



**LOCAL PLANNING AGENCY
OLD LEE COUNTY COURTHOUSE
2120 MAIN STREET, FORT MYERS, FL 33901
BOARD CHAMBERS
MONDAY, FEBRUARY 24, 2014
8:30 AM**

AGENDA

1. Call to Order/Review of Affidavit of Publication
2. Pledge of Allegiance
3. Public Forum
4. Approval of Minutes – January 27, 2014
5. Land Development Code Amendments
 - A. Complete Streets Amendments
6. New Horizon 2035: Plan Amendments
 - A. CPA2011-17 Community Safety and Wellbeing Element
 - B. CPA2011-02 Communities Element
 - C. CPA2011-13 Transportation Element
7. Other Business
8. Adjournment – Next Meeting Date: Monday, March 24, 2013

A verbatim record of the proceeding will be necessary to appeal a decision made at this hearing. Contact the Lee County Division of Planning at 239-533-8585 for further information on obtaining a record. In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. Contact Janet Miller at 239-533-8583.



DIVISION OF PLANNING
MEMORANDUM



to: Local Planning Agency
from: Kathie Ebaugh, AICP, Principal Planner
subject: February 24, 2014 LPA Meeting
date: February 14, 2014

Attached is the second draft of the elements, which have been revised to address comments received by the Local Planning Agency, Community Sustainability Advisory Committee, and local communities.

The Community Safety and Wellbeing Element staff report includes the policies as revised by staff and the review committees along with Attachment 1 which is a clean version of the entire proposed element.

The Communities Element materials include Attachment 1 which is a strikethrough/underline version of the entire proposed element. The areas highlighted in yellow show the more recent changes. These changes address:

1. General formatting to address issues related to form, numbering, improve clarity about the difference between common terms, and others;
2. Updates to the Communities Element intent, preamble, and policies to improve clarity and better define how the element is to be implemented;
3. Updates to the San Carlos Island, University Community, Burnt Store, and DR/GR Goals to address issues that had been previously located within the Future Land Use Element;
4. Revised North Captiva policy regarding use of non-motorized vehicle on the island as recommended by the LPA during the review of the community's land development code;
5. Revised the Lehigh Acres tier policies to better define the importance of their mixed-use centers; and
6. Update the Bayshore and Tice vision and policies that resulted from community led efforts to revise their community plans.

The Transportation Element materials include Attachment 1 which is a strikethrough/underline version of the entire proposed element. Please see the memo from Brandon Dunn and Andy Getch for an explanation of the more recent changes.

CPA2011-02 COMMUNITIES ELEMENT

The Communities Element

INTENT & PREAMBLE

The intent of the Communities Element is to foster the unique character of the individual communities within the unincorporated areas of Lee County. The element recognizes that each community has a distinct character, needs, and vision for its future. The Communities Element promotes a unified approach to community planning through general community planning policies (Goal 1) which identify common needs and concerns that face all local community planning efforts. The element addresses specific needs within the individual communities, while ensuring community planning efforts remain consistent with the county's overall goals, objectives, and policies.

Each community plan starts with a vision statement that describes how the community envisions its future. The vision is followed by goals, objectives, and policies specific and relevant to each community. Each Community Plan has a primary goal of ensuring that desirable attributes of the county's diverse array of communities are maintained and enhanced.

The Communities, generally:

- Are distinct geographic areas within Lee County;
- Generally fall within the coastal, rural, suburban, and urban construct of this plan;
- Have unique histories, geographical features, cultures and development features;
- Have dedicated organizations that work with county staff in addressing planning issues, meet on a consistent basis, and are open to participation by all members of the public;
- Have written visions, goals, objectives and policies addressing such issues as land use, transportation, utilities, parks, housing and other topics of interest;
- Have specific identities and unifying community values;
- Have specific needs and desires not entirely addressed by the other elements of the Lee Plan;
- Desire enhanced citizen participation in development decisions, infrastructure, and expenditures of public money in their community.

The Communities Element is organized as follows:

Coastal Communities – Located on the west coast of Lee County on the Gulf of Mexico. Each is an eclectic mix of rural, small-town urban centers, some agricultural uses – including fishing - and invaluable and attractive natural resources and natural features (including coastal management), all contributing to the economic viability of Lee County.

Preserving the natural environment, historic preservation of the built environment, and public safety (i.e. hurricanes) are common concerns of most all of these communities. It is also understood that Pine Island has both coastal and rural qualities within one community.

- Captiva;
- Gasparilla Island/Boca Grande;
- North Captiva;
- Pine Island;
- San Carlos Island.
(includes Water Dependent Overlay Zone and Destination Resort Mixed Use Water Dependent (DRMUWD) land use category)

Rural Communities – Located throughout the county, including low-density areas, serene, quiet neighborhoods, limited commercial and industrial activity, and an abundance of environmentally sensitive areas, natural preserves and bona fide agricultural uses. Preserving the rural quality of life and protecting natural and historic resources are unifying themes of these communities.

- Bayshore;
- Buckingham;
- Alva;
- North Olga;
- Southeast Lee County.

Suburban Communities – These include historic platted communities challenged by rapid growth and past planning and development practices. These communities have predominantly residential uses and varying levels of intensity, employment, retail shopping, and public amenities such as parks, schools, and libraries. These communities generally seek redevelopment opportunities and innovative solutions to challenges created by urban sprawl such as traffic, infrastructure, and quality of life issues.

- Caloosahatchee Shores;
- Estero;
- Florida Gulf Coast University Community;
- Lehigh Acres;
- North Fort Myers.

Urban Communities – There are limited urban areas – proximate to the City of Fort Myers – with high densities, intensities, and aging infrastructure. Redevelopment opportunities, economic development, and historic preservation are unifying themes of the urban communities.

- Page Park;
- Tice.

The Communities Element also includes the Burnt Store Marina Village land use category, and Private Recreation Facilities in the Density Reduction/Groundwater Recharge (DR/GR) land use category.

The Communities Element:

- Defines community planning, its function within the county plan as a whole;
- Provides that the county will maintain, update, and enforce an administrative code that guides community planning efforts;
- Ensures community plans are consistent with the county's planning priorities and practices;
- Helps organize effective and inclusive local community planning efforts;
- Encourages a meaningful and open public participation process.

Community planning will be conducted in an orderly and consistent manner. New and existing communities may address the following issues in their planning efforts:

- Community Character/Land Use;
- Transportation;
- Natural Resources & Environment;
- Public Facilities & Services (i.e. Parks, Community Facilities);
- Housing/ Historic Preservation;

- Other issues of interest to each community.

OVERALL GOALS FOR PLANNING COMMUNITIES

GOAL 1: COMMUNITY PLANNING. Facilitate the development of each local community's distinct identity and vision by encouraging and supporting community planning efforts to promote the unique character of Lee County's local communities. **(New Policy)**

OBJECTIVE 1.1: Collaborate with local citizens to identify and address local needs, interests, and concerns and promote citizen involvement in the planning process through the development and implementation of local community plans and vision statements. **(New Policy)**

POLICY 1.1.1: Utilize the community planning program to ensure a continuing and cooperative effort to educate and coordinate the public regarding community planning, comprehensive planning, and sustainability principles. **(New Policy)**

POLICY 1.1.2: Assure that existing and ongoing community plans are coordinated with county-wide and regional plans addressing transportation needs, population demands, and infrastructure needs. **(New Policy)**

POLICY 1.1.3 The community planning program is a partnership between an active community planning organization, interested citizens, and the county. Community planning efforts may be initiated and managed by either local community organizations or by the county on behalf of a local community, depending on the needs and interests of the local community and the county. **(New Policy)**

POLICY 1.1.4 Community plans may be amended, by the citizens within the community, Lee County staff, or the Lee County Board of County Commissioners. Amendments may include revisions to vision statements, goals, objectives, policies, or community boundaries. The amendment process will be consistent with the Lee Plan and comply with the Lee County Administrative Code. **(New Policy)**

POLICY 1.1.4 New community plans for areas without community plans may be created at the initiative of citizens within the community, Lee County staff, and the Lee County Board of County Commissioners. **(New Policy)**

POLICY 1.1.5 New or amended community plans may be adopted by the Lee County Board of County Commissioners. The following may be considered when plans and amendments are presented for staff review and adoption by the Lee County Board of County Commissioners:

- a. Consistency with the Lee Plan;
- b. Compatibility with surrounding communities;
- c. Adequate land size and population;
- d. Public participation within the planning process. **(New Policy)**

POLICY 1.1.6 If community plans address the following issues, the plan should be organized in the following order, to the greatest extent practicable:

- a. Vision
- b. Community Character/Land Use;
- c. Transportation;
- d. Natural Resources and Environment;
- e. Public Facilities and Services (i.e. Parks, Community Facilities);
- f. Housing/ Historic Preservation;
- g. Public Participation
- h. Other issues of interest to each community. **(New Policy)**

POLICY 1.1.7 Community organizations involved with community planning should:

- a. Hold meetings on a predictable and regular basis;
- b. Ensure that members represent the community's diverse population;
- c. Encourage public participation including a diversity of opinions;
- d. Work in partnership with Lee County staff;
- e. Hold meetings that are open to the public. (New Policy)

POLICY 1.1.8 Maintain, update and enforce an administrative code with procedures to guide community planning efforts. The administrative code and procedures will include such items as terms and conditions for use of county funds, the organizational requirements for community planning groups receiving county funds for community planning efforts, the roles of staff, the public, leaders of community planning efforts, and the public participation process. (New Policy)

OBJECTIVE 1.2: PUBLIC PARTICIPATION. The public will have meaningful and appropriate opportunities to comment on development in and around their communities. (New Policy)

POLICY 1.2.1: As a courtesy, Lee County will register citizen groups and civic organizations within the community planning areas 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. (New Policy)

POLICY 1.2.2: The communities listed below will establish an online document clearing house in 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.

These communities are: Boca Grande, Caloosahatchee Shores, Captiva, North Captiva, Estero, North Olga, and North Fort Myers. (New Policy)

POLICY 1.2.3: The owner or agent applying for the following types of county approval within a community planning area must conduct one public informational session within the community where the agent will provide a general overview of the project for any interested citizens. (See Table below). Lee County encourages planning and/or 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, providing advance notice of the meeting, 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. (New Policy)

Policy 1.2.3 Table

Buckingham, Caloosahatchee Shores, Estero, Lehigh Acres, North Fort Myers, Pine Island (includes Matlacha overlay), Tice	
	Planned Developments, Rezonings, Variances, Special Exceptions
Captiva	
	Planned Developments, Rezonings, Variances, Special Exceptions, Administrative Amendments
Northeast Lee County*, Alva*, North Olga*	
	Planned Developments, Rezonings, Variances, Special Exceptions, Plan Amendments
<i>* Projects within Northeast Lee County Planning Community must have two informational sessions, one within Alva and one within North Olga</i>	
Bayshore and Page Park	
	Planned Developments, Rezonings, Variances, Special Exceptions, Plan Amendments, Administrative Amendments
North Captiva	
	Rezonings, Variances, Special Exceptions
Boca Grande, Burnt Store Marina Village, Florida Gulf Coast University, San Carlos Island, Southeast Lee	
	No Requirement

COMMUNITY PLAN CONTENTS

COASTAL

CAPTIVA

GASPARILLA ISLAND/BOCA GRANDE

NORTH CAPTIVA

PINE ISLAND*

SAN CARLOS ISLAND

RURAL

BAYSHORE

BUCKINGHAM

ALVA

NORTH OLGA

SOUTHEAST LEE

SUBURBAN

CALOOSAHTCHEE SHORES

ESTERO

FLORIDA GULF COAST UNIVERSITY COMMUNITY

LEHIGH ACRES

NORTH FORT MYERS

URBAN

PAGE PARK

TICE

*** Pine Island has attributes which are both coastal and rural.**

The Communities Element also includes the Burnt Store Marina Village land use category (Goal 20) and the Private Recreation Facilities in the Density Reduction/Groundwater Recharge (DR/GR) land use category (Goal 21).

COASTAL COMMUNITIES

CAPTIVA ISLAND

~~This community includes the major islands of Captiva Island, Upper Captiva Island, Cayo Costa Island, Useppa Island, Buck Key, and Cabbage Key and the surrounding smaller islands. Although Captiva itself is a seasonal resort community, in comparison to the other islands in this community it is the center of activity. Due to the nature of this community, residents must satisfy their major commercial and industrial needs outside of this community. Conversely, the commercial aspects of the Captiva Community are utilized by many residents and tourists from outside of the Community. The population of Captiva is not expected to greatly change by 2030. Furthermore, the area will look much as it does today in the absence of a major hurricane or other natural disaster. (Added by Ordinance No. 99-15, Amended by Ordinance No. 07-12)~~
(Deleted from the Vision Statement)

CAPTIVA VISION

Captiva Island is a coastal barrier island with a low-density residential lifestyle supported by commercial activities to serve residents and visitors who are drawn toward a tranquil, unhurried experience in a natural setting. Captiva's natural environment is its most important attraction. Captivans regard the protection of its beaches, wildlife, flora, mangrove fringe, water quality and dark night skies as matters of paramount importance. Toward this end, the Captiva Community works together with Lee County and other regulatory bodies to preserve its unique historic character and sustain the fragile and limited resources of the island.
(New)

GOAL 2: CAPTIVA. To maintain and enhance the historic pattern of development on Captiva, consisting of unobtrusive, low-density residential use in an environment characterized by diverse and healthy native vegetation, clean offshore water with diverse and healthy marine life, and limited commercial development and traffic. The purpose of this goal is to provide policies to confirm and reinforce that historic pattern. ~~(Added by Ordinance No. 03-01)~~ **(Relocated from the Future Land Use Element) (Formerly Goal 13)**

CAPTIVA COMMUNITY CHARACTER & LAND USE

OBJECTIVE 2.1: Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island. ~~(Added by Ordinance No. 03-01)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 13.1)**

POLICY 2.1.1: No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on January 1, 2002, regardless of their zoning at any time thereafter, may be permitted unless all of the resulting lots comply with all of the minimum lot size and dimensional requirements in the RSC-2 district. ~~(Added by Ordinance No. 03-01)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 13.1.1)**

POLICY 2.1.2: New requests for residential re-zoning that would increase density on said property above current zoning will not be permitted. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 13.1.10)**

CAPTIVA COMMUNITY CHARACTER & LAND USE: BUILDING HEIGHT

POLICY 2.1.3: Due to the nature of a barrier island, the height of buildings and structures is dependent on conditions such as elevation of the site above sea level and mandatory flood elevation requirements. In

response to these conditions, the height of buildings and structures may not exceed the least restrictive of the two following options:

- a. 35 feet above the average grade of the lot in question or 42 feet above mean sea level measured to the peak of the roof, whichever is lower; or
- b. 28 feet above the lowest horizontal member at or below the lawful base flood elevation measured to the mean level between eaves and ridge in the case of gable, hip, and gambrel roofs. If lowest horizontal member is set above the base flood elevation the 28 foot measurement will be measured starting from the base flood elevation.

Notwithstanding the above height limitations, purely ornamental structural appurtenances and appurtenances necessary for mechanical or structural functions may extend an additional four (4) feet above the roof peak or eight (8) feet above the mean height level in the case of gable, hip, and gambrel roofs, whichever is lower, so long as these elements equal 20% or less of the total roof area. (~~Added by Ordinance No. 03-01, Amended by Ordinance No. 11-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 13.1.2)**

POLICY 2.1.4: Notwithstanding anything pertaining to Captiva Community Plan Height Restriction Policy ~~13.1.2~~ 2.1.3 above, due to the unique degree of public interest attached to it regarding emergency communications services, the existing telecommunications tower facility located in the maintenance and engineering area of South Seas Resort may be replaced in such area to a height not to exceed 170 feet, provided that said new facility makes space available to the county for adequate emergency communications service coverage for Captiva, as well as co-location within the capabilities of that tower for all wireless carriers desirous of serving Captiva. Destruction of mangroves will not be allowed in order to build or operate such a tower or related tower facilities. The telecommunication tower will be a monopole, unless public safety is compromised. (~~Added by Ordinance No. 05-19~~) **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 13.1.14)**

CAPTIVA COMMUNITY CHARACTER & LAND USE: VARIANCE CRITERIA

POLICY 2.1.5: Variances should be limited to unique, specifically authorized circumstances and will be allowed only in situations where unnecessary hardship would otherwise occur; i.e., where all of the following are met:

- a. Where the hardship cannot be corrected by other means allowed in the ordinances;
- b. Where strict compliance of the regulations allows the property owner no reasonable use of the property;
- c. Where the variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties located on the same street and within the same Future Land Use category, unless denial of the variance would allow no reasonable use of the property;
- d. Where the applicant did not cause the need for the variance; and
- e. Where the variance is not contrary to the spirit of the ordinance.

(~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 13.1.11)**

CAPTIVA COMMUNITY CHARACTER & LAND USE: MIXED USE

POLICY 2.1.6: ~~MIXED USE DEVELOPMENT.~~ The Captiva Community seeks to preserve the island's unique neighborhood-style commercial activities and to provide islanders with reasonable access to basic goods and services without having to leave the island. Toward that end, Lee County will encourage mixed use developments in specific and appropriate areas of the Captiva Community through its regulations, policies and discretionary actions. (~~Added by Ordinance No. 07-09~~) **(Relocated and Modified from the Future Land Use Element) (Formerly Objective 13.2)**

POLICY 2.1.7: Mixed use developments as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one residential unit in addition to commercial uses. Such developments will only be permitted if approved as a Commercial Planned Development. ~~(Added by Ordinance No. 07-09)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 13.2.2)**

CAPTIVA NATURAL RESOURCES & ENVIRONMENT

POLICY 2.1.8: Lee County will encourage and support efforts by Captivans to strengthen existing vegetation ordinances to establish a landscaping code for Captiva Island that will require all new development, including single family residences, to implement minimum landscaping requirements intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. New landscaping requirements will focus on areas including, but not limited to, buffering and separation between new structures and Captiva Drive, buffering between adjoining properties, preservation and enhancement of native plant communities including, but not limited to, beach dune community, tropical hardwood hammock, coastal scrub and mangroves. ~~(Added by Ordinance No. 03-01)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 13.1.3)**

POLICY 2.1.9: Lee County will continue to support the effort of the Captiva Erosion Prevention District, a beach and shore preservation authority under provisions of Florida law, to preserve, protect and maintain Captiva's beaches and inlets using environmentally responsible methods. **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 13.1.4)**

POLICY 2.1.10: Lee County will encourage and support efforts by the Captiva Community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include sewers only if sized to limit development to that permitted by this plan. ~~(Added by Ordinance No. 03-01)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 13.1.5)**

POLICY 2.1.11: Mangroves on Captiva Island will be protected to the greatest extent possible. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 13.1.12)**

POLICY 2.1.12: ~~Within two years of the adoption of this policy Indigenous or native trees will be replanted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive. The replanting of trees within the Captiva Drive right of way is needed to replace the loss of tree canopy following Hurricane Charley.~~ A comprehensive Captiva Drive landscape plan that addresses specific native tree species, tree placement, runoff control, public safety, access and utilities to facilitate the restoration of tree canopy will be created. The comprehensive Captiva Drive landscape plan will identify funding sources for implementing the plan and will designate the entity or entities responsible for long-term maintenance. Indigenous or native trees will be replanted and maintained along Captiva Drive between Blind Pass and the north end of Captiva Drive. **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 13.1.13)**

CAPTIVA HISTORIC PRESERVATION

POLICY 2.1.13: Lee County will encourage and support efforts by Captivans to develop and submit ordinances that will encourage the siting and building of structures consistent with the historical character of the island. ~~(Added by Ordinance No. 03-01)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 13.1.9)**

CAPTIVA COMMUNITY PLANNING

POLICY 2.1.14: Lee County will encourage and support the solicitation of the widest possible range of public input for any future Lee Plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan. To that end, Lee County is committed to provide continuing assistance to the Captiva Community as part of the Evaluation and Appraisal Report process as well as ongoing technical expertise related to the functioning of the adopted policies. ~~(Added by Ordinance No. 03-01)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 13.1.8)**

~~POLICY 13.1.6:~~ The Captiva Island Community will establish a “document clearing house” on Captiva, 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. 03-01)~~ **(Deleted)**

~~POLICY 13.1.7:~~ The owner or agent for any rezoning, variance, or special exception request within the Captiva Planning Community must conduct one public informational session on Captiva 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. 03-01)~~ **(Deleted)**

GASPARILLA ISLAND/BOCA GRANDE

GASPARILLA ISLAND/BOCA GRANDE VISION

In 1980, the Florida Legislature found that the Boca Grande Community, comprised of Gasparilla Island and nearby islands, is part of the fragile barrier island system as defined in the Presidential Directive on barrier islands dated May 23, 1977, and is an area of particular natural beauty containing abundant plant, marine, animal and bird life. The State of Florida recognized that the conservation of the natural beauty, plant, marine, animal and bird life of the islands was in the best interest of the residents and property owners of the islands, the citizens of Lee and Charlotte Counties and the State of Florida, and consequently created the Gasparilla Island Conservation District by enacting the Gasparilla Island Conservation District Act of 1980 (Ch 80-473). The Act was subsequently amended in 1983 and 1986 (Ch 83-385 and Ch 86-341) and is hereafter referred to as the GICDA. The intent of the GICDA is to limit density and development to a level which will not degrade the fragile environment or overburden the limited infrastructure of the islands.

For the purposes of this comprehensive plan, the Boca Grande Community includes Gasparilla Island, Boca Grande Isles, the Gasparilla Golf Course Island, Three Sisters Island, Hoagen's Key, Loomis Island, Cole Island, and the Gasparilla Island bridge lands and causeway islands, and includes all submerged lands, tidal lands, overflow lands and tidal ponds as described in the GICDA.

To insure that the intent of the GICDA is carried out, actions proposed in sections that follow must be undertaken to promote sound environmental policy, preserve the character and history of the community, safeguard the water supply, protect the sports fishing industry and support the essentially seasonal businesses in Boca Grande, and to ensure that residents have adequate access, law enforcement, and emergency and utility services.

The core of the Gasparilla Island/Boca Grande Community is the unincorporated village of Boca Grande, designated as a Historic District. This community is unique in that it has no direct road access to or from the rest of Lee County. All access to Boca Grande by motor vehicle is via Charlotte County, or by boat, or small seaplane. The Lee County portion of Gasparilla Island/Boca Grande is designated as Urban Community, Outer Islands, Public Facilities, Conservation Lands, and Wetlands on the Future Land Use Map. Maximum density in the Urban Community category is restricted to three dwelling units per acre.

The population is highly seasonal with peak population residency and daily visiting occurring during the months of November through May. With land vacancy of less than 15%, Gasparilla Island/Boca Grande has virtually no capacity for additional new development, while substantial population growth is expected in adjacent areas of Charlotte and Sarasota Counties. The Gasparilla Island/Boca Grande Community is dedicated to preserving its historic character and scale and its unique island residential character so that the community will look substantially as it does today through 2030, including its unique mix of vital small businesses, without fast food franchises, formula and intense retail or intense commercial tourist activities, other than the historic Gasparilla Inn.

High priorities for Gasparilla Island/Boca Grande are the preservation and conservation of its fragile environment, including recreation and open space areas, its Historic District, the residents' quality of life and right to continued enjoyment of its natural and cultural gifts, and consistent enforcement of all current and future regulations with respect to zoning, traffic, parking, law enforcement, public utilities, the GICDA and the Historic District.

To the greatest extent possible, the Community of Boca Grande, Lee County and Charlotte County should work together to jointly develop land development regulations and ordinances which are required by the policies found in this Comprehensive Plan. ~~(Added by Ordinance No. 99-15, Amended by Ordinance No. 05-19, 07-12)~~ **(Relocated from the Vision Statement)**

GOAL 3: BOCA GRANDE. The Boca Grande Community Plan seeks to preserve and conserve the surrounding fragile environment, recreation and open space areas, the Historic District, the quality of life and the continued enjoyment of its natural and cultural gifts. The plan seeks consistent enforcement of all current and future regulations with respect to zoning, traffic, parking, law enforcement, public utilities, the Gasparilla Island Conservation District Act and the Boca Grande Historic District. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Goal 22)**

BOCA GRANDE COMMUNITY CHARACTER & LAND USE: COMMERCIAL & RESIDENTIAL

OBJECTIVE 3.1: FUTURE LAND USE. To preserve the traditional character, scale, and tranquility of the historic village and residential areas of the Boca Grande Community by continuing to limit the densities and intensities of use and development to sustainable levels that will not adversely impact the natural environment, overburden the existing infrastructure, or require additions to the present infrastructure.

Lee County will continue to enforce the regulations found in the Gasparilla Island Conservation District Act, and will assist the residents of Boca Grande to further develop growth management policies and regulations to limit densities and intensities of development on Gasparilla Island, in order to maintain the historic scale and development patterns of the community. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 22.1)**

POLICY 3.1.1: Lee County will work with the Boca Grande Community to establish boating and marine facility site location standards which will help to identify appropriate locations and development regulations that are consistent with a scope and intensity that will protect the community from the potential negative impacts. Future public boat ramps and other watercraft launching facilities on Gasparilla Island will only be developed with adequate on-site parking, and should minimize impacts to traffic and pedestrian safety, the environment, neighborhoods, and consider marine safety issues. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.1.1)**

POLICY 3.1.2: In order to preserve the existing community character of Boca Grande, the Boca Grande Community will work to develop standards to regulate all commercial uses on Gasparilla Island. Development standards will identify commercial design guidelines, parking and signage standards, appropriate intensity of uses and establish location standards to ensure consistency with the existing community character. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.1.2)**

POLICY 3.1.3: The Boca Grande Community will work to develop regulations ~~within two years of the adoption of this Policy~~, to better manage rental and tour businesses which have an impact on the neighborhoods and environment of the community. These regulations will address issues such as the number and location of operators, safety, privacy, security, liability insurance, parking facilities, property maintenance, storm water management, and compatibility. (~~Added by Ordinance No. 05-19~~) **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 22.1.3)**

POLICY 3.1.4: In order to promote water conservation and better manage this important resource, the Boca Grande Community will develop standards for permit requests of new buildings to conduct a cistern feasibility study as part of the permitting process. For redevelopment projects, Lee County will seek to encourage the establishment of cisterns as a non potable water source, wherever practicable. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.1.6)**

POLICY 3.1.5: In order to maintain the traditional scale and historic patterns of development on Gasparilla Island, including areas outside the Boca Grande Historic District, the Boca Grande Community will develop regulations to preserve light, space and air around new residential dwelling construction and to discourage “mega houses” or “mansionization” of Boca Grande. New development or redevelopment will recognize that traditional setbacks, particularly front and side yard setbacks, as well as strict adherence to the Coastal Construction Control Line, within existing and proposed neighborhoods on Gasparilla Island, should be maintained. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.1.7)**

POLICY 3.1.6: Lawfully existing businesses and commercial buildings in the Boca Grande commercial areas will be deemed to be vested as related to parking, setbacks, height, and land use. Any expansion or change of use to one of higher intensity will require a review of parking impacts, setbacks, height, and uses as necessary. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.1.8)**

POLICY 3.1.7: Lee County will support the Boca Grande Community in their efforts to further investigate the need for modified development regulations applicable to Boca Grande, based upon the unique nature of the community, the location of Boca Grande on a barrier island at the mouth of Charlotte Harbor, the limited opportunities for supporting infrastructure, the seasonal nature of the demand upon public facilities, and the need for cross-county administration of growth management legislation. The Boca Grande Community may propose development regulations that address the following:

- a. The creation of the Gasparilla Island Zoning Overlay district to address inconsistencies with current zoning districts and the comprehensive plan and GICDA, implement policies adopted in this plan, and adopt modified development regulations such as, but not limited to, parking requirements, minimum setbacks, and commercial and residential design standards; and
 - b. The creation of a marine park zoning district to facilitate consistent local enforcement of existing Federal, State and County regulations in waterfront areas and new regulations to better manage coastal issues such as use and rental of personal watercrafts, abandoned vessels, live aboards, sanitation, water quality, and noise.
- ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.1.9)**

GASPARILLA ISLAND/BOCA GRANDE TRANSPORTATION

OBJECTIVE 3.2: TRANSPORTATION, PARKING AND TRAFFIC CIRCULATION. To ensure residential and commercial land use in Boca Grande that recognizes the connection between the existing transportation infrastructure and the community's desire to preserve Boca Grande's community character as a tranquil residential community, with an historic village center, and abundant open space and preservation areas. No policy in this community plan will be construed or interpreted to imply that Lee County will implement and/or enforce new traffic regulations, traffic control, or parking regulations which are determined to be significantly substandard or may cause a defined safety or operational problem.

Lee County will recognize the inherent need to limit additional impacts to the existing transportation infrastructure of Boca Grande, the varied types and limited access to the community, the need for alternate forms of transportation within the community, the need for specialized standards for parking and commercial service areas, and the seasonal nature of infrastructure demand that exists throughout the community. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 22.2)**

POLICY 3.2.1: Lee County will continue to enforce the provisions of the Gasparilla Island Conservation District Act which limit growth, limit building height and restrict advertising throughout Boca Grande. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.2.1)**

POLICY 3.2.2: Lee County will support the provision of convenient, safe bridges providing access to Gasparilla and Cole Islands and supports the highest standard of safety for vehicles, golf carts, bicycles, and pedestrians including strict enforcement of traffic laws. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.2.2)**

POLICY 3.3.3: Lee County will assist in efforts to create a Master Plan for improvements to the bike and golf cart path along Gulf Boulevard, south of the village. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.2.3)**

POLICY 3.2.4: In order to preserve the historic characteristics of the community, Lee County will support the use of all way stop intersections or other traffic control methods, rather than traffic signals, whenever possible in the Boca Grande Community. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.2.4)**

POLICY 3.2.5: Lee County will support efforts of the Boca Grande Community to beautify road right-of-ways and enhance the public realm of Boca Grande by including provisions for streetscaping in Historic Downtown Villages in the Lee Scape Master Plan. In order to maintain low traffic volumes, operating speeds, and noise levels, improvements will emphasize traffic calming techniques, and the need to preserve the aesthetic values of the community. Particular emphasis will be placed in the Historic District.

Enhancements may include village streetscaping such as additional street trees, trash receptacles, benches and burying utilities underground. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.2.5)**

POLICY 3.2.6: Lee County will continue to ensure viable hurricane evacuation options for the residents and stakeholders of Boca Grande. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.2.6)**

POLICY 3.2.7: Lee County will support improvement of pedestrian safety by establishing and marking crosswalks throughout the community, and by improving pedestrian circulation within the Historic District. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.2.7)**

POLICY 3.2.8: The Lee County Department of Transportation will continue to provide the necessary maintenance and improvements on all public rights-of-way to ensure the continued safety and efficiency of roadways, paths, and surface water management systems. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.6.14)**

GASPARILLA ISLAND/BOCA GRANDE TRANSPORTATION - PARKING

OBJECTIVE 3.3: Lee County will consider a funding request for the Boca Grande Community Plan implementation that provides for a parking and traffic study to identify ways to create safe and efficient parking for employees, patrons and visitors, and to determine the appropriate parking standards which will address the capacity and design needs of the Boca Grande commercial district. The parking and traffic study will address the following policies. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 22.3)**

POLICY 3.3.1: As a result of regional growth and local redevelopment, Lee County will provide assistance to develop a long-range strategy to address increased parking demand. This may result in regulations, infrastructure improvements or adoption of management practices which incorporate any number of the following:

- a. Revised traffic count thresholds
- b. Maximum development intensities
- c. Revised minimum parking requirements
- d. Traffic congestion mitigation practices
- e. Vehicle and pedestrian safety programs
- f. Shared parking agreements
- g. Public/Private partnerships to fund new or expanded parking facilities.

~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.3.1)**

POLICY 3.3.2: Lee County will seek to maximize the efficiency and the functionality of existing parking facilities by improving trailblazing signage, re-designing existing parking facilities, and creating specific facilities for golf cart and bicycle parking. Designated parking for employees, the appropriate number of parking spaces for new and expanded uses, and enforcement of existing parking restrictions and permit requirements will also be examined. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.3.2)**

POLICY 3.3.3: Parking along the beach access streets and other public rights-of-way will be regulated to allow convenient ingress and egress to residences and permit adequate emergency vehicle access at all times. Lee County will support efforts of the Boca Grande Community to analyze the appropriateness of overnight

and long term parking in the public rights-of-way, the Gilchrist median, and along beach access streets. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.3.3)**

POLICY 3.3.4: Lee County will seek to direct service vehicles and delivery vehicles to designated unloading zones. Due to the traffic congestion in the Historic District, Lee County will assist in establishing time restrictions on service and delivery trucks during peak traffic periods, such as those occurring in March and April. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.3.4)**

POLICY 3.3.5: For all new development and redevelopment, Lee County will continue to support and improve design and permitting efforts through the site plan review process that adequately address truck deliveries, emergency vehicle access, and solid waste disposal. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.3.5)**

POLICY 3.3.6: Lee County will assist in a study of traffic patterns and flow in and around the Post Office, Park Avenue, East Railroad Avenue and West Railroad Avenue, seeking to develop a plan of action that will improve the functionality of the infrastructure while preserving the aesthetics of the community. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.3.6)**

GASPARILLA ISLAND/BOCA GRANDE NATURAL RESOURCES & ENVIRONMENT

OBJECTIVE 3.4: CONSERVATION AND COASTAL MANAGEMENT. Lee County will preserve, protect, and, where possible, enhance the physical integrity, village character, ecological values, and natural beauty of Boca Grande and Gasparilla Island, focusing upon the diverse and healthy native vegetation, the clear offshore waters, and the varied and abundant native marine and wildlife resources in a manner compatible with the Gasparilla Island Conservation District Act, the promotion and preservation of the historic Boca Grande village as a thriving community, and preservation of Gasparilla Island's historic heritage.

Lee County will support the efforts of the Federal and State authorities, and the Boca Grande Community to preserve, protect, and enhance the positive environmental qualities of Gasparilla Island. Lee County will involve local community organizations in the planning process and will enforce these community plan policies through implementation in the land development regulations. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 22.4)**

POLICY 3.4.1: Lee County will support and encourage beach renourishment and other efforts to maintain the beaches and protect Gasparilla Island from tidal events. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.4.1)**

POLICY 3.4.2: Lee County will support the State's efforts to protect and preserve mangroves both on private properties as well as within public lands and easements. ~~Not later than December 31, 2005,~~ Lee County will review the State regulations regarding mangrove trimming and removal and determine whether additional protections need to be enacted on Gasparilla Island to protect its fragile environment. ~~(Added by Ordinance No. 05-19)~~ **(Relocated and modified from the Future Land Use Element) (Formerly Policy 22.4.2)**

POLICY 3.4.3: Lee County will strictly enforce its own policies related to the preservation of the beach dune system, beach dune vegetation, and beach dune wildlife, by discouraging any construction seaward of the 1979 Coastal Construction Control Line. This policy will not apply to the placement of raised walkways intended to cross over the dune system from adjoining properties, nor will it apply to bona fide beach renourishment and shoreline protection efforts. Lee County will support the State's efforts to protect the beach dune system, beach dune vegetation, and beach dune wildlife communities on Gasparilla Island.

~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.4.3)**

POLICY 3.4.4: The Beach renourishment efforts of Lee County will include the re-establishment of a beach dune system, beach dune vegetation, and beach dune wildlife communities, including nesting birds and turtles, to the greatest extent practicable. Lee County will monitor and enforce its policies and regulations protecting dunes, dune vegetation, and dune wildlife communities on Gasparilla Island. Any rock or hard revetment will be covered with sand and planted with salt resistant native plants. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.4.4)**

POLICY 3.4.5: Except for emergency events and public purposes, Lee County will ban vehicular traffic from all beaches on Gasparilla Island and will provide enforcement of the ban. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.4.5)**

POLICY 3.4.6: Lee County will use regulatory powers to preserve, protect, and enhance the marine habitat surrounding Gasparilla Island, including sea grass beds, manatee habitat, estuarine habitat, and near shore waters of Gasparilla Island. Nothing in this policy requires Lee County to support unreasonable policies of any other regulatory agency. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.4.6)**

POLICY 3.4.7: Lee County will review and enforce all permits for new dock construction to assure the protection of sea grass beds, manatee habitat, tarpon fishing grounds, and other environmental values intrinsic to Charlotte Harbor. Copies of dock and shoreline permits are available through the online Document Clearing House. Nothing in this policy requires Lee County to support unreasonable policies of any other regulatory agency. ~~(Added by Ordinance No. 05-19)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 22.4.7)**

POLICY 3.4.8: Lee County will assist in the enforcement of best management practices for anchorages of Gasparilla Island. The Southwest Florida Regional Planning Council and its advisory committees will be the source of such information. ~~(Added by Ordinance No. 05-19)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 22.4.8)**

POLICY 3.4.9: Lee County will implement and maintain policies and land development code guidelines for beach clean-up during red tide and similar extraordinary tidal events. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.4.9)**

POLICY 3.4.10: ~~Within two years of the adoption of this Policy,~~ Lee County will establish a program to restore the plant diversity on county owned lands on Gasparilla Island through the removal of exotic vegetation and its replacement with native species. Such a program will be phased so that the general character of the community will be maintained during the maturation process. Exotic species which are killed in place will be removed as appropriate so as not to create a negative impact or create a hazard to the community. ~~(Added by Ordinance No. 05-19)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 22.4.10)**

POLICY 3.4.11: Lee County will support programs that provide periodic clean-up activities in aquatic preserves, on the beaches of Gasparilla Island, and at beach access points on Gasparilla Island. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.4.11)**

POLICY 3.4.12: Lee County will work in conjunction with Charlotte County to implement a plan to stop the proliferation of iguanas and other exotic fauna on Gasparilla Island by January, 2006. ~~(Added by Ordinance No. 05-19)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 22.4.12)**

POLICY 3.4.13: Lee County will provide financial and political support for research into the causes and control of red tide and other similar extraordinary tidal events. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element)**

POLICY 3.4.14: Lee County will manage public resources and direct public efforts to preserve, protect, and enhance the natural environments on Gasparilla Island through measures to control the risk of harm attributable to human impact. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Objective 22.5)**

POLICY 3.4.15: Lee County will support efforts to preserve, protect, and, where possible, enhance the tarpon and game fish population of Charlotte Harbor and the near shore waters of the Gulf of Mexico. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.5.1)**

GASPARILLA ISLAND/BOCA GRANDE PUBLIC (COMMUNITY) FACILITIES & SERVICES

OBJECTIVE 3.5: COMMUNITY FACILITIES AND SERVICES. Lee County will seek to ensure the continued delivery of high quality, accessible community facilities and services that meet the educational, recreational, informational, and public safety, health and welfare needs of the residents, visitors and stakeholders of Boca Grande.

Through the administration of county services, the Land Development and Administrative Codes, and the cooperative efforts of interagency and intergovernmental agreements, Lee County will continue to provide utilities and infrastructure; emergency, law enforcement and fire protection services; education, information resource and recreation services; and mosquito and animal control services, in a safe and efficient manner. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Objective 22.6)**

POLICY 3.5.1: Lee County will seek to maintain and enhance the public/ private partnership for the operation and enhancement of the Boca Grande Community Center and other county operated facilities open to the public in the Community of Boca Grande. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.6.1)**

POLICY 3.5.2: Lee County will cooperate with the Gasparilla Island Water Association (GIWA) to ensure the continued provision of potable water and sanitary sewer service to the Community of Boca Grande. Lee County will continue to support the Wellhead Protection regulations adopted by the GIWA and Charlotte County to protect and preserve the sources upon which the Community of Boca Grande relies for its potable water. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.6.1)**

POLICY 3.5.3: Lee County will facilitate and provide for the disposal of solid waste, including refuse, recyclables, and horticultural waste. Lee County will enter into an inter-governmental agreement with Charlotte County, if necessary, to ensure that the Community of Boca Grande will have access to Charlotte County's solid waste disposal area located on Environmental Way in Charlotte County. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.6.3)**

POLICY 3.5.4: Lee County will support the operation and enhancement of a reference library facility, including the provision and improvement of adequate electronic based equipment, internet access, and software, in cooperation with local community organizations. Professionally trained library personnel will manage and operate the facility. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.6.6)**

POLICY 3.5.5: So long as local interest exists in the Community of Boca Grande to maintain an Island School to serve the population of the Community of Boca Grande, Lee County will support the Lee County School Board, if necessary, with an inter-local agreement, in maintaining a viable school site and educational programs. Such support may include, but is not limited to, facilitation of land use regulations, joint use of community resources, funding assistance, joint utilization of staffing, or other applicable coordination efforts. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.6.7)**

GASPARILLA ISLAND/BOCA GRANDE PUBLIC (COMMUNITY) FACILITIES & SERVICES:
POLICE, FIRE & EMS

POLICY 3.5.6: Lee County will cooperate with the Boca Grande Fire Control District (BGFCDD) in the provision of fire protection services to the Community of Boca Grande. Such cooperation will include, but will not be limited to, recognition that the Fire Chief of the BGFCDD has the authority for interpretation and enforcement of fire codes in the Community of Boca Grande. All homes will be required to have the address clearly posted on the property. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.6.8)**

POLICY 3.5.7: Lee County will provide the necessary communications infrastructure as required to manage and dispatch all 911 calls affecting the Community of Boca Grande, entering into agreements as necessary with the BGFCDD and Charlotte County. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.6.9)**

POLICY 3.5.8: Lee County will cooperate in the establishment of inter-local agreements between and among all necessary parties to provide for: 1) the appropriate handling of hazardous materials incidents; 2) mutual aid agreements with the Englewood Fire Control District and Charlotte County Fire and EMS; 3) advanced life support emergency medical services; and 4) back-up EMS response as may be required by the Community of Boca Grande. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.6.10)**

POLICY 3.5.9: Lee County will cooperate as necessary in the provision of communications, information distribution, public service meetings, educational efforts, and a local liaison for emergency situations affecting the Community of Boca Grande. Lee County will maintain an up-to-date list of first-in team contacts, cooperate as necessary with applicable jurisdictions and service providers for communication of evacuation status, shelter locations, and re-entry information in the event of an emergency situation. The issuance of evacuation notices will be coordinated with Charlotte County. Lee County will work with other local, State, and Federal authorities as necessary to assist in the provision of adequate means by which the Community of Boca Grande can be evacuated through the Cape Haze Peninsula in the event of an emergency situation. It is acknowledged that the appropriate Emergency Operations Center (EOC) is determined by the Boca Grande Fire Control District. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.6.11)**

POLICY 3.5.10: Lee County Emergency Medical Services will provide land or air transportation to the most appropriate facility based on the patient's medical history and will maintain a liaison with the Boca Grande Health Clinic to keep the clinic fully informed of all Emergency Medical protocols and procedures for operations and any changes that may be implemented whether temporary or permanent. The Boca Grande Health Clinic will be informed relating to any public health issues or public county health problems. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.6.12)**

POLICY 3.5.11: Lee County will promote and assist as necessary in the provision of a full-time police and law enforcement presence for the Community of Boca Grande. Cooperative arrangements in the form of inter-local agreements, or other mechanisms as may be applicable, between Lee and Charlotte County will be

supported if necessary. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.6.13)**

GASPARILLA ISLAND/BOCA GRANDE PUBLIC (COMMUNITY) FACILITIES & SERVICES: MOSQUITO CONTROL

POLICY 3.5.12: Lee County will facilitate and cooperate with the applicable mosquito control district to control the health risk that mosquitoes represent. Lee County will continue to support the utilization of safe, effective, and environmentally responsible measures for mosquito control, recognizing the need to preserve local flora and fauna, including marine life. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.6.4)**

POLICY 3.5.13: Lee County will work with the applicable mosquito control district to facilitate the dissemination of aerial spraying schedules, as well as any threat to the public health, to the Community of Boca Grande, the Boca Grande Health Clinic, and the newspapers that serve the Community of Boca Grande. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.6.5)**

GASPARILLA ISLAND/BOCA GRANDE OPEN SPACE, RECREATION & BEAUTIFICATION

OBJECTIVE 3.6: OPEN SPACE, RECREATION AND BEAUTIFICATION. Lee County will seek to promote, protect, and enhance existing and potential open space, recreational facilities, and the quality of life for the residents and stakeholders of Boca Grande. These efforts will enhance the aesthetic qualities of Boca Grande and benefit its residents while preserving the characteristics of its fragile barrier island system.

