

1966

1992 SPECIAL AMENDMENT
TO THE LEE PLAN

FLORIDA'S TENTH
UNIVERSITY

ADOPTED ORDINANCE, GOALS,
OBJECTIVES, POLICIES,
TABLES, AND MAPS

LEE COUNTY DIVISION OF
COMMUNITY PLANNING & REDEVELOPMENT
OCTOBER 27, 1992

**INTRODUCTION TO THE 1992 SPECIAL AMENDMENT
FLORIDA'S TENTH UNIVERSITY**

The 1984 Lee Plan (the Lee County Comprehensive Plan) was adopted on November 16, 1984. Since then, there have been several amendment cycles and one major update to the document. The major update was completed in 1989 and was adopted by County Ordinance 89-02. That 1989 plan has since been amended on five occasions: once through a DRI amendment, (see Ordinance 90-09), once by the Stipulated Settlement Agreement with the Florida Department of Community Affairs, (see Ordinances 90-43 and 90-44), once by a small scale amendment which changed 2.5 acres in the Bonita Springs area from Rural to Outlying Suburban, (see Ordinance 91-10), once by the 1990/1991 regular amendment cycle (see ordinance 91-19), once by the 1991/1992 regular amendment cycle (see ordinance 92-35), again by a small scale amendment which reallocated commercial acreage between Year 2010 Overlay sub-districts (see Ordinance 92-41), and finally by the amendments contained in this document, which were adopted on October 27, 1992 (see Ordinance 92-47). The Lee Plan and the amendments to it are the adopted county policy for the guidance of land use in Lee County.

The chronology of the 1992 special plan amendment cycle is as follows: public hearings on these amendments were held by the Local Planning Agency on June 2, 1992. Transmittal hearings were held by the Board of County Commissioners on June 16, 1992. The Florida Department of Community Affairs (DCA) then prepared a report entitled "Objectives, Recommendations and Comments for Lee County Amendment 92-2" (also known as the "ORC Report"). Adoption hearings were held by the Board of County Commissioners on October 27, 1992.

In addition to this document, additional documents have been published as the support documentation for these adopted amendments. These documents include:

- "Lee Plan Text and Map Amendments, PAM/T 92-02, Florida's Tenth University, Response to Objection, Recommendation and Comments" and dated October 22, 1992
- "Transmittal Document, Lee Plan Text and Map Amendments, PAM/T 92-02, Florida's Tenth University" and dated June 16, 1992
- "University Community Plan Amendment, Traffic Circulation Element" and dated June 9, 1992
- "Amendment to the Lee County Comprehensive Plan for the University Community, Florida's Tenth University" Volume 1 and 2, and dated May 8, 1992

• In addition, the following documentation has been used for data and analysis regarding this amendment

• All documentation, including aeri-als and sufficiency responses, submitted with the "Application for Master Development Approval, Alico Inc./Central Lee County Property";

• "Initial Analysis of the Proposed Sites of the Florida Tenth University in Southwest Florida" prepared by the Southwest Florida Regional Planning Council, and dated September 6, 1991; and,

• "Final Report for the Tenth University Site Studies Project" prepared by Duane Hall Engineering Inc., Bender & Associates Inc., Barr Dunlop & Associates, and Law Engineering and dated February 4, 1992.

**ADOPTED GOALS, OBJECTIVES, POLICIES,
TABLES, AND MAPS**

The Economic Diversification paragraph included under the Concepts Underlying this Comprehensive Plan contained in Section I, Introduction is amended as follows:

Economic Diversification

In order to provide opportunities to Lee County residents to enjoy higher earnings it will be necessary to diversify the economic base of the county. The basis for diversification presently exists in the transportation-related facilities, a growing labor force, and a growing market. Diversification of the economy should be undertaken in such a manner that it is consistent with and complementary to the existing retail/tourist economic base of the community. Light industry, compatible with the environment and associated with higher wages, must be provided and encouraged in order to expand the economic base and attract and retain an educated working force. The 10th University shall be promoted as a catalyst for the diversification of the Lee County economy and employment. Special consideration shall be given to attracting research/high technology development.

A new Policy 1.1.9 reads as follows:

POLICY 1.1.9:

The University Community land use category provides for Florida's 10th University and for associated support development. The location and timing of development within this area shall be coordinated with the development of the University and the provision of necessary infrastructure. All development within the University Community shall be designed to enhance and support the University. In addition to all other applicable regulations, development within the University Community shall be subject to cooperative master planning with, and approval by, the Board of Regents of the State University System.

