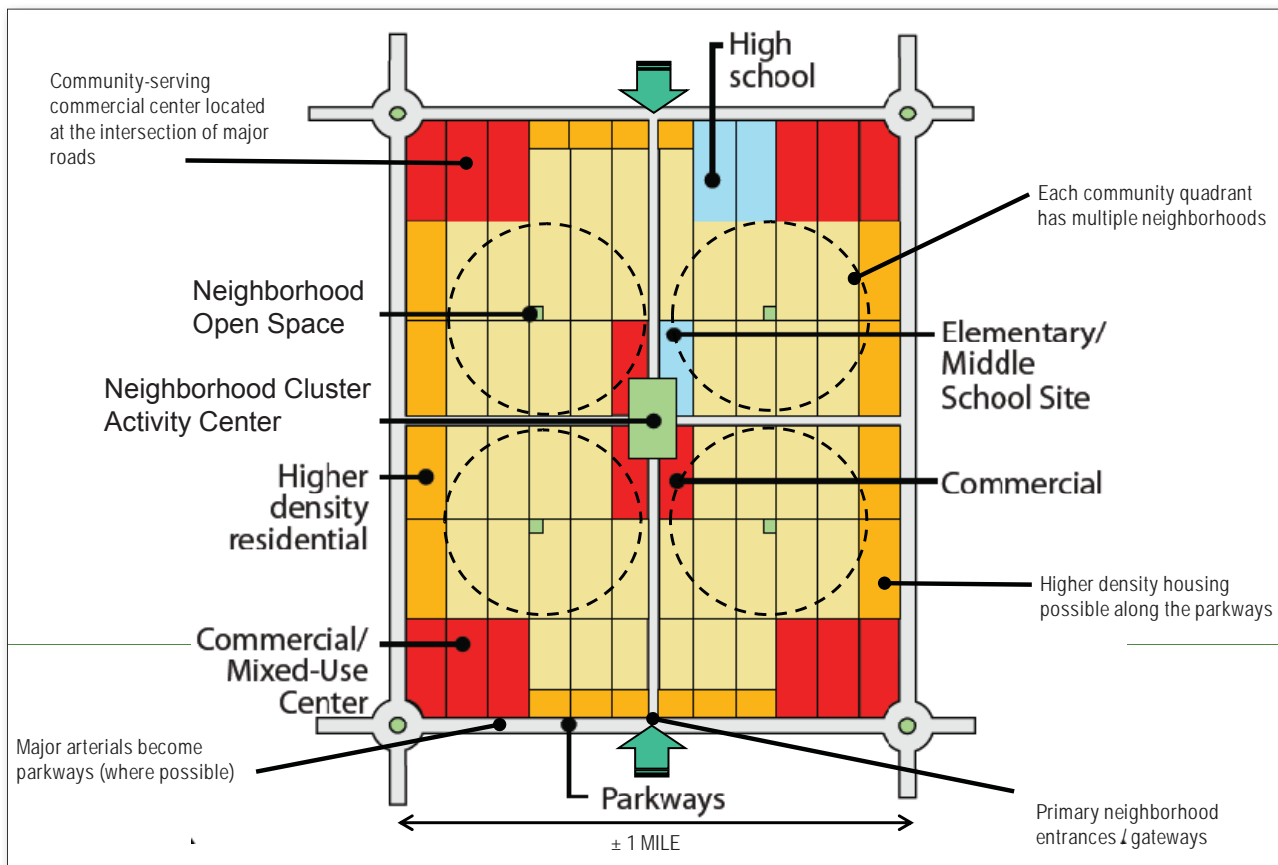


Figure 39: Neighborhoods and Neighborhood Clusters

larger community-serving institutions (high schools, hospitals, etc.) are encouraged.

The zoning pattern may need to be modified inside these activity centers to allow the appropriate uses at appropriate locations. Development and design standards may also need to be changed or augmented to incentivize the desired development pattern, and to ensure that they encourage a pedestrian friendly development pattern and streetscape. These changes could also be implemented through the establishment of new overlay districts (or modification of existing ones, where applicable), or the creation of floating zones that can be approved on a case-by-case basis. A floating zone is an unmapped district that may be superimposed on one or more established underlying zoning districts typically to define a use that the community wants to encourage. The floating zone can be affixed to a qualifying parcel of land, either upon the application of the parcel's owner or upon the initiative of the local government. Upon approval, the parcel is rezoned to reflect the new use and becomes a separate zoning district as an amendment to the Zoning Regulations.

The County may want to explore the future feasibility of establishing an acquisition program to purchase vacant land (through a land bank or a limited-scale CRA, for example) at suitable locations, providing developers the additional incentive of pre-zoned, pre-assembled property.



What makes a great neighborhood?

- Has a variety of functional attributes that contribute to a resident's day-to-day living (residential, commercial, mixed-use, walk-to recreation, community facilities/institutions)
- Accommodates multimodal transportation (pedestrians, bicyclists, drivers)
- Has design and architectural features that are visually interesting and distinguish it from other neighborhoods
- Encourages human contact and social activities
- Promotes sustainability and responds to climatic demands
- Has a memorable character

Activity centers

The purpose of the activity centers is to encourage a mix of business, residential and civic uses at key locations throughout the community, in a compact physical arrangement that is safe for pedestrian, vehicular and bicycle traffic and that provide alternatives to conventional commercial sprawl. Generally, in these activity centers development is spatially defined and concentrated in a nodal pattern, providing an alternative to conventional strip commercial. The establishment of an activity center does not create a precedent for higher density or higher intensity zoning or uses between the nodes or intersections where the activity centers are located.

There are three types or scales of activity centers proposed in the Concept Plan. While these are conceptually similar in function and mix, they are differentiated by the land area, balance of uses and intensity of the development permitted at each one of them.

The first of type of node, the Community Mixed-Use Center (CMUC), occurs at the intersection of two arterials—locations identified include Lee Blvd. and Gunnery Road, SR 82 and Sunshine, Lee Blvd. and Sunshine, SR 82 and Sunshine (Figures 40 through 43). The CMUC are denser, dense, predominantly commercial areas with uses that serve several neighborhood clusters or the community at large. Generally, CMUC will contain predominantly commercial surrounded by higher density townhome and multifamily housing. They may also include mixed-use development with offices and/or residential above ground level retail shops. Public uses and facilities and residential uses are also appropriate in CC areas. Although these areas will not be within walking distance of most of its market audience, pedestrian activity is encouraged internally once users arrive at the CMUC.

The second type of node, the Neighborhood Mixed-Use Center (NMUC), generally occurs at the intersection of minor arterials, or of an arterial and a collector street (Figure 44). They are small, intense areas that may contain multiple functions and are intended to act as centers of activity for a smaller area, probably consisting of some share of the surrounding neighborhood clusters. The service radius may be about 1 mile, making them walkable for a good segment of the market area, but a short drive for areas in Lehigh Acres that do not currently have this convenience. The key types of uses intended within NMUC areas are those that meet daily convenience needs (small grocer, drugstore etc.) and/or provide a place to gather and socialize.

The last type of node is the local Activity Center (AC). These are very small “walk-to” area within a five- to ten-minute walk (1/4 to 1/2 mile) of the surrounding neighborhood it serves (Figure 45). A local AC may consist of no more than a single-use or mixed-use “neighborhood-scale commercial” development (for example, corner store, dry cleaner, coffee shop, barbershop or hair salon) on one corner of an important neighborhood intersection. Although small-scale commercial is scarce in modern times, the opportunity to walk five minutes to a corner store for a quart of milk and a newspaper presents residents with an alternative to getting in a car driving a couple of miles for the same items. A small park or civic open space should be the anchor for each AC.



Figure 40: Proposed Land Use of Lee Boulevard - Gunnery Road Community Mixed-Use Center

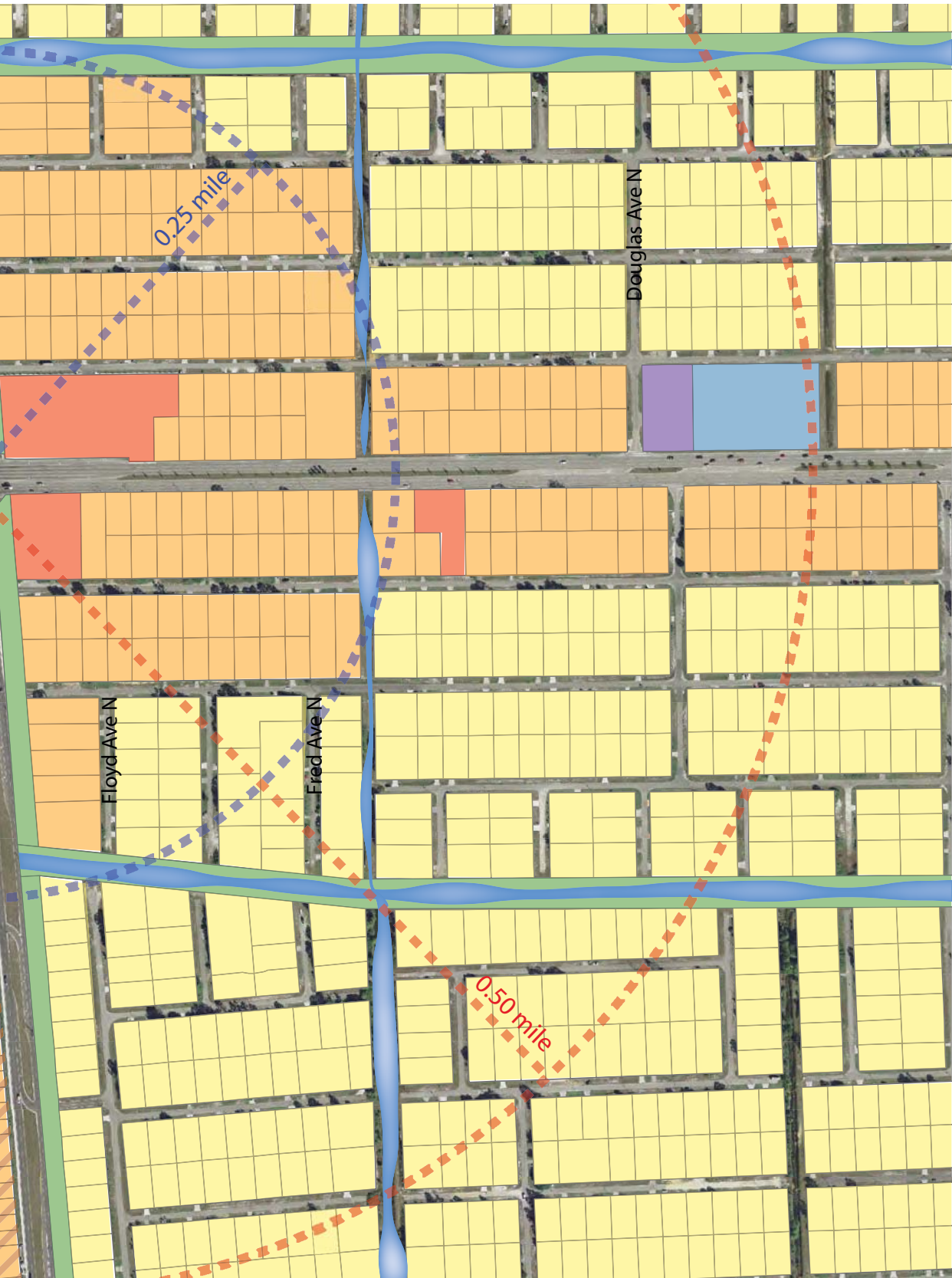




Figure 41: Lee Boulevard - Gunnery Road - Community Mixed Use Center Concept (Node)



