



**LOCAL PLANNING AGENCY
OLD LEE COUNTY COURTHOUSE
2120 MAIN STREET, FORT MYERS, FL 33901
BOARD CHAMBERS**

**MONDAY, MARCH 25, 2013
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 28, 2013
5. Sunshine Law Presentation
6. [2012/2013 Land Development Code Amendments](#)
7. New Horizon 2035: Plan Amendments
 - A. [CPA2011-00008 Future Land Use Element](#)
8. Other Business
9. Adjournment – Next Meeting Date: Monday, April 22, 2013

Any person appealing a decision made at this hearing must ensure a record of the proceedings is made. In accordance with the Americans with Disabilities Act, Reasonable Accommodations will be made upon request. If you are in need of a Reasonable Accommodation or would like additional information, please contact Janet Miller at 239-533-8583.

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**CPA2011-08
LAND USE ELEMENT
BOCC SPONSORED
EAR BASED AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

Publicly Sponsored Amendment and Staff Analysis

**LPA Public Hearing Document
For the
March 25, 2013 Public Hearing**

*Lee County Planning Division
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P.O. Box 398
Fort Myers, FL 33902-0398
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March 18, 2013

**STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2011-08**

☒

Text Amendment

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Map Amendment

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

STAFF REPORT PREPARATION DATE: March 15, 2013

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT:

Lee County Board of County Commissioners
Represented by Lee County Division of Planning

2. REQUEST:

Re-title the Future Land Use Element to the Land Use Element and amend the goals, objectives, and policies to incorporate the recommendations of the March 1, 2011 Evaluation and Appraisal Report.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Staff recommends that Local Planning Agency, Community Sustainability Committee, and Horizon Council review, evaluate, and recommend changes to the draft Land Use Element of the Lee Plan as identified in Attachment 1. Staff will utilize the recommended changes to the proposed element to revise the element prior to it being transmitted to the Board of County Commissioners for adoption as part of the Evaluation and Appraisal Report (EAR) based amendments to the comprehensive plan. These

changes will be brought back to the LPA as part of the review of the entire EAR-based plan amendments, which will occur prior to being transmitted to the BoCC. Proposed text revisions within this report have been depicted in strike through underline format.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Board of County Commissioners initiated this plan amendment on March 1, 2011, with the adoption of the Evaluation and Appraisal Report.
- The adopted Evaluation and Appraisal Report found that the updated Lee Plan needed to address element clarity, effectiveness, and redundancies.
- The proposed updated Land Use Element is consistent with the recommendations in the Evaluation and Appraisal Report.
- The proposed amendment meets the statutory requirements of FS 163.3177 for required elements.

C. BACKGROUND INFORMATION

The Evaluation and Appraisal Report recommended that the county amend the Land Use Element to restructure the element, which has been done as follows:

- Intent statement is included to explain the element's purpose and application.
- Goal 1: Land Use unifies the Land Use Map and land use category objectives, and policies into a single goal. Updates to the map and categories are proposed to better distinguish the county's urban, suburban, and rural areas and help encourage mixed-use development.
- Goal 2: Growth Management includes objectives and policies that ensure that development occurs in the appropriate location, and is timed with the provision of adequate public services and infrastructure.
- Goal 3: Development Standards establishes the county's land use and development practices to ensure that the county development pattern supports its adopted planning vision and quality of life.
- Goal 4: Activity Center and Corridors provides practices and incentives that will encourage pedestrian friendly mixed use areas within specific areas of Lee County.

Chapter 163.3177 of the Florida Statutes allows local government to prepare elements that they deem appropriate for their communities. Chapter 163.3177(a) of the Florida Statutes specifically states that:

A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land. ... The element shall establish the long-term end toward which land use programs and activities are ultimately directed.

The amount of land designated for future planned uses shall provide a balance of uses that foster vibrant, viable communities and economic development opportunities and

address outdated development patterns, such as antiquated subdivisions. The amount of land designated for future land uses should allow the operation of real estate markets to provide adequate choice for permanent and seasonal residents and business.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

The creation of this new element is based on the recommendations contained in the Evaluation and Appraisal Report (EAR), New Horizon 2035, which was adopted by the Board of County Commissioners on March 1st, 2011. The EAR provided both general and specific recommendations for the Lee Plan and called for the amendment to the Land Use Element.

General recommendations for the Land Use Element include the following:

- Restructure element to provide a more coordinated presentation of issues and recommendations;
- Strengthen existing land use policies to promote mixed-use developments and foster the use of the Compact Communities Code;
- Clarify existing policies to provide clear expectations for new development and infill/redevelopment;
- Revise/update policies to reinforce distinctions between urban, suburban, and rural land use types; and
- Relocate specific community planning policies to a new Communities Element.

The EAR also included general organizational recommendations. One of these recommendations was to provide a clear overview section in each element that sets the context for the goals, objectives, and policies that follow, in addition to describing the relationships and linkages to other elements in the plan. As the primary element that describes how the county will be developed in the future, this recommendation is central to the development of the Land Use Element as it sets a foundation for how the entire plan will be developed.

Land Use Element:

As recommended in Chapter 4 of the EAR, the Land Use Element has been updated to align goals, objectives, and policies in the element to other elements within the plan, in particular those objectives and policies that address issues related to multi-modal transportation, mixed-use, and infill and redevelopment. In doing so the element clarifies the desired form of new development as well as infill and redevelopment in urban, suburban, and rural areas of the county to ensure the development is consistent with the county's development priorities and supportive of existing neighborhoods. Community goals have also been removed from the new Land Use Element and placed in the Communities Element. As a result of these changes, the Land Use element is more streamlined and easier to understand.