Lee County recognizes that Boca Grande represents a unique cross-jurisdictional, barrier island community with distinct physical attributes that govern the preservation of open space and recreational opportunities. Lee County will seek to enhance and protect the quality of life for residents, visitors, and stakeholders through the preservation of functional open space and recreational opportunities while seeking to limit demands upon a restricted infrastructure and enhance the aesthetic qualities of Gasparilla Island. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 22.7)**

GASPARILLA ISLAND/BOCA GRANDE OPEN SPACE, RECREATION & BEAUTIFICATION: ROADS & GOLF CART PATHS

POLICY 3.6.1: Lee County will support efforts to protect and enhance the functionality of the eight-mile long pedestrian-bike-electric golf cart path on Gasparilla Island. Lee County recognizes that this eight-mile long linear park and path serves a recreational purpose, a transportation purpose, and an aesthetic purpose for the residents, visitors and stakeholders of the Island. ~~Not later than December 31, 2005,~~ Lee County will undertake efforts to improve the pedestrian/bike/electric golf cart path along the southerly end of the path similar to those improvements located in the northerly, GICIA owned portion of the path. ~~(Added by Ordinance No. 05-19)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 22.7.1)**

POLICY 3.6.2: Lee County will coordinate public works projects, such as street resurfacing, repairs, maintenance, drainage swales, and other surface water management systems, with the Boca Grande Community so that they include landscaping and aesthetic options that are in keeping with the concept of promoting, preserving, and enhancing the ecological and aesthetic values of Gasparilla Island. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.7.2)**

POLICY 3.6.3: ~~Not later than December 31, 2005,~~ Lee County will investigate the feasibility of converting Banyan Street to a one-way facility and reducing the pavement width in order to better preserve and protect the banyan trees. Lee County will assist in establishing an historic, scenic, or similar type of designation, as recommended in the Banyan Tree Assessment Report, Banyan Street-Boca Grande, Florida, prepared by the Lee County Division of Environmental Sciences, to further provide for the protection and preservation of this unique street area. ~~(Added by Ordinance No. 05-19)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 22.7.3)**

POLICY 3.6.4: Upon adoption of this policy, Lee County will prohibit automobile parking on 5th Street from Park to Gilchrist, known as Mahogany and Veterans Park, in order to protect the unique aesthetic features of this roadway. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.7.4)**

GASPARILLA ISLAND/BOCA GRANDE OPEN SPACE, RECREATION & BEAUTIFICATION: NATURAL ENVIRONMENT

POLICY 3.6.5: Lee County will continue to support the designation of Gasparilla Island as a bird and wildlife sanctuary, as adopted in Lee County Ordinance 83-16. Lee County will support the efforts of Charlotte County for the designation of Cole Island, Live Oak Key, Peekins Ranch Cove and Key, the fishing pier at the old 400 foot railroad bridge, and the peninsula located north of the Lee County line, (as identified in the Open Space Inventory) and all remaining land zoned Environmentally Sensitive, as well as the Charlotte County portion of Gasparilla Island, as a bird and wildlife sanctuary. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.7.5)**

POLICY 3.6.6: Lee County will support and promote the preservation of environmentally sensitive lands, and will continue to support, promote, and investigate additional funding sources for the Gasparilla Island Conservation and Improvement Association Land Conservancy Stewardship Program and other preservation programs. Element V of the Boca Grande Community Plan includes the inventory of existing community open space and sensitive lands. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.7.6)**

GASPARILLA ISLAND/BOCA GRANDE OPEN SPACE, RECREATION & BEAUTIFICATION: RECREATIONAL FACILITIES

OBJECTIVE 3.7: Lee County will preserve and maintain the functionality of the existing recreational facilities currently available on the Island. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 22.8)**

POLICY 3.7.1: Lee County will maintain the existing recreational facilities on Gasparilla Island, including two tennis courts, a basketball court, a volleyball court, the baseball field on Wheeler Street, the various beach access locations, a community playground, the picnic areas, and fishing sites, including one on the Bayou. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 28.8.1)**

GASPARILLA ISLAND/BOCA GRANDE FLORIDA POWER & LIGHT PROPERTY

POLICY 3.7.2: Lee County will assist private and public efforts to acquire the approximately 9.19-acre F. P. & L./Belcher Oil owned property located at the south end of Gasparilla Island. If the Florida Power & Light property on Gasparilla Island is acquired in whole or in part with public funds, Lee County will support a community planning workshop before recommending appropriate uses for that property. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 28.8.2)**

GASPARILLA ISLAND/BOCA GRANDE HISTORIC PRESERVATION

OBJECTIVE 3.8: HISTORIC PRESERVATION. To protect, preserve, and enhance the historic resources and heritage of the Boca Grande Community.

Lee County will seek to preserve the historic resources of Boca Grande through the adoption of policies and regulations that recognize the unique community characteristics, a tranquil residential community, with an historic village center, and abundant open space and preservation areas, and that also recognize the local sensitivity of the community's architecture, history and legacy as an old railroad town. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 22.9)**

POLICY 3.8.1: Lee County will maintain a Boca Grande Historic Preservation Board with the powers and duties found in Lee County Land Development Code Chapter 22, Section 22-74, which includes the ability to designate historic resources and to approve or deny applications for Special Certificates of Appropriateness. The Boca Grande Historic Preservation Board will be comprised of seven members from the categories found in the Lee County Land Development Code, Section 22-72, except that whenever possible the members will be residents of the Lee County portion of the Boca Grande Community. Members will serve as described in Section 22-72 and will be appointed by the Lee County Board of County Commissioners. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.9.1)**

POLICY 3.8.2: Lee County will provide copies of applications for historic designations and of all Special Certificates of Appropriateness, as well as administrative variances, to the Document Clearing House, and will send notices to all surrounding property owners, in order that the community may be better informed and have the opportunity to participate in the process to preserve its historic resources. ~~(Added by Ordinance No. 05-19)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 22.9.2)**

POLICY 3.8.3: Lee County will work with the Community of Boca Grande in updating its inventory of contributing and non-contributing structures as part of its efforts to preserve the historic resources of Gasparilla Island. Lee County will assist in efforts to create a record of the historic features of the Island in order to sustain a legacy for future generations. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.9.3)**

POLICY 3.8.4: Lee County will work with the Boca Grande Historic Preservation Board and the Community of Boca Grande in reviewing the design parameters applicable to the Historic District of Boca Grande to ascertain whether additions, modifications, or deletions need to be considered. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.9.4)**

POLICY 3.8.5: Lee County will investigate the designation of Banyan Street as an historic resource and assist with the implementation of additional recommendations found in the Banyan Tree Assessment Report, Banyan Street-Boca Grande, Florida, completed by the Lee County Division of Environmental Sciences, as recommended by the Boca Grande Historic Preservation Board. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.9.5)**

POLICY 3.8.6: Lee County will investigate additional fiscal and tax incentives to preserve the economic viability of the Historic District of Boca Grande. ~~(Added by Ordinance No. 05-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 22.9.6)**

POLICY 3.8.7: Lee County will preserve the historic village character of the commercial sector of Boca Grande by adhering to the criteria of the Design Guidelines Manual for the Boca Grande Historic District in Lee County, Florida. Lee County will support efforts of the Boca Grande Community to modify site and design regulation within the Boca Grande Historic District to include commercial signage and other design components or uses that are not in keeping with the historic elements of the existing community character on

Gasparilla Island. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.9.7)**

POLICY 3.8.8: Lee County will work with the Boca Grande Historic Preservation Board and the community to review the build-back regulations to ascertain whether modifications need to be undertaken in order to restore historic features in the event of catastrophe. If necessary, regulations to allow designated historic resources to be reconstructed will be adopted. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.9.8)**

POLICY 3.8.9: Lee County will support efforts in the Historic District to install and maintain additional native landscaping, especially along Park Avenue and Fourth Street, to provide greater community aesthetics, safer pedestrian movement, landscaped parking areas for automobiles and golf carts, and more efficient traffic flow. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 28.8.3)**

GASPARILLA ISLAND/BOCA GRANDE ECONOMIC HEALTH

OBJECTIVE 3.9: ECONOMICS. To identify and preserve the elements of the Gasparilla Island economy that contribute to the quality of life for the residents and stakeholders, including the restaurants, shops, fishing guides, art galleries, real estate companies, and existing commercial businesses which combine to make Boca Grande a unique village economy.

Lee County will work with all of the interests that make up the economy of Boca Grande to preserve and promote the economic health of the Boca Grande Community while not expanding the amount of commercial property on the Island in accordance with the Gasparilla Island Conservation District Act (GICDA). (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Objective 22.10)**

POLICY 3.9.1: Lee County will support efforts by the Gasparilla Island Bridge Authority (GIBA) to secure funding for the repair and maintenance of the bridges connecting Gasparilla Island to the mainland. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.10.1)**

POLICY 3.9.2: Lee County will support efforts to preserve, maintain, and enhance the beaches of Gasparilla Island. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.9.2)**

POLICY 3.9.3: Lee County will work with the Boca Grande Community to review and ensure adopted levels of service for the provision of water, sewer, roadway capacity, and parks and recreation are consistent with the goals, objectives, and policies adopted in the Comprehensive Plan. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.9.3)**

POLICY 3.9.4: To ensure the continued economic health of Boca Grande, Lee County will seek to maximize the efficiency and the functionality of existing parking facilities and review existing parking standards for their consistency with the historic and environmental constraints found in the community. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.9.4)**

POLICY 3.9.5: Lee County will coordinate with the Lee County School District to ensure adequate educational opportunities are available to the residents and stakeholders of Boca Grande. (~~Added by Ordinance No. 05-19~~) **(Relocated from the Future Land Use Element) (Formerly Policy 22.9.5)**

POLICY 3.9.6: To ensure Boca Grande's economic health, Lee County will support the preservation of historic businesses and commercial structures. Support may include historic preservation grants and development regulations which will encourage mixed use buildings. The Gasparilla Inn is an example.

~~(Added by Ordinance No. 05-19) (Relocated from the Future Land Use Element) (Formerly Policy 22.9.6)~~

~~POLICY 22.1.4: Lee County will work with the Boca Grande community to establish a Document Clearing House in Boca Grande, where copies of selected documents from permit applications, variance requests, staff reports, Hearing Examiner recommendations and resolutions, Historic District Special Certificates of Appropriateness, and Administrative Variances and for any development on Gasparilla Island will be kept 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. 05-19)(Deleted)~~

~~POLICY 22.1.5: The owner or agent for any rezoning, variance or special exception request must conduct one public informational meeting in Boca Grande where the owner or agent will provide a general overview of the project for any interested citizens. The applicant is fully responsible for providing the meeting space and providing security measures as needed.~~

~~Lee County encourages zoning staff to participate in such public informational meetings. This meeting must be conducted before the application can be found sufficient. 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. 05-19)(Deleted)~~

NORTH CAPTIVA

NORTH CAPTIVA VISION

Upper Captiva is a small residential community on a 650-acre bridgeless barrier-island, North Captiva, in the Gulf of Mexico. Half of the Island is an unimproved state preserve under the jurisdiction of Cayo Costa State Park, located on the next island north. Upper Captiva is distinguished by its diversity, beauty, uniqueness, character and stewardship of the island's way of life, wildlife and natural habitats.

The remarkable proximity of private homes to the adjacent natural Florida lands and wildlife sanctuaries guides the community's vision of a unique interface: attractive neighborhoods that are in every way compatible with preserving the island's natural character and advantages. The community strives to balance owner-resident preference for open, undisturbed space and commercial urges for increased services.

The island will resist pressures from local, state, or national jurisdictions to accommodate activity adversely inconsistent with the Lee Plan. This includes actions that could harm the island's sensitive habitats or surrounding aquatic ecosystems.

Upper Captiva will work with and have the assistance of Lee County to achieve this vision and the Upper Captiva Community planning goal. (New)

GOAL 4: NORTH CAPTIVA (Upper Captiva). The North Captiva Community is committed to preserve its character, scale, fragile environment, and way of life by guiding future land use; transportation and roads; conservation and coastal management; Safety Harbor; shore and water quality, water and waste management; open space, recreation, and quality of life; and citizen participation and community education. ~~(Added by Ordinance No. 09-09) (Relocated and edited from the Future Land Use Element) (Formerly Goal 25)~~

NORTH CAPTIVA COMMUNITY CHARACTER & LAND USE

OBJECTIVE 4.1: FUTURE LAND USE: Preserve the traditional character, scale, and tranquility of the North Captiva Community by continuing to limit the densities and intensities of use and development to sustainable levels that will not adversely impact the natural environment or overburden the existing infrastructure. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 25.1)**

POLICY 4.1.1: ~~By the end of 2013,~~ The North Captiva Community will draft and submit Land Development Code regulations applicable to North Captiva for Lee County to review and consider, based upon the unique nature of the community, its status as a bridgeless barrier island, the limitations on supporting infrastructure, and the seasonal nature of the demand upon public facilities. ~~(Added by Ordinance No. 09-09)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 25.1.3)**

POLICY 4.1.2: The location of North Captiva provides a view of the night sky that is virtually unparalleled in Lee County. ~~By the end of 2013,~~ The North Captiva Community will develop land development regulations for the county to review and consider that are applicable to exterior residential and commercial lighting as a means to limit light pollution, light trespass and its potential detrimental effects on wildlife to the greatest extent possible. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 25.1.4)**

NORTH CAPTIVA COMMUNITY CHARACTER & LAND USE: VARIANCE CRITERIA

POLICY 4.1.3: Variances should be limited to unique, specifically authorized circumstances and be allowed only in situations where unnecessary hardship would otherwise occur; i.e., where all of the following criteria are met:

- a. The hardship cannot be corrected by other means allowed in the land development regulations;
- b. Strict compliance with the applicable regulations allows the property owner no reasonable use of the property;
- c. The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties located on the same street and within the same Future Land Use category, unless denial of the variance would allow no reasonable use of the property;
- d. The applicant did not cause the need for the variance; and
- e. The variance is not contrary to the spirit of the Land Development Code and Lee Plan Future Land Use standards. ~~(Added by Ordinance No. 09-09)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 25.1.2)**

NORTH CAPTIVA TRANSPORTATION

OBJECTIVE 4.2 TRANSPORTATION AND PATHWAYS. Ensure that the character of North Captiva is retained while providing adequate facilities for ingress, egress, and intra-island transportation consistent with property rights. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 25.2)**

POLICY 4.2.1: Lee County will cooperate with the North Captiva Community in the location and provision of public boat ramps, access facilities, and parking for the purpose of providing access to North Captiva. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 25.2.1)**

POLICY 4.2.2: The North Captiva Community may collaborate with and seek technical advice from Lee County from time to time on procedures necessary to accomplish pathway maintenance and safety. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 25.2.2)**

POLICY 4.2.3: Except for emergency events, public purposes, approved community needs, and permitted heavy construction equipment, internal combustion powered vehicles and vehicles capable of exceeding 25 MPH and/or weigh in excess of 1,800 pounds are banned from all pathways on North Captiva. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 25.2.3)**

NORTH CAPTIVA NATURAL RESOURCES & ENVIRONMENT

OBJECTIVE 4.3: CONSERVATION AND COASTAL MANAGEMENT. Preserve, protect and enhance the natural resources, wildlife habitat, and natural beauty of North Captiva, by maintaining diverse and healthy native vegetation, clear offshore waters, diverse and abundant native marine life, wildlife resources, and by minimizing harm resulting from human activity. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 25.3)**

POLICY 4.3.1: The North Captiva Community will work with Lee County to support the efforts of the Federal, State and County authorities to preserve, protect, and enhance its positive environmental qualities. Lee County will notice and involve the North Captiva Community organizations in the planning process and will enforce these policies through land development regulations, if necessary. ~~(Added by Ordinance No. 09-09)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 25.3.1)**

POLICY 4.3.2: The North Captiva Community and Lee County will support the State of Florida and Lee County's efforts to protect and preserve the distinct environmental resources on and around North Captiva to the greatest extent possible, while addressing the other defined needs and objectives of the community. These resources include but are not limited to:

- a. Mangroves;
- b. The beach dune system, beach dune vegetation, and beach dune wildlife;
- c. Coastal dunes, beaches, and coastal scrub vegetation;
- d. Beach dune wildlife, including shorebird nesting habitat and sea turtle habitat; and
- e. The marine habitat, including sea grass beds and fisheries.

~~(Added by Ordinance No. 09-09)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 25.3.2)**

POLICY 4.3.3: It is the intent of the North Captiva Community that, except for emergency events, public purposes, and human powered vehicles, vehicular traffic be banned from all beaches on North Captiva. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 25.3.3)**

POLICY 4.3.4: The North Captiva Community and Lee County will cooperate to stop the proliferation of nuisance pests and invasive exotic vegetation ~~and nuisance pests~~ as identified by the Exotic Pest and Plant Council of Florida incentives, disincentives and regulations as may be developed to accomplish this policy. ~~(Added by Ordinance No. 09-09)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 25.3.4)**

NORTH CAPTIVA PUBLIC FACILITIES & SERVICES: WATER & WASTE MANAGEMENT

OBJECTIVE 4.4: WATER AND WASTE MANAGEMENT. Ensure a high quality of living by managing natural resources and waste products in a way that is sustainable, cost effective, and agreeable to island residents and island taxpayers. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 25.4)**

POLICY 4.4.1: The North Captiva Community may conduct a feasibility study of cisterns and other water conservation systems, the long-term development of an island-wide potable water system, and the development of an island-wide wastewater treatment system. The feasibility study will include, but not be limited to, costs estimates, new or innovative technologies, grant funding assistance and other funding opportunities. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 25.4.1)**

POLICY 4.4.2: The North Captiva Community may conduct a potable water hydrology study to support potable water planning. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 25.4.2)**

POLICY 4.4.3: Lee County Solid Waste Division will review, document, and compile a report on existing solid waste management practices and future options for the North Captiva Community. ~~This~~ These reports will focus on residential, commercial, construction, horticulture, and special waste. Following ~~this~~ these reports, Lee County will present programmatic options that could be implemented to provide the North Captiva island community with a more comprehensive and uniform solid waste management system to be updated periodically. ~~(Added by Ordinance No. 09-09)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 25.4.3)**

NORTH CAPTIVA PUBLIC FACILITIES & SERVICES: OPEN SPACE, RECREATION & QUALITY OF LIFE

OBJECTIVE 4.5: OPEN SPACE, RECREATION, AND QUALITY OF LIFE. Lee County will seek to promote, protect, and enhance existing and potential open space, minimal recreational facilities and the quality of life for residents and visitors to North Captiva. The intent of these efforts is to enrich the island's aesthetic qualities while preserving its fragile barrier island character. At the same time, Lee County will consider the demands on the island's limited infrastructure. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 25.5)**

POLICY 4.5.1: The North Captiva Community and Lee County cooperate to preserve, protect, and enhance open space, passive recreation areas, and beach access points, regardless of size on North Captiva. This may be accomplished by Lee County acquiring property or conservation easements on private lands or vacant lots. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 25.5.1)**

POLICY 4.5.2: The North Captiva Community and Lee County will cooperate in the community's efforts to obtain an accessible community facility and library for the purposes of meeting, recreation, and community education. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 25.5.2)**

POLICY 4.5.3: The North Captiva Community will work with Lee County, the State of Florida, ~~and the National Parks Service~~ and other agencies to provide appropriate new or enhanced greenways, ecological corridors, or recreational trail systems. These opportunities may include passive parks or nature and pedestrian trails, and may be developed through public/private partnerships. ~~(Added by Ordinance No. 09-09)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 25.5.3)**

NORTH CAPTIVA PUBLIC FACILITIES & SERVICES: PUBLIC SAFETY

OBJECTIVE 4.6: PUBLIC SAFETY. Preserve the character of North Captiva by providing for a law enforcement presence on North Captiva island. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 25.7)**

POLICY 4.6.1: The North Captiva Community will encourage the Lee County Sheriff's Office to be present during special events and during periods of high occupancy on North Captiva. The North Captiva Community will work to identify housing and other resources as necessary in support of enforcement activities. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 25.7.1)**

POLICY 4.6.2: Lee County will continue to ensure viable ~~hurricane~~ evacuation for hurricanes and other emergencies as well as emergency communication options for the residents and other affected persons. ~~(Added by Ordinance No. 09-09)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 25.7.2)**

NORTH CAPTIVA CITIZEN PARTICIPATION & COMMUNITY EDUCATION

OBJECTIVE 4.7: CITIZEN PARTICIPATION AND COMMUNITY EDUCATION. The North Captiva Community will seek to enhance the community character, sustain natural resources, and involve the public in decisions that affect them, by providing educational and participation opportunities. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 25.6)**

POLICY 4.7.1: Lee County will involve the North Captiva Community in planning processes that relate specifically to North Captiva and generally to barrier islands, island ingress and egress, and other changes that may affect the island and its environment. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 25.6.2)**

POLICY 4.7.2: Upon request, Lee County will collaborate with the North Captiva island community to develop an understanding of natural resources by providing educational programs on energy conservation, solid waste management, hazardous waste, surface water runoff, septic maintenance, water conservation, xeriscaping, green building, harbor management, cultural resources, and history. The site for these programs will be located on North Captiva. ~~(Added by Ordinance No. 09-09)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 25.6.4)**

~~POLICY 25.1.1: The owner or agent for any rezoning, variance or special exception request within the North Captiva community must conduct at least one duly noticed public informational meeting on North Captiva where the owner or agent will provide a general overview of the project and answer questions from 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. A minimum of ten days written notice of the public meeting must be given. 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. 09-09) (Deleted)~~

~~POLICY 25.6.1: Lee County will work with the North Captiva community to establish an electronic Document Clearing House, where copies of selected documents will be available. These documents will include permit applications, variance requests, staff reports, Hearing Examiner recommendations and resolutions, administrative variances, and changes to the Lee Plan and Land Development Code for any~~

~~development on North Captiva, barrier islands, and Pine Island Sound. The county's failure to provide or to provide in a timely manner a document 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. 09-09) (Deleted)~~

~~POLICY 25.6.3: Through the Document Clearinghouse Lee County will provide notice to the North Captiva island community of proposed actions (i.e. zoning, construction projects) to be considered or undertaken by Lee County that will impact the island. (Added by Ordinance No. 09-09) (Deleted)~~

PINE ISLAND

PINE ISLAND VISION

This community includes Greater Pine Island as described under Goal 4 5 along with surrounding smaller islands and some unincorporated enclaves near the City of Cape Coral. Its future, as seen by Pine Islanders, will be a matter of maintaining an equilibrium between modest growth, a fragile ecology, and a viable and productive agricultural community. Pine Island will continue to be a haven between urban sprawl approaching from the mainland and the wealth of the outer islands; a quiet place of family businesses, school children, farmers, and retirees enjoying the bounties of nature; a place devoid of high-rises, strip malls, and gated communities. Traffic constraints caused by the narrow road link to the mainland will limit future development, allowing the islands to evacuate from storms and protecting natural lands from unsustainable development. Wildlife and native vegetation will be protected; loss of wildlife habitat will be reversed; sidewalks and bike paths will connect neighborhoods for young and old alike. Architectural standards for commercial buildings will encourage "Old Florida" styles, and historic buildings will be treasured. Pine Island will continue to be a place where people, nature and agriculture exist in harmony, a place not very different from what it is today, an island as state-of-mind as much as a physical entity, its best features preserved and enhanced. Pine Islanders are historically vigilant about protecting their community and will work to ensure that their plans are carried out. ~~(Added by Ordinance No. 99-15, Amended by Ordinance No. 03-03, 05-21. (Relocated and Edited from Vision Statement)~~

GOAL 5: GREATER PINE ISLAND. To manage future growth on and around Greater Pine Island so as to maintain the island's unique natural resources, character and its viable and productive agricultural community and to insure that island residents and visitors have a reasonable opportunity to evacuate when a hurricane strike is imminent. For the purposes of this plan, the boundaries of Greater Pine Island are indicated on ~~the Future Land Use Map ____ (Amended by Ordinance No. 94-30, 05-21) (Relocated from the Future Land Use Element) (Formerly Goal 14)~~

PINE ISLAND COMMUNITY CHARACTER & LAND USE: RESIDENTIAL

OBJECTIVE 5.1: RESIDENTIAL LAND USES. County regulations, policies, and discretionary actions will recognize certain unique characteristics of Greater Pine Island which justify different treatment of existing and future residential areas than in mainland Lee County, as described in the following policies. ~~(Amended by Ordinance No. 94-30, 00-22) (Relocated from the Future Land Use Element) (Formerly Objective 14.3)~~

POLICY 5.1.1: Due to the constraints on future development posed by the limited road connections to mainland Lee County, bonus densities of any kind are not permitted in Greater Pine Island. This prohibition includes housing density bonuses, off-site transfers from environmentally critical areas, and transfer from on-site wetlands at rates above the standard density rates for environmentally critical areas. **(Relocated from the Future Land Use Element) (Formerly Policy 14.3.1)**

POLICY 5.1.2: When warranted by actual construction and occupancy of homes, existing substandard subdivisions may become subject to Municipal Service Taxing or Benefit Districts to provide roads, drainage, and other public facilities. **(Relocated from the Future Land Use Element) (Formerly Policy 14.3.2)**

POLICY 5.1.3: The county's Land Development Code will continue to state that no building or structure on Greater Pine Island will be erected or altered so that the peak of the roof exceeds thirty-eight (38) feet above the average grade of the lot in question, or forty-five (45) feet above mean sea level, whichever is the lower. No deviations from these height restrictions may be granted through the planned development process. These height restrictions will not be measured from minimum flood elevations nor will increases in building height be allowed in exchange for increased setbacks. Industrial buildings must also comply with these height restrictions. ~~(Amended by Ordinance No. 94-30, 00-22, 03-03)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.3.3)**

POLICY 5.1.4: The county Zoning Regulations will continue to allow storage of commercial fishing equipment at a fisherman's private residence as a permitted use in residential districts on Pine Island. Reasonable restrictions not having the effect of prohibiting such storage may be developed. ~~(Amended by Ordinance No. 94-30, 00-22)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.3.4)**

POLICY 5.1.5: The county will amend its land development code to provide specific regulations for neighborhood connectivity and walls and gates on Greater Pine Island if an acceptable proposal is submitted by the Greater Pine Island Community. These regulations would require interconnections between adjoining neighborhoods wherever feasible and would no longer allow perimeter walls around larger developments. ~~(Added by Ordinance No. 03-03)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.3.5)**

PINE ISLAND COMMUNITY CHARACTER & LAND USE: COMMERCIAL

OBJECTIVE 5.2: COMMERCIAL LAND USES. County regulations, policies, and discretionary actions will recognize certain unique characteristics of Greater Pine Island which justify different treatment of existing and future commercial areas than in mainland Lee County, as described in the following policies. ~~(Amended by Ordinance No. 94-30, 00-22)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 14.4)**

POLICY 5.2.1: The designated Future Urban Area at Pine Island Center is targeted for most future commercial and industrial uses, as permitted by other portions of this plan. **(Relocated from the Future Land Use Element) (Formerly Policy 14.4.1)**

POLICY 5.2.2: Commercial development at other locations on Greater Pine Island (such as Bokeelia, Pineland, Matlacha, and St. James City) should be limited to marinas, fish houses, and commercial uses to serve the day to day needs of local residents and island visitors. Such development must be sited and designed to minimize disruptive influences to the greatest degree possible. ~~(Amended by Ordinance No. 94-30, 00-22, 10-17)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.4.2)**

POLICY 5.2.3: The county will expand the commercial design standards in its land development code to provide specific architectural and site design standards for Greater Pine Island if an acceptable proposal is submitted by the Greater Pine Island Community. These standards would promote but not mandate rehabilitation over demolition; require smaller rather than larger buildings; avoid standardized franchise buildings; preserve mature trees wherever possible; place most parking to the side and rear; require large windows and forbid most blank walls; and encourage metal roofs and other features of traditional "Old Florida" styles. The new commercial design standards will reflect the different characteristics of Bokeelia, Pineland, Matlacha, and St. James City. ~~(Added by Ordinance No. 03-03)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.4.3)**

POLICY 5.2.4: The county will expand its current sign regulations to include specific standards for Greater Pine Island if an acceptable proposal is submitted by the Greater Pine Island Community. These standards would reduce the size of ground-mounted signs, discourage or disallow internally lit box signs, allow wall signs on buildings near the right-of-way, and allow small directional signs on Stringfellow Road for businesses not visible from the road. ~~(Added by Ordinance No. 03-03)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.4.4)**

POLICY 5.2.5: The county will establish a prioritized schedule for an effort to rezone land to zoning districts that properly reflect its development potential under the Lee Plan. ~~(Added by Ordinance No. 03-03)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.4.5)**

PINE ISLAND COMMUNITY CHARACTER & LAND USE: COASTAL RURAL

POLICY 5.2.6: In the Coastal Rural future land use category, non-residential development is limited to minor commercial development. New commercial zoning requests must utilize the Planned Development rezoning process. All commercial development in this category must be consistent with the following limitations:

- a. Total building floor area is limited to 5,000 square feet;
- b. Development must not exceed two acres of impervious area;
- c. Uses are limited to those that reflect the Coastal Rural character and unique culture of Greater Pine Island such as animal clinics, bait and tackle shops, ecotourism, farm and feed supply stores, food stores, lawn and garden supply stores, restaurants (excluding fast food), roadside/produce stands, specialty retail, and plant nurseries; and
- d. Buildings exceeding 5,000 square feet that are lawfully existing or approved as of October 1, 2009 will be deemed vested for the approved and existing square footage for the life of the structure despite a change in use.

~~(Added by Ordinance No. 10-17)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.4.6)**

POLICY 5.2.7: During the Comprehensive Plan Evaluation and Appraisal Report process the county will analyze commercial rezoning and commercial development in the Coastal Rural areas and assess their impacts to the Greater Pine Island Community and identify any needed policy modifications. ~~(Added by Ordinance No. 10-17)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.4.7)**

PINE ISLAND COMMUNITY CHARACTER & LAND USE: AGRICULTURAL

OBJECTIVE 5.3: AGRICULTURAL USES. To promote and preserve the rural character of Pine Island, Lee County will strive to foster a viable and productive agricultural community on the island. Lee County will incorporate several land use “tools” such as purchase and transfer of development rights programs into the Lee County Land Development Code to preserve agricultural uses on Pine Island. ~~(Added by Ordinance No. 05-21)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 11.6)**

POLICY 5.3.1: Lee County will maintain a map ~~(Map 21)~~ of all existing farmland on Pine Island. These mapped existing farmlands and Pine Island lands containing indigenous vegetation are the primary targeted sending areas for the creation of transfer of development rights (TDR) on Pine Island. ~~(Added by Ordinance No. 05-21)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 14.6.1)**

PINE ISLAND COMMUNITY CHARACTER & LAND USE: TRANSFER OF DEVELOPMENT RIGHTS

POLICY 5.3.2: Lee County, by ~~2009~~ 2016 will evaluate creating a Purchase of Development Rights Program with the objective of preserving Pine Island agricultural uses. ~~(Added by Ordinance No. 05-21)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 14.6.2)**

POLICY 5.3.3: By ~~2007~~ 2015 Lee County will amend the Lee County Land Development Code to establish a Pine Island Transfer of Development Rights (TDR) program to supplement the existing wetland TDR program. The program will be encouraged for properties depicted on Map 24 ____ as well as other Pine Island lands as promoting reduced densities in the Coastal High Hazard Area. ~~(Added by Ordinance No. 05-21)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 14.6.3)**

POLICY 5.3.4: The property owners of lands designated Intensive Development, Central Urban, or Urban Community are eligible to receive Pine Island TDRs. The property owners of lands designated Suburban and Outlying Suburban are eligible to receive Pine Island TDRs consistent with the Lee Plan's definition of Density and if approved through the planned development rezoning process. The land development code will maintain several approval processes such as by right, administrative and planned development approval. Developments receiving TDR units will be evaluated for the following criteria: compact site design, innovative open space design, well designed pedestrian/bicycle connections to commercial and employment areas, locations on or a walkable distance to mass transit service, and mixed use buildings. Utilization of in-fill and brownfield sites are encouraged. Land Development Code incentives will be given to projects that incorporate concepts from traditional neighborhood design, transit oriented development, and new urbanism principles. ~~(Added by Ordinance No. 05-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.6.4)**

POLICY 5.3.5: Participation in the Pine Island TDR by right and administrative approval processes for receiving sites requires that the subject property be already conventionally zoned in a zoning district that would permit the proposed development consistent with allowable densities and with the zoning district's lot size, setback, open space and height requirements. The by right process will be limited to adding one additional dwelling unit to a receiving parcel that is one acre or less in size. If the receiving parcel is larger than one acre, TDR units may be used to add one dwelling unit per acre by right. The resulting density may not exceed the maximum total density range for the land use category of the subject site. ~~(Added by Ordinance No. 05-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.6.5)**

POLICY 5.3.6: Adding Pine Island TDR units in excess of one dwelling unit per acre in conventional zoning districts requires administrative approval. The Lee County Department of Community Development director may administratively approve the use of TDR units to increase the density of a proposed development provided that the proposed development is: in compliance with the Lee Plan; zoned for the type and number of dwelling units proposed to be constructed; designed so that the resulting development does not have substantially increased intensities of land uses along its perimeter, unless adjacent to existing or approved development of a similar intensity; in a location where the additional traffic will not be required to travel through areas with significantly lower densities before reaching the nearest collector or arterial road; in a location outside of the Category 1 Storm Surge Zone for a land-falling storm as defined by the October 1991 Hurricane Storm Tide Atlas for Lee County prepared by the Southwest Florida Regional Planning Council; not in a location where existing and committed public facilities are so overwhelmed that a density increase would be contrary to the overall public interest, and; will not decrease required open space, buffering, landscaping and preservation areas or cause adverse impacts on surrounding land uses. ~~(Added by Ordinance No. 05-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.6.6)**

POLICY 5.3.7: The Land Development Code will be amended to specify that Pine Island TDRs may be utilized through the Planned Development approval and amendment rezoning processes for land owners seeking to add additional dwelling units utilizing TDR units. The Code will specify that the application for the rezoning and the request to utilize TDR units may be submitted at the same time for concurrent review. ~~(Added by Ordinance No. 05-21)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 14.6.7)**

POLICY 5.3.8: The generation rate for Pine Island TDRs will be limited by the Land Development Code to two Transfer of Development Rights per acre for the Coastal Rural land use category, to six Transfer of Development Rights per acre for the Future Urban land use categories, and one Transfer of Development Right per five acres of wetland. The Land Development Code will be amended to establish a creation of development rights process as well as a receiving process. ~~(Added by Ordinance No. 05-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.6.8)**

PINE ISLAND TRANSPORTATION

OBJECTIVE 5.4: ROAD IMPROVEMENTS. The county will continually monitor traffic levels on Pine Island Road to insure that the sum of the current population plus development on previously approved land plus new development approvals will not exceed the capacity of existing and committed roadways between Pine Island and mainland Lee County. ~~(Amended by Ordinance No. 00-22)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 14.2)**

POLICY 5.4.1: The minimum acceptable level-of-service standard for Pine Island Road between Burnt Store Road and Stringfellow Boulevard is hereby established as LOS “D” on an annual average peak hour basis and LOS “E” on a peak season, peak hour basis. This standard will be measured at the county's permanent count station on Little Pine Island and using the methodology described in the 1985 Highway Capacity Manual, Special Report 209. ~~(Amended by Ordinance No. 00-22)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.2.1)**

POLICY 5.4.2: The county will make every effort to continue extending the bicycle path to run the entire length of Stringfellow Road. Wherever possible, this path should be designed as a major public amenity similar to the high-quality design used for the bicycle path north of Pineland that was completed in 2001. ~~(Added by Ordinance No. 03-03)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.2.4)**

POLICY 5.4.3: Lee County will investigate the merits of creating a concurrency exception area for a portion of Pine Island Center. The concurrency exception area will promote the expansion of public transportation to and from the Greater Pine Island area. ~~(Added by Ordinance No. 05-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.2.5)**

PINE ISLAND TRANSPORTATION: “810-910” RULE

POLICY 5.4.4: In order to recognize and give priority to the property rights previously granted by Lee County for about 6,675 additional dwelling units, the county will keep in force effective development regulations which address growth on Pine Island and which implement measures to gradually limit future development approvals. These regulations will reduce certain types of approvals at established thresholds prior to the capacity of Pine Island Road being reached, measured as follows at the permanent count station on Little Pine Island at the western edge of Matlacha:

- a. When traffic on Pine Island Road reaches 810 peak hour, annual average two-way trips, the regulations will restrict further rezonings which would increase traffic on Pine Island Road through Matlacha. These regulations shall provide reasonable exceptions for minor rezonings on infill properties surrounded by

development at similar intensities and those with inconsequential or positive effects on peak traffic flows through Matlacha, and may give preference to rezonings for small enterprises that promote the nature and heritage of Greater Pine Island; and

- b. When traffic on Pine Island Road reaches 910 peak hour, annual average two-way trips, the regulations will provide restrictions on the further issuance of residential development orders (pursuant to Chapter 10 of the Land Development Code), or other measures to maintain the adopted level of service, until improvements can be made in accordance with this plan. The effect of these restrictions on residential densities must not be more severe than restricting densities to one-third of the maximum density otherwise allowed on that property.

The 810 and 910 thresholds were based on 80% and 90% of level-of-service “D” capacity calculated using the 1965 Highway Capacity Manual, as documented in the 2001 Greater Pine Island Community Plan Update. These development regulations may provide exceptions for legitimate ongoing developments to protect previously approved densities for final phases that have a Chapter 177 plat or site-plan approval under Ordinance 86-36. ~~(Amended by Ordinance No. 00-22, 03-03)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.2.2)**

POLICY 5.4.5: In addition to enforcing the restrictions in Policy ~~14.2.2-5.4.4.~~ of the Communities Element the county will take whatever additional actions are feasible to increase the capacity of Pine Island Road. The following measures will be evaluated:

- a. The construction of left-turn lanes at intersections with local roads in Matlacha; and
- b. Improvements to Burnt Store Road and Pine Island Road to the east of Burnt Store that will prevent premature closure of those roads during an evacuation, closures which now limit the number of Greater Pine Island and Cape Coral residents able to evacuate.

~~(Amended by Ordinance No. 94-30, 00-22, 03-03)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 14.2.3)**

PINE ISLAND NATURAL RESOURCES & ENVIRONMENT

OBJECTIVE 5.5: NATURAL RESOURCES. County regulations, policies, and discretionary actions affecting Greater Pine Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat. ~~(Amended by Ordinance No. 94-30, 00-22)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 14.1)**

POLICY 5.5.1: The county will not approve or support any new canals on Greater Pine Island or any new artificial channels in natural waters within one mile of Pine Island. ~~(Amended by Ordinance No. 94-30, 00-22)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.1.1)**

POLICY 5.5.2: Lee County will map the seagrass beds around Greater Pine Island, and will regulate boating activities around Greater Pine Island and marina siting on Greater Pine Island in such a way as to prevent the net loss of seagrasses due to “prop dredging.” ~~(Added by Ordinance No. 94-30, Amended by Ordinance No. 00-22)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.1.2)**

POLICY 5.5.3: Lee County will, ~~by 1996,~~ explore the possibility of estimating the aerial extent and maturity of mangroves in Greater Pine Island for the purpose of providing baseline data necessary to ensure that the cumulative impact of mangrove alteration does not decrease the combination of aerial extent and maturity of mangroves relative to the baseline data. ~~(Added by Ordinance No. 94-30, Amended by Ordinance No. 00-22)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 14.1.3)**

POLICY 5.5.4: Maintenance dredging of old channels and canals may be permitted in those cases where the original channel (or canal) depth and width can be accurately determined. **(Relocated from the Future Land Use Element) (Formerly Policy 14.1.4)**

POLICY 5.5.5: The county will continue to purchase environmentally sensitive areas, rare and unique uplands, eagle nesting areas, and archaeological and historic sites on Greater Pine Island in accordance with the priorities set out in this plan. ~~(Amended by Ordinance No. 94-30, 00-22)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.1.6)**

POLICY 5.5.6: Lee County will design a program ~~within one year~~ to assess the condition of septic tank drainfields along saltwater canals in St. James City, Bokeelia, and Flamingo Bay if grant funding can be obtained and if property owners are willing to cooperate with the study. This program would analyze whether current soil conditions or the density, age, or condition of drainfields are likely to be degrading tidal water in the canals. If serious degradation is taking place, Lee County will assess the feasibility of various corrective measures. ~~(Amended by Ordinance No. 94-30, 00-22, 03-03)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 14.1.7)**

POLICY 5.5.7: The county reclassified all uplands on Pine Island previously designated as Rural to a new Coastal Rural designation on the Future Land Use Map. The purposes of this redesignation was to provide a clearer separation between rural and urban uses on Pine Island, to discourage the unnecessary destruction of native upland habitats, and to avoid placing more dwelling units on Pine Island that can be served by the limited road capacity to the mainland. The Coastal Rural designation is designed to provide land owners with maximum flexibility while accomplishing these public purposes. ~~(Added by Ordinance No. 03-03)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.1.8)**

PINE ISLAND NATURAL RESOURCES & ENVIRONMENT: 50-FOOT BUFFER RULE

POLICY 5.5.8: New development, including “planned development” rezoning approvals, new subdivisions, and agriculture, that adjoin state-designated aquatic preserves and associated wetlands and natural tributaries must preserve or create a 50-foot-wide native vegetated buffer area between the development and the waterbody or associated wetlands. This requirement will not apply to existing subdivided lots. For agriculture, this requirement:

- a. Will be implemented through the notice-of-clearing process in Chapter 14 of the Land Development Code;
- b. Will include a requirement to use this area as a riparian forest buffer with an adjoining filter strip wherever farmland abuts wetlands; and
- c. If native vegetation does not currently exist, native tree cover will be established within three years of issuance of the notice of clearing.

The placement and width of the 50 foot vegetated buffer can be modified to accommodate development; however, the development must meet all of the following criteria:

- a. Impact less than 1.5 acres of the associated wetlands;
- b. The impacted area must consist primarily of exotic vegetation;
- c. Avoid all impacts to mangrove swamps and tidal flats (FLUCCS Code 612 and 651); and,
- d. Be in the Urban Community Future Land Use Category; and
- e. Be a Planned Development.

In addition to the listed criteria, the development must create an onsite wetland area. The created wetland area must meet the following:

- a. Must be a minimum of 1.5 square feet for each square foot of impacted associated wetlands;
- b. Consist of 100 % native wetland species;
- c. Consist of 6' wetland trees to be planted 15' on center and 3 gallon wetland shrubs planted 3' on center;
- d. Maintain a hydrologic connection with the remaining preserved associated wetlands;
- e. The wetland creation area may be comprised of planted dry detention, filter marsh or other similar green infrastructure techniques; and,
- f. The created wetlands are not intended to replace any state or federal required offsite mitigation for permitted impacts to wetlands.

~~(Amended by Ordinance No. 00-22, 03-03, 11-30)~~ **(Relocated from the Future Land Use Element)**
(Formerly Policy 14.1.5)

PINE ISLAND HISTORIC PRESERVATION

OBJECTIVE 5.6: HISTORIC RESOURCES. Lee County will continue to formally designate historic resources and archaeological sites on and around Greater Pine Island. ~~(Amended by Ordinance No. 94-30, 00-22)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 14.5)**

POLICY 5.6.1: The county will continue to recognize Matlacha as an historic district, with an emphasis upon preserving the historic commercial fishing uses that give the community its unique character. ~~(Amended by Ordinance No. 94-30, 00-22)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.5.1)**

POLICY 5.6.2: Public acquisition of historic structures and archaeological sites will be considered in conjunction with other public purposes such as parks or preservation of environmentally sensitive lands. ~~(Amended by Ordinance No. 00-22)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.5.2)**

POLICY 5.6.3: The county will evaluate the effects of county regulations (such as zoning, road setbacks, and other development regulations) on designated historic districts and other districts of local concern, and will modify such regulations where necessary to protect both the interests of owners of historic structures and the health, safety, and welfare of the general public. ~~(Amended by Ordinance No. 94-30, 00-22)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.5.3)**

POLICY 5.6.4: The county will update its historic sites survey of Greater Pine Island if an update is determined to be needed. The county will consider formal local designation of additional historic buildings, especially in St. James City, Pineland, and Bokeelia, and will identify potential buildings or districts for the National Register of Historic Places. ~~(Added by Ordinance No. 03-03)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 14.5.4)**

~~**OBJECTIVE 14.7: 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. 10-17) **(Deleted)**~~

~~**POLICY 14.7.1:** The owner or agent of a requested zoning action (planned development, conventional rezoning, special exception, or variance requests) within the Greater Pine Island community must conduct one public informational meeting within the community where the agent will provide a general overview of the project for any interested citizens. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for advertising, providing the meeting space, and security measures as needed. Subsequent to this meeting, the applicant must provide staff with a summary 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. (Added by Ordinance No. 10-17) ~~(Deleted)~~

SAN CARLOS ISLAND

GOAL 6: SAN CARLOS ISLAND All development approvals on San Carlos Island must be consistent with following objective and policy in addition to other provisions of this plan. **(Relocated From the Future Land Use Element) (Formerly Goal 12)**

SAN CARLOS ISLAND COMMUNITY CHARACTER & LAND USE: WATER-DEPENDENT USES

OBJECTIVE 6.1: SAN CARLOS ISLAND WATER-DEPENDENT OVERLAY ZONE. To protect marine-orientated land uses on San Carlos Island from incompatible or pre-emptive land uses all development must be consistent with the following policies in addition to other provisions of this plan. ~~(Added by Ordinance No. 99-15)~~ **(Relocated From the Future Land Use Element) (Formerly Objective 12.1)**

POLICY 6.1.1. The density ranges on San Carlos Island are from 6 dwelling units per acre to 9.36 dwelling units per acre. Residential densities in developments that include commercial and residential uses in the same project or same building may be developed as provided for through mixed-use development practices. The category must be developed with a mix of uses not to exceed:

- a. Residential (Maximum of 271 dwelling units)
- b. Lodging (Maximum of 450 hotel rooms)
- c. Office (Maximum of 10,000 square feet)
- d. Retail (Maximum of 98,000 square feet)
- e. Marina (Maximum of 850 wet or dry boat slips)
- f. Civic (Maximum of 10,000 square feet) **(New Policy)**

POLICY 6.1.2: New development and substantial redevelopment within the Industrial Development and the Destination Resort Mixed Use Water Dependant land use categories on San Carlos Island will be permitted only in accordance with the following criteria. (See glossary for definitions and Map 2 ___ for map boundaries.) However, in no event will Lee County permit new or expanded petroleum facilities which would serve uses other than marine-related uses. ~~(Amended by Ordinance No. 10-38)~~

- a. At the foot of the Matanzas Pass Bridge - Within the water-dependent overlay zone which is defined as land within 150 feet of the shoreline: water-dependent marine industrial uses and water-dependent functions of recreational marinas.
 - 1. Landward of the overlay zone (150-foot line): marine industrial uses, in addition to water-related accessory uses which may be permitted to occupy up to 50% of that portion of a parcel lying landward of the 150-foot line.
- b. North of Main Street - Within the water-dependent overlay zone, which is defined as land within 150 feet of the shoreline: water-dependent marine industrial uses and recreational marinas.

1. Landward of the overlay zone (150-foot line): marine industrial uses, in addition to commercial or marine industrial uses which support the major industrial activities and recreational marinas.
- c. South of Main Street - Within the water-dependent overlay zone which is defined as land within 300 feet of the shoreline: water-dependent marine industrial uses as well as those uses described under ~~Goal 31 Objective 6.3~~ and Policy ~~31.3.4- 6.5.4~~.
1. Landward of the overlay zone (300-foot line): marine industrial uses; in addition, dry-storage recreational marinas may also be permitted through the “planned development” rezoning process, provided the following is clearly demonstrated:
 - a) Water access can be provided with only minimal interference to the waterfront industrial uses; and
 - b) Adequate road access is provided for the waterfront industrial uses; and
 - c) Any other commercial uses (such as food service or retail space) must be clearly ancillary to the recreational marina or industrial uses and comprise no more than five percent (5%) of the site, unless located within the Destination Resort Mixed Use Water Dependant future land use category.
(Amended by Ordinance No. 10-38)
- d. Water-Dependent Overlay Zones in General - The water-dependent overlay zones will be included in the Lee County Zoning Regulations and may be the subject of deviation requests during the “planned development” rezoning process. This provision is particularly intended to encourage joint use of parking, access easements, and stormwater retention facilities where such joint use does not negate the essential purpose of the overlay zones. (This also applies to the water-dependent overlay zones elsewhere on San Carlos Island as described in Policy ~~12.1.1 6.1. 2~~)
- e. Ancillary Commercial Uses - Wherever water-dependent, marine industrial uses are permitted, water-related ancillary commercial uses may also be permitted, provided they are clearly subordinate to the parcel's principal use and their total development area (building, parking, required buffers, water retention, etc.) does not exceed fifteen (15) percent of the parcel's total area. However, at the foot of the Matanzas Pass Bridge, this percentage may be increased to twenty-five (25) percent so long as the resulting commercial use of land lying in the Industrial Development land use category does not exceed fifty (50) percent of all land in that category that is under unified ownership or control as of March 1, 1988. (Amended by Ordinance No. 94-30, 99-15, 00-22)

Destination Resort Mixed Use Water Dependant Future Land Use Category - Development within this land use category must be consistent with the requirements of ~~Goal 31 Objective 6.3~~.