Commercial/Mixed Use Node



Townhome Potential Prototype

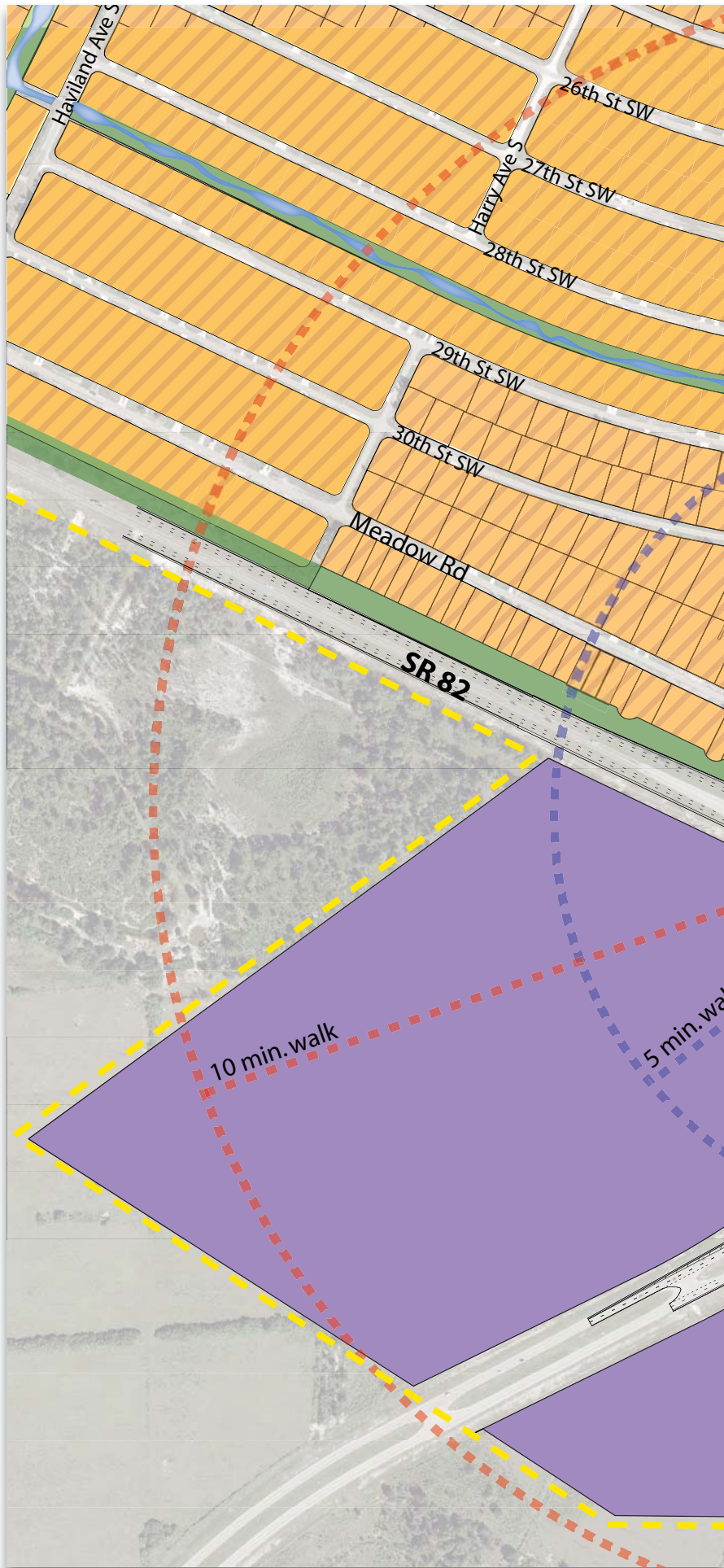
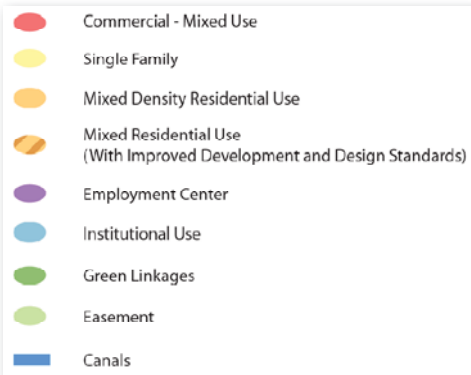
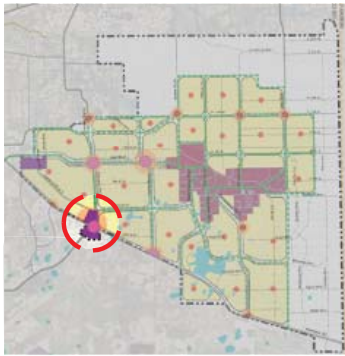
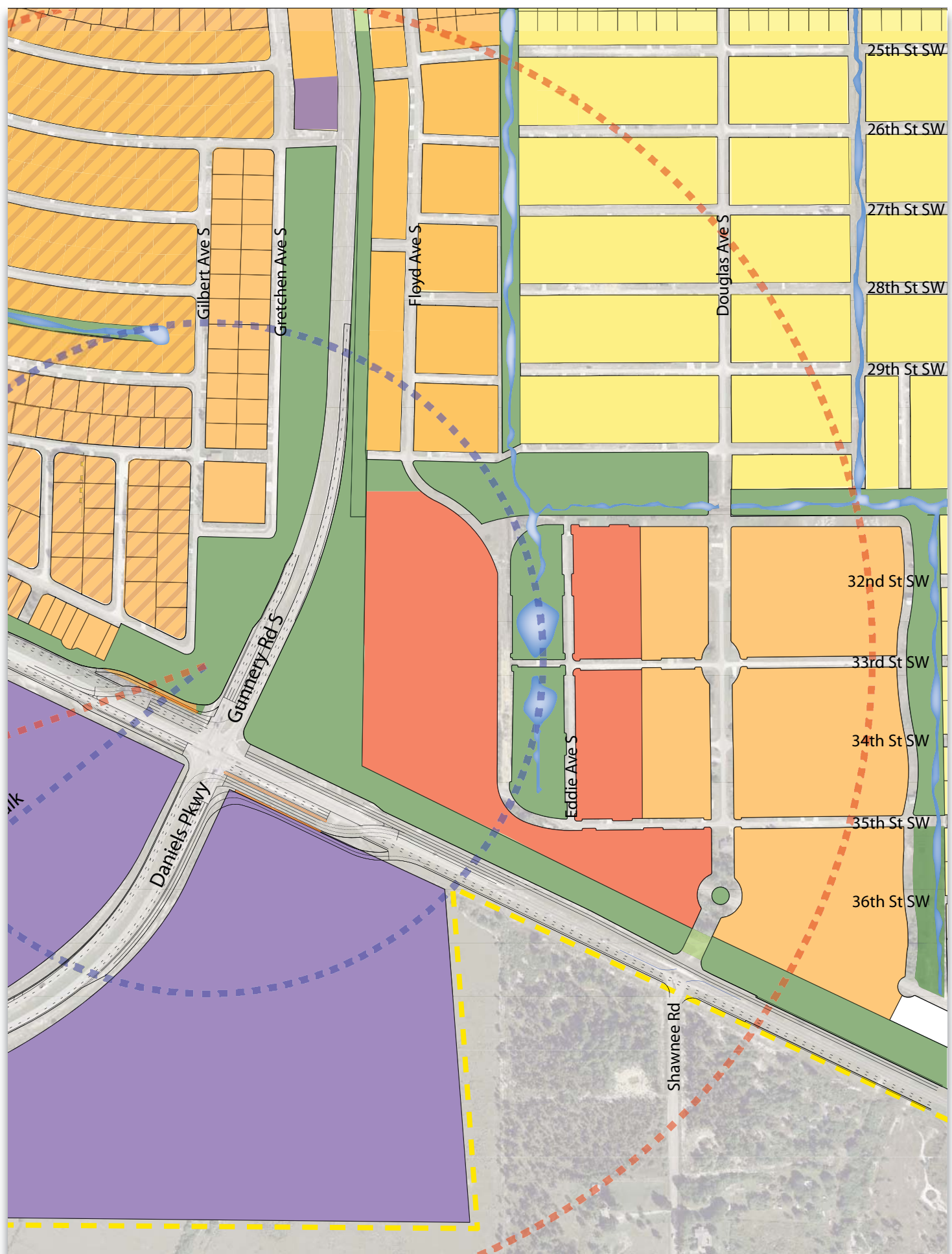


Figure 42: Proposed Land Use of Gunner Road-SR 82 Community Mixed-Use Center



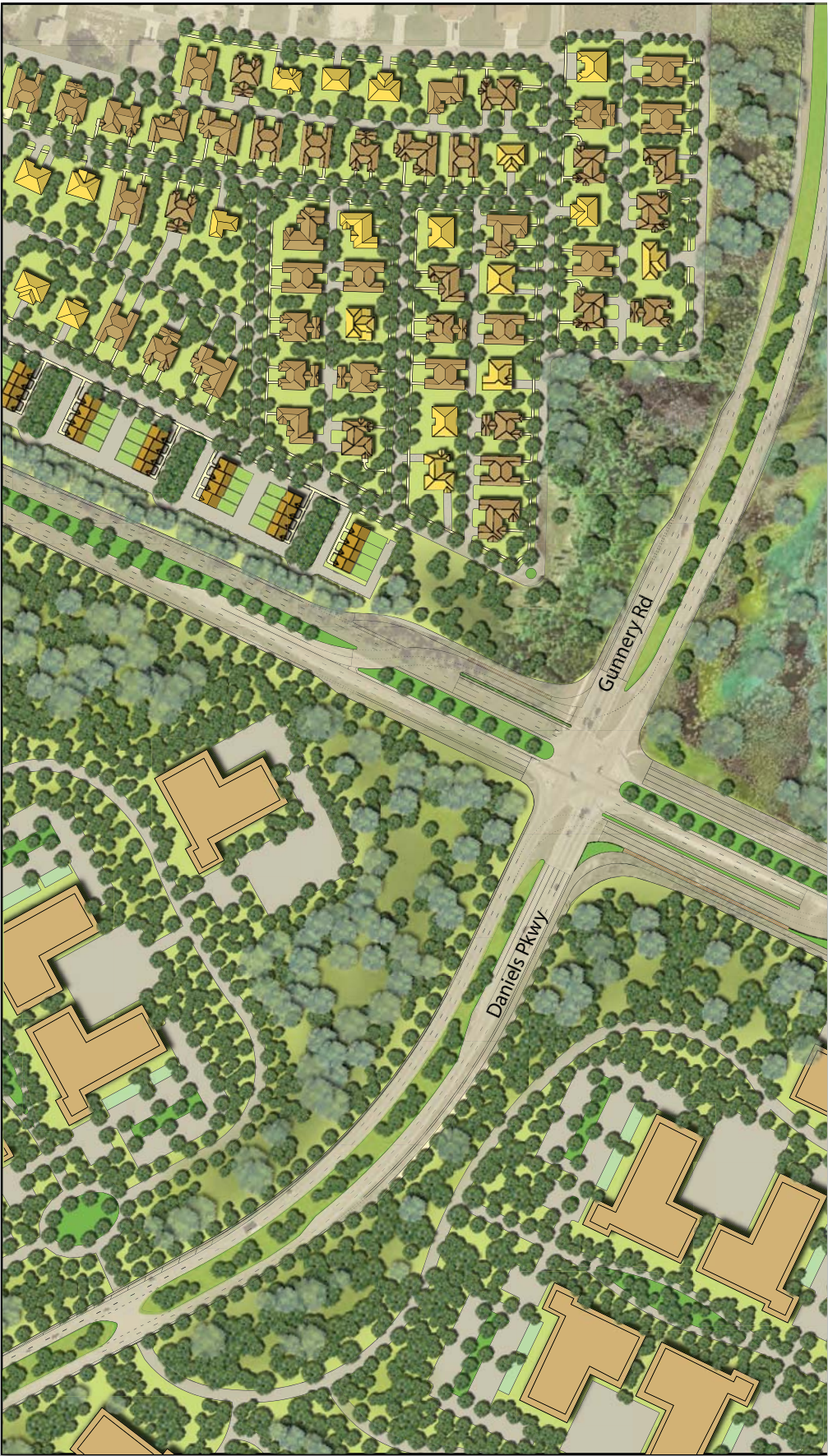


Figure 43: Guntery Road-SR 82 Community Mixed-Use Center *Node)





Figure 44: Bird's Eye View of the SR 82 Community Mixed-Use Center at Water's Edge



