

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
LEE COUNTY COMPREHENSIVE PLAN
And
ZONING HEARING AGENDA

Wednesday, August 20, 2014

9:30AM

CPA2014-00003

ESTERO COMMUNITY PLAN UPDATE - ADOPTION

CPA2013-00004

CORKSCREW RANCH – TRANSMITTAL

DCI2013-00022
Z-14-019

COASTLINE TREE SERVICE IPD

DRI2014-00001
Z-14-024

RIVERS EDGE YACHT/COUNTRY CLUB

CPA2014-00003

ESTERO COMMUNITY

PLAN UPDATE

CPA2014-00003

ESTERO COMMUNITY PLAN UPDATE

AMENDMENT TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

**BoCC Adoption Hearing Document
For the
August 20, 2014 Public Hearing**

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 533-8585*

August 6, 2014

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2014-00003**

Text Amendment

Map Amendment

	This Document Contains the Following Reviews
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
✓	Board of County Commissioners Hearing for Transmittal
✓	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: May 21, 2014

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANTS:

Estero Community Planning Panel

2. REQUEST:

Amend the Lee Plan to incorporate the following results of the Estero community planning panel effort:

- New and revised vision, goal, objectives, and policies that reflect the Estero Community Planning efforts.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Staff recommends that the Board of County Commissioners *adopt* the proposed amendment to Lee Plan as shown in Appendix A. This amendment will revise the current Estero Goal 19 in order to address the community's updated vision and community needs.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- In August 2011, the Board of County Commissioners (Board) approved community planning grant applications for the development and update of the community plan for Estero.
- During the course of the three year planning effort, the Estero Community Planning Panel organizations facilitated extensive public input processes through which community members were able to discuss the future planning needs, development concerns, and desired vision for the Estero community. This effort included the following public input opportunities:
 - A community vision workshop in November 2010; and
 - Special issue workshops related to Estero's historic character, transportation connections, mixed-use development, community center, employment centers, and future land use classifications, densities, and uses.
- The three-year planning effort has resulted in a new set of goals, objectives, and policies for Estero which was approved by the Estero Community Planning Panel.

C. BACKGROUND INFORMATION

LEE COUNTY COMMUNITY PLANNING HISTORY

Community Plan Development

Community planning has a history that closely follows comprehensive planning efforts in Lee County. Lee County adopted its first comprehensive plan in 1984. Around the same time that Lee County was initiating county-wide comprehensive planning efforts, several communities expressed a desire to initiate area-specific planning projects. As a result of this interest, in 2001 the Board of County Commissioners initiated a community planning

program, through which the county provides grants to support grass roots community planning efforts.

Since 2001, interest in community planning efforts has increased as citizens sought opportunities to have input in the development of their local communities. The county promotes these local grass roots planning efforts by supporting local community planning panels. The planning panels are groups of community members from the local area who have taken the time and initiative to build community consensus about how the community sees its future. The panels receive professional planning assistance in the development, formation, adoption, and implementation of the community plans, which are adopted as part of the Lee County comprehensive plan and land development code. The professional assistance comes from public and private sector planners who work to help the local communities build consensus about how to address their community's many interests and needs. As a result of the planning panel's efforts, a local community can work towards the realization of the community's future vision.

ESTERO COMMUNITY PLANNING

Over the last decade, the community of Estero has been one of the county's fastest growing areas of Lee County, with much of the growth fueled by new residential neighborhoods. The community lies on the banks of Estero Bay in southern Lee County, north of Bonita Springs, east of the DR/GR area, and south of the San Carlos community. In the 1990s, the Estero Preservation Committee sought to develop a community plan, to support, define, and implement their community's sense of place and character through community planning policies and land development standards. The plan sought to accomplish this goal by confirming how the community wanted to look and directing future and growth and development consistent with this vision. These community efforts sought to address specific community concerns including: community design and architectural character, park and recreations facilities and resources, transportation resources, natural resources, and community planning participation. The results of these planning efforts form the basis of Estero's goal, objectives, and policies, which the Board adopted into the Lee Plan in 2002 as Goal 19.

Due to its well defined architectural standards, active community leadership, and strong community planning tradition, the 2002 plan help Estero create a strong sense of place and unified sense of character. However, the plan also has had challenges in defining a town center; providing connections between neighborhoods, economic areas, public facilities, community parks; and supporting is historic places.

In 2010, the Estero community decided to update its plan and expand its planning efforts to include these issues and areas not fully addressed by the 2002 plan. The Board supported this effort by providing Estero Community Planning Panel a community planning grant, through which the community has hired professional planning assistance. The community has held regular community workshops and meetings to help the community understand the successes and challenges of the 2002 plan and help better define their future planning goal and vision. The result of these efforts is that Estero has updated its community plan vision, goal, objectives, and policies based on feedback provided by community members.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

The Estero Community Planning Panel worked with a consultant from 2011-2013 during which time drafts of the Estero community plan were submitted to the Lee County Department of Community Development. However, in March 2013 the consultant left the project after accepting another position without having completed the final draft. In order to ensure the project was completed, planning staff stepped in and provided assistance to the community to assist draft the vision, goal, objectives, and policies. The final draft was recently accepted by the Estero Community Planning Panel. The Division of Planning distributed copies of the drafts and requested comments from various county departments, including:

- County Attorney's Office
- Department of Natural Resources
- Lee Tran
- Parks and Recreation
- Lee County Department of Transportation
- Development Services Division
- Environmental Sciences Division
- Zoning Division

Written comments were received from the County Attorney's Office, the Department of Transportation, Zoning Division, Environmental Sciences Division, and Development Services Division.

In April, 2014 the plan for Estero community planning area was submitted to the county for consideration as amendments in the Lee Plan. Staff has reviewed these plans and found it to be sufficient. The comments in this staff report are based on the review of final plans.

The following is the evaluation of the proposed vision, goal, objectives, and policies for the Estero planning area.

B. ESTERO COMMUNITY PLANNING

Estero Vision Statement and Goal 34 Overview

Estero is a well-defined community with distinct character and a well organized community planning process. The first community plan for Estero was adopted in 2002 after an extensive public input process. The plan sought to address three central community needs:

- Make Estero's commercial corridors as attractive as the surrounding residential communities;
- Cause persons traveling through Estero to know that it is a unique and outstanding place; and
- Achieve maximum compatibility between adjacent commercial and residential uses.

Additionally, the plan sought to provide Estero with the highest appearance standards of any southwest Florida community, require all Estero developers to conduct a meeting in the community as part of its plan amendment, zoning, or site development process, and ensure future development efforts meet and implement the community's character and vision.

Since the adoption of that plan in 2002 Estero has gone through a period of tremendous change as indicated by the following growth statistics:

- Estero's population has tripled;
- About 4 million square feet of retail/commercial space has been constructed; and
- Another 7 million square feet of retail/commercial space has been zoned for future development.

The 2002 community plan focused almost exclusively upon commercial corridors on US 41 and Corkscrew Road because these areas were under a great deal of pressure from growth and development. However, the focus on issues concerning development of the community's commercial corridors left issues concerning older development areas, historic community resources, neighborhood connectivity, mixed-use development, and town center areas not fully addressed. The community sought to deal with these concerns by initiating an effort to update its plan and more fully address these issues in 2010. As a result, the 2014 Estero Community Plan establishes a framework for developing mixed-use centers, better connecting its neighborhoods, commercial areas, public facilities, and community parks in the Estero community area through policies that:

- Promote its community character through the implementation of planning and development practices that create a visually attractive community, an enhanced quality of life, and foster a unique sense of place;

- Foster Estero’s quality of life and diverse local economy through mixed-use centers and targeted economic areas;
- Support Estero’s quality of life, promote the community’s unique character, and provide for a multigenerational community;
- Facilitate the development of an interconnected, well linked community;
- Ensure that Estero’s natural environment enhances the character and quality of life of the community;
- Encourage the development of a broad array of community parks, public spaces, and recreational facilities; and
- Enable the public to have meaningful and appropriate opportunities to participate in the planning process.

The policies outline the community’s future work plan priorities, which include the development of land development code standards, creation of park master plans, and review of development proposals. As a result of this plan update, the Estero community has developed a planning framework that guides how the community will change and develop in the future.

Estero Vision Statement

To establish a community that embraces its historic heritage and protects the environment, while carefully planning for future development resulting from a desirable high quality of life, expanding economic opportunities, and proximity to Florida Gulf Coast University and the Southwest Florida International Airport. Estero's growth will be planned as a village—with strong neighborhoods, diverse economic generators, interconnected mixed-use centers, varied parks, public spaces, recreational facilities, and unique natural environments that fosters a sense of belonging and creates a sense of place. Estero will be a highly valued place to live, work, and visit because of development standards and design guidelines that promote: 1) desirable neighborhoods and public amenities; 2) vibrant economic centers; 3) attractive landscaping, streetscaping, lighting, signage, and architectural features; and 4) an interconnected transportation network. The implementation of this vision will successfully link residential and commercial areas and uphold Estero as a vibrant Lee County community.

Staff finds that the updated Estero vision statement and guiding principles articulate results of the 2014 Estero Plan. The revisions clarify that the community’s vision extends to the commercial, economic, residential, and public resources within the Estero community. As a result, staff finds that the revised vision and guiding principles will enable Estero to preserve and protect its unique historical, architectural, and community character through its future planning and development efforts.

Future Land Use, Estero GOAL 19: *Promote the development of Estero as a community with a unique quality of life, distinct character, and diverse housing, economic, recreational, and social opportunities by:*

- a. Protecting the natural resources, environment, and lifestyle;*
- b. Establishing minimum aesthetic and design requirements;*
- c. Managing the type, location, quality, design and intensity of future land uses;*
- d. Providing greater opportunities for public participation in the land development approval process; and*
- e. Promoting a true sense of place in Estero.*

Staff finds that Estero Goal 19, which has been written to replace the existing Goal 19, will enable Estero to establish a framework through which the community becomes a complete place with diverse opportunities to live, work, and play in a well connected and uniquely defined place. Through the revised Goal 19 and the associated objectives and policies, Estero has established a work plan which will guide the community's future development practices and priorities.

Future Land Use, Estero Objective 19.1: Estero Character and Land Use

OBJECTIVE 19.1: Promote community character through the implementation of planning and development practices that create a visually attractive community, an enhanced quality of life, and foster a unique sense of place.

POLICY 19.1.1: Support the unique character and quality of life within the Estero community by managing growth and development and by maintaining, drafting, updating and executing Lee Plan policies, Land Development Code (LDC) regulations, and other planning tools that:

- a. Implement and maintain development standards for architecture, landscaping, buffering, signage, lighting designs and visual appearance of developments, transportation facilities, and other community amenities;*
- b. Promote the use of low impact design, sustainable energy, water, and other environmental features;*
- c. Establish higher density, mixed-use development within areas targeted on the Mixed-Use Overlay;*
- d. Encourage the redevelopment and infill of underutilized commercial and residential lands; and*
- e. Enable the community to increase public participation in the land development approval process to ensure future development efforts support the Estero community plan and adopted Lee Plan policies and LDC standards.*

POLICY 19.1.2: Lee County may not approve any proposed project that is inconsistent with Lee Plan and LDC standards, including this Goal 19 and its objectives and policies. Projects will be reviewed through a collaborative process that includes the Estero community, property owners, and Lee County staff to ensure that the development is consistent with Estero's plan and vision.

POLICY 19.1.3: Encourage new developments that achieve the Estero community's vision, and planning goal, and policies and are consistent with mixed-use design, architectural, location, connectivity and public access standards by establishing and implementing development incentives within the Lee Plan and Land Development Code that:

- a. Promote urban integrated forms of development in targeted areas identified on the Mixed-Use Overlay;*
- b. Promote targeted industries in appropriate areas of Estero—e.g.: healthcare, arts and culture, technology, and research and development facilities;*
- c. Promote the use of green design, sustainable energy, water, and other environmental features;*
- d. Expedite desired development projects—particularly in targeted incentive zones where the community has adopted mixed-use plans and LDC standards;*
- e. Enable infill of underutilized commercial and residential lands; and*
- f. Encourage residential developments to use the bonus density established through the Lee Plan Urban land use categories.*

POLICY 19.1.4: Facilitate the redevelopment of properties constructed prior to the adoption of Estero Lee Plan policies and LDC regulations by establishing incentives (including, but not limited to, utilization of Bonus Densities established through the Lee Plan Urban land use categories) and streamlined development processes that enable older properties to come into compliance with adopted Lee Plan policies and LDC standards.

POLICY 19.1.5: Recognize the unique historical and cultural values of the Estero Community by:

- a. Encouraging the development of the Old Estero area into a mixed-use center;*
- b. Incorporating design features of Estero's historic structures into future architectural design, streetscape, and community-wide LDC standards; and*
- c. Identifying, protecting, and promoting historic resources and facilities such as those related to Koreshan Park, Old Estero area, and the Estero Community Park.*

POLICY 19.1.6: Establish and promote Estero's unique character and identity by enhancing the community's boundaries through the use of gateway entry features such as ornamental landscape features, hardscape elements and Estero identification signs. Encourage that

gateways are constructed by working with the Florida Department of Transportation and private property owners to build the gateways at appropriate locations.