Prior to development in the University Community land use category, there shall be established a Conceptual Master Plan which includes a generalized land use plan and a multi-objective water management plan. These plans shall be developed through a cooperative effort between the property owner, Lee County, and South Florida Water Management District.

Within the University Community are three distinct sub-categories: University Campus, University Endowment Area, and the University Village. The University Window overlay, although not a true sub-category, is a distinct component of the total university environment. Together these functions provide the opportunity for a diversity of viable mixed use centers. Overall average density for the

A new Goal 20 and subsequent Objectives and Policies reads as follows:

GOAL 20: UNIVERSITY COMMUNITY

In order to ensure that development within the University Community land use category protects and enhances the ability of Florida's tenth university to provide secondary education as described in the Mission Statement of that institution and to assure that land uses or development activities do not interfere with, disrupt, or impede the efficient operation of that institution the following Objectives and Policies shall apply to all development within the University Community land use category. The Application (Volume 1 of 2) and the Support Document (Volume 2 of 2) to the Amendment to the Lee County Comprehensive Plan for the University Community is incorporated by reference herein as a resource and information document.

OBJECTIVE 20.1: FUTURE LAND USE

In order to ensure that the location and timing of development within the University Community is coordinated with the development of the University and the provision of necessary infrastructure; and, that all associated support development within the University Community is designed to enhance the University; all development within the University Community shall be subject to cooperative master planning which shall conform to the following policies.

POLICY 20.1.1:

Lee County shall, through public and private economic and business development initiatives, promote the University Community as a catalyst for economic diversification and the promotion of employment throughout Lee County and the Region. Within the University Community land use category the focus of this endeavor (the emphasis) will be on university related scientific research and high technology development activities.

POLICY 20.1.2:

The University Community shall provide a mix of housing types with densities sufficient to meet the needs of and designed to accommodate the varying lifestyles of students, faculty, administration, other university personnel and employees of the associated support development.

POLICY 20.1.3:

By the end of 1995, Lee County shall adopt appropriate regulations providing for university housing, including student dormitories and boarding houses.

POLICY 20.1.4:

By the end of 1995, Lee County shall adopt regulations further defining how densities for individual parcels within the University Community will be

determined. The regulations will address how the total number of units will be tallied to insure that the overall average density of 2.5 units an acre will be maintained. The regulations shall provide a mechanism for clustering densities within the University-Community.

POLICY 20.1.5:

In order to create a cohesive community, site design within the University Community shall utilize alternative modes of transportation such as pedestrian networks, mass transit opportunities, sidewalks, bike paths and similar facilities. Site design shall link related land uses through the use of alternative modes of transportation thus reducing automobile traffic within the University Community.

POLICY 20.1.6:

Lee County shall facilitate mass transit opportunities connecting the University Community to other parts of the County.

POLICY 20.1.7:

A diverse mixture of land uses shall be encouraged within the University Community. Compatibility shall be addressed through project design, including adequate buffering or other performance measures, therefore allowing adjacent appropriate industrial, residential and commercial land uses where such locations represent good planning. In reviewing zoning requests within the University Community, Lee County shall consider noise, odor, visual, security and traffic impacts in determining land use compatibility. Because of the required cooperative master planning with and approval by the Board of Regents, the required compatibility review and the requirement that commercial land uses within the University Village be related to the University, development within the University Community shall not be subject to the site location standards set forth in Goal 13 of the Lee Plan.

POLICY 20.1.8:

All currently permitted mining activities within the University Community area shall be allowed to continue until such time as the university opens. Agricultural activity including but not limited to tree farms, nurseries, or agricultural research facilities shall be permitted within the University Community.

POLICY 20.1.9:

Prior to the commencement of development within the University Community ~~land use category, an area-wide Conceptual Water Management Master Plan shall~~ be submitted to and approved by Lee County and South Florida Water Management District staff. This water management plan shall be integrated with the Conceptual Master Plan and be prepared through a cooperative effort between

the property owner, Lee County, and South-Florida Water-Management District. This master plan shall insure that the water management design of any development within the University Community shall maintain or improve the currently existing quality and quantity of groundwater recharge. This plan shall be consistent with any duly adopted drainage basin studies.