Figure 45: Street View from the SR 82 Community Mixed-Use Center

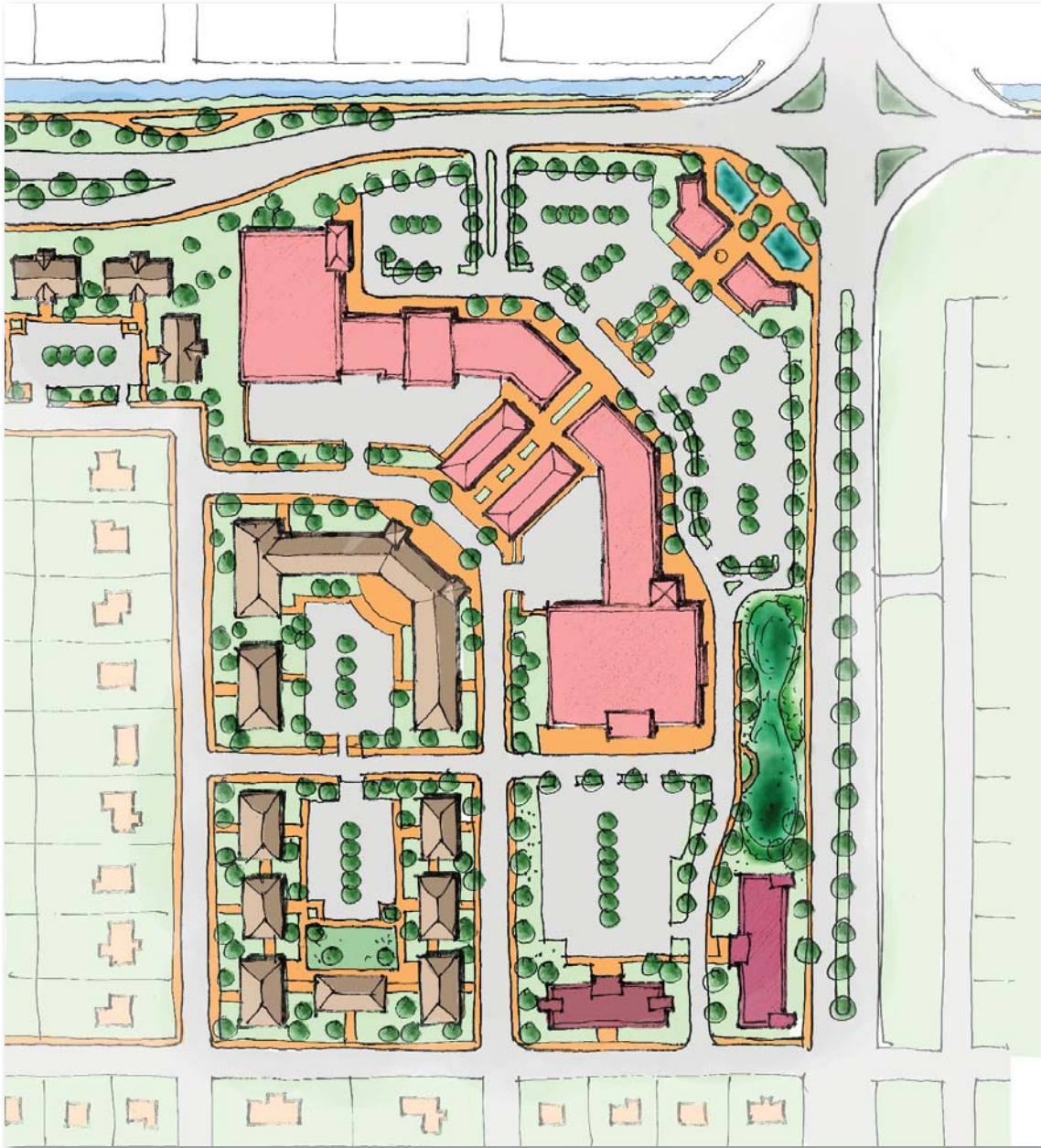


Figure 46: Neighborhood Mixed-Use Center

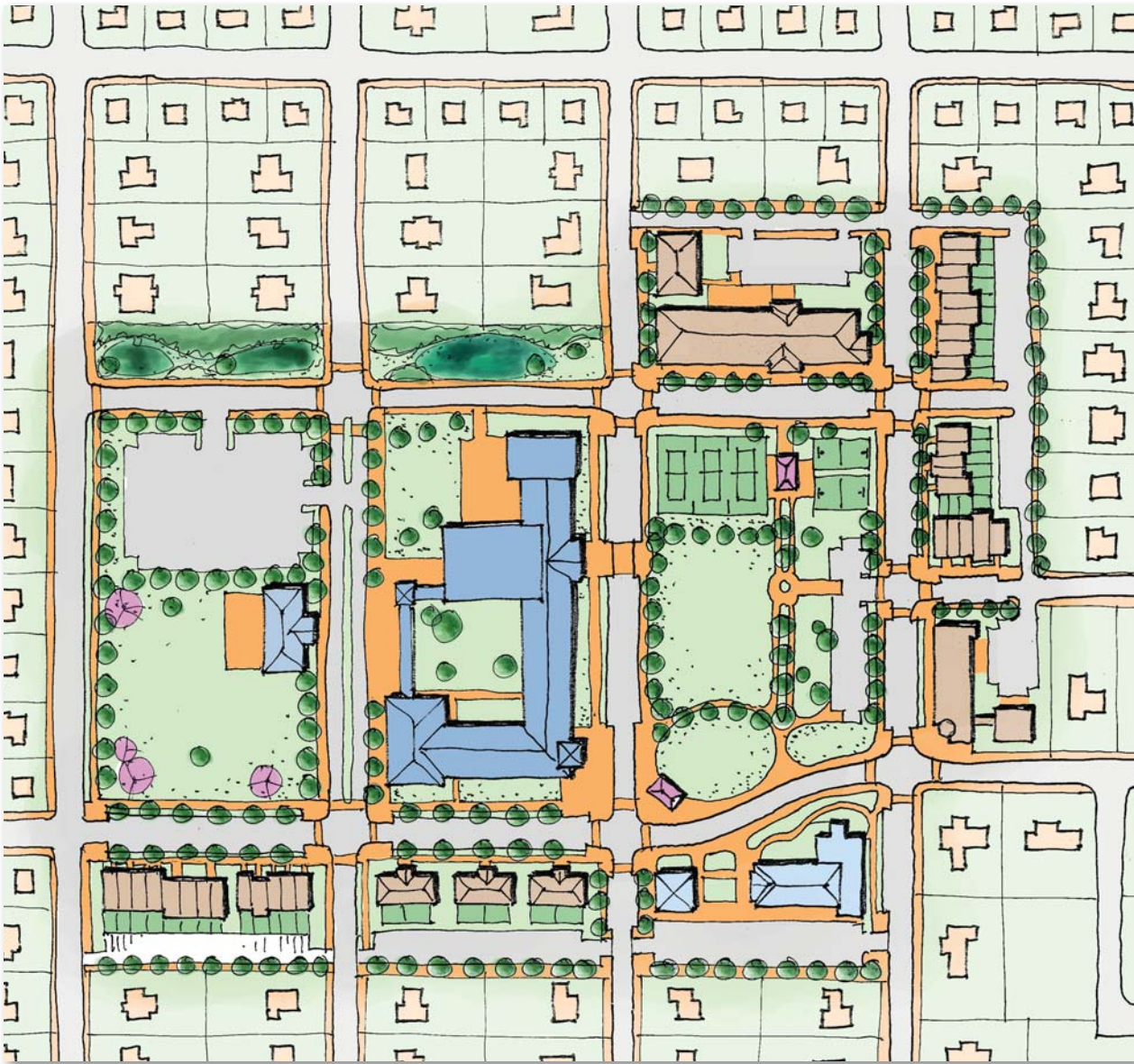


Figure 47: Local Activity Center

V.6 Transportation Concept

The proposed transportation network (Figure 48) includes a number of projects that are already planned by Lee DOT or the Florida Department of Transportation as well as some new projects that will create additional arterials (including an extension of Joel Boulevard to the south, and an improvement of Milwaukee Blvd. between Joel Blvd. and Alabama Road) and collectors to expand the north-south and east-west circulation alternatives within Lehigh Acres.

Additionally, the transportation concept recommends five new bridges in the area between Gunnery Road and Beth Stacy Blvd., 15th Street and 32nd Street to improve the continuity to the existing network, as well as an additional bridge on 40th Street between Anita Avenue and Paisley Avenue, connecting to Alabama Road. It is acknowledged that construction and maintenance of bridges in Lehigh Acres has been provided either by Lee County or by the ECWCD. This study does not assign or identify the anticipated role or responsibility of each agency in undertaking future bridge improvements. It may be advisable to consider the establishment of a protocol to coordinate the agencies' future efforts to be consistent with the proposed planning framework.

The hypothetical locations of traffic-calming roundabouts, proposed as part of the recommended network of wayfinding parkways, are also depicted on the map. The map also shows the locations (at the intersections of Sunshine Blvd. with 8th St. SW, and 23rd St. SW) of two roundabouts that the County is currently designing and for which the right-of-way is being negotiated.

While not depicted on Figure 46, the notion of an integrated, multi-modal transportation network is implicit in the framework for long-term sustainability. A system of complete streets along Lehigh Acres' major roadways (i.e., Lee Blvd., Gunnery Road, Sunshine Blvd., Leonard Avenue, Alabama, Beth Stacey Blvd., Homestead Road, Leeland Blvd., Bell Blvd., Joel Blvd., the proposed Luckett Road extension or those proposed to be retrofitted as parkways in the Community Structure concept, Figure 38) is the long-term goal of this plan—integrating a continuous, well-designed network of sidewalks, bike lanes, paths, or at least paved shoulders that can safely accommodate bicyclists, transit-riders, and accommodating the needs of the elderly and individuals with disabilities and mobility challenges—particularly in the Central Core and surrounding Urban land use districts. The first step to achieve this, among other measures, may be to prepare a Complete Streets or Sidewalk and Bicycle Facilities Master Plan, focused on Lehigh Acres. The purpose of this plan should not be to duplicate the projects recommended in the County's Greenways Master Plan and other County plans, but to complement them with utilitarian (not only recreational) facilities to serve key sectors of the community, to enhance network connectivity, improve safety for all users, and offer alternate routes and mobility choices. Improvements may then be funded through the creation of a municipal special taxing or benefit unit or other type of special assessment district; through the establishment of "level of service" standards that need to be met in all development for pedestrian and bicycle facilities; through private/public partnerships between

the County and developers; and by pursuing every opportunity to obtain funding for projects through grant awards, including, for example, SAFETEA-LU or successor programs which may be authorized as part of or separately from the Administration's Economic Stimulus Package. Similarly, every effort should be made to ensure that the recommendations of the Lee County Transit Plan regarding the introduction of a Lehigh Circulator and more frequent bus service runs be implemented in a timely manner. Some of these objectives will become more financially feasible as the Core and Urban area become denser and reach a critical mass to support and justify the costs.

Finally, the conceptual nature of these recommendations must be emphasized. While the proposed improvements were widely discussed, reviewed with, and endorsed by the Consultant team's Traffic Engineer, no traffic studies or modeling were performed as part of this effort. Therefore, the feasibility, alignments or locations, and specific design of each of these improvements has not been determined through this study, and will require in-depth engineering studies.

V.7 Community Facilities

In response to the projected deficit of community park land in 2030, the Concept Plan identifies three potential, general locations for future facilities to meet this need, based on service area (Figure 49). Exact locations could be identified in coordination with other open space and recreational initiatives, such as Conservation 20/20, or the potential acquisition of sites by the East County Water Control District for improved stormwater management.

There are no neighborhood parks in Lehigh Acres today, nor are there any requirements for them in the Lee Plan. However, given the future scale of the total future population of Lehigh Acres, consideration should be given to an "opportunistic" approach to developing neighborhood-scale parks, as described in the Community Structure/Urban Design Framework. The service area and size of population that these facilities typically serve is generally much more limited than that of a community park, and land at this scale—potentially as small as a few lots at a key location within a neighborhood—can be more easily and inexpensively secured than larger tracts or significant lot assemblages.

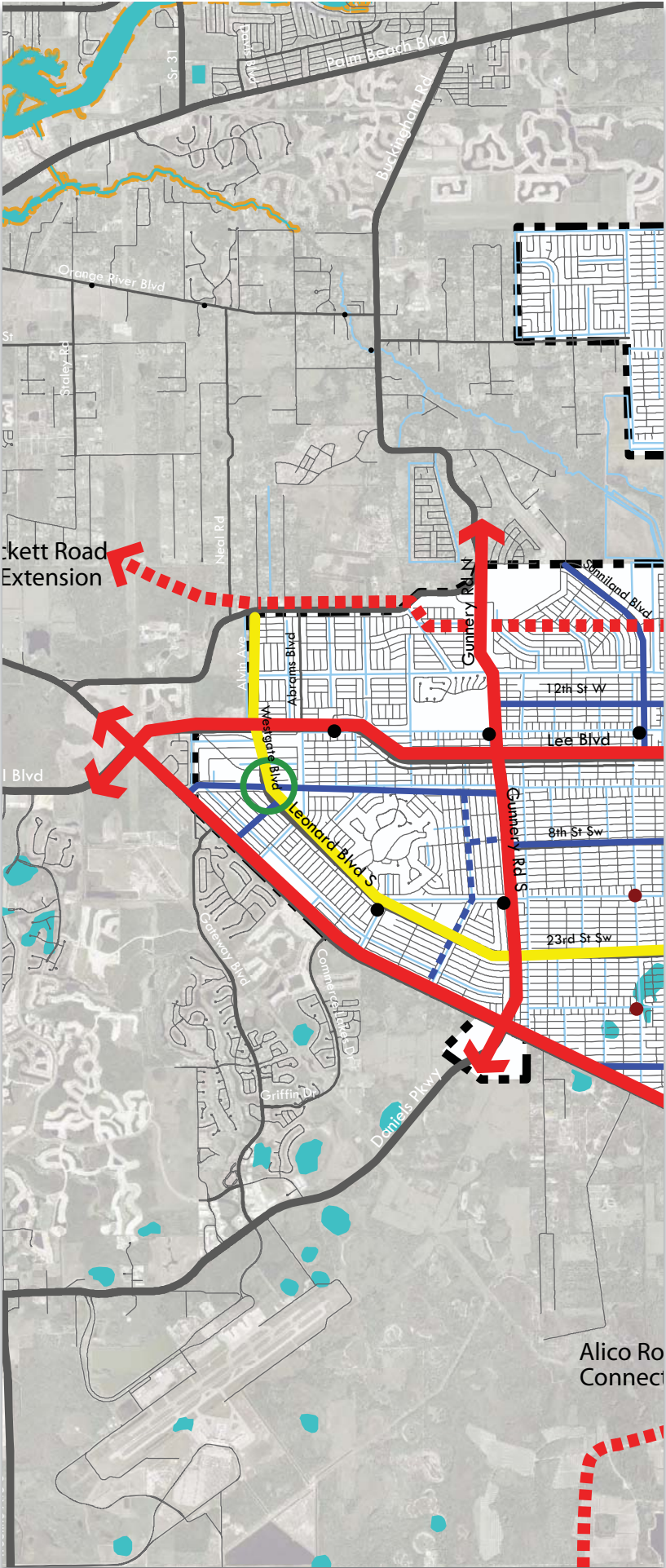
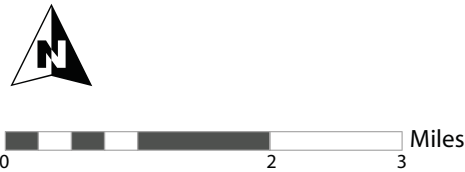
Further, in lieu of identifying and purchasing many small sites throughout the community, Lee County should coordinate with the ECWCD to identify joint opportunities for developing neighborhood-scale parks as part of land acquisition efforts for stormwater management purposes.

Another opportunity for developing the green infrastructure system in Lehigh Acres is represented by the existing canals. The right-of-way of the major canals, in particular the Able Canal, appears to contain sufficient excess land along side the canal itself to allow development of pedestrian paths.