(Added by Ordinance No. 10-38) **(Relocated and Edited From the Future Land Use Element) (Formerly Policy 12.1.1)**

POLICY 6.1.3: New development and substantial redevelopment within a portion of the Urban Community land use category on San Carlos Island will be subject to the additional requirement that within a water-dependent overlay zone, wet or dry storage recreational marinas and other water-dependent uses only will be permitted. This water-dependent overlay zone affects two separate areas, both lying south of Main Street and east of San Carlos Boulevard, as depicted on Map 2 _____ and described as follows:

- a. Land within 150 feet of the shoreline along the inlet (between other lands designated as Industrial Development but exempting the Gulf Cove Trailer Park); and

b. Land within 300 feet of the shoreline and lying east of, and within 930 feet of, the main Industrial Development area.

~~(Relocated by Ordinance No. 99-15, Amended by Ordinance No. 00-22)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 12.1.2)**

SAN CARLOS ISLAND QUALITY OF LIFE/INFRASTRUCTURE

OBJECTIVE 6.2: To manage growth, development, and redevelopment on San Carlos Island. To maintain and enhance the area's quality of life and public and private infrastructure. ~~(Added by Ordinance No. 98-09)~~ **(Relocated From the Future Land Use Element) (Formerly Objective 12.2)**

POLICY 6.2.1: As part of the transit design process, the county will consider ways to establish pull-overs and turn-offs for the pick-up and discharge of passengers from all trolley and mass transit vehicles and requiring that such pick-up and discharge be done only at specified transit stops. ~~(Relocated by Ordinance No. 98-09, Amended by Ordinance No. 00-22)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 12.2.1)**

POLICY 6.2.2: Prior to the expenditure of public funds for the construction of new parking facilities within San Carlos Island, an analysis of the relationship of the facility to the level-of-service on constrained and backlogged roads will be undertaken, in order to determine if the location, size and function of the facility is appropriate and consistent with the adopted CRA plan and the Transportation Element of the Lee Plan. ~~(Relocated by Ordinance No. 98-09, Amended by Ordinance No. 00-22)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 12.2.2)**

POLICY 6.2.3: Recreation areas must have a minimum of impervious surfaces. ~~(Relocated by Ordinance No. 98-09, Amended by Ordinance No. 00-22)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 12.2.3)**

POLICY 6.2.4: Sidewalks, bike paths, and mass transit routes must be designed to provide convenient and safe access to all recreational facilities in the area. ~~(Relocated by Ordinance No. 98-09, Amended by Ordinance No. 00-22)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 12.2.4)**

SAN CARLOS ISLAND DESTINATION RESORT MIXED USE WATER DEPENDANT (DRUMD) CATEGORY

OBJECTIVE 6.3: To Establish a Destination Resort Mixed Use Water Dependiant (DRUMD) land-use category that considers the uniqueness of water dependiant land, with existing antiquated zoning, and outdated uses that will provide a mechanism to create an attractive, functioning mixed use destination resort through well planned redevelopment and ensure that Destination Resort Mixed Use Water Dependiant (DRUMD) categories are located in the most appropriate areas. ~~(Added by Ordinance No. 09-15)~~ **(Relocated From the Future Land Use Element) (Formerly Goal 31 and Objective 31.1)**

POLICY 6.3.1: These areas can best be characterized by their proximity to the water and need for redevelopment due to changes in the market and outdated development patterns. By virtue of their proximity to navigable water and availability of public services, these locations are suited to accommodate a mixture of uses that range between residential, resort, commercial and industrial type activities that benefit from access to the water front. As Lee County moves toward being a larger metropolitan area and a world class destination, these types of developments can offer a diverse living, working and vacationing experience that benefit the entire area while being environmentally friendly and economically viable. The density ranges from 6 dwelling units per acre to 9.36 dwelling units per acre. Residential densities in developments that include commercial and residential uses in the same project or same building may be developed as provided

for under the Glossary terms: “Mixed Use,” “Mixed Use Building,” and “Density.” ~~(Added by Ordinance No. 09-15)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 31.1.1)**

POLICY 6.3.2: Destination Resort Mixed Use Water Dependent (DRMUWD) location criteria:

1. Areas characterized by predominantly outdated RV type living facilities meant for temporary habitation without individual type land ownership and depressed/underutilized water dependent waterfronts.
2. Located in Areas characterized as predominantly impacted by a declining water dependant industry like commercial fishing or other and with a minimum of 8 acres of contiguous lands under unified control.
3. Areas within costal wind zones depicted as 100 Year Flood Plains, as illustrated on Map ___ of the Lee Plan.
4. Areas with direct access to existing roadways and navigable bodies of water.
5. Areas with multiple zoning districts that may not be compatible with each other.

~~(Added by Ordinance No. 09-15)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 31.1.2)**

POLICY 6.3.3: Destination Resort Mixed Use Water Dependant (DRMUWD) land use category will only be allowed, subject to the other requirements of these Goals, Objectives and Policies and in the areas as defined by the location criteria. ~~(Added by Ordinance No. 09-15)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 31.1.3)**

OBJECTIVE 6.4: GROWTH MANAGEMENT. Destination Resort Mixed Use Water Dependent (DRMUWD) land use category must be consistent with the growth management principles and practices provided in the following policies. ~~(Added by Ordinance No. 09-15)~~ **(Relocated From the Future Land Use Element) (Formerly Objective 31.2)**

POLICY 6.4.1: All new development in this land use category must be reviewed and rezoned as a Planned Development. ~~(Added by Ordinance No. 09-15)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 31.2.1)**

POLICY 6.4.2: Destination Resort Mixed Use Water Dependant (DRMUWD) land use location must have adequate fire protection, transportation facilities, wastewater treatment and water supply, and have no adverse effects such as noise, lighting, or odor on surrounding land uses and natural resources. ~~(Added by Ordinance No. 09-15)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 31.2.2)**

POLICY 6.4.3: Adjacent contiguous properties on San Carlos Island may be added to the category with an amendment to the ~~Future~~ Land Use Map and text. All existing and new developments must be under unified control for common areas. ~~(Added by Ordinance No. 09-15)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 31.2.3)**

POLICY 6.4.4: Applications for Destination Resort Mixed Use Water Dependant (DRMUWD) development will be reviewed and evaluated as to their impacts on, and may not negatively affect, adjacent, existing residential, commercial or conservation activities. ~~(Added by Ordinance No. 09-15)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 31.2.4)**

POLICY 6.4.5: The Lee County Land Development Code (LDC) must be amended to include specific property development regulations for this category. The LDC provisions will encourage joint use of parking, access easements, and storm-water retention facilities where appropriate. ~~(Added by Ordinance No. 09-15)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 31.2.5)**

POLICY 6.4.6: The maximum height for buildings is 180 feet. Buildings that utilize multiple stories of enclosed parking under the residential or hotel use may add up to an additional 50 feet of building height, up to a maximum of 230 feet. ~~(Added by Ordinance No. 09-15, Scrivener's Error Corrected by Ordinance No. 09-27)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 31.2.6)**

OBJECTIVE 6.5: COMMERCIAL LAND USES. Ensure that new development areas create a unified and pleasing aesthetic/visual quality through landscaping, architecture, lighting and signage, while providing additional employment opportunities, and eliminating uses that are not compatible with the adjacent uses. Existing and future county regulations, land use interpretations, policies, zoning approvals, and administrative actions should be undertaken in an effort to promote the goal of redevelopment for the areas with increased mixed use opportunities to service the needs of the community and surrounding areas. Commercial land uses must be designed to be compatible Old Florida or other Florida Vernacular styles of architecture and the historic identity of the area. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Objective 31.3)**

POLICY 6.5.1: The property owners of lands designated DRMUWD will utilize innovative open space design, mixed use concept that integrate well designed pedestrian/bicycle connections to commercial and, locations on or a walk-able distance to mass transit service. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.3.1)**

POLICY 6.5.2: The cost for the provision and expansion of facilities for potable water and sanitary sewer that benefits development in the DRMUWD area will be borne by those who benefit. Funding may include (but is not limited to), impact fees, special taxing or benefit districts, or Uniform Community Development Districts. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.3.2)**

POLICY 6.5.3: The DRMUWD is an area which provides the associated support development and synergism to create a viable mixed use destination type development with water dependant uses as part of the mix. This land use category allows a mixture of land uses related to and justified by the development of a destination resort. Predominant land uses within this area are expected to be residential, commercial, transitory lodging, office, public, recreation, and development all with a water related uses. The following is a list of water dependant uses that will be allowed in this category.

Water related Permitted Uses:

1. Aids to navigation
2. Bait and tackle shops
3. Boat launch and or moorage facilities, Marina, and boat charter services
4. Communication facilities essential to service water dependant uses.
5. Facilities for refueling and providing other services for boats, ships and related marine equipment

6. Laboratory research on marine/estuarine products and resources and physical and biological characteristics of the estuary.
7. Marine related specialty shop
8. Office in conjunction with a permitted or conditionally permitted use
9. Public waterfront access
10. Research and education observation
11. Storage of Marine equipment
12. Stores for sale and rental of marine supplies and equipment
13. Utilities
14. Wholesale and retail markets for marine estuarine products
15. Grocery store/ships store
16. Restaurants
17. Processing of seafood in conjunction with retail sales operation
18. Boat repair and building
19. Boat terminal facilities
20. Uses not listed as permitted but shown to be water dependent or water related by the applicant and approve by the Director of Community Development. (~~Added by Ordinance No. 09-15~~)
(Formerly Policy 31.3.3)

POLICY 6.5.4: The following uses are prohibited within the DRMUWD:

- Drive thru facilitates
- Big box retailers and single free standing retail facilities greater than 20,000 square feet. (~~Added by Ordinance No. 09-15~~) (Formerly Policy 31.3.4)

POLICY 6.5.5: Commercial developments must provide interconnection opportunities with adjacent uses 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. 09-15~~) (Formerly Policy 31.3.5)

POLICY 6.5.6: The category must be developed with a mix of uses not to exceed:

- Residential (Maximum of 271 dwelling units)
- Lodging (Maximum of 450 hotel rooms)
- Office (Maximum of 10,000 square feet)
- Retail (Maximum of 98,000 square feet)

- Marina (Maximum of 850 wet or dry boat slips)
- Civic (Maximum of 10,000 square feet) ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.3.6)**

POLICY 6.5.7: To reduce the impact on wildlife such as sea turtles and migrating birds, projects must be designed to minimize light pollution, sky glow and light trespass beyond the property lines by using appropriate light fixtures and other light management techniques. Techniques may include:

1. Utilizing fully shielded, full cut off luminaries; down style canisters with interior baffles on the balconies; pole lights less than 15 feet in height; bollard type fixtures with louvers; and other techniques acceptable to the Division of Environmental Sciences.
2. Up-lighting is prohibited. Mercury vapor or metal halide lamps are also prohibited.
3. Glass windows and doors must be treated to achieve an industry-approved, inside-to-outside light transmittance value of 45 percent or less. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.3.7)**

OBJECTIVE 6.6: RESIDENTIAL USES. This land use category will enhance the character of the area by evaluating adjacent uses, natural resources, access and recreational or open space, and requiring compliance with enhanced buffering requirements. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Objective 31.4)**

POLICY 6.6.1: This land use category will provide opportunities for public access to the water and will include provisions for bicyclists/pedestrians. At a minimum, one public access easement must be provided to the waterfront per development. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.4.1)**

POLICY 6.6.2: Road capacity improvements necessary to serve demands generated outside the community will be designed to minimize the impacts on the community. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.4.2)**

OBJECTIVE 6.7: COMMUNITY CHARACTER. Land Development Code provisions will incorporate regulations, policies and actions affecting the character and aesthetic appearance of the development to help create a visually attractive community. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Objective 31.5)**

POLICY 6.7.1: In order to maintain a Marine identity for the community, commercial developments must use vernacular Florida architectural styles for all buildings. The use of Mediterranean styles of architecture is discouraged. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.5.1)**

POLICY 6.7.2: In order to preserve/enhance/restore the heritage and natural beauty of the area, this land use category will provide an educational component with the objective of educating the public on its unique quality and rich history and how to protect the area. This will be done with descriptive display, multimedia presentations and other proven means to educate and inform. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.5.2)**

OBJECTIVE 6.8: COORDINATION OF MASS TRANSIT. The developer(s) will coordinate with Lee County to ensure consistency with the TDP (Transit Development Plan). ~~(Added by Ordinance No. 09-15)~~ **(Formerly Objective 31.6)**

POLICY 6.8.1: Mixed-use developments, as defined in the Lee Land Development Code containing both commercial and residential uses within the same development will provide for an interconnection of commercial with residential uses with pedestrian linkages. Mixed-use developments will be limited to an overall density of 9.36 dwelling units per acre at these locations. Mixed use Developments that include commercial and residential uses within the same development will be allowed to use the entire site for density calculation. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.6.1)**

POLICY 6.8.2: Bicycle & Pedestrian facilities will be provided throughout the development. Connections between all uses are required to facilitate alternative modes of transportation. When possible, connections to adjacent developments must be provided. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.6.2)**

POLICY 6.8.3: Vehicular connections between residential and non-residential uses will be provided to facilitate the internal capture of trips. When possible, vehicular connections to adjacent developments will be made to provide alternative access to the non-residential and mixed use components of the development. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.6.3)**

POLICY 6.8.4: Water access-Each development must provide at a minimum one designated public access easement point to the water. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.6.4)**

OBJECTIVE 6.9: INCORPORATION AND UTILIZATION OF MULTIMODAL AND ALTERNATIVE MODES OF TRANSIT. The development will establish a comprehensive approach to multimodal and alternative modes of transportation for its residents and guests. These will include, but will not be limited to, mass transits stops (minimum of one), or shuttle service to a stop, bicycle rental, integrated network of sidewalks and board walks, airport shuttle services and water-taxi transportation facilities. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Objective 31.7)**

POLICY 6.9.1: Each development will establish a water taxi /shuttle service to and from the property. The shuttle will be open to guests, residents and outsiders wanting an alternative access to the water. Hours of operation will be determined based on market conditions, but will at a minimum provide three (3) round trips daily. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.7.1)**

POLICY 6.9.2: Each development will establish or participate in an airport shuttle service to and from the Southwest Florida International Airport and the development. The shuttle services hours of operation will be determined based on market conditions and can be a fixed route shuttle or a point of demand service type or combination of both. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.7.2)**

POLICY 6.9.3: Where Projects are intersected by public roadways a grade separation may be provided for safe pedestrian and bicycle access between the properties. The purpose of this policy is to safely move pedestrian and bicycles across the road. Examples of grade separation would involve taking the bicycle/pedestrian facilities up and over the road or involve in taking the road over the pedestrian/bicycles paths. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.7.3)**

POLICY 6.9.4: As part of any rezoning action, the existing roadways that are adjacent to or run through the project, particularly Main Street, will be evaluated with a cross-sectional analysis to identify needed upgrades of driver and bicycle/pedestrian safety and bus access to and from the property. At a minimum, one bus stop will be provided along Main Street meeting Lee Tran standards or better. Improvements to bring Main Street

up to Class A road standards, subject to deviations where appropriate, will be provided by the developer. Where bicycle/pedestrian upgrades or additions are determined by Lee County to be desirable along Main Street or other area streets, those improvements will be eligible for road impact fee credits in accordance with the Lee County Land Development Code. ~~(Added by Ordinance No. 09-15, Amended by Ordinance No. 10-38)~~ **(Formerly Policy 31.7.4)**

OBJECTIVE 6.10: SERVICE AREA AND EQUIPMENT. Ensure that service and function areas are planned and designed to have the least amount of impact on the general public and adjacent neighbors. This can be accomplished by providing adequate space and incorporating these elements into the project at an early stage. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Objective 31.8)**

POLICY 6.10.1: Materials, supplies, or equipment must be stored inside a closed building or behind a suitable barrier so as not to be visible to the general public or to an adjoining site. Loading doors and service areas must be screened, or buffered by landscaping, so as not to be visible from any street or from any adjoining residential site. Adequate area must be provided on site for loading and maneuvering of trucks and other vehicles so that operations will not be carried out in the street. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.8.1)**

POLICY 6.10.2: Screening devices must be of a height at least equal to that of the material or equipment screened. The design, material, textures, and colors of screening devices must be architecturally compatible with those of the building and with the landscaping. The design of these elements will appear seamless with the building and/or landscaping. Frequently, planting material can provide an effective screen offering the same opaqueness of a wall. Plantings should be considered to soften the “hardness” of man-made screens. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.8.2)**

OBJECTIVE 6.11: INTERGOVERNMENTAL COORDINATION WITH THE TOWN OF FORT MYERS BEACH. Due to the unique location and proximity to the town of Fort Myers Beach the development will commit to working with the town to propose and resolve concerns. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Objective 31.9)**

POLICY 6.11.1: The developer will establish a dialogue with the town to review parking and access issue during the Development order process. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.9.1)**

POLICY 6.11.2: The developer will provide a liaison and resources to any harbor planning committee to coordinate activities in and around the Harbor. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.9.2)**

OBJECTIVE 6.12: Development and Redevelopment in the Destination Resort Mixed Use Water Dependent category in the Coastal High Hazard Areas must mitigate hurricane sheltering and evacuation impacts consistent with the following policy. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Objective 31.10)**

POLICY 6.12.1: An agreement must be executed between the County and the property owner to mitigate the project’s hurricane sheltering and evacuation impacts. The agreement will include provisions to construct on site shelter to withstand Category 5 hurricane force winds and storm surge to accommodate residents in compliance with the following requirements:

1. On-site shelters and all required equipment and supplies for these facilities must comply with the following standards:

- a. Elevation to the anticipated storm surge from a land falling Category 5 storm.
 - b. Construction to withstand winds of 200 mph in accordance with the Florida Building Code.
 - c. Construction with minimum exterior glass with all glazed openings provided with impact protection in accordance with the Florida Building Code.
 - d. Equipped with emergency power and potable water supplies to last up to five days.
 - e. Protected with adequate ventilation, sanitary facilities, and first aid medical equipment.
2. Developer/operator must conduct annual training of the on-site shelter managers. The training is to be conducted by the Red Cross and approved by Lee County Emergency Management.
 3. Developer/operator must submit a post storm recovery plan including post storm evacuation plan for review and approval by Lee County Emergency Management. ~~(Added by Ordinance No. 09-15)~~ **(Formerly Policy 31.10.1)**

RURAL COMMUNITIES

BAYSHORE

BAYSHORE VISION

The Bayshore Community, bounded by I-75, State Road (SR) 31, the Caloosahatchee River and Charlotte County, is predominantly a rural residential area of single family homes on large acreages, small horse farms, citrus groves, and plant nurseries, interspersed by some larger cattle grazing operations. There are also scattered single-family subdivisions and mobile homes on smaller lots, ~~which provide for a~~ A full wide range of housing prices exists within the community with ~~There is limited urban infrastructure and commercial uses.~~ commercial activity and minimal urban infrastructure. ~~By and large, the residents of Bayshore want to see this land use pattern maintained.~~

The Bayshore Community shares a firm desire to live in a rural community, and take meaningful actions to preserve and enhance the rural quality of life residents and visitors seek. Primary elements of a rural quality of life include low-density residential uses, limited commercial uses focused on serving the local community, and homesteads where residents can keep horses, livestock and pets.

Rural quality of life includes conservation of rural and environmentally-sensitive lands, removal of invasive exotic species, preservation of heritage trees, and protection of the natural environment including wildlife, habitats, natural resources, clean water, and other natural systems.

Rural quality of life is characterized by family farms, other agricultural uses, and equestrian activities.

Rural quality of life means limited infrastructure such as two-laned paved and unpaved local roads, with public facilities such as blueways and greenways appropriate for a rural way of life.

In order to maintain the community's rural quality of life, new roads and urban levels of commercial activity are strongly discouraged.

Rural quality of life is rural living as a lifestyle - not just a look - in a place that is quiet, peaceful, out of the way, removed from urban conveniences, and is distinctly different from urban and suburban living.

The vision of the future ~~would~~ includes slow ~~but steady~~ growth with the building of ~~larger~~ single family homes - preferably on tracts 2 ½ to 5 acres ~~tracts and larger, as well as some higher density development in the Outlying Suburban category (i.e. up to two units per acre with proper zoning)~~, and continued support for the infrastructure necessary for the owners and breeders of horses.

The protection of environmental resources and the preservation of the rural quality of life as defined above ~~maintenance of a wholesome family atmosphere is~~ are desired, as well as the protection of existing agricultural and equestrian activities. ~~One~~ Community projects that could serve these ends ~~would be~~ include the development of additional equestrian park opportunities in the community, the establishment of bridle paths, greenways, blueways, and multimodal trails.

The Bayshore Community is prone to sheet flow and flooding events. Due to the flood prone nature of the Community and the domestic wells necessary to insure adequate water supply for a rural community, only low residential densities and limited commercial activity are appropriate. The depth, duration, and frequency of the flooding has increased over the years due to human activity, including unpermitted activity, altering the natural sheetflow condition by diverting, blocking and in cases concentrating flows, thus creating hazardous conditions and impacting the rural quality of life in some areas. Future Neighborhood Improvement Projects, such as the installation of high capacity culverts in appropriate places on dirt roads, are encouraged to reverse this trend. Continued county maintenance of the creeks and flowways wherever and whenever possible is desired to reduce flooding potential. Cooperation by property owners is encouraged. New development shall not interrupt natural flowways, exacerbate flooding, or reduce basin storage within the watershed. (Added by Ordinance No. 03-02) **(Relocated and Modified from the Vision Statement)**

GOAL 7: BAYSHORE COMMUNITY. ~~To p~~-Protect the existing rural residential, agricultural and equestrian-oriented quality of life as defined in the Bayshore Vision statement ~~character of the community~~ by maintaining low residential densities and minimal commercial activities, while excluding incompatible uses that are destructive to the ~~character~~ rural lifestyle and natural environment ~~of~~ within this rural residential ~~environment~~-community. A reduction in total allowable density is needed to achieve this goal utilizing various methods such as those provided in Policy 7.1.5 below.

For the purposes of this goal and related objectives and policies, the boundaries of the Bayshore Community ~~will be~~ are I-75 on the west, SR 31 on the east, the Caloosahatchee River on the south and the Charlotte County ~~line~~ boundary on the north. (Added by Ordinance No. 03-02). **(Relocated and Modified from the Future Land Use Element) (Formerly Goal 20)**

BAYSHORE COMMUNITY: COMMUNITY CHARACTER & LAND USE

OBJECTIVE 7.1: LAND USE. ~~The existing land use designations of the Lee Plan (as of September 30, 2001) are appropriate to achieving the goal of the Bayshore Plan. No land use map amendments to a more intensive will be permitted after March 11, 2003, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners.~~ (Added by Ordinance No. 03-02)

Land use amendments that increase density within the Bayshore Community are strongly discouraged. Land use amendments that decrease the density of the Bayshore Community are strongly encouraged. Land use amendments to a more intensive category will only be permitted if a finding of overriding public necessity is made by a supermajority of the full Board of County Commissioners. (Relocated and Modified from the Future Land Use Element) (Formerly Objective 20.1)

POLICY 7.1.1: ~~Commercial activity will be limited to the Interstate Interchange designation at Bayshore and I-75, plus minor commercial uses at the intersections of Nalle Road and Bayshore, SR 31 and Bayshore, and SR 31 and Old Bayshore. Non-retail commercial uses, are permitted consistent with the Lee Plan and the Land Development Code. In the Bayshore Community commercial uses will be limited to properties within the Interchange Land Use Category; properties already zoned for commercial use; and, properties within one quarter mile on arterial roads and 330 feet on collector and local roads at the intersections of Nalle Road and Bayshore Road, SR 31 and Bayshore Road, and SR 31 and Old Bayshore Road. For commercial properties that are located outside of the Interchange Land Use Category the total building floor area is limited to 20,000 square feet, and the development must not exceed two acres of impervious area.~~

Commercial uses, allowed by special exception utilizing Agricultural zoning, are permitted in other locations if consistent with the Land Development Code and the size limitations of this policy. All commercial uses should be conditioned appropriately, limited in size and scope per the Bayshore Vision, and compatible with surrounding uses. (Rewritten from the Future Land Use Element) (Formerly Policy 20.1.1)

~~**POLICY 7.1.2:** Commercial stables or tack and feed stores are exempt from meeting commercial site location standards, per Policy 7.1.1. of this element. The existing 7.1 acre +/- retail commercial center at 10440 Bayshore Road, the 0.66 acre +/- retail commercial property at 19451 SR 31, the 0.83 +/- acre retail commercial property at 17270 Durrance Road, and the 0.36 +/- acre retail commercial property described in resolution Z 72-93, which is part of the property at 6600 Nalle Grade Road, will also be deemed consistent with Policy 20.1.1. 7.1.1 of this element. (Added by Ordinance No. 03-02) (Relocated and Modified from the Future Land Use Element) (Formerly Policy 20.1.2)~~

~~**POLICY 7.1.32:** No new industrial activities or industrial rezonings are permitted. (Added by Ordinance No. 03-02) (Relocated from the Future Land Use Element) (Formerly Policy 20.1.3)~~

~~**POLICY 7.1.43:** No new mining uses or commercial excavations are permitted. (Added by Ordinance No. 03-02) (Relocated from the Future Land Use Element) (Formerly Policy 20.1.4)~~

POLICY 7.1.4: Evaluate a variety of methodologies and pursue implementation strategies to reduce total allowable density in the Bayshore Community such as: transfer of development rights (TDRs), purchase of development rights (PDRs), conservation and agricultural easements, and public acquisition of conservation lands. **(New Policy)**

POLICY 7.1.5: Where buffers are required by the Land Development Code, natural vegetative buffers - not walls and berms - are encouraged. **(New Policy)**

POLICY 7.1.6: Berms only for the purpose of visual screening are prohibited. Berms required for surface water management by an authorized state agency shall not obstruct off-site surface water that could exacerbate flooding and should be no higher than the minimum required. New development must submit a

storm water management plan to Lee County that demonstrates the proposal will not exacerbate flooding. (New Policy.)

POLICY 7.1.7: Mixed-use places as described in the Lee Plan, such as the Future Land Use Element, are not appropriate in the Bayshore Community. (New Policy)

POLICY 7.1.8: Due to historic flooding in the Bayshore Community, Lee County shall review new planned developments to ensure that proposed developments will not adversely affect the depth or duration of flooding events, or in any way adversely affect the hydrology of surrounding properties. Lee County shall provide a complete hydraulic and hydrologic review and analysis of submitted plans. Historic peak flow rates, peak stages, and durations for the 10-year 24-hour, 25-year, 72-hour, and 100-year and 72-hour storm events will be considered (New Policy)

POLICY 7.1.9: The Bayshore Planning Community may be a sending area for any Transfer of Development Rights program that is created, but cannot be a receiving area. (New Policy)

BAYSHORE TRANSPORTATION

OBJECTIVE 7.2: TRANSPORTATION. All road improvements within the Bayshore Community considered by the county will address the community's goal to maintain its rural ~~character~~, quality of life, and give preference to alternatives that allow existing roads to function at their current capacity. (~~Added by Ordinance No. 03-02~~) **(Relocated and Modified from the Future Land Use Element) (Formerly Objective 20.2)**

POLICY 7.2.1: Any expansion of the state arterial roadways should include physically separated provisions for bicyclists/pedestrians and equestrians. Paved shoulders for bicyclists and pedestrians, and physically separated bridle paths are encouraged as improvements on all roadways – including county-maintained roadways. (~~Added by Ordinance No. 03-02~~) **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 20.2.1)**

POLICY 7.2.2: Road capacity improvements needed within the Bayshore Community to serve demands generated outside the community will be designed to minimize the impacts on the community and its rural ~~character~~ quality of life. (~~Added by Ordinance No. 03-02~~) **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 20.2.2)**

POLICY 7.2.3: If a need to extend Del Prado Boulevard east of I-75 through the Bayshore Community is demonstrated, the corridor evaluation must include alternatives to using the existing Nalle Grade Road alignment. The evaluation will address (but not be limited to) access, safety and ~~community character~~ quality of life issues. Alternatives will be presented at evening public workshops within the Bayshore community. (~~Added by Ordinance No. 03-02~~) **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 20.2.3)**

POLICY 7.2.4: If new arterial or collector roads are determined to be needed within the Bayshore Community, alternatives will be presented at evening public workshops within the Bayshore Community. As a courtesy, Lee County will notify local civic associations at the initial planning stage for any new road. (New Policy)

POLICY 7.2.5: Roadway designs in the Bayshore Community are encouraged to utilize open drainage with swales, and utilization of native trees and plants in any installed landscaping. (New Policy)

POLICY 7.2.6: Lee County and the Bayshore Community will work together to determine the appropriate signage and design standards for established and future equestrian trails and crossings. (New Policy)

BAYSHORE NATURAL RESOURCES & ENVIRONMENT

OBJECTIVE 7.3: NATURAL RESOURCES AND ENVIRONMENTAL SYSTEMS. Enhance, preserve, protect, and restore the physical integrity, ecological standards, and natural beauty of Bayshore. (New Policy)

POLICY 7.3.1: The Bayshore Community supports planning policies and development practices that:

- a. Protect the integrity, stability, and beauty of the natural environment;
- b. Maintain wildlife habitat and habitat travel corridors;
- c. Conserve critical habitats of protected, endangered, and threatened species, and species of special concern;
- d. Include increased development setbacks from natural areas and surface waters;
- e. Establish natural buffers from parcel lines to development areas;
- f. Enhance connectivity to maintain uninterrupted wildlife corridors among, between, and within parcels;
- g. Develop surface water management system design standards that incorporate natural flowway corridors, cypress heads, natural lakes, and restore impacted natural wetland systems; and
- h. Utilize a natural systems based surface water management plan. (New Policy)

POLICY 7.3.2: The Bayshore Community will work with Lee County to identify and evaluate land conservation funding opportunities and acquisition priorities to protect vital natural resources, ecosystems, and habitats from the impacts of clear cutting for residential or agricultural purposes. (New Policy)

POLICY 7.3.3: As a minimum standard, Lee County will require all new development and redevelopment to comply with State of Florida mandated Total Maximum Daily Load (TMDL) requirement for designated water bodies. (New Policy)

POLICY 7.3.4: New development and redevelopment in or near existing and potential wellfields must be designed to minimize the possibility of contaminating groundwater during construction and operation, and comply with the Lee County Wellfield Protection Ordinance. (New Policy)

BAYSHORE PUBLIC FACILITIES & SERVICES: SEWER & WATER

OBJECTIVE 7.4: SEWER AND WATER. Given the desire to maintain a low residential density, new central sewage service is not economically feasible and is discouraged north of Bayshore Road within the future non-urban land use categories. Central water service for enhanced fire protection will be encouraged where economically feasible. ~~(Added by Ordinance No. 03-02)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 20.3)**

POLICY 7.4.1: Central sewage service will be encouraged for existing and future high density and intensity developments south of Bayshore Road within the future urban land use categories and for new developments that are required to provide such service under the provisions of ~~Standard 11.2~~ Policy 3.1.6. of the Future Land Use Element of the Lee Plan. ~~(Added by Ordinance No. 03-02)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 20.3.1)**

POLICY 7.4.2: No landowner will be required to connect to central sewer or water utilities or be assessed for same unless a threat to public health can be documented, or if a new development proposes an intensity that exceeds the thresholds in Policy 3.1.4 and Policy 3.1.5 of the Future Land Use Element of the Lee Plan. ~~(Added by Ordinance No. 03-02)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 20.3.2)**

BAYSHORE PUBLIC FACILITIES & SERVICES: PARKS & RECREATION

OBJECTIVE 7.5: PARKS AND RECREATION. The county will explore, with the participation and support of the residents of the Bayshore Community, the feasibility of establishing additional equestrian opportunities including an equestrian park as the primary recreation facility for this community, bridle paths, and open riding areas. Improved access to waterbodies for fishing and kayaking, plus other low-impact activities (hiking trails, bird watching) will be explored. ~~(Added by Ordinance No. 03-02)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Objective 20.4)**

POLICY 7.5.1: The support of the Bayshore residents may include assistance with development and maintenance of such a recreation facility facilities. ~~(Added by Ordinance No. 03-02)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 20.4.1)**

POLICY 7.5.2 Lee County will solicit public input and participation in pre-design planning for parks and recreation facilities, including Conservation 20/20 lands, greenways and blueways in the Bayshore Community. **(New Policy)**

BUCKINGHAM

BUCKINGHAM VISION

The Buckingham Community is located between Lehigh Acres and the City of Fort Myers and Buckingham Road and the Orange River. It is considered the Buckingham Rural Community Preserve. The property in this community is predominantly designated Rural Community Preserve with some pockets of Public Facilities, and Rural. The residents will continue to work to maintain the rural nature of this area of the county. The residents have limited the commercial activity within the community to a node focused around the intersections of Buckingham Road and Cemetery Road and Buckingham Road and Orange River Road. It is their preference that the majority of the communities commercial needs be met outside of their community. They also have concerns with any transportation projects which increase the volume of traffic through their

community. The population of Buckingham will not change substantially during the life of this plan. ~~(Added by Ordinance No. 99-15)~~ **(Relocated from the Vision Statement)**

GOAL 8: BUCKINGHAM. To manage the future growth in the Buckingham Community; to preserve the existing rural and agricultural land use pattern; to diversify the choice of housing for Lee County by maintaining and enhancing the historic and rural character; and to protect the unique historical and environmental values of the Buckingham Community. For the purposes of this plan, the precise boundaries of the Buckingham Community are indicated on the Future Land Use Map _____ Series, Map 1, Page 2 of 8, ~~Special Treatment Areas.~~ To help maintain the rural and historic character, and create a visually attractive community, the Buckingham Community will draft and submit amendments to the Lee County Land Development Code to implement the intent of the Buckingham Community objectives and policies for Lee County to review and consider for adoption. ~~(Added by Ordinance No. 91-19, Amended by Ordinance No. 93-25, 94-30, 10-15)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Goal 17)**

BUCKINGHAM COMMUNITY CHARACTER & LAND USE: RURAL COMMUNITY PRESERVE

OBJECTIVE 8.1: LAND USE. The primary land use designation for the Buckingham area Community is "Rural Community Preserve." Other land use designations exist within the Buckingham Community, such as Rural, Conservation Lands, and Wetlands. Public Facilities have also been designated as appropriate. No land in the Buckingham Community will be changed to a land use category more intense than Rural Community Preserve (including Public Facilities) unless a finding of overriding public necessity is determined by three members of the Board of County Commissioners. Land use decisions will be guided by preserving the rural and agricultural land use pattern. ~~(Amended by Ordinance No. 00-22, 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 17.1)**

POLICY 8.1.1: No property within the Buckingham Community will be rezoned to RVPD. ~~(Amended by Ordinance No. 00-22, 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.1.1)**

POLICY 8.1.2: The southeast and northeast quadrants of the intersection of Orange River Boulevard and Buckingham Road is designated as the commercial node for the Buckingham Community. With the exception of the uses and the property identified in this policy, no new commercial development will be located outside of this commercial node. All new commercial developments in the node are required to provide a minimum of 30% open space. This commercial node is described as those lands 300 feet eastward from the easterly right-of-way of Buckingham Road and lying between Cemetery Road and a point 300 feet north of the intersection of Buckingham Road and Orange River Boulevard. Commercial uses permitted in agricultural zoning districts, such as Feed and Tack stores, are allowed outside of the commercial node if appropriate zoning approval is granted. Commercial boarding stables throughout the Rural Community Preserve will be allowed to give lessons and clinics if lawfully existing or appropriate zoning approval is granted. Commercial uses are permitted on the property zoned C-1 located at 9140 Buckingham Road. ~~(Amended by Ordinance No. 94-30, 98-09, 00-22, 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.1.2)**

POLICY 8.1.3: Except for those clustered areas approved in accordance with Policy 8.1.5, all lots created in the Rural Community Preserve land use category must have a minimum area of 43,560 square feet, unless a Minimum Use Determination has been issued. Calculation of lot size must exclude any road right-of-way or easement areas, water management areas, and natural water bodies. ~~(Amended by Ordinance No. 00-22, 10-15)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 17.1.3)**

POLICY 8.1.4: Bonus density is prohibited in the Rural Community Preserve. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.1.4)**

POLICY 8.1.5: Clustering of residential development in the Rural Community Preserve requires residential planned development (RPD) zoning. Density in clustered developments will be based on upland acreage. Dwelling units must be located away from the property boundaries. Clustering of residential development is limited in the following fashion:

- a. Buildings must be set back a minimum of 100 feet from the RPD boundary; and
- b. The RPD must have a minimum of 10 acres in order to cluster homesites.

~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.1.5)**

POLICY 8.1.6: When possible, residential development adjacent to the Rural Community Preserve boundary should make appropriate transitions to the community with a graduated increase in density as development moves away from the Rural Community Preserve boundaries. Appropriate buffers will be established for projects adjacent to the Rural Community Preserve. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.1.6)**

POLICY 8.1.7: To preserve the shoreline, a 50-foot setback is required from the Orange River. The setback will be measured from the mean high water line or from the top of bank of the Orange River, whichever is further landward. Docks are exempt from this setback requirement. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.1.7)**

POLICY 8.1.8: The removal of invasive exotic plants, as defined by the state or county, is required for all new development within the Rural Community Preserve. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.5.3)**

BUCKINGHAM COMMUNITY CHARACTER & LAND USE: LANDSCAPING & BUFFERING

OBJECTIVE 8.2: LANDSCAPING, BUFFERING, COMMUNITY AESTHETICS, AND QUALITY OF LIFE. Adequate and appropriate landscaping, open space, and buffering must be provided as a means of protecting and enhancing the Buckingham Community's historic rural character and environmental values from developments, utilities, public services, roads, and land use changes or other improvements. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 17.4)**

POLICY 8.2.1: Essential Service and Community Facilities must provide an appropriate native vegetative buffer to address compatibility issues and to enhance the Buckingham Community's rural and low density residential character. Buffering materials must be designed to enhance and protect the aesthetic values inherent to the Buckingham Community. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.4.1)**

POLICY 8.2.2: Lee County will continue, through Lee County Solid Waste Collection Agreements, to require all current and future solid waste collection contractors to perform weekly litter collection along approximately one and one half miles of Buckingham Road, in the vicinity of the Resource Recovery Facility. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.4.1)**

POLICY 8.2.3: Within the Buckingham Community, residential walls are prohibited as boundaries for housing subdivisions or large residential developments. Berms are allowed in accordance with the Lee County Land Development Code, but must be designed to be undulating. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.4.3)**

POLICY 8.2.4: Residential and commercial lighting must be designed to reduce light pollution and light trespass in the Buckingham Community. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.4.4)**

POLICY 8.2.5: Lee County is discouraged from approving any deviation that would result in a reduction of landscaping, buffering, or signage guidelines. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.4.5)**

BUCKINGHAM TRANSPORTATION

OBJECTIVE 8.3: TRANSPORTATION. Lee County supports the community desire to protect the rural character of the Buckingham Community by keeping the majority of the roadways within the community to two lanes. For purposes of this objective, improvements related to bicycle, pedestrian, and equestrian facilities or safety improvements, including but not limited to intersection and turn lane additions or improvements, will not be deemed an expansion of the roadway. ~~(Amended by Ordinance No. 94-30, 99-15, 00-22, 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 17.2)**

POLICY 8.3.1: Future multi-lane expansions within the Buckingham Community will be limited to the four-laning of Buckingham Road (except for the portion of Buckingham Road that is encompassed by the Lockett Road Extension). All other existing roadways within the boundaries of the Buckingham Community will remain in their two-lane configuration. This policy does not include bicycle, pedestrian, and equestrian facilities or safety improvements on roadways within the boundaries of the Buckingham Community that may be deemed necessary by the Lee County Department of Transportation. As part of any future expansions of Buckingham Road or segments of Buckingham Road within the boundaries of the Buckingham Community, the Lee County Department of Transportation must have at least one public meeting within the community, and the Lee County Board of County Commissioners must have at least one public meeting after 5:00 p.m. regarding the proposed road expansion. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.2.1)**

POLICY 8.3.2: Future extensions of roadways into or through the boundaries of the Buckingham Community will be limited to the Lockett Road Extension on the alignment and in the configuration as adopted by the Board of County Commissioners on June 3, 2008. During the June 3rd meeting the Board recognized the potential to avoid bisecting the Heritage Lakes parcel by shifting the alignment to the east, and that this could be accomplished if the Heritage Lakes parcel is ultimately acquired through the Conservation 20/20 program. If the Heritage Lakes parcel is acquired, a revision in the alignment will be coordinated with CLASAC. Any proposal to further change the adopted alignment of the Lockett Road Extension within the Buckingham Community (beyond the one discussed above) will require analysis and public input. The Lee County Department of Transportation must have at least one public meeting within the community, and the Lee County Board of County Commissioners must have at least on public meeting after 5:00 p.m. regarding the proposed road changes. The analysis must consider the community's desire to have this alignment as far south as possible, starting east of Pangola, in order to skirt the Buckingham Community. In addition, specific roadway extensions are prohibited as follows:

- a. The extension of State Road 31 south of the Orange River is prohibited;
- b. The extension of Ellis Road is prohibited;
- c. The extension of Staley Road to State Road 82 is prohibited;
- d. The extension and connection of Long Road to Ellis Road is prohibited; and
- e. No new east/west collector roadways will be planned or built within the Rural Community Preserve.

~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.2.2)**

POLICY 8.3.3: The Lee County Department of Transportation will work with the Buckingham Community to identify issues, propose options, and develop a plan directed at improving safety on roads, limiting the negative effects of traffic, and improving the overall functionality of roads within the Buckingham Community to the extent practicable and consistent with the balance of applicable policies. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.2.3)**

BUCKINGHAM PUBLIC FACILITIES & SERVICES

OBJECTIVE 8.4: PUBLIC FACILITIES AND UTILITIES. To protect the rural character of the Buckingham Community, public facilities and utilities will be designed to maintain or enhance the overall rural character of the community. ~~(Amended by Ordinance No. 00-22, 03-19, 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 17.3)**

BUCKINGHAM PUBLIC FACILITIES & SERVICES: CENTRAL SEWER

POLICY 8.4.1: In order to discourage unwanted urban development, central sewer lines will not be extended into the Rural Community Preserve, except to the areas identified by Lee Plan Map ____7 as Future Sanitary Sewer Service Areas, the existing Resource Recovery Facility, the adjacent Lee County Parks and Recreation Facility, and any future public facility. Sewer lines may be extended to future public facilities after one or more public meetings are held in the community and a public hearing is held before the Board of County Commissioners. The county may also extend transmission/force mains through the Rural Community Preserve, if necessary. Under no circumstances will the availability of central sewer lines be accepted as justification for a density or intensity increase, or reduction of lot size requirements (except as provided in Policy 47-8.1.5), within the Rural Community Preserve. The county will consider waivers to Lee County Utility's central sewer mandatory connection requirement in the Buckingham Community. A waiver may not be granted unless the landowner has the approval of the Health Department, and the request is in accordance with section 381.00655(2)(b), F.S. ~~(Added by Ordinance No. 10-15)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 17.3.1)**

POLICY 8.4.2: Central water lines may be extended along roads of the Rural Community Preserve upon request of property owners, with extension and connection fees paid by the person(s) receiving the water service. The county may also extend central water lines through the Rural Community Preserve, if necessary. Extension of public central water lines will require the Lee County Board of County Commissioners to hold at least one public meeting after 5:00 p.m. Connection to this expanded water service network will be on a voluntary basis. Under no circumstances will the availability of central water be accepted as justification for a density or intensity increase, or reduction of lot size requirements (except as provided in Policy 8.1.5), within the Rural Community Preserve. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.3.2)**

BUCKINGHAM PUBLIC FACILITIES & SERVICES: UTILITIES, FLOOD CONTROL & OTHER FACILITIES

POLICY 8.4.3: All new large developments (as defined in Chapter 10 of the Land Development Code) must install utilities underground. Utilities include, but are not limited to, electricity, telephone, and cable lines. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.3.3)**

POLICY 8.4.4: East County Water Control District is encouraged to continue to develop and maintain its infrastructure to minimize flooding, manage flows down the Orange River, and improve water quality. In addition, ECWCD is encouraged to work with the Lee County Emergency Operations Center to develop a system to warn residents in advance of large releases of water. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.3.4)**

POLICY 8.4.5: Any development or redevelopment of ~~the~~ property for public services and utilities must be developed in a manner that does not adversely impact the rural community. Any use must provide appropriate separation, buffering, traffic mitigation and control, and environmental protection. ~~(Added by Ordinance No. 10-15)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 17.3.5)**

BUCKINGHAM PUBLIC FACILITIES & SERVICES: SPECIFIC USES

POLICY 8.4.6: Detention and correctional facilities are prohibited within the Buckingham Community boundaries. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.3.6)**

POLICY 8.4.7: No new landfills or resource recovery facilities are permitted in the Buckingham Community. Expansion of the Resource Recovery facilities located on the county property is permitted, including the introduction of new operations and facilities to address solid waste needs. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.3.7)**

POLICY 8.4.8: Lee County staff will continue to participate in the selection of proper locations and routes for electrical and natural gas transmission lines, and utilities facilities, such as electrical substations and power plants, by facilitating public input from the affected communities. However, the final determination of location and transmission line routes is determined by the State of Florida. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.3.8)**

BUCKINGHAM PUBLIC FACILITIES & SERVICES: ENVIRONMENT, OPEN SPACE & PARKS

OBJECTIVE 8.5: ENVIRONMENT, OPEN SPACE AND PARKS. The Buckingham Community values its rural environment and has a goal of protecting open space for the present and future generations. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 17.5)**

POLICY 8.5.1: Lee County will work with the Buckingham Community to develop a plan for an interconnected system of parks, hiking, and horse riding trails within the Buckingham Community. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.5.1)**

POLICY 8.5.2: The Orange River has areas where it is narrow, with fluctuating levels of water flow and surrounding low density residential uses. Any access to the Orange River, except for single family docks, will be reviewed through the Planned Development zoning process to insure consistency with surrounding areas. Docks, except for single family docks, approved prior to March 3, 2010 may remain but may not be expanded unless the expansion complies with this policy. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.5.2)**

BUCKINGHAM AGRICULTURE

OBJECTIVE 8.6: It is the policy of Lee County to protect the historical agricultural uses within the Buckingham Community. These uses include a variety of agricultural applications such as tree farms, citrus farms, stables, cattle, cows, goats, and other livestock and crops of varying sizes. Lee County will accommodate existing agriculture uses into the future. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 17.6)**

POLICY 8.6.1: Lee County will, when asked by the Property Appraiser, advise the Property Appraiser that it is the intent of the Lee Plan to protect and maintain agriculture in the Buckingham Community. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.6.1)**

POLICY 8.6.2: Growing of crops for alternative energy sources on an experimental basis, such as *Jatropha curcas*, will be considered an agricultural use. ~~(Added by Ordinance No. 10-15)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 17.6.2)**

~~OBJECTIVE 17.7: 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 that affect the Buckingham Community. (Added by Ordinance No. 10-15) (Deleted)~~

~~POLICY 17.7.1: As a courtesy, Lee County will register citizen groups and civic organizations within the Buckingham 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 through mail, email, or other electronic means. This notice is a courtesy only and is not jurisdictional. Accordingly, the County's failure to mail/email or to timely provide the notice, or failure of a group to receive notice, will not constitute a defect in notice or bar a public hearing from occurring as scheduled. (Added by Ordinance No. 10-15) (Deleted)~~

~~POLICY 17.7.2: The owner or agent of a requested zoning action (planned development, conventional rezoning, special exception, or variance requests) within or adjacent to the Buckingham Planning Community, or with access to Buckingham Road must conduct one public informational session within the Buckingham Community 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, providing notice of the meeting, 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. 10-15) (Deleted)~~

NORTHEAST LEE

NORTHEAST LEE COUNTY VISION

This Community Planning Area Planning Community is located generally in the northeast corner of the county, east of State Road SR 31 and north of Lehigh Acres. The vision for this Community Planning Area Planning Community is a safe and friendly community where people want to live, work and recreate. The citizens desire a healthy local economy, balanced with environmental stewardship, and maintenance and enhancement of the area's heritage and rural character. The Community Planning Area Planning Community currently contains two identifiable areas: Alva and North Olga.