POLICY 20.1.10:

Prior to the commencement of development within the University Community land use category, the Board of Regents and Alico, Inc. shall work in concert with the Board of County Commissioners to establish an area-wide Conceptual Master Plan for the University Community land use category. This master plan shall, at a minimum, provide for the coordination of major roadways, utilities, mass transit, housing, and the conceptual water management plan within the context of anticipated generalized land use and anticipated development density/intensity. A determination of the estimated cost of providing the infrastructure shall be included. A methodology to determine the entity(s) responsible for providing this infrastructure, specifically identifying the obligations of the County in accordance with its commitments to the Board of Regents, shall also be established. Infrastructure, for the purpose of this planning study, shall be major roadways, major utilities, mass transit, and the conceptual water management plan. The results of this planning study, as a package, shall be subject to public review with recommendations for changes to the Traffic Circulation Element, Mass Transit Element, Capital Improvements Element, Housing Element, and other affected comprehensive plan elements.

POLICY 20.1.11:

By 1995, Lee County and the Metropolitan Planning Organization shall consider amending their respective transportation planning maps and policies to reflect the roadway segments identified by the Conceptual Master Plan.

POLICY 20.1.12:

If not otherwise addressed by the Conceptual Master Plan, the landowner(s) within the University Village shall coordinate infrastructure connections and interconnections, including but not limited to roadways, utilities and water management, with the University Campus through the established Board of Regents' master planning, review and approval process.

POLICY 20.1.13:

~~To encourage a variety of wildlife habitats and university study sites, special consideration shall be given in the Conceptual Master Plan to the preservation of portions of the most pristine and diverse wildlife habitat areas (such as, pine flatwoods, palmetto prairies, and major cypress slough systems) as an incentive~~

to reduce, on a one-for-one basis, open space requirements in other developments within the University Community.

POLICY 20.1.14:

The use of septic tanks shall be prohibited except for temporary septic tanks for model homes, construction trailers, and temporary sales offices. Permanent septic tanks shall be limited to rest room facilities in golf courses, existing agricultural operations, or any agricultural operation of twenty five acres or more.

OBJECTIVE 20.2: UNIVERSITY COMMUNITY SUB-CATEGORIES

The University Community meets an educational infrastructure need for the Southwest Florida five county area by providing the necessary and appropriate land uses to carry out the mission of Florida's 10th University as stated by the Board of Regents. Within the University Community land use category there are three distinct sub-categories: University Campus, University Endowment Area, and the University Village. The University Window overlay is also a part of the University Community land use category.

POLICY 20.2.1:

The University Campus area provides for the land uses of the University and its related functions. Development within the University Campus shall be in accordance with provisions of any development agreement(s) between the Department of Community Affairs and the Board of Regents under the provisions of Chapter 380 F.S. and any other applicable state law.

POLICY 20.2.2:

The University Endowment Area is designed to accommodate future land uses of the University, whether they are an expansion of the University Campus or the development of a mix of land uses related to the University. Predominant land uses within this area are expected to be residential, commercial, office, public and quasi-public, recreation, and research and development parks. Development within the University Endowment Area shall be in accordance with provisions of any development agreement(s) reached between the Department of Community Affairs and the Board of Regents under the provisions of Chapter 380 F.S. and any other applicable state law.

POLICY 20.2.3:

Any part of the University Endowment Area owned in whole or in part by a private entity shall be considered as part of the University Village and its development regulated accordingly.

POLICY 20.2.4:

The University Village is an area which provides the associated support development and synergism to create a viable University Community. This sub-category allows a mix of land uses related to and justified by the University and its development. Predominant land uses within this area are expected to be residential, commercial, office, public and quasi-public, recreation, and research and development parks. In addition to complying with the Conceptual Master Plan required by Policy 20.1.10, all property within the University Village shall undergo a Development of Regional Impact review.

POLICY 20.2.5:

The University Window Overlay includes the area within 100 feet on both sides of the right-of-way of the following roadway segments:

Treeline Avenue	From Alico Road to Corkscrew Road
Alico Road	From I-75 to Treeline Avenue
Corkscrew Road	From I-75 to Treeline Avenue
Koreshan Boulevard	From I-75 to Treeline Avenue

With input from affected property owners, by 1995, Lee County and the Board of Regents shall develop mutually agreed upon standards for the University Window addressing landscaping, signage and architectural features visible from the designated roadway segments.