POLICY 19.1.7: Explore opportunities to identify, prioritize, and fund local capital improvement projects (particularly projects that enhance transportation and infrastructure systems) within the Estero community. Evaluate the feasibility of local, dedicated funding options—e.g.: MSBU, Tax Increment Finance District, or other similar mechanism. Capital projects that could be targeted for such funding include:

- a. Streetscape improvements such as roadway pavers, street furniture, street signs and lighting, trash receptacles, and other hardscape features—particularly in Old Estero and within new mixed-use centers;*
- b. Pedestrian scale lighting;*
- c. Landscaping and hardscape features—particularly along US 41;*
- d. Public trails and greenways facilities;*
- e. Blue way facilities that provide public access to Estero River;*
- f. Multi-modal transportation facilities that expand or establish pedestrian, bike, transit, and rail services;*
- g. Public space, park, and recreational facilities;*
- h. Urban level infrastructure services and systems within mixed-use center areas; and*
- i. Historic resources and facilities such as those associated with the Koreshan Park and Estero Community Park.*

Staff finds that this objective and policy series is critical to enabling the community to achieve its vision and goal as it outlines the community future planning framework. The policies accomplish this task by establishing the primary development, land use, and future planning priorities. Specific issues addressed through this objective and policies include: identification of priorities related to the Estero mixed-use centers, architectural and community character features, and development and implementation of land development standards. These issues are essential to establishing a planning framework that sustains the community's distinct character, supports a community town center, diversify its economy, and protects its natural resources. As such, they enable the community to address issues and concerns that are unique to Estero.

Future Land Use, Estero Objective 19.2: Estero Mixed-Use Centers and Economic Areas

OBJECTIVE 19.2: Promote Estero's quality of life and diverse local economy by fostering the development of mixed-use centers and targeted economic areas, while limiting the development of strip commercial centers. The aim of the mixed-use centers is to provide Estero with central gathering places for Estero's residents, business people, and visitors.

The aim of the economic areas is to provide the community a diverse employment and economic base while meeting the commercial, professional, and service needs of the people who live, work, and play within the community.

POLICY 19.2.1: Provide for the development of walkable mixed-use town centers and economic areas featuring diverse housing options; government offices and public facilities; medical facilities; employment centers; public gathering places, parks, outdoor plazas, and other public spaces; greenway trails and pathways; and public access to the community's natural resources through Lee Plan policies and LDC regulations that support Estero's distinct community character and adhere to the following community priorities:

- a. Support the development of a central town center to unify the community;*
- b. Improve the connectivity between Estero's residential neighborhoods, economic areas, civic uses, and park and recreational facilities;*
- c. Diversify the community's economic base and employment opportunities;*
- d. Encourage the development of targeted industry clusters—particularly health industries, professional services and businesses, and technology, research, and development;*
- e. Expand multi-modal transportation options through improved pedestrian access, bikeways, transit service, and rail opportunities;*
- f. Improve access to the community's blueways—particularly the Estero river—, greenway trails, other open spaces;*
- g. Promote the community's cultural and historic resources; public spaces, parks, and recreational facilities; and other community amenities;*
- h. Maintain a unified and consistent aesthetic/visual quality in landscaping, architecture, lighting, and signage; and*
- i. Promote and incentivize private investment within mixed-use centers and economic areas.*

POLICY 19.2.2: Facilitate the development of a town center for the Estero community through the development of LDC standards, plans, and incentives that address the community's need for a central civic and economic core that is connected to surrounding residential neighborhoods, commercial areas, and community park and recreational facilities.

POLICY 19.2.3: Establish a safe and desirable urban environment within the Estero community by adopting additional Lee Plan policies and LDC standards that guide development in the community's major economic areas near FGCU, along the U.S. 41 corridor, along Corkscrew Road, and in the Old Estero area that:

- a. Address streetscaping design and amenities, residential buffering standards, commercial center developments, signage, transportation facility needs, and other community concerns;*

- b. Provide for the economic and employment needs of the Estero community by utilizing the Mixed-Use Overlay to facilitate the development of mixed-use centers along the US 41, Corkscrew Road, Three Oaks Parkway, Ben Hill Griffin Parkway, Via Coconut/Sandy Lane, and in the Old Estero area; and*
- c. Encourage mixed-use centers at these locations.*

POLICY 19.2.4: Ensure that future commercial and mixed-use developments meet the community's planning priorities by requiring that all new commercial development which requires rezoning within Estero must be rezoned to a Commercial (CPD), Mixed Use (MPD), or Compact Communities Planned Development (CCPD).

POLICY 19.2.5: The following uses are prohibited within Estero: "detrimental uses" (as defined in the Land Development Code, as amended); nightclubs or bar and cocktail lounges not associated with a Group III Restaurant; tattoo parlors; and retail uses that require outdoor display in excess of one acre. Outdoor display in excess of one area is permitted within the property located in the General Interchange Future Land Use Category west of I-75, south of Corkscrew Road, and east of Corkscrew Woodlands Boulevard.

POLICY 19.2.6: Encourage commercial developments within the Estero Planning Community to provide interconnect opportunities with adjacent commercial uses in order to minimize access points onto primary road corridors; and residential developments to provide interconnect opportunities with commercial areas, including, but not limited to, bike paths and pedestrian accessways.

POLICY 19.2.7: Encourage the development of medical related uses within Estero by working with Economic Development Staff and private property owners to adopt appropriate land use policies, land development standards, identify appropriate sites and locations, and establish incentives for the development of health related facilities. Particular emphasis will focus on establishing a medical economic center in the southern section of Estero along U.S. 41.

POLICY 19.2.8: Facilitate the development of professional, and research and development economic areas by working with Economic Development Staff and private property owners to adopt additional appropriate land use policies, land development standards, identify appropriate sites and locations, and establish incentives for the development of professional and research and development facilities. Particular emphasis shall be on locating such facilities in areas that are in the proximity of FGCU educational resources and high technology facilities.

Staff finds that this objective and policy set fulfills the Estero vision by guiding future economic development practices, establishing the community's goal of developing of mixed-use centers, and encouraging a more diverse array of economic areas. The work plan, which is to be implemented through the update of the community's land development regulations, includes the following community planning efforts: the establishment of land development code and design standards for the development of mixed-use centers, identification of targeted areas for future mixed-use centers, direction about how future economic areas are to be planned and developed, and recognition of the value of medical and professional, research and development uses to the community's future.

Future Land Use, Estero Objective 19.3: Estero Residential Neighborhoods

OBJECTIVE 19.3: Support Estero's quality of life, promote the community's unique character through the development of diverse, well-designed, and well-connected residential neighborhoods, and provide for the needs of multigenerational community by supporting a variety of housing types and neighborhood development forms.

POLICY 19.3.1: Support and enhance Estero's residential character by establishing land development regulations that specifically address how the proposed residential neighborhoods:

- a. Are compatible with adjacent uses, public facilities, and infrastructure systems;*
- b. Impact surrounding environmental and natural resources;*
- c. Access nearby parks, public spaces, recreational facilities, and greenways, blueways, and natural open spaces;*
- d. Connect to adjacent residential developments, mixed-use centers, economic areas, public facilities, natural resources, and other community facilities; and*
- e. Contribute to the overall design, landscaping, and aesthetics that make up the community's character.*

POLICY 19.3.2: Meet the future residential and commercial needs of Florida Gulf Coast University by encouraging higher density residential developments, with a mix of unit types and design forms, including affordable housing and mixed-use centers, in close proximity to Florida Gulf Coast University. The development of such housing and mixed-use centers will consider the transitions between the adjacent residential neighborhoods, commercial centers, and park and recreational facilities.

POLICY 19.3.3: Establish LDC landscape requirements for the maintenance and development of a well-designed and landscaped community while providing appropriate transitions between residential uses and surrounding areas. Such landscaping requirements

may be greater between residential and commercial uses, while less stringent within differing uses within a mixed-use center.

Staff finds that this set of objective and policies effectively articulates how the community will support, maintain, and develop its residential neighborhoods. While based upon the objectives and policies established by the 2002 Estero Plan, these policies better define the community's desired to diversify, connect, and landscape residential areas. One of the primary components of this set of policies is the idea that the residential neighborhoods will promote a better interconnected, walkable community, with a unique character and design that is supportive of Estero's distinct character.

Future Land Use, Estero Objective 19.4: Estero Connectivity and Mobility

OBJECTIVE 19.4: Facilitate the development of an interconnected community that enables people to easily access Estero's neighborhoods, commercial and mixed-use centers as well as other areas within the county and region through an integrated transportation and mobility system.

POLICY 19.4.1: Establish land development code standards that ensure the development of a well connected transportation system that includes pedestrian pathways, bikeways, transit, and roadways. These standards should:

- a. Require, where feasible, interconnects with adjacent uses;*
- b. Minimize access points onto primary road corridors by providing multiple access to adjacent properties;*
- c. Link neighborhoods, commercial and mixed-use centers, public facilities, and parks; and*
- d. Enable multi-modal transportation access (pedestrian, bike, vehicular, and transit) within and between the different neighborhoods, economic and employment centers, civic uses, and public space, park, and recreational facilities within the Estero Community.*

POLICY 19.4.2: Expand Estero's transportation network of pedestrian and bicycle pathways, sidewalks, trails, and other facilities by working with the State of Florida and other local, state, and regional entities to:

- a. Construct multi-use pathways that feature shade trees, benches, bike racks, and other design elements to attract usage;*
- b. Identify targeted funding sources including development contributions, private donations, public funding sources (e.g.: MSBU), or other mechanisms;*
- c. Implement the greenways master plan within the Estero community by working with Lee County Parks Department;*
- d. Utilize the FP&L right of way within Estero State Buffer Preserve by working with FP&L and Lee County;*

- e. *Establish a pedestrian–bike trail within or along the rail right of way for public recreation by working with the existing rail corridor and private developers; and*
- f. *Encourage the development of an effective rail system by working with the existing rail corridor to improve and expand use of existing rail facilities.*

POLICY 19.4.3: All public and private rights-of-way within future mixed-use centers and the Old Estero area, as defined in the Land Development Code, are encouraged to be designed to include pedestrian ways, cross walks and traffic calming measures including, where appropriate, on-street parking, raised crosswalks, narrow lane widths or other similar mechanisms.

POLICY 19.4.4: Provide for well designed, safe, and multi-use transportation corridors by establishing, maintaining, and implementing complete street design guidelines for the major roadways within Estero including the US 41, Corkscrew Road, Via Coconut/Sandy Lane, and Three Oaks Parkway. In design, provide roadway and median landscape standards, access management guidelines, signage, street lighting, and sidewalks to ensure safe and effective pedestrian crossings within the context of a comprehensive pedestrian and bikeway system.

POLICY 19.4.5: Address regional transportation demands and considerations by proactively working with private developers, and the applicable advisory boards and other local, regional, and state agencies to improve transportation connectivity and mobility throughout Estero and to other communities.

Staff finds that this objective and policy set supports the proposed planning framework for a better integrated Estero’s residential neighborhoods, economic areas, mixed-use centers, public facilities, and community parks by promoting a well connected multi-modal transportation system. The policies proposed through this objective set address the need to base the area’s transportation resource upon the context within which the resource must function—whether it be a mixed-use town center area, commercial corridor, multi-purpose path, or residential roadway.

Future Land Use, Estero Objective 19.5: Estero Natural Resources and Environment

OBJECTIVE 19.5: Ensure that Estero’s natural environment enhances the character and quality of life of the community by protecting the natural resources of Estero, promoting the area’s natural environment to visitors and residents, and supporting public access to greenway and waterfront areas.

POLICY 19.5.1: Protect the natural environment and resources of Estero by maintaining, amending, and implementing Lee Plan or LDC regulations that:

- a. *Protect the quality and prevent degrading of Estero's natural environment, native species and habitats, and ecological resources; and;*
- b. *Require, where feasible, new development to provide public access to Estero waterways and greenways, as appropriate. Particular emphasis shall be given to properties along Estero River, its tributaries, and any Estero open spaces;*
- c. *Incentivize the protection of Estero's natural resources—e.g.: wetlands, uplands, historic flow ways, native habitat, or other ecological resources; and*
- d. *Require all new developments adjacent to Estero River or its tributaries to incorporate design techniques that protect the river's water quality through improved runoff or stormwater discharge practices. These techniques may include: the preservation of wetland areas, the incorporation of Low Impact Development techniques, or other surface water quality enhancement technologies.*

POLICY 19.5.2: Improve public access, use, and enjoyment of Estero's waterfront and water-based resources by supporting the creation of community water-based amenities such as Estero Bay water taxi, marina facilities, or other water-dependent facilities.

POLICY 19.5.3: Support the long term protection of Estero's environment and natural resources by working with local, regional, state, and national agencies and organizations to identify and preserve natural resources and the environment.

POLICY 19.5.4: The Estero Community attaches great importance to the integrity of provisions in the Lee Plan and the Land Development Code with respect to the Density Reduction/Groundwater Resource Area (DR/GR) in so far as actions with respect to the DR/GR have an impact on the environment, natural resources, mobility, sense of place, and character of Estero. These regulations and policies will be maintained in order to protect the Estero Community from any adverse impacts.

Staff finds that this objective and policy set addresses specific Estero community concerns related to the use and protection of the area's vital natural resources. The objective confirms the community's desire to enforce already established environmentally sustainable development practices, land conservation programs, water resource development requirements, and environmental areas.

Future Land Use, Estero Objective 19.6: Estero Public Spaces, Parks, and Recreational Facilities

OBJECTIVE 19.6: Support Estero's quality of life through the development of a broad array of community parks, public spaces, and recreational facilities.

POLICY 19.6.1: Promote the development of a variety of public spaces, park, and recreational facilities within Estero by collaborating with the State of Florida, private developers and other local, state, and national organizations on the development of active and passive public resources and facilities.

POLICY 19.6.2: Expand the use, variety, and type of public spaces, parks, and recreational facilities within Estero by working with private developments to provide linkages, access, public parks, public space, and recreational amenities through the use of incentives, LDC requirements, and other development tools.