The Alva area is located in the northeast corner of the county, west of the Hendry County line and south of the Charlotte County line. Alva is further identified with its mixed-use rural village located around the intersections of Broadway Street with North River Road and with State Road 80. Infill development in the rural village produces a compatible mix of residential, professional office, small retail shops, cafes, and bed and breakfast lodging.

The North Olga area is located south of the Charlotte County line, north of the Caloosahatchee River, west of the Caloosahatchee Regional Park, Bob Janes Preserve and Telegraph Creek Preserve to State Road SR 31. The North Olga Community is further identified by the W.P. Franklin North Campground, also known as the "Franklin Locks" and the Owl Creek Boat Works facility in the western end of the area. ~~(Added by Ordinance No. 11-14)~~ **(Relocated and Edited from the Vision Statement)**

ALSO SEE GOAL 10 ALVA & GOAL 11 NORTH OLGA.

GOAL 9: NORTHEAST LEE COUNTY ~~COMMUNITY PLANNING AREA~~ PLANNING COMMUNITY. Maintain, enhance, and support the heritage and rural character, natural resources, and agricultural lands within the ~~Community Planning Area~~ Planning Community. ~~The boundaries for North Olga and Alva are delineated on Map 1, Page 2 of 8.~~ Alva and North Olga will work cooperatively toward this goal for the entire ~~Community Planning Area~~ Planning Community through the objectives and policies that follow, and through their individual/local planning efforts. ~~(Added by Ordinance No. 11-14)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Goal 34)**

NORTHEAST LEE COMMUNITY CHARACTER & LAND USE: AGRICULTURAL & RURAL

OBJECTIVE 9.1: AGRICULTURAL AND RURAL CHARACTER. Maintain and enhance the viability of the existing and evolving commercial agricultural operations, preserve open space, and retain the rural character of Northeast Lee County. For the purposes of this objective, rural character is defined as those characteristics that convey a sense of rural lifestyle such as large lots or clustered development, ample views of wooded areas, open spaces, and river fronts, working farms and productive agricultural uses, and the protection of environmentally sensitive lands. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 34.1)**

POLICY 9.1.1: Support the agricultural and rural character within Northeast Lee County by encouraging continued commercial agricultural operations and encourage new development to be clustered to conserve large areas of open lands. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 34.1.1)**

POLICY 9.1.2: Work with residents and property owners of Alva and North Olga to develop standards and guidelines for clustering future development and conserving large areas of open lands to promote compatibility with adjacent residential and agricultural areas. These standards and guidelines are intended to give clear and meaningful direction for future amendments to the Land Development Code. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 34.1.2)**

POLICY 9.1.3: Work with residents and property owners of Alva and North Olga to amend the Land Development Code to provide opportunities for rural mixed-uses that are connected to and compatible with adjacent areas. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 34.1.3)**

POLICY 9.1.4: Work with the residents and property owners of Alva and North Olga to establish amendments to the Land Development Code that will foster agricultural operations and support rural uses. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 34.1.4)**

POLICY 9.1.5: In all discretionary actions, consider the effect on Northeast Lee County's commercial agricultural operations and rural character. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 34.1.5)**

NORTHEAST LEE COMMUNITY CHARACTER & LAND USE: RURAL PLANNING TOOLBOX

OBJECTIVE 9.2: RURAL PLANNING TOOLBOX. To develop and further the use of a rural toolbox of incentives, programs, and regulations that enhance and maintain Northeast Lee County's sense of place and provide for the long-term preservation of large tracts of contiguous natural resource and open space areas, while providing the regulatory flexibility needed to support commercial agricultural operations. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 34.2)**

POLICY 9.2.1: Work with Alva and North Olga to develop and refine rural planning tools including but not limited to: Transfer of Development Rights (TDR) and Purchase of Development Rights (PDR) programs, conservation and agricultural easements, farmland trusts, and Land Development Code regulations. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 34.2.1)**

POLICY 9.2.2: The Alva and North Olga Communities will coordinate their planning activities to maintain and enhance the rural character, natural resources, agriculture, and connectivity of Northeast Lee County. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 34.5.1)**

POLICY 9.2.3: The Northeast Lee County ~~Community Planning Area~~ Planning Community may be a sending area for county-wide TDRs, but may only receive TDRs from within the Northeast Lee County ~~Community Planning Area~~ Planning Community. ~~(Added by Ordinance No. 11-14)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 34.2.2)**

NORTHEAST LEE COUNTY TRANSPORTATION: CONNECTIVITY

OBJECTIVE 9.3: CONNECTIVITY. Enhance and maintain high levels of connectivity across the Northeast Lee County ~~Community Planning Area~~ Planning Community. ~~(Added by Ordinance No. 11-14)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Objective 34.4)**

POLICY 9.3.1: Work to preserve the rural character and scenic qualities of North River Road, and support multiple modes of travel for residents, businesses, visitors, and commercial agriculture within Northeast Lee County. Implementation of this policy will not impact the function or operation of agricultural lands within the ~~Community Planning Area~~ Planning Community for the purposes of scenic preservation. ~~(Added by Ordinance No. 11-14)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 34.4.1)**

POLICY 9.3.2: Plan and implement alternatives to roadways - e.g., greenways, blueways, equestrian trails, and other pedestrian pathways - within Northeast Lee County connecting people to public lands, recreation areas, public facilities, and the rural mixed-use villages. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 34.4.2)**

POLICY 9.3.3: Proactively plan for wildlife connections within Northeast Lee County that support habitat needs of native animals on public lands and waters. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 34.4.3)**

POLICY 9.3.4: Work with Alva and North Olga to evaluate funding opportunities and feasibility of creating a multipurpose path to run the entire length of North River Road through the community. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 34.4.4)**

NORTHEAST LEE COUNTY NATURAL RESOURCES & ENVIRONMENT

OBJECTIVE 9.4: NATURAL RESOURCES. To enhance, preserve and protect the physical integrity, ecological standards, and rural character of Northeast Lee County by focusing on:

- a. Water Basins;
- b. Native vegetation;
- c. Wildlife habitat and resources; and
- d. Areas designated for long-term conservation.

~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 10.3)**

POLICY 9.4.1: Identify opportunities for appropriate limited public access to and passive recreational use of the Bob Janes Preserve. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 34.3.1)**

POLICY 9.4.2: Identify, maintain, and enhance appropriate public access to Northeast Lee County's public lands and surface waters, balanced with new and ongoing efforts to protect and enhance the Planning Community's water quality and natural resources. ~~(Added by Ordinance No. 11-14)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 34.3.2)**

POLICY 9.4.3: Lee County will work to identify areas suitable for public water-dependent/water-related recreation, such as canoe/kayak launches, boardwalks, jogging paths, fishing platforms, and waterside parks within Northeast Lee County. **(Relocated from the Future Land Use Element) (Formerly Policy 34.3.3)**

~~OBJECTIVE 10.5: PUBLIC PARTICIPATION. To encourage and solicit public input and participation within Northeast Lee County per Objective 1.2 of this element, on proposed amendments to county regulations, including the Land Development Code, Lee Plan, and zoning applications affecting the Northeast Planning Community. (Added by Ordinance No. 11-14) (Deleted)~~

~~POLICY 34.5.1: As a courtesy, register citizen groups, civic organizations, and interested individuals within Northeast Lee County who desire notification of pending amendments to the LDC, zoning actions, and Lee Plan amendments within Northeast Lee County. Upon registration, provide registrants with documentation regarding pending amendments. This notification is not jurisdictional. The county's failure to notify, or a registrant to receive notification, will not constitute a defect in the jurisdictional notice requirements or bar public hearings on an application. (Added by Ordinance No. 11-14) (Deleted)~~

~~POLICY 34.5.2: The owner or agent of a requested zoning action (planned development, conventional rezoning, special exception, or variance requests) or Lee Plan Amendment within the Northeast Lee County Planning Community must conduct public informational meetings with both the Alva and North Olga Communities where the agent will provide a general overview of the project for any interested citizens. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for advertising, providing the meeting space, and security measures as needed. Subsequent to this meeting, the applicant must provide staff with a summary 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. (Added by Ordinance No. 11-14) (Deleted)~~

ALSO SEE GOAL 10 ALVA & GOAL 11 NORTH OLGA.

ALVA

ALVA VISION

The mission of the people of the community called Alva, Florida, is to preserve and protect its unique historical, rural, agricultural, flavor. Alva is the oldest settlement in Lee County. With its huge oaks and cypress trees, the Caloosahatchee River, surrounding citrus groves, cattle ranches, natural environment, and natural resource areas, centered around its rural village, Alva has a unique country ambiance that is rapidly becoming hard to find in Florida. The recent history of Southwest Florida has been one of extremely rapid development. It will take a concerted effort to ensure that development change in Alva occurs in a manner that maintains the rural character and lifestyle of this area. As the Alva rural village improves to accommodate the foreseeable population growth within the greater rural area, we will work together to make sure Alva continues to be the place we want to live in and call home.

The Guiding Statements for the Alva Rural Village and Community Character of the Alva area follow.

The Caloosahatchee River and its watershed, lined with huge oaks and cypress, flows westward to the Gulf of Mexico through acres of land devoted to citrus, cattle, farming, flower farms, and conservation areas. These resources, which characterize the Alva area, remain its primary assets. The historic character of the rural river village, originally a center of trade and transport, has been protected and revitalized, strengthening its function as a center of social interaction and civic, commercial, educational, and recreational activity.

The Alva rural village, including the area originally platted in the late 1800's, has retained and enhanced its historic character. The design of new and renovated structures draws from 1890's southern Victorian architecture. Infill development in the historic core produces a compatible mix of residential, professional office, small shops, or cafes, and bed and breakfast lodging.

Streets remain narrow with a dense tree canopy. Interconnecting streets, the addition of pedestrian and bicycle pathways, and centralized park-once parking areas make walking or biking pleasant and safe. Through-traffic on North River Road, which passes through the heart of the historic core, has been calmed and no longer threatens the safety and pedestrian ambiance of the area.

Riverfront pedestrian access to the Caloosahatchee River and additional dock space and children's facilities at the boat ramp area provide expanded opportunities for visitors to arrive by boat, for pedestrians to stroll along the riverfront, and for families to enjoy the recreational opportunities afforded by the River.

The bridge creates a sense of arrival into the historic core and now provides a pedestrian walkway and bicycle lane—the essential links in the network of pathway systems connecting the Alva rural village to the agriculture, conservation, and recreational areas within the rural area.

Residents and visitors can walk or bicycle from the Franklin Locks on to Caloosahatchee Regional Park, arriving at the Alva rural village, and continuing south to Greenbriar Preserve and Lehigh's future linear park system. Children can walk or bike from Charleston Park on the east and River Oaks on the west side of the Alva rural village to school and the recreational facilities in the village. The community park system has been expanded and new recreation areas have been developed to accommodate the active recreation needs of both children and adults.

New development south of the bridge on both sides of Palm Beach Boulevard is compact and concentrated within the rural village rather than lining the highway with strip commercial structures. New neighborhood-scale developments combine community-serving commercial uses with mixed uses (office and residential above commercial). Site design features internal service roads with buildings framing the public streets and maximizing the views and pedestrian access to the River.

The newly four-laned Palm Beach Boulevard has been designed to signal entry into the Alva rural village area with curbed medians, a traffic signal at the Broadway intersection, and generous plantings.

Strategically located median breaks and access streets allow safe entry into adjacent commercial mixed-use areas.

As pressure to convert the surrounding rural lands into residential subdivisions has increased, Alva has managed to preserve large areas of land in agricultural use or in its natural state through several successful programs developed in cooperation with Lee County and other partnering agencies and organizations.

Linking the large rural area together are North River Road (County Road 78) and the Caloosahatchee River. North River Road has retained its rural ambiance and is a popular scenic route for visitors and residents enjoying the countryside. Street graphics are limited to directional and safety signs.

As it has historically, the Caloosahatchee River provides transportation, food, recreation, and a source of water. The citizens of Alva have joined with various volunteer organizations and public agencies to resolve the problems of water quality degradation and loss of native wildlife habitat. The function, health, and beauty of the oxbows, or bends in the river that have remained after dredging projects (which began with the 1930s creation of the Cross State Ship Channel), have been gradually restored in response to the conditions unique to each. Maintenance and monitoring of their continuing viability provide ongoing opportunities for education and scientific study.

Many opportunities exist to enjoy the river by boat, canoe, or kayak, from viewing areas, or in the regional parks. Dedicated volunteers continue to work towards a vision for the future of the Caloosahatchee River, which balances human needs while protecting and promoting the resources and natural beauty of the whole system for future generations.

By working together, Alva has enhanced the rural village and its surrounding natural amenities, preserved its heritage, and ensured it's the long-term quality of life for the entire Alva area.

~~(Added by Ordinance No. 99-15, Amended by Ordinance No. 07-12, 09-07, 11-21)~~ **(Relocated from the Vision Statement)**

ALSO SEE GOAL 9 NORTHEAST LEE COUNTY AND GOAL 11 NORTH OLGA

GOAL 10: ALVA. To support and enhance Alva's unique rural, historic, agricultural character and natural environment and resources, including the rural village and surrounding area, ~~the boundaries of which are depicted on Map 1, page 2 of 8.~~ ~~(Added by Ordinance No. 11-21)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Goal 26)**

ALVA COMMUNITY CHARACTER & LAND USE: RURAL CHARACTER

OBJECTIVE 10.1: RURAL CHARACTER. Maintain and enhance the rural character and environment of Alva through planning practices that:

- a. Manage growth and protect Alva's rural nature;
- b. Maintain agricultural lands and rural land use patterns;
- c. Provide needed community facilities, transportation systems, and infrastructure capacity;
- d. Protect and enhance native species, ecosystems, habitats, natural resources, and water systems; and
- e. Preserve Alva's historic places and archaeological sites.

~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 26.1)**

POLICY 10.1.1: By 2015, Alva will work with Lee County to evaluate and identify appropriate commercial areas with a focus on the rural village area described under Goal ~~26~~ 10 of this element. ~~and as identified on Map 1, page 6 of 8.~~ ~~(Added by Ordinance No. 11-21)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 26.1.1)**

POLICY 10.1.2: Alva will work with Lee County to develop sustainable land use practices through which transportation and infrastructure systems, public services, and parks are provided consistent with Alva's rural character. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.1.2)**

POLICY 10.1.3: Alva will work with Lee County to identify appropriate locations for and promote the establishment of community gardens. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.1.3)**

POLICY 10.1.4: New industrial activities or changes of land use that allow future industrial activities, not directly associated with Alva's commercial agriculture, are prohibited in Alva. By 2015, Alva will work with Lee County to establish regulations in the land development code to further this policy. (~~Added by Ordinance No. 11-21~~) **(Relocated from the Future Land Use Element) (Formerly Policy 26.1.4)**

POLICY 10.1.5: New natural resource extraction mining activities are prohibited in Alva. By 2015, Alva will work with Lee County to establish regulations in the land development code to further implement this policy. (~~Added by Ordinance No. 11-21~~) **(Relocated from the Future Land Use Element) (Formerly Policy 16.1.5)**

POLICY 10.1.6: Outdoor display in excess of one (1) acre and commercial uses that require outdoor display to such an extent are prohibited. (~~Added by Ordinance No. 11-21~~) **(Relocated from the Future Land Use Element) (Formerly Policy 26.1.6)**

ALVA COMMUNITY CHARACTER & LAND USE: PLANNING FRAMEWORK

OBJECTIVE 10.2: RURAL LANDS FRAMEWORK. Provide for the varied residential, commercial, and natural resource needs of Alva's rural lands by establishing a planning framework that serves the area's different users. (~~Added by Ordinance No. 11-21~~) **(Relocated from the Future Land Use Element) (Formerly Objective 26.2)**

POLICY 10.2.1: Alva will work with Lee County to ensure that future development projects maintain or enhance Alva's rural character by establishing planning policies and land development code standards that are compatible with Alva's vision and guiding principles. (~~Added by Ordinance No. 11-21~~) **(Relocated from the Future Land Use Element) (Formerly Policy 26.2.1)**

POLICY 10.2.2: Land use amendments that would increase the allowable total density of Alva are discouraged. Land use amendments that would decrease the allowable total density of the area and that are otherwise consistent with the objectives and policies of this goal are encouraged in Alva. No land use amendments to a more intensive category will be permitted unless a finding of overriding public necessity is made by a supermajority of the members of the full Board of County Commissioners. (~~Added by Ordinance No. 11-21~~) **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 26.2.2)**

ALVA COMMUNITY CHARACTER & LAND USE: DESIGN STANDARDS

POLICY 10.2.3: By 2015, Alva will work with Lee County to promote sustainable residential development patterns and promote Alva's rural character by utilizing rural planning practices to establish land development code requirements that:

- a. Limit new residential development clustered in compact, interconnected neighborhoods situated in appropriate locations;
- b. Designate appropriate allowed uses;
- c. Establish compatible parcel sizes, density, and intensity standards;
- d. Conserve natural resources;
- e. Provide standards for adequate open space;
- f. Maintain commercial agricultural uses;
- g. Incorporate green building standards; and
- h. Identify locations suitable for public services.

(~~Added by Ordinance No. 11-21~~) **(Relocated from the Future Land Use Element) (Formerly Policy 26.2.3)**

POLICY 10.2.4: By 2015, utilize the land development code to establish architectural standards that support and enhance Alva's historic rural character and quality of life by:

- a. Featuring architectural and design themes consistent with Alva's historic architectural styles; and
 - b. Including street graphic standards that address size, location, style, and lighting.
- ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.2.4)**

POLICY 10.2.5: By 2015, Alva will work with Lee County to establish standards in the land development code that promote economic opportunities, including ecotourism, commercial agriculture, and associated businesses that contribute to Alva's rural character. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.2.5)**

POLICY 10.2.6: By 2015, Alva will work with Lee County to establish design standards in the land development code that:

- a. Foster a unique landscape theme for the rights-of-way for North River Road and other county-maintained roads;
- b. Address connectivity and separation among differing uses;
- c. Preserve native plant communities, including subtropical and tropical hardwood hammock, scrub, and wetlands, to enhance the existing native vegetation and tree canopy; and
- d. Encourage the removal of exotic species.

~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.2.6)**

POLICY 10.2.7: By 2015, Alva will work with Lee County to establish planning policies and development standards in the land development code that promote Alva's commercial agriculture including programs that address:

- a. Farm to market demands on the area's roadway infrastructure;
- b. Storage of commercial agricultural equipment at a private residence of an individual employed or engaged in an agricultural operation as a permitted use in residential zoning districts in Alva;
- c. Maintaining land in commercial agriculture through programs such as farmland trusts and easements; and
- d. Location of associated packaging, processing, warehousing, and other value-added activities.

~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.2.7)**

POLICY 10.2.8: Promote Alva's historic character by utilizing the land development code to:

- a. Consider formal local designation of additional historic buildings and districts;
- b. Identify potential national or state registered history buildings and districts;
- c. Evaluate the effects of county regulations on designated historic districts; and
- d. Modify regulations, as necessary, to protect both the interests of the historic structures owners and Alva.

~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.2.8)**

POLICY 10.2.9: By 2015, Alva will work with Lee County to develop and promote innovative rural planning tools, such as purchase and transfer of development rights, to:

- a. Maintain commercial agriculture;
- b. Conserve and restore agricultural lands, open lands, native vegetated uplands and wetlands; and
- c. Sustain the rural character of Alva.

~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.2.9)**

ALVA COMMUNITY CHARACTER & LAND USE: RURAL VILLAGE FRAMEWORK

OBJECTIVE 10.3: RURAL VILLAGE FRAMEWORK. Through cooperative efforts among Alva and Lee County, establish the appropriate regulatory and incentive framework to implement Alva's vision for a mixed-use rural village center. ~~in the area depicted on Map 1, page 6 of 8. (Added by Ordinance No. 11-21)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Objective 26.3)**

POLICY 10.3.1: Alva will work with Lee County to evaluate and amend the Compact Communities Code, Land Development Code Chapter 32, to establish standards for a mixed-use rural village center that provides for walkable residential areas, appropriately located commercial and professional services, and public resources that meet the area's needs consistent with the Alva vision and guiding statements. Through this code, Alva will describe the form, function, street layout, streetscape, and public spaces of the historic core and sub-areas 1 through 4 (including Charleston Park) of the rural village. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.3.1)**

POLICY 10.3.2: Alva will work with Lee County to consider designating the rural village and areas therein as historic districts. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.3.2)**

POLICY 10.3.3: By 2015, Alva will work with Lee County to establish a maximum height standard in the land development code for the historic core as ~~depicted on Map 1, Page 6a of 8,~~ _____ that supports the Alva Methodist Church and the Alva School buildings position as dominant features and landmarks of the rural village. ~~(Added by Ordinance No. 11-21)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 26.3.3)**

POLICY 10.3.4: By 2015, Alva will work with Lee County Parks and Recreation Department to explore the feasibility and potential funding for developing and implementing a site improvement plan for the existing boat launch area and facilities on Pearl Street and the Alva Heritage Park on Palm Beach Boulevard and the right-of-way for High Street. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.3.4)**

POLICY 10.3.5: To prevent strip development along Palm Beach Boulevard, the majority of acreage available for commercial development will be located within the rural village, particularly the village center (sub areas 2 and 3). By 2015, Alva will work with Lee County to amend the land development code to accomplish this policy. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.3.5)**

POLICY 10.3.6: Any new development on parcels within the rural village area currently zoned commercial will be evaluated for consistency with the design and use standards of the rural village through the development review process in order to contribute to the overall design concept and be compatible with the village character and adjacent neighborhoods. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.3.6)**

ALVA TRANSPORTATION: CONNECTIVITY

OBJECTIVE 10.4: CONNECTIVITY. Provide appropriate and reasonable access and linkages throughout Alva, while supporting the area's rural character. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 26.4)**

POLICY 10.4.1: Alva will work with Lee County to utilize the Compact Communities Code, Land Development Code Chapter 32, to establish a walkable mixed-use rural village center that provides for the needs of pedestrians, cyclists, equestrian riders, and drivers. Through this code, Alva will describe the form, function, layout, streetscape, and public spaces of roadways and pathways within the historic core and sub-areas 1 through 4 (including Charleston Park) of the rural village. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.4.1)**

POLICY 10.4.2: By 2015, Alva will work with Lee County to provide for multiple connections to the existing transportation network by establishing land development practices and regulations through which new streets and roads — particularly those in residential areas or rural centers — will be required to interconnect with adjacent land uses. Additionally, the regulations will prohibit entry gates and perimeter walls around residential development. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.4.2)**

POLICY 10.4.3: During all phases of transportation planning and review, Alva will work with Lee County to address roadway transportation needs in a manner that ensures the rural character of the area including:

- a. Evaluating the capacity and level of service standards for rural roads;
 - b. Monitoring traffic levels in coordination with Hendry County;
 - c. Designating North River Road and other qualifying roads as county scenic roads and obtaining Florida Scenic Highway designation from the State; and
 - d. Farm-to-market functions of rural roadways including North River Road and Palm Beach Boulevard.
- ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.4.3)**

POLICY 10.4.4: By 2015, Alva will work with Lee County to evaluate funding opportunities and feasibility of creating a multipurpose path to run the entire length of North River Road through Alva. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.4.4)**

ALVA NATURAL RESOURCES & ENVIRONMENT

OBJECTIVE 10.5: NATURAL RESOURCES AND ENVIRONMENTAL SYSTEMS. Enhance, preserve, protect, and restore the physical integrity, ecological standards, and natural beauty of Alva. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 26.5)**

POLICY 10.5.1: By 2015, Alva will work with Lee County to establish planning policies and development standards that:

- a. Promote developments that protect the integrity, stability, and beauty of the natural environment;
- b. Maintain wildlife habitat and habitat travel corridors;
- c. Require new development and redevelopment to be designed and operated to conserve critical habitats of protected, endangered, and threatened species, and species of special concern;
- d. Increase development setbacks from natural areas and surface waters;
- e. Establish requirements for natural buffers from parcel lines to development areas;
- f. Prohibit developments that would harm protected, endangered, and threatened species, or species of special concern;
- g. Enhance connectivity to maintain uninterrupted wildlife corridors among, between, and within parcels;
- h. Develop surface water management system design standards that incorporate natural flowway corridors, cypress heads, natural lakes, and restore impacted natural surface waters; and
- i. Evaluate the feasibility and opportunities for an overall surface water management plan.

~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.5.1)**

POLICY 10.5.2: Alva will work with Lee County to identify and evaluate land conservation funding opportunities and acquisition priorities to protect vital natural resources, ecosystems, and habitats from the impacts of clear cutting for residential or agricultural purposes. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.5.2)**

POLICY 10.5.3: As a minimum standard, Lee County will require all new development and redevelopment to comply with State of Florida mandated Total Maximum Daily Load (TMDL) requirement for designated water bodies. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.5.3)**

POLICY 10.5.4: New development and redevelopment in or near existing and potential wellfields must:

- a. Be designed to minimize the possibility of contaminating groundwater during construction and operation; and
- b. Comply with the Lee County Wellfield Protection Ordinance.

~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.5.4)**

ALVA PUBLIC FACILITIES & SERVICES

OBJECTIVE 10.6: PUBLIC RESOURCE ACCESS. Increase the opportunity for public access to and enjoyment of the scenic, historic, recreational, and natural resources in Alva. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 26.6)**

POLICY 10.6.1: Alva will work with Lee County to identify opportunities to link public lands, facilities, and recreation areas that minimize disturbance of natural systems and wildlife habitat and incorporate these links into the Greenways Master Plan. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.6.1)**

POLICY 10.6.2: By 2015, Alva will work with Lee County to identify potential public uses for significant historic structures and archaeological sites. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.6.2)**

POLICY 10.6.3: Alva will work with Lee County to identify areas suitable for passive water-dependent/water-related recreational uses and activities, such as canoe and kayak launch areas, boardwalks, jogging paths, fishing platforms, and waterside parks. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.6.3)**

POLICY 10.6.4: Alva will continue to work with Lee County to evaluate appropriate access and use of Conservation 20/20 lands to support kayaking and canoeing, bird watching, hiking, and other passive recreation related to eco-tourism. Recreational opportunities will be balanced with the protection of natural resources and will comply with the Land Stewardship Plan prepared by the Conservation 20/20 Land Program. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.6.4)**

ALVA CITIZEN PARTICIPATION & COMMUNITY EDUCATION

OBJECTIVE 10.7: CITIZEN PARTICIPATION AND COMMUNITY EDUCATION. Alva will encourage and solicit public input and active community participation in the community's planning process. Also see Objective 1.2 of the Communities Element "Public 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. 11-21) (Relocated and Modified from the Future Land Use Element) (Formerly Objective 26.7)~~

~~POLICY 26.7.1: As a courtesy, Lee County will register individuals, citizen groups, and civic organizations within Alva who 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, email, 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. 11-21) (Deleted)~~

~~POLICY 26.7.2: As a courtesy, Lee County will notify Alva about public hearings, workshops, and hearings for land development decisions in Alva for the purpose of enabling Alva to participate in and pursue the applicability of the guiding statements for Alva's rural character. (Added by Ordinance No. 11-21) (Deleted)~~

~~POLICY 26.7.3: Alva will work with Lee County to establish a document clearing house in Alva 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. 11-21) (Deleted)~~

~~POLICY 26.7.4: The owner or agent for any Planned Development of a requested Lee Plan amendment or zoning action (planned development, conventional rezoning, special exception, or variance requests) within Alva 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 the public workshops information session. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space, providing notice of the meeting in Alva, 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 public information session; and a proposal for how the applicant will respond to any issues that were raised. (Added by Ordinance No. 11-21) (Deleted)~~

POLICY 10.7.1: Alva will work with Lee County to improve its citizens' understanding of natural resources through educational programs on energy conservation, energy efficiency, greenhouse gas emission reductions, solid waste management, hazardous waste, surface water runoff, septic maintenance, water conservation, xeriscaping, green building, cultural resources, history, etc. The site for these programs will be located in Alva. (Added by Ordinance No. 11-21) **(Relocated from the Future Land Use Element) (Formerly Policy 26.7.5)**

POLICY 10.7.2: Alva will work in coordination and partnership with North Olga to implement and achieve the Northeast Lee County vision, goal, objectives, and policies. As part of this effort, Alva will coordinate with North Olga on the review of development efforts that impact the Northeast Lee ~~Community Planning Area~~ County Planning Community. (Added by Ordinance No. 11-21) **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 26.7.6)**

POLICY 10.7.3: Alva will work in coordination and partnership with the other planning communities in the East Lee County area in order to ensure effective collaboration and coordinated planning efforts. (Added by Ordinance No. 11-21) **(Relocated from the Future Land Use Element) (Formerly Policy 26.7.7)**

POLICY 10.7.4: Alva will work with Lee County to coordinate planning efforts with the adjacent counties, and other local, regional, state, and federal agencies to maintain the rural character of Alva. ~~(Added by Ordinance No. 11-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 26.7.8)**

ALSO SEE GOAL 8 NORTEAST LEE COUNTY & GOAL 11 NORTH OLGA

NORTH OLGA

NORTH OLGA VISION

To establish a community plan in order to preserve and promote the unique rural character, historic heritage and quality of life in North Olga, as well as proactively and appropriately plan for future growth within the area. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Vision Statement)**

ALSO SEE GOAL 9 NORTHEAST LEE COUNTY & GOAL 10 ALVA.

GOAL 11: NORTH OLGA COMMUNITY. To promote and support North Olga's unique rural character, heritage, economy, and quality of life by establishing a participatory community planning effort to guide North Olga's future. ~~For the purpose of this Goal, the North Olga Community boundaries are defined by Map 1, Page 2 of 8 of the Lee Plan. (Added by Ordinance No. 11-14)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Goal 35)**

NORTH OLGA COMMUNITY CHARACTER & LAND USE

OBJECTIVE 11.1: COMMUNITY CHARACTER. By 2015, the North Olga Community will work with Lee County to establish comprehensive plan policies, land development regulations, and other planning and development tools to manage future community development in a manner that protects and enhances North Olga's rural character and aesthetic appearance, while supporting the continued viability of commercial agricultural businesses. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Objective 35.1)**

POLICY 11.1.1: Protect the community's rural aesthetic qualities, preserve the natural and historic resources, and support a diverse rural economy by promoting compact or clustered development areas that maintain large, contiguous tracts of open space, while supporting commercial agricultural businesses. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.1.1)**

POLICY 11.1.2: In partnership with Lee County, the North Olga Community will develop a rural planning toolbox to promote a compact development pattern within the community. Planning tools will include but are not limited to a Transfer of Development Rights (TDR) program, Purchase of Development Rights (PDR) program, conservation and agricultural easements, farm land trusts, and land development code regulations. The North Olga Community may be a sending area for county-wide TDRs, but may only receive TDRs from within the Northeast Lee County ~~Community Planning Area~~ **Planning Community.** ~~(Added by Ordinance No. 11-14)~~ **(Relocated and Edited from the Future Land Use Category) (Formerly Policy 35.1.2)**

POLICY 11.1.3: The North Olga Community will work in conjunction with Lee County, public agencies, land owners, and community service providers to examine the need for a rural mixed-use village center that provides for public meeting space, institutional uses, recreational opportunities and local goods and services. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.1.3)**

POLICY 11.1.4: In partnership with Lee County, the North Olga Community will amend Chapter 33 of the LDC to establish enhanced design, landscaping, signage, and architectural standards to promote the

community's rural character. (~~Added by Ordinance No. 11-14~~) **(Relocated from the Future Land Use Category) (Formerly Policy 35.1.4)**

POLICY 11.1.5: Following the adoption of North Olga Community LDC amendments, discourage the approval of deviations or variances from standards that would result in a degradation of landscaping, signage guidelines, or compliance with applicable architectural standards. (~~Added by Ordinance No. 11-14~~) **(Relocated from the Future Land Use Category) (Formerly Policy 35.1.5)**

POLICY 11.1.6: Work with the North Olga Community to improve the safety and accessibility of roadways, trails, and pathways through the implementation of the rural complete streets program. (~~Added by Ordinance No. 11-14~~) **(Relocated from the Future Land Use Category) (Formerly Policy 35.1.6)**

POLICY 11.1.7: Lee County will support the North Olga Community's rural character by ensuring that any proposed Future Land Use Map amendments within the community are determined to be consistent with the goals, objectives and policies of the Lee Plan by at least three members of the Board of County Commissioners in a decision that is entered in a public meeting after the opportunity for public input. (~~Added by Ordinance No. 11-14~~) **(Relocated from the Future Land Use Category) (Formerly Policy 35.1.7)**

POLICY 11.1.8: The North Olga Community will work with the Alva Community to implement and achieve the Northeast Lee County vision, goal, objectives, and policies. (~~Added by Ordinance No. 11-14~~) **(Relocated from the Future Land Use Category) (Formerly Policy 35.10.4)**

POLICY 11.1.9: The North Olga Community is responsible for the ongoing, long-term implementation of the community's adopted goal, objectives, and policies in coordination with the county. (~~Added by Ordinance No. 11-14~~) **(Relocated from the Future Land Use Category) (Formerly Policy 35.10.5)**

NORTH OLGA COMMUNITY CHARACTER & LAND USE: RESIDENTIAL

OBJECTIVE 11.2: RESIDENTIAL LAND USES. Protect and enhance the rural character of the North Olga Community by evaluating residential development proposals for consistency with the community's rural character and sense of community. Rural character is defined as those characteristics that convey the rural lifestyle such as: large lots or clustered development, ample view of wooded areas, open spaces, and river fronts, working farms, productive agricultural uses, and the protection of environmentally sensitive lands. (~~Added by Ordinance No. 11-14~~) **(Relocated from the Future Land Use Category) (Formerly Objective 35.2)**

POLICY 11.2.1: Proposed Planned Developments will be encouraged to provide a mix of unit types and flexible lot sizes to allow for clustering, affordability preservation of open space, natural assets, and diversity of choice within the community. (~~Added by Ordinance No. 11-14~~) **(Relocated from the Future Land Use Category) (Formerly Policy 35.2.1)**

POLICY 11.2.2: Proposed residential development adjacent to an existing large lot residential area or commercial agriculture business will provide appropriate separation, such as a minimum lot size of one (1) unit per acre for lots abutting the perimeter of property line(s). For the purposes of this policy, large lot residential uses are defined as those residential uses with lot sizes equal to or greater than one (1) acre. (~~Added by Ordinance No. 11-14~~) **(Relocated from the Future Land Use Category) (Formerly Policy 35.2.2)**

POLICY 11.2.3: Encourage proposed Planned Developments to provide community gardens to allow for social, recreational and education activities for the residents of the Planned Development. (~~Added by Ordinance No. 11-14~~) **(Relocated from the Future Land Use Category) (Formerly Policy 35.1.5)**

NORTH OLGA COMMUNITY CHARACTER & LAND USE: COMMERCIAL

OBJECTIVE 11.3: COMMERCIAL LAND USES. Existing and future county regulations, land use interpretations, policies, zoning approvals, and administrative actions should promote the rural character within the North Olga Community boundaries and allow for non-residential land uses that serve and support the rural community, County regulations will support a unified and attractive rural-oriented design theme in terms of landscaping architecture, lighting and signage. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Objective 35.3)**

POLICY 11.3.1: Continue to support the long-term viability of commercial agriculture industry through the development and implementation of incentives and tools including, but not limited to: TDR programs; farmland trusts; agricultural easements; and development practices that promote compact development patterns and the preservation of productive agricultural lands. For the purposes of this policy, commercial agriculture is defined as the production of crops and livestock for sale, specifically for widespread distribution to wholesalers and /or retail outlets. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.3.1)**

POLICY 11.3.2: Support ancillary commercial throughout the Rural designated areas that promote the rural and agricultural character of the community, if appropriate zoning approval is granted. For the purposes of this policy, ancillary commercial uses are defined as non-residential uses that support the local, rural-based economy. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.3.2)**

POLICY 11.3.3: In order to maintain the rural and aesthetic value of the community, proposed new commercial development will utilize a consistent landscaping and architectural style for all buildings within proposed commercial developments, and will comply with the applicable design standards within LDC Chapter 33 as part of the development review process. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.3.3)**

NORTH OLGA COMMUNITY CHARACTER & LAND USE: AGRICULTURE

OBJECTIVE 11.4: AGRICULTURE. The North Olga Community will support small and large-scale farming operations and alternative, agriculturally-based enterprises to sustain economically-viable commercial agriculture in order to foster a diverse local economy while maintaining the community's agricultural heritage. For the purposes of this objective, alternative, agriculturally-based enterprises including but are not limited to the production of biofuel crops, niche farming activities, agri-tourism, and carbon offset farming. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Objective 35.6)**

POLICY 11.4.1: Support the use of public and private lands for community gardens. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.6.1)**

POLICY 11.4.2: Evaluate future development proposals, not including lot splits, for compatibility with adjacent, existing small- and large-scale farming operations, including buffers, setbacks, and site design standards to ensure that those activities do not unduly impact the viability of the community's agricultural businesses. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.6.2)**

NORTH OLGA COMMUNITY CHARACTER & LAND USE: WATER-DEPENDENT USES

OBJECTIVE 11.5: WATER DEPENDENT OVERLAY. Protect marine-oriented land uses within North Olga from incompatible or pre-emptive land uses. The water dependent overlay within the community

applies to the Owl Creek Boat Works as described on Lee Plan Map 12, Page 3 of 12. ~~(Added by Ordinance No. 11-14)~~ **(Relocated and Edited from the Future Land Use Category) (Formerly Objective 35.9)**

POLICY 11.5.1: Prior to the redevelopment of the Owl Creek Boat Works facility, the owner will be required to conduct a cultural resource assessment of the property to determine the existence of historical structures, archaeological resources and other cultural resources. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.9.1)**

NORTH OLGA TRANSPORTATION

OBJECTIVE 11.6: TRANSPORTATION. Road improvements within the North Olga Community considered by the county will promote the community's goal to maintain its rural character and provide for safe access, and appropriate transportation resources including roadways and pedestrian, bike, and equestrian trails and pathways. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Objective 35.5)**

POLICY 11.6.1: Future improvements to North River Road or other public roadways within the North Olga Community should be pursued only after careful analysis of safety, need, community and environmental impact. Public roadways improvements should incorporate rural design treatments. Public participation in planning and design processes for these road improvements should provide opportunities for involvement of the North Olga Community. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.5.1)**

POLICY 11.6.2: Work with the North Olga Community to allow for the use of roadways in a manner that supports local commercial agriculture businesses and their continued viability. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.5.2)**

POLICY 11.6.3: Work with the North Olga Community to evaluate funding opportunities and feasibility of creating a multipurpose path to run the entire length of North River Road through the community. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.5.3)**

NORTH OLGA NATURAL RESOURCES & ENVIRONMENT

OBJECTIVE 11.7: CONSERVATION. Preserve, protect, and, where possible, enhance the physical integrity, rural character, ecological values, and natural beauty of the North Olga Community, focusing upon the Caloosahatchee River, native vegetation, wildlife resources, and areas designated for long-term conservation. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Objective 35.8)**

POLICY 11.7.1: Balance public access to the Caloosahatchee River with protection and rehabilitation efforts, in order to preserve the River's natural features and function. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.8.1)**

POLICY 11.7.2: Encourage future development to maintain on-site native vegetation communities. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.8.2)**

POLICY 11.7.3: Proposed Planned Developments will consider the incorporation of "Firewise" Principles in site design, including building orientation, access management, landscaping type and placement. For the purposes of this policy, Firewise principles are those guidelines developed by the National Fire Protection Association to mitigate the risk of wildland fire to homes in the wildland/urban interface. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.8.3)**

NORTH OLGA PUBLIC FACILITIES & SERVICES

OBJECTIVE 11.8: OPEN SPACE, RECREATION AND COMMUNITY FACILITIES. Facilitate public access to and the enjoyment of scenic, historic, recreational, and natural resources in the North Olga Community. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Objective 35.7)**

POLICY 11.8.1: Incorporate key linkages within the North Olga Community into the Greenway Master Plan, such as connection between the North River Road Greenway and the Franklin Locks. These linkages will serve the purpose of providing a meaningful trail network, which will include connections to public recreational areas and minimize disturbances to wildlife habitats and natural systems. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.7.1)**

POLICY 11.8.2: Work with the North Olga Community and private landowners to identify opportunities to maintain and enhance public access to the Caloosahatchee River. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.7.2)**

POLICY 11.8.3: Proposed Planned Developments adjacent to the Caloosahatchee River will be encouraged to provide public access to the river. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.7.3)**

POLICY 11.8.4: Work in coordination with the North Olga Community to identify and expand water-dependent/water-related uses and activities, including but not limited to canoe/kayak launch areas, boardwalks, fishing platforms and waterside parks. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.7.4)**

POLICY 11.8.5: Evaluate the need for community facilities within North Olga to provide public meeting space. This evaluation will include the identification of funding sources and the facility's appropriate location and scale. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.7.5)**

NORTH OLGA ECONOMIC DEVELOPMENT

OBJECTIVE 11.9: ECONOMIC DEVELOPMENT. Encourage future economic development opportunities in the North Olga Community that identify and promote the rural and agricultural-based quality of life for the residents and surrounding communities. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Objective 35.4)**

POLICY 11.9.1: Continue to protect and support the long-term viability of commercial agricultural businesses within the community. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.4.1)**

POLICY 11.9.2: Support the development of nature and agriculturally-based tourism where appropriate throughout the community. Opportunities for nature and agriculturally-based tourism include but are not limited to bird watching, equestrian facilities, kayaking/canoeing, and bed and breakfast establishments. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.4.2)**

POLICY 11.9.3: Facilitate appropriate access and use of Conservation 20/20 lands to support kayaking/canoeing, bird watching, hiking and other passive recreational uses related to nature-based tourism. Recreational opportunities will be balanced with the protection of natural resources and will comply with the Land Stewardship Plan prepared by the Conservation 20/20 Land Program. ~~(Added by Ordinance No. 11-14)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 35.4.3)**

~~OBJECTIVE 35.10: PUBLIC PARTICIPATION. 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 per Objective 1.2 of this element. (Added by Ordinance No. 11-14) (Deleted)~~

~~POLICY 35.10.1: As a courtesy, register citizen groups and civic organizations within the community that desire notification of pending review of LDC amendments and Lee Plan amendments. Upon registration, Lee County will provide registrants with documentation regarding pending amendments. This notice is a courtesy only and is not jurisdictional. The County's failure to mail the notice, or failure of a group to receive mailed notice, will not constitute a defect in the jurisdictional notice requirements or bar a public hearing from occurring as scheduled. (Added by Ordinance No. 11-14) (Deleted)~~

~~POLICY 35.10.2: Work with the North Olga Community to establish a Document Clearing House, where copies of selected documents from permit applications, variance requests, staff reports and Lee Plan status updates made available to the public. Hearing Examiner recommendations, decisions, Administrative Variances and Board resolutions for development in the community will be kept for public inspection. The County's failure to provide documents to the Document Clearing House, or failure of the Document Clearing house to receive documents, will not constitute a defect in the jurisdictional notice requirements or bar a public hearing from occurring as scheduled. (Added by Ordinance No. 11-14) (Deleted)~~

~~POLICY 35.10.3: The owner or agent of a requested zoning action (planned development, conventional rezoning, special exception, or variance requests) or Lee Plan Amendments within the North Olga Community, as identified on Map 1, page 2 of 8, must conduct one public informational meeting where the agent provides a general overview of the project for interested citizens. This meeting must be conducted before the application can be found sufficient by County Staff. The applicant is responsible for advertising, providing the meeting space, and security measures as needed. Subsequent to this meeting, the applicant must provide staff with a summary that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues raised at the meeting; and a proposal for how the applicant will respond to those issues. (Added by Ordinance No. 11-14) (Deleted)~~