GOALS, OBJECTIVES, AND POLICIES TO BE ADDED

As recommended by the Evaluation and Appraisal Report (EAR) the proposed amendments to the Land Use Element primarily include a reorganization of the existing element to provide a coordinated presentation of issues around specific topics. At the time the EAR was published these topics included Growth Management, Land Use Categories, Development Character and Form, Development Standards and Sustainable Land Use. As Staff has continued to work on the Lee Use Element with all interested parties, the topics evolved into the four goals that are proposed to make up the Land Use Element. These goals include Land Use, Growth Management, Development Standards, and Activity Centers and Corridors.

There are several goals, objectives, and policies that will be moved to the Communities Element, a newly proposed element, in order to provide the recommended coordinated presentation of land use goals. The goals, including subsequent objectives and policies that are proposed to be moved to the Communities Element are as follows:

- Goal 12: San Carlos Island;
- Goal 13: Captiva;
- Goal 14: Greater Pine Island;
- Goal 16: Private Recreational Facilities in the DR/GR;
- Goal 17: Buckingham;
- Goal 18: University Community;
- Goal 19: Estero;
- Goal 20: Bayshore Community;
- Goal 21: Caloosahatchee Shores;
- Goal 22: Boca Grande;
- Goal 23: The Palm Beach Boulevard Corridor;
- Goal 24: Community Planning;
- Goal 25: North Captiva (Upper Captiva);
- Goal 26: Alva;
- Goal 27: Page Park Community;
- Goal 28: North Fort Myers;
- Goal 29: Olga Community;
- Goal 30: Burnt Store Marina Village;
- Goal 31: Destination Resort Mixed Use Water Dependant (DRMUWD);
- Goal 32: Lehigh Acres;
- Goal 33: Southeast Lee County;
- Goal 34: Northeast Lee County Planning Community, and;
- Goal 35: North Olga Community;

In addition Objective 1.2 and Objective 1.9 in the current Lee Plan have been moved to the Transportation Element. These objectives address the Southwest Florida International Airport (Objective 1.2) and Page Field General Aviation Airport (Objective 1.9). There were also policies that addressed procedural requirements that are proposed to be moved to the Procedures

and Administration Element. These include provisions concerning the County's annexation policy, and procedures that are to be followed for EAR based amendments.

The Evaluation and Appraisal Report also included general organizational recommendations. One of these recommendations was to provide a clear overview section in each element that sets the context for the goals, objectives, and policies that follow, in addition to describing the relationships and linkages to other elements in the plan. Therefore, staff recommends that the following paragraph be incorporated as the preamble to the Land Use Element:

The Land Use Element intends to guide new development, infill, and redevelopment efforts through land use practices that support urban, suburban, and rural places; economic development; interconnected transportation and land use projects; land and wetland conservation; and existing neighborhoods. The element's growth management strategies are designed to coordinate the location and timing of development with the provision of infrastructure; public services, and public facilities needs.

Division of Planning staff reviewed the Land Use Element cooperatively with Division of Environmental Sciences, Development Services, the Department of Transportation, Lee County Utilities and the County Attorney's Office.

The goals, objectives and policies of the proposed element are listed in order below with an explanation of the change in *Italics*, where appropriate. The proposed amendments to the goals, objectives and policies are identified in strikethrough (for deletions) and underline (for additions) formatting. The element has been renumbered starting with Goal 1. The former goal, objective, or policy number is identified at the end of the policy where applicable.

Goal 1: Land Use. Goal 1 has been revised to include objectives and policies concerning the county's land use map, land use categories, and special treatment areas. The goal, objectives, and policies will help to ensure that future development is consistent with the county's vision. This goal helps to characterize and guide the type of development by defining Urban, Non-Urban, and General Land Use Areas. Within each of these Land Use Areas are more specific groupings of land use categories, such as Urban Land Use Categories, Suburban Land Use Categories, Economic Development Land Use Categories, and Rural Land Use Categories. Grouping land use categories further helps to define the form of development by relating similar land uses and requirements together as part of a single objective.

The most significant substantive changes to the land use categories is providing for increased density and intensity within the three Urban Land Use Categories (Urban Core, Urban Places, and Urban Neighborhood). The descriptor policies were revised to better support and articulate the intent for these areas to be developed into more active, integrated forms of development. Other revisions made to improve clarity include renaming the land use categories, editing the land use category description, merging similar land use categories together, and moving detailed land development standards to the county's LDC.

GOAL 1: LAND USE. Provide for a wide array of land uses that support mixed-use centers, economic development, defined urban and rural areas, natural resources, and provision of essential public services and facilities. (New Goal)

OBJECTIVE 1.1: LAND USE MAP. Maintain a land use map that defines a structure of urban and non-urban land use areas, establishes a pattern for future development and provides for appropriately located residential densities, and nonresidential intensities. (Map ## and Table 1(a)) (New Objective)

POLICY 1.1.1: Utilize the Land Use Map to identify and distinguish urban and non-urban land use areas within the county as identified in Table 1(b).