Figure 48: Proposed Transportation Network

Source: Lee County GIS, Lee DOT, MPO
2030 Long Range Transportation Plan

- Existing Primary Arterials
- Existing Secondary Arterials
- Existing Collectors
- Proposed Primary Arterials
- Proposed Secondary Arterials
- Proposed Collectors
- LeeDOT Proposed Round-Abouts
- Potential Round-About Locations
- Existing Bridges
- Proposed Bridges



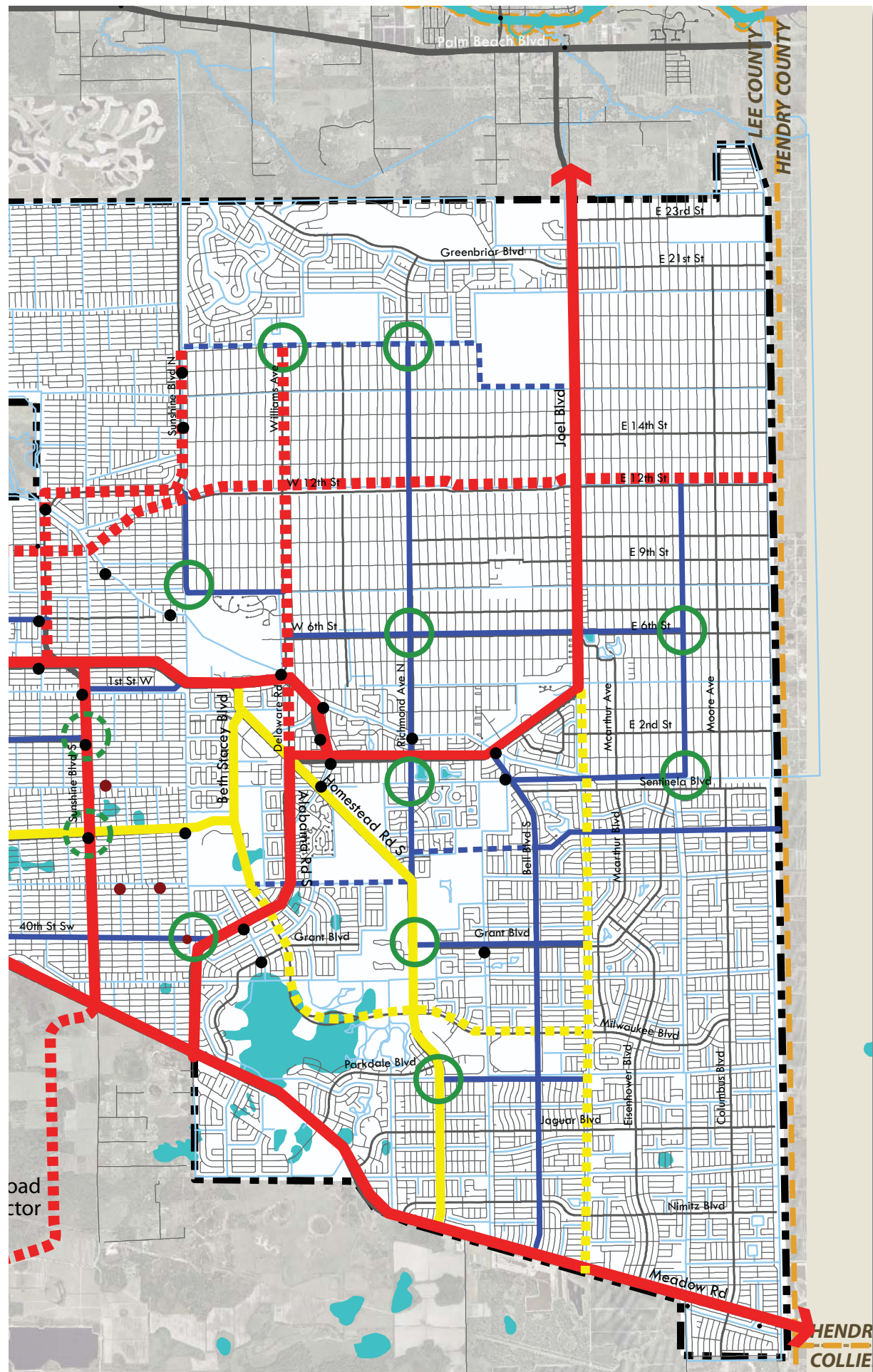
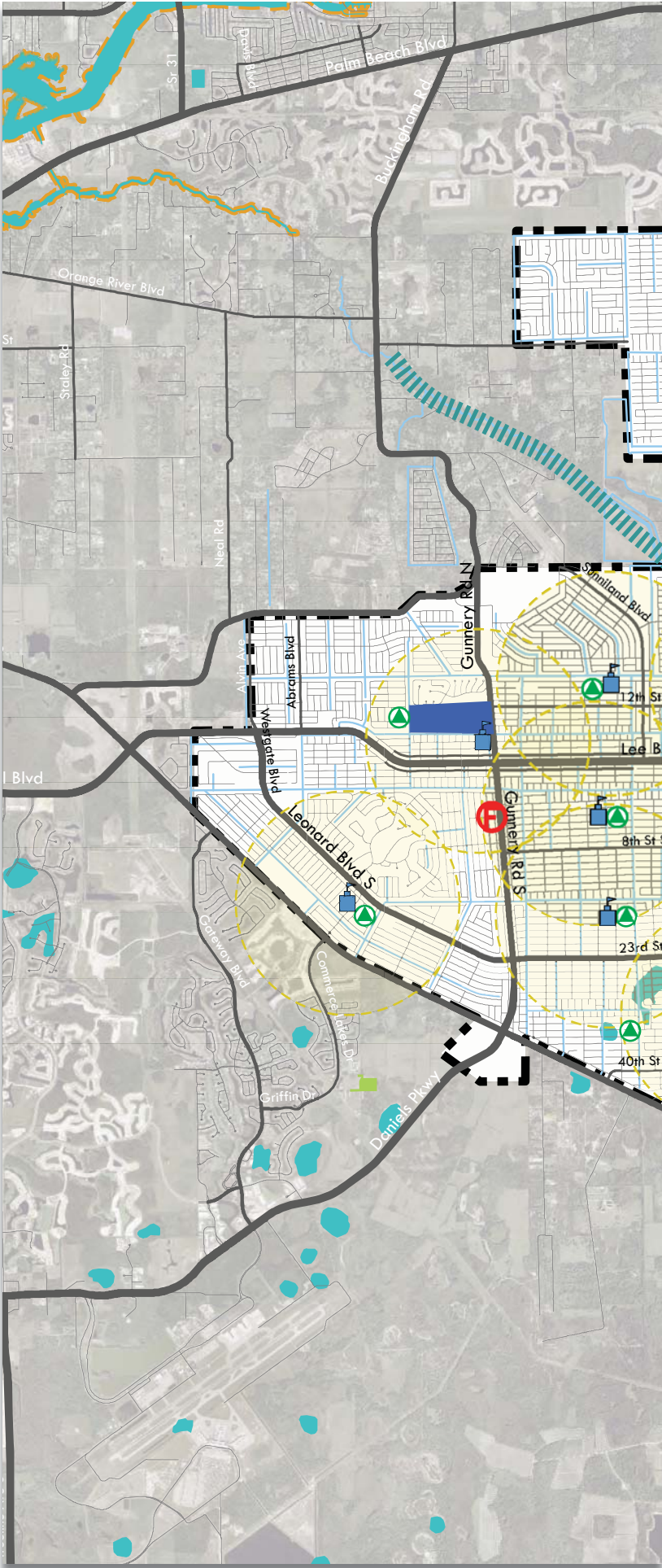
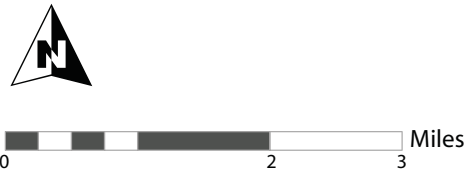
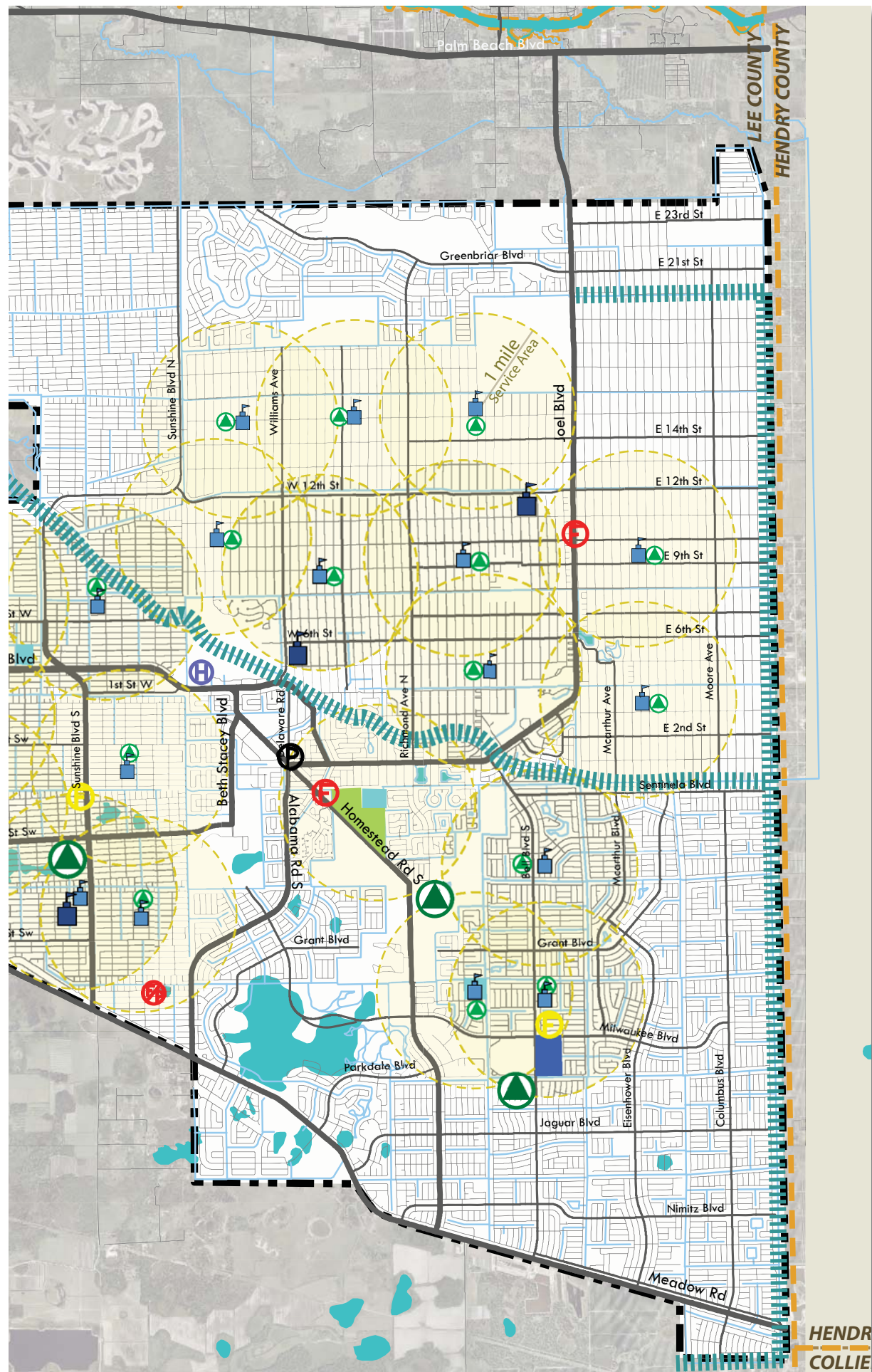


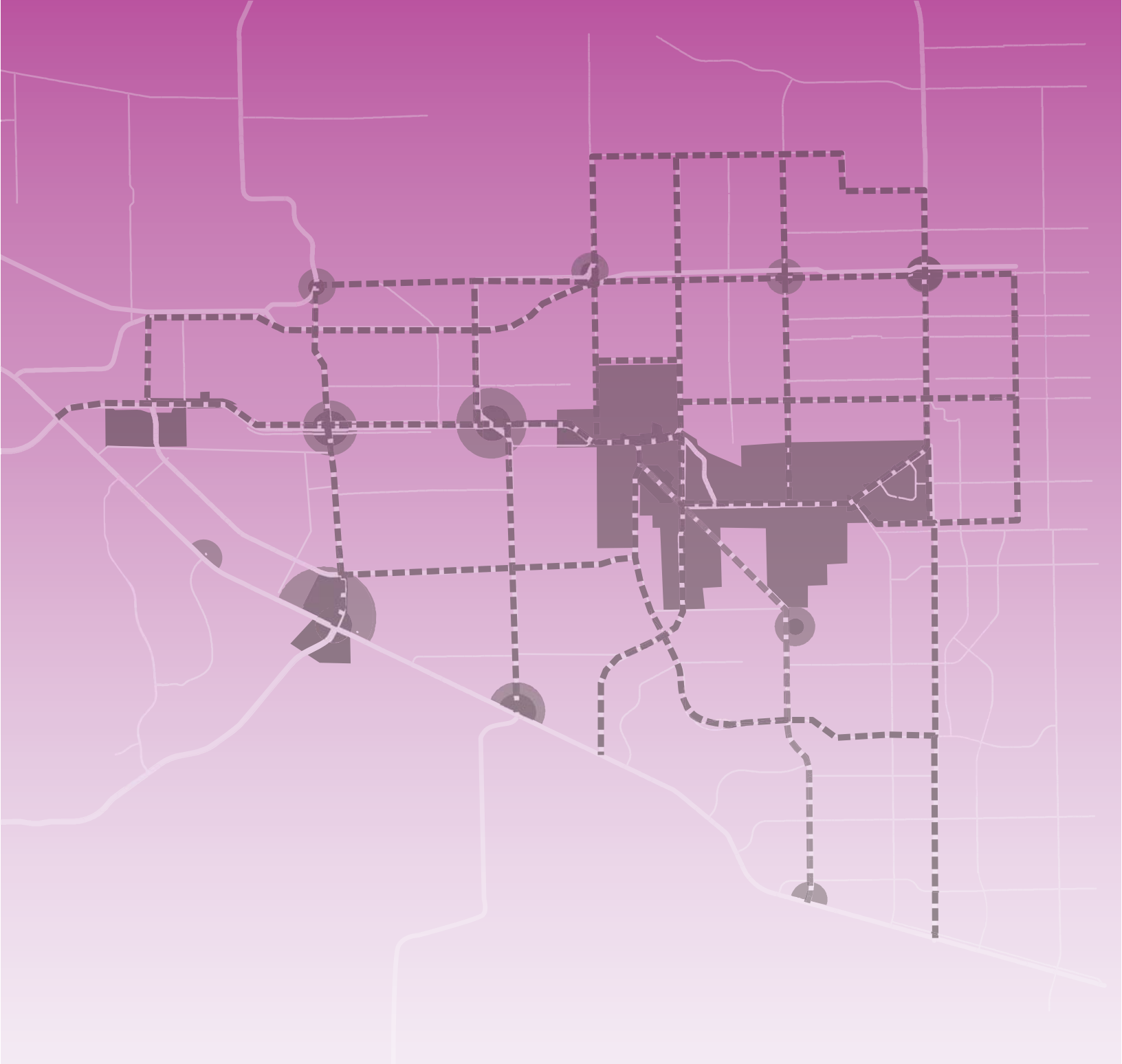
Figure 49: Proposed Community Facilities

Source: Lee County GIS

- Existing Elementary Schools
- Existing High Schools
- Potential Elementary / Middle School Sites
- Potential High School Sites
- Existing Parks
- Potential Neighborhood Parks
- Potential Community Parks
- Proposed Trails
- Existing Fire Stations
- Proposed Fire Stations
- Existing Police Stations
- Existing Hospital







SECTION VI

IMPLEMENTATION FRAMEWORK

VI.1 Action Strategy

Plans are turned into reality by taking action on them. The previous sections present numerous strategies designed to bring about the positive future for Lehigh Acres envisioned by residents. These strategies range from amended regulations to broad pragmatic initiatives; from potential changes in administrative practices; to recommendations for additional in-depth studies, to major capital improvements. The recommendations, while varied, are not mutually exclusive, and are, in fact, more likely to be effective if looked at as a bundle of complementary actions. Implementing these actions will require not only resources that exceed the current capacity of the County (and probably any individual governmental or private entity), but also political will and the steady support and drive of the Lehigh Acres community.