ALSO SEE GOAL 9 NORTHEAST LEE & GOAL 10 ALVA

SOUTHEAST LEE

SOUTHEAST LEE COUNTY VISION

As the name implies, this community is located in the southeast area of Lee County, south of SR 82, north of Bonita Beach Road, east of I-75 (excluding areas in the San Carlos Park/Island Park/Estero Corkscrew Road and Gateway/Southwest Florida International Airport Communities), and west of the county line. With very minor exceptions, this community is designated as Density Reduction/Groundwater Resource, Conservation Lands (both upland and wetlands), and Wetlands on the Future Land Use Map. This community consists of regional mining operations, active and passive agricultural uses, public wellfields and water treatment plants, significant contiguous tracts set aside for preservation, a private golf course, and very large lot residential home sites. Through the year 2035, Southeast Lee County will change dramatically. Mining pits will double in size as the northwest portion serves as the major supplier of limerock aggregate for southwest Florida, an activity that continues to generate significant truck traffic especially on Alico Road. The remainder of Southeast Lee County will continue as the county's primary agricultural region and home to its largest (and still expanding) natural preserves. Residential and commercial development will not be significantly increased except in very limited areas where development rights are concentrated by this plan. Some existing farmland will be restored to natural conditions to increase the natural storage of water and to improve wildlife habitat. (Added by Ordinance No. 99-15, Amended by Ordinance No. 07-12; 10-20) **(Relocated from the Vision Statement)**

GOAL 12: SOUTHEAST LEE COUNTY. To protect natural resources in accordance with the county's 1990 designation of Southeast Lee County as a groundwater resource area, augmented through a comprehensive planning process that culminated in the 2008 report, "*Prospects for Southeast Lee County.*" To achieve this goal, it is necessary to address the inherent conflict between retaining shallow aquifers for long-term water storage and extracting the aquifer's limestone for processing into construction aggregate. The best overall balance between these demands will be achieved through a pair of complementary strategies: consolidating future mining in the traditional Alico Road industrial corridor while initiating a long-term restoration program to the east and south to benefit water resources and protect natural habitat. Residential and commercial development will not be significantly increased except where development rights are being explicitly concentrated by this plan. Agriculture uses may continue, and environmental restoration may begin. This goal and subsequent objectives and policies apply to Southeast Lee County. ~~as depicted on Map 1, Page 2. (Added by Ordinance No. 10-20)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Goal 33)**

SOUTHEAST LEE COMMUNITY CHARACTER & LAND USE: LIMEROCK MINING

OBJECTIVE 12.1: LIMEROCK MINING. Designate on a Future Land Use Map overlay sufficient land near the traditional Alico Road industrial corridor for continued limerock mining to meet regional demands through this plan's horizon. ~~(currently 2030). (Added by Ordinance No. 10-20)~~ **(Relocated and Edited From the Future Land Use Element) (Formerly Objective 33.1)**

POLICY 12.1.1: Limerock mining is a high-disturbance activity whose effects on the surrounding area cannot be completely mitigated. To minimize the impacts of mining on valuable water resources, natural systems, residential areas, and the road system, Map ~~14~~ ___ identifies Future Limerock Mining areas that will concentrate limerock mining activity in the traditional Alico Road industrial corridor east of I-75. By formally identifying such areas in this plan and allowing rezonings for new and expanded limerock mines only in the areas identified in Map ~~14~~ ___ limerock resources in or near existing disturbed areas will be more fully utilized and the spread of limerock mining impacts into less disturbed environments will be precluded until such time as there is a clear necessity to do so (and Map ~~14~~ ___ is amended accordingly). Inclusion of land on Map ~~14~~ ___ does not restrict the rights of landowners to use their land for other allowable purposes. ~~(Added by Ordinance No. 10-20)~~ **(Relocated and Edited From the Future Land Use Element) (Formerly Policy 33.1.1)**

POLICY 12.1.2: Most land identified on Map ~~14~~ ___ is in the Density Reduction/Groundwater Resource land use category (see Policy ~~14.5~~ 1.5.6 of the Future Land Use Element) and will also be subject to those special requirements. Future Limerock Mining land outside the DR/GR area will also be subject to requirements of the appropriate designation on Map ~~14~~ ___. ~~Goal 10 Objective 3.8 of the Future Land Use Element~~ and its ~~objectives and~~ policies contain additional guidance on mining. The Land Development Code will continue to provide additional details on mining approvals and operations. ~~(Added by Ordinance No. 10-20)~~ **(Relocated and Edited From the Future Land Use Element) (Formerly Policy 33.1.2)**

POLICY 12.1.3: Concurrent with the update of Map ~~14~~ ___ in 2010, the Lee Plan was amended to improve the ability to efficiently mine in Future Limerock Mining areas. An exception was made to the requirement in Policy ~~14.5~~ 1.5.6 of the Future Land Use Element that DR/GR land uses must demonstrate compatibility with maintaining surface and groundwater levels at their historic levels. Under this exception, land in Future Limerock Mining areas may be rezoned for mining when the impacts to natural resources including water levels and wetlands are offset through appropriate mitigation within Southeast Lee County. The Land Development Code will be amended and maintained to include provisions for assessing and mitigating mining impacts and for transferring residential development rights from land zoned for limerock mining pits. Appropriate mitigation for water levels will be based upon site-specific data and modeling acceptable to the Division of Natural Resources. Appropriate wetland mitigation may be provided by preservation of high

quality indigenous habitat, restoration or reconnection of historic flowways, connectivity to public conservation lands, restoration of historic ecosystems or other mitigation measures as deemed sufficient by the Division of Environmental Sciences. It is recommended that, whenever possible, wetland mitigation be located within Southeast Lee County. The Land Development Code will be revised to include provisions to implement this policy. ~~(Added by Ordinance No. 10-20)~~ **(Relocated and Edited From the Future Land Use Element) (Formerly Policy 33.1.3)**

POLICY 12.1.4: Table ~~4(b)~~ ___ contains industrial acreage in Southeast Lee County that reflects the acreage of limerock mining pits needed to meet local and regional demand through the year 2035. The parcel-based database of existing land uses described in Policy ~~4.7.6~~ 2.2.6 of the Future Land Use Element will be updated at least every seven years to reflect additional data about limerock mining in Southeast Lee County, including mining acreage zoned (project acres and mining pit acreage), pit acreage with active mine operation permits, acreage actually mined, and acreage remaining to be mined. Current totals are based on data compiled in Prospects for Southeast Lee County for the year 2006. Future amendments will reflect any additional data that becomes available through routine monitoring reports and bathymetric surveys or other credible sources. The industrial acreage totals for Southeast Lee County that are found in Table ~~4(b)~~ ___ for Planning District #18 ___ will be used for the following purposes:

- a. In accordance with Policies 1.1.1 and ~~4.7.6~~ 2.2.6 of the Future Land Use Element, new mine development orders and mine development order amendments may be issued provided that the industrial acreage totals in Table ~~4(b)~~ ___ are not exceeded. For purposes of this computation, the proposed additional limerock pit acreage, when added to the acreage of limerock pits already dug, cannot exceed the acreage limitation established in Table ~~4(b)~~ ___ for Planning District #18 ___.
- b. By monitoring the remaining acreage of land rezoned for mining but not yet mined, Lee County will have critical information to use in determining whether and to what extent the Future Limerock Mining areas in Map 14 ___ may need to be expanded in the future to meet local and regional demands.

~~(Added by Ordinance No. 10-20)~~ **(Relocated and Edited From the Future Land Use Element) (Formerly Policy 33.1.4)**

POLICY 12.1.5: The sale of overburden from approved limerock mines is encouraged because converting overburden into fill material avoids additional mining at other locations. However, shallow mines that produce primarily fill dirt should be sited as close as possible to locations of high demand to minimize the distance that fill material must be trucked to likely destinations (see also Policy ~~4.1.1~~ 3.8.2 of the Future Land Use Element). In Southeast Lee County shallow mines are generally unnecessary because fill dirt is available as a byproduct of limerock mines; however, shallow mines may be permitted on sites immediately adjoining areas of high demand for fill dirt such as Lehigh Acres. ~~(Added by Ordinance No. 10-20)~~ **(Relocated and Edited From the Future Land Use Element) (Formerly Policy 33.1.5)**

POLICY 12.1.6: Asphalt and concrete can be recycled to produce aggregate that is comparable to the products of limerock mines. Lee County should be a leader in using recycled aggregate in its construction projects and in encouraging privately operated recycling facilities in appropriate locations to minimize the need to mine or import additional aggregate. ~~(Added by Ordinance No. 10-20)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 33.1.6)**

POLICY 12.1.7: Protect agricultural activities on lands designated as Agricultural on the agricultural overlay (see Map ~~20~~ ___) from the impacts of new natural resource extraction operations, recreational uses, and residential developments. However, in Future Limerock Mining areas (see Map 14 ___), agricultural activities may be limited to the interim period prior to mining or may need to coexist with adjoining mining activities and mining pits. ~~(Added by Ordinance No. 10-20)~~ **(Relocated and Edited From the Future Land Use Element) (Formerly Policy 33.1.7)**

SOUTHEAST LEE COUNTY NATURAL RESOURCES & ENVIRONMENT

OBJECTIVE 12.2: WATER, HABITAT, AND OTHER NATURAL RESOURCES. Designate on a Future Land Use Map overlay the land in Southeast Lee County that is most critical toward restoring historic surface and groundwater levels and for improving the protection of other natural resources such as wetlands and wildlife habitat. (~~Added by Ordinance No. 10-19~~) **(Relocated from the Future Land Use Element) (Formerly Objective 33.2)**

POLICY 12.2.1: Large-scale ecosystem integrity in Southeast Lee County should be maintained and restored. Protection and/or restoration of land is of even higher value when it connects existing corridors and conservation areas. Restoration is also highly desirable when it can be achieved in conjunction with other uses on privately owned land including agriculture. Lee County Natural Resources, Conservation 20/20, and Environmental Sciences staff will work with landowners who are interested in voluntarily restoring native habitats and landowners who are required to conduct restoration based upon land use changes. The parameters for the required restoration will be established in the Land Development Code by ~~2012~~ 2015. (~~Added by Ordinance No. 10-19~~) **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 33.2.1)**

POLICY 12.2.2: The DR/GR Priority Restoration overlay depicts land where protection and/or restoration would be most critical to restore historic surface and groundwater levels and to connect existing corridors or conservation areas (see ~~Policy 1.7.7 and Map _____-1, Page 4~~) This overlay identifies seven tiers of land potentially eligible for protection and restoration, with Tier 1 and Tier 2 being the highest priority for protection from irreversible land-use changes. Lee County will evaluate this overlay map every 7 years to determine if changes in public ownership, land use, new scientific data, and/or demands on natural resources justify updating this map. This overlay does not restrict the use of the land in and of itself. It will be utilized as the basis for incentives and for informational purposes since this map will represent a composite of potential restoration and acquisition activities in the county. (~~Added by Ordinance No. 10-19~~) **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 33.2.2)**

POLICY 12.2.3: It is in southwest Florida's interest for public and nonprofit agencies to actively pursue acquisition of partial or full interest in land within the Tier 1 areas in this overlay through direct purchase; partnerships with other government agencies; long-term purchase agreements; right of first refusal contracts; land swaps; and other appropriate means. These lands would provide critical connections to other conservation lands that serve as the backbone for water resource management and wildlife movement within the DR/GR. Tier 2 lands are of equal ecological and water resource importance as Tier 1 but have better potential to remain in productive agricultural use as described in Policies ~~3312.2.5~~ and ~~3312.2.6~~. Tier 3 lands and the southern two miles of Tiers 5, 6, and 7 can provide an important wildlife connection to conservation lands in Collier County and an anticipated regional habitat link to the Okaloacoochee Slough State Forest.

- a. The county will consider incentives for private landowners to maintain and improve water resources and natural ecosystems on properties within Tier 2 through Tier 7, including but not limited to acquiring agricultural or conservation easements; compensation for water storage that is in the public interest; and providing matching funds to secure federal and state funds/grants for improving agricultural best management practices or protection/restoration of wetlands on existing agricultural operations;
- b. Tiers 1, 2, 3, and the southern two miles of Tiers 5, 6, and 7 will qualify for incentives when development rights are transferred to less sensitive sites in accordance with Policies ~~33-12.3.4~~ and ~~3312.3.5~~; and
- c. Permanent protection of land within all tiers may also occur through:
 1. Using resource extraction mitigation fees to acquire land;

2. Establishing a Regional Offsite Mitigation Area (ROMA); or
3. Concentrating development as depicted in the Rural Residential overlay (~~Map 17~~) as detailed in Policies ~~33-12.3.2~~, ~~12.3.3~~ and ~~12.3.5~~.

~~(Added by Ordinance No. 10-19)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 33.2.3)**

POLICY 12.2.4: Restoration of critical lands in Southeast Lee County is a long-term program that will progress in phases based on available funding, land ownership, and natural resource priority. On individual sites, restoration can be carried out in stages:

- a. Initial restoration efforts would include techniques such as filling agricultural ditches and/or establishing control structures to restore the historic water levels as much as possible without adversely impacting nearby properties; and
- b. Future restoration efforts would include the eradication of invasive exotic vegetation and the reestablishment of appropriate native ecosystems based upon the restored hydrology.

~~(Added by Ordinance No. 10-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 33.2.4)**

POLICY 12.2.5: Lee County recognizes the importance of maintaining agricultural lands within Southeast Lee County for local food production, water conservation and storage, land conservation, wildlife habitat, and wetland restoration. The continued use of ever evolving agricultural best management practices will protect native soils and potentially improve the quantity and quality of water resources, allowing sustainable agriculture to be integrated into restoration planning for Southeast Lee County. ~~(Added by Ordinance No. 10-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 33.2.5)**

POLICY 12.2.6: On existing farmland, the county will offer incentives to encourage the continuation of agricultural operations. Incentives will include the ability to concentrate all existing development rights while farming continues on the remainder of the tract; and, the ability to sever and sell all development rights while farming continues on the entire tract. Other incentives may be provided to agricultural operations that implement and maintain best management practices. Continued agricultural use may be a desirable long-term use even within land designated on the priority restoration overlay as potentially eligible for protection (see Policy ~~9-1.7~~ 3.6.4 of the Future Land Use Element). ~~(Added by Ordinance No. 10-19)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 33.2.6)**

POLICY 12.2.7: Impacts of proposed land disturbances on surface and groundwater resources will be analyzed using integrated surface and groundwater models that utilize site-specific data to assess potential adverse impacts on water resources and natural systems within Southeast Lee County. Lee County Division of Natural Resources will determine if the appropriate model or models are being utilized, and assess the design and outputs of the modeling to ensure protection of Lee County's natural resources. ~~(Added by Ordinance No. 10-19)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 33.2.7)**

SOUTHEAST LEE COUNTY RESIDENTIAL & MIXED-USE DEVELOPMENT

OBJECTIVE 12.3: RESIDENTIAL AND MIXED-USE DEVELOPMENT. Designate on a Future Land Use Map overlay ~~existing acreage subdivision areas~~ that should be protected from adverse impacts of mining (Existing Acreage Subdivisions), and specific locations for concentrating existing development rights on large tracts (Mixed-Use Communities), and vacant properties with existing residential approvals that are inconsistent with the density Reduction/Groundwater Resource future land use category (Improved Residential Communities). **(Amended per Ordinance 12-24)** **(Relocated from the Future Land Use Element) (Formerly Objective 33.3)**

POLICY 12.3.1: Existing acreage subdivisions are shown on Map 47 _____. These subdivisions should be protected from adverse external impacts such as natural resource extraction. (~~Added by Ordinance No. 10-43~~)
(Relocated and Edited from the Future Land Use Element) (Formerly Policy 33.3.1)

POLICY 12.3.2: Unsubdivided land is too valuable to be consumed by inefficient land-use patterns. Although additional acreage or ranchette subdivisions may be needed in the future, the preferred pattern for using existing residential development rights from large tracts is to concentrate them as compact internally connected Mixed-Use Communities along existing roads and away from Future Limerock Mining areas. Map 47 _____ identifies future locations for Mixed-Use Communities where development rights can be concentrated from major DR/GR tracts into traditional neighborhood developments (see glossary).

- a. Mixed-Use Communities must be concentrated from contiguous property owned under single ownership or control. Allowable residential development without the benefit of TDR credits is limited to the existing allowable dwelling units from the upland and wetland acreage of the entire contiguous DR/GR tract. The only net increases in dwelling units will be through incentives as specified in the LDC for permanent protection of indigenous native uplands on the contiguous tract (up to one extra dwelling unit allowed for each five acres of preserved or restored indigenous native uplands) and through the acquisition of TDR credits from TDR sending areas as provided in Policies 12.3.4 and 12.3.5.;
 1. When expanded with transferred development rights, the maximum gross density is 5 dwelling units per acre of total land designated as a Mixed-Use Community as shown on Map 47 _____;
 2. The maximum basic intensity of non-residential development is 75 square feet, per by right clustered dwelling unit;
 3. The additional intensity that can be created using TDR credits may not exceed 300,000 square feet of non-residential floor area in any Mixed-Use Community; and
 4. These limits on dwelling units and non-residential floor area do not apply to any land in a Mixed-Use Community that is designated Central Urban rather than DR/GR. Numerical limits for Central Urban land are as provided elsewhere in the Lee Plan
- b. Contiguous property under the same ownership may be developed as part of a Mixed-Use Community provided the property under contiguous ownership does not extend more than 400 feet beyond the perimeter of the Mixed-Use Community as designated on Map 47 _____;
- c. In 2010 an exception was made to the requirement in Policy 1.5.6 of the Future Land Use Element that DR/GR land uses must demonstrate compatibility with maintaining surface and groundwater levels at their historic levels. Under this exception, construction may occur on land designated as a Mixed-Use Community on Map 47 _____ provided the impacts to natural resources, including water levels and wetlands, are offset through appropriate mitigation within Southeast Lee County. Appropriate mitigation for water levels will be based upon site-specific data and modeling acceptable to the Division of Natural Resources. Appropriate wetland mitigation may be provided by preservation of high quality indigenous habitat, restoration or reconnection of historic flowways, connectivity to public conservation lands, restoration of historic ecosystems or other mitigation measures as deemed sufficient by the Division of Environmental Sciences. When possible, it is recommended that wetland mitigation be located within Southeast Lee County. The Land Development Code will be revised to include provisions to implement this policy; and
- d. To create walkable neighborhoods that reduce automobile usage and minimize the amount of DR/GR land consumed by development, the Land Development Code will specify how each Mixed-Use Community will provide:

1. A compact physical form with identifiable centers and edges, with opportunities for shopping and workplaces near residential neighborhoods;
2. A highly interconnected street network, to disperse traffic and provide convenient routes for pedestrians and bicyclists;
3. High-quality public spaces, with building facades having windows and doors facing tree-lined streets, plazas, squares, or parks;
4. Diversity not homogeneity, with a variety of building types, street types, open spaces, and land uses providing for people of all ages and every form of mobility; and
5. Resiliency and sustainability, allowing adaptation over time to changing economic conditions and broader transportation options.

(Added by Ordinance No. 10-43) **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 33.3.2)**

POLICY 12.3.3: Properties within the DR/GR that have existing approvals for residential development inconsistent with the current DR/GR density requirements, may damage surface and sub-surface water resources, impact habitat, and encroach on environmentally important land if developed consistent with the vested approvals. As an incentive to reduce these potential impacts additional densities may be granted if strict criteria improving the adverse impacts are followed.

1. These properties may be designated on Map _____ as "Improved Residential Communities," provided they meet all of the following requirements:
 - a. Abut lands designated as future urban areas;
 - b. Adjacent to and eligible for public water and sewer services;
 - c. Can provide two (2) direct accesses to an arterial roadway, and;
 - d. Is not already designated on Lee Plan Map _____ as an Existing Acreage Subdivision or a Mixed Use Community.
2. In order to request an increase in density, the property must be rezoned to a Residential Planned Development (RPD) that demonstrates and is conditioned to provide the following:
 - a. Reduced stress to the onsite potable aquifers and is more consistent with water resource goals of Lee County in the DR/GR than the existing development approvals.
 - b. Increased conservation areas, relative to the existing approvals, with a restoration plan and long term maintenance commitment.
 - c. Active and passive recreational amenities to promote a healthy lifestyle.
 - d. Demonstrates a net benefit for water resources, relative to the existing approvals that demonstrates the following.
 - (1) Lower irrigation demand.
 - (2) Eliminates private irrigation wells
 - (3) Protects Public wells by meeting or exceeding the requirements of the Well Field Protection Ordinance.
 - (4) Uses Florida Friendly Plantings with low irrigation requirements in Common Elements.
 - (5) Connects to public water and sewer service, and must connect to reclaimed water when available.
 - (6) Reduces impervious area relative to existing approvals improving opportunities for groundwater recharge.
 - (7) Designed to accommodate existing or historic flowways.
 - e. Includes an enhanced lake management plan, that addresses at a minimum the following issues:
 - (1) Best management practices for fertilizers and pesticides

- (2) Erosion control and bank stabilization
 - (3) Lake maintenance requirements
 - (4) Public well field protection
 - f. Indigenous Management Plans must address human-wildlife coexistence.
3. Properties meeting the above criteria and requirements may be permitted additional residential dwelling units in addition to the already existing approvals, but in no case in excess of three (3) dwelling units per DR/GR upland acre. The application for Residential Planned Development must identify the source of the additional residential dwelling units from the criteria below. Approval of the rezoning will be conditioned to reflect the source of additional dwelling units:
- a. 2 dwelling units for every acre of offsite DR/GR property acquired for conservation purposes with the possibility of passive recreation activities.
 - b. 2 dwelling units for every additional acre of offsite DR/GR property put under a conservation easement dedicated to Lee County.
 - c. 1.5 dwelling units for every additional acre of onsite property put under a conservation easement.
 - d. 1 dwelling unit for every acre of onsite restoration, subject to restoration plan approval as part of the Planned Development rezoning process.
 - e. 2 dwelling units for every acre of non-isolated DR/GR preserved primary and secondary panther habitat.
 - f. 2 dwelling units for every acre of protected onsite wetlands connected to a regionally significant flowway identified in the Lee Plan.
 - g. 1 dwelling unit for every \$8,500 (the current estimated cost to purchase an acre of Southeast DR/GR land) the applicant provides to the county to extinguish density on other Southeast DR/GR parcels.
 - h. 1 dwelling unit for every \$8,500 the applicant provides to the county to construct a planned large mammal roadway crossing in the Southeast DR/GR area.

The improvements or acquisition of properties serve to mitigate impacts of the increased density. Future "Improved Residential Communities" proposed to be added to Map ___ must provide a reanalysis of the cost to purchase one acre of DR/GR property if criteria (g.) or (h.) are used to account for the increased density. (New Policy per Ordinance 12-24)

POLICY 12.3.4: Owners of major DR/GR tracts without the ability to construct a Mixed-Use Community on their own land are encouraged to transfer their residential development rights to Future Urban Areas (see Objective 1.2 of the Future Land Use Element), specifically the Mixed-Use Overlay, the Lehigh Acres Specialized Mixed-Use Nodes, and any Lee Plan designation that allows bonus density (see Table 4(a) ___), or to future Mixed-Use Communities, Rural Golf Course Communities, or Improved Residential Communities on land so designated on Map 47 _____. These transfers would avoid unnecessary travel for future residents, increase housing diversity and commercial opportunities for nearby Lehigh Acres, protect existing agricultural or natural lands, and allow the conservation of larger contiguous tracts of land.

- a. To these ends, Lee County will establish a program that will allow and encourage the transfer of upland and wetland development rights (TDR) to designated TDR receiving areas. This program will also allow limited development in accordance with Policy 4621.2.6 and 4621.2.7;
- b. Within the Mixed-Use Communities shown on Map 47 ____, significant commercial and civic uses are required. Each Mixed-Use Community adjoining S.R.82 must be designed to include non-residential uses not only to serve its residents but also to begin offsetting the shortage of non-residential uses in adjoining

Lehigh Acres. At a minimum, each community adjoining S.R. 82 must designate at least 10% of its developable land into zones for non-residential uses. Specific requirements for incorporating these uses into Mixed-Use Communities are set forth in the Land Development Code;

- c. Mixed-Use Communities must be served by central water and wastewater services. All Mixed-Use Communities were added to the future water and sewer service areas for Lee County Utilities (~~Lee Plan Maps 6 and 7~~) in 2010. Development approvals for each community are contingent on availability of adequate capacity at the central plants and on developer-provided upgrades to distribution and collection systems to connect to the existing systems. Lee County Utilities has the plant capacity at this time to serve full build-out of all Mixed-Use Communities. Lee County acknowledges that the Three Oaks wastewater treatment plant does not have sufficient capacity to serve all anticipated growth within its future service area through the year 2035. Lee County commits to expand that facility or build an additional facility to meet wastewater demands. One of these improvements will be included in a future capital improvements program to ensure that sufficient capacity will be available to serve the Mixed-Use Communities and the additional development anticipated through the year 2035;
- d. Development approvals for Mixed-Use Communities are contingent on adequate capacity in the public school system (see Goal 3 of the Community Facilities and Services Element);
- e. The state has designated S.R.82 as an “emerging component” of Florida’s Strategic Intermodal System, a designation that establishes the levels of service Lee County must adopt for S.R.82. Lee County will seek to include the Mixed-Use Communities and appropriate adjacent urban areas in a multimodal transportation district to mitigate regulatory barriers these levels of service would impose on Lee County’s ability to accomplish Objective ~~33~~12.3 and its policies. As an alternative, Lee County may pursue a comparable mechanism, such as a transportation concurrency exception area, transportation concurrency management area, transportation concurrency backlog area/plan, long-term concurrency management system, or FDOT level-of-service variance, that would achieve similar results. Lee County’s planning will include the following steps:
 1. Actively seek advice, technical assistance, and support from Florida DOT and DCA while formulating the scope of a technical evaluation of a potential multimodal transportation district that includes the four Mixed-Use Communities adjoining S.R. 82 and appropriate adjacent urban areas;
 2. Conduct the necessary technical studies to determine the potential for substantial trip diversion from Lehigh Acres residents, the viability of transit service to these Mixed-Use Communities and appropriate adjacent urban areas, and the practicality of maintaining the adopted level-of-service standards on S.R. 82;and
 3. Adopt a Lee Plan amendment establishing a multimodal transportation district (or comparable mechanism).
- f. Lee County will complete these three steps by 2016. Until step 5.c is adopted, TDR credits may not be redeemed in the Mixed-Use Communities located along S.R. 82. No redemption of TDR credits that will increase dwelling units or non-residential floor area will be permitted, if these increases would cause the adopted level of service for S.R. 82 to be exceeded (see Goal ~~37~~2 of the Transportation Element). This restriction applies unless a Mixed-Use Community addresses its transportation impacts through the DRI process consistent with F.S. 163.3180(12).
 1. This temporary restriction does not prohibit landowners from concentrating development rights from contiguous DR/GR property under common ownership or control; and

2. Lee County encourages the creation of TDR credits from Southeast DR/GR lands and the transfer of those credits to all other designated receiving areas, including:

- a) Other Mixed-Use Communities;
- b) Rural Golf Course Communities;
- c) Improved Residential Communities;
- d) Future Urban Area (see Objective 1.2 of the Future Land Use Element)
- e) Mixed-Use Overlay;
- f) Lehigh Acres Specialized Mixed-Use Nodes;
- g) Lee Plan designation that allow bonus density (see Table ~~4(a)~~); and,
- h) Incorporated municipalities that have formally agreed to accept TDR credits.

(Added by Ordinance No. 10-43) (New Policy per Ordinance 12-24) (Formerly Policy 33.3.3)

POLICY 12.3.5: The new TDR program will have the following characteristics:

- a. This program will be in addition to the existing wetland TDR program described in Article IV of Chapter 2 of the Land Development Code.
- b. The preferred receiving locations for the transfer of TDRs are within designated Future Urban Areas due to their proximity to public infrastructure and urban amenities (see Objective 1.1 of the Future Land Use Element), specifically the Mixed Use Overlay, the Lehigh Acres Specialized Mixed Use Nodes, and the future urban land use categories that allow bonus density (see Table ~~4(a)~~). The only sites in the DR/GR area permitted to receive transferred development rights are Mixed-Use Communities, Improved Residential Communities or Rural Golf Course Communities as shown on Map ~~47~~.
- c. TDR credits will be available from sending areas as follows:
 1. One TDR credit may be created for each allowable dwelling unit attributable to sending parcels within the Southeast DR/GR area. As an incentive for permanently protecting indigenous native uplands, one extra dwelling unit will be allowed for each five acres of preserved or restored indigenous native uplands; and
 2. As an additional incentive for protecting certain priority restoration lands (see Policy ~~33~~12.2.3.2), each TDR credit created pursuant to the preceding subsection will qualify for up to two additional TDR credits if the credits are created from land in Tiers 1, 2, 3 or the southern two miles of Tiers 5, 6 or 7, as shown on the DR/GR Priority Restoration overlay.
- d. The maximum number of TDR credits that can be created from the Southeast DR/GR lands is 9,000.
- e. No more than 2,000 dwelling units can be placed on receiving parcels within the Southeast DR/GR Mixed-Use Communities through the TDR credit program.
- f. TDR Credits may be redeemed in designated TDR receiving areas as follows:
 1. In Mixed-Use Communities in DR/GR areas, each TDR credit may be redeemed for a maximum of one dwelling unit plus a maximum of 800 square feet of non-residential floor area;
 2. In Rural Golf Course Communities, see Policy 21.2.7;
 3. In the Future Urban Areas described in paragraph 2. above, each TDR credit may be redeemed for a maximum of two dwelling units. In these Future Urban Areas, the redemption of TDR credits cannot allow densities to exceed the maximum bonus density specified in Table ~~4(a)~~. TDR credits may not be redeemed for non-residential floor area in these Future Urban Areas; and
 4. Redemption of TDR credits within incorporated municipalities may be allowed where interlocal agreements set forth the specific terms of any allowable transfers and where the redemption allows

development that is consistent with the municipality's comprehensive plan. As in the county's Future Urban Areas, each TDR credit may be redeemed for a maximum of two dwelling units.

- g. When severing development rights from a tract of land in anticipation of transfer to another tract, a landowner must execute a perpetual conservation easement on the tract that acknowledges the severance of development rights and explicitly states one of the following options:
1. Continued agricultural uses will be permitted;
 2. Conservation uses only;
 3. Conservation use and restoration of the property; or
 4. Some combination of the above options.

~~(Added by Ordinance No. 10-43)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 33.3.4)**

POLICY 12.3.6: The Land Development Code will be amended within one year to specify procedures for concentrating existing development rights on large tracts, for transferring development rights between landowners, for seeking approval of additional acreage subdivisions, and for incorporating commercial and civic uses into Mixed-Use Communities as designated on Map 47 ____. ~~(Added by Ordinance No. 10-19)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 33.3.5)**

POLICY 12.3.7: By ~~2012~~ 2015 Lee County will evaluate the establishment and funding of a DR/GR TDR bank that will offer to purchase development rights for resale in the TDR system. The purpose of this program is to give potential sellers the opportunity to sell rights even if no developer is ready to use them and to give potential development applicants the opportunity to obtain the necessary rights without seeking them on the open market. ~~(Added by Ordinance No. 10-19)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 33.3.6)**

SUBURBAN COMMUNITIES

CALOOSAHATCHEE SHORES

CALOOSAHATCHEE SHORES VISION

This community is located south of the Caloosahatchee River, west of Hickey's Creek, and north of the Orange River; and along I-75 east to the Buckingham Rural Community Preserve, north of State Road SR 82 and west to I-75. This community contains three neighborhoods: Fort Myers Shores, Olga, and the Riverdale neighborhood around the intersection of Buckingham Road and State Road SR 80. The Caloosahatchee Shores community has a more rural character, but is anticipated to grow substantially over the life of this plan. This area also has a mixture of future land use designations. The majority of land use designations are Suburban, Outlying Suburban, Rural or Urban Community; however, there are some lands designated public facility and industrial interchange.

Due to the rapid rise in population and limitations on commercial development in surrounding communities, the amount of commercial buildings will more than double by 2035. Currently, this community contains commercial outlets which accommodate the needs of its residents as well as those from neighboring communities such as Alva, Bayshore and Buckingham. Shopping areas in this community are concentrated along the State Road SR 80 corridor with specific commercial nodes for higher intensity development to satisfy resident's primary commercial needs. During the life of this plan, Fort Myers Shores will continue to develop a commercial-employment center for the adjacent communities. **(Relocated and Edited from the Vision Statement)**

GOAL 13: CALOOSAHATCHEE SHORES: To protect the existing character, natural resources and quality of life in Caloosahatchee Shores, while promoting new development, redevelopment and maintaining a more rural identity for the neighborhoods east of I-75 by establishing minimum aesthetic requirements, planning the location and intensity of future commercial and residential uses, and providing incentives for redevelopment, mixed use development and pedestrian safe environments. This goal and subsequent objectives and policies apply to the Caloosahatchee Shores boundaries. ~~as depicted on Map 1, page 2 of 8 in the Appendix. (Added by Ordinance No. 03-21) (Relocated and Edited from the Future Land Use Element) (Formerly Goal 21)~~

CALOOSAHATCHEE SHORES COMMUNITY CHARACTER & LAND USE

OBJECTIVE 13.1: COMMUNITY CHARACTER. The Caloosahatchee Shores Community will continue to draft and submit new regulations, policies, and discretionary actions affecting the character and aesthetic appearance of the Caloosahatchee Shores for Lee County to consider for adoption and enforcement to help create a visually attractive community. ~~(Added by Ordinance No. 03-21) (Relocated and Modified from the Future Land Use Element) (Formerly Objective 21.1)~~

POLICY 13.1.1: ~~By the end of 2007, The Caloosahatchee Shores Community will draft and submit implement, improve, and refine regulations for Lee County to review and consider for amendment or adoption as Land Development Code regulations that provide for enhanced landscaping, signage, and architectural standards consistent with the Caloosahatchee Shores Community Vision. (Added by Ordinance No. 03-21, Amended by Ordinance No. 07-12) (Relocated and Modified from the Future Land Use Element) (Formerly Policy 23.1.1)~~

POLICY 13.1.2: In order to maintain the Old Florida rural identity for the Caloosahatchee Shores Community, commercial developments are encouraged to use vernacular Florida architectural styles for all buildings. The use of Mediterranean styles of architecture is discouraged. ~~(Added by Ordinance No. 03-21) (Relocated from the Future Land Use Element) (Formerly Policy 23.1.2)~~

POLICY 13.1.3: Lee County is discouraged from approving any deviation that would result in a reduction of landscaping, buffering, and signage guidelines or compliance with architectural standards. ~~(Added by Ordinance No. 03-21) (Relocated from the Future Land Use Element) (Formerly Policy 23.1.3)~~

~~**POLICY 21.1.4:** By the end of 2007, the Caloosahatchee Shores community will draft enhanced code enforcement standards to be considered by staff for possible inclusion in Chapter 33 of the LDC. (Added by Ordinance No. 07-09) (Deleted)~~

POLICY 13.1.4: One important aspect of the Caloosahatchee Shores Community Plan goal is to retain its' rural character and rural land use where it currently exists. Therefore, after May 15, 2009 no land use map amendments to the remaining rural lands category are permitted, unless a finding of overriding public necessity is made by three members of the Board of County Commissioners. ~~(Added by Ordinance No. 09-06) (Relocated from the Future Land Use Element) (Formerly Policy 23.1.5)~~

CALOOSAHATCHEE SHORES COMMUNITY CHARACTER & LAND USE: COMMERCIAL

OBJECTIVE 13.2: COMMERCIAL LAND USES. New commercial uses will be limited to properties already zoned for commercial uses as well as commercial centers designated on Map ___ 19, the intersection of I-75 and State Road SR 80, the intersection of State Road SR 31 and State Road SR 80, properties located in the State Route 80 Corridor Overlay District, the Verandah Boulevard commercial node, lands with the Commercial Future Land Use designation, and Future Urban Areas including the central urban and suburban categories adjacent to State Road SR. 80. New commercial zoning must be approved through the Planned Development rezoning process. Existing and future county regulations, land use interpretations, policies,

zoning approvals, and administrative actions should be undertaken in an effort to promote the goal of commercial redevelopment along State Road SR 80 and increased commercial opportunities to service the needs of the Caloosahatchee Shores Community and surrounding areas. County regulations should attempt to ensure that commercial areas maintain a unified and pleasing aesthetic/visual quality in landscaping, architecture, lighting, and signage. Commercial land uses must be designed to be compatible with and further the historic character and identity of existing rural Old Florida and Florida Vernacular styles of architecture and the historic identity of Olga. ~~(Added by Ordinance No. 03-21, Amended by Ordinance No. 11-24)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Objective 21.2)**

POLICY 13.2.1: To service the retail needs of Caloosahatchee Shores and the surrounding rural communities, the intersection of State Road SR 80 and State Road SR 31, north of State Road SR 80 and east and west of State Road SR 31 are designated as commercial nodes to allow for greater commercial intensity. Commercial nodes are intended for new commercial development or redevelopment. ~~at Community Commercial levels as defined in Policy 6.1.2 of the Lee Plan.~~

The Verandah Boulevard commercial node is intended for Minor Commercial levels as defined in ~~Policy 6.1.2, the Lee Plan.~~ Office and residential uses consistent with the Suburban designation are also allowed in this Minor Commercial node.

~~(Added by Ordinance No. 03-21, Amended by Ordinance No. 11-24)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 21.2.1)**

POLICY 13.2.2: In order to protect the rural residential character of Buckingham Road, new retail uses along Buckingham Road outside the commercial nodes identified on Map 49___, will be prohibited. ~~(Added by Ordinance No. 03-21, Amended by Ordinance No. 11-24)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 21.2.2)**

POLICY 13.2.3: The Olga Mall property, 2319 S. Olga Drive, may continue to provide ~~minor~~ commercial retail services for the Olga Community. ~~(Added by Ordinance No. 03-21, Amended by Ordinance No. 11-24)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 21.2.3)**

POLICY 13.2.4: Commercial developments within the Caloosahatchee Shores Community must provide interconnect opportunities with adjacent commercial uses in order to minimize access points onto primary road corridors; and residential developments should provide interconnect opportunities with commercial areas, including but not limited to bike paths, pedestrian access ways, and equestrian trails. ~~(Added by Ordinance No. 03-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 21.2.4)**

POLICY 13.2.5: To promote the redevelopment of commercial uses along State Road SR 80, Commercial uses are encouraged to increase lot depth and size by extending north of State Road SR 80 to First Street. Lee County will encourage the use of First Street as a reverse frontage Road to provide access. This policy hereby adopts *Exhibit 1* _____ as a conceptual redevelopment plan for this corridor. ~~(Added by Ordinance No. 03-21)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 21.2.5)**

POLICY 13.2.6 Parcel located in the State Road 80 corridor overlay district are not subject to the commercial site location standards of the Lee Plan and have been determined to meet the requirements of commercial infill.

CALOOSAHATCHEE SHORES COMMUNITY CHARACTER & LAND USE: RESIDENTIAL

OBJECTIVE 13.3: RESIDENTIAL USES: Lee County will protect and enhance the residential character of the Caloosahatchee Shores Community by strictly evaluating adjacent uses, natural resources, access and

recreational or open space. ~~(Added by Ordinance No. 03-21)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 21.3)**

POLICY 13.3.1: ~~By the end of 2007, The Caloosahatchee Shores Community will draft and submit implement, improve, and refine regulations for Lee County to review and consider for amendment or adoption as Land Development Code regulations to provide for greater buffering between distinctly different adjacent commercial and residential properties, modified when a project is of mixed use nature. (Added by Ordinance No. 03-21, Amended by Ordinance No. 07-12)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 21.3.1)**

OBJECTIVE 13.4: MIXED USE DEVELOPMENT. Lee County will encourage mixed-use developments in specific areas of the Caloosahatchee Shores planning area through a variety of incentives. ~~(Added by Ordinance No. 03-21)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 21.4)**

POLICY 13.4.1: With the exception of mixed-use projects, residential uses fronting State Road SR 80 and Buckingham Road are limited to no more than four dwelling units per acre. ~~(Added by Ordinance No. 03-21)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 21.4.1)**

POLICY 13.4.2: Mixed-use developments, as defined in the Lee Plan, and mixed-use developments containing both commercial and residential uses within the same structure and that provide for an integration of commercial with residential uses with pedestrian linkages are strongly encouraged at the commercial nodes of State Road SR 80 and State Road SR 31 and State Road SR 80 and Buckingham Road, as well as the commercial strip between First Street and State Road SR 80 in Fort Myers Shores. With the exception of State Road SR 80 and State Road SR 31, which will be allowed densities consistent with the Urban Community future land use designation, mixed-use developments will be limited to six dwelling units per acre at those locations.

- a. Bicycle & Pedestrian facilities will be provided throughout the mixed-use development. Connections between all uses are required to facilitate these alternative modes of transportation. When possible, connections to adjacent developments will be provided.
- b. Vehicular connections between residential and non-residential uses will be provided to facilitate the internal capture of trips. When possible, connections to adjacent developments will be made to provide alternative access to the non-residential components of this development other than the arterial interchange of State Road SR 80 and State Road SR 31. Non-residential components at State Road SR 80 and Buckingham Road should, when possible, provide alternative access off of Buckingham Road and Non-residential components at State Road SR 80 and First Street should, when possible, provide alternative access off of First Street.

~~(Added by Ordinance No. 03-21)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 21.4.2)**

POLICY 13.4.3: Any existing or future regulation in the Land Development Code that is shown by the applicant of a planned development to inhibit the development of a mixed-use project will be given strong consideration for a waiver. ~~By the end of 2007, The Caloosahatchee Shores Community will draft and submit implement, improve, and refine regulations for Lee County to review and consider for amendment or adoption as Land Development Code regulations that encourage mixed-use developments. (Added by Ordinance No. 03-21, Amended by Ordinance No. 07-12)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 21.4.3)**

CALOOSAHATCHEE SHORES PUBLIC FACILITIES & SERVICES

OBJECTIVE 13.5: COMMUNITY FACILITIES/PARKS. Lee County will work with the Caloosahatchee Shores Community to provide and facilitate the provision of a broad mix of community facilities. ~~(Added by Ordinance No. 03-21)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 21.5)**

POLICY 13.5.1: The Caloosahatchee Shores Community will work with Lee County, the State of Florida, and the National Parks Service to provide appropriate passive recreational opportunities, parks, nature, pedestrian, and equestrian trails, potentially enhanced by public/private partnerships. This may include easy access, parking, trails, and other non-intrusive uses. ~~(Added by Ordinance No. 03-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 21.5.1)**

POLICY 13.5.2: Lee County will work with the community and private landowners to identify opportunities to maintain and enhance public access to the Caloosahatchee River, including access through the Florida Power and Light Plant. All new development of commercial, industrial or public facility properties along the Caloosahatchee River are strongly encouraged to provide for public access to the riverfront. ~~(Added by Ordinance No. 03-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 21.5.2)**

POLICY 13.5.3: Lee County will work with the community to ensure that the development of new parks or enhancement of existing parks meets the recreational needs of the community and are integrated into the surrounding developments and open space areas. The concept would be for a park to act as a hub, connected to other open space and recreational opportunities through pedestrian bicycle or equestrian linkages, either along public rights of way or through adjacent developments. ~~(Added by Ordinance No. 03-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 21.5.3)**

POLICY 13.5.4: Lee County Department of Parks and Recreation will work with the residents of the Caloosahatchee Shores to publicize and increase the usage of existing public parks and recreation facilities. ~~(Added by Ordinance No. 03-21)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 21.5.4)**

~~OBJECTIVE 21.6: 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. 03-21) (Deleted)~~

~~POLICY 21.6.1: As a courtesy, Lee County will register citizen groups and civic organizations within the Caloosahatchee Shores 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. 03-21) (Deleted)~~

~~POLICY 21.6.2: The Caloosahatchee Shores Community will establish a "document clearing house," 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. 03-21) (Deleted)~~

~~POLICY 21.6.3: The owner or agent of a requested Lee Plan amendment or zoning action (planned development, conventional rezoning, special exception, or variance requests) within the Caloosahatchee~~

~~Shores 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 the public information session. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space, providing notice of the meeting, 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 public information session; and a proposal for how the applicant will respond to any issues that were raised. (Added by Ordinance No. 03-21, Amended by Ordinance No. 11-24) (Deleted)~~

ESTERO

ESTERO VISION

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~~ foster 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, lighting, signage, 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. **(Relocated and Modified from the Vision Statement)**

GOAL 14: 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)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Goal 19)**

ESTERO COMMUNITY CHARACTER & LAND USE

OBJECTIVE 14.1: COMMUNITY CHARACTER. The Estero Community will continue to draft and submit updated 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)~~ **(Relocated and Edited from the Future Land Use Category) (Formerly Objective 19.1)**

POLICY 14.1.1: ~~By the end of 2002,~~ The Estero Community will continue to draft and submit updated 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 Estero Community Vision, and architectural standards. ~~(Added by Ordinance No. 02-05)~~ **(Relocated and Edited from the Future Land Use Category) (Formerly Objective 19.1)**

POLICY 14.1.2: Lee County is discouraged from approving any deviation that would result in a reduction of landscaping, buffering, and signage guidelines or compliance with architectural standards. ~~(Added by Ordinance No. 02-05)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 19.1.2)**

POLICY 14.1.3: Lee County will work, through the permitting process, with private property owners to establish incentives for voluntarily bringing ~~older pre-existing~~ projects into compliance with the regulations adopted as a result of the Estero Community Plan. ~~(Added by Ordinance No. 02-05)~~ **(Relocated and Edited from the Future Land Use Category) (Formerly Policy 19.1.3)**

POLICY 14.1.4: The Estero Community will work in conjunction with private developers, public agencies, and community service providers to establish one or several town ~~commons~~ centers that encourage the location of a post office, public meeting hall, outdoor plaza, governmental offices, medical providers, and recreational opportunities. Lee County will encourage the location of public facilities within these mixed-use town centers. ~~(Added by Ordinance No. 02-05)~~ **(Relocated and Modified from the Future Land Use Category) (Formerly Policy 19.1.4)**

POLICY 14.1.5: The Estero Community will continue to work ~~on a corridor management plan for the Estero~~ to revise design guidelines for the US 41, Corkscrew Road and Sandy Lane corridors ~~during the five year update to their community plan~~ to advance development in a manner that promotes a safe, high quality urban environment. The design guidelines will address roadway and median landscape standards, residential buffering standards, access management guidelines, street lighting, and sidewalks, to ensure safe and effective pedestrian crossings within the context of a comprehensive pedestrian and bikeway system. ~~(Added by Ordinance No. 02-05, Amended by Ordinance No. 07-12)~~ **(Relocated and Modified from the Future Land Use Category) (Formerly Policy 19.1.5)**

POLICY 14.1.6: Lee County will continue to evaluate historic resources and, as necessary, draft proposals for their designation the Land Development Code. ~~(Added by Ordinance No. 02-05, Amended by Ordinance No. 07-12)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 19.1.6)**

ESTERO COMMUNITY CHARACTER & LAND USE: COMMERCIAL

OBJECTIVE 14.2: 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)~~ **(Relocated from the Future Land Use Category) (Formerly Objective 19.2)**

POLICY 14.2.1: All new commercial development that requires rezoning within the Estero Community must be reviewed as a Commercial, Mixed Use, or Compact Communities Planned Development. ~~(Added by Ordinance No. 02-05)~~ **(Relocated and Modified from the Future Land Use Category) (Formerly Policy 19.2.1)**

POLICY 14.2.2: 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 the Lee Plan Policy 6.12(8) ~~(Added by Ordinance No. 02-05)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 19.2.2)**

POLICY 14.2.3: ~~By the end of 2002~~ The Estero Community will continue to submit and update regulations that encourage mixed use developments along Corkscrew Road and within designated mixed use areas. ~~for Lee County to review, amend or adopt.~~ ~~(Added by Ordinance No. 02-05)~~ **(Relocated and Modified from the Future Land Use Category) (Formerly Policy 19.2.3)**

POLICY 14.2.4: With the exception of the Commercial Nodes identified on Map 49 ____, Lee County will discourage new retail uses along Three Oaks Parkway, in favor of office and residential uses. ~~(Added by~~

~~Ordinance No. 02-05~~ **(Relocated and Edited from the Future Land Use Category) (Formerly Policy 19.2.4)**

POLICY 14.2.5: The following uses are prohibited within the Estero 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~~ on the west side of the of I-75 interchange, south of Corkscrew Road, and east of Corkscrew Woodlands Boulevard. ~~(Added by Ordinance No. 02-05, Amended by Ordinance No. 05-19)~~ **(Relocated and Edited from the Future Land Use Category) (Formerly Policy 19.2.5)**

POLICY 14.2.6: Lee County encourages commercial developments within the Estero 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)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 19.2.6)**

ESTERO COMMUNITY CHARACTER & LAND USE: RESIDENTIAL

OBJECTIVE 14.3: RESIDENTIAL USES. Lee County must protect and enhance the residential character of the Estero 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)~~ **(Relocated from the Future Land Use Category) (Formerly Objective 14.3)**

POLICY 14.3.1: 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)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 19.3.1)**

POLICY 14.3.2: ~~By the end of 2002,~~ The Estero Community will continue to draft and submit modified 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)~~ **(Relocated and Edited from the Future Land Use Category) (Formerly Policy 19.3.2)**

POLICY 14.3.3: Lee County will protect the large lot residential areas between ~~Koreshan~~ Estero 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)~~ **(Relocated and Edited from the Future Land Use Category) (Formerly Policy 19.3.3)**

ESTERO NATURAL RESOURCES & ENVIRONMENT

OBJECTIVE 14.4: 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)~~ **(Relocated from the Future Land Use Category) (Formerly Objective 19.4)**

POLICY 14.4.1: ~~By the end of 2003,~~ Lee County will continue to review, amend or adopt Lee Plan or Land Development Code regulations to provide the following:

- a. All future development proposals adjacent to the Estero River or its tributaries must include floodplain protection plans prior to zoning approval.