- a. Urban Land Use Areas include the county's major development areas and consist of the following land use categories:
 1. Urban Land Use Categories: Urban Core, Urban Places, Urban Neighborhoods;
 2. Suburban Land Use Categories: Suburban Six, Suburban Four, Suburban Two, Coastal Suburban
 3. Economic Development Land Use Categories: Commercial, Industrial/Research Development, Tradeport, Airport Lands, and University Community; and Interchange
- b. Non-Urban Land Use Areas include predominantly rural, agricultural, and conservation areas and consist of the following land use categories:
 1. Rural Land Use Categories: Rural, Rural Community Preserve, Coastal Rural, Outer Islands, Open Lands, and Density Reduction/Groundwater Recharge (DR/GR); and
 2. Conservation Land Use Categories: Conservation Lands Uplands and Conservation Lands Wetlands.
- c. General Land Use Areas may be found in areas throughout the county and consist of the following land use categories:
 1. County-wide Land Use Categories: Public Facilities and Wetlands; and
 2. Place-Based Land Use Categories: Burnt Store Marina and Destination Resort Mixed Use Water Dependent (DRMUWD).

(New Policy)

Land Use Categories	Densities and Intensities			
	Residential Densities and Intensities			Commercial Intensities (Maximum FAR)
	Base	Standard	Incentive	
Urban Core	15 DU/Ac.	25 DU/Ac.	40 DU/Ac.	4.00
Urban Places	8 DU/Ac.	18 DU/Ac.	25 DU/Ac.	2.00
Urban Neighborhood ^{1,2}	4 DU/Ac.	8 DU/Ac.	16 DU/Ac.	1.00
Suburban 6	4 DU/Ac.	6 DU/Ac.	10 DU/Ac.	0.50
Suburban 4	2 DU/Ac.	4 DU/Ac.		0.30
Suburban 2		2 DU/Ac.		0.25
Coastal Suburban		3 DU/Ac.		0.25
Commercial				1.00
Industrial Research Development				1.00
Tradeport				
Airport Lands				See Table ##
University Community	See Land Use Element Policy 1.4.5			
Interchange				
Rural ³		1 DU/Ac.		
Rural Community Preserve		1 DU/Ac.		
Coastal Rural	See Land Use Element Policy 1.5.3			
Outer Islands		1 DU/Ac.		
Open Lands ⁴		1 DU / 10 Ac.	1 DU / 5 Ac.	
Density Reduction/ Groundwater Resource ⁵		1 DU / 10 Ac.		
Conservation Lands - Upland				
Conservation Lands - Wetland				
Public Facilities				
Wetlands		1 DU / 10 Ac.		
Burnt Store Marina Village	See Land Use Element Policy 1.8.2			
Destination Resort Mixed Use Water Dependent	See Land Use Element Policy 1.8.3			

Clarifications and Exceptions:

1. Within the ~~Future Urban Areas~~ Neighborhood land use category in of Pine Island Center, rezonings that will allow in excess of 2 3 dwelling units per gross acre must “acquire” the density above 2 3 dwelling units per gross acre utilizing TDRs that were created from Greater Pine Island Coastal Rural or Greater Pine Island Urban Categories. TDRs that were created from receiving sites outside of Greater Pine Island are not permitted to be transferred into Greater Pine Island.
2. In all cases on Gasparilla Island, the maximum density must not exceed 3 DU/Ac. See also the Gasparilla Island Conservation District Act of 1980, as amended.

3. In the Rural category located in Section 24, Township 43 South, Range 23 East and south of Gator Slough, the maximum density is 1DU/2.25 Ac.
4. The maximum density of 1 unit per 5 acres can only be approved through the planned development process (see Policy 1.4.4), except in the approximately 135 acres of land lying east of US41 and north of Alico Road in the northwest corner of Section 5, Township 46, Range 25.
5. See Policies 33.3.2, 33.3.3, and 33.3.4 and 33.3.5 for potential density adjustments resulting from concentration or transfer of development rights.
6. Overall number of residential dwelling units is limited to 271 units in the Destination Resort Mixed Use Water Dependent district. (MOVE TO COMMUNITIES ELEMENT)
7. The residential dwelling units 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 5. (MOVE TO BURNT STORE LAND USE CATEGORY POLICY)
8. Higher densities may be allowed under the following circumstances where wetlands are preserved on the subject site:
 - (a) If the dwelling units are relocated off-site through the provisions of the Transfer of Development Rights Ordinance (No. 86-18, as amended or replaced); or
 - (b) Dwelling units may be relocated to developable contiguous uplands designated Intensive Development, Central Urban, Urban Community, Suburban, Outlying Suburban, or Sub-Outlying Suburban from preserved freshwater wetlands at the same underlying density as is permitted for those uplands. Impacted wetlands will be calculated at the standard Wetlands density of 1 dwelling unit per 20 acres. Planned Developments or Development Orders approved prior to October 20, 2010 are permitted the density approved prior to the adoption of CPA2008-18. (MOVE TO WETLANDS LAND USE CATEGORY POLICY)
9. Overall average density for the University Village sub-district must not exceed 2.5 du/acre. Clustered densities within the area may reach 15 du/acre to accommodate university housing. (MOVE TO COMMUNITIES ELEMENT)
10. See the glossary in Chapter XII for the full definition of "density."
11. Adherence to minimum densities is not mandatory but is recommended to promote compact development.
12. These maximum densities may be permitted by transferring density from non-contiguous land through the provisions of the Housing Density Bonus Ordinance (No. 89-45, as amended or replaced) and the Transfer of Development Rights Ordinance (No. 86-18, as amended or replaced).
13. Within the Buckingham area, new residential lots must have a minimum of 43,560 square feet.