Even if all these elements could be aligned at once, the transformation of Lehigh Acres should not be expected to occur overnight. It will likely require several decades to realize, due to the magnitude and complexity of the issues and conditions that need to be addressed. For this reason, it is important to establish a realistic implementation program if the plan is to be effective. The implementation program consists of a sequence of actions, projects, or initiatives that can or should be initiated or completed within a particular timeframe. Those that are labeled as “short-term” are actions that can be initiated immediately, or that can be completed within a short timeframe (1-2 years). They generally involve no new capital investment commitments, but rather include enactment of regulatory measures and development standards, investigation of funding sources, intergovernmental coordination and agreements, or more detailed plans or studies. “Medium-term actions” are those that involve larger-scale projects or programs, which may not be initiated immediately due to planning or funding needs, and/or which will require several years (2-5) to complete. Long-term actions are those not expected to begin for at least 5 years, or which will require in excess of 5 years to complete. Some actions will also result in continuing or ongoing programs that have no end date.

The action strategy is not intended as a definitive prescription, but rather is a guide to decision-making that sets priorities and identifies the general phasing of plan recommendations. It does not preclude actions from being implemented earlier or later, if the time and resources to address them suddenly become available or are delayed.

The action plan can be summarized as follows:

Short - Term Actions

- Explore cost-effective land acquisition opportunities that may present themselves through the escheatment process. Where these opportunities exist and can be capitalized on, plan for the aggregation of land for needed community facilities or to incentivize private development of commercial or employment uses. Coordinate “tax forgiveness” efforts with the School Board, Fire District, SFWMD and ECWCD.
- Proceed with the plan’s recommended Future Land Use Map and Comprehensive Plan Amendments (described in detail in the next section of this document).

- Begin to incorporate and establish elements of the proposed community structure (e.g., mixed use centers) into the zoning and land development regulations; subdivision regulations; and other regulatory and planning mechanisms.
- Incorporate consideration of the location of capital improvements relative to the tier system as one of the factors that determine project funding priorities.
- Proceed with zoning amendments that incorporate design/site development standards for new duplex and commercial development (described in detail in the next section of this document).
- Identify and adopt appropriate incentives (these may range from relatively simple things such as fast-track permitting or reduced permitting fees; impact fee reductions; to more costly and complex options such as support/assistance with land assembly (see previous page) or spearheading infrastructure improvements) for infill development in Tier 1, especially the area identified as “downtown Lehigh Acres” in the community structure.
- Work with Health Department to discourage/halt approval of septic tank variances, and to close regulatory loopholes that allow the construction of two septic tanks on a single 1/4-acre or 1/3-acre lot (e.g., advocate review of current definitions).
- Amend zoning / land development and urban design standards for Lee Blvd. and SR 82:
 - * discourage model home development by making its approval subject to the special exception use process,
 - * require greater site depths (back to back lots) for commercial development to achieve better development configurations
 - * establish site circulation standards to meet access management requirements (including shared drives, connected parking lots, etc.)
 - * revisit the land use mix/list of permitted uses on some corridor segments to promote/incentivize townhome-style development, and



Development and design standards for arterial corridors - Lee Boulevard

- * immediately rezone land in the “nodes” to commercial with a “mixed-use” overlay.
- For commercial development along these two corridors and elsewhere, additionally amend zoning / land development and urban design standards to address:
 - * improved landscape and parking standards,
 - * shared access and connectivity,
 - * pedestrian amenities,
 - * building siting / orientation, and
 - * building design.
- Amend zoning / land development and urban design standards to regulate new duplex development:
 - * more stringent landscape, on-site parking, and building design standards

Before



After



Commercial redevelopment along Homestead Road

Before



After



Standards for duplex development (retrofitted site)

- * require the creation of mid-block alleys and rear-facing garages in new development.
 - * regulate the design treatment of septic drain fields (establishing grading requirements or maximum slopes to avoid the unattractive “mounded look” prevalent in some sectors of Lehigh Acres).
 - * require varied building types/mix (e.g., townhomes) and articulation of the facade of duplex structures to resemble a single-family structure.
 - * require the incorporation of Crime Prevention Through Environmental Design techniques.
 - * prohibit additional duplex zoning.
- Consider expanding existing nonconforming structure provisions of the Land Development Code to existing duplex structures that do not comply with the amended duplex development standards once those standards become effective. One option is to allow the property to remain in its nonconforming status until the owner applies for a building permit (e.g., for activities defined as “development” versus “maintenance”). At that time, the use would have to be brought into compliance (a ceiling of cost may be adopted; for instance, up to a certain percentage of the assessed value of the property). Another option is to establish an amortization schedule for owners to bring the use or the structure into compliance. Amortization is a mechanism allowing for the removal of a nonconformity after the value of the non-conforming use or structure has been recovered—or amortized—over a period of time (e.g., three years). Since the value of the use or structure has been amortized, no compensation is payable after the expiration of the period. The defensibility of this application, as well as the appropriate amortization period, should be determined by Lee County attorneys. There are two principal methods for determining the amortization period: (1) the fixed period approach and (2) case-by-case methods, the most common of which is called the “recoupment of investment” method. The fixed period approach has been applied to signs and modest structures in which there is minimal investment. The recoupment of investment approach has been used successfully to remove nonconformities with more substantial value.
 - Coordinate with the DR/GR efforts to reconnect the Estero, Imperial and Six Mile Cypress headwaters, if feasible, with their south and westerly predevelopment flow.
 - Define the alignment of the Lockett Road extension and begin to notify affected property owners. To the extent allowed by law, discourage new construction on the affected parcels, and explore the possibility of land swaps for lots that may be recovered elsewhere through the escheatment process.

Medium - Term Actions

- Initiate studies for the creation of voluntary municipal special taxing or benefit units (MSTU or MSBU) to fund capital improvements in Tiers 1 and 2. Sec. 27-61 authorizes the creation of municipal service taxing or

benefit units in specific areas of unincorporated Lee County for the purposes of providing municipal services. Lehigh Acres already has in place one such district to provide street lighting; new districts could be created to fund the construction of sidewalks and similar improvements.

- Initiate dialogue with ECWCD, FGUA, Health Department, School District to coordinate actions geared toward joint land acquisition efforts, infrastructure extensions etc.
- Explore establishing a “Septic Tank Maintenance District” in Tier 3, following the criteria and recommendations of the SWFRPC Water Quality Subcommittee.
- Determine the feasibility of establishing a transfer of development rights program from sending zones in Tier 3 or, potentially, DR/GR, to identified receiving zones in Tiers 1 and 2 or areas outside of Lehigh Acres that are suitable to accommodate, or are experiencing pressure for, higher densities.
- Develop integrated “green infrastructure” open space system – including linear canals parks and linkages. Consider preparing a detailed Lehigh Acres Green Infrastructure or Parks and Open Space Master Plan in coordination with the ECWCD to ensure that canal re-design projects incorporate recreational amenity features.
- Consider preparing a Lehigh Acres “Complete Streets” or Bicycle and Pedestrian Facilities Master Plan to identify and prioritize project needs and funding.
- Coordinate with Lee Tran to secure the launching of the Lehigh Circulator within the next 5 years, per the Transit Plan. Continue to monitor the population needs as the community grows,
- Modify zoning / land development and urban design standards for “Downtown” Lehigh Acres:
 - * Identify regulatory and other types of mechanisms, programs, and incentives to encourage the development of mixed-use development on obsolete uses in “downtown” Lehigh Acres: adopt a “mixed-use overlay;” remove existing regulatory hurdles; consider approval of certain projects (e.g., of a limited scale, vertical configuration, etc.) as of right or with the lower threshold of review.
 - * Consider creating an urban design plan, with consistent standards for the public realm – e.g., unified streetscape themes – signage, etc.).

Longer - Term Actions

- Coordinate with FGUA regarding phasing, costs to extend central potable water and sanitary sewer systems in Tiers 1 and 2.
- Continue open dialogue with ECWCD, FGUA, Health Department, School District to coordinate actions geared toward joint land acquisition efforts, infrastructure extensions etc.

- Develop on-going / long term process for land acquisition in Tier 3 for stormwater management, conservation etc. A tool that the County should begin exploring sooner, under the current real estate market conditions, is acquisition of property through tax deed sales. The county is not required to use the public tax deed sale process for parcels valued at less than \$5,000—if no one bids on a parcel, the ownership reverts to the county by default, or escheats.

VI.2 Regulatory Modifications

Of the short-term actions that Lee County can take to implement the Lehigh Acres Comprehensive Planning Study, two can be undertaken immediately and with limited expenditure of fiscal resources. The first one is to amend the Lee Plan to incorporate the recommendations of the study with regard to future land use, growth management and related policies as they pertain to Lehigh Acres.

The second action is to commence amendments to the Land Development Code that are consistent with the new Lee Plan policies; these LDC amendments do not even have to wait for the Plan policies to be officially sanctioned, but may be adopted as an interim ordinance.

Lee Plan Amendments

Specific changes include:

- Modify the wording of the 2030 Vision for Lehigh Acres to describe the anticipated future in a manner consistent with the community vision and the overall concept of long-term community sustainability through the management and balancing of growth; the enhancement of community character; the protection and restoration of natural resources; the efficient transportation options; and the provision of a full array of public services and facilities (refer to Section IV of this document for specific language).
- Incorporate the Lehigh Acres Tier System map and description as a new policy into the Lee Plan.
- Amend the Future Land Use Map to reflect consistency with the community land use concept. Designate land with available or planned infrastructure for the higher intensity use in the Future Land Use Map. To achieve the vision outlined by residents through this planning process, it is recommended that the FLUM be amended for Lehigh Acres as follows:
 - o Re-designate all the land located encompassed by Tiers 1 and 2 as Central Urban. During the next 20 years, the County, in partnership with applicable local, state or regional agencies, should strive to provide the full range of infrastructure and services in this area. Allowable densities in this entire area shall range between 4 du/ac and 10 du/ac with a maximum of 15 du/ac.
 - o Re-designate all the land area encompassed by Tier 3 to a **new**

future land use category. The character of this area is envisioned as being lower in density than the more developed Tiers 1 and 2—while still consistent with platted densities. The recommended new land use category is presented as a new “Special Treatment Area”:

Lehigh Acres Outlying Suburban Overlay

This overlay encompasses all land in Lehigh Acres that is located inside Tier 3 of the Tier Growth Concept. The standard density in this area ranges from two dwelling units per acre (2 du/ac) to four dwelling units per acre (4 du/ac). Only minimal public facilities are in place to serve this area, and residents can anticipate a continued level of public services below that of the urban and urbanizing areas of Lehigh Acres. Higher densities, commercial development (other than existing neighborhood centers), and industrial uses are not permitted. Land located in this overlay may be subject to acquisition for purposes of storm-water management, groundwater recharge, or conservation.

- Adopt a policy or policies requiring coordination between the appropriate agencies to prevent premature infrastructure extension or upgrading beyond the boundaries of Tier 2. The policy or policies should also require prioritizing all proposed capital expenditures according to the following guidelines (in order of priority):

1. Correct existing deficiencies
2. Accommodate growth in Tiers 1 and 2 over the next 20 years.
3. Replace obsolete facilities.

- Adopt or amend language in the Lee Plan to encourage conservation and/or redevelopment where appropriate of developed areas in the urban core of Lehigh Acres.

- Adopt or amend language in the Lee Plan to apply the principles of community structure, including commercial, mixed-use and civic activity centers, and a hierarchy of parkway and greenway corridors. Designating the general location of mixed-use activity nodes in Lehigh Acres consistent with the community concept, and establishing guidelines and criteria for their development.