- b. 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.
- c. 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.~~
- d. 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 Community.

~~(Added by Ordinance No. 02-05)~~ **(Relocated and Modified from the Future Land Use Category) (Formerly Policy 19.4.1)**

POLICY 14.4.2: 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)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 19.4.2)**

POLICY 14.4.3: 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)~~ **(Relocated from the Future Land Use Category) (Formerly Policy 19.4.3)**

ESTERO PUBLIC FACILITIES & SERVICES

OBJECTIVE 14.6: 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)~~ **(Relocated from the Future Land Use Category) (Formerly Objective 19.6)**

POLICY 14.6.1: The Estero Community will continue to work with the State of Florida and Lee County to provide appropriate passive recreational opportunities within the Estero ~~Scrub~~ State Buffer 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)~~ **(Relocated and Edited from the Future Land Use Category) (Formerly Policy 19.6.1)**

POLICY 14.6.2: The Estero Community will continue to work with the State of Florida and Lee County 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)~~ **(Relocated and Edited from the Future Land Use Category) (Formerly Policy 19.6.2)**

POLICY 14.6.3: Lee County will work with the community and private landowners to identify opportunities to increase and maintain existing public access points to the Estero River and Estero Bay. ~~(Added by Ordinance No. 02-05)~~ **(Relocated and Edited from the Future Land Use Category) (Formerly Policy 19.6.3)**

POLICY 14.6.4: Lee County will work with the community to ensure that the continued 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) (Relocated and Edited From the Future Land Use Element) (Formerly Policy 19.6.4)~~

~~**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) (Deleted)~~

~~**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) (Deleted)~~

~~**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) (Deleted)~~

~~**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) (Deleted)~~

FLORIDA GULF COAST UNIVERSITY COMMUNITY

FLORIDA GULF COAST UNIVERSITY VISION

GOAL 15: UNIVERSITY COMMUNITY. In order to ensure that development within the University Community land use category protects and enhances the ability of Florida's tenth university to provide secondary education as described in the Mission Statement of that institution and to assure that land uses or development activities do not interfere with, disrupt, or impede the efficient operation of that institution the following Objectives and Policies will apply to all development within the University Community land use category. The Application (Volume 1 of 2) (1992) and the Support Document (Volume 2 of 2) (1992) to the Amendment to the Lee County Comprehensive Plan for the University Community is incorporated by reference herein as a resource and information document. ~~(Added by Ordinance No. 92-47, Amended by Ordinance No. 94-30, 00-22) (Relocated and Edited From the Future Land Use Element) (Formerly Goal 18)~~

FLORIDA GULF COAST UNIVERSITY COMMUNITY CHARACTER & LAND USE

OBJECTIVE 15.1: FUTURE LAND USE. In order to ensure that the location and timing of development within the University Community is coordinated with the development of the University and the provision of necessary infrastructure; and, that all associated support development within the University Community is

designed to enhance the University; all development within the University Community will be subject to cooperative master planning which must conform to the following policies. ~~(Amended by Ordinance No. 00-22)~~ **(Relocated From the Future Land Use Element) (Formerly Objective 18.1)**

POLICY 15.1.1: Lee County will, through public and private economic and business development initiatives, promote the University Community as a catalyst for economic diversification and the promotion of employment throughout Lee County and the Region. Within the University Community land use category the focus of this endeavor (the emphasis) will be on university related scientific research and high technology development activities. ~~(Amended by Ordinance No. 00-22)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 18.1.1)**

POLICY 15.1.2: The University Community will provide a mix of housing types with densities sufficient to meet the needs of and designed to accommodate the varying lifestyles of students, faculty, administration, other university personnel and employees of the associated support development. ~~(Amended by Ordinance No. 00-22)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 18.1.2)**

POLICY 15.1.3: Lee County will maintain and as necessary adopt appropriate regulations providing for university housing, including student dormitories and boarding houses. ~~(Amended by Ordinance No. 00-22, 07-12)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 18.1.3)**

POLICY 15.1.4: Lee County will maintain and as necessary adopt regulations further defining how densities for individual parcels within the University Community will be determined. The regulations will address how the total number of units will be tallied to ensure that the overall total number of residential units within the University Village do not exceed 6,510 dwelling units. The regulations will provide a mechanism for clustering densities within the University Community. ~~(Amended by Ordinance No. 00-22, 07-12, 10-40)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 18.1.4)**

POLICY 15.1.5: In order to create a cohesive community, site design within the University Community must utilize alternative modes of transportation such as pedestrian networks, mass transit opportunities, sidewalks, bike paths and similar facilities. Site design must link related land uses through the use of alternative modes of transportation thus reducing automobile traffic within the University Community. The county will work cooperatively with the University on these matters as the University proceeds through the Campus Master Plan Process.

Prior to local Development Order approval on property within Area 9, the University Community, the developer must demonstrate that the proposed plan of development supports pedestrian, bicycle and transit opportunities. A multi-modal interconnection between the property and the FGCU campus must be provided at no cost to Lee County. The owner/developers must dedicate the right of way for the 951 extension between Alico Road and Corkscrew Road to Lee County prior to Development of Regional Impact Development Order approval. The value of the right of way on the date of dedication must not reflect the added value of the lands changed from DR/GR to University Community by virtue of CPA 2009-01. The county will issue road impact fee credits for the dedication. ~~(Amended by Ordinance No. 94-30, 00-22, 10-40)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 18.1.5)**

POLICY 15.1.6: Lee County will facilitate mass transit opportunities connecting the University Community to other parts of the county, in accordance with the goals, objectives, and policies of the Mass Transit element. ~~(Amended by Ordinance No. 94-30, 00-22)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 18.1.6)**

POLICY 15.1.7: A diverse mixture of land uses will be encouraged within the University Community. Compatibility will be addressed through project design, including adequate buffering or other performance

measures, therefore allowing adjacent appropriate industrial, residential and commercial land uses where such locations represent good planning. In reviewing zoning requests within the University Community, Lee County will consider noise, odor, visual, security and traffic impacts in determining land use compatibility. Because of the required cooperative master planning with and approval by the Board of Regents, the required compatibility review and the requirement that commercial land uses within the University Village be related to the University, development within the University Community will not be subject to the site location standards set forth in Goal 6 of the Lee Plan. ~~(Amended by Ordinance No. 94-30, 00-22)~~ **(Relocated and Modified From the Future Land Use Element) (Formerly Policy 18.1.7)**

POLICY 15.1.8: All currently permitted mining activities within the University Community area will be allowed to continue until such time as the university opens. Agricultural activity including but not limited to tree farms, nurseries, or agricultural research facilities will be permitted within the University Community. ~~(Amended by Ordinance No. 00-22)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 18.1.8)**

POLICY 15.1.9: Prior to the commencement of development within the University Community land use category, an area-wide Conceptual Water Management Master Plan must be submitted to and approved by Lee County and South Florida Water Management District staff. This water management plan will be integrated with the Conceptual Master Plan and be prepared through a cooperative effort between the property owner, Lee County, and South Florida Water Management District. This master plan will ensure that the water management design of any development within the University Community will maintain or improve the currently existing quality and quantity of groundwater recharge. This plan must be consistent with the drainage basin studies that were prepared by Johnson Engineering, and approved by the SFWMD. Lee County will amend the county land development regulations to require all new development to be consistent with the appropriate basin study. Development of Regional Impact, zoning and Development Order approvals within the University Community Area 9 must provide an environmental assessment that includes a fines relocation/disposal plan to be implemented at the time of development of the property. Prior to zoning or Development Order approval on any portion of Area 9, the developer must demonstrate through modeling, accepted by Lee County staff, that the proposed development will not create significant impacts on present or future water resources. ~~(Amended by Ordinance No. 94-30, 00-22, 10-40)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 18.1.9)**

POLICY 15.1.10: Development within the University Community land use category will be consistent with the Generalized Land Use Map and the eight area descriptions contained on or between pages 6 through 10 of the University Community Conceptual Master Plan, dated April 1994. The University Community Conceptual Master Plan is hereby amended to include a new Area 9 which is east and north of areas 5 and 8 and bounded on the east side by the Florida Power and Light easement and the north by Alico Road. ~~(Amended by Ordinance No. 94-30, 10-40)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 18.1.10)**

POLICY 15.1.11: If not otherwise addressed by the Conceptual Master Plan, the landowner(s) within the University Village will coordinate infrastructure connections and interconnections, including but not limited to roadways, utilities and water management, with the University Campus through the established Board of Regents' master planning, review and approval process. (Amended by Ordinance No. 00-22, Relocated by Ordinance No. 07-12) **(Relocated From the Future Land Use Element) (Formerly Policy 18.1.11)**

POLICY 15.1.12: To encourage a variety of wildlife habitats and university study sites, special consideration will be given in the Conceptual Master Plan to the preservation of portions of the most pristine and diverse wildlife habitat areas (such as, pine flatwoods, palmetto prairies, and major cypress slough systems) as an incentive to reduce, on a one-for-one basis, open space requirements in other developments within the University Community. The implementation of this policy will occur at the time of zoning and

development review. The development of the lands in Area 9, at the county's request, may include the construction of a rookery island, funded by the developer, within the existing mining lake that separates the Area 9 property from the Miromar Lakes residential community. The rookery island would provide wildlife habitat and would be made available to FGCU for use as an environmental study site. ~~(Amended by Ordinance No. 94-30, 00-22, Relocated by Ordinance No. 07-12, Amended by Ordinance No. 10-40)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 18.1.12)**

POLICY 15.1.13: The use of septic tanks will be prohibited except for temporary septic tanks for model homes, construction trailers, and temporary sales offices. Permanent septic tanks will be limited to rest room facilities in golf courses, existing agricultural operations, or any agricultural operation of twenty five acres or more. ~~(Amended by Ordinance No. 00-22, Relocated by Ordinance No. 07-12)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 18.1.13)**

POLICY 15.1.14: The cost for the provision and expansion of facilities for potable water and sanitary sewer that benefits development in the University Community will be borne by those who benefit. Such funding may include (but is not limited to) outright construction by the developer, special taxing or benefit districts, or Uniform Community Development Districts (Chapter 190, F.S.). The cost for these types of improvements will not be borne by the county. ~~(Added by Ordinance No. 94-30, Amended by Ordinance No. 00-22, Relocated by Ordinance No. 07-12)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 18.1.14)**

POLICY 18.1.15: The cost for the provision and expansion of facilities necessary to comply with the recommendations of the Estero Basin that benefits development in the University Community will be borne by those who benefit. Such funding may include (but is not limited to) outright construction by the developer, special taxing or benefit districts, or Uniform Community Development Districts (Chapter 190, F.S.). The cost for these types of improvements will not be borne by the county. ~~(Added by Ordinance No. 94-30, Amended by Ordinance No. 00-22, Relocated by Ordinance No. 07-12)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 18.1.15)**

POLICY 15.1.16: For those lands in Area 9, all development must be designed to enhance and support the University. All rezonings in this area must include a specific finding that the proposed uses qualify as Associated Support Development, as that term is defined in the glossary. The final design and components will be determined as part of the DRI/rezoning process and must be consistent with the following development standards:

- 1. Mixed Use:** Development must be in the Traditional Neighborhood Development form, as defined in the Glossary section of the Lee Plan, and consistent with the intent of Goal 4: Sustainable Development Design of the Lee Plan. Development on Alico West, Area 9, must be rezoned to a Compact Planned Development as specified by the Lee County Land Development Code, recognizing there may be significant deviations to accommodate the proposed development. The following minimum and maximum development parameters per use are approved for Area 9, subject to transportation mitigation requirements:

Residential: Minimum 800 units, maximum 1,950 units;

Retail: Minimum 200,000 square feet, maximum 543,000 square feet (Retail maximum may be reduced, to no less than the 200,000 square feet, to allow additional Office or Research and Development square feet at a 1 to 1 rate.);

Office/Research/Development: Minimum 400,000 square feet, maximum of 918,000 square feet (additional Office/Research/Development square feet may be added to the maximum if the maximum retail is reduced as described in the Retail parameters above);

Donation Site to University: Minimum 40,000 square feet, maximum 400,000 square feet; and

Hotel: Minimum 0 rooms, maximum 250 rooms.

- 2. Main Street Town Center:** The development must provide an area for a main street town center that is supportive of FGCU, with mixed use development employing the Traditional Neighborhood Development (TND) form as defined in the glossary of the Plan. This portion of the development must contain mixed use buildings but may also contain some single use buildings. The Town Center must be a minimum of 25 Gross Acres. The minimum Residential Units within the area defined as the Town Center will be 200. Commercial Uses, including retail, office, employment, institutional or civic uses within the Town Center must provide a minimum total of 125,000 square feet. Coupled with the applicable Policy Framework, the required minimum percentage of non-residential land uses in the Town Center will be as follows:

Retail /Commercial:	50% MIN
Office / Employment:	25% MIN
Public, Institutional & Civic:	5% MIN

- 3. Density:** To ensure the creation of a development that has sufficient residential mass to support the proposed main street town center while providing a mixture of housing types to meet the needs and accommodate the varying lifestyles of persons related directly and indirectly to the University as required by policy 15.1.2, the total project net density within the residential component area of Area 9 must be a minimum of 5 units per acre, but not to exceed a total of 1,950 dwelling units.
- 4. Retail Uses:** The total retail floor area for Area 9 will not exceed a maximum of 543,000 square feet. Retail uses should be appropriately sized to enhance FGCU and private residential development in the area. While individual structures may be larger in size, the maximum floor area limitations for single user retail stores are as follows:
- One (1) grocery store may be constructed to a maximum of 45,000 square feet;
 - Up to two (2) retail stores may be constructed not exceeding a total of 60,000 square feet per store, with no more than 30,000 square feet per floor;
 - Up to three (3) retail stores may be constructed not exceeding 30,000 square feet per store; and,

- d. At build out, at least 50 % of all finished retail square footage must be utilized by retail stores smaller than 10,000 square feet but may be contained in multi-use buildings.

The Site Location Standards described in ~~Goal 6~~ of the Lee Plan are not applicable to University Community Area 9.

- 5. Research and Development Facilities:** Research and development facilities and office buildings are encouraged which will attract the targeted industries as established by the State of Florida and by Lee County to create economic diversity and to create synergy between FGCU and private facilities. As required by policy 15.1.1, the emphasis will be on University related scientific research and high technology development activities but may also include and allow a diversity of activities that support the University and private development within Area 9 in keeping with the predominant land uses as established by Policy 15.2.2.
- 6. Development Acreage:** The previous mining and crushing operations in Area 9 have rendered a large portion of the property unsuitable for development. Some areas that were previously mined have been filled with materials left over from the crushing operations known as fines. These and other activities have left an area of approximately 350 acres that has never been mined that remains suitable for development of structures and other site improvements. Development is therefore limited to this area. The previously impacted areas may only be used for reclamations and development as unoccupied open space. Property may be designated for residential use, non-residential use, or a combination of uses classified as mixed use. Out of the 350 acres available for development, 40 acres of developable land, not including right-of-way which is intended to serve as the connection between Area 9 and FGCU, will be dedicated to FGCU concurrent with DRI approval. The 40 acres dedicated to FGCU will become part of the FGCU campus and development there will not be calculated against the maximum residential unit count, nor maximum commercial square footage otherwise allowed.
- 7. Connectivity to FGCU:** To further implement Policy 15.1.5 relative to alternative modes of transportation, Area 9 will be designed with a connection to the easterly portion of FGCU. This connection will be a pedestrian-friendly multi-modal facility, with traffic calming, multi use paths, and student safety features. Prior to vertical development on Area 9 this connection must be in place.
- 8. Pedestrian Friendly Design:** The development will be designed as a pedestrian-friendly community with student safety features, including traffic calming, sidewalks on both sides of the road system, safety call boxes, and facilities to accommodate the FGCU Eagle Express and other alternative modes of transportation.
- 9. Golf Course Prohibited:** In order to facilitate a compact design, maximize the use of the developable area within Area 9, and to accomplish the goals established in Policy 15.2.2 to develop and support a viable University Community, Area 9 is prohibited from having a golf course facility.
- 10. Parking:** Parking in Area 9 should be minimized to the furthest extent possible in order to create a walkable community that considers the needs of pedestrians and recognizes the possibility for

internal trip capture. Parking may be minimized by using on-street parking, shared parking, or structured parking. All parking must be consistent with the requirements identified below:

- A. Within the Town Center/Core Area of Area 9 parking requirements are as follows:
1. A minimum of 50% of the required parking will be contained in parking structures.
 2. A maximum of 25% of the parking required for the Town Center/Core Area may be surface parking lots, in an area no greater than 10 acres. The 10 acres will not include any water management features of the development.
 3. A minimum of 25% of the required parking would be on street parking in a TND design.
 4. Off-street surface parking must be located to minimize the presence of the surface parking facility by shielding the parking areas with liner buildings, courtyards and buffers. Further, the developer is encouraged to reduce the amount of surface parking by designing the development in a manner that promotes shared parking agreements, mixed uses, internal trip capture, and alternative modes of transportation such as transit, biking and walking, whenever possible.
- B. Within the remainder of the Area 9 on-street parking may be provided to offset off-street parking requirements. Off-street parking must be located to minimize the presence of any surface parking facilities by shielding such parking with liner buildings, courtyards and buffers. Further the developer is encouraged to reduce the amount of surface parking by designing the development in a manner that promotes shared parking agreements, use of on-street parking, mixed uses, internal trip capture, and alternative modes of transportation such as transit, biking and walking, whenever possible.
- C. Deviations from the number of parking spaces required by the Land Development Code may be appropriate in Area 9.
- 11. Residential Uses:** Single-family residential units and zero lot line units, as defined in the Land Development Code, will each be limited to 195 units. All single-family residential units and zero lot line units must be constructed on lots smaller than 6,500 square feet.
- 12. Entertainment District:** Area 9 may contain public and private entertainment venues, including but not limited to facilities such as amphitheaters, theaters, bars and cocktail lounges, restaurants, bowling alleys, batting cages, arcades, as well as passive recreation facilities.
- 13. Landscaping:** All plantings used in buffers and landscaping must be installed using xeriscape principles. Xeriscape principles include water conservation through drought-tolerant landscaping, the use of appropriate plant material, mulching, and the reduction of turf areas. All development must hook-up to water re-use lines when they become available. At least 75 percent of all landscaping must be native landscaping.
- 14. Reclamation:** Development within Area 9 must include reclamation of the adjacent mine pit, including installation of appropriate littoral zones.

- 15. Florida Gulf Coast University Participation:** The owner or agent for Development of Regional Impact or Planned Development rezoning requests must conduct two meetings with the President of FGCU or his designees and will provide detailed information to such representatives at those meetings relating to the Site Plan and Master Concept Plan for any proposed development within Area 9. The developer must invite Lee County zoning and planning staff to participate in such meetings. These meetings 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 meetings, list of attendees; a summary of the concerns or issues that were raised at the meetings; and a proposal of how the applicant will respond to any issues that were raised.
- 16. Stormwater Retention for adjacent transportation facilities:** Area 9 will accommodate stormwater detention/retention requirements for the Alico Road widening and County Road 951 extension adjacent to the property, if constructed.
- 17. Development Within Five Years of Comprehensive Plan Amendment approval:** Development in Area 9, including the 40 acre parcel to be donated to FGCU, will be limited as follows: 105,000 square feet of commercial-retail development, 45,000 square feet of general office development, 200 residential units of which a maximum of 100 units may be either single family or zero lot line or a combination thereof and 40,000 square feet of development on the University parcel. Approval of Development Orders are prohibited beyond these limitations until the necessary infrastructure is included in the first three years of the Capital Improvement Program. ~~(Added by Ordinance No. 10-40)~~ **(Relocated and Edited From the Future Land Use Element) (Formerly Policy 18.1.16)**

OBJECTIVE 15.2: UNIVERSITY COMMUNITY SUB-CATEGORIES. The University Community meets an educational infrastructure need for the Southwest Florida five county area by providing the necessary and appropriate land uses to carry out the mission of Florida's 10th University as stated by the Board of Regents. Within the University Community land use category there are two distinct sub-categories: University Campus and the University Village. The University Window overlay is also a part of the University Community land use category. ~~(Amended by Ordinance No. 94-30)~~ **(Relocated From the Future Land Use Element) (Formerly Objective 18.2)**

POLICY 15.2.1: The University Campus area provides for the land uses of the University and its related functions. Development within the University Campus will be in accordance with provisions of any development agreement(s) between the Department of Community Affairs and the Board of Regents under the provisions of Chapter 380 F.S. and any other applicable state law. ~~(Amended by Ordinance No. 00-22)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 18.1.1)**

POLICY 15.2.2: The University Village is an area which provides the associated support development and synergism to create a viable University Community. This sub-category allows a mix of land uses related to and justified by the University and its development. Predominant land uses within this area are expected to be residential, commercial, office, public and quasi-public, recreation, and research and development parks. In addition to complying with the Conceptual Master Plan required by Policy 15.1.10, all property within the

University Village must undergo a Development of Regional Impact review. ~~(Amended by Ordinance No. 00-22)~~ **(Relocated and Edited From the Future Land Use Element) (Formerly Policy 18.1.2)**

POLICY 15.2.3: The University Window Overlay includes the area within 100 feet on both sides of the right-of-way of the following roadway segments:

Treeline Avenue	From Alico Road to Corkscrew Road
Alico Road	From I-75 to Future Extension of County Road 951
Corkscrew Road	From I-75 to Treeline Avenue
Koreshan Boulevard	From I-75 to Treeline Avenue

With input from affected property owners, Lee County and the Florida Gulf Coast University Board of Trustees will develop mutually agreed upon standards for the University Window addressing landscaping, signage and architectural features visible from the designated roadway segments. ~~(Amended by Ordinance No. 00-22, 07-12, 10-40)~~ **(Relocated From the Future Land Use Element) (Formerly Policy 18.1.3)**

LEHIGH ACRES

LEHIGH ACRES VISION

A “sustainable community of choice” is comprised of a collection of unique and inviting neighborhoods with involved citizens, a healthy environment, housing and employment opportunities, a full range of public services, and an efficient multi-modal transportation network connecting adjacent uses and neighboring communities. Residents will be encouraged to live a healthy and active lifestyle and will be provided opportunities to connect to the natural environment and their neighbors. This is the community vision of Lehigh Acres. Achieving the vision in the Lehigh Acres ~~Planning~~ Community will require improving the pattern of development to reduce dependence on neighboring communities for employment, recreation, and public services. Accomplishing this vision will reduce transportation impacts in neighboring communities and provide benefits to all of Lee County. ~~(Added by Ordinance No. 99-15, Amended by Ordinance No. 07-12, 10-16)~~ **(Relocated and Edited from the Vision Statement)**

GOAL 16: LEHIGH ACRES. To ensure that continued development and redevelopment within the Lehigh Acres ~~Planning~~ Community converts this largely single use, antiquated pre-platted area into a vibrant residential and commercial community consisting of: safe and secure single family and multi-family neighborhoods; vibrant commercial and employment centers; pedestrian friendly mixed-use activity centers, and neighborhood nodes; with adequate green space and recreational opportunities. ~~as depicted on Map 1.~~ ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Goal 32)**

LEHIGH ACRES COMMUNITY CHARACTER & LAND USE

OBJECTIVE 16.1: ESTABLISH A SUSTAINABLE COMMUNITY OF CHOICE. To ensure that development and redevelopment within the Lehigh Acres ~~Planning~~ Community evolves into a sustainable community containing a broad mix of residential types and non-residential uses served by efficient infrastructure. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Objective 32.1)**

POLICY 16.1.1: The county will incentivize the development of specialized mixed use nodes within the Lehigh Acres ~~Planning~~ Community in a sustainable pattern that will provide opportunities for open space, civic space, employment, housing, recreation, goods, and services. Incentives may include, but not be limited to, transfer of development rights, expedited reviews, special land development regulations ~~within the Lehigh Acres Planning Community~~, and public private partnerships to utilize alternative funding methods including Municipal Service Taxing Units (MSTUs) and Municipal Service Benefit Units (MSBUs). ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.1.1)**

POLICY 16.1.2: ~~Establish~~ Support, enhance, and develop a series of specialized mixed use nodes throughout the Lehigh Acres Community to provide opportunities to diversify employment, vary housing types, reduce the need for future roadway expansions, and reduce the need for commuting. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.1.2)**

POLICY 16.1.3: The Lee County Board of Commissioners acknowledges that there is an over abundance of single-family home sites available to construct detached single-family homes, and encourages a wide range of housing options within the Lehigh Acres Planning Community by supporting the development of a variety of housing types. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 32.1.3)**

~~**POLICY 32.1.4:** Encourages a wide range of housing options within the Lehigh Acres Planning Community by supporting the development of a variety of housing types. (Added by Ordinance No. 10-16) (Deleted)~~

POLICY 16.1.4: Identify, preserve, protect, and, where possible, restore and preserve the remaining natural and historic resources of the community. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.1.5)**

POLICY 16.1.5: Encourage pedestrian friendly development with an emphasis on human scale design. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.1.6)**

POLICY 16.1.6: Encourage connectivity between all land uses through an efficient multi-modal transportation network. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.1.7)**

POLICY 16.1.7: Lee County will work with Lee Tran to improve the mass transit system within the Lehigh Acres ~~Planning~~ Community. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.1.8)**

POLICY 16.1.8: Developers are encouraged to utilize sustainable development design and practices, as outlined in ~~Goal 4, the Character and Form Element of the Lee Plan and the county's Vision Statement~~. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.1.9)**

POLICY 16.1.9: ~~By the end of 2011, Lee County will amend the Land Development Code to incorporate:~~ maintain, enhance, and enforce Land Development Code regulations, specific to Lehigh Acres, which create:

- a. Land development and urban design standards for each of the specialized mixed use nodes ~~sub-categories~~.
- b. Land development and urban design standards for Lee Boulevard and State Road (SR) 82.
- c. Design and development standards for duplex and two-family attached structures ~~within Lee County~~.

~~(Added by Ordinance No. 10-16)~~ **(Relocated and Modified from the Future Land Use Element)**
(Formerly Policy 32.1.11)

POLICY 16.1.10: The Lehigh Acres Community Plan Overlays Map, ~~Future Land Use Map 1, Page 8 of 8,~~
 _____ subdivides the Lehigh Acres Community into 3 Tiers:

- a. Tier 1 consists of ~~the older urbanized core of Lehigh Acres that is largely served by an existing array of public services and facilities, including a well developed road network, water and sewer facilities, schools, and the bulk of Lehigh Acres' commercial development~~ the identified mixed-use community centers, transportation corridors, and other commercial areas that as located on MapXXX.
- b. Tier 2 consists of those areas ~~immediately adjacent to Tier 1 where public facilities such as water and sewer are not fully available today, but where the provision of these public facilities should be prioritized in the second decade of the planning horizon, 10 to 20 years from adoption of the plan.~~ that surround and connect the mixed-use community centers, transportation corridors, and other commercial areas as located Map XXX.
- c. Tier 3 consists of ~~the extreme northern and eastern fringe of Lehigh Acres. This area is the least developed and is the lowest in zoned density due to the preponderance of one acre and half acre lots. This area has virtually no public services and facilities, little commercial uses and many roads that are in poor or very poor condition.~~ the northern and eastern areas of Lehigh Acres as identified on Map XXXX. This area is the least developed and is lower in density due to the preponderance of one-acre and half-acre residential single-family lots. This area has virtually no public services and facilities, little commercial uses, and many roads are in poor or very poor condition. While future mixed-use centers have been identified in these areas, since the areas around them are not ready for development they are not a current priority for the community.
- d. For the purpose of Capital Improvement Programming Tier 1 and 2 are the priority areas to receive capital improvements, community planning funding, and other county planning activities and programs.
- e. This policy does not prevent or discourage Lee County from performing activities to address health, safety and welfare issues – such as road maintenance and repair - within any portion of the Lehigh Acres Planning Community. This includes areas within Tier 3.

~~(Added by Ordinance No. 10-16)~~ **(Modified from the Future Land Use Element)** **(Formerly Policy 32.1.10)**

POLICY 32.14.3: Lee County will use Tier 1 and Tier 2 as capital improvement priority areas for public facilities and services that are under the control of Lee County, and will work with Florida Governmental Utilities Authority to prioritize areas for the expansion of utilities. ~~(Added by Ordinance No. 10-16) (Deleted from the Future Land Use Element)~~ **(Formerly Policy 32.14.3)**

LEHIGH ACRES COMMUNITY CHARACTER & LAND USE: SPECIALIZED MIXED USE NODES

OBJECTIVE 16.2: SPECIALIZED MIXED USE NODES. Are areas that will help to contribute the uses needed to support the Lehigh Acres Planning Community in an integrated and sustainable approach. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element)** **(Formerly Objective 32.2)**

POLICY 16.2.1: Specialized mixed use nodes will be classified in three sub-categories. These sub-categories are identified on Map 1, ~~Page 8 of 8~~ _____ of the Lee Plan as Downtown Lehigh Acres,

Community Mixed-Use Activity Centers, and Neighborhood Mixed-Use Activity Centers. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.2.1)**

POLICY 16.2.2: All rezoning in these areas must be reviewed as a Planned Development ~~(or Compact Communities)~~, except for the Density Reduction/Groundwater Recharge (DR/GR) Mixed-Use Community node shown on Map 47 ____ south of State Road SR 82 at Daniels Parkway. The proposed development must include a design that integrates a mixture of at least two or more varied uses, such as retail, office, residential, or public, as well as integrating the surrounding neighborhoods. Stand-alone residential planned developments are prohibited. Residential uses may only be permitted in conjunction with a mixed use planned development. All developments within the Specialized Mixed Use Nodes must be consistent with Table 4(e) ____ of the Lee Plan. The Community Mixed-Use Activity Center located south of State Road SR 82 at Daniels Parkway is also designated as a Density Reduction/Groundwater Recharge (DR/GR) Mixed-Use Community on Map 47 ____ of the Lee Plan, and development approvals may follow any of the procedures established for DR/GR Mixed-Use Communities instead of being reviewed as a Planned Development. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.2.2)**

POLICY 16.2.3: In order to promote a sustainable urban form, these areas are expected to develop at the higher end of the density and intensity ranges, including bonus density. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.2.3)**

POLICY 32.2.4: The site location standards described in ~~the Lee Plan Policy 6.1.2~~ do not apply within areas designated as specialized mixed use nodes. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.2.4)**

POLICY 16.2.5: Within the boundaries of the Specialized Mixed-Use Nodes, on-street parking ~~as provided for in Section 4 of Lee County Ordinance No. 91-29 and meeting the dimensional requirements of Section 34-2016(1) of the Land Development Code,~~ may be provided as a one-to-one substitute for required on-site parking. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.2.5)**

POLICY 16.2.6: Developments in these areas are encouraged to share required features such as parking, stormwater detention and management areas, open space, and other civic areas. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.2.6)**

POLICY 16.2.7: Within these nodes, promote the establishment of pedestrian-friendly mixed use development:

- a. Buffer walls between commercial and residential uses are not required;
- b. Bicycle and pedestrian facilities will be provided throughout these developments;
- c. Connections between all uses are required to facilitate alternative modes of transportation;
- d. Connections to adjacent developments will be provided;
- e. Vehicular connections between different uses will be provided to facilitate the internal capture of trips.

~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.2.7)**

POLICY 16.2.8: Existing or future regulations that inhibit the development of these mixed-use projects will be given strong consideration for deviations. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.2.8)**

POLICY 16.2.8: Additional Specialized Mixed Use Nodes may be appropriate at the following intersections following the construction of the Lockett Road Extension:

- a. W 12th Street and Sunshine Boulevard;
- b. W 12th Street and Williams Avenue;
- c. W 12th Street and Richmond Avenue;
- d. W 12th Street and Joel Boulevard.

~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.2.9)**

LEHIGH ACRES COMMUNITY CHARACTER & LAND USE: DOWNTOWN

OBJECTIVE 16.3: DOWNTOWN LEHIGH ACRES. Is an area expected to redevelop as a vibrant, intensely developed mixed-use gathering place to serve area residents. It will provide opportunities for multi-family residential, public and private education, live-work, retail, office, medical, entertainment, arts, commercial and public parking, parks, other civic uses, and public amenities. The potential mixture of jobs, living, and cultural and recreation opportunities allows the greatest efficiency in the use of infrastructure and other public expenditures of any development style envisioned by this Plan. Downtown Lehigh Acres is an appropriate receiving area for transferred development rights. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 16.3)**

POLICY 16.3.1: The Downtown Lehigh Acres area offers a mix of opportunities to live and work in a vibrant, well designed urban environment. Land use is focused on providing residential or office uses on upper floors, with retail uses at the street level to energize the urban experience. Parking should be in structures, not in surface lots. Street trees, well designed public gathering areas, and lighting should be employed to create a safe, inviting experience at the street level both day and night. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.3.1)**

POLICY 16.3.2: The downtown provides a living environment to a growing segment of society that no longer desires the suburban lifestyle. It provides housing for a wide variety of income levels, in an environment that allows less reliance on the automobile. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.3.2)**

POLICY 16.3.3: Create and revitalize the downtown as the premier urban center of Lehigh Acres, providing jobs, residential opportunities, and cultural and economic activities. Residents should find not only access to employment, transportation, and basic amenities, but a concentration of restaurants, galleries, and unique shopping experiences. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.3.3)**

POLICY 16.3.4: Downtown Lehigh Acres will be viewed as a receiving area for any transfer of development rights program that is established in Lee County. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.3.4)**

POLICY 16.3.5: Bonus density greater than 15 units per acre in the Intensive Development Future Land Use Category must be achieved through the transfer of development rights program. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.3.5)**

LEHIGH ACRES COMMUNITY CHARACTER & LAND USE: COMMUNITY MIXED-USE ACTIVITY CENTERS

OBJECTIVE 16.4.: COMMUNITY MIXED-USE ACTIVITY CENTERS. Are areas of sufficient size and location that will help to contribute the uses needed to support all of the Lehigh Acres ~~Planning~~

Community including: residential; public and private education; live-work; retail; office; medical; entertainment; light industrial; commercial/public parking; parks; and, other civic uses. These locations are identified on Map 4 _____. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Objective 32.4)**

POLICY 16.4.1: Identify those areas within Lehigh Acres that have sufficient vacant or undeveloped land to accommodate the community-scale development that will balance the land uses and provide opportunities to diversify the economic base of the community. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.4.1)**

POLICY 16.4.2: These areas provide the best opportunity for resolving many of the problems inherent in a single use platted community that lacks a diversity of uses. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.4.2)**

POLICY 16.4.3: The emphasis of the future development of these areas is to provide employment opportunities mixed with facilities offering goods and services that support the wider community. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.4.3)**

LEHIGH ACRES COMMUNITY CHARACTER & LAND USE: NEIGHBORHOOD MIXED-USE ACTIVITY CENTERS

OBJECTIVE 16.5.: NEIGHBORHOOD MIXED-USE ACTIVITY CENTER. Are areas of sufficient size and location that will help to contribute the uses needed to support large portions of the Lehigh Acres ~~Planning~~ Community including: residential; public and private education; live-work; retail; office; medical; entertainment; light industrial; commercial/public parking; parks; and, other civic uses. These locations are identified on Map 4 _____. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Objective 32.5)**

POLICY 16.5.1: The emphasis of the future development of these areas is to provide mixed use facilities offering goods and services that support the surrounding neighborhoods as well as local employment opportunities and alternate housing types. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.5.1)**

POLICY 16.5.2: In addition to adhering to the policies under Objective ~~32.2~~, 16.2 Specialized Mixed Use Nodes, these areas are intended to provide a strong link to the existing single family areas. Interconnections utilizing all modes of transportation are highly encouraged. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.5.2)**

POLICY 16.5.3: In areas that are already platted, the utilization of the existing street network and block design is strongly encouraged. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.5.3)**

LEHIGH ACRES COMMUNITY CHARACTER & LAND USE: LOCAL MIXED-USE ACTIVITY CENTERS

OBJECTIVE 16.6: LOCAL MIXED-USE ACTIVITY CENTERS. Areas located within existing and emerging residential neighborhoods that are intended to support the local daily commercial needs of the neighborhood. Local Activity Centers are envisioned as floating designations that may be applied for as part of a rezoning. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 32.6)**

POLICY 16.6.1: To assure neighborhoods have local access to commercial services that support the daily needs of the neighborhood, Local Mixed Use Activity Centers will not be assumed to be an encroachment

into the neighborhood. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.6.1)**

POLICY 16.6.2: These areas are intended to provide a strong link to the existing single family neighborhood. Interconnections utilizing all modes of transportation are highly encouraged. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.6.2)**

POLICY 16.6.3: Buffer walls between commercial and residential uses are not required. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.6.3)**

POLICY 16.6.4: Local Mixed-Use Activity Centers may be located on property as small as one lot, but are limited to a maximum of one platted block. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.6.4)**

POLICY 16.6.5: Connections between the commercial use and the immediate neighborhood are required. These connections should include pedestrian and bicycle facilities. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.6.5)**

POLICY 16.6.6: Within the boundaries of Local Mixed-Use Activity Centers on-street parking, ~~as provided for in Section 24 of the Lee County Code of Laws and Ordinances,~~ may be provided as a one-to-one substitute for required on-site parking. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.6.6)**

POLICY 16.6.7: To receive the Local Mixed-Use Activity Center designation, the center should be located approximately ½ mile or more from the edge of any area identified in Objective ~~32.2~~ 16.2, Specialized Mixed Use Nodes, and must meet the following locational and access criteria

- a. Must initially have frontage on two publicly maintained streets;
 - b. Local Mixed-Use Activity Center will be designated through the zoning process; and
 - c. May be expanded to an area that is adjacent to a previously designated Local Mixed-Use Activity Center.
- ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.6.7)**

LEHIGH ACRES COMMUNITY CHARACTER & LAND USE: COMMERCIAL OVERLAY ZONES

OBJECTIVE 16.7: COMMERCIAL OVERLAY ZONES. Designate additional overlay zones on the Future Land Use Map to establish potential commercial land uses in the Lehigh Acres Community. The Commercial Overlay Zones are identified on Map ~~1, page 8 of 8~~ _____ of the Lee Plan. ~~The distinction in Policy 6.1.2(7) _____ of the Future Land Use Element between the two major types of commercial uses does not apply in Lehigh Acres.~~ ~~(Added by Ordinance No. 98-09; Renumbered and Amended by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Objective 32.7)**

POLICY 16.7.1: Commercial uses are permitted on lands in the Lehigh Commercial overlay once commercial zoning has been approved in accordance with this plan. Land in the Lehigh Commercial Overlay may also be used for schools, parks, and other public facilities; churches and synagogues; and residential uses that provide housing alternatives to the typical ¼- to ½-acre subdivision lots. Creation of new single-family lots smaller than one acre is not permitted due to the oversupply of standard subdivision lots. If cumulative new residential development takes place on more than 1% of this land per year, Lee County will take steps to provide additional commercial land in Lehigh Acres to offset the loss. ~~Lee County will take steps to reduce any emerging surplus of commercial land in Lehigh Acres if cumulative new commercial development exceeds an average floor area ratio of 1.0 (the ratio of interior floor space to total lot area).~~ ~~(Added by~~

~~Ordinance No. 98-09, Amended by Ordinance No. 00-22; Renumbered and Amended by Ordinance No. 10-16) (Relocated and Modified from the Future Land Use Element) (Formerly Policy 32.7.1)~~

POLICY 16.7.2: Because of the shortage of suitable undivided tracts in the Lehigh Acres ~~Planning~~ Community, commercial uses may also be appropriate on certain other lands that might otherwise be used for residential lots.

- a. Many such lands are designated as part of the Lot Assembly overlay. These lands are platted for single-family lots and are under multiple ownerships. Commercial uses on individual lots or small assemblies of lots would generally be intrusive to existing or emerging neighborhoods. However, the assembly of entire blocks would provide suitable commercial parcels. Major lot assemblies could qualify for commercial zoning whether assembled by government action, private sector purchases, cooperative arrangements between individual lot-owners, or similar arrangements.
- b. Other tracts or combinations of platted lots in Lehigh Acres may also be considered for commercial rezoning (even if they are outside any of the three overlays) through the compact communities, planned development zoning processes or by requesting the Commercial Neighborhood (CN-3) conventional commercial zoning district that was created to address Lehigh Acres conditions. Lands suitable for such rezoning would include:
 1. Tracts that are assembled from vacant lots at the intersection of future collector or arterial roads in sparsely developed areas where there are very limited or no suitable commercial locations in any of the commercial overlays; or
 2. Tracts that separate existing commercial and residential land uses where some commercial uses may be appropriate if they provide a substantial buffer and reasonably protect the privacy of existing dwellings. Land-owners seeking commercial zoning under this subsection should expect a minimal level of commercial uses and/or to provide extra levels of buffering.