POLICY 1.1.2: Promote the character of Urban Land Use Areas through planning and development practices that:

- a. Identify and enable incentive density and higher intensity within these Urban and Suburban Land Use Categories -- Urban Core, Central Urban Place, Urban Neighborhoods, and Suburban Six;
- b. Utilize higher range densities in the Urban Land Use categories to promote transit, walkability, complete streets and the integration of mixed uses;
- c. Employ good urban design to foster compatibility and diversity of uses between urban, suburban, and rural places;
- d. Support the development of mixed-use centers within Urban Areas that connect urban and suburban places and support redevelopment of commercial corridors;
- e. Establish a multi-modal transportation that connect Urban Areas with a variety of walk, bike, transit, and vehicular options;
- f. Provide for greater levels of public services, infrastructure, and park resources within Urban Areas; and
- g. Facilitate higher levels of employment and economic activity within the Urban Areas—particularly within mixed-use centers and Urban, Economic Development, and Interstate Highway Land Use Categories.

(New Policy)

POLICY 1.1.3: The existence of lower density developments in proximity to proposed projects within the Urban Areas will not be used as the sole reason to lower the proposed project's density and intensity of use. (New Policy)

POLICY 1.1.4: Retain the character of Non Urban Areas through planning and development practices that:

- a. Identify and evaluate opportunities to sell or transfer development rights from Non Urban Areas within Rural and Conservation Land Use Categories;
- b. Maintain existing low density standards within Non Urban Areas;
- c. Allow for ancillary businesses and uses that support and serve agriculture and farm operations; and
- d. Discourage the expansion of public services, public utilities, and transportation services into Non Urban Areas.

(New Policy)

POLICY 1.1.5: Facilitate the development of urban, suburban, and rural developments through the appropriate assignment of suggested base, standard, and incentive density provisions as follows:

- a. Base Density is the suggested minimum base-line density for a particular land use category based on the expected development form in that area;
- b. Standard Density is the most appropriate maximum density that can be achieved by right in a particular land use category;
- c. Incentive Density is additional density that may be provided in exchange for meeting specific land use and development goals within the following land use categories: Urban Core, Urban Places, Urban Neighborhoods, and Suburban Six; and
- d. Incentive density does not apply to any islands or to Greater Pine Island

(New Policy)

POLICY 1.1.6: Incentive Density Units are used to provide additional development rights within the Urban Core, Urban Places, Urban Neighborhoods, and Suburban 6 land use categories except for any islands or to Greater Pine Island. Incentive Density Unities may be obtained through participation in various county programs including:

- a. Transfer or purchase of development rights (TDR) (PDR);
- b. Provision of public infrastructure;
- c. Provision of affordable housing; or
- d. Provision of contribution towards:
 1. Infrastructure improvements; or
 2. Affordable housing. (New Policy)

OBJECTIVE 1.2: URBAN LAND USE CATEGORIES. Urban Land Use Categories are Urban Areas that strengthen the economic base, and provide a more diverse and better balanced tax base, and improve the quality of life. Urban land uses feature interconnected forms of development and provide for mixture of land uses, diverse economic opportunities, multi-modal transportation systems,

varied housing types, and an array of park and public spaces. Maximum densities and intensities within Urban Land Use Categories are encouraged and densities below the minimum density range are discouraged. There are three urban land use categories:

- a. Urban Core;
- b. Urban Places; and
- c. Urban Neighborhoods.

(New, addresses issues from Objective 1.2)

POLICY 1.2.1: Urban Core. ~~The Intensive Development Urban Core land use category areas are is located along major arterial roads in Fort Myers, North Fort Myers, East Fort Myers west of I-75, and South Fort Myers. By virtue of Due to their locations, existing, the county's current development patterns, and the available and potential levels of public services, they Urban Core land uses are well suited to accommodate high densities and intensities. Planned mixed-use centers of high-density residential, commercial, limited light industrial (see Policy 7.1.6), and office uses are encouraged to be developed as described in Policy 2.12.3, where appropriate in Urban Core land uses. As Lee County develops as a metropolitan complex, these centrally located urban nodes can offer a diversity of lifestyles, cosmopolitan shopping opportunities, and specialized professional services that befit such a region. The standard density range is from seven dwelling units per acre (7 du/acre) to fourteen dwelling units per acre (14 du/acre). Maximum density is twenty-two dwelling units per acre (22 du/acre). The development of mixed-use centers within Urban Core areas will enable the county to develop a better connected, more diverse land use pattern with a variety of economic, residential, and recreational opportunities. The Urban Core land use category has the following land use standards:~~

- a. Residential Density Range:
 - 1. Base Density: Fifteen units per acre (15 du/a)
 - 2. Standard Density: Twenty-five units per acre (25 du/a)
 - 3. Incentive Density Units: Forty units per acre (40 du/a)
- b. Non-Residential Intensity:
 - 1. Maximum Floor Area Ratio: 4.00

(Modified Policy 1.1.2)