Zoning Changes

While this plan does not purport to alter every functional or physical aspect of development in Lehigh Acres, there are several areas of focus that will, in fact, require amending or, in some cases, augmenting existing development standards contained in the Land Development Code. While these amended standards are closely related to the recommended Lee Plan amendments described in the previous section, the code amendments may be initiated immediately. The amendments focus on zoning and development standards for locations or sectors that the plan does, in fact, attempt to transform. These include:

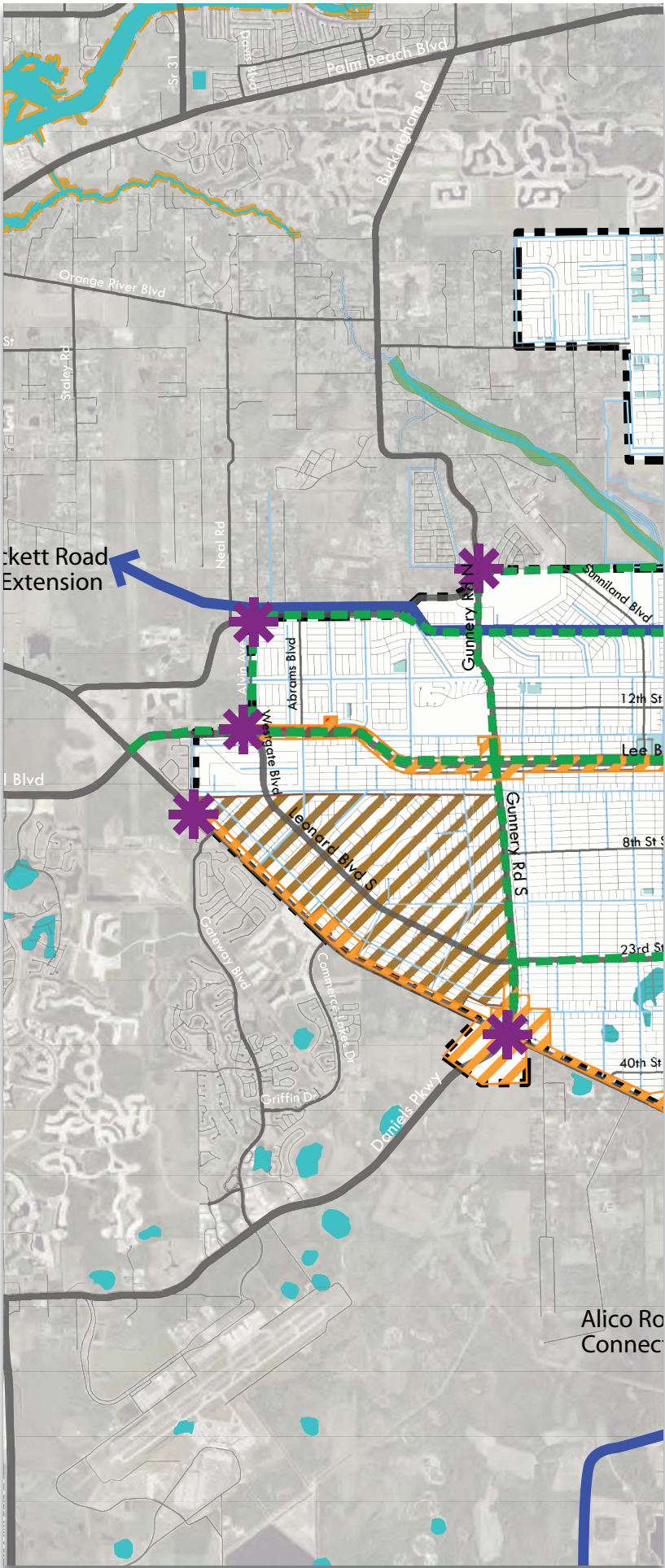
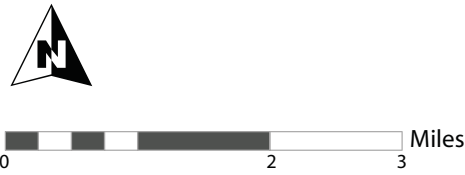
Lee Boulevard and S.R. 82 general standards

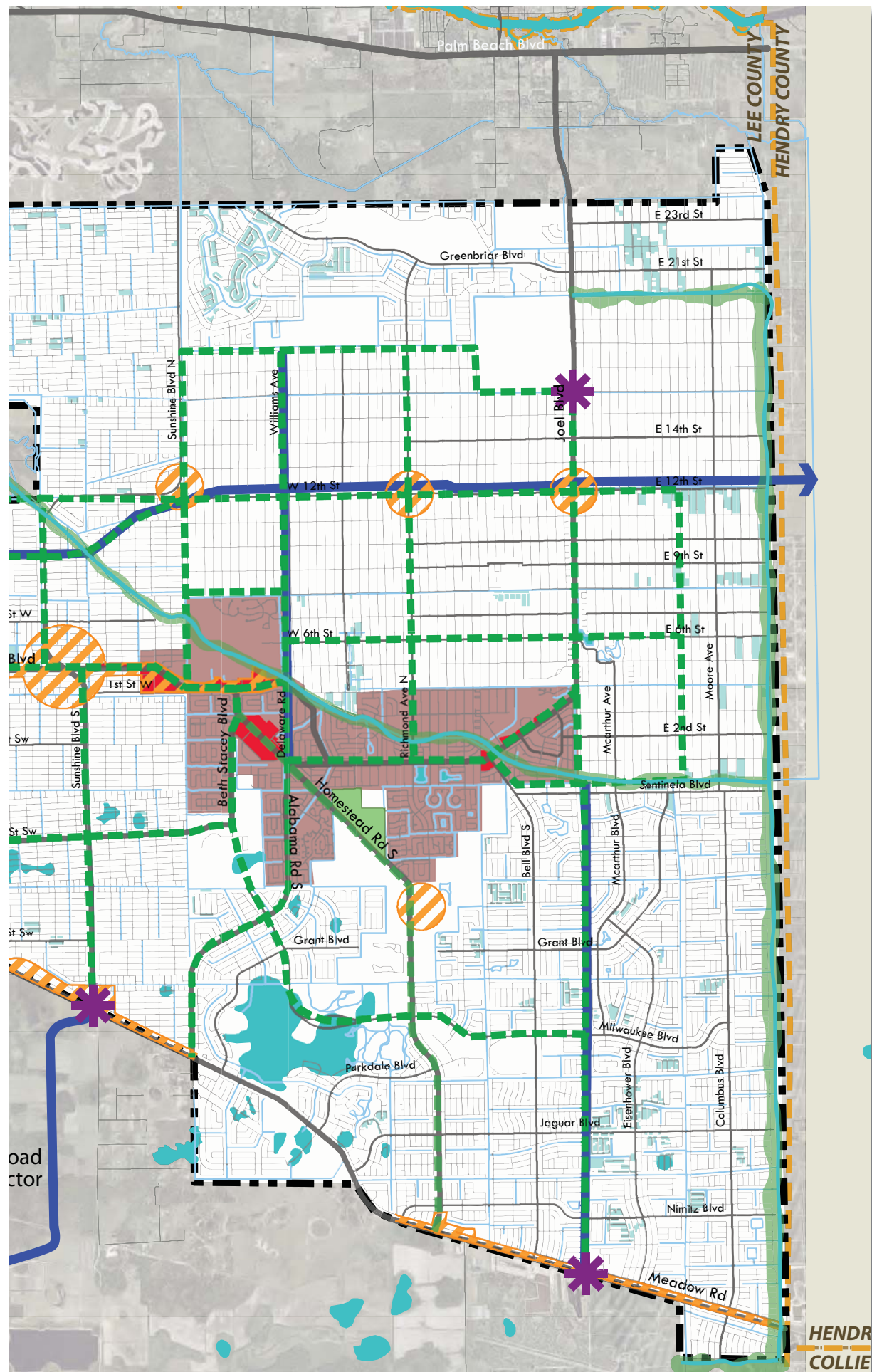
The Concept Plan proposes, among other things, to concentrate commer-

Figure 50: Urban Design Framework

Source: Lee County GIS

- Improved Duplex Development and Design Standard
- Mixed Use Overlay District
- Present Commercial Use or Undeveloped Land Zoned for Commercial Use to Remain
- "Downtown" Lehigh Acres: Opportunities for Infill, Redevelopment and Enhancement
- Parkways
- Gateways
- Greenway Linkage
- Existing Parks
- Open Space
- Potential Acquisition Sites for Open Spaces





cial development in “nodes” located at key intersections throughout Lehigh Acres, requiring that some of the vacant land currently zoned for commercial use along Lee Boulevard and S.R. 82, in particular, be converted to other, less intense uses.

The Plan does not propose that this land be down-zoned, since the current C-2 zoning applicable to most of this land (recognizing the vested rights that protect most of the parcels) already permits the development of residential uses in these areas. Therefore, it is simply proposed that an overlay zoning (as depicted in Figure 50) be applied to include the following standards:

- a. Expand the array of permitted residential uses to include townhouses, in order to provide an alternative to the predominant housing types in these areas (duplex and single family). Prototypes for the development of townhouse projects along S.R. 82 is depicted in Figure 51.
- b. Increase the minimum lot size for commercial uses in the overlay zone from 10,000 sq. ft. to 50,000 sq. ft. to encourage only the development of viable retail uses, of a scale and configuration consistent with the proposed community structure.
- c. For the same reasons as listed above., increase the minimum lot size for residential uses from 7,500 sq. ft. to 25,000 sq. ft. Consider including these areas as density transfer receiving sites to provide a density incentive for development other than single-family residential.
- d. Require parcels with frontage on SR 82 to provide a 40-foot setback from the property line that adjoins the SR 82 right-of-way, in order to establish a significant landscape buffer along SR 82. If the parcel is



Figure 51: Standards for townhouse development along key arterial corridors (SR 82 & Lee Boulevard)

larger than 50,000 sq. ft., a voluntary easement dedication should be encouraged. The easements will serve to create a continuous band of open space on SR 82, which could accommodate bicycle and pedestrian trails.

- e. An exception should be established for parcels along S.R. 82 that abut an existing utility easement. (Lee County should negotiate with the utility company to landscape and to create trails within existing power line easements).
- f. Attached dwellings (townhouses) shall be built with no side setback or as a single building. However, attached dwellings located on corner lots shall be set back at least 8' from the property line on the two sides of the lot the front on a street.
- g. Where commercial uses are developed on parcels located between Meadow Road and SR 82, but outside of designated Mixed-Use Activity Centers, such properties shall be screened from adjacent residential uses by a landscaped buffer, no less 15 feet in width, measured from the property line.
- h. A perimeter wall or fence may be used in combination with the required landscaped buffer (never alone). The wall or fence shall not to exceed 6 ft. in height, and shall be setback no less than 10 feet from the property line (the fence shall be located in the middle of the vegetated buffer, with planting in front and, preferably, behind it.)
- i. Where a fence or wall is visible, they shall have piers, newel posts, or columns at corners or ends. Any visible portion of fence that is over 10 feet in length shall include visual breaks, including openings, changes of plane or height, or the introduction of architectural accents to minimize monotony.
- j. The use of chain link, plastic, or vinyl fencing shall be prohibited.

Standards for buildings in Mixed-Use Activity Centers

- a. Mixed use development (within a single project or structure) shall be permitted as of right.
- b. Integrated or "vertical" mixed-use projects, in which different uses are located on different floors of a single structure, are preferred.
- c. Residential uses that are part of a vertical mixed-use project shall never be located below a commercial or office use.
- d. The maximum height of mixed-use or single-use multifamily residential buildings located within Mixed-Use Activity Centers shall be 4 stories.
- e. The minimum Floor Area Ratio (FAR) for mixed use projects in MUACs shall be 0.3.
- f. The property line abutting the primary access road to the parcel shall be considered the front of the property in Mixed Use Activity Centers.
- g. Front yard setbacks shall be a minimum of 10' and a maximum of 15'; side setbacks a minimum of 0' and a maximum of 10'; rear setbacks a maximum of 20 ft.

- h. Multifamily buildings shall have a 10' side yard setback from the property line.
- i. The primary façade of all buildings located within Mixed-Use Activity Centers shall be oriented to the primary access road. This façade shall contain the main building entrance, which shall be clearly visible from the street.
- j. Pedestrian paths shall be provided to link parcels within a Mixed-Use Activity Center to neighboring properties.
- k. Buildings shall be designed and sited to provide functional, livable outdoor spaces. The inclusion of plazas/squares, galleries, courtyards, patios and terraces is encouraged, provided that such spaces are designed to enhance and reinforce the human scale and activity on the public sidewalk. Design should take into consideration views, solar angles, and the nature of activities anticipated to occur in the outdoor space.
- l. All accessory uses, including parking, storage, service, and utilities, shall be located to the side or rear of the parcel.
- m. Shared access and parking between adjacent businesses and/or developments shall be encouraged.
- n. Commercial uses shall be screened from adjacent residential neighborhoods by a landscaped buffer, no less than 5 feet in width, measured from the property line.
- o. A perimeter wall or fence may be used in combination with the required landscaped buffer (never alone). The wall or fence shall not exceed 6 ft. in height, and shall be setback no less than 5 feet from the property line (the fence shall be located in the middle or behind the vegetated buffer).
- p. Where a fence or wall is visible, they shall have piers, newel posts, or columns at corners or ends. Any visible portion of fence that is over 10 feet in length shall include visual breaks, including openings, changes of plane or height, or the introduction of architectural accents to minimize monotony.
- q. The use of chain link, plastic, or vinyl fencing shall be prohibited.
- r. Surface parking lots shall be defined by a landscape hedge or a combination of hedge and perimeter wall per (n) above.
- s. At least 5 percent of the gross area of a surface parking lot shall consist of planting areas that can accommodate shade trees.
- t. Planting islands shall be located and sized to provide a minimum root zone for canopy trees, and a minimum setback from curb to perimeter of trunk of 4 feet.
- u. One shade tree shall be provided for every eight (8) parking spaces. Trees shall be distributed to provide continuous canopy coverage over the entire lot.
- v. Parking lots shall include well defined interior pedestrian walkways that are connected to sidewalks and to pedestrian walkways on adjacent properties. Walkways shall be a minimum of 4 feet wide, with a minimum 5-foot planting strip on one side to accommodate shade trees.