~~(Added by Ordinance No. 98-09, Amended by Ordinance No. 00-22; Renumbered and Amended by Ordinance No. 10-16) (Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.7.2)~~

LEHIGH ACRES TRANSPORTATION

OBJECTIVE 16.8: TRANSPORTATION, PARKING, AND TRAFFIC CIRCULATION. Lee County will work to improve transportation, parking, and circulation within the Lehigh Acres ~~Planning~~ Community. ~~(Added by Ordinance No. 10-16) (Relocated and Edited from the Future Land Use Element) (Formerly Objective 32.9)~~

POLICY 16.8.1: Whenever possible, all new commercial development adjacent to Lee Boulevard right-of-way must provide access to either 5th Street West, 4th Street West, or other local, collector or arterial roadway. Direct access to Lee Boulevard is discouraged. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.9.1)**

POLICY 16.8.2: All connections to State Road SR 82 must be consistent with the Florida Department of Transportation Corridor Access Management Plan for State Road SR 82. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.9.2)**

POLICY 16.8.3: All connections to Gunnery Road must be consistent with the Gunnery Road Access Management Plan. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.9.3)**

POLICY 16.8.4: All new commercial development must provide parking lot interconnections to adjacent properties and must not prevent pedestrian or vehicular access from adjacent residential areas. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.9.4)**

POLICY 16.8.5: Lee County will identify possible locations of new bridges to improve the continuity of the street network and connect neighborhoods. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.9.5)**

POLICY 16.8.6: Lee Tran will continue to identify opportunities to improve service, frequency, routes, and bus stop amenities in the Lehigh Acres Community. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.9.6)**

POLICY 16.8.7: New Single-Family Model Homes are prohibited within 300 feet of Arterial and Collector Roads. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.9.7)**

LEHIGH ACRES NATURAL RESOURCES & ENVIRONMENT

OBJECTIVE 16.9: NATURAL RESOURCES. Lee County will preserve, protect, and, where possible, enhance the physical integrity, ecological values, and natural beauty of Lehigh Acres, by maintaining the diverse and healthy native vegetation, and wildlife resources. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Objective 16.11)**

POLICY 16.9.1: Lee County will encourage on-site preservation of indigenous plant communities and listed species habitat. Any required mitigation will be of similar habitat, and provided, whenever possible, within the Lehigh Acres ~~Planning~~ Community boundary. Development must also be consistent with the Parks and Recreation Element. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.11.1)**

POLICY 16.9.2: Lee County will work with various agencies to identify existing wetlands that are worth saving or restoring within the Lehigh Acres ~~Planning~~ Community. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.11.2)**

POLICY 16.9.3: Lee County will provide 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 Lehigh Acres ~~Planning~~ Community. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.11.3)**

POLICY 16.9.4: Where ~~not~~ inconsistent with the South Florida Water Management District design criteria, natural habitat restoration is preferred to open water systems for treating stormwater. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.11.4)**

LEHIGH ACRES PUBLIC FACILITIES & SERVICES: PARKS, RECREATION, OPEN SPACE

OBJECTIVE 16.10: PARKS, RECREATION, OPEN SPACE AND PUBLIC FACILITIES. Lee County will explore opportunities to create a coherent network of parks, greenways, water amenities, open space, and other public facilities in the Lehigh Acres Community. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Objective 32.8)**

POLICY 16.10.1: Lee County Parks and Recreation will work with the East County Water Control District to identify rights-of-way or easements that can be incorporated into the county's greenway plan. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.8.1)**

POLICY 16.10.2: Lee County, the East Lee County Water Control District, the Lee County School District, and other agencies will work together to identify areas that can be acquired for possible co-location of parks, water retention and other water amenities, school sites, and other public facilities. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.8.2)**

POLICY 16.10.3: New development and redevelopment in areas containing a component of the greenways trail system, as identified by the Greenways Master Trail Plan, must incorporate the greenway trail into their development design. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.8.3)**

POLICY 16.10.4: Lee County will work with the Lee County School District and other agencies that operate within the Lehigh Acres ~~Planning~~ Community to identify adequate land to develop additional public facilities needed to accommodate the expected growth of Lehigh Acres. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.8.4)**

LEHIGH ACRES PUBLIC FACILITIES & SERVICES: SEWER & WATER

OBJECTIVE 16.11: SEWER AND WATER. Expedite the staged extension of water and sewer systems, connect lots previously served by on-site septic and wells, and discourage additional development that is reliant upon on-site well and septic systems. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 32.10)**

POLICY 16.11.1: The availability of sewer and water to serve uses within the Specialized Mixed-Use Nodes and the Commercial Overlay Zones is not a requirement for zoning approval. However, sewer and water must be available to the property in accordance with ~~Standard 11.1 and 11.2~~ Policy 3.1.5 and Policy 3.1.6 of the Future Land Use Element of this Plan before a development order will be issued. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.10.1)**

POLICY 16.11.2: Direct new development and redevelopment in Lehigh Acres to areas that can be reasonably expected to receive urban services and infrastructure during the planning horizon of the Lee Plan. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.10.2)**

POLICY 16.11.3: Lee County will work with Florida Governmental Utilities Authority (FGUA) to prioritize areas for the expansion of utilities. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.10.3)**

LEHIGH ACRES INTERGOVERNMENTAL COORDINATION

OBJECTIVE 16.12: INTERGOVERNMENTAL COORDINATION. The Lehigh Acres ~~Planning~~ Community depends on agencies that are external to Lee County for certain services, such as the East County Water Control District, Lee County Health Department, Florida Governmental Utilities Authority, and Hendry County. Lee County will work with these organizations on matters under their jurisdiction. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Objective 32.13)**

POLICY 16.12.1: Explore cost-effective land acquisition opportunities that may present themselves through the escheatment process. Where these opportunities exist and can be capitalized on, plan for the aggregation of land for needed community facilities or to incentivize private development of commercial or employment uses. Coordinate “tax forgiveness” efforts with the School Board, Fire District, Southwest Florida Water Management District, and East County Water Control District. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.13.1)**

POLICY 16.12.2: Lee County will work with Hendry County to coordinate trail connections at the counties' boundaries in order to promote a regional trail system. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.13.2)**

POLICY 16.12.3: Lee County will work with the Lehigh Acres Fire District to identify locations for new facilities that will assure adequate and uniform fire protection throughout the Lehigh Acres ~~Planning~~ Community. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.13.3)**

POLICY 16.12.4: Lee County will work with the East County Water Control District to identify existing wetlands and opportunities for stormwater detention areas. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.13.4)**

POLICY 16.12.5: Lee County will work with Florida Governmental Utilities Authority to prioritize areas for the expansion of utilities. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.13.5)**

POLICY 16.13.6: Lee County will work with the Lee County Health Department to discourage the approval of septic tank variances and to address regulations that allow two septic systems on one small lot. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.13.6)**

LEHIGH ACRES OVERSIGHT & COORDINATION

OBJECTIVE 16.14: OVERSIGHT AND COORDINATION BY LEE COUNTY. The Lehigh Acres ~~Planning~~ Community is entirely within unincorporated Lee County, as such Lee County can perform activities that will help guide and accommodate attractive development; plan for and construct capital improvements; and establish policies to concentrate development within appropriate areas and provide protection of natural features. These activities will help to assure that the Lehigh Acres ~~Planning~~ Community develops in a way that is consistent with its vision. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Objective 32.14)**

POLICY 16.14.1: Lee County will assist in establishing comprehensive stormwater management areas within the Specialized Mixed Use Nodes to achieve an efficient use of property for stormwater management purposes. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.14.1)**

POLICY 16.14.2: Lee County will explore cost-effective land acquisition opportunities that may present themselves through the escheatment process. Where these opportunities exist and can be capitalized on, plan for the aggregation of land for needed community facilities or to incentivize private development of commercial or employment uses. ~~(Added by Ordinance No. 10-16)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 32.14.2)**

POLICY 16.14.4: Lee County will not permit mine truck traffic from mines established in Hendry County to utilize Lee County maintained roads within the Lehigh Acres ~~Planning~~ Community as a primary access. Mines within Hendry County may establish secondary access points to Lee County maintained roads for emergency access purposes only. ~~(Added by Ordinance No. 10-16)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 32.14.4)**

POLICY 16.14.5: ~~By the end of 2011, Lee County will complete the following activities~~ maintain, enhance and enforce Land Development Code regulations, specific to Lehigh Acres, which:

- a. ~~Amend the Land Development Code to~~ Incorporate land development and urban design standards for each of the specialized mixed use node sub-categories;

- b. ~~Amend the Land Development Code to Incorporate land development and urban design standards for Lee Boulevard and State Road SR 82; and~~
- e. ~~Amend the Land Development Code to Incorporate design and development standards for duplex and two-family attached structures within Lee County.~~
- d. Explore the establishment of a Land Swap Program, where parcels gained through the escheatment process in Tier 1 or Tier 2 could be swapped for undeveloped parcels in Tier 3.
- e. Define appropriate sending and receiving areas for a Transfer of Development Rights program.
~~(Added by Ordinance No. 10-16) – (Relocated and Modified from the Future Land Use Element) (Formerly Policy 32.14.5)~~

OBJECTIVE 32.12: 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. 10-16) (Deleted)~~

POLICY 32.12.1: ~~As a courtesy, Lee County will register citizen groups and civic organizations within the Lehigh Acres 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 through mail, email or other electronic means. This notice is a courtesy only and is not jurisdictional. Accordingly, the County's failure to mail, email or to timely provide the notice, or failure of a group to receive notice, will not constitute a defect in notice or bar a public hearing from occurring as scheduled. (Added by Ordinance No. 10-16) (Deleted)~~

POLICY 32.12.2: ~~The owner or agent of a requested zoning action (planned development, conventional rezoning, special exception, or variance requests) within the Lehigh Acres 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, providing notice of the meeting, 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. 10-16) (Deleted)~~

NORTH FORT MYERS

NORTH FORT MYERS VISION

~~Over the course~~ As the result of the current planning effort, a new vision for the future of North Fort Myers has emerged and come into sharper focus. The following phrases, describing a brighter future for the community, capture the essence of the vision and provide a foundation for the plan's goals, objectives, and policies.

The Town Center developments along the Caloosahatchee River ~~and on Bayshore Road at I-75 will~~ offers a new destinations for living, shopping, working, and socializing. Designed with walkable streets and streetscapes, ground level shops and restaurants, high quality housing, and connections to nearby parks, waterfronts, and natural areas, ~~these the new Town Centers are becoming signposts for~~ will become a centerpiece for positive changes throughout the community.

New retail and mixed use development ~~cluster~~ will evolve in Neighborhood Centers and along revitalized commercial corridors. Unlike the auto-oriented development that used to line major roadways, North Fort Myer's new neighborhood centers and commercial corridors ~~are~~ will be pedestrian-friendly, with attractive landscaping and ~~quality~~ architecture.

Older neighborhoods ~~are experiencing~~ will undergo a quiet renaissance. First-time homebuyers, recent retirees, and new investors ~~are will~~ continue to make improvements - fixing up modernizing older housing stock, building compatible infill housing, sprucing up yards, and working together to ensure properties and public rights-of-way are well-maintained, ~~safe,~~ and attractive.

New buildings ~~are will be~~ designed to fit the area's ~~early design~~ "Old Florida" character. Simple, sturdy building forms, high quality materials, protection from the elements, and generous native vegetation will create a distinctive local ~~vernacular~~ appeal.

Opportunities for improvements – such a new community hospital, regional library, and other new places to live, work and play – are also on the horizon.

Landscape gateways, extensive streetscape and landscape improvements, and new pedestrian and bicycle facilities will reinforce the North Fort Myers' reputation as a great place to live, work, and visit.

Greenways, blueways, and trail systems will offer unique recreational amenities, linking together North Fort Myers' neighborhoods with the region's parks and recreational facilities, conservation lands, and new points of access to the Caloosahatchee River and its tributaries. (~~Added by Ordinance No. 99-15, Amended by Ordinance No. 07-12, 09-11~~) **(Relocated and Modified from the Vision Statement)**

GOAL 17: NORTH FORT MYERS. North Fort Myers seeks to improve the community's livability and economic vitality by promoting compact, mixed-use development in the form of new town and neighborhood centers; attracting appropriate investment to revitalize older neighborhoods and commercial corridors; stabilizing and enhancing existing neighborhoods; preserving natural resources; and providing greater opportunities for public participation in the land development approval process. (~~Added by Ordinance No. 09-11~~) **(Relocated from the Future Land Use Element and Edited) (Formerly Goal 28)**

NORTH FORT MYERS COMMUNITY CHARACTER & LAND USE: NEIGHBORHOODS & HOUSING

OBJECTIVE 17.1: LAND USE: NEIGHBORHOODS AND HOUSING. The North Fort Myers Community will focus attention on its housing needs to identify means to revitalize neighborhoods and improve the quality of life for its citizens and future residents. **(New Objective)**

POLICY 17.1.1 ~~By 2012~~ A land use and housing review will be completed for each neighborhood and corridor by the North Fort Myers Community. (~~Added by Ordinance No. 09-11~~) **(Relocated and edited from the Future Land Use Element) (Formerly Objective 28.1)**

POLICY 17.1.2: Code Enforcement. The North Fort Myers Community supports the continuation of the initiatives of Lee County Code Enforcement and Department of Human Services targeting North Fort Myers neighborhoods with high incidences of code violations. The county will provide periodic reports of enforcement activities to the North Fort Myers Community. (~~Added by Ordinance No. 09-11~~) **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.1.1)**

POLICY 16.1.3: Neighborhood District Planning. The North Fort Myers Community will continue working with the Department of Human Services to implement Neighborhood District Revitalization Plans. (~~Added by Ordinance No. 09-11~~) **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.1.2)**

POLICY 17.1.4: Housing Maintenance and Repair. The North Fort Myers Community will work with the county to explore opportunities to expand Department of Human Service programs designed to help maintain, repair, and improve existing owner-occupied housing. (~~Added by Ordinance No. 09-11~~) **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.1.3)**

POLICY 17.1.5: ~~To~~ The North Fort Myers Community ~~will~~ supports the diversity of housing types available, ~~the North Fort Myers Community supports~~ utilizing the Mixed-Use Overlay to apply to small-scale mixed-use projects with residential above or adjacent to retail and service uses. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.1.4)**

~~**POLICY 28.1.5:** Consider revision to the Land Development Code to establish buffers between existing large lot residential subdivision and emerging adjacent higher density and intensity uses. (Added by Ordinance No. 09-11) (Deleted)~~

POLICY 17.1.6: Collaboration. ~~The North Fort Myers Community will~~ encourages the active participation of existing neighborhood associations, homeowners, landlords, and tenants in North Fort Myers Community's programs and planning initiatives. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.1.6)**

POLICY 17.1.7: Fair Share Projections. Using the current estimate of affordable housing construction need projected to ~~2030~~ 2035 as a starting point, the Department of Community Development will prepare an estimate of North Fort Myers' fair share of need by housing type for low-income, workforce, and affordable housing and establish five-year planning targets for the delivery of units. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.1.7)**

POLICY 17.1.8: Site Assessment and Pilot Projects. Working with the Department of Community Development, Department of Human Services, Lee County Housing Development Corp, Community Land Trust, non-profit housing providers, and ~~representatives~~ residents from nearby neighborhoods, the North Fort Myers Community will prepare a study identifying potential sites for affordable housing and prepare preliminary studies for design and financial analyses for potential pilot or demonstration projects. The study will also identify neighborhoods where single family housing units can include remodeling to incorporate Mother-In-Law housing additions.

The evaluation should focus on sites with the following general characteristics:

- a. Located within the Intensive Development, Central Urban, and Urban - Community on the Lee Plan's Future Land Use Map;
- b. Located where central water/sewer service is available;
- c. Located within comfortable walking distance of mass transit, commercial and personal services, and parks and recreation facilities; and
- d. Located on land previously converted for urban purposes.

~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.1.8)**

POLICY 17.1.9: Technical Assistance and Public Education. The North Fort Myers Community will explore opportunities to expand ~~the~~ technical assistance and public education initiatives provided by the Departments of Community Development, and Human Services, ~~and Smart Growth Department for the North Fort Myers community.~~ ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.1.9)**

POLICY 17.1.10: The North Fort Myers Community supports incorporating into the Mixed Use Overlay the addition of single-person apartment types of 500 square feet or less and the evaluation of flexibility for all types of fees associated with the development of those units. ~~(Added by Ordinance No. 09-11)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 28.1.10)**

~~**POLICY 28.1.11:** Accessory apartments, such as mother in law or student housing units, will be considered affordable units, allowing those units to be considered bonus density when calculating allowable density. (Added by Ordinance No. 09-11) (Deleted)~~

NORTH FORT MYERS COMMUNITY CHARACTER & LAND USE: CENTER & CORRIDORS

~~**OBJECTIVE 17.2: LAND USE: CENTERS AND CORRIDORS.** Identify and pursue Implement, improve, and refine the Town Center overlay districts, road corridor overlay districts, and other potential redevelopment areas. (Added by Ordinance No. 09-11) **(Relocated and Modified from the Future Land Use Element) (Formerly Objective 28.2)**~~

~~**POLICY 28.2.1: Market Assessment and Planning Targets.** The North Fort Myers community will work with the Department of Community Development to complete an analysis of the market support for retail, office, hospitality, and moderate to high density residential uses in the North Fort Myers submarket. The Assessment will be designed to consider the following:~~

- ~~• recommendations from the recently completed Commercial/Industrial Land Use Analysis;~~
- ~~• existing and proposed competitive supply, including planned development in Cape Coral, the City of Fort Myers, and Babcock Ranch; and~~
- ~~• local and regional projections of population and employment growth.~~

~~Information from the assessment will be used to guide planning decisions for the Town Center sector plans and requests to increase the inventory of lands planned and zoned for commercial and moderate to high density residential use. (Added by Ordinance No. 09-11) **(Deleted)**~~

NORTH FORT MYERS COMMUNITY CHARACTER & LAND USE: TOWN CENTER

~~**POLICY 17.2.1: Preliminary Designation of the Town Centers.** The North Fort Myers Community Plan designates East of U.S. 41 (North Tamiami Trail) extending to “Old 41” – South of Pondella Road extending to the Caloosahatchee River as the Town Centers appropriate for moderate to high intensity, pedestrian-oriented, mixed use development and redevelopment.~~

- ~~• North Cleveland Avenue and Hancock Bridge Parkway.~~
- ~~• North Tamiami Trail – Pondella Road to the Caloosahatchee River.~~
- ~~• Bayshore and I 75.~~

~~(Added by Ordinance No. 09-11) **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 28.2.2)**~~

~~**POLICY 17.2.2: Town Center Sector Planning and Overlay Districts.** For the areas preliminarily identified as the Town Centers, the North Fort Myers Community, and Department of Community Development, and Smart Growth Department will work together to prepare sector plans, development regulations (zoning overlay districts and design standards), and implementation plans to ensure development is consistent with the community’s vision. The sector plans, development regulations, and implementation plans should be prepared consistent with the following general principles of smart growth and new urbanism:~~

- ~~a. A mix of uses are encouraged to promote walking; allow for shared parking; support transit; and minimize disturbance of natural areas, wildlife corridors, and drainage ways;~~
- ~~b. Buildings should be designed to frame the public realm, enliven streetscapes, and provide for the informal surveillance of public spaces, primary entries, windows, storefronts, porches, and stoops should open onto streets, sidewalks, and public spaces;~~
- ~~c. Parks, squares, plazas, and promenades should be designed to promote community life and provide a variety of outdoor public space for informal gatherings, public events, and community activities;~~

- d. Streets should be designed in interconnected networks with generous sidewalks, shade trees, well-marked crossings, and amenities like pedestrian-scaled lighting, benches, trash receptacles, bike racks, and transit shelters. To dispense traffic, promote walking, and provide convenient routes for vehicles and pedestrians; and
- e. Parking areas (except for on-street spaces), loading docks, and service entries should be screened from public view and accessed from alleys, service courts, and side streets.

~~(Added by Ordinance No. 09-11) (Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.2.3)~~

~~**POLICY 28.2.4: Provision Allowing Increased Development Intensity in the Town Centers.** To achieve the community's goals for Town Center Development, the County should adopt provisions allowing for greater minimum, maximum based, and maximum total densities and building heights than are currently allowed under the Lee Plan. These provisions should only be applicable to projects in areas designated as Town Centers, addressed in an adopted sector plan, and regulated by the Town Center Overlay District. (Added by Ordinance No. 09-11) (Deleted)~~

NORTH FORT MYERS COMMUNITY CHARACTER & LAND USE: NEIGHBORHOOD CENTERS

~~**POLICY 17.2.3: Designation of Neighborhood Centers.** The North Fort Myers Community Plan designates the following areas as Neighborhood Centers appropriate for moderate intensity, pedestrian-oriented, mixed use development:~~

- a. Littleton and North Cleveland Avenue;
- b. North Tamiami Trail and Del Prado Boulevard/Mellow Drive;
- c. North Tamiami Trail and ~~Nalle Grade Road~~ Tara Boulevard;
- d. Hancock Bridge Parkway and Orange Grove Boulevard;
- e. North Tamiami Trail and Pine Island/Bayshore Roads;
- f. Bayshore Road and Slater Road/Coon Road; and
- g. Bayshore Road and Hart Road.

~~For these areas, the community favors neighborhood-serving mixed use development pedestrian-friendly street, site, and building designs; the incorporation of live-work, multi-family, and attached housing; and sidewalk and path connections to nearby neighborhoods, parks, and public uses. These Neighborhood Center designations are intended to replace the designations show on Commercial Site Location Standards Map (Lee Plan Map 19). (Added by Ordinance No. 09-11) (Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.2.5)~~

~~**POLICY 17.2.4: Neighborhood Center Overlay District.** For areas preliminarily identified as Neighborhood Centers, the North Fort Myers Community, and Department of Community Development, and Smart Growth Department will work together to prepare implement the a Neighborhood Centers Overlay District providing the following:~~

~~• Permitted and prohibited uses;~~

- a. Standards for building, site, landscape, and sign design;
- b. Standards for pedestrian and bicycle facilities;
- c. Building setbacks and build-to lines;
- d. Conservation of natural features and native vegetation;
- e. Requirements for shared access and side and rear yard parking;
- f. Incentives (e.g. regulatory relief, increased height, density, and others) for the redevelopment of obsolete and poorly performing commercial centers; and

g. Incentives for projects incorporating mixed uses, public amenities, and affordable housing. ~~(Added by Ordinance No. 09-11) (Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.2.6)~~

NORTH FORT MYERS COMMUNITY CHARACTER & LAND USE: COMMERCIAL CORRIDORS

POLICY 17.2.5: ~~Corridor Overlay District.~~ For areas along major road corridors outside the designated Town Centers and Neighborhood Centers, the North Fort Myers Community, and Department of Community Development ~~and Smart Growth Department~~ will work together to ~~prepare a~~ implement the Commercial Corridors Overlay District as part of the Land Development Code requiring enhanced landscaping, greater buffering and shading of parking areas, improved commercial signage, enhanced standards to ensure architectural quality and compatibility, and incentives for quality development. At minimum, the Corridors ~~Overlay District~~ will provide the following:

- ~~Permitted and prohibited uses;~~
- a. Standards for building, site, landscape, and sign design;
- b. Standards for pedestrian and bicycle facilities;
- c. Building setbacks and build-to-lines;
- d. Conservation of natural features and native vegetation;
- e. Buffers to adjacent residential neighborhoods;
- f. Requirements for shared access and side and rear yard parking;
- g. Incentives (e.g. regulatory relief, increased density, etc.) for the redevelopment of obsolete and poorly performing commercial centers;
- h. Incentives for projects incorporating mixed uses, public amenities, and affordable housing; and
- i. Shared parking.

Once adopted, deviations that would result in a reduction of landscaping, buffering, signage, or deviation from design standards will not be supported. ~~(Added by Ordinance No. 09-11) (Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.2.7)~~

POLICY 17.2.6: ~~Improving Older Commercial Properties.~~ The North Fort Myers Community will work with the Department of Community Development, the North Fort Myers Chamber of Commerce, and private property owners to develop incentives for bringing older development into compliance with regulations adopted as a result of the North Fort Myers Community Plan including but not limited to private public partnerships. ~~(Added by Ordinance No. 09-11) (Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.2.8)~~

~~**POLICY 28.2.9:** The following uses are prohibited within the North Fort Myers Planning community: “detrimental use” as defined in the Land Development Code. (Added by Ordinance No. 09-11) (Deleted)~~

POLICY 17.2.7: The North Fort Myers Community supports ~~a review of~~ county codes that address the provision of interconnection between existing land uses to minimize access onto primary road corridors and to improve the safety for non-motor transportation. ~~(Added by Ordinance No. 09-11) (Relocated from the Future Land Use Element) (Formerly Policy 28.2.10)~~

POLICY 17.2.8: Floor Area Ratio (FAR) maximums in the Commercial Future Land Use Category located south of Pine Island Road between Orchid Road and Barrett Road will be 0.26. ~~(Added by Ordinance No. 10-34) (Relocated from the Future Land Use Element) (Formerly Policy 28.2.11)~~

NORTH FORT MYERS TRANSPORTATION

OBJECTIVE 17.3: TRANSPORTATION. The North Fort Myers Community will have neighborhood, corridors, and community interface improvements identified. ~~(Added by Ordinance No. 09-11)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 28.3)**

POLICY 17.3.1: ~~Transportation Corridors.~~ ~~By 2009~~ The North Fort Myers Community will review the Metropolitan Planning Organization and Lee County Department of Transportation ~~2030~~ 2035 plan for recommendations and improvements applicable to the North Fort Myers Community. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.3.1)**

POLICY 17.3.2: ~~Gateways, Streetscape, and Landscape Improvements.~~ The North Fort Myers Community will work with the Lee County Roadway Landscape Advisory Committee to review plans for streetscape and landscape improvements in gateway locations and along major roadways consistent with the general provisions of the LeeScape Master Plan, including Bayshore and Pine Island Roads, North Cleveland Avenue, North Tamiami Trail, Pondella Road, Hancock Bridge Parkway, and Del Prado Boulevard. Before finalization, plans should be presented for review to the North Fort Myers Community. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.3.2)**

POLICY 17.3.3: ~~Planning and Design of Arterials and Collectors.~~ Decisions regarding future improvements or extension of Littleton Road, Hancock Bridge Parkway, Hart Road, Slater Road, and other roadways not currently shown on the ~~Future Functional Classification~~ Transportation Map Series (Map ~~3B~~) should be based on a careful analysis of need, community and environmental impact, and the potential for incorporation of context-sensitive design treatments. Public participation in planning and design processes for these and other road improvements should provide opportunities for involvement of the North Fort Myers Community and North Fort Myers stakeholders. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.3.3)**

POLICY 17.3.4: ~~Standards for Walkable Urban Thoroughfares.~~ The Department of Public Works is encouraged to develop alternative design standards for arterials and collectors serving the Town Center or Neighborhood Center. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.3.4)**

POLICY 17.3.5: ~~Bus Transit Enhancements.~~ The North Fort Myers Community will work with Lee Tran to identify opportunities to improve service, frequency, routes, and stop amenities in the community. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.3.5)**

POLICY 17.3.6: ~~Improvements for Regional Benefit.~~ Road capacity improvements needed within North Fort Myers to serve demand generated outside the community should be designed to minimize impacts, improve visual character, and improve local access and mobility. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.3.6)**

NORTH FORT MYERS PUBLIC FACILITIES & SERVICES

OBJECTIVE 17.4: COMMUNITY FACILITIES and SERVICES. Recommendations for the community facilities and services needed to meet the needs of the Town Centers, Neighborhood Centers, and corridors will be identified and recommendations to address those needs will be considered in the capital improvement planning programs of operational departments. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Objective 28.4)**

POLICY 17.4.1: ~~Effectiveness of Existing Plan Objectives and Policies.~~ County objectives and policies in ~~Chapter IV of the Lee Plan regarding the provisions of community facilities and services, including those addressing adequate levels of service and extension of service,~~ will be maintained and evaluated for effectiveness on an on-going basis. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.4.1)**

POLICY 17.4.2: The North Fort Myers Community supports a collaborative effort (hospital board, private providers, public health, and economic agencies) to complete an analysis of the feasibility to provide supportive medical services and facilities in one or more centers identified in the North Fort Myers vision. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.4.2)**

POLICY 17.4.3: ~~Septic Tanks and Waste Water Treatment.~~ The North Fort Myers Community supports the concept of a single source of sewage service within the North Fort Myers Community. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.4.3)**

NORTH FORT MYERS PUBLIC FACILITIES & SERVICES: PARKS, RECREATION & CONSERVATION

OBJECTIVE 17.5: PARKS, RECREATION and CONSERVATION. The North Fort Myers Community will identify and pursue remedies to park, recreation, open space, and environmental needs and deficiencies. ~~(Added by Ordinance No. 09-11)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 28.5)**

POLICY 17.5.1: ~~Level of Services Standards for Community Parks.~~ To ensure parks and recreation facilities are reasonably accessible and adequate to meet the needs of residents, the North Fort Myers Community will work with the Department of Parks and Recreation to evaluate the Lee Plan ~~non-regulatory, desired level of service standards~~ for community parks and generalized service area boundaries. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.5.1)**

POLICY 17.5.2: ~~North Fort Myers Community Park.~~ The county will work with the North Fort Myers Community to ensure that the ~~development of the North Fort Myers Community Park~~ is integrated into the surrounding development and open space areas, ~~including incorporation of the development of a community park facility.~~ The concept would be for the park will 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. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.5.2)**

POLICY 17.5.3: ~~Recreational Programming and Access.~~ Lee County will work with the North Fort Myers Community and North Fort Myers stakeholders to protect and conserve natural resources, expand recreation opportunities and accessibility to existing waterways, and provide a broad mix of parks, trails, and water recreation areas that support the lifestyle preferences, livability, sustainability, recreational interest, and economic vitality of the community. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.5.3)**

POLICY 17.5.4: ~~Stewardship and Management of Conservation 20/20 Lands.~~ The North Fort Myers Community will work with the Department of Parks and Recreation to finalize and refine stewardship and management plans for 20/20 Conservation Lands within North Fort Myers. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.5.4)**

POLICY 17.5.5: ~~Assessment of Lands for Acquisition.~~ The North Fort Myers Community will work to identify sites and corridors for nomination to the Lee County Conservation 20/20 program. Sites along planned trails, wildlife corridors, greenways, and major creeks should be carefully considered, as should those providing access to the Caloosahatchee River. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.5.5)**

POLICY 17.5.6: ~~Greenway Plan Implementation.~~ The North Fort Myers Community will work with the Department of Parks and Recreation to implement recommendations for the Greenways Master Plan. As a first priority, the community supports development of the Tamiami Trail North segment of the Charlotte-Lee Collier Greenway and water access and signage improvements to access the Blueways designated along Yellow Fever Creek and along the Caloosahatchee River at Caloosahatchee Creeks Preserve. The North Fort Myers Community will also assist in the identification of trails connecting neighborhoods, conservation areas, parks, recreation facilities and areas, and the water access points. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.5.6)**

POLICY 17.5.7: ~~Conservation Policy Refinements.~~ The North Fort Myers Community will work with the Department of Community Development and Public Works (Environmental Science and Natural Resource Divisions) to pursue the Lee Master Mitigation Plan and to explore the adoption of the following conservation policies:

- a. Development proposals adjacent to the Caloosahatchee River and its tributaries will include floodplain protection plans prior to zoning approval;
- b. The off-site mitigation of impacts to indigenous areas, wetlands, or wildlife habitat; and for
- c. Participate in the Lee County water quality programs that are being developed to address required Total Maximum Daily Loads.

~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.5.7)**

POLICY 17.5.8: ~~Wildlife Movement Corridors.~~ For development within the Planning area the ~~Department~~ Division of Environmental Science will work with the North Fort Myers Community to identify opportunities for the establishment and protection of wildlife movement corridors and interconnection of conservation easements to facilitate wildlife movement through the county. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.5.8)**

NORTH FORT MYERS PUBLIC PARTICIPATION

OBJECTIVE 17.6: PUBLIC PARTICIPATION. ~~Beginning in 2008~~ The North Fort Myers Community will promote with Lee County enhanced community participation in the planning of capital improvements and decisions made in the North Fort Myers Community Planned area. ~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Objective 28.6)**

POLICY 17.6.1: The North Fort Myers Community will conduct an annual “Town Hall Meeting.” The community will invite the participation of the North Fort Myers District Commissioners, and appropriate county staff who can provide an update on public works needs in North Fort Myers and progress in addressing those needs. This progress report is intended to include topics such as:

- a. Congestion or capacity problems on existing facilities;
- b. Changes in the scope or timing of planned improvements; and
- c. Successes and failures in meeting levels of service.

~~(Added by Ordinance No. 09-11)~~ **(Relocated and Edited from the Future Land Use Element) (Formerly Policy 28.6.3)**

~~**POLICY 28.6.1: Notice of Land Development Code and Lee Plan Amendments.** As a courtesy, Lee County will register citizen groups and civic organizations that desire notification of pending review of Land Development Code or Lee Plan amendments. Upon registration, Lee County will provide registered groups with electronic documentation regarding pending amendments. This notice is a courtesy only and is not jurisdictional. Accordingly, the county's failure to provide timely notice will not constitute a defect in notice or bar a public hearing from occurring as scheduled. (Added by Ordinance No. 09-11) (Deleted)~~

~~**POLICY 28.6.2: Document Clearinghouse.** Lee County will work with the North Fort Myers community to establish a Document Clearing House, where copies of selected documents from permit applications, variance requests, staff reports and Lee Plan status updates. Hearing Examiner recommendations, decisions, Administrative Variances and Board resolutions for any development in the community will be kept 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. 09-11) (Deleted)~~

OBJECTIVE 17.7: The North Fort Myers community supports the creation of a project specific, time specific, cost specific redevelopment plan for the North Fort Myers Downtown Waterfront area. ~~(Added by Ordinance No. 09-11)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 28.7)**

POLICY 17.7.1: The North Fort Myers community supports the integration of the redevelopment plan for waterfront downtown with the planning for the alignment, functional classification, and location of any Hancock Bridge Parkway expansion. ~~(Added by Ordinance No. 09-11)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 28.7.1)**

POLICY 17.7.2: The redevelopment plan will consider the stormwater needs and water and sewer needs that result from the transportation and land use changes of Downtown Waterfront. ~~(Added by Ordinance No. 09-11)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 28.7.2)**

POLICY 17.7.3: The land use component of Downtown Waterfront will include land uses that assist in completing North Fort Myers employment base, and broaden housing base for those who will be employed by the new center. ~~(Added by Ordinance No. 09-11)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 28.7.3)**

URBAN COMMUNITIES

PAGE PARK

PAGE PARK VISION

The Page Park Community, bound by US 41 and Danley Road to the west, Iona Drainage District (IDD) Canal "L" to the east, the IDD Canal "L-7" to the south, and the Page Field Airport to the north, is predominantly a residential area consisting of single-family and multi-family homes, often abutting commercial and/or industrial uses. Due to its centralized location between two major commercial corridors (U.S. 41 and Metro Parkway), Page Park has felt pressure from more intense development than it desires, and faces traffic cut-through concerns. The Page Park Community desires to maintain and enhance the small community feel, while embracing its heritage and unique beginnings as Lee County's only military base and transition to compatible mixed-use redevelopment in a more attractive, architecturally pleasing way. An upgrade of the housing stock is also a desirable outcome of the planning process. The community strives to create these redevelopment opportunities through various economic incentives. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Vision Statement)**

GOAL 18: PAGE PARK COMMUNITY. To revitalize the village-like residential neighborhood into a vibrant mixed-use community, that captures the area’s heritage by providing infrastructure, pedestrian, and bicycle connections, and business opportunities together with consistency in signage, landscaping, and enhanced development standards, thereby promoting a mix of commercial and residential uses that will provide services to the local community and the driving public. For the purposes of this goal and related objectives and policies, Page Park is generally defined and bound by Page Field Airfield to the north, U.S. 41 (Cleveland Avenue) and Danley Road to the west, Iona Drainage District (IDD) Canal “L-7” to the south, and IDD Canal “L” to the east. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Goal 27)**

PAGE PARK COMMUNITY CHARACTER & LAND USE

OBJECTIVE 18.1: Enhance the existing physical appearance of Page Park while maintaining the historic character of the community. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 27.1)**

~~**POLICY 19.1.1:** By the end of 2009, The Page Park Planning Panel will submit regulations for Lee County to consider as Land Development Code regulations that provide for enhanced landscaping along roadways, greater buffering between existing and proposed incompatible uses, enhanced property appearance standards, architectural standards, and signage, lighting, and uses consistent with the Page Park Community Vision Statement and all Land Use and Overlay designations. (Added by Ordinance No. 09-08) (Delete)~~

POLICY 18.1.1 With the support of the Page Park Planning Panel, Lee County will enforce, implement and improve Land Development Code regulations that provide for enhanced landscaping along roadways, greater buffering between existing and proposed incompatible uses, enhanced property appearance standards, architectural standards, and signage, lighting, and uses consistent with the Page Park Community. **(New Policy)**

POLICY 18.1.2: Lee County is discouraged from approving deviations and variances that would result in a reduction of adopted landscaping, buffering, and signage guidelines, or compliance with the property appearance standards and architectural standards. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 27.1.2)**

POLICY 18.1.3: ~~By the end of 2009~~ Lee County will continue to evaluate historic resources, if any, and draft a proposal for their designation under Chapter 22 of the Land Development Code. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 27.1.3)**

PAGE PARK COMMUNITY CHARACTER & LAND USE: MIXED USE OVERLAY

OBJECTIVE 18.2: MIXED USE OVERLAY. Encourage mixed use developments throughout Page Park in a manner that is consistent with the Page Park Vision Statement, ~~Goal 27,~~ and the Page Park Overlay Map. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 27.2)**

~~**POLICY 19.2.1:** By the end of 2009, The area known as Page Park Community will adopt and be designated as a Mixed Use Overlay on the Lee County Future Land Use Map. (Added by Ordinance No. 09-08) (Delete)~~

~~**POLICY 19.2.2:** By the end of 2009, The Page Park Planning Panel will propose regulations that encourage and allow mixed use developments within the Page Park Mixed Use Overlay, as depicted on Map 1 of the Lee Plan, page 6 of 8, Mixed Use Overlay Map. (Added by Ordinance No. 09-08) (Delete)~~

POLICY 18.2.1 With the support of the Page Park Planning Panel, Lee County will enforce, implement and improve Land Development Code regulations that encourage and allow mixed use developments within the Page Park Mixed Use Overlay. **(New Policy)**

POLICY 18.2.2: Mixed use developments, as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure are strongly encouraged throughout the mixed use areas of Page Park. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 27.2.4)**

PAGE PARK COMMUNITY CHARACTER & LAND USE: RESIDENTIAL

OBJECTIVE 18.3: RESIDENTIAL USE. Lee County must protect and enhance the residential properties of the Page Park Community by strictly evaluating adjacent uses and access. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 27.3)**

POLICY 18.3.1: New residential development, with the exception of a single-family residential dwelling, that requires a rezoning within the Page Park Community must be rezoned as a Residential Planned Development (RPD). ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 27.3.1)**

PAGE PARK COMMUNITY CHARACTER & LAND USE: COMMERCIAL

OBJECTIVE 18.4: COMMERCIAL USE. ~~Because of poorly planned and incompatible commercial developments of the past,~~ Existing and future county regulations, land use interpretations, policies, zoning approvals, and administrative actions must recognize the preferences of the Page Park Community to ensure that commercial areas maintain a pleasing 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 the neighboring properties. ~~(Added by Ordinance No. 09-08)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Objective 27.4)**

POLICY 18.4.1: New stand-alone commercial activity and uses will be limited to Danley Drive and within the Commercial and Mixed Use areas shown in Red and Orange on the Page Park Overlay Map. Commercial uses will be permitted elsewhere within the Page Park Community, but only as part of a mixed-use development, either as defined in the Lee Plan, or as a mixed-use development containing both commercial and residential uses within the same structure. This policy does not apply to existing commercial uses and property currently zoned for commercial uses. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 27.4.1)**

POLICY 18.4.2: The following uses are prohibited within the Page Park 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 over one acre. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 27.4.2)**

POLICY 18.4.3: ~~By the end of 2009,~~ Lee County will evaluate the Industrial Development Future Land Use designation to determine if an amendment to change the Industrial Development designation to the Central Urban Future Land Use designation should be considered to accommodate all existing industrial uses as well as the transition to mixed-use development and redevelopment. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 27.4.3)**

POLICY 18.4.4: New stand-alone industrial development that requires rezoning within the Page Park Community must be rezoned as an Industrial Planned Development (IPD). ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 27.4.4)**

PAGE PARK COMMUNITY CHARACTER & LAND USE: DESIGN GUIDELINES

OBJECTIVE 18.5: DESIGN GUIDELINES. To enhance the visual appeal of new development, the Page Park Community will propose architectural guidelines that will address the character and aesthetic appearance of the Page Park Community. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 27.9)**

POLICY 18.5.1: ~~By the end of 2009 The Page Park Planning Panel will propose~~ With the support of the Page Park Community, Lee County will enforce, implement, and improve regulations for architectural design guidelines. ~~(Added by Ordinance No. 09-08)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 27.9.1)**

POLICY 18.5.2: The architectural design guidelines will apply to all new development and to all redevelopment of, or additions or renovations to, an existing building, where the cumulative increase in total floor building area exceeds 50 percent of the square footage of the existing building being enlarged or renovated. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 27.9.2)**

PAGE PARK TRANSPORTATION

OBJECTIVE 18.6: TRANSPORTATION. All ~~road~~ transportation facility improvements within the Page Park Community considered by the county will address the community's goal to maintain its small town character and provide a walkable neighborhood with safe and accessible streets ~~give preference to alternatives that allow existing roads to function at their current capacity.~~ ~~(Added by Ordinance No. 09-08)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Objective 27.6)**

~~**POLICY 27.6.1:** To mitigate or curtail cut through and speeding traffic on local residential streets within the Page Park Community, the Page Park Planning Panel with assistance and guidance from the Lee County Department of Transportation, will prepare a traffic calming plan for local residential streets within the Page Park Community, consistent with Administrative Code AC 11-14, for residential streets that are determined by Lee County Department of Transportation to have discernible through traffic problems and/or experience 85th percentile speeds above the norm for the character of the local residential streets. Upon approval and receipt of funding, appropriate traffic calming techniques will be employed as financially feasible, as the need or opportunity arises to repair, renovate, expand, or modify a section of street that utilizes these techniques within the plan. (Added by Ordinance No. 09-08) (Deleted)~~

POLICY 18.6.1 Provide a walkable neighborhood with a pedestrian-friendly environment within the Page Park Community while utilizing input from stakeholders and working within the framework of current policies and procedures for traffic calming. **(New Policy)**

~~**POLICY 26.6.2:** As part of development of the traffic calming plan, the County may review and evaluate traffic control devices in the Page Park community, including one-way streets and stop controls, and remove or revise traffic control devices found to be obsolete for traffic routing. (Added by Ordinance No. 09-08) (Deleted)~~

POLICY 18.6.2: Improvements to South Road and Danley Drive must be consistent with the function and adopted level of service standard of the Lee Plan's Transportation Element. Expansion, reconstruction or realignment of Danley Drive or South Road should include engineering and financial feasibility analysis for physically separated provisions for bicyclists/pedestrians transit, bicycle, and pedestrian facilities to provide for connection to the Ten Mile John Yarborough Linear Park, Jerry Brooks Park, and US 41 corridors facilities. Paved shoulders and sidewalks may be considered where a separated path is not feasible. ~~(Added~~

~~by Ordinance No. 09-08)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 27.6.3)**

POLICY 18.6.3: Mixed-use, ~~and~~ commercial, and proposed residential developments within the Page Park Community are required to provide interconnect opportunities with adjacent mixed-use ~~and~~ commercial and residential uses in order to minimize access points onto ~~primary roads~~ Danley Drive and South Road, and improve connectivity and walkability to all streets. Existing residential developments are also encouraged to provide pedestrian interconnections ~~opportunities~~ with commercial and mixed-use areas, ~~including but not limited to bike paths and pedestrian paths.~~ ~~(Added by Ordinance No. 09-08)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 27.6.4)**

PAGE PARK PUBLIC FACILITIES & SERVICES: WATER & SEWER

OBJECTIVE 18.7: SEWER AND WATER. Given the desire to provide a mix of uses and a mix of residential densities, central sewage service is essential and is strongly encouraged for the Page Park Community within all land use categories. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 27.7)**

POLICY 18.7.1: Central sewer service is strongly recommended for future higher density and intensity developments proposed within the Page Park Community. Any new developments that meet the criteria outlined in Lee Plan Sewer Standard (Policy 3.1.6 of the Future Land Use Element) are required to connect to a central sewer system. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 27.7.1)**

PAGE PARK PUBLIC FACILITIES & SERVICES: PARKS & RECREATION

OBJECTIVE 18.8: PARKS AND RECREATION. Lee County will work with the Page Park Community to ensure that recreation for the Page Park Community is provided. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 27.8)**

POLICY 18.8.1: Lee County Department of Parks and Recreation will work with surrounding property owners to evaluate options for code compliant parking and increased pedestrian safety for the users of Jerry Brooks Park, including the potential future realignment of South Road in accordance with the Board and Federal Aviation Administration adopted Page Field Airport Master Plan. ~~(Added by Ordinance No. 09-08)~~

POLICY 18.8.2: Lee County Department of Parks and Recreation will work with the Page Park Community to ensure that all enhancements of Jerry Brooks Park meet the recreational needs of the Page Park Community and are integrated into the existing park areas. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Policy 27.8.2)**

PAGE PARK: HOUSING

OBJECTIVE 18.9: HOUSING. The county will explore ways to assure decent, workforce housing to meet the needs of present and future residents of the Page Park Community. ~~(Added by Ordinance No. 09-08)~~ **(Relocated from the Future Land Use Element) (Formerly Objective 26.5)**

POLICY 18.9.1: ~~By the end of 2009 The Page Park Planning Panel will submit~~ With the support of the Page Park Community, Lee County will enforce, implement, and improve regulations that will provide standards for “live-work” housing within Page Park for Lee County to review, amend or adopt. ~~(Added by Ordinance No. 09-08)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 27.5.1)**

POLICY 18.9.2: The county will continue to encourage “live-work” housing units within the Page Park Community’s Mixed Use Overlay, whereby the occupant can live and work from within the same building

structure. ~~(Added by Ordinance No. 09-08)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 27.5.2)**

POLICY 18.9.3: The county will continue to enforce minimum standards of housing and sanitation and require prompt action after the identification of abandoned or dilapidated property that may need to be demolished in accord with the Lee County Land Development Code. ~~(Added by Ordinance No. 09-08)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 27.5.3)**

POLICY 18.9.4: Upon request, the county will inform, educate, and encourage residents of the Page Park Community about funding opportunities or programs available to assist in the rehabilitation of existing residential structures that are in need of repair, rehabilitation, or removal. ~~(Added by Ordinance No. 09-08)~~ **(Relocated and Modified from the Future Land Use Element) (Formerly Policy 27.5.4)**

~~OBJECTIVE 27.10: 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. 09-08)~~

~~POLICY 27.10.1: As a courtesy, Lee County will register citizen groups and civic organizations within the Page Park 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. 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. 09-08)~~

~~POLICY 27.10.2: The applicant for any Planned Development or Lee Plan amendment request within the Page Park Planning Community must conduct one public informational session where the applicant will provide a general overview of the project for any interested citizen. 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. 09-08)~~

TICE HISTORIC COMMUNITY

THE TICE HISTORIC COMMUNITY VISION

The Tice Historic Community is one of the oldest urban areas of Lee County, and has experienced significant demographic and economic change. The future vision for the Tice Historic Community is of an attractive, walkable, sustainable, mixed-use, and civically engaged community with a unique identity and an abundance of diverse employment and shopping opportunities. The Tice Historic Community will be improved by designating historic structures and neighborhoods; enhancing access to natural open spaces; creating attractive, safe and expanded pedestrian and bicycle facilities; and implementing a mixed use urban vision for the community. Through this vision, the community will focus on efforts to renovate and beautify aging commercial centers and neighborhoods, enhance multimodal utility and connectivity, identify and pursue opportunities for mixed use developments, and upgrade and diversify housing stock options.