POLICY 1.2.2: Urban Places. ~~The Central Urban Places land use category typically surrounds the Urban Core land uses and urban areas in Central Tice areas can best be characterized as the "urban core" of the county. These consist mainly of portions of the city of Fort Myers, the southerly portion of the city of Cape Coral, and other close-in areas near these cities; and also the central portions of the city of Bonita Springs, Iona/McGregor near the gateway to Sanibel and Captiva, and the eastern gateway to Lehigh Acres, and North Fort Myers. This is the part of the county that is already These urban communities are among the most heavily settled and which has or will have the greatest range and highest levels of urban service water, sewer, roads, schools, etc areas within Lee County and are intended to have the greatest range and highest level of urban infrastructure. Urban Places include an integrated variety of R residential, commercial, retail, office/professional, public and quasi-public, and limited light industrial land uses, civic spaces, and park and recreational resources. (see Policy 7.1.6) will continue to predominate in the~~

~~Central Urban area with f Future development in this category encouraged- is encouraged in to be developed as a mixed-use forms or to be connected to central mixed-use developments via multi-modal transportation system, as described in Policy 2.12.3., where appropriate. This category has a standard density range from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre) and a maximum density of fifteen dwelling units per acre (15 du/acre). The Urban Places land use category has the following land use standards:~~

- a. Residential density range:
 - 1. Base Density: Eight units per acre (8 du/a)
 - 2. Standard Density: Eighteen units per acre (18 du/a)
 - 3. Incentive Density Units: Twenty-five units per acre (25 du/a)
 - b. Non-Residential Intensity:
 - 1. Maximum Floor Area Ratio: 2.00
- (Modified Policy 1.1.3)

POLICY 1.2.3: Urban Neighborhoods. ~~The Urban Community Neighborhoods Land Use Category includes areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, South Fort Myers, Iona/McGregor, Pine Island, and Gasparilla Island. Although the Urban Communities While these places have a distinctly urban character, they should be developed at slightly lower densities than the Urban Core or Urban Places land use categories due to the proximity to more suburban, mostly residential, communities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, p Predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6) with f Future development in this category is encouraged to be developed as a mixed-use, as described in Policy 2.12.3., where appropriate- that are intended to support and connect to nearby residential suburban communities. Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum of ten dwelling units per acre (10 du/acre). Any bonus densities approved on the properties added to the Urban Community future land use category in conjunction with CPA2010-00002 must be achieved through use of the transfer of development rights program. The Urban Neighborhoods land use category has the following land use standards:~~

- a. Residential density range:
 - 1. Base Density: Four units per acre (4 du/a)
 - 2. Standard Density: Eight units per acre (8 du/a)
 - 3. Incentive Density Units: Sixteen units per acre (16 du/a)
 - b. Non-Residential Intensity:
 - 1. Maximum Floor Acre ratio: 1.00
- (Modified Policy 1.1.4)

OBJECTIVE 1.3: SUBURBAN LAND USE CATEGORIES. Suburban Land Use Category includes Urban Areas that promote the development of suburban places including: residential communities; economic centers with commercial, office, and professional businesses; public facilities and resources; and, park and recreational opportunities. These categories are intended to be well connected communities with land uses that are linked via a system of roadways, pedestrian and bike connections, and open spaces. There are four suburban land use categories.

- a. Suburban Six;
- b. Suburban Four;
- c. Suburban Two; and
- d. Coastal Suburban.

(New)

POLICY 1.3.1: Suburban Six. The Suburban Six Land Use Category allows the development of moderate density suburban land use areas that are characterized by a mixture of residential neighborhoods, commercial shops and services, civic uses, and park and recreational facilities. Additional density is available through the use of Incentive Density Units. The Suburban Six land use category has the following land use standards:

- a. Residential density range:
 - 1. Base Density: Suggested Four units per acre (4 du/a)
 - 2. Standard Density: Six units per acre (6 du/a)
 - 3. Incentive Density Units: Ten units per acre (10 du/a)
- b. Non-Residential Intensity Range:
 - 1. Maximum Floor Area Ratio: 0.50

(New)

POLICY 1.3.2: Suburban Four. The Suburban Four Land Use Category allows the development of moderately low density suburban areas that provide diverse housing options in locations near the urbanized areas supported by a mix of land uses that support a residential lifestyle including commercial shops and entertainments uses, professional and office businesses and services, civic uses, and park and recreational resources. The Suburban Four land use category has the following land use standards:

- a. Residential Density Range:
 - 1. Base Density: Two units per acre (2 du/a)
 - 2. Standard Density: Four units per acre (4 du/a)
 - 3. Incentive Density Units: None
- b. Non-Residential Intensity Range:
 - 1. Maximum Floor Area Ratio: 0.30

(New)

POLICY 1.3.3: Suburban Two. The Suburban Two Land Use Category allows the development of low-density residential neighborhoods that do not have the public infrastructure resources needed for higher density development. Suburban two land use areas are located within low density communities where it is desirable to retain a low-density community character without

large commercial, office, or industrial developments. The Suburban Two areas have the following land use standards:

- a. Residential density range:
 - 1. Base Density: No Base units per acre
 - 2. Standard Density: Two units per acre (2 du/a)
 - 3. Incentive Density Units: None
 - b. Non-Residential Intensity Range:
 - 1. Maximum Floor Area Ratio: 0.25
- (New)