- w. Parking bays separated by pedestrian walkways shall include a maximum of 10 parking spaces.
- x. Automobile headlight illumination from parking areas shall be screened from adjacent lots and from the street.
- y. Outdoor mechanical equipment shall be placed on the roof, to the rear, or side of a building, and shall be screened from view from any of the abutting buildings or streets by fences, dense landscape, or (in the case of rooftop equipment) a parapet.

Standards for duplex development

Figure 52 offers a prototype for the development of duplex and/or town-house complexes with attached rear garages. The prototype works for lots 150 to 175 foot deep (such as those on several blocks that back on to Meadow Road), and proposes the creation of mid-block alleys. This would even permit the possibility of detached garages with access from the back.

Suggested standards for duplex and two-family development include those listed below. Some apply only to new development, as explicitly stated; others, however, may be retroactively enforced to bring nonconforming existing duplexes into compliance, perhaps through the implementation of a reasonable amortization period (to be determined). Another common option could allow the property maintain its nonconforming status until the owner applies for a building permit.



Figure 52: New prototype of duplex development with mid-block alley and rear-facing attached garages

- a. To facilitate the design and development of efficiently graded and attractively configured duplex sites, the minimum lot size for new duplex development shall be 10,000 sq. ft.
- b. In areas zoned for duplex and two-family development, the creation of mid-block alleys that can be shared by multiple sites is encouraged.
- c. All existing and new duplex and two-family homes shall provide a paved driveway. Brick pavers, decorative paving or permeable porous paving are all encouraged.
- d. The appearance of new duplex or two-family structures to resemble a single-family dwelling is desirable. Where feasible, the facade and/or roof massing of existing duplex structures should be retrofitted to resemble a single-family structure. (Figure 53)

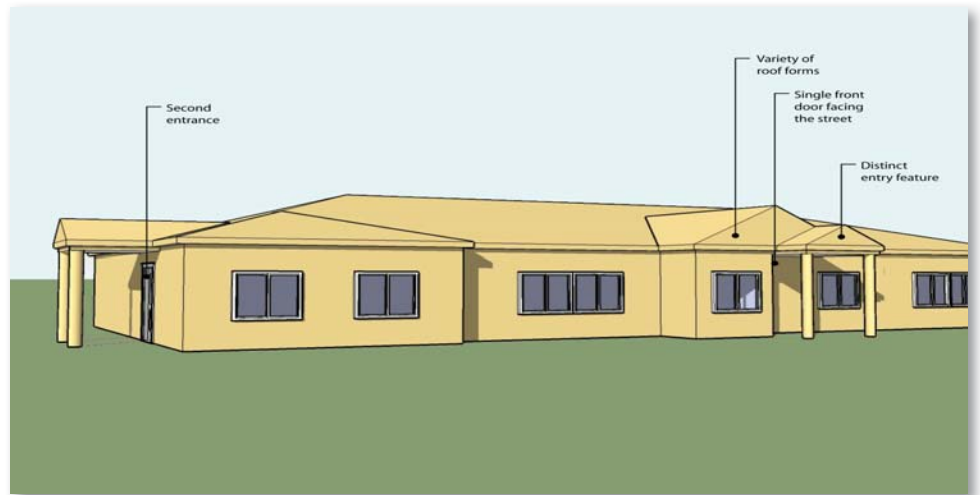


Figure 53: Development standards for new duplex development

- e. All duplex structures shall have a distinct entry feature such as a porch or weather covered entry way with at least thirty-six square feet of weather cover, and a minimum dimension of four feet. Covered porches open on three sides may encroach six feet into a required front setback.
- f. If practicable, a duplex structure should have a single front door to face street.
- g. Parking requirements shall comply with standard single family development for each unit. Front yard parking shall be limited to four cars.
- h. If practicable, garage doors should not face the street.
- i. Where central infrastructure is not available and development of the lot requires the use of an OSTDS, require that the entire lot be graded, if grading is required. The maximum slope on any given lot shall be set at approximately 1.5:10 (1-1/2 feet of slope per every 10 linear feet).

VI.3 Tool Kit for Medium and Long-Term Actions

This section describes a number of tools described in the list of medium and long-term actions, although some of the mechanisms that are used to accomplish short-term actions are described as well.

Transfer of Development Rights Program (TDR)

TDR programs enable landowners to transfer the development potential from one parcel of land to another, either on the same site or another site in a designated growth area, thereby shifting development from agricultural and environmentally sensitive areas to locations with full municipal services. The County would establish the TDR program by identifying areas, for example, in Tier 3 or in the DR/GR to be protected (sending areas) and by allowing the transfer of the development rights associated with parcels in those sending areas to areas designated to receive them (receiving areas).

An alternative to the TDR program may be a Purchase of Development Rights (PDR) program, which the County could establish to extinguish development rights in Tier 3. If the County could and wanted to act quickly, this may be an attractive immediate option to landowners in Lehigh Acres given the current market conditions.

Purchase of Development Rights (PDR)

In a PDR program, landowners would voluntarily sell a conservation easement to Lee County or its designated agency or organization. An easement would be placed on the landowner's deed and runs with the land, either in perpetuity or for a period of time specified in the easement document. The landowners would receive compensation in return for the restrictions placed on their land, while retaining title to their property.

Land Acquisition through Delinquent Tax Deed Sales and Escheatment

Under Chapter 197, Florida Statutes, a mechanism is established under which a local government may gain ownership of a parcel when the property owner fails to pay property taxes. If the owner is delinquent on payment of taxes, the local government can gain control of the property through tax deed sales or the escheat process, if the parcels are valued at less than \$5,000. However, acquisition through escheatment or tax deed sales can take a long time to complete.

Land acquired through either of these two or any other acquisition program or initiative can be used to enhance the inventory of community facilities (e.g., parks or school sites); to structure public/private partnerships for the development of commercial, office or employment uses through a developer solicitation process or similar mechanism once the land is assembled; or as a tool to redirect development from Tier 3 to Tiers 1 and 2. The County may directly target acquisition of land in Tier 3 for conservation, or may use parcels acquired in Tiers 1 or 2 (especially if the lots are scattered) to swap to owners of parcels in Tier 3. The lots could also become part of the TDR program, should the County decide to pursue the establishment of such a program.

Potential Innovative Approaches to Conventional Amortization of Non-conforming Duplex

A number of ideas for innovative alternatives to and hybrids of amortization have been advanced in the recent literature of amortization. They include amortization agreements between property owners and municipalities to

expedite termination of nonconforming uses. These have been successfully in California and upheld by the court.

Another approach to conventional amortization is to induce on-site conformance. When it is feasible for an owner to alter the use to the extent that it will be brought into conformance with present zoning, the County may persuade or encourage them to conform by granting special incentives, which may include the granting of a longer amortization period or permitting concessions.

Special Districts – MSTU and MSBU

As is currently in place in Lehigh Acres to fund street lighting, one or more additional MSTU-like entities could be created in Tiers 1 and 2 to bond revenue streams created by an additional tax / fee paid by Lehigh Acres households to fund infrastructure (water, sewer, parks). Such additional payments must, however, be set reasonably proportional to what residents are already paying in property taxes.

The advantage of using special districts to address infrastructure and perhaps even land acquisition in Lehigh Acres is that these districts target their services to a specific group of consumers who pay for the services received, thereby shifting infrastructure costs from all taxpayers within a jurisdiction of a general-purpose local government to the residents or property owners who will specifically benefit from the improvements, which removes the cost from the local government. This makes MSTU's an attractive option, by reducing potential resistance from taxpayers in the rest of Lee County to fund improvements in Lehigh Acres.

Community Redevelopment Agency (CRA)

CRAs of all sizes, ranging from a few hundred (e.g., South Miami, Dania Beach, Coral Springs, etc.) to several thousand acres (e.g., Pompano Beach, Fort Lauderdale Northwest-Progresso-Flagler Heights, Margate, North Miami, Port St. Lucie, etc.), are being used successfully in many Florida communities to address a wide range of issues, including downtown, waterfront, road corridor, and neighborhood redevelopment.

While it is not being proposed as part of this plan, a CRA could be an important mechanism for carrying out and financing the land assembly and redevelopment necessary to diversify the land use mix and strengthen the local tax base as envisioned in the Lehigh Acres Concept Plan. Due to the County's past experience with a Lehigh Acres CRA and related concerns about county-wide fiscal impacts of an area-wide TIF district, it is recognized that a CRA must moderate this fiscal impact by being limited either in its geographic coverage, or in the proportion of the tax increment retained in Lehigh Acres. However, the TIF would not impact current revenues to Lee County or other taxing authorities. They would continue to receive property tax revenues from the frozen value.

LEE COUNTY ORDINANCE NO. 91-29

AN ORDINANCE RELATING TO UNIFORM TRAFFIC CONTROL ENACTING COUNTY PARKING REGULATIONS; PROVIDING FOR TITLE; PROVIDING FOR DEFINITIONS; PROVIDING FOR PROHIBITED STOPPING, STANDING, AND/OR PARKING IN SPECIFIED PLACES; PROVIDING FOR PARALLEL AND ANGLE PARKING REGULATIONS; PROVIDING FOR PARKING FOR CERTAIN PURPOSES PROHIBITED; PROVIDING FOR DISABLED PERSONS PARKING; PROVIDING FOR POSTING OF NO PARKING SIGNS IN CERTAIN DESIGNATED AREAS; PROVIDING FOR VIOLATIONS, ENFORCEMENT, PENALTIES; PROVIDING EXERCISE OF POLICE POWER; ESTABLISHING CRITERIA IN ISSUANCE OF SUMMONS; PROVIDING FOR APPLICATION; PROVIDING NONLIABILITY OF COUNTY; PROVIDING FOR INCLUSION IN THE CODE; REPEALING LEE COUNTY ORDINANCES 81-36, 86-03 AND 90-20; ESTABLISHING ADMINISTRATIVE PROCEDURE; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the narrowness of and the volume of traffic on the streets in the unincorporated areas of Lee County has the effect of congesting the streets and impeding the movement of traffic; and,

WHEREAS, it is the habit of numerous operators of motor vehicles to take advantage of this situation by parking for unreasonably long periods of time in close proximity to other motor vehicles so parked on county road right-of-ways, public beaches, and/or parks, or in properly marked handicap spaces without exclusive permit to do so; and,

WHEREAS, House Bill 1547, Section 67, Section 3B, (1980), requires a law enforcement official to wait at the unattended vehicle to issue such citation, causing undue hardship in that the time could be better spent serving the law enforcement needs of the citizens of Lee County; and,

WHEREAS, such practice tends to further impede traffic and, in addition thereto constitutes a danger to the life, limb, and property of other motorists, pedestrians, and others; and,

WHEREAS, previous attempts to regulate parking in the aforesaid areas have not been as successful as desirable for the reason that adequate policing of this problem by law enforcement officials requires a larger number of officers for such work than can be spared from other vital functions of law enforcement; and,

WHEREAS, it is the opinion of the Board of County Commissioners of Lee County, Florida, and pursuant to the powers vested in them under 316.008, Florida Statutes, that the best method by which the above-mentioned conditions may be remedied is by controlling parking through the posting of official signs in certain designated areas prohibiting stopping, standing, and parking on county right-of-way, public beaches, and/or parks, unless otherwise specified by signs posted allowing for such parking in said designated areas, and by designating specially marked handicap parking spaces exclusive to those severely physically disabled persons who have permanent mobility problems that substantially impair their ability to ambulate and who have been issued either an exemption parking permit pursuant to §316.1958 or §320.0848, or a license plate pursuant to §320.084, §320.0842, §320.0843 or §320.0845,

WHEREAS, the Board of County Commissioners find it desirable to provide regulations for correct angle and parallel parking on the roadways,

--- NOW, - THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: TITLE

This Ordinance shall be known as, referred to, and cited as the "Lee County Parking Ordinance."

SECTION TWO : DEFINITIONS

The following terms shall have the following meaning when used in this Ordinance:

A. "County" is Lee County, a political subdivision of the State of Florida.

B. "Commission" is the Board of County Commissioners of Lee County, Florida.

C. "Vehicle" shall mean any device in, upon, or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.

D. "Street" or "roadway" (used interchangeably) shall mean any public right-of-way, any public beach, or any public park located in the unincorporated area of Lee County, Florida, and established for the use of the public for purposes of vehicular traffic.

E. "Person" shall mean any individual, firm, copartnership, association, or corporation, and shall include the owner and/or operator of the vehicle.

F. "Owner" shall mean the individual to whom such vehicle is registered with the State Department of Highway Safety and Motor Vehicles.

G. "Operator" shall mean and include every individual who shall

operate a vehicle as the owner thereof, or as the agent, employee, or permittee of the owner, or is in actual physical control of the vehicle.

H. "Department" shall mean the Lee County Department of Transportation and Engineering (DOT & E).

I. "Park" or "parking" or "stopping" or "standing" shall mean the standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or unloading merchandise or in obedience to traffic regulations, signs or signals, or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle.

J. "Summons" shall mean the ticket form used by Lee County, a political subdivision of the State of Florida.

K. "Officer" is the law enforcement officer or parking enforcement specialist of the Lee County Sheriff's Department designated by the County as the inspecting authority to enforce parking regulations and issue summons.

L. "Fire lane" shall mean the twelve foot (12') wide strip of pavement immediately adjacent to the building of a business center together with a twelve foot (12') wide strip of pavement providing ingress and egress from public roads to the buildings of a business center, which is appropriately marked as a "fire lane".

M. "Safety Zone" shall mean the area or space officially set apart within a roadway for the exclusive use of pedestrians and protected

or so marked by adequate signs or authorized pavement markings as to be plainly visible at all times while set apart as a safety zone.