A new Objective 70.4 and subsequent Policies reads as follows:

OBJECTIVE 70.4: FLORIDA'S TENTH UNIVERSITY

Recognize the unique advantages and obligations which accompany the development and maturation of Florida's Tenth University.

POLICY 70.4.1:

Upon completion of the Conceptual Master Plan required by Policy 20.1.10 the Capital Improvements Element and Capital Improvement Program shall be amended to reflect the unique obligations which will accompany the development and maturation of Florida's Tenth University.

POLICY 70.4.2:

The infrastructure improvements necessitated by Florida's Tenth University which will require the expenditure of public funds shall be consolidated, as a package, for public review and comment prior to amending the Capital Improvements Element.

1976

The Glossary of the Lee Plan is amended to insert the following definition:

ASSOCIATED SUPPORT DEVELOPMENT - within the University Community land use category is that development which is related to and justified by the University, including but not limited to support facilities, university housing, and development, such as research and development parks, which would not have ~~not~~ come to the University Community except for the synergy created by the University.

Table 1 is amended as Follows:

TABLE-1
SUMMARY OF RESIDENTIAL DENSITIES ¹

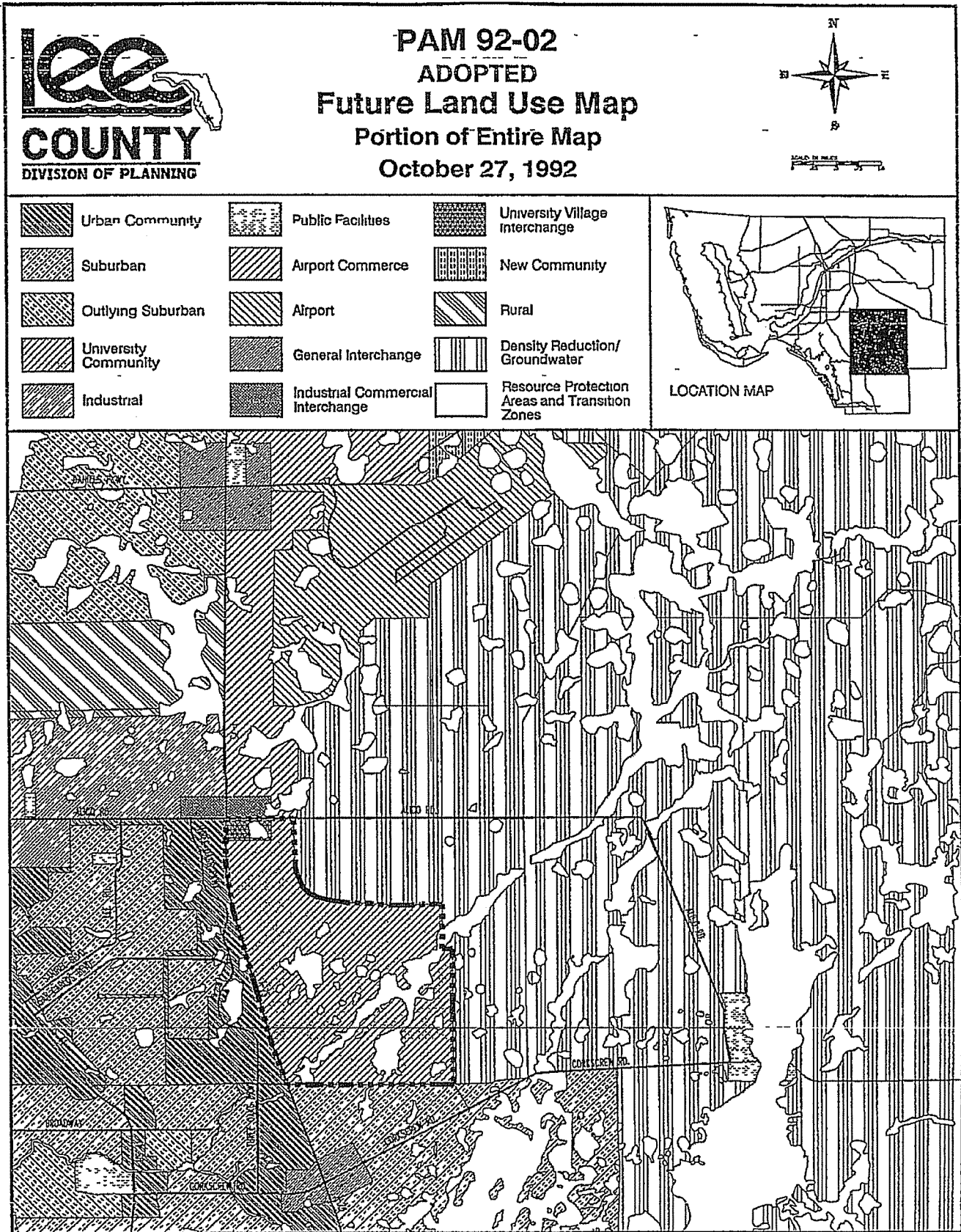
FUTURE LAND USE CATEGORY	STANDARD OR BASE DENSITY RANGE		BONUS DENSITY
	MINIMUM ² (Dwelling Units per Gross Acre)	MAXIMUM (Dwelling Units per Gross Acre)	MAXIMUM TOTAL DENSITY ³ (Dwelling Units per Gross Acre)
Intensive Development	8	14	22
Central Urban	5	10	15
Urban Community ^{4,5}	1	6	10
Suburban	1	6	No Bonus
Outlying Suburban ⁶	1	3	No Bonus
Rural	No Minimum	1	No Bonus
Outer Islands	No Minimum	1	No Bonus
Rural Community Preserve ⁷	No Minimum	1	No Bonus
Density Reduction/Groundwater Resource	No Minimum	1 du/10 acres	No Bonus
Transition Zone ⁸	No Minimum	1 du/20 acres	No Bonus
Resource Protection Area ⁸	No Minimum	1 du/40 acres	No Bonus
Planned Development District Option ⁹	1	6	No Bonus
New Community	1	6	No Bonus
University Community ¹⁰	1	2.5	No Bonus