POLICY 1.3.4: Coastal Suburban. The Coastal Suburban Land Use Category allows the development of low-density residential neighborhoods in a coastal environment subject to storm events. These areas are mainly located adjacent to the Gulf of Mexico, the Caloosahatchee River, Estero Bay, and on Pine Island. The majority of the property within this category is located in the Coastal High Hazard zone and therefore increased or Incentive Density is not permitted. The Coastal Suburban land use category has the following land use standards

- a. Residential density range:
 - 1. Base Density: No base dwelling units per acre
 - 2. Standard Density: Three units per acre (3 du/a)
 - 3. Incentive Density Units: None
 - b. Non-Residential Intensity Range:
 - 1. Maximum Floor Area Ratio: 0.25
- (New)

OBJECTIVE 1.4: ECONOMIC DEVELOPMENT LAND USE CATEGORIES. Economic Development Land Use Categories are Urban Areas needed to establish a strong, vibrant local economy. Economic Development land use categories accommodate commercial, industrial, and research and development enterprises. This category provides opportunities for: expanded job and workforce opportunities; new and innovative investment, research, and production industries; and, a diversified economy base. Additionally, it protects and allows the expansion of major economic engines such as the Southwest Florida International Airport, Florida Gulf Coast University, and other commercial and industrial areas. There are five Economic Development land use categories:

- a. Commercial;
 - b. Industrial Research Development;
 - c. Tradeport;
 - d. Airport Lands;
 - e. University Community; and
 - f. Interstate.
- (New)

POLICY 1.4.1: Commercial. The Commercial Land Use Category areas are is located in close proximity proximate to existing commercial areas or along corridors accommodating employment centers, tourist oriented areas needs, and where commercial services are necessary to meet the

projected needs of residential areas lands of the county. ~~These areas are specifically designated for commercial uses.~~ Residential uses, other than bona fide caretaker residences, are not permitted in this ~~future~~ land use category except to the extent provided in ~~##Chapter XIII the Procedures and Administration Element, of the Plan.~~ The Commercial areas land uses are areas located where residential uses are not expected or compatible due to the nature of the surrounding land uses and their location. ~~along major travel corridors.~~ The ~~commercial designation is intended for use where residential development would increase densities in areas such as the Coastal High Hazard Areas of the County or areas such as Lehigh Acres where residential uses are abundant and existing commercial areas serving the residential needs are extremely limited.~~

The ~~requisite~~ infrastructure needed for commercial development is ~~generally~~ planned or in place. New developments ~~in this category~~ must connect to a potable water and sanitary sewer system. Commercial retail developments, hotels and motels, banks, all types of office development, research and development, public, and other similar development will predominate in the Commercial Land Use Category areas. Limited light industrial uses are also permitted, excluding outdoor storage type uses. ~~Any~~ Redesignation of land to the Commercial land use category should occur along major travel corridors and at road intersections. The planned development rezoning process must be used to prevent adverse impacts to ~~the surrounding areas and to ensure that appropriate site development regulations are incorporated into the development plans of each site.~~ A maximum Floor Area Ratio (FAR) of 1 will be used as an index of intensity of development ~~in the commercial category.~~ However, Lee Plan policies 28.2.11 and 29.1.8 specify portions of the North Fort Myers and Fort Myers Shores Planning Communities, where the maximum permitted FAR is 0.26 and 0.25, respectively. Development in this ~~future~~ land use the commercial category is not required to comply with the site location criteria provided in Goal 6 ~~the LDC, when appropriate site development regulations are incorporated into the planned development.~~ (Modified Policy 1.1.10)

POLICY 1.4.2: The Industrial/Research Development. Industrial/Research Development Land Use Category plays ~~an~~ important role in strengthening the county's economic base and will become increasingly important as the county grows in size and urban complexity. ~~To a great extent these are the areas to which Lee County must look for~~ Industrial/Research Development land uses provide expanded job opportunities, investments, and production opportunities, and as well as a balanced and sufficient tax base. These areas land uses have special locational requirements that are more stringent than those for residential areas land uses, including transportation needs (e.g., air, rail, and highway); industrial levels of water, sewer, fire protection, and other urban services; and locations that are ~~convenient for employees to reach accessible to employees.~~ ~~Whereas, the Other Future Urban Areas will include a broad combination of residential, commercial, public and limited industrial land uses.~~ The Industrial/Research Development land uses area is are ~~to be~~ reserved mainly for industrial activities ~~per se, as well as and~~ for selective land use mixtures such as the combined uses of industrial, manufacturing, research, properly buffered recreational uses (except where precluded by airport hazard zone regulations) and office complexes (if ~~specifically~~ related to adjoining industrial uses and research and development activities) that constitute a growing part of Florida's economic development

sector. ~~New limerock mining and fill dirt operations must be approved through the Mine Excavation Planned Development rezoning process in accordance with the Lee County LDC.~~

~~The 14± acre parcel redesignated by CPA2006-14 from the Suburban to the Industrial Development future land use category, located north of Bayshore road and south of ACL Railroad right of way in Section 20, Township 43 South, Range 25 East will have a maximum Floor Area Ratio of 0.3. The 138± acres redesignated by CPA2008-07 from the Central Urban and Urban Community categories to the Industrial Development future land use category, within the Lehigh Acres Planning Community, will have a maximum Floor Area Ratio of 1.0.~~

Retail and commercial service uses supporting the neighboring industrial uses-neighborhood are allowed if the following criteria are met:

- a. Retailing and/or wholesaling of products manufactured or directly related to that manufactured on the premises;
- b. Commercial uses are integrated into the primary R&D/Industrial development; or,
- c. Commercial service and retail uses may not exceed 20% of the total acreage within the Industrial Development areas per each Planning Community District.