POLICY 19.6.3: Promote Estero Community Park as a hub for the entire community.

POLICY 19.6.4: Encourage the use of park areas to link neighborhoods, commercial and mixed-use centers, and other open space and recreational facilities through an integrated system of bike, pedestrian, and roadways connections.

POLICY 19.6.5: Consistent with the Lee Plan Parks, Recreation, and Open Space Element, integrate the Koreshan State Historic Site into the fabric of the community by collaborating with the appropriate agencies such as the State of Florida to improve the area's landscaping, enhance pedestrian and bicycle access, historic resources and structures, and community park program and activities.

POLICY 19.6.6: Consistent with the Lee Plan Parks, Recreation, and Open Space Element, provide passive recreational opportunities within Estero State Buffer Preserve, Estero River, and Estero Bay by collaborating with the appropriate local, regional, and state agencies and private property owners to ensure the community's parks, natural amenities, and open spaces have easy access, parking, trails, and other community amenities.

Staff finds that by establishing guidelines for the use, planning, and development of Estero's public spaces, parks, and recreational facilities this objective and policy set supports the intended vision statements for the Estero community. Specifically, the policies consider the community's intention to link public facilities and community parks to neighborhoods; provide public access to community assets and public spaces; and promote coordination with local, regional, and state agencies regarding community parks, natural amenities, and open spaces.

Future Land Use, Estero Objective 19.7: Estero Public Participation

OBJECTIVE 19.7: Ensure the public has meaningful and appropriate opportunities to participate in and comment upon development in and around the Estero community.

POLICY 19.7.1: As a courtesy, Lee County will register citizen groups and civic organizations within the Estero community planning area that desire notification of pending review of Land Development Code amendments and Lee Plan amendments. Upon registration, Lee County will provide registered groups with documentation regarding these pending amendments. This notice is a courtesy only and is not jurisdictional. Accordingly, the county's failure to mail or to timely mail the notice, or failure of a group to receive mailed notice, will not constitute a defect in notice or bar a public hearing from occurring as scheduled.

POLICY 19.7.2: The Estero Community will establish an online document clearing house for their community, where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations, and resolutions will be provided for public inspection. The county's failure to provide or to timely provide documents to the online document clearing house, or failure of the online document clearing house to receive documents, will not constitute a defect in notice or bar a public hearing from occurring as scheduled.

POLICY 19.7.3: The owner or agent applying for Planned Developments, Rezoning, Variances, Special Exceptions, Plan Amendments, Administrative Amendments, Development Orders and Limited Development Orders for county approval within the Estero Community must conduct one public informational session within the community in a publicly owned or leased facility where the agent will provide a general overview of the project for any interested citizens. Lee County encourages planning, zoning, and/or development services staff to participate at such public meetings. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space, providing advance notice of the meeting place, time and date and providing security measures as needed. Subsequent to this meeting, the applicant must provide county staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised. If the applicant chooses to hold the public meeting before any established community groups, then the minutes of that meeting as may be applicable must be provided prior to a finding of sufficiency.

Staff finds that this objective and policy set encourages public participation in all of its community planning activities in order that all community stakeholders—citizens, business people, land owners, and other interested parties—may take ownership of their community's future. This set of objectives and policies is similar to the practices established in Lee County's other community plans.

C. CONCLUSIONS

The *Estero Community Plan* establishes a sound planning framework for the future of Estero. The vision, goals, objectives, and policies established in this plan identify and address a number of challenges and opportunities. The plan establishes a foundation for future planning.

D. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners *adopt* the proposed amendments to the Estero Goal.

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: May 19, 2014

A. LOCAL PLANNING AGENCY REVIEW

Staff provided a brief overview of the proposed Estero Community Plan Text Amendment including a synopsis of the steps taken over the last few years to accomplish the updated Plan. The BoCC approved a grant for the development and update of the Community Plan which was followed by a series of workshops to obtain public input. These workshop issues included historic character, transportation connectivity, mixed-use development, community parks, employment centers, land use classifications and associated densities. The proposed Estero Community Plan Update is supported by the Estero Community Planning Panel and the Estero Council of Community Leaders.

The 2002 Estero Community Plan focused on improving community appearance specifically in regards to the US 41 and Corkscrew Road corridors. The 2002 Plan also addressed compatibility between commercial and residential uses.

The 2014 Estero Community Plan Update provides a new set of goals, objectives and policies. The Vision Statement has been updated and a framework has been included to develop mixed-use centers that promote a diverse economy and connectivity by linking neighborhoods to economic areas, public facilities, community parks and historic places.

Public input was received from Estero Community Planning Panel, Estero Council of Community Leaders and the Estero Design Review Committee members Nicholas Batos, Roger Strelow, Howard Levitan, Don Eslick, and Bill Pysi who spoke in favor of the updated Estero Community Plan.

Charles Basinait, representing the North Point DRI, is supportive of the proposed Estero Plan Update but emphasized the importance of allowing flexibility in the development design regulations to respond to market conditions. Although his client supports mixed-use development in general, they do not believe mixed-use is appropriate in all locations.

Neale Montgomery requested language clarification on various terms used throughout the document, as well as confirmation that private property would not be rezoned without the owner's permission, She also asked for assurances that the Developments of Regional Impact projects located along Ben Hill Griffin Parkway would not be required to re-

landscape or provide additional lighting than already required by the University Window Overlay that was funded through a MSBU.

The LPA recommended a number of revisions to clarify the intent and implementation of the Plan Update that was agreeable to the Applicant, Estero Community Planning Panel, Charles Basinait, Neale Montgomery and Lee County Staff.

A motion was made to transmit the amendment with modifications as shown on the Proposed Estero Community Plan provided in Appendix A.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

The LPA recommends that the Lee County Board of County Commissioners *transmit* the proposed Lee Plan amendment with the relevant changes identified in the motion.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The LPA accepted the basis and recommended findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	AYE
DENNIS CHURCH	AYE
JIM GREEN	AYE
MITCH HUTCHCRAFT	AYE
JAMES INK	AYE
RICK JOYCE	AYE
DAVID MULICKA	AYE

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: June 18,2014

A. BOARD REVIEW:

Planning staff provided a brief summary of the proposed amendment including the revised language for Policies 19.2.5 and 19.2.5(a) in an errata sheet. The Chairman called for public input. One member of the public representing the Estero Community Planning Panel came forward to address the proposed amendment, and stated support for the Estero Community Plan Update as provided in Appendix A of the BoCC Staff Report and the revisions to Policies 19.2.5 and 19.2.5(a) presented in the errata sheet. The Board of County Commissioners did not make any comments or have any questions concerning the proposed amendment.

A motion was made to transmit the proposed amendment including the errata sheet as recommended by staff. The motion passed 4-0.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

The Board of County Commissioners transmitted the proposed amendment as recommended by staff and the Local Planning Agency.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The Board of County Commissioners accepted the findings of fact as advanced by staff.

C. VOTE:

BRIAN HAMMAN	<u> AYE </u>
LARRY KIKER	<u> AYE </u>
FRANK MANN	<u> AYE </u>
JOHN MANNING	<u> AYE </u>
CECIL L PENDERGRASS	<u> ABSENT </u>

**PART V – STATE REVIEWING AGENCIES OBJECTIONS,
RECOMMENDATIONS AND COMMENTS**

DATE OF REVIEWING AGENCY COMMENTS: Comments from the State Reviewing Agencies were due to Lee County by July 26, 2014.

A. OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

Lee County received responses from the following review agencies addressing the transmitted amendment: Florida Departments of Economic Opportunity, Agriculture and Consumer Services, Fish and Wildlife Conservation Commission, Transportation, Environmental Protection, and the South Florida Water Management District.

These agencies stated that they had no further comments or concerns about the proposed amendment.

B. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners *adopt* the amendments to the Lee Plan as transmitted.

APPENDIX A

Future Land Use, Estero Goal 19

~~To establish a community that embraces its historic heritage, while carefully planning for future growth resulting from Florida Gulf Coast University, the Southwest Florida International Airport, growing population and a unique natural environment. Estero's growth will be planned as a village, establishing defined areas for tasteful shopping, service, and entertainment, while protecting and encouraging residential neighborhoods that encourage a sense of belonging. Weaving the community together will be carefully crafted limitations on strip commercial uses, inappropriate signage, and certain undesired commercial uses, while additional design guidelines will be established to ensure attractive landscaping, streetscaping, architectural standards, and unified access points. The implementation of this vision will help reduce the conflict between residential and commercial areas, as well as allow Estero to emerge as a vibrant Lee County Village.~~

~~**GOAL 19: ESTERO.** To protect the character, natural resources and quality of life in Estero by establishing minimum aesthetic requirements, managing the location and intensity of future commercial and residential uses, and providing greater opportunities for public participation in the land development approval process. This Goal and subsequent objectives and policies apply to the Estero Planning Community as depicted on Map 16. (Added by Ordinance No. 02-05)~~

~~**OBJECTIVE 19.1: COMMUNITY CHARACTER.** The Estero Community will draft and submit regulations, policies and discretionary actions affecting the character and aesthetic appearance of Estero for Lee County to adopt and enforce to help create a visually attractive community. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.1.1:** By the end of 2002, The Estero Community will draft and submit regulations or policies for Lee County to review, amend or establish as Land Development Code regulations that provide for enhanced landscaping along roadway corridors, greater buffering, shading of parking areas, signage and lighting consistent with the Community Vision, and architectural standards. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.1.2:** Lee County is discouraged from approving any deviation that would result in a reduction of landscaping, buffering, signage guidelines or compliance with architectural standards. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.1.3:** Lee County will work, through the permitting process, with private property owners to establish incentives for voluntarily bringing older projects into compliance with the regulations adopted as a result of the Estero Community Plan. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.1.4:** The Estero Community will work in conjunction with private developers, public agencies and community service providers to establish one or several town commons that encourage the location of a post office, public meeting hall, outdoor plaza, governmental offices, medical providers and recreational opportunities. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.1.5:** By 2002, the Estero Community will draft a corridor management plan for the Estero US 41 corridor to advance development in a manner that promotes a safe, high quality urban environment. Plan elements will include roadway and median landscape standards, residential buffering standards, access management guidelines, street lighting, sidewalks, and insuring safe and effective pedestrian crossings within the context of a comprehensive pedestrian and bikeway system. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.1.6:** By 2004 Lee County will evaluate historic resources, and draft a proposal for their designation under Chapter 22 of the Land Development Code. (Added by Ordinance No. 02-05)~~

~~**OBJECTIVE 19.2: COMMERCIAL LAND USES.** Existing and future County regulations, land use interpretations, policies, zoning approvals, and administrative actions must recognize the unique conditions and preferences of the Estero Community to ensure that commercial areas maintain a unified and pleasing aesthetic/visual quality in landscaping, architecture, lighting and signage, and provide for employment opportunities, while discouraging uses that are not compatible with adjacent uses and have significant adverse impacts on natural resources. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.2.1:** All new commercial development that requires rezoning within the Estero Planning Community must be reviewed as a Commercial Planned Development. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.2.2:** All retail uses must be in compliance with the Commercial Site Location Standards. A finding of a "Special Case" must demonstrate a community benefit in addition to the requirements outlined in Policy 6.12(8). (Added by Ordinance No. 02-05)~~

~~**POLICY 19.2.3:** By the end of 2002 the Estero Community will submit regulations that encourage mixed use developments along Corkscrew Road for Lee County to review, amend or adopt. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.2.4:** With the exception of the Commercial Nodes identified on Map 19, Lee County will discourage new retail uses along Three Oaks Parkway, in favor of office and residential uses. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.2.5:** The following uses are prohibited within the Estero Planning Community: "detrimental uses" (as defined in the Land Development Code); nightclubs or bar and cocktail lounges not associated with a Group III Restaurant; and retail uses that require outdoor display in excess of one acre. Outdoor display in excess of one acre is permitted within the property located in the General Interchange Future Land Use Category west of I-75, south of Corkscrew Road, and east of Corkscrew Woodlands Boulevard. (Added by Ordinance No. 02-05, Amended by Ordinance No. 05-19)~~

~~**POLICY 19.2.6:** Lee County encourages commercial developments within the Estero Planning Community to provide interconnect opportunities with adjacent commercial uses in order to minimize access points onto primary road corridors; and residential developments to provide interconnect opportunities with commercial areas, including but not limited to bike paths and pedestrian access ways. (Added by Ordinance No. 02-05)~~

~~**OBJECTIVE 19.3: RESIDENTIAL USES.** Lee County must protect and enhance the residential character of the Estero Planning Community by strictly evaluating adjacent uses, natural resources, access and recreational or open space, and requiring compliance with enhanced buffering requirements. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.3.1:** In order to meet the future needs of Florida Gulf Coast University, Lee County encourages higher density residential developments, with a mix of unit types, including affordable housing, in close proximity to Florida Gulf Coast University, between Three Oaks Parkway and I-75. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.3.2:** By the end of 2002, The Estero Community will draft and submit regulations and policies for Lee County to review, amend or adopt as regulations in the Land Development Code to provide for greater buffering between distinctly different adjacent commercial and residential properties, modified however when a project is of mixed use nature. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.3.3:** Lee County will protect the large lot residential areas between Koreshan Parkway and Corkscrew Road by requiring significant buffers between existing lots and higher density residential developments, and/or the placement of transitional density to adjacent units between the uses. (Added by Ordinance No. 02-05)~~

~~**OBJECTIVE 19.4: NATURAL RESOURCES.** County regulations, policies, and discretionary actions affecting Estero must protect or enhance key wetland or native upland habitats. (Added by Ordinance No. 02-05)~~