N. "MUTCD" shall mean the Manual on Uniform Traffic Control Devices for Streets and Highways.

SECTION THREE: STOPPING, STANDING, PARKING PROHIBITED
 IN SPECIFIED PLACES

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person or operator shall:

A. Stop, stand, or park a vehicle on any street as follows:

1. On the roadway side of any vehicle stopped or parking at the edge or curb of a street;
2. On a sidewalk;
3. Within an intersection;
4. On a crosswalk;
5. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the end of a safety zone, unless the Traffic Division of the Department indicates a different length by posting official signs or installing pavement markings;
6. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would reduce the number of lanes of moving traffic to less than two lanes (one ten foot (10') wide

- lane of moving traffic in each direction) on streets with two-way traffic flow, or to less than one ten foot (10') wide lane of moving traffic on a street with one-way traffic flow;
7. Upon any bridge or other elevated structure on a highway or within a highway tunnel;
 8. On any railroad track(s);
 9. At any place where official signs prohibit stopping.
 10. In any area designated as a fire lane, except for the purpose of loading or unloading handicapped passengers and then only while actually engaged in the process of loading or unloading such passengers.

B. No person or operator of a vehicle shall stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers, on any street as follows:

1. In front or within five feet of the end of the driveway radius or edge of a public or private driveway so as to prevent proper ingress or egress;
2. Within fifteen (15) feet of a fire hydrant;
3. Within twenty (20) feet of a crosswalk at an intersection;
4. Within thirty (30) feet upon the approach to any flashing signal, yield sign, stop sign or traffic

control signal located beside or over the intersection of two (2) or more roadway(s);

5. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance when official signs prohibiting such parking, standing or stopping are installed;

6. At any place where official signs prohibit standing;

7. In any lane designated as a fire lane.

C. No person or operator shall park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers on any street as follows:

1. Within fifty (50) feet of the nearest rail of a railroad crossing unless the Department establishes a different distance due to unusual circumstances;

2. At any place where official signs prohibit parking.

D. No person shall move a vehicle not lawfully under his control such prohibited area or away from a curb such a distance as is unlawful. Any person who is in violation of this subsection shall be punished as provided for in Section Seven of this Ordinance.

SECTION FOUR: PARALLEL AND ANGLE PARKING REGULATIONS

A. Parallel Parking:

1. Except as otherwise provided in this section, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within twelve inches (12") of the right-hand curb or edge of the roadway;
2. Every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within twelve inches (12") of the right-hand curb or edge of the roadway, or its left wheels within twelve inches (12") of the left-hand curb or edge of the roadway.

B. Angle Parking:

Angle parking may be permitted on streets and/or roadways within unincorporated Lee County provided that a proper and documented traffic engineering study is performed, either by the Department of Transportation and Engineering or by a private consultant, and approved by the Department of Transportation and Engineering pursuant to the applicable Administrative Code.

SECTION FIVE: PARKING FOR CERTAIN PURPOSES PROHIBITED

A. It is unlawful for any person to park a motor vehicle, as defined in §320.01, for a continuous period in excess of twenty-four (24) hours, after written notice, upon a public street or highway, upon a public parking lot, or other public property, or upon private

property where the public has the right to travel by motor vehicle, for the principal purpose and intent of displaying the motor vehicle thereon for sale, hire, or rental unless the sale, hire or rental of the motor vehicle is specifically authorized on such property by a Lee County regulation and the person is duly licensed as a motor vehicle dealer in accordance with Florida Statute §320.27, and the person is in compliance with all county licensing regulations.

B. The provisions of subsection A do not prohibit a person from parking his own motor vehicle or his other personal property on any private property which he owns or leases, or any private property for which he obtains the permission of the owner, for the principal purpose and intent of sale, hire or rental.

C. A law enforcement officer may cause to be removed at the owner's expense any motor vehicle found upon a public street, public parking lot, other public property, or private property, where the public has the right to travel by motor vehicle, which is in violation of subsection A. Every written notice issued pursuant to this section shall be affixed in a conspicuous place upon a vehicle by a law enforcement officer.

D. Any other provision of law to the contrary notwithstanding, a violation of subsection A shall subject the owner of the motor vehicle to owing the applicable agency the fees reasonably incurred by removal and storage of the motor vehicle.

SECTION SIX: DISABLED PERSONS PARKING

A. GOVERNMENTAL AGENCIES

It shall be a violation of this Ordinance for any person to park

in properly marked handicap parking spaces provided for by governmental agencies.

1. The County having jurisdiction over street parking and/or publicly-owned and operated facilities, shall provide a minimum of specially designed and marked motor vehicle parking spaces in accordance with Florida Statutes §316.1955, for the exclusive use of those severely, physically disabled individual with permanent mobility problems which substantially impair their ability to ambulate and who have been issued an exemption parking permit pursuant to the provisions of Florida Statutes §316.1958 or §320.0848, or a license plate pursuant to Florida Statutes §320.084, 320.0892, 320.0893 or 320.0845.
2. Each such parking space shall be prominently outlined with pavement markings and posted with a permanent sign of a color and design approved by the Director, Department of Transportation and Engineering, or the designee, bearing the internationally accepted wheelchair symbol and the caption "PARKING BY DISABLED PERMIT ONLY".
3. It is unlawful for any person to stop, stand, or park a vehicle within any such specially designated and marked parking space provided in accordance with this section, unless such vehicle

displays a parking permit issued pursuant to Florida Statutes §316.1958 or §320.0848, and such vehicle is transporting a person eligible for the parking permit. Whenever a law enforcement officer or a parking enforcement specialist finds a vehicle in violation of this subsection, that officer shall:

- (a) Have the vehicle in violation removed to any lawful parking space or facility, or require the operator or other person in charge of the vehicle immediately to remove the unauthorized vehicle from the parking space. Whenever a vehicle is removed by a law enforcement officer, or parking enforcement specialist to a storage lot, garage, or other safe parking space, the cost of such removal and parking shall be a lien against the vehicle.
- (b) Charge the owner or operator in charge of the vehicle in violation with a noncriminal traffic infraction. Any person who is in violation of this subsection shall be punished as provided for in Section Seven of this Ordinance.

B. NON-GOVERNMENTAL AGENCIES

It shall be a violation for any person to park in properly marked handicap spaces as provided for by non-governmental entities for certain disabled persons.

1. Any commercial real estate property owner offering parking for the general public shall provide specially designed and marked motor vehicle parking spaces for the exclusive use of physically disabled persons who were issued parking permits pursuant to Florida Statutes §316.1958 or §320.0848 or a license plate pursuant to Florida Statutes §§320.084, 320.0842, 320.0843, or 320.0845. The minimum number of such parking spaces shall be as provided in Florida Statutes §316.1955(2)(c).
2. Each such parking space shall conform to the requirements of Florida Statutes §316.1956, and shall be posted and maintained with a permanent sign bearing the internationally accepted wheelchair symbol and the caption "PARKING BY DISABLED PERMIT ONLY".
3. Any person who parks a vehicle in any parking space designated with the internationally accepted wheelchair symbol and the caption "PARKING BY DISABLED PERMIT ONLY" is guilty of a traffic infraction, unless such vehicle displays a parking

permit issued pursuant to Florida Statute §320.0848, and such vehicle is transporting a person eligible for such parking permit. However, any person who is chauffeuring a disabled person shall be allowed, without need for an identification parking permit, momentary parking in any such parking space for the purpose of loading or unloading a disabled person. No penalty shall be imposed upon the driver for such momentary parking. Any person who is in violation of this subsection shall be punished as provided for in Section Seven (7) of this Ordinance.

SECTION SEVEN:

POSTING OF NO PARKING SIGNS

It shall be the responsibility of the Department to post official no parking signs conforming with the Manual of Uniform Traffic Control Devices (MUTCD), on streets in certain designated areas prohibiting stopping, standing, and/or parking in the unincorporated areas of Lee County.

SECTION EIGHT:

VIOLATION, ENFORCEMENT, PENALTIES

It shall be unlawful for any person to violate the provisions of this Ordinance. It shall be the duty of any law enforcement official or parking enforcement specialist having jurisdiction in Lee County to enforce the provisions of this Ordinance. Any officer or parking enforcement specialist who discovers a vehicle parked in violation of this Ordinance may:

A. Issue a summons used by the County for such violation to the driver; or

B. If the vehicle is unattended, attach such summons to the vehicle in a conspicuous place; or

C. In cases of violators illegally parked in parking spaces provided for by governmental agencies, said vehicles may be removed by a law enforcement officer having jurisdiction in Lee County to a storage lot, garage, or other safe parking space, the cost of such removal and parking shall be a lien against the vehicle, and said law enforcement official shall charge the owner and/or operator in charge of the vehicle in violation with a noncriminal traffic infraction.

D. Any person who violates Section Five, Disabled Persons Parking, shall be punished by a fine of Two Hundred Dollars (\$200.00). The fines collected for a violation to the Disabled Persons Parking section shall be deposited in a separate Lee County account to be used in accordance with Florida Statute §316.008(4), as amended.

E. Any person who violates the provisions of this Ordinance except Section Five(5), shall be punished by a fine of Thirty two Dollars (\$32.00). Any person who fails to satisfy the provisions contained in the Lee County summons for violations of parking contained in this Ordinance and elects to appear before a designated official to present evidence shall be deemed to have waived his right to the civil penalty provisions of the ticket. The official, after a hearing, shall make a determination as to whether a parking violation has been committed and may impose a fine not to exceed One Hundred Dollars (\$100.00) plus court costs.

F. No person shall, without authority, attempt to or in fact alter, deface, injure, knock down or remove any official traffic control device or sign. Any violation of this provision shall constitute a misdemeanor. In addition, a violation of this provision may be enforced through the county code enforcement process.

SECTION NINE: EXERCISE OF POLICE POWER

This entire Ordinance shall be deemed and construed to be an exercise of the police power of the County of Lee for the preservation and protection of public safety and all of its provisions shall be liberally construed with a view to the effectuation of such purpose.

SECTION TEN: CRITERIA IN ISSUANCE OF SUMMONS

Any officer enforcing the provisions of this Ordinance may issue a summons to any person or operator of a vehicle for such non-moving offense in violation of the provisions of this Ordinance and shall consist substantially of the following information:

LEE COUNTY SUMMONS
For Parking Violation - Ord. NO. _____

Officer's Copy _____ Ticket # _____

Day of Week Month Day Year Time

Name _____

Street _____

City _____ State _____

Vehicle Make _____ Year _____

Tag # _____ State _____

Date of Birth Month Day Year Race Sex Height

Offense(s) _____

Name of Officer _____

Instruction: You must pay a civil penalty (or forfeit bond) in the amount of \$32.00, or appear in Traffic Court at the Lee County Courthouse at _____ on the _____ day of _____, 19____. If you elect to pay the penalty, it must be paid before the court date.

To: _____

Mailing Address

Note: You must enclose your copy of the Summons if you mail payment. Payment should be in the form of a money order or cashier's check. **PERSONAL CHECKS WILL NOT BE ACCEPTED.** Failure to respond to this Summons will result in further court action.

SECTION ELEVEN: APPLICATION

It is hereby provided this Ordinance shall constitute a uniform law applicable in all the unincorporated areas of Lee County, Florida to the extent permitted by the Florida Constitution, Article VIII, Section 1.

Gasparilla Island Parking Ordinance, Lee County Ordinance Number 86-21, as amended or replaced, and Captiva Island Parking Ordinance, Lee County Ordinance Number 83-35, as amended or replaced, shall remain in full force and effect, and shall apply within their respective jurisdictions.

SECTION TWELVE: NONLIABILITY OF COUNTY

Nothing in this Ordinance shall be deemed to impose any liability upon the County or upon any of its officers or employees, nor to relieve the owner and/or operator of said motor vehicle of any private duty from the duty to keep said motor vehicle legally parked.

SECTION THIRTEEN: INCLUSION IN THE CODE

It is the intention of the Commission, and it is hereby provided, that the provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Lee County, Florida; that the Sections of this Ordinance may be renumbered or relettered to accomplish such intention and that the "Ordinance" may be changed to "Section", "Article", or other appropriate designation.

SECTION FOURTEEN: REPEAL OF CONFLICTING ORDINANCES

Lee County Ordinances Numbers 81-36, 86-03 and 90-20 are hereby repealed and declared null and void and of no effect.

SECTION FIFTEEN: ADMINISTRATIVE PROCEDURE

Procedure for issuance of summons and disposition of fines collected for violations may be established by Resolution of the Board of County Commissioners of Lee County, Florida.

SECTION SIXTEEN: SEVERABILITY

The provisions of this ordinance are severable and it is the intention to confer the whole or any part of the powers herein provided for. If any of the provisions of this Ordinance shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such unconstitutional provisions not been included therein.

SECTION SEVENTEEN: CONFLICT WITH OTHER LAWS

Whenever the requirements or provisions of this ordinance are in conflict with the requirements or provisions of any other lawfully adopted ordinance or statute, the most restrictive requirements shall apply. This Ordinance shall be operative to the extent that it is not in conflict with the Gasparilla Island Parking Ordinance, LCO 86-21, as amended or replaced and the Captiva Island Parking Ordinance, LCO 83-35, as amended or replaced.

SECTION EIGHTEEN: EFFECTIVE DATE

This Ordinance shall take effect immediately upon receipt by the Board of County Commissioners of Lee County, Florida, of the official acknowledgment from the Secretary of State of Florida that it has been filed with that office.

This Ordinance is adopted by the Lee County Board of County Commissioners upon a motion by Commissioner Ray Judah and seconded by Commissioner John Manning and, upon a poll of the members present, the vote as follows:

DONALD SLISHER	<u>aye</u>
DOUGLAS R. ST. CERNY	<u>aye</u>
JOHN MANNING	<u>aye</u>
VICKIE LOPEZ-WOLFE	<u>aye</u>
RAY JUDAH	<u>aye</u>

DONE AND ADOPTED this 16th day of October, 1991.

ATTEST
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By:  Deputy Clerk

By:  Vice Chairman

Approved As To Form

By: 

Office of the County
Attorney