(Modified Policy 1.1.7)

POLICY 1.4.3: Tradeport. The Tradeport Land Use Category areas includes commercial and industrial lands adjacent to the airport needed to accommodate projected growth through the year 2030~~5~~. These areas land uses will include developments consisting of light manufacturing or assembly, warehousing, and distribution facilities; research and development activities; laboratories; ground transportation and airport-related terminals or transfer facilities; hotels/motels, meeting facilities; and office uses. Stand alone retail commercial uses intended to support and compliment the surrounding business and industrial land uses are permitted if ~~they are approved as part of a Development of Regional Impact (DRI) or Planned Development rezoning.~~ Stand alone retail commercial uses are limited to 1 acre out of every 10 Tradeport and preserved wetland acres within the project. ~~Developments of Regional Impact DRI or Planned Developments~~ may also receive additional stand alone retail acres at the rate of 1 additional acre out of every 10 acres of preserved and enhanced uplands within the project that protect wetlands, flow ways or occupied listed species habitat to provide an incentive to preserve upland habitat.

Ancillary retail commercial uses, related directly to the sale of products manufactured or services provided in the Tradeport, are allowed if ~~they are part of~~ permitted in a Planned Development. Residential uses, other than bona fide caretaker residences, are not permitted ~~in this category~~ except to the extent provided in Chapter XIII of the Plan Procedures and Administration Element. Caretaker residences are ~~not permitted~~ prohibited in the Airport Noise Zone B. Limerock mining may be approved ~~through~~ using the Mine Excavation Planned Development rezoning process ~~for the land designated Tradeport if the property is on the Future Limerock Mining map (Map 14.)~~ Because this area is Tradeport land is located within the Six Mile Cypress Basin and is also a primary point of entry into Lee County. As a result, special environmental and design review guidelines will be applied to its development to maintain the appearance of this area as a primary

point of entry into Lee County. Property in Section 1 and the east ½ of Section 2, Township 46 South, Range 25 East, and in Section 6, Township 46 South, Range 26 East, must be rezoned to a planned development zoning category prior to any development other than the construction of essential public services. During the rezoning process, the best environmental management practices identified on pages 43 and 44 of the July 28, 1993 Henigar & Ray study entitled, "Groundwater Resource Protection Study" will be ~~rebuttably~~ presumed to be necessary to protect potential groundwater resources in the area. (Modified Policy 1.2.2)

POLICY 1.4.4: Airport Lands. The Airport Lands Land Use Category includes the existing facility and projected growth lands for of the Southwest Florida International Airport (RSW) and Page Field General Aviation Airport (Fort Myers (FMY)) through the year 2030~~5~~. The Airport Lands comprising the Southwest Florida International Airport RSW includes airport and airport-related development as well as and non-aviation land uses as proposed in the approved 2003 in the Airport Master Plan update and as depicted on the Airport Layout Plan sheet (Map 3F) and the Southwest Florida International Airport RSW Proposed Development Schedule (Table 5(a)). ~~This mix of The uses is are~~ intended to support the continued development of the Southwest Florida International Airport RSW. Future development at the Southwest Florida International Airport RSW will also include non-aviation related land uses such as hotels/motels, light industrial, service stations, retail/shopping, and office development. The Airport Lands comprising FMY includes airport and airport-related development and non-aviation land uses approved in the Airport Master Plan update and depicted on the Airport Layout Plan sheet (Map 3G) and FMY Proposed Development Schedule (Table 5(b)). The uses are intended to support the continued development of FMY. Future development at FMY will include non-aviation related land uses such as hotels/motels, light industrial, service stations, retail/shopping, and office development. ~~Any future airport expansion or development of aviation-related and non-aviation uses at Southwest Florida International Airport will offset environmental impacts through the Airport Mitigation Lands Overlay (Map 3M) or other appropriate mitigation acceptable to the permitting agencies and to Lee County. The physical design of the airport expansion will minimize any degradation of the recharge capability of land being developed. Airport expansion beyond the present boundaries will be subject to necessary amendments to the Lee Plan.~~

- a. ~~All development on Airport Lands comprising Southwest Florida International Airport must be consistent with Map 3F and Table 5(a). Map 3F depicts the planned expansion of the Southwest Florida International Airport through 2020.~~
- b. ~~Future development on Airport Lands comprising Page Field General Aviation Airport must be consistent with Objective 1.9 and related policies as well as Map 3G and Table 5(b).~~
- c. ~~If the airport master planning process precipitates a substantive change to the Airport Layout Plan (Map 3F or Map 3G), then the Port Authority must amend Map 3F or Map 3G, as appropriate, prior to obtaining local development approval.~~
- d. ~~The non-aviation related development areas have been depicted on the approved Airport Layout Plan sheets (Maps 3F and 3G). These uses will be constructed upon Airport lands with long term leases. All development within the non-aviation land use areas will be subject to mitigation requirements for wetland impacts. Mitigation of wetland impacts will be in accordance with the~~

~~U.S. Army Corps of Engineers and South Florida Water Management District requirements. To the greatest extent reasonably possible, development of non-aviation land use areas must avoid wetland impacts. All non-aviation land use development will meet the indigenous vegetation requirements set forth in the Lee County LDC. (Modified Policy 1.2.1)~~