POLICY 19.4.1: ~~By the end of 2003, Lee County will review, amend or adopt Lee Plan or Land Development Code regulations to provide the following:~~

- ~~• All future development proposals adjacent to the Estero River or its tributaries must include floodplain protection plans prior to zoning approval.~~
- ~~• All new developments adjacent to the Estero River or its tributaries must provide an additional buffer which preserves all of the native vegetation within that buffer, adjacent to the top of bank, with the exception of passive recreational uses. This is intended to prevent degradation of water quality within these natural water bodies.~~
- ~~• Lee County will encourage on-site preservation of indigenous plant communities and listed species habitat. When site constraints are such that off-site mitigation of indigenous areas is deemed necessary, the mitigation will be of similar habitat, provided whenever possible, within one mile of the Estero Fire District Boundary.~~
- ~~• Lee County will provide significant incentives (for example increased density, Transfer of Development Rights, etc) for the protection of wetlands, historic flow ways, native habitat or other significant natural resources within the Estero Planning Community. (Added by Ordinance No. 02-05)~~

POLICY 19.4.2: ~~Lee County, or another authorized agency, will work to provide alternative irrigation sources (re-use, Aquifer Storage and Recovery Water, or mixed non-potable) or financial incentives to provide non-potable water to uses within the Estero Community. This is desired to discourage the proliferation of private, single-user wells. (Added by Ordinance No. 02-05)~~

POLICY 19.4.3: ~~Lee County will continue to enforce wellfield protection requirements, monitoring, and other applicable provisions to ensure that future wellfield drawdown zones are protected. (Added by Ordinance No. 02-05)~~

OBJECTIVE 19.5: PUBLIC PARTICIPATION. ~~Lee County will encourage and solicit public input and participation prior to and during the review and adoption of county regulations, Land Development Code provisions, Lee Plan provisions, and zoning approvals. (Added by Ordinance No. 02-05)~~

POLICY 19.5.1: ~~As a courtesy, Lee County will register citizen groups and civic organizations within the Estero Planning Community that desire notification of pending review of Land Development Code amendments and Lee Plan amendments. Upon registration, Lee County will provide registered groups with documentation regarding these pending amendments. This notice is a courtesy only and is not jurisdictional. Accordingly, the County's failure to mail or to timely mail the notice, or failure of a group to receive mailed notice, will not constitute a defect in notice or bar a public hearing from occurring as scheduled. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.5.2:** The Estero Community will establish a "document clearing house" in Estero, where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations and resolutions will be provided for public inspection. The County's failure to provide or to timely provide documents to the document clearing house, or failure of the document clearing house to receive documents, will not constitute a defect in notice or bar a public hearing from occurring as scheduled. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.5.3:** The owner or agent for any Planned Development request within the Estero Planning Community must conduct one public informational session where the agent will provide a general overview of the project for any interested citizens. Lee County encourages zoning staff to participate in such public workshops. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space and providing security measures as needed.~~

~~Subsequent to this meeting, the applicant must provide County staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised. (Added by Ordinance No. 02-05)~~

~~**OBJECTIVE 19.6: COMMUNITY FACILITIES.** Lee County will work with the Estero Community to provide or facilitate the provision of a broad mix of Community Facilities. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.6.1:** The Estero Community will work with the State of Florida to provide appropriate passive recreational opportunities within the Estero Scrub Preserve, potentially enhanced by a public/private partnership. This should include easy access, parking, trails, and other non-intrusive uses. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.6.2:** The Estero Community will work with the State of Florida to encourage the integration of the Koreshan State Historic Site into the fabric of the community. This may include landscaping, aesthetically pleasing archways along US 41, the provision of a "gateway" at US 41 and Corkscrew Road, enhanced pedestrian and bicycle access, or programmed activities for the community. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.6.3:** Lee County will work with the community and private landowners to identify opportunities to maintain public access to the Estero River and Estero Bay. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.6.4:** Lee County will work with the community to ensure that the development of the Estero Bonita Springs Community Park is integrated into the surrounding development and open space areas. The concept would be for the park to act as a hub, connected to other open~~

~~space/recreational opportunities through pedestrian or bicycle linkages, either along public rights of way or through adjacent developments. (Added by Ordinance No. 02-05~~

ESTERO VISION

To establish a community that embraces its historic heritage and protects the environment, while carefully planning for future development resulting from a desirable high quality of life, expanding economic opportunities, and proximity to Florida Gulf Coast University and the Southwest Florida International Airport. Estero's growth will be planned with strong neighborhoods, diverse economic generators, interconnected mixed-use centers, varied parks, public spaces, recreational facilities, and unique natural environments that fosters a sense of belonging and creates a sense of place. Estero will be a highly valued place to live, work, and visit because of development standards and design guidelines that promote:1) desirable neighborhoods and public amenities; 2) vibrant economic centers; 3) attractive landscaping, streetscaping, lighting, signage, and architectural features; and 4) an interconnected transportation network. The implementation of this vision will successfully link residential and commercial areas and uphold Estero as a vibrant Lee County community.

GOAL 19: ESTERO VISION. Promote the development of Estero as a community with a unique quality of life, distinct character, and diverse housing, economic, recreational, and social opportunities by:

- a. Protecting the natural resources, environment, and lifestyle;
- b. Establishing minimum aesthetic and design requirements;
- c. Managing the type, location, quality, design and intensity of future land uses;
- d. Providing greater opportunities for public participation in the land development approval process; and
- e. Promoting a true sense of place in Estero.

OBJECTIVE 19.1: COMMUNITY CHARACTER AND LAND USE. Promote community character through the implementation of planning and development practices that create a visually attractive community, an enhanced quality of life, and foster a unique sense of place.

POLICY 19.1.1: Support the unique character and quality of life within the Estero community by managing growth and development and by maintaining and executing Lee Plan policies, Land Development Code (LDC) regulations, and other planning tools that:

- a. Implement and maintain commercial development standards for architecture, landscaping, buffering, signage, lighting designs and visual appearance of developments, transportation facilities, and other community amenities;
- b. Promote the use of low impact design, sustainable energy, water, and other environmental features;
- c. Establish higher density, mixed-use development within areas targeted on the Mixed-Use Overlay;
- d. Encourage the redevelopment and infill of underutilized commercial and residential lands; and
- e. Increase public participation in the land development approval process to ensure future development efforts support the Estero community plan and adopted Lee Plan policies and LDC standards.

POLICY 19.1.2: Lee County may not approve any proposed project that is inconsistent with the Lee Plan including this Goal 19 and its objectives and policies. Projects will be reviewed through a public process that includes the Estero community, property owners, and Lee County staff to ensure that the development is consistent with Estero’s plan and vision.

POLICY 19.1.3: Encourage new developments that achieve the Estero community’s vision and planning goal and policies and are consistent with mixed-use design, architectural, location, connectivity and public access standards by establishing and implementing development incentives within the Lee Plan and Land Development Code that:

- a. Promote urban integrated forms of development in targeted areas identified on the Mixed-Use Overlay;
- b. Promote targeted industries in appropriate areas of Estero—e.g.: healthcare, arts and culture, technology, and research and development facilities;
- c. Promote the use of green design, sustainable energy, water, and other environmental features;
- d. Expedite development projects particularly in targeted incentive zones where the community has adopted mixed-use plans and LDC standards;
- e. Enable infill of underutilized commercial and residential lands; and
- f. Encourage residential developments to use the bonus density established through the Lee Plan Urban land use categories.

POLICY 19.1.4: Facilitate the redevelopment of properties constructed prior to the adoption of Estero Lee Plan policies and LDC regulations by establishing incentives (including, but not limited to, utilization of Bonus Densities established through the Lee Plan Urban land use categories) and streamlined development processes that enable older properties to come into compliance with adopted Lee Plan policies and LDC standards.

POLICY 19.1.5: Recognize the unique historical and cultural values of the Estero Community by establishing and implementing development incentives and regulations within the Lee Plan and Land Development Code that:

- a. Encourage the development of the Old Estero area into a mixed-use center;
- b. Incorporate design features of Estero’s historic structures into future architectural design, streetscape, and community-wide LDC standards; and
- c. Identify, protect, and promote historic resources and facilities such as those related to Koreshan Park, Old Estero area, and the Estero Community Park.

POLICY 19.1.6: Establish and promote Estero’s unique character and identity by enhancing the community’s boundaries through the use of gateway entry features such as ornamental landscape features, hardscape elements and Estero identification signs. Encourage, where feasible, that gateways are constructed by working with the Florida Department of Transportation and private property owners to build the gateways at appropriate locations.

POLICY 19.1.7: Explore opportunities to identify, prioritize, and fund local capital improvement projects (particularly projects that enhance transportation and infrastructure systems) within the Estero community. Evaluate the feasibility of local, dedicated funding options—e.g.: MSBU, Tax Increment Finance District, or other similar mechanism. Capital projects that could be targeted for such funding include:

- a. Streetscape improvements such as roadway pavers, street furniture, street signs and lighting, trash receptacles, and other hardscape features—particularly in Old Estero and within new mixed-use centers;
- b. Pedestrian scale lighting;
- c. Landscaping and hardscape features—particularly along US 41;
- d. Public trails and greenways facilities;
- e. Blue way facilities that provide public access to Estero River;
- f. Multi-modal transportation facilities that expand or establish pedestrian, bike, transit, and rail services;

- g. Public space, park, and recreational facilities;
- h. Urban level infrastructure services and systems within mixed-use center areas; and
- i. Historic resources and facilities such as those associated with the Koreshan Park and Estero Community Park.

OBJECTIVE 19.2: MIXED-USE CENTERS AND ECONOMIC AREAS. Promote Estero’s quality of life and diverse local economy by fostering the development of mixed-use centers and targeted economic areas, as a preference over the development of strip commercial centers. The aim of the mixed-use centers is to provide Estero with central gathering places for Estero’s residents, business people, and visitors. The aim of the economic areas is to provide the community a diverse employment and economic base while meeting the commercial, professional, and service needs of the people who live, work, and play within the community.

POLICY 19.2.1: Where feasible, provide for the development of walkable mixed-use town centers and economic areas featuring diverse housing options; government offices and public facilities; medical facilities; employment centers; public gathering places, parks, outdoor plazas, and other public spaces; greenway trails and pathways; and public access to the community’s natural resources through Lee Plan policies and LDC regulations that support Estero’s distinct community character and the following community priorities:

- a. Support the development of a central town center to unify the community;
- b. Improve the connectivity between Estero’s residential neighborhoods, economic areas, civic uses, and park and recreational facilities;
- c. Diversify the community’s economic base and employment opportunities;
- d. Encourage the development of targeted industry clusters—particularly health industries, professional services and businesses, and technology, research, and development;
- e. Expand multi-modal transportation options through improved pedestrian access, bikeways, transit service, and rail opportunities;
- f. Improve access to the community’s blueways—particularly the Estero river—, greenway trails, other open spaces;
- g. Promote the community’s cultural and historic resources; public spaces, parks, and recreational facilities; and other community amenities;
- h. Commercial and mixed-use developments will maintain a unified and consistent aesthetic/visual quality in landscaping, architecture, lighting, and signage; and

i. Promote and incentivize private investment within mixed-use centers and economic areas.

POLICY 19.2.2: Facilitate the development of a town center for the Estero community through the development of LDC standards, plans, and incentives that address the community’s need for a central civic and economic core that is connected to surrounding residential neighborhoods, commercial areas, and community park and recreational facilities.

POLICY 19.2.3: Establish a safe and desirable urban environment within the Estero community by adopting LDC standards that guide development in the community’s major economic areas near FGCU, along the U.S. 41 corridor, along Corkscrew Road, and in the Old Estero area that:

- a. Address streetscaping design and amenities, residential buffering standards, commercial center developments, signage, transportation facility needs, and other community concerns;
- b. Provide for the economic and employment needs of the Estero community by utilizing the Mixed-Use Overlay to facilitate the development of mixed-use centers along the US 41, Corkscrew Road, Three Oaks Parkway, Ben Hill Griffin Parkway, Via Coconut/Sandy Lane, and in the Old Estero area; and
- c. Encourage mixed-use centers at these locations.

POLICY 19.2.4: Ensure that future commercial and mixed-use developments meet the community’s planning priorities by requiring that all new commercial development which requires rezoning within Estero must be rezoned to a Commercial (CPD), Mixed Use (MPD), or Compact Communities Planned Development (CCPD).

POLICY 19.2.5: Except as set forth in Policy 19.2.6, the following uses are prohibited within Estero: “detrimental uses” (as defined in the Land Development Code, as amended); nightclubs or bar and cocktail lounges unless within a Group III Restaurant; tattoo parlors; and retail uses that require outdoor display in excess of one acre. Outdoor display in excess of one area acre is permitted within the property located in the General Interchange Future Land Use Category west of I-75, south of Corkscrew Road, and east of Corkscrew Woodlands Boulevard.

POLICY 19.2.6: Nightclubs, bars, and cocktail lounges, which are not within a Group III Restaurant, may be permitted within a mixed use center approved as a CCPD or MPD through the public hearing process. The CCPD or MPD Project must include, at a minimum, a residential development of 1000 or more dwelling units and commercial development or activity which includes 1,000,000 square feet or more of floor area. These uses must be designed as part of an overall development project and placed within the project so that it is 1) located adjacent to entertainment and restaurant establishments and 2) located in the approximate center of the mixed-use development project.