(New Vision, Goals, Objectives and Policies. Formerly Palm Beach Boulevard Community Goal 23)

GOAL 19: THE TICE HISTORIC COMMUNITY. Incorporating the community's unique historic identity, redevelop the Tice Historic Community into vibrant commercial and residential neighborhoods, with mixed-use nodes, landscaping, safe pedestrian and bicycle facilities, improved transit service, with an array of public space and recreational areas.

TICE HISTORIC COMMUNITY CHARACTER & LAND USE: COMMUNITY PRINCIPLES

OBJECTIVE 19.1: DEVELOPMENT PRACTICES. Promote the redevelopment of the Tice Historic Community and support the community's history, urban character, riverfront location, multicultural population, interconnected neighborhoods, and convenient proximity to the region's economic, cultural, and recreational hub through development practices that address the following community concerns:

- a. Appearance, form, maintenance, use, and interconnectivity of private and public buildings;
- b. Expansion of multimodal transportation facilities;
- c. Extension of the community's road and street grid;
- d. Improvement of public facilities and infrastructure systems;
- e. Preservation and support of the area's historic structures and properties; and
- f. Develop mixed use centers.

POLICY 19.1.1: The Tice Historic Community will work with Lee County to improve the connectivity of the areas residential neighborhoods, business centers, educational and public resources, and parks through the development of three primary mixed-use centers as follows:

- a. **Tice Gateway** is located at the gateway to the community along Palm Beach Boulevard and I-75. This center will focus the redevelopment of the commercial plazas in front of the Morse Shores neighborhood and will provide a defined community center.
- b. **Tice Historic Center** is located where the Tice Historic Community connects to the City of Fort Myers at the intersection of Tice Street and Palm Beach Boulevard. This center contains businesses and community services such as the Tice Elementary School, several churches, and residential neighborhoods.
- c. **Tice Billy's Creek Commerce Center** encompasses the primary industrial and employment areas at the intersection of Lockett Road and I-75 and south along Ortiz Avenue to Ballard Road. This center provides strong linkages between the area's industrial and commercial employment and residential neighborhoods.

POLICY 19.1.2: The Tice Historic Community will work with Lee County to expand the linkages between the area's three mixed-use centers—Tice Gateway, Tice Historic Center, and Tice Billy's Creek Commerce Center—and its surrounding neighborhoods, employment areas, schools, public resources, and parks through the development of mixed-use, multimodal transportation corridors along Palm Beach Boulevard, Ortiz Avenue, Lexington Avenue, and Tice Street.

POLICY 19.1.3: Facilitate the redevelopment of the Tice Historic Community by maintaining incentives that encourage reinvestment in the community and its historic buildings such as:

- a. Relief from LDC regulations and development standards;
- b. Grants;
- c. Technical assistance; and

d. Tax credits.

POLICY 19.1.4: Improve the overall connectivity, increase the functionality the street grid, and expand the multimodal connectivity the Tice Historic Community by improving the linkages between the community's neighborhoods, economic centers, civic spaces, and public resources through the incorporation of:

- a. Connector roads and neighborhood streets;
- b. Courtyards, public plazas and gathering places;
- c. Greenway trails and sidewalks;
- d. Parks and recreational facilities;
- e. Blueways; and
- f. Natural open spaces.

POLICY 19.1.5: Evaluate creating a historic district pursuant to Chapter 22 that identifies and protects the Tice Historic Community's historic resources through historic designations. The intent of the historic district designation is to preserve and highlight the historic resources and ensure that new development is compatible with the historic character of the area.

POLICY 19.1.6: Lee County will encourage the preservation and reuse of historic and other structures in the Tice Historic Community by:

- a. Promoting redevelopment of the area;
- b. Enabling non-conforming structure, lots, and properties to be utilized;
- c. Integrating them into the fabric of the community;
- d. Promoting the form and development pattern of the community; and
- e. Supporting and defining the community's character and architectural features.

POLICY 19.1.7: The Tice Historic Community will explore funding sources and options for signage to identify key community entrances, neighborhoods, and historic structures.

POLICY 19.1.8: The Tice Historic Community will work with Lee County to explore local funding mechanisms to implement the community plan and achieve its adopted vision. These mechanisms may include establishment of a municipal service benefit/taxing unit.

TICE HISTORIC COMMUNITY CHARACTER & LAND USE: COMMERCIAL AND ECONOMIC CENTERS

OBJECTIVE 19.2: COMMERCIAL AND ECONOMIC LAND USES. Provide commercial, economic, and employment opportunities within the Tice Historic Community by establishing active economic corridors centered along Palm Beach Boulevard, Ortiz Avenue, Lexington Avenue, and Tice Street that feature high quality, distinct, and visually appealing commercial developments.

POLICY 19.2.1: Maintain and implement commercial and mixed-use land use policies and development regulations that provide for diverse and prosperous employment areas and promote the economic viability of the Tice Historic Community by addressing the following concerns:

- a. Underutilized buildings, shopping centers, and lots;
- b. Uses (e.g.: car lot, pawn shops, and package stores) that are not consistent with the community vision or those that have significant adverse impacts on community character or natural resources;

- c. Lots that have irregular size, depth, building placement, and lack parking, landscaping, and infrastructure facilities;
- d. Landscaping, hardscaping, streetscaping, and lighting features that help unify and add visual appeal to the community;
- e. Transportation resources that connect the Tice Community to the surrounding neighborhoods and greater Lee County region and provide opportunities to walk, bike, ride transit, and drive within and through the Tice Historic Community; and
- f. Transit facilities that link the community's three primary centers—Tice Gateway, Tice Historic Center, and Tice Billy's Creek Commerce Center— and provide for the specific needs of the area's workforce.

POLICY 19.2.2: Commercial developments within the Tice Historic Community, particularly those located within the three mixed-use centers—Tice Gateway, Tice Historic Center, and Tice Billy's Creek Commerce Center—, will be designed as to support a walkable, multimodal community with transportation facilities that provide for the needs of pedestrians, cyclists, transit riders, and drivers by providing:

- a. Interconnection of adjacent commercial uses in order to minimize vehicular access points on primary road corridors;
- b. Locating parking to the rear of the developments;
- c. Landscape and hardscape features that provide appropriate screening and buffering;
- d. Pedestrian connections such as sidewalks, trails, crosswalks, walkways and entrances, signalized and or lighted crossings, shade, and other pedestrian elements;
- e. Bike facilities such as bike racks, bike lanes, and bike ways; and
- f. Transit resources such as shelters, well serviced transit lines, and intermodal connection facilities.
- g. Improved network connections to Tice Street. Evaluate street extensions connecting Billy's Creek Commerce Center, Alta Vista Lane and Miramar Road.
- h. Intersection improvements along Palm Beach Boulevard, Ortiz Avenue, Lexington Avenue, and Tice Street.

POLICY 18.2.3: Incentivize the development of the area's three mixed-use centers and corridors by implementing regulating plans in accordance with Chapter 32 Compact Communities Code. Features of the regulating plans should include reduced parking standards, decreased open space and set-back requirements, and increased lot coverage.

OBJECTIVE 19.3: TRANSITIONAL USES. To establish transitional use areas between commercial corridors and single family residential neighborhoods.

POLICY 19.3.1: Transitional uses include pedestrian oriented retail uses, commercial offices, day care centers, mid-rise multifamily buildings, live-work units, and accessory apartments.

POLICY 19.3.2: Allow the conversion of single family uses abutting commercial uses that are located along commercial corridors into transitional uses.

POLICY 19.3.3: It is anticipated that transitional uses will coexist with existing single family residences in the transitional use area. Buffer walls are discouraged as vegetative buffers are preferred.

TICE HISTORIC COMMUNITY CHARACTER & LAND USE: RESIDENTIAL

OBJECTIVE 19.4: RESIDENTIAL USES. Support and enhance the residential character of the Tice Historic Community by preserving the historic character of the neighborhoods and improving the quality of life through increased access to parks and open spaces, public and civic facilities, commercial services, and employment centers.

POLICY 19.4.1: Expand multimodal connections as well as the street grid from the Tice Historic Community's residential neighborhoods (including: Morse Shores, Russell Park, South Tice, and Alabama Groves) to the area's commercial and economic areas, mixed use centers, parks, and schools.

POLICY 19.4.2: Provide for an integration of residential, commercial, employment, and public uses and expand the community's housing opportunities through the development of mixed-use plans for the Tice Gateway, Tice-Historic Center, and Tice Billy's Creek Commerce Center. Such plans are to be developed consistent with Chapter 32, Compact Communities Code and other established mixed use guidelines.

POLICY 19.4.3: The Tice Historic Community will work with Lee County to continually improve the overall maintenance of the housing stock through continued code and law enforcement.

TICE HISTORIC COMMUNITY PUBLIC FACILITIES & SERVICES

OBJECTIVE 19.5: COMMUNITY FACILITIES. Lee County will work with the Tice Historic Community to provide or facilitate the provision of a broad mix of community facilities including parks, utilities and infrastructure, and transportation.

POLICY 19.5.1: Community facilities in the Tice Historic Community will be located and designed to promote an economically vibrant, mixed use, and interconnected multimodal urban community. Public facilities, such as stormwater, transportation facilities, public spaces, and other utilities, in the community's mixed use centers will be developed to meet the unique needs and demands of such areas.

POLICY 19.5.2: The Tice Historic Community will work with Lee County to ensure that the development of parks and open spaces are integrated into the surrounding neighborhoods. The concept would be for parks to act as anchors for neighborhoods, and connect to other open space and recreational opportunities through pedestrian and bicycle linkages, either along public rights of way or through adjacent neighborhoods.

POLICY 19.5.3: The Tice Historic Community will work with Lee County to maintain the existing waterfront county park and to explore maintenance issues associated with the Russell Park Boat Ramp.

POLICY 19.5.4: The Tice Historic Community will work with Lee County, the State of Florida, and CSX Railroad to use the rail corridor for passenger rail service and, where possible, a system of walking trails, to provide alternate modes of travel linking the community to Bonita Springs in the south and Punta Gorda to the north. Lee County will work with the CSX Railroad and Seminole Gulf Railway to establish a trail within and/or along the rail right of way to enhance community recreational opportunities.

POLICY 19.5.5: Tice Historic Community will work with Lee County and the MPO to plan, implement, and fund a system of pedestrian and bicycle ways, greenways and trails, that provide safe and convenient access to employment, recreational, shopping, and health care services within and external to the community.

POLICY 19.5.6: Improve mobility within the Tice Historic Community by expanding and maintaining the area's multimodal transportations system. Enhancements will include improved Lee Tran stops and services.

pedestrian and bicycle routes, and intermodal connections to schools, shopping, employment areas, and residential neighborhoods.

POLICY 19.5.7: Lee County will work with the Tice Historic Community to implement complete streets with safe and convenient bicycle and pedestrian facilities. The community has placed a priority on improved sidewalks, bicycle lanes, pedestrian crossings, transit pull out areas and parallel parking on Ortiz Avenue north from Ballard Road to Palm Beach Boulevard. Regional transportation improvements on Palm Beach Boulevard, Ortiz Avenue, Tice Street, Lexington Avenue, Miramar Road, and Nuna Avenue will be evaluated during the MPO 2040 Long Range Transportation Plan process.

Community Alternative Language: POLICY 19.5.7 Lee County will work with the communities along Ortiz Avenue to implement an improved 2 lane cross section of Ortiz north of Ballard to Palm Beach Boulevard that is designed as a “complete street” with sidewalks and bike lanes, pedestrian crossings, transit pull out areas and parallel parking. Ortiz Avenue north from Ballard to Palm Beach Boulevard will be designed for safe and convenient pedestrian and bicycle access. In the future, Ortiz Avenue north of Ballard may only be widened to a maximum of three lanes.

POLICY 19.5.8: Lee County will work with the communities along Ortiz Avenue to evaluate, design and build a linear park system or greenway on the west side of Ortiz. The linear park should include shade trees, a meandering multiuse path, benches and other outdoor furniture and displays to highlight and improve the character of the area.

Community Alternative Language: POLICY 19.5.8 The Tice community will work with Lee County to evaluate, design and build a greenway on the west side of Ortiz Avenue. The greenway should include a bio-swale detention system and should also include shade trees, a meandering multiuse path, benches and other outdoor furniture and displays to highlight and improve the character of the area.

TICE HISTORIC COMMUNITY INTERLOCAL COOPERATION

OBJECTIVE 19.6: INTERLOCAL COOPERATION. Lee County will coordinate activities and work with the City of Fort Myers and the Florida Department of Transportation to enable and promote effective redevelopment activities within the Tice Historic Community.

POLICY 19.6.1: Lee County will work with the City of Fort Myers within the Tice Historic Community to:

- a. Encourage a better integrated development pattern that connects the community’s neighborhoods, commercial and economic areas, parks, schools, and natural areas;
- b. Promote the redevelopment of Palm Beach Boulevard;
- c. Provide for the area’s park and educational needs;
- d. Maintain and expand the area’s multimodal transportation network and street grid; and
- e. The county and city will utilize interlocal agreements as necessary.

POLICY 19.6.2: Promote the use of Palm Beach Boulevard as the “Gateway” to Fort Myers through a collaborative effort of the Tice Historic Community, Lee County, City of Fort Myers, and Florida Department of Transportation. Aesthetic and safety improvements will include:

- a. Road improvements such as striped cross walks, round-a-bouts; improved lighting; and reductions in lanes
- b. Bicycle and pedestrian improvements that better link the corridor to the surrounding neighborhoods; and

- c. Landscaping, hardscaping, signage and other community character elements;
- d. Building placement, pedestrian entranceways, and other physical design features; and
- e. Access to commercial businesses and neighborhood streets through connectivity improvements.

ADDITIONAL GOALS AND POLICIES

BURNT STORE MARINA VILLAGE FUTURE LAND USE CATEGORY

GOAL 20: BURNT STORE MARINA VILLAGE. To promote redevelopment that enhances the existing character of the Burnt Store Marina project, protects natural resources, and provides continuing public access to the water via boat ramps and docks while managing the location and intensity of future commercial, residential and commercial marina uses by establishing realistic aesthetic requirements designed to allow Burnt Store Marina Village the ability to develop as a community center. ~~(Added by Ordinance No. 09-16)~~ **(Formerly Goal 30)**

OBJECTIVE 20.1: The Burnt Store Marina Village is intended to encourage and facilitate redevelopment of the existing marina and commercial area located internal to the Burnt Store Marina project with an attractive mix of residential, marine, retail, hotel and office uses designed to enhance and protect the public use of, and access to, the waterfront and marina. Development of commercial retail, hotels, general office and marina related uses will predominate in the Burnt Store Marina Village. Limited residential and commercial marina uses are also permitted to facilitate the proper development mix to allow integration of the Burnt Store Marina Village into the overall Burnt Store Marina project. ~~(Added by Ordinance No. 09-16)~~ **(Formerly Objective 30.1)**

POLICY 20:1.1: The Burnt Store Marina Village area provides for the redevelopment that enhances the existing character of the Burnt Store Marina project, protects natural resources, and provides continuing public access to the water via boat ramps and docks while managing the location and intensity of future commercial, residential and commercial marina uses by establishing realistic aesthetic requirements designed to allow Burnt Store Marina Village the ability to develop as a community center. The following uses are permitted within the Burnt Store Marina Village category; a maximum of 55,000 square feet of retail uses; a maximum of 1,325 wet and dry spaces; a maximum of 15,000 square feet of office space; a maximum of 145 hotel units; and a maximum of 160 residential units. ~~(Added by Ordinance No. 09-16)~~ **(Formerly Policy 1.7.12)**

POLICY 20.1.2: The following uses are permitted within the Burnt Store Marina Village category; a maximum of 55,000 square feet of retail uses; a maximum of 525 wet slips; a maximum of 800 dry storage spaces; a maximum of 15,000 square feet of office space; a maximum of 145 hotel units; and a maximum of 160 residential units. A maximum height of 220 feet is permitted if multiple layers of parking are incorporated into the structures. ~~(Added by Ordinance No. 09-16)~~ **(Formerly Policy 30.1.1)**

POLICY 20.1.3: Redevelopment of any uses within the Burnt Store Marina Village must be accomplished through the Planned Development rezoning process in order to properly accommodate existing conditions, the proposed redevelopment plan, prevent adverse impacts to the surrounding areas and to ensure that appropriate site development regulations are incorporated into the development plans. Development in this future land use category is not required to comply with the site location criteria ~~provided in Goal 6~~ if appropriate site development regulations are adopted into the planned development. New development in this category must

connect to a potable water and sanitary sewer system. ~~(Added by Ordinance No. 09-16)~~ **(Edited) (Formerly Policy 30.1.2)**

POLICY 20.1.4: Lee County will cooperate with private developer efforts to create an identity for the Burnt Store Marina Village through unified architectural quality and creative site design that enhances the waterfront community and consists of scenic views, buildings with varying roof lines, open space, a pedestrian and neighborhood oriented activity center and enhanced buffering requirements. ~~(Added by Ordinance No. 09-16)~~ **(Formerly Policy 30.1.3)**

POLICY 20.1.5: Lee County will work in conjunction with private developers to reserve existing marina facilities with on or off-site public parking spaces for vehicles and trailers and access for the benefit of the public. ~~(Added by Ordinance No. 09-16)~~ **(Formerly Policy 30.1.4)**

POLICY 20.1.6: The residential and hotel development portions of this redevelopment project must be located outside of the designated Coastal High Hazard Area in accordance with Lee Plan Map _____. ~~(Added by Ordinance No. 09-16)~~ **(Formerly Policy 30.1.5)**

PRIVATE RECREATIONAL FACILITIES IN THE DR/GR

GOAL 21: PRIVATE RECREATIONAL FACILITIES IN THE DR/GR. To ensure that the development of Private Recreational Facilities in the DR/GR areas is compatible with the intent of this Future Land Use category, including recharge to aquifers, development of future wellfields and the reduction of density. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Goal 16)**

OBJECTIVE 21.1: To ensure that Private Recreation Facilities are located in the most appropriate areas within the DR/GR future land use category. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Objective 16.1)**

POLICY 21.1.1: The Private Recreation Facilities Overlay Map, Map 4____, shows those locations that are appropriate for the development of Private Recreation Facilities in the DR/GR area. The areas depicted on Map 4____ are consistent with the application of the following locational criteria:

1. Located outside of those areas designated for public acquisition through the Florida Conservation and Recreational Land Program (C.A.R.L.), the Corkscrew Regional Ecosystem Water Trust (C.R.E.W.), the South Florida Water Management District's Save Our Rivers Program, and the County's 2020 Conservation Program;
2. Located in areas characterized as predominantly impacted with agricultural, mining or other permitted uses;
3. Located outside of areas depicted as 100 Year Flood Plains, as illustrated on Map 9 ____ of the Lee Plan, as amended through June of 1998;
4. Located to minimize impact on "Hot Spots of Biological Resources and Rare Species Occurrence Records," from the Florida Game and Freshwater Fish Commission's, "Closing the Gaps in Florida Wildlife Habitat Conservation System" published in 1994;
5. Located in areas characterized by large lot single or limited ownership patterns; and,

6. Located in areas with direct access to existing roadways. ~~(Added by Ordinance No. 99-16)~~
(Formerly Policy 16.1.1)

POLICY 21.1.2: Private Recreational Facilities within the DR/GR land use category will only be allowed, subject to the other requirements of this Goal, in the areas depicted on Map 4_____, Private Recreational Facilities Overlay Map. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.1.2)**

OBJECTIVE 21.2: GROWTH MANAGEMENT. Development of Private Recreation Facilities in the DR/GR areas must be consistent with the growth management principles and practices as provided in the following policies. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Objective 21.2)**

POLICY 21.2.1: PRIVATE RECREATION FACILITY PLANNED DEVELOPMENT. ~~By the end of December, 2000,~~ Lee County will amend the Lee County Land Development Code (LDC) to include provisions for a new Private Recreation Facilities Planned Development zoning category. All Private Recreational Facilities proposed within the Density Reduction Groundwater Resource land use category must be reviewed as a Development of County Impact, Private Recreation Facilities Planned Development. ~~(Added by Ordinance No. 99-16)~~ **(Modified)(Formerly Policy 16.2.1)**

POLICY 21.2.2: Approved Private Recreation Facilities Planned Developments will automatically expire, reverting to the original zoning category, if a Lee County Development Order is not obtained within five (5) years of zoning approval. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.1.2)**

POLICY 21.2.3: RESIDENTIAL USES PRECLUDED. Residential uses, other than a single bonafide caretaker's residence or a resident manager's unit, or those uses as listed in Policy 21.2.6 are not permitted in conjunction with a Private Recreational Facility Planned Development. Residential density associated with land zoned as Private Recreational Facility will be extinguished and cannot be transferred, clustered or otherwise assigned to any property. ~~(Added by Ordinance No. 99-16, Amended by Ordinance No. 10-21)~~ **(Formerly Policy 16.2.3)**

POLICY 21.2.4: Further, the approval of Private Recreational Facilities on any property within the DR/GR will not be considered as justification for approving an amendment to the Future Land Use Map series which would increase residential density in the DR/GR areas. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.2.4)**

POLICY 21.2.5: The boundaries of the Private Recreational Facility Planned Development may not be designed to allow out-parcels or enclaves of residential units to be integrated into the golf course perimeter, except as allowed in Policy 21.2.6. ~~(Added by Ordinance No. 99-16, Amended by Ordinance No. 10-21)~~ **(Formerly Policy 16.2.5)**

POLICY 21.2.6: Time share, fractional ownership units (meaning any dwelling unit for which ownership is shared among multiple entities for the primary purpose of creating short-term use or rental units rather than permanent full time residential units), and Bed and Breakfast establishments may be permitted if the property is included on Map 47 ____ as Rural Golf Course Residential Overlay area. These uses must be ancillary to or in conjunction with uses within the Private Recreational Facility, including a Golf Training Center or similar facility and must be located adjacent to, or within 1,000 feet of, the principal use that is being supported. Through the PRFPD process, the applicant must demonstrate that external vehicular trips will be

reduced from typical single-family residential units due to the ancillary nature of the use. ~~(Added by Ordinance No. 10-43)~~ **(Formerly Policy 16.2.6)**

POLICY 21.2.7: Time share, fractional ownership units, or Bed and Breakfast establishments will only be permitted in a designated Rural Golf Residential Overlay area as specified on Map 47 ____ and may only be constructed through transferring density in accordance with Policy 12.3.2(1). Each TDR credit that is eligible to be transferred to a Mixed-Use Community on Map 47 ____ can be redeemed for one timeshare unit, one fractional ownership unit, or two Bed and Breakfast bedrooms. ~~(Added by Ordinance No. 10-43)~~ **(Formerly Policy 16.2.7)**

POLICY 21.2.8: Private Recreational Facilities must have adequate fire protection, transportation facilities, wastewater treatment and water supply, and provided further that they have no adverse effects such as dust, noise, lighting, or odor on surrounding land uses and natural resources. ~~(Added by Ordinance No. 99-16, Renumbered by Ordinance No. 10-43)~~ **(Formerly Policy 16.2.8)**

POLICY 21.2.9: Private Recreational Facilities within the DR/GR may only be located in the areas depicted on the Private Recreational Facilities Map, Map _____. ~~(Added by Ordinance No. 99-16, Renumbered by Ordinance No. 10-43)~~ **(Formerly Policy 16.2.9)**

POLICY 21.2.10: Applications for Private Recreational Facility development will be reviewed and evaluated as to their impacts on, and will not negatively affect, any adjacent, existing agricultural, mining or conservation activities. ~~(Added by Ordinance No. 99-16, Renumbered by Ordinance No. 10-43)~~ **(Formerly Policy 16.2.10)**

POLICY 21.2.11: Applications for Private Recreational Facility development will be reviewed and evaluated as to their impacts on, and must be compatible with any adjacent publicly owned lands. ~~(Added by Ordinance No. 99-16, Renumbered by Ordinance No. 10-43)~~ **(Formerly Policy 16.2.11)**

POLICY 21.2.12: ~~During the 2010 comprehensive plan Evaluation and Appraisal Report process~~ The County will conduct a comprehensive evaluation of the impacts of Private Recreation Facilities on surface and groundwater quality and quantity. Recommendations from this evaluation will then be incorporated into the Lee Plan. ~~(Added by Ordinance No. 99-16, Renumbered by Ordinance No. 10-43)~~ **(Modified) (Formerly Policy 16.2.12)**

OBJECTIVE 21.3: GENERAL DEVELOPMENT REGULATIONS. The protection of water quality, quantity, natural resources, and compatibility will be addressed by additional development controls that regulate the permitted uses, parcel size, density, intensity and design of Private Recreational Facilities. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Objective 16.3)**

POLICY 21.3.1: Private Recreational Facilities will submit a Master Concept Plan at the time of Planned Development submittal that identifies the general location of proposed uses and structures, play fields and golf course routings. Minor adjustments to this Master Concept Plan may be made administratively at the discretion of the Director. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.3.1)**

POLICY 16.3.2: Applications for Private Recreational Facilities must include an environmental assessment during the zoning approval process. The assessment must include, at a minimum, an analysis of the

environment, historical and natural resources and a protected species survey as required by chapter 10 of the LDC. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.3.2)**

POLICY 21.3.3: In addition to an environmental assessment, the applicant must demonstrate compatibility with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.3.3)**

POLICY 21.3.4: The development will incorporate an Integrated Pest Management program for any managed recreational areas. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.3.4)**

POLICY 21.3.5: Where buildings or impervious development is located within twenty-five feet of the property boundary, a buffer 15 feet wide, with 5 trees per 100 linear feet, and a solid double row hedge must be provided, unless a more restrictive buffer is required during the Planned Development Review. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.3.5)**

POLICY 21.3.6: No illumination may be used which creates glare on adjacent properties. All exterior lighting will be designed with downward deflectors to eliminate skyward glare. Parking areas, walkways and paths and maintenance areas may be illuminated for security purposes, provided that light poles do not exceed twelve feet in height. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.3.6)**

POLICY 21.3.7: Native and xeriscape vegetation will be encouraged, such that:

1. 100% of all required trees and 75% of all additional trees must be native.
2. 80% of all required shrubs and 50% of all additional shrubs must be native.
3. A minimum of 70% of all trees and shrubs must be xeriscape varieties.
4. The native and xeriscape requirements do not apply to turf areas.
5. No plant species included in the Florida Exotic Pest Plant Council, 1999 List of Florida's Most Invasive Species, will be planted. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.3.7)**

POLICY 21.3.8: The following site requirements, regulating lot size, setbacks and open space must be equaled or exceeded:

1. Principal uses, other than golf courses, and the ancillary uses listed in Policy 21.2.6, permitted under this subdivision must have a minimum lot size of ten acres.
2. Building Setbacks.
 - a. Fifty (50) feet from an existing right-of-way line or easement.
 - b. Seventy-five (75) feet from any private property line under separate ownership and used for residential dwellings.
 - c. Fifty (50) feet from any adjacent agricultural or mining operation.

- d. Greater setbacks may be required during the Public Hearing process to address unique site conditions.
3. Setbacks for accessory buildings or structures. All setbacks for accessory buildings or structures must be shown on the Master Concept Plan required as part of the Planned Development application. No maintenance area or outdoor storage area, irrigation pump or delivery area may be located less than 500 feet from any existing or future residential use, as measured from the edge of the above-listed area to the property line of the residential use. For purposes of this policy, any property that is 10 acres or less in size and is zoned to permit dwelling units will be considered a future residential property. Properties larger than 10 acres may be considered future residential based on the property's size, the ownership pattern of properties in the surrounding area, and the use, zoning and size of surrounding properties. To allow flexibility, the general area of any accessory buildings, structures and maintenance areas must be shown on the site plan with the appropriate setbacks as noted in this subsection listed as criteria for the final placement of these buildings, structures or facilities.

In addition to the other standards outlined in this policy, any maintenance area or outdoor storage area, irrigation pump or delivery area must meet one of the following standards:

- a. be located 500 feet or more from any property line abutting an existing or planned public right-of-way; or
 - b. provide visual screening around such facilities, that provides complete opacity, so that the facilities are not visible from any public right-of-way; or
 - c. be located within a structure that meets or exceeds the current Lee County architectural standards for commercial structures.
4. Open Space. A minimum of 85% open space must be provided. However, natural and man-made bodies of water may contribute 100% to achieving the minimum requirements. To the extent possible, pervious paving and parking areas, and buildings elevated above ground level will exceed the 85% open space requirement.
 5. Security. All entrances to Private Recreational Facilities must be restricted from public access during non-use hours. ~~(Added by Ordinance No. 99-16, Amended by Ordinance No. 02-04, 10-21)~~ **(Formerly Policy 16.3.8)**

POLICY 21.3.9: Density/Intensity Limitations proposed uses are subject to the following limitations:

Clubhouse/Administrative Area:	20,000 SF/18 hole golf course.
Golf Course Restrooms:	Not to exceed two structures per 18-hole golf course, limited to 150 square feet per structure.
Maintenance Area:	Not to exceed 25,000 SF of enclosed or semi-enclosed building area, on a maximum of 5 acres of land per 18 hole golf course.
Fractional Ownership/ Time-share Units:	The maximum allowable units will be calculated based on 1 du/10 acres for the entire area of the PRFPD. All timeshare/fractional ownership units must be transferred in accordance with Policy 33.3.3(1).
Bed and Breakfast Establishments:	The maximum number of Bed and Breakfast Establishments will be limited to 1 per every 18 holes of golf. Bedrooms within a Bed and Breakfast Establishment will be limited to a maximum of 7 per unit, with a maximum of two adult occupants per bedroom.
Horse Stable:	40,000 SF of Stable Building/10 acres.
Camping Restrooms:	1 toilet per four (4) camp units, clustered in structures not to exceed 500 square feet per structure. 1 shower per 4 toilets.
Camping Area Office:	1,000 SF per campground.

(Added by Ordinance No. 99-16, Amended by Ordinance No. 02-02, 10-21) ~~(Formerly Policy 16.3.9)~~

OBJECTIVE 21.4: WATER QUALITY, QUANTITY, AND SURFACE WATER RESOURCES.

Private Recreational Facilities must be located, designed and operated in such a way that they will not degrade the ambient surface or groundwater quality. These facilities must be located, designed and operated in such a way that they will not adversely impact the County's existing and future water supply. The location, design and operation of Private Recreational Facilities must maintain or improve the storage and distribution of surface water resources. ~~(Added by Ordinance No. 99-16)~~ ~~(Formerly Objective 16.4)~~

POLICY 21.4.1: All applications and documentation for the planned development rezoning process must be submitted to the Lee County Division of Natural Resources for their formal review and comment. The Division of Natural Resources Director must make a formal finding that the proposed uses will not have negative impacts on present and future water quality and quantity, and will review and approve modeling submitted to support the Planned Development. Applicant modeling efforts must be evaluated and approved by the Lee County Division of Natural Resources and the Lee County Utilities Division. Issues of well locations, easements and wastewater re-use must be evaluated and approved by the Lee County Division of

Natural Resources and the Lee County Utilities Division during the Planned Development process. Formal agreements addressing these issues will be entered into prior to the issuance of a Development Order. Co-location of recreational and public facilities is encouraged. ~~(Added by Ordinance No. 99-16, Amended by Ordinance No. 03-04).~~ **(Formerly Policy 16.4.1)**

POLICY 21.4.2: Applications for Private Recreational Facilities in or near existing and proposed wellfields must be designed to minimize the possibility of contamination of the groundwater during construction and operation. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.4.2)**

POLICY 21.4.3: Private Recreational Facilities must provide a monitoring program to measure impacts to surface and groundwater quality and quantity (see Objective 21.7). ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.4.3)**

POLICY 21.4.4: As part of a rezoning request for a Private Recreational Facility in the DR/GR area, a pre-development groundwater and surface water analysis must be conducted and submitted to the County. This analysis is intended to establish baseline data for groundwater and surface water monitoring for the project area. The analysis must be designed to identify those nutrients and chemicals which are anticipated to be associated with the project. Prior to the applicant commencing this baseline study, the methodology of the study must be submitted for review, comment, and approval by the County. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.4.4)**

POLICY 21.4.5: Any "Private Recreational Facility" located in any wellfield protection zone must meet the requirements/criteria for protection zone 1, unless updated modeling is provided by the applicant and is approved by Lee County Division of Natural Resources and the Lee County Utilities Division. ~~(Added by Ordinance No. 99-16, Amended by Ordinance No. 03-04)~~ **(Formerly Policy 16.4.5)**

POLICY 21.4.6: The surface water management system design must incorporate natural flowway corridors, cypress heads, natural lakes, and restore impacted natural flowway corridors.

1. Stormwater run-off must be pre-treated through an acceptable recreated natural system or dry retention and water retention system, prior to discharging the run-off into existing lake or wetland (any aquatic) systems. Included within these systems must be an average 50 foot wide vegetative setback measured from the edge of managed turf to the wetland jurisdictional wetland line or top of bank of natural water bodies.
2. The development must maintain the function and integrity of local and regional flowways. Flowways are precluded from being primary surface water treatment areas. Applications for Private Recreational Facilities must demonstrate adequate hydraulic capacity without increasing flood levels. Private Recreational Facilities must participate in the implementation of the Lee County Surface Water Management Plan as well as the South Florida Water Management District's South Lee County Watershed Plan.
3. The Historic Flowway Aerial Map depicts the general flowway paths that exist in the DR/GR area. The lines shown on this map are not regulatory but show the general boundaries of the main conveyances. During the rezoning process, conceptual surface water management plans must be submitted and approved. Prior to the issuance of a Development Order, proposed Private

Recreation Facilities will provide detailed hydrologic and hydraulic analysis demonstrating the limits of flow for various storm events and the developed sites ability to convey these flows. Where an existing flowway is not well defined or discontinuous, flexibility will be given to allow different alignments within a site. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.4.6)**

POLICY 21.4.7: Any Private Recreational Facilities proposed within the DR/GR land use category must cooperate with Lee County and SFWMD in implementing an overall surface water management plan as outlined in ~~Objective 60.2 and 117.1~~ Objective 5.1 of the Community Facilities Element and Policy 2.1.1 of the Conservation and Coastal Management Element. Compliance with these Policies must be demonstrated during Development Order approval. ~~(Added by Ordinance No. 99-16)~~ **(Modified) (Formerly Policy 16.4.7)**

POLICY 21.4.8: If a proposed Private Recreation Facilities falls within an area identified as an anticipated drawdown zone for existing or future public well development, the project must utilize an alternative water supply such as reuse or withdrawal from a different non-competing aquifer or show that adequate supply is available in excess of that being used for planned public water supply development. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.4.8)**

OBJECTIVE 21.5: WILDLIFE. The location, design and operation of Private Recreational Facilities will incorporate preservation and/or management activities that restrict the unnecessary loss of wildlife habitat or impact on protected species, species of special concern, threatened or endangered species. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Objective 16.5)**

POLICY 21.5.1: The development will not have an adverse impact on any existing, viable on-site occupied wildlife habitat for protected species, species of special concern, threatened or endangered species. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.5.1)**

POLICY 21.5.2: All proposed fencing must be designed to permit wide-ranging animals to traverse the site. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.5.2)**

POLICY 21.5.3: Through the development review process, Private Recreation Facilities will be designed and operated to conserve critical habitat of protected species. This will be accomplished through regulation, incentives and public acquisition. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.5.3)**

OBJECTIVE 21.6: NATURAL RESOURCES. Private Recreational Facilities must be located, designed and operated to minimize environmental impacts, and where appropriate, protect, enhance and manage natural resources such as flowways, waterways, wetlands, natural water bodies, and indigenous uplands. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Objective 16.6)**

POLICY 21.6.1: All retained onsite natural areas, must be perpetually managed by the owner(s), or their assignees, with accepted Best Management Practices. The type of management techniques will be determined by the specific plant community. A natural area land management plan must be submitted to the Lee County Division of Planning prior to the approval of a final local development order. Management techniques addressed in the plan must include, but not be limited to the following:

- Exotic pest plant control;
- Removal of any trash and debris;
- Restoration of appropriate hydrology;

- Prescribed fire;
- Native plant restoration, where appropriate;
- Discussion of flora and fauna;
- Enhancement of wildlife habitat; and,
- Retention of dead trees and snags. (~~Added by Ordinance No. 99-16~~)—(Formerly Policy 16.6.1)

POLICY 21.6.2: The development will minimize adverse effects on wetlands and riparian areas; and will result in no net reduction in functional wetland acreage as identified by the South Florida Water Management District Wetland Rapid Assessment Procedure (WRAP). (~~Added by Ordinance No. 99-16~~)—(Formerly Policy 16.6.2)

POLICY 21.6.3: Private Recreational Facilities must be designed to preserve a minimum of 50% of on-site, indigenous native upland habitat. (~~Added by Ordinance No. 99-16~~)—(Formerly Policy 16.6.3)

POLICY 21.6.4: The development will incorporate energy and resource conservation devices, such as low flow water fixtures, and natural skylights. (~~Added by Ordinance No. 99-16~~)—(Formerly Policy 16.6.4)

OBJECTIVE 21.7: MONITORING AND ENFORCEMENT. In order to ensure that Private Recreational Facilities do not degrade the ambient condition of water quality, water quantity, vegetation and wildlife, an ongoing monitoring program must be established by the developer. (~~Added by Ordinance No. 99-16~~)—(Formerly Objective 16.7)

POLICY 21.7.1: Annual surface water and groundwater monitoring must continue in perpetuity. The monitoring requirements will be established utilizing those nutrients and chemicals that are anticipated to be associated with the proposed project that were identified by the pre-development groundwater and surface water analysis required by Policy 21.4.4. This surface and groundwater monitoring is to be conducted, at a minimum, on a quarterly basis by a qualified third party. This monitoring data must be submitted to the County as soon as it is available. A summary report of this monitoring effort must be provided annually to Lee County Division of Natural Resources for their review. (~~Added by Ordinance No. 99-16~~)—(Formerly Policy 16.7.1)

POLICY 21.7.2: If surface and/or groundwater monitoring shows degradation of water quality the County will notify the property owner that a plan, to correct the identified problem(s), must be submitted. The property owner must submit a plan of action within 30 days after receipt of written notice from the County. The plan must identify actions that will correct the problem(s) within the shortest possible time frame. This plan will be reviewed and must be found to be acceptable by the County. If the plan is not submitted as required, or is found to be unacceptable by the County, the County will require that all activities on the property cease until a plan is submitted and approved. The approved plan must be implemented by the property owner. If the County determines that the approved plan is not being implemented properly, the County can require that all activities on the property cease until the property owner comes back into compliance. (~~Added by Ordinance No. 99-16~~)—(Formerly Policy 16.7.2)

POLICY 21.7.3: The approved Private Recreational Facility must submit an annual monitoring report for a period of five (5) years, addressing the interaction between the use and environment. This report must provide a discussion and documentation on the following activities:

1. Construction Monitoring - the applicant will submit annual reports detailing construction activities, permitting, compliance with Audubon International Signature Standards and percent complete.
2. Land Management Activities - including those used on the golf course, as well as natural and preserve areas.
3. Wildlife Monitoring - the applicant will provide a discussion of wildlife, wildlife activity, and wildlife management activities.
4. Irrigation Monitoring - the applicant will provide a summary of the monthly irrigation withdrawal and irrigation sources.
5. Mitigation/Vegetation Monitoring - the applicant will provide status reports on the viability of any mitigation and/or landscaping conducted on site.
6. Integrated Pest Management Monitoring - the applicant will provide a discussion on the pest management techniques, and any pest problems that have occurred on the project.

Should adverse impacts in any of the above areas be identified, enforcement and mitigation will be provided through the appropriate regulatory agency and enforcement procedures. These procedures will be spelled out during the development order process. If, after five years, no significant adverse impacts are determined, the reporting on these subjects may be terminated. (~~Added by Ordinance No. 99-16~~) **(Formerly Policy 16.7.3)**

OBJECTIVE 21.8: GOLF COURSE PERFORMANCE STANDARDS. The location, design and operation of golf courses located within Private Recreational Facilities will minimize their impacts on natural resources, and incorporate Best Management Practices. A maximum of five (5) 18-hole golf courses, for a total of 90 golf holes, will be permitted through 2035. (~~Added by Ordinance No. 99-16, Amended by Ordinance No. 10-21~~) **(Formerly Objective 16.8)**

POLICY 21.8.1: Natural waterways located on the site of a proposed golf course must be left in a natural, unaltered condition. Channelization will not be performed. (~~Added by Ordinance No. 99-16~~) **(Formerly Policy 16.8.1)**

POLICY 21.8.2: An applicant must demonstrate, prior to the issuance of a local development order, that a golf course is designed to minimize adverse effects to waters and riparian areas through the use of such practices as integrated pest management, adequate stormwater management facilities, vegetated buffers, reduced fertilizer use, etc. The facility must have an adequate water quality management plan, such as a stormwater management facility constructed in uplands to ensure that the recreational facility results in no substantial adverse effect to water quality. (~~Added by Ordinance No. 99-16~~) **(Formerly Policy 16.8.2)**

POLICY 21.8.3: If a waterway crossing is necessary, then it must be designed to minimize the removal of trees and other shading vegetation. Any crossings of existing natural flowways and water bodies must be bridged. Created or restored flowways and water bodies may be crossed by bridges or culverts or a combination as approved by Lee County and the South Florida Water Management District. (~~Added by Ordinance No. 99-16~~) **(Formerly Policy 16.8.3)**

POLICY 21.8.4: Waterway crossings by cart paths will be constructed of permeable material, no wider than 8-feet, and placed on pilings from edge of floodplain to edge of floodplain. ~~(Added by Ordinance No. 99-16)~~
(Formerly Policy 16.8.4)

POLICY 21.8.5: A new lake or pond should not be located within an existing natural waterway. Upland ponds must not expose stream channels to an increase in either the rate or duration of floodwater, unless required by the South Florida Water Management District for regional water management objectives. ~~(Added by Ordinance No. 99-16)~~
(Formerly Policy 16.8.5)

POLICY 21.8.6: For golf course developments, all fairways, greens, and tees must be elevated above the 25 year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be pre-treated prior to discharge into the balance of the project's water management system. ~~(Added by Ordinance No. 99-16)~~
(Formerly Policy 16.8.6)

POLICY 21.8.7: Where a golf course is proposed, it must comply with the Best Management Practices for Golf Course Maintenance Departments, prepared by the Florida Department of Environmental Protection, May 1995. ~~(Added by Ordinance No. 99-16)~~
(Formerly Policy 16.8.7)

POLICY 21.8.8: The owners will employ management strategies in and around any golf course to address the potential for pesticide/chemical pollution of the groundwater and surface water receiving areas. The owners will comply with the goals of the Audubon International Signature Program for Golf Courses. The management practices include:

1. The use of slow release fertilizers and/or carefully managed fertilizer applications.
2. The practice of integrated pest management when seeking to control various pests, such as weeds, insects, and nematodes. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad-spectrum pesticides is not acceptable. The management program will minimize, to the extent possible, the use of pesticides, and will include the use of the USDA-SCS Soil Pesticide Interaction Guide to select pesticides for uses that have a minimum potential for leaching or loss due to runoff depending on site specific soil conditions. Application of pesticides within 100 feet of any CREW, or other adjacent public preserve lands, is prohibited.
3. The coordination of the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any applied pesticides and nutrients.
4. The utilization of a golf course manager who is licensed by the State to use restricted pesticides and who will perform the required management functions. ~~(Added by Ordinance No. 99-16)~~
(Formerly Policy 16.8.8)

POLICY 21.8.9: Irrigation systems must utilize computerized irrigation based on weather station information, moisture sensing systems to determine existing soil moisture, evapotranspiration rates, and zone control, to ensure water conservation. For Private Recreation Facilities located outside of the depicted Wellfield Protection zones, re-use water, where available, will be utilized for irrigation. Re-use water within

Wellfield Protection zones must be in compliance with the Wellfield Protection Ordinance. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.8.9)**

POLICY 21.8.10: Golf courses must be designed, constructed, managed and certified in accordance with the Audubon International Signature Program. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.8.10)**

POLICY 21.8.11: It is the landowner(s) responsibility to notify the County within ten (10) working days if the status of certification from Audubon changes from being in full compliance. Failure to do so could result in penalties up to and including revocation of golf course use if it is deemed that the violation(s) are a possible threat to the environment. If the golf course loses its certification from Audubon, then the property owner must submit a plan of action acceptable to the County that will achieve re-certification in the shortest possible time. The plan must be submitted within 30 days after receipt of written notice from the County. If the plan is not submitted as required, then all activity on the property must cease until a plan is submitted and approved. An approved plan must be implemented in good faith by the property owner. If the County determines that the plan is not being implemented properly, then all activity on the property must cease until the property owner comes back into full compliance. ~~(Added by Ordinance No. 99-16)~~ **(Formerly Policy 16.8.11)**

POLICY 21.8.12: GOLF SITE REQUIREMENTS.

1. The minimum number of golf holes is 18. The minimum size for an 18 hole golf course is 150 acres. In no instance may the golf course impacts exceed 150 acres per 18 holes. Allowable uses within the impact area are greens, tees, fairways, clubhouses, maintenance facilities, cart and pedestrian pathways, parking areas, i.e. all associated support uses.
2. Two hundred (200) acres of indigenous vegetation preserve is required for every 18 holes. The indigenous vegetation preserve requirement may be provided on-site or off-site. On-site preserves must be a minimum of 1-acre in size; minimum 75-foot wide with an average 100-foot width. Indigenous vegetation preserved on site may utilize a two to one (2:1) credit on a sliding scale based on minimum acreage and width criteria to be included in the Land Development Code. However, the indigenous vegetation preserve requirement must be met with a minimum of one hundred (100) actual indigenous acres onsite. Indigenous vegetation preservation requirements must be met outside of the 150 acre golf course impact area.
3. All off-site indigenous vegetation preserves must be located within the DR/GR areas. Unless located within or adjacent to existing or designated public acquisition areas, the minimum parcel size is fifty (50) indigenous acres.
4. The off-site indigenous vegetation preserves must include a management plan that is approved as part of the Planned Development rezoning. This management plan must include invasive exotic vegetation removal with perpetual management. This does not preclude the transfer of the property to a public entity as long as perpetual maintenance is guaranteed.

5. Additional golf development must be in increments of 9 golf holes. For every additional 9 golf holes, the site area must be increased by 75 acres. Additional golf course impacts are limited to 75 acres per nine holes. The on-site or off-site indigenous preserve area must be increased by 100 acres for each nine holes and is subject to the restrictions above. (~~Added by Ordinance No. 99-16, Amended by Ordinance No. 02-02~~) **(Formerly Policy 16.8.12)**

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