CLARIFICATIONS AND EXCEPTIONS

- ¹ See the glossary in Chapter XIV for the full definition of "density."
- ² Adherence to minimum densities is not mandatory but is recommended to promote compact development.
- ³ These maximum densities may be permitted by transferring density from non-contiguous land through the provisions of the Housing Density Bonus Ordinance (No. 89-45, as amended or replaced) and the Transfer of Development Rights Ordinance (No. 86-18, as amended or replaced).
- ⁴ No land shall be rezoned on Pine Island, excluding the Matlacha, Bokeelia, and St. James City areas currently classified as Future Urban Areas, to a zoning district which permits a density higher than 3 dwelling units per gross acre. Land currently zoned in a zoning district which permits a residential density in excess of 3 dwelling units per gross acre shall be allowed a density higher than 3 du/acre provided that all other applicable regulations are met, and provided further that no density shall be allowed above that which is permitted for the land use category in which the property is located, or which is permitted by the zoning which was in effect for said property as of November 25, 1986, whichever is lower.
- ⁵ In all cases on Gasparilla Island, the maximum density shall not exceed 3 du/acre.
- ⁶ In the Outlying Suburban category north of the Caloosahatchee River and east of Interstate-75, the maximum density shall be 2 du/acre.
- ⁷ Within the Buckingham area, new residential lots must have a minimum of 43,560 square feet (see Goal 19 and Policy 19 1 4).
- ⁸ Higher densities may be allowed under the following circumstances:
(a) If the dwelling units are relocated off-site through the provisions of the Transfer of Development Rights Ordinance (No. 86-18, as amended or replaced); or
(b) If the dwelling units are relocated to developable adjacent uplands that are designated as Intensive Development, Central Urban, or Urban Community, the number of relocated units may be calculated using the same density as is permitted for those uplands, with the resulting density on the uplands limited to one half of the bonus density available in that category.
- ⁹ This option may be available for land in the Rural and Outer Island categories, please refer to Objective 1 8 and related policies.
- ¹⁰ Overall average density for the University Village sub-district shall not exceed 2 5 du/acre. Clustered densities within the area may reach fifteen du/acre to accommodate university housing.

The Future Land Use Map series, Map 1 the Future Land Use Map is amended as follows:

1978



1992 SPECIAL AMENDMENTS TO THE LEE PLAN
FLORIDA'S TENTH UNIVERSITY