POLICY 19.2.7: Encourage commercial developments within the Estero Planning Community to provide interconnect opportunities with adjacent commercial uses in order to minimize access points onto primary road corridors; and residential developments to provide interconnect opportunities with commercial areas, including, but not limited to, bike paths and pedestrian accessways.

POLICY 19.2.8: Encourage the development of medical related uses within Estero by working with Economic Development Staff and private property owners to adopt appropriate land use policies, land development standards, identify appropriate sites and locations, and establish incentives for the development of health related facilities. Particular emphasis will focus on establishing a medical economic center in the southern section of Estero along U.S. 41.

POLICY 19.2.9: Facilitate the development of professional, and research and development economic areas by working with Economic Development Staff and private property owners to adopt land development standards, identify appropriate sites and locations, and establish incentives for the development of professional and research and development facilities. Particular emphasis shall be on locating such facilities in areas that are in the proximity of FGCU educational resources and high technology facilities.

OBJECTIVE 19.3: RESIDENTIAL NEIGHBORHOODS. Support Estero’s quality of life, promote the community’s unique character through the development of diverse, well-designed, and well-connected residential neighborhoods, and provide for the needs of multigenerational community by supporting a variety of housing types and neighborhood development forms.

POLICY 19.3.1: Support and enhance Estero’s residential character by establishing land development regulations that specifically address how the proposed residential neighborhoods:

- a. Are compatible with adjacent uses, public facilities, and infrastructure systems;
- b. Impact surrounding environmental and natural resources;
- c. Access, where applicable, nearby parks, public spaces, recreational facilities, and greenways, blueways, and natural open spaces;
- d. Connect to adjacent residential developments, mixed-use centers, economic areas, public facilities, natural resources, and other community facilities; and
- e. Contribute to the overall design, landscaping, and aesthetics that make up the community’s character.

POLICY 19.3.2: Meet the future residential and commercial needs of Florida Gulf Coast University by encouraging higher density residential developments, with a mix of unit types and design forms, including affordable housing and mixed-use centers, in close proximity to Florida Gulf Coast University. The development of such housing and mixed-use centers will consider the transitions between the adjacent residential neighborhoods, commercial centers, and park and recreational facilities.

POLICY 19.3.3: Establish LDC landscape requirements for the maintenance and development of a well-designed and landscaped community while providing appropriate transitions between residential uses and surrounding areas. Such landscaping requirements may be greater between residential and commercial uses, while less stringent within differing uses within a mixed-use center.

OBJECTIVE 19.4: TRANSPORTATION CONNECTIVITY AND MOBILITY. Facilitate the development of an interconnected community that enables people to easily access Estero’s neighborhoods, commercial and mixed-use centers as well as other areas within the county and region through an integrated transportation and mobility system.

POLICY 19.4.1: Establish land development code standards that ensure the development of a well connected transportation system that includes pedestrian pathways, bikeways, transit, and roadways. These standards should:

- a. Require, where feasible, interconnects with adjacent uses;
- b. To the extent feasible, minimize access points onto primary road corridors by providing multiple access to adjacent properties;
- c. Link neighborhoods, commercial and mixed-use centers, public facilities, and parks; and
- d. Enable multi-modal transportation access (pedestrian, bike, vehicular, and transit) within and between the different neighborhoods, economic and employment centers, civic uses, and public space, park, and recreational facilities within the Estero Community.

POLICY 19.4.2: Expand opportunities for Estero’s transportation network of pedestrian and bicycle pathways, sidewalks, trails, and other facilities by working with the State of Florida and other local, state, and regional entities to:

- a. Construct multi-use pathways that feature shade trees, benches, bike racks, and other design elements to attract usage;
- b. Identify targeted funding sources including development contributions, private donations, public funding sources (e.g.: MSBU), or other mechanisms;

- c. Implement the greenways master plan within the Estero community by working with Lee County Parks Department;
- d. Utilize the FP&L right of way within Estero State Buffer Preserve by working with FP&L and Lee County;
- e. Establish a pedestrian–bike trail within or along the rail right of way for public recreation by working with the existing rail corridor and private developers; and
- f. Encourage the development of an effective rail system by working with the existing rail corridor to improve and expand use of existing rail facilities.

POLICY 19.4.3: All public and private rights-of-way within future mixed-use centers and the Old Estero area, as defined in the Land Development Code, are encouraged to be designed to include pedestrian ways, cross walks and traffic calming measures including, where appropriate, on-street parking, raised crosswalks, narrow lane widths or other similar mechanisms.

POLICY 19.4.4: Provide for well designed, safe, and multi-use transportation corridors by establishing, maintaining, and implementing complete street design guidelines for the major roadways within Estero including the US 41, Corkscrew Road, Via Coconut/Sandy Lane, and Three Oaks Parkway. In design, provide roadway and median landscape standards, access management guidelines, signage, street lighting, and sidewalks to ensure safe and effective pedestrian crossings within the context of a comprehensive pedestrian and bikeway system.

POLICY 19.4.5: Address regional transportation demands and considerations by proactively working with private developers, and the applicable advisory boards and other local, regional, and state agencies to improve transportation connectivity and mobility throughout Estero and to other communities.

OBJECTIVE 19.5: NATURAL RESOURCES AND ENVIRONMENT. Ensure that Estero’s natural environment enhances the character and quality of life of the community by protecting the natural resources of Estero, promoting the area’s natural environment to visitors and residents, and supporting public access to greenway and waterfront areas.

POLICY 19.5.1: Protect the natural environment and resources of Estero by maintaining, amending, and implementing Lee Plan or LDC regulations that:

- a. Promote the quality of Estero’s natural environment, native species and habitats, and ecological resources; and;
- b. Facilitate where feasible, new development to provide public access to Estero waterways and greenways, as appropriate. Particular emphasis shall be given to properties along Estero River, its tributaries, and any Estero open spaces;

- c. Incentivize the protection of Estero’s natural resources—e.g.: wetlands, uplands, historic flow ways, native habitat, or other ecological resources; and
- d. Require all new developments adjacent to Estero River or its tributaries to incorporate design techniques that protect the river’s water quality through improved runoff or stormwater discharge practices. These techniques may include: the preservation of wetland areas, the incorporation of Low Impact Development techniques, or other surface water quality enhancement technologies.

POLICY 19.5.2: Improve public access, use, and enjoyment of Estero’s waterfront and water-based resources by supporting the creation of community water-based amenities such as Estero Bay water taxi, marina facilities, or other water-dependent facilities.

POLICY 19.5.3: Support the long term protection of Estero’s environment and natural resources by working with local, regional, state, and national agencies and organizations to identify and preserve natural resources and the environment.

POLICY 19.5.4: The Estero Community attaches great importance to the integrity of provisions in the Lee Plan and the Land Development Code with respect to the Density Reduction/Groundwater Resource Area (DR/GR) in so far as actions with respect to the DR/GR have an impact on the environment, natural resources, mobility, sense of place, and character of Estero.

OBJECTIVE 19.6: PUBLIC SPACES, PARKS, AND RECREATIONAL FACILITIES.
Support Estero’s quality of life through the development of a broad array of community parks, public spaces, and recreational facilities.

POLICY 19.6.1: Promote the development of a variety of public spaces, park, and recreational facilities within Estero by collaborating with the State of Florida, private developers and other local, state, and national organizations on the development of active and passive public resources and facilities.

POLICY 19.6.2: Expand the use, variety, and type of public spaces, parks, and recreational facilities within Estero by working with private developments to provide linkages, access, public parks, public space, and recreational amenities through the use of incentives, LDC requirements, and other development tools.

POLICY 19.6.3: Promote Estero Community Park as a hub for the entire community.

POLICY 19.6.4: Encourage the use of park areas to link neighborhoods, commercial and mixed-use centers, and other open space and recreational facilities through an integrated system of bike, pedestrian, and roadways connections.

POLICY 19.6.5: Consistent with the Lee Plan Parks, Recreation, and Open Space Element, integrate the Koreshan State Historic Site into the fabric of the community by collaborating with the appropriate agencies such as the State of Florida to improve the area's landscaping, enhance pedestrian and bicycle access, historic resources and structures, and community park program and activities.

POLICY 19.6.6: Consistent with the Lee Plan Parks, Recreation, and Open Space Element, provide passive recreational opportunities within Estero State Buffer Preserve, Estero River, and Estero Bay by collaborating with the appropriate local, regional, and state agencies and private property owners to ensure the community's parks, natural amenities, and open spaces have easy access, parking, trails, and other community amenities.

OBJECTIVE 19.7: PUBLIC PARTICIPATION. Ensure the public has meaningful and appropriate opportunities to participate in and comment upon development in and around the Estero community.

POLICY 19.7.1: As a courtesy, Lee County will register citizen groups and civic organizations within the Estero community planning area that desire notification of pending review of Land Development Code amendments and Lee Plan amendments. Upon registration, Lee County will provide registered groups with documentation regarding these pending amendments. This notice is a courtesy only and is not jurisdictional. Accordingly, the county's failure to mail or to timely mail the notice, or failure of a group to receive mailed notice, will not constitute a defect in notice or bar a public hearing from occurring as scheduled.

POLICY 19.7.2: The Estero Community will establish an online document clearing house for their community, where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations, and resolutions will be provided for public inspection. The county's failure to provide or to timely provide documents to the online document clearing house, or failure of the online document clearing house to receive documents, will not constitute a defect in notice or bar a public hearing from occurring as scheduled.

POLICY 19.7.3: The owner or agent applying for Planned Developments, Rezoning, Variances, Special Exceptions, Plan Amendments, Administrative Amendments, and Development Orders for county approval within the Estero Community must conduct one public informational session within the community in a publicly owned or leased facility where the agent will provide a general overview of the project for any interested citizens. Lee County encourages planning, zoning, and/or development services staff to participate at such public

meetings. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space, providing advance notice of the meeting place, time and date and providing security measures as needed. Subsequent to this meeting, the applicant must provide county staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised. If the applicant chooses to hold the public meeting before any established community groups, then the minutes of that meeting as may be applicable must be provided prior to a finding of sufficiency.

Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

RECEIVED
JUN 30 2014

COMMUNITY DEVELOPMENT

June 26, 2014

Mr. Paul O'Connor, Director
Lee County Community Dev. Division
1500 Monroe Street
Fort Myers, Florida 33901

Dear Mr. O'Connor:

Thank you for submitting Lee County's proposed comprehensive plan amendments for our review pursuant to the Expedited State Review process. The reference number for the amendment package is **Lee County 14-5ESR**.

The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the State Land Planning Agency's Comment Letter no later than **July 26, 2014**.

If you have any questions please contact Anita Franklin of my staff at (850) 717-8486 or Brenda Winningham, Regional Planning Administrator, who will be overseeing the review of the amendments, at (850) 717-8516.

Sincerely,

D. Ray Eubanks, Administrator
Plan Review and Processing

DRE/af

Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

MEMORANDUM

TO: Suzanne Ray, DEP
Deena Woodward, DOS
Tracy Suber, DOE
Trisha Neasman, Southwest Florida WMD
Margaret Wuerstle, Southwest Florida RPC
Crawley/Massey FDOT1
Wendy Evans, AG
Scott Sanders, FWC

DATE: June 26, 2014

SUBJECT: EXPEDITED STATE REVIEW PROCESS

COMMENTS FOR PROPOSED COMPREHENSIVE PLAN AMENDMENT

LOCAL GOVERNMENT/ STATE LAND PLANNING AGENCY AMENDMENT #:

Lee County 14-5ESR

STATE LAND PLANNING AGENCY CONTACT PERSON/PHONE NUMBER:

Brenda Winningham/850-717-8516

The referenced proposed comprehensive plan amendment is being reviewed pursuant the Expedited State Review Process according to the provisions of Section 163.3184(3), Florida Statutes. Please review the proposed documents for consistency with applicable provisions of Chapter 163, Florida Statutes.

Please note that your comments must be sent directly to and received by the above referenced local government within 30 days of receipt of the proposed amendment package. A copy of any comments shall be sent directly to the local government and ALSO to the State Land Planning Agency to the attention of Ray Eubanks, Administrator, Plan Review and Processing at the Department E-mail address: DCPexternalagencycomments@deo.myflorida.com

Please use the above referenced State Land Planning Agency AMENDMENT NUMBER on all correspondence related to this amendment.

Note: Review Agencies - The local government has indicated that they have mailed the proposed amendment *directly to your agency*. See attached transmittal letter. *Be sure to contact the local government if you have not received the amendment*. Also, letter to the local government from State Land Planning Agency acknowledging receipt of amendment is attached.



LEE COUNTY
SOUTHWEST FLORIDA
BOARD OF COUNTY COMMISSIONERS

June 19, 2014

John E. Manning
District One

Cecil L. Pendergrass
District Two

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

Ray Eubanks, Plan Processing Administrator
State Land Planning Agency
Caldwell Building
107 East Madison – MSC 160
Tallahassee, FL. 32399-0800

Re: Amendment to the Lee Plan
Transmittal Submission Package
Publicly Sponsored Amendment, CPA2014-03

Dear Mr. Eubanks:

In accordance with the provisions of F.S. Chapter 163, please find attached the proposed Publicly Sponsored Comprehensive Plan amendment, known locally as CPA2014-03. The proposed amendment is being submitted through the expedited state review process as described in Chapter 163.3184. The amendment is as follows:

CPA2014-03 Amend the Lee Plan to incorporate the new and revised vision, goal, objectives, and policies that resulted from the Estero Community Planning Panel efforts.

The Local Planning Agency held a public hearing for this plan amendment on May 19, 2014. The Board of County Commissioners transmittal hearing for the plan amendment was held on June 18, 2014. The Board of County Commissioners voted to transmit the attached Lee Plan amendment package at the June 18, 2014 transmittal hearing. The proposed amendment is not applicable to an area of critical state concern. The Board of County Commissioners has stated its intent to hold an adoption hearing following the receipt of the review agencies' comments.

The name, title, address, telephone number, facsimile number, and email address of the person for the local government who is most familiar with the proposed amendment is as follows:

Mr. Paul O'Connor, AICP
Lee County Planning Division Director
P.O. Box 398
Fort Myers, Florida 33902-0398
(239) 533-8309
Fax (239) 485-8319
Email: oconnops@leegov.com

Included with this package are one paper copy and two CD ROM copies, in PDF format, of the proposed amendment and supporting data and analysis. By copy of this letter and its attachments, I certify that this amendment and supporting data and analysis have been sent on this date to the agencies listed below.

Sincerely,

DEPT. OF COMMUNITY DEVELOPMENT
Division of Planning



Paul O'Connor, AICP, Director
Director

All documents and reports attendant to this transmittal are also being sent, by copy of this cover in a CD ROM format, to:

Comprehensive Plan Review
Department of Agriculture and Consumer Services

Tracy D. Suber
Department of Education

Jim Quinn
Department of Environmental Protection

Susan Harp
Florida Department of State

Scott Sanders
Florida Fish and Wildlife Conservation Commission

Lawrence Massey
FDOT District One

Margaret Wuerstle
Southwest Florida Regional Planning Council

Terry Manning, A.I.C.P., Senior Planner, Intergovernmental Coordination Section
South Florida Water Management District

Miller, Janet

From: O'Connor, Paul
Sent: Thursday, July 03, 2014 8:03 AM
To: Dunn, Brandon; Miller, Janet
Subject: FW: Lee County 14-5ESR (CPA 2014-03)

From: Hight, Jason [<mailto:Jason.Hight@MyFWC.com>]
Sent: Tuesday, July 01, 2014 2:38 PM
To: DCPexternalagencycomments; O'Connor, Paul
Cc: Wallace, Traci; Chabre, Jane
Subject: Lee County 14-5ESR (CPA 2014-03)

Mr. O'Connor:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed proposed comprehensive plan amendment in accordance with Chapter 163.3184(3), Florida Statutes. We have no comments, recommendations, or objections related to fish and wildlife or listed species and their habitat to offer on this amendment.

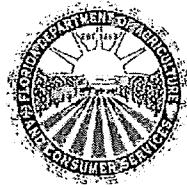
If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions, please contact me by phone or email.

Sincerely,

Jason Hight
Biological Administrator II
Office of Conservation Planning Services
Division of Habitat and Species Conservation
620 S. Meridian Street, MS 5B5
Tallahassee, FL 32399-1600
office: 850-413-6966
cell: 850-228-2055

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.



FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER ADAM H. PUTNAM

July 14, 2014

VIA EMAIL (oconnops@leegov.com)

Lee County Planning Division
Attn: Paul O'Connor
P. O. Box 398
Fort Myers, Florida 33902-0398

Re: DACS Docket # -- 20140625-427
Lee County CPA 2014-03
Submission dated June 19, 2014

Dear Mr. O'Connor:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on June 25, 2014 and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendment(s) are adopted. Based on our review of your county's submission, the Department has no comment on the proposal.

If we may be of further assistance, please do not hesitate to contact me at 850-410-2289.

Sincerely,

A handwritten signature in black ink that reads "Stormie Knight".

Stormie Knight
Sr. Management Analyst I
Office of Policy and Budget

cc: Florida Department of Economic Opportunity
(SLPA #: Lee County 14-5 ESR)

Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

RECEIVED
JUL 28 2014
COMMUNITY DEVELOPMENT

July 18, 2014

The Honorable Larry Kiker, Chairman
Lee County Board of County Commissioners
Post Office Box 398
Fort Myers, Florida 33902-0398

Dear Chairman Kiker:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Lee County (Amendment No. 14-5ESR), which was received on June 24, 2014. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comments related to important state resources and facilities within the Department's authorized scope of review that will be adversely impacted by the amendment if adopted.

The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such reviewing agency comments could form the basis for a challenge to the amendment after adoption.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

If you have any questions concerning this review, please contact Scott Rogers, Planning Analyst, at (850) 717-8510, or by email at scott.rogers@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ana Richmond', written in a cursive style.

Ana Richmond
Comprehensive Planning Manager

AR/sr

Enclosure: Procedures for Adoption

cc: Paul O'Connor, Director, Lee County Division of Planning
Margaret Wuerstle, Executive Director, Southwest Florida Regional Planning Council

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ Department of Economic Opportunity identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

_____ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity in response to the comment letter from the Department of Economic Opportunity.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

July 21, 2014

Paul O'Connor, AICP, Director
Lee County Planning Division
P.O. Box 398
Fort Myers, FL 33902-0398

RECEIVED
JUL 23 2014

COMMUNITY DEVELOPMENT

**Subject: Lee County, DEO #14-5ESR
Comments on Proposed Comprehensive Plan Amendment Package**

Dear Mr. O'Connor:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from the Lee County (County). The amendment revises the vision, goals, objectives and policies of the Estero Community Plan. There appear to be no regionally significant water resource issues; therefore, the District forwards no comments on the proposed amendment package.

The District offers its technical assistance to the County and the Department of Economic Opportunity in developing sound, sustainable solutions to meet the County's future water supply needs and to protect the region's water resources. Please forward a copy of adopted amendments to the District. For assistance or additional information, please contact Deborah Oblaczynski, Policy and Planning Analyst, at (561) 682-2544 or doblaczy@sfwmd.gov.

Sincerely,

A handwritten signature in cursive script that reads "De Powell".

Dean Powell
Water Supply Bureau Chief

DP/do

c: Ray Eubanks, DEO
Deborah Oblaczynski, SFWMD
Brenda Winningham, DEO
Margaret Wuerstle, SWFRPC



Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

ANANTH PRASAD, P.E.
SECRETARY

July 22, 2014

Mr. Paul O'Connor, AICP
Lee County Planning Division Director
P.O. Box 398
Fort Myers, Florida 33902-0398

RE: Lee County 14-5ESR Proposed Comprehensive Plan Amendment – FDOT Comments

Dear Mr. O'Connor:

The Florida Department of Transportation, District One (hereafter the "Department"), has reviewed the Lee County 14-5ESR Proposed Comprehensive Plan Amendment (received by the Department for review on 6/30/14) in accordance with the requirements of Florida Statutes (F.S.) Section 163 and Chapter 9J-11 of the Florida Administrative Code (F.A.C). The Department offers Lee County the following comments:

The Department offers **no comment** on Lee County 14-5ESR Proposed Comprehensive Plan Amendment.

If you have any questions please free to contact me at (863) 519-2395 or by email at bob.crawley@dot.state.fl.us.

Sincerely,

Bob Crawley
District Growth Management Coordinator
FDOT District One

CC: Mr. Ray Eubanks, Florida Department of Economic Opportunity

/BC

Miller, Janet

From: O'Connor, Paul
Sent: Wednesday, July 23, 2014 2:31 PM
To: Jenkins-Owen, Sharon; Dunn, Brandon; Miller, Janet
Subject: FW: Lee County 14-5ESR - Proposed

From: Stahl, Chris [<mailto:Chris.Stahl@dep.state.fl.us>]
Sent: Wednesday, July 23, 2014 2:25 PM
To: O'Connor, Paul
Cc: Craig, Kae; DEO Agency Comments
Subject: Lee County 14-5ESR – Proposed

To: Paul O'Connor, County Planning Division Director

Re: Lee County 14-5ESR – Expedited Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please feel free to contact me with any questions.

Chris Stahl
Office of Intergovernmental Programs
Florida Department of Environmental Protection
3900 Commonwealth Blvd., MS 47
Tallahassee, FL 32399-3000
(850) 245-2169



Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

LEE COUNTY ORDINANCE NO. _____
ESTERO COMMUNITY PLAN UPDATE
(CPA2014-00003)

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE “LEE PLAN,” ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT PERTAINING TO THE ESTERO COMMUNITY PLAN UPDATE (CPA2014-00003) APPROVED DURING A PUBLIC HEARING; PROVIDING FOR PURPOSE, INTENT, AND SHORT TITLE; AMENDMENTS TO ADOPTED MAP AND TEXT; LEGAL EFFECT OF “THE LEE PLAN”; PERTAINING TO MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER’S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan (“Lee Plan”) Policy 2.4.1. and Chapter XIII, provides for adoption of amendments to the Plan in compliance with State statutes and in accordance with administrative procedures adopted by the Board of County Commissioners (“Board”); and,

WHEREAS, the Board, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 provide an opportunity for the public to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency (“LPA”) held a public hearing on the proposed amendment in accordance with Florida Statutes and the Lee County Administrative Code on April 28, 2014 and May 19,2014,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on June 18, 2014. At that hearing, the Board approved a motion to transmit, and did later transmit, proposed amendment pertaining to Estero Community Plan Update (CPA2014-00003) to the reviewing agencies set forth in Section 163.3184(1)(c), F.S. for review and comment; and,

WHEREAS, at the June 18, 2014 meeting, the Board announced its intention to hold a public hearing after the receipt of the reviewing agencies’ written comments; and,

WHEREAS, on August 20, 2014, the Board held a public hearing and adopted the proposed amendment to the Lee Plan set forth herein.

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

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance

is to adopt map and text amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." **This amending ordinance may be referred to as the "Estero Community Plan Update Ordinance (CPA2014-00003)."**

SECTION TWO: ADOPTION OF COMPREHENSIVE PLAN AMENDMENT

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment, which amends Lee Plan Goal 19, to meet the community's desire to encourage economic diversity; mixed-use centers; and, improve linkages between residential, commercial, and other uses, known as Estero Community Plan Update (CPA2014-00003).

The corresponding Staff Reports and Analysis, along with all attachments for this amendment are adopted as "Support Documentation" for the Lee Plan. Proposed amendments adopted by this Ordinance are attached as Exhibit A.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as amended.

SECTION FOUR: MODIFICATION

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

SECTION FIVE: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION SIX: SEVERABILITY

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

SECTION SEVEN: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance

may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or other appropriate word or phrase in order to accomplish this intention; and regardless of whether inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his or her designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

SECTION EIGHT: EFFECTIVE DATE

The plan amendments adopted herein are not effective until 31 days after the State Land Planning Agency notifies the County that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the State Land Planning Agency or the Administrative Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status.

THE FOREGOING ORDINANCE was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____. The vote was as follows:

John E. Manning _____
Cecil L Pendergrass _____
Larry Kiker _____
Brian Hamman _____
Frank Mann _____

DONE AND ADOPTED this 20th day of August 2014.

ATTEST:
LINDA DOGGETT, CLERK

LEE COUNTY BOARD OF
COUNTY COMMISSIONERS

BY: _____
Deputy Clerk

BY: _____
Larry Kiker, Chair

Date: _____

Approved as to Form for the
Reliance of Lee County Only

County Attorney's Office

Exhibit A: Adopted revisions to Lee Plan Goal 19 (Adopted by BOCC _____)

EXHIBIT A

Note: Text depicted with underscore represents additions to the Lee Plan. Strike-through text represents deletions from the Lee Plan.

Future Land Use, Estero Goal 19

~~To establish a community that embraces its historic heritage, while carefully planning for future growth resulting from Florida Gulf Coast University, the Southwest Florida International Airport, growing population and a unique natural environment. Estero's growth will be planned as a village, establishing defined areas for tasteful shopping, service, and entertainment, while protecting and encouraging residential neighborhoods that encourage a sense of belonging. Weaving the community together will be carefully crafted limitations on strip commercial uses, inappropriate signage, and certain undesired commercial uses, while additional design guidelines will be established to ensure attractive landscaping, streetscaping, architectural standards, and unified access points. The implementation of this vision will help reduce the conflict between residential and commercial areas, as well as allow Estero to emerge as a vibrant Lee County Village.~~

~~**GOAL 19: ESTERO.** To protect the character, natural resources and quality of life in Estero by establishing minimum aesthetic requirements, managing the location and intensity of future commercial and residential uses, and providing greater opportunities for public participation in the land development approval process. This Goal and subsequent objectives and policies apply to the Estero Planning Community as depicted on Map 16. (Added by Ordinance No. 02-05)~~

~~**OBJECTIVE 19.1: COMMUNITY CHARACTER.** The Estero Community will draft and submit regulations, policies and discretionary actions affecting the character and aesthetic appearance of Estero for Lee County to adopt and enforce to help create a visually attractive community. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.1.1:** By the end of 2002, The Estero Community will draft and submit regulations or policies for Lee County to review, amend or establish as Land Development Code regulations that provide for enhanced landscaping along roadway corridors, greater buffering, shading of parking areas, signage and lighting consistent with the Community Vision, and architectural standards. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.1.2:** Lee County is discouraged from approving any deviation that would result in a reduction of landscaping, buffering, signage guidelines or compliance with architectural standards. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.1.3:** Lee County will work, through the permitting process, with private property owners to establish incentives for voluntarily bringing older projects into compliance with the regulations adopted as a result of the Estero Community Plan. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.1.4:** The Estero Community will work in conjunction with private developers, public agencies and community service providers to establish one or several town commons that encourage the location of a post office, public meeting hall, outdoor plaza, governmental offices, medical providers and recreational opportunities. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.1.5:** By 2002, the Estero Community will draft a corridor management plan for the Estero US 41 corridor to advance development in a manner that promotes a safe, high quality urban environment. Plan elements will include roadway and median landscape standards, residential buffering standards, access management guidelines, street lighting, sidewalks, and insuring safe and effective pedestrian crossings within the context of a comprehensive pedestrian and bikeway system. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.1.6:** By 2004 Lee County will evaluate historic resources, and draft a proposal for their designation under Chapter 22 of the Land Development Code. (Added by Ordinance No. 02-05)~~

~~**OBJECTIVE 19.2: COMMERCIAL LAND USES.** Existing and future County regulations, land use interpretations, policies, zoning approvals, and administrative actions must recognize the unique conditions and preferences of the Estero Community to ensure that commercial areas maintain a unified and pleasing aesthetic/visual quality in landscaping, architecture, lighting and signage, and provide for employment opportunities, while discouraging uses that are not compatible with adjacent uses and have significant adverse impacts on natural resources. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.2.1:** All new commercial development that requires rezoning within the Estero Planning Community must be reviewed as a Commercial Planned Development. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.2.2:** All retail uses must be in compliance with the Commercial Site Location Standards. A finding of a "Special Case" must demonstrate a community benefit in addition to the requirements outlined in Policy 6.12(8). (Added by Ordinance No. 02-05)~~

~~**POLICY 19.2.3:** By the end of 2002 the Estero Community will submit regulations that encourage mixed use developments along Corkscrew Road for Lee County to review, amend or adopt. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.2.4:** With the exception of the Commercial Nodes identified on Map 19, Lee County will discourage new retail uses along Three Oaks Parkway, in favor of office and residential uses. (Added by Ordinance No. 02-05)~~

~~**POLICY 19.2.5:** The following uses are prohibited within the Estero Planning Community: "detrimental uses" (as defined in the Land Development Code); nightclubs or bar and cocktail lounges not associated with a Group III Restaurant; and retail uses that require outdoor display in excess of one acre. Outdoor display in excess of one acre is permitted within the property located in the General Interchange Future Land Use Category west of I-75, south of Corkscrew Road, and east of Corkscrew Woodlands Boulevard. (Added by Ordinance No. 02-05, Amended by Ordinance No. 05-19)~~

~~**POLICY 19.2.6:** Lee County encourages commercial developments within the Estero Planning Community to provide interconnect opportunities with adjacent commercial uses in order to minimize access points onto primary road corridors; and residential developments to provide interconnect opportunities with commercial areas, including but not limited to bike paths and pedestrian access ways. (Added by Ordinance No. 02-05)~~

OBJECTIVE 19.3: RESIDENTIAL USES. Lee County must protect and enhance the residential character of the Estero Planning Community by strictly evaluating adjacent uses, natural resources, access and recreational or open space, and requiring compliance with enhanced buffering requirements. (Added by Ordinance No. 02-05)

POLICY 19.3.1: In order to meet the future needs of Florida Gulf Coast University, Lee County encourages higher density residential developments, with a mix of unit types, including affordable housing, in close proximity to Florida Gulf Coast University, between Three Oaks Parkway and I-75. (Added by Ordinance No. 02-05)

POLICY 19.3.2: By the end of 2002, The Estero Community will draft and submit regulations and policies for Lee County to review, amend or adopt as regulations in the Land Development Code to provide for greater buffering between distinctly different adjacent commercial and residential properties, modified however when a project is of mixed use nature. (Added by Ordinance No. 02-05)

POLICY 19.3.3: Lee County will protect the large lot residential areas between Koreshan Parkway and Corkscrew Road by requiring significant buffers between existing lots and higher density residential developments, and/or the placement of transitional density to adjacent units between the uses. (Added by Ordinance No. 02-05)

OBJECTIVE 19.4: NATURAL RESOURCES. County regulations, policies, and discretionary actions affecting Estero must protect or enhance key wetland or native upland habitats. (Added by Ordinance No. 02-05)

POLICY 19.4.1: By the end of 2003, Lee County will review, amend or adopt Lee Plan or Land Development Code regulations to provide the following:

- All future development proposals adjacent to the Estero River or its tributaries must include floodplain protection plans prior to zoning approval.
- All new developments adjacent to the Estero River or its tributaries must provide an additional buffer which preserves all of the native vegetation within that buffer, adjacent to the top of bank, with the exception of passive recreational uses. This is intended to prevent degradation of water quality within these natural water bodies.
- Lee County will encourage on-site preservation of indigenous plant communities and listed species habitat. When site constraints are such that off-site mitigation of indigenous areas is deemed necessary, the mitigation will be of similar habitat, provided whenever possible, within one mile of the Estero Fire District Boundary.
- Lee County will provide significant incentives (for example increased density, Transfer of Development Rights, etc) for the protection of wetlands, historic flow ways, native habitat or other significant natural resources within the Estero Planning Community. (Added by Ordinance No. 02-05)

POLICY 19.4.2: Lee County, or another authorized agency, will work to provide alternative irrigation sources (re-use, Aquifer Storage and Recovery Water, or mixed non-potable) or financial incentives to provide non-potable water to uses within the Estero Community. This is desired to discourage the proliferation of private, single user wells. (Added by Ordinance No. 02-05)

POLICY 19.4.3: Lee County will continue to enforce wellfield protection requirements, monitoring,

and other applicable provisions to ensure that future wellfield drawdown zones are protected. (Added by Ordinance No. 02-05)

OBJECTIVE 19.5: PUBLIC PARTICIPATION. Lee County will encourage and solicit public input and participation prior to and during the review and adoption of county regulations, Land Development Code provisions, Lee Plan provisions, and zoning approvals. (Added by Ordinance No. 02-05)

POLICY 19.5.1: As a courtesy, Lee County will register citizen groups and civic organizations within the Estero Planning Community that desire notification of pending review of Land Development Code amendments and Lee Plan amendments. Upon registration, Lee County will provide registered groups with documentation regarding these pending amendments. This notice is a courtesy only and is not jurisdictional. Accordingly, the County's failure to mail or to timely mail the notice, or failure of a group to receive mailed notice, will not constitute a defect in notice or bar a public hearing from occurring as scheduled. (Added by Ordinance No. 02-05)

POLICY 19.5.2: The Estero Community will establish a "document clearing house" in Estero, where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations and resolutions will be provided for public inspection. The County's failure to provide or to timely provide documents to the document clearing house, or failure of the document clearing house to receive documents, will not constitute a defect in notice or bar a public hearing from occurring as scheduled. (Added by Ordinance No. 02-05)

POLICY 19.5.3: The owner or agent for any Planned Development request within the Estero Planning Community must conduct one public informational session where the agent will provide a general overview of the project for any interested citizens. Lee County encourages zoning staff to participate in such public workshops. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space and providing security measures as needed. Subsequent to this meeting, the applicant must provide County staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised. (Added by Ordinance No. 02-05)

OBJECTIVE 19.6: COMMUNITY FACILITIES. Lee County will work with the Estero Community to provide or facilitate the provision of a broad mix of Community Facilities. (Added by Ordinance No. 02-05)

POLICY 19.6.1: The Estero Community will work with the State of Florida to provide appropriate passive recreational opportunities within the Estero Scrub Preserve, potentially enhanced by a public/private partnership. This should include easy access, parking, trails, and other non-intrusive uses. (Added by Ordinance No. 02-05)

POLICY 19.6.2: The Estero Community will work with the State of Florida to encourage the integration of the Koreshan State Historic Site into the fabric of the community. This may include landscaping, aesthetically pleasing archways along US 41, the provision of a "gateway" at US 41 and Corkscrew Road, enhanced pedestrian and bicycle access, or programmed activities for the community. (Added by Ordinance No. 02-05)

POLICY 19.6.3: ~~Lee County will work with the community and private landowners to identify opportunities to maintain public access to the Estero River and Estero Bay. (Added by Ordinance No. 02-05)~~

POLICY 19.6.4: ~~Lee County will work with the community to ensure that the development of the Estero Bonita Springs Community Park is integrated into the surrounding development and open space areas. The concept would be for the park to act as a hub, connected to other open space/recreational opportunities through pedestrian or bicycle linkages, either along public rights of way or through adjacent developments. (Added by Ordinance No. 02-05)~~

To establish a community that embraces its historic heritage and protects the environment, while carefully planning for future development resulting from a desirable high quality of life, expanding economic opportunities, and proximity to Florida Gulf Coast University and the Southwest Florida International Airport. Estero's growth will be planned with strong neighborhoods, diverse economic generators, interconnected mixed-use centers, varied parks, public spaces, recreational facilities, and unique natural environments that fosters a sense of belonging and creates a sense of place. Estero will be a highly valued place to live, work, and visit because of development standards and design guidelines that promote:1) desirable neighborhoods and public amenities; 2) vibrant economic centers; 3) attractive landscaping, streetscaping, lighting, signage, and architectural features; and 4) an interconnected transportation network. The implementation of this vision will successfully link residential and commercial areas and uphold Estero as a vibrant Lee County community.

GOAL 19: ESTERO VISION. Promote the development of Estero as a community with a unique quality of life, distinct character, and diverse housing, economic, recreational, and social opportunities by:

- a. Protecting the natural resources, environment, and lifestyle;
- b. Establishing minimum aesthetic and design requirements;
- c. Managing the type, location, quality, design and intensity of future land uses;
- d. Providing greater opportunities for public participation in the land development approval process; and
- e. Promoting a true sense of place in Estero.

OBJECTIVE 19.1: COMMUNITY CHARACTER AND LAND USE. Promote community character through the implementation of planning and development practices that create a visually attractive community, an enhanced quality of life, and foster a unique sense of place.

POLICY 19.1.1: Support the unique character and quality of life within the Estero community by managing growth and development and by maintaining and executing Lee Plan policies, Land Development Code (LDC) regulations, and other planning tools that:

- a. Implement and maintain commercial development standards for architecture, landscaping, buffering, signage, lighting designs and visual appearance of developments, transportation facilities, and other community amenities;
- b. Promote the use of low impact design, sustainable energy, water, and other environmental features;
- c. Establish higher density, mixed-use development within areas targeted on the Mixed-Use Overlay;
- d. Encourage the redevelopment and infill of underutilized commercial and residential lands; and

- e. Increase public participation in the land development approval process to ensure future development efforts support the Estero community plan and adopted Lee Plan policies and LDC standards.

POLICY 19.1.2: Lee County may not approve any proposed project that is inconsistent with the Lee Plan including this Goal 19 and its objectives and policies. Projects will be reviewed through a public process that includes the Estero community, property owners, and Lee County staff to ensure that the development is consistent with Estero’s plan and vision.

POLICY 19.1.3: Encourage new developments that achieve the Estero community’s vision and planning goal and policies and are consistent with mixed-use design, architectural, location, connectivity and public access standards by establishing and implementing development incentives within the Lee Plan and Land Development Code that:

- a. Promote urban integrated forms of development in targeted areas identified on the Mixed-Use Overlay;
- b. Promote targeted industries in appropriate areas of Estero—e.g.: healthcare, arts and culture, technology, and research and development facilities;
- c. Promote the use of green design, sustainable energy, water, and other environmental features;
- d. Expedite development projects particularly in targeted incentive zones where the community has adopted mixed-use plans and LDC standards;
- e. Enable infill of underutilized commercial and residential lands; and
- f. Encourage residential developments to use the bonus density established through the Lee Plan Urban land use categories.

POLICY 19.1.4: Facilitate the redevelopment of properties constructed prior to the adoption of Estero Lee Plan policies and LDC regulations by establishing incentives (including, but not limited to, utilization of Bonus Densities established through the Lee Plan Urban land use categories) and streamlined development processes that enable older properties to come into compliance with adopted Lee Plan policies and LDC standards.

POLICY 19.1.5: Recognize the unique historical and cultural values of the Estero Community by establishing and implementing development incentives and regulations within the Lee Plan and Land Development Code that:

- a. Encourage the development of the Old Estero area into a mixed-use center;
- b. Incorporate design features of Estero’s historic structures into future architectural design, streetscape, and community-wide LDC standards; and
- c. Identify, protect, and promote historic resources and facilities such as those related to Koreshan Park, Old Estero area, and the Estero Community Park.

POLICY 19.1.6: Establish and promote Estero’s unique character and identity by enhancing the community’s boundaries through the use of gateway entry features such as ornamental landscape features, hardscape elements and Estero identification signs. Encourage, where feasible, that gateways are constructed by working with the Florida Department of Transportation and private property owners to build the gateways at appropriate locations.

POLICY 19.1.7: Explore opportunities to identify, prioritize, and fund local capital improvement projects (particularly projects that enhance transportation and infrastructure systems) within the Estero community. Evaluate the feasibility of local, dedicated funding options—e.g.: MSBU, Tax

Increment Finance District, or other similar mechanism. Capital projects that could be targeted for such funding include:

- a. Streetscape improvements such as roadway pavers, street furniture, street signs and lighting, trash receptacles, and other hardscape features—particularly in Old Estero and within new mixed-use centers;
- b. Pedestrian scale lighting;
- c. Landscaping and hardscape features—particularly along US 41;
- d. Public trails and greenways facilities;
- e. Blue way facilities that provide public access to Estero River;
- f. Multi-modal transportation facilities that expand or establish pedestrian, bike, transit, and rail services;
- g. Public space, park, and recreational facilities;
- h. Urban level infrastructure services and systems within mixed-use center areas; and
- i. Historic resources and facilities such as those associated with the Koreshan Park and Estero Community Park.

OBJECTIVE 19.2: MIXED-USE CENTERS AND ECONOMIC AREAS. Promote Estero's quality of life and diverse local economy by fostering the development of mixed-use centers and targeted economic areas, as a preference over the development of strip commercial centers. The aim of the mixed-use centers is to provide Estero with central gathering places for Estero's residents, business people, and visitors. The aim of the economic areas is to provide the community a diverse employment and economic base while meeting the commercial, professional, and service needs of the people who live, work, and play within the community.

POLICY 19.2.1: Where feasible, provide for the development of walkable mixed-use town centers and economic areas featuring diverse housing options; government offices and public facilities; medical facilities; employment centers; public gathering places, parks, outdoor plazas, and other public spaces; greenway trails and pathways; and public access to the community's natural resources through Lee Plan policies and LDC regulations that support Estero's distinct community character and the following community priorities:

- a. Support the development of a central town center to unify the community;
- b. Improve the connectivity between Estero's residential neighborhoods, economic areas, civic uses, and park and recreational facilities;
- c. Diversify the community's economic base and employment opportunities;
- d. Encourage the development of targeted industry clusters—particularly health industries, professional services and businesses, and technology, research, and development;
- e. Expand multi-modal transportation options through improved pedestrian access, bikeways, transit service, and rail opportunities;
- f. Improve access to the community's blueways—particularly the Estero river—, greenway trails, other open spaces;
- g. Promote the community's cultural and historic resources; public spaces, parks, and recreational facilities; and other community amenities;
- h. Commercial and mixed-use developments will maintain a unified and consistent aesthetic/visual quality in landscaping, architecture, lighting, and signage; and
- i. Promote and incentivize private investment within mixed-use centers and economic areas.

POLICY 19.2.2: Facilitate the development of a town center for the Estero community through the development of LDC standards, plans, and incentives that address the community's need for a central civic and economic core that is connected to surrounding residential neighborhoods.

commercial areas, and community park and recreational facilities.

POLICY 19.2.3: Establish a safe and desirable urban environment within the Estero community by adopting LDC standards that guide development in the community's major economic areas near FGCU, along the U.S. 41 corridor, along Corkscrew Road, and in the Old Estero area that:

- a. Address streetscaping design and amenities, residential buffering standards, commercial center developments, signage, transportation facility needs, and other community concerns;
- b. Provide for the economic and employment needs of the Estero community by utilizing the Mixed-Use Overlay to facilitate the development of mixed-use centers along the US 41, Corkscrew Road, Three Oaks Parkway, Ben Hill Griffin Parkway, Via Coconut/Sandy Lane, and in the Old Estero area; and
- c. Encourage mixed-use centers at these locations.

POLICY 19.2.4: Ensure that future commercial and mixed-use developments meet the community's planning priorities by requiring that all new commercial development which requires rezoning within Estero must be rezoned to a Commercial (CPD), Mixed Use (MPD), or Compact Communities Planned Development (CCPD).

POLICY 19.2.5: Except as set forth in Policy 19.2.6, the following uses are prohibited within Estero: "detrimental uses" (as defined in the Land Development Code, as amended); nightclubs or bar and cocktail lounges unless within a Group III Restaurant; tattoo parlors; and retail uses that require outdoor display in excess of one acre. Outdoor display in excess of one area acre is permitted within the property located in the General Interchange Future Land Use Category west of I-75, south of Corkscrew Road, and east of Corkscrew Woodlands Boulevard.

POLICY 19.2.6: Nightclubs, bars, and cocktail lounges, which are not within a Group III Restaurant, may be permitted within a mixed use center approved as a CCPD or MPD through the public hearing process. The CCPD or MPD Project must include, at a minimum, a residential development of 1000 or more dwelling units and commercial development or activity which includes 1,000,000 square feet or more of floor area. These uses must be designed as part of an overall development project and placed within the project so that it is 1) located adjacent to entertainment and restaurant establishments and 2) located in the approximate center of the mixed-use development project.

POLICY 19.2.7: Encourage commercial developments within the Estero Planning Community to provide interconnect opportunities with adjacent commercial uses in order to minimize access points onto primary road corridors; and residential developments to provide interconnect opportunities with commercial areas, including, but not limited to, bike paths and pedestrian accessways.

POLICY 19.2.8: Encourage the development of medical related uses within Estero by working with Economic Development Staff and private property owners to adopt appropriate land use policies, land development standards, identify appropriate sites and locations, and establish incentives for the development of health related facilities. Particular emphasis will focus on establishing a medical economic center in the southern section of Estero along U.S. 41.

POLICY 19.2.9: Facilitate the development of professional, and research and development economic areas by working with Economic Development Staff and private property owners to adopt land development standards, identify appropriate sites and locations, and establish

incentives for the development of professional and research and development facilities. Particular emphasis shall be on locating such facilities in areas that are in the proximity of FGCU educational resources and high technology facilities.

OBJECTIVE 19.3: RESIDENTIAL NEIGHBORHOODS. Support Estero's quality of life, promote the community's unique character through the development of diverse, well-designed, and well-connected residential neighborhoods, and provide for the needs of multigenerational community by supporting a variety of housing types and neighborhood development forms.

POLICY 19.3.1: Support and enhance Estero's residential character by establishing land development regulations that specifically address how the proposed residential neighborhoods:

- a. Are compatible with adjacent uses, public facilities, and infrastructure systems;
- b. Impact surrounding environmental and natural resources;
- c. Access, where applicable, nearby parks, public spaces, recreational facilities, and greenways, blueways, and natural open spaces;
- d. Connect to adjacent residential developments, mixed-use centers, economic areas, public facilities, natural resources, and other community facilities; and
- e. Contribute to the overall design, landscaping, and aesthetics that make up the community's character.

POLICY 19.3.2: Meet the future residential and commercial needs of Florida Gulf Coast University by encouraging higher density residential developments, with a mix of unit types and design forms, including affordable housing and mixed-use centers, in close proximity to Florida Gulf Coast University. The development of such housing and mixed-use centers will consider the transitions between the adjacent residential neighborhoods, commercial centers, and park and recreational facilities.

POLICY 19.3.3: Establish LDC landscape requirements for the maintenance and development of a well-designed and landscaped community while providing appropriate transitions between residential uses and surrounding areas. Such landscaping requirements may be greater between residential and commercial uses, while less stringent within differing uses within a mixed-use center.

OBJECTIVE 19.4: TRANSPORTATION CONNECTIVITY AND MOBILITY. Facilitate the development of an interconnected community that enables people to easily access Estero's neighborhoods, commercial and mixed-use centers as well as other areas within the county and region through an integrated transportation and mobility system.

POLICY 19.4.1: Establish land development code standards that ensure the development of a well connected transportation system that includes pedestrian pathways, bikeways, transit, and roadways. These standards should:

- a. Require, where feasible, interconnects with adjacent uses;
- b. To the extent feasible, minimize access points onto primary road corridors by providing multiple access to adjacent properties;
- c. Link neighborhoods, commercial and mixed-use centers, public facilities, and parks; and
- d. Enable multi-modal transportation access (pedestrian, bike, vehicular, and transit) within and between the different neighborhoods, economic and employment centers, civic uses, and public space, park, and recreational facilities within the Estero Community.

POLICY 19.4.2: Expand opportunities for Estero’s transportation network of pedestrian and bicycle pathways, sidewalks, trails, and other facilities by working with the State of Florida and other local, state, and regional entities to:

- a. Construct multi-use pathways that feature shade trees, benches, bike racks, and other design elements to attract usage;
- b. Identify targeted funding sources including development contributions, private donations, public funding sources (e.g.: MSBU), or other mechanisms;
- c. Implement the greenways master plan within the Estero community by working with Lee County Parks Department;
- d. Utilize the FP&L right of way within Estero State Buffer Preserve by working with FP&L and Lee County;
- e. Establish a pedestrian–bike trail within or along the rail right of way for public recreation by working with the existing rail corridor and private developers; and
- f. Encourage the development of an effective rail system by working with the existing rail corridor to improve and expand use of existing rail facilities.

POLICY 19.4.3: All public and private rights-of-way within future mixed-use centers and the Old Estero area, as defined in the Land Development Code, are encouraged to be designed to include pedestrian ways, cross walks and traffic calming measures including, where appropriate, on-street parking, raised crosswalks, narrow lane widths or other similar mechanisms.

POLICY 19.4.4: Provide for well designed, safe, and multi-use transportation corridors by establishing, maintaining, and implementing complete street design guidelines for the major roadways within Estero including the US 41, Corkscrew Road, Via Coconut/Sandy Lane, and Three Oaks Parkway. In design, provide roadway and median landscape standards, access management guidelines, signage, street lighting, and sidewalks to ensure safe and effective pedestrian crossings within the context of a comprehensive pedestrian and bikeway system.

POLICY 19.4.5: Address regional transportation demands and considerations by proactively working with private developers, and the applicable advisory boards and other local, regional, and state agencies to improve transportation connectivity and mobility throughout Estero and to other communities.

OBJECTIVE 19.5: NATURAL RESOURCES AND ENVIRONMENT. Ensure that Estero’s natural environment enhances the character and quality of life of the community by protecting the natural resources of Estero, promoting the area’s natural environment to visitors and residents, and supporting public access to greenway and waterfront areas.

POLICY 19.5.1: Protect the natural environment and resources of Estero by maintaining, amending, and implementing Lee Plan or LDC regulations that:

- a. Promote the quality of Estero’s natural environment, native species and habitats, and ecological resources; and;
- b. Facilitate where feasible, new development to provide public access to Estero waterways and greenways, as appropriate. Particular emphasis shall be given to properties along Estero River, its tributaries, and any Estero open spaces;
- c. Incentivize the protection of Estero’s natural resources—e.g.: wetlands, uplands, historic flow ways, native habitat, or other ecological resources; and
- d. Require all new developments adjacent to Estero River or its tributaries to incorporate design techniques that protect the river’s water quality through improved runoff or stormwater

discharge practices. These techniques may include: the preservation of wetland areas, the incorporation of Low Impact Development techniques, or other surface water quality enhancement technologies.

POLICY 19.5.2: Improve public access, use, and enjoyment of Estero's waterfront and water-based resources by supporting the creation of community water-based amenities such as Estero Bay water taxi, marina facilities, or other water-dependent facilities.

POLICY 19.5.3: Support the long term protection of Estero's environment and natural resources by working with local, regional, state, and national agencies and organizations to identify and preserve natural resources and the environment.

POLICY 19.5.4: The Estero Community attaches great importance to the integrity of provisions in the Lee Plan and the Land Development Code with respect to the Density Reduction/Groundwater Resource Area (DR/GR) in so far as actions with respect to the DR/GR have an impact on the environment, natural resources, mobility, sense of place, and character of Estero.

OBJECTIVE 19.6: PUBLIC SPACES, PARKS, AND RECREATIONAL FACILITIES. Support Estero's quality of life through the development of a broad array of community parks, public spaces, and recreational facilities.

POLICY 19.6.1: Promote the development of a variety of public spaces, park, and recreational facilities within Estero by collaborating with the State of Florida, private developers and other local, state, and national organizations on the development of active and passive public resources and facilities.

POLICY 19.6.2: Expand the use, variety, and type of public spaces, parks, and recreational facilities within Estero by working with private developments to provide linkages, access, public parks, public space, and recreational amenities through the use of incentives, LDC requirements, and other development tools.

POLICY 19.6.3: Promote Estero Community Park as a hub for the entire community.

POLICY 19.6.4: Encourage the use of park areas to link neighborhoods, commercial and mixed-use centers, and other open space and recreational facilities through an integrated system of bike, pedestrian, and roadways connections.

POLICY 19.6.5: Consistent with the Lee Plan Parks, Recreation, and Open Space Element, integrate the Koreshan State Historic Site into the fabric of the community by collaborating with the appropriate agencies such as the State of Florida to improve the area's landscaping, enhance pedestrian and bicycle access, historic resources and structures, and community park program and activities.

POLICY 19.6.6: Consistent with the Lee Plan Parks, Recreation, and Open Space Element, provide passive recreational opportunities within Estero State Buffer Preserve, Estero River, and Estero Bay by collaborating with the appropriate local, regional, and state agencies and private property owners to ensure the community's parks, natural amenities, and open spaces have easy access, parking, trails, and other community amenities.

OBJECTIVE 19.7: PUBLIC PARTICIPATION. Ensure the public has meaningful and appropriate opportunities to participate in and comment upon development in and around the Estero community.

POLICY 19.7.1: As a courtesy, Lee County will register citizen groups and civic organizations within the Estero community planning area that desire notification of pending review of Land Development Code amendments and Lee Plan amendments. Upon registration, Lee County will provide registered groups with documentation regarding these pending amendments. This notice is a courtesy only and is not jurisdictional. Accordingly, the county's failure to mail or to timely mail the notice, or failure of a group to receive mailed notice, will not constitute a defect in notice or bar a public hearing from occurring as scheduled.

POLICY 19.7.2: The Estero Community will establish an online document clearing house for their community, where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations, and resolutions will be provided for public inspection. The county's failure to provide or to timely provide documents to the online document clearing house, or failure of the online document clearing house to receive documents, will not constitute a defect in notice or bar a public hearing from occurring as scheduled.

POLICY 19.7.3: The owner or agent applying for Planned Developments, Rezoning, Variances, Special Exceptions, Plan Amendments, Administrative Amendments, and Development Orders for county approval within the Estero Community must conduct one public informational session within the community in a publicly owned or leased facility where the agent will provide a general overview of the project for any interested citizens. Lee County encourages planning, zoning, and/or development services staff to participate at such public meetings. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space, providing advance notice of the meeting place, time and date and providing security measures as needed. Subsequent to this meeting, the applicant must provide county staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised. If the applicant chooses to hold the public meeting before any established community groups, then the minutes of that meeting as may be applicable must be provided prior to a finding of sufficiency.