POLICY 1.4.5: University Community. The University Community Land Use Category provides for the development of the university campus and surrounding areas. The purpose of this land use category is to ensure that the land uses within the category (e.g.: residential, research/development, office/professional, commercial, retail, civic spaces, and park and recreational resources.) support and enhance a university environment. The location and timing of development, provision of infrastructure facilities, and demand for public services within this category must be coordinated with the associated university and applicable service providers. Specific details that define how this category is to be applied to a specific area are established within the Communities Element. (New)

POLICY 1.4.6: Interchange. Interchange Land Use Category lands are Urban Areas that provide for the unique development and land use needs of property adjacent to the interchanges of Interstate 75. Interchange uses permit a broad range of land uses that include tourist commercial, general commercial. Light industrial uses will only be permitted at the Alico Road and Luckett Road interchanges. (New)

OBJECTIVE 1.5: RURAL LAND USE CATEGORIES. Rural Land Use Categories are Non-Urban Areas that promote the unique character of the county's rural places and protect vital environmental lands. Rural communities convey a sense of rural lifestyle including: farm lands and ranches, large lot or clustered residential development, ample wooded areas, open spaces, river fronts, and environmentally sensitive lands. Rural land use categories consist of low population communities, existing and evolving commercial agricultural operations, open space and environmental lands preservation, and natural habitat protection. Rural land uses are not programmed to receive urban-type capital improvements, and can anticipate levels of public services below that of the urban areas. There are six Rural land use categories:

- a. Rural;
- b. Rural Community Preserves;
- c. Coastal Rural;
- d. Outer Islands;
- e. Open Lands; and
- f. Density Reduction/Groundwater Resource (DR/GR).

(New Objective)

POLICY 1.5.1: Rural. The Rural Land Use Category areas ~~are to~~ will remain predominantly rural—that is, with low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. ~~Natural resource extraction may be permitted in accordance with Policy 10.1.4.~~ These areas are not to be programmed to receive urban-type Urban Area capital improvements, and ~~they~~ can anticipate a continued level of public services

below that of the urban areas. ~~Maximum density in the Rural area is one dwelling unit per acre (1 du/acre).~~ Rural land uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per acre (1 du/a)
- c. Incentive Density Units: None

(Modified Policy 1.4.1)

POLICY 1.5.2: Rural Community Preserves. ~~The Rural Community Preserves Land Use Category are is established following special studies of the Lee county's intact rural communities. Within these areas, Special design approaches are to be used to are necessary to maintain the existing rural character. Such approaches include: for example: conservation easements, flexible road transportation design standards (including relocation of future arterials not serving the rural community), special fencing and sign standards, and retention of historic rural uses. These areas Rural Community Preserves are not to be programmed to receive urban-type capital improvements. Rural Community Preserves Lands within this category are not intended for conversion to to be converted to any Future Urban Areas; rather, they are to remain permanently rural in character and use. These areas Rural Community Preserves are restricted to low density residential uses (with minimum lot size requirements), agricultural uses, and minimal non-residential uses that are needed to serve the rural community. Property in this category may not be rezoned to any RV district. Additional goals, objectives, policies, and standards for these areas may be included in this plan based on the special studies (see for example, Goal 17).~~ Rural Community Preserve land uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per acre (1 du/a)
- c. Incentive Density Units: None

(Modified Policy 1.4.3)

POLICY 1.5.3: Coastal Rural. ~~The Coastal Rural Land Use Category areas will remain rural except for portions of properties property where residential lots are permitted in exchange for permanent preservation or restoration of native upland habitats or a commitment, in the form of a perpetual easement, to preserve agricultural activity on existing farmland, on the remainder of the property. The standard maximum density is one dwelling unit per ten acres (1DU/10 acres). Maximum densities may increase as higher percentages of native habitat are permanently preserved or restored on the uplands portions of the site, or a commitment, in the form of a perpetual easement, to preserve agricultural activity on existing farmland, in accordance with the chart below. Permitted land uses include agriculture, fill-dirt extraction, conservation uses, minimal non-residential land uses, limited to minor commercial, that are necessary to provide basic commercial services to serve the island residents and visitors, and residential uses up to the following densities:~~

Percentage of the onsite uplands that are preserved or restored native habitats or continued in agricultural use on existing farmland	Maximum density if undeveloped land will be permanently preserved or restored as native habitats ¹	Maximum density if undeveloped land will be continued in agricultural use on existing farmland
0%	1 DU/ 10 ac	1 DU/ 10 ac
5%	1 DU/ 9 ac	
10%	1 DU/ 8 ac	1 DU/ 9 ac
15%	1 DU/ 7 ac	
20%	1 DU/ 6 ac	1 DU/ 8 ac
30%	1 DU/ 5 ac	1 DU/ 7 ac
40%	1 DU/ 4 ac	1 DU/ 6 ac
50%	1 DU/ 3 ac	1 DU/ 5 ac
60%	1 DU/ 2 ac	1 DU/ 3 ac
70%	1 DU/ 1 ac	1 DU/ 2 ac

Footnote 1: Existing farmland is depicted on Map 21. Areas for buffers, lakes, and utilities may consist of up to 10% of the upland preserve areas. (Edited Policy 1.4.7)

POLICY 1.5.4: Outer Islands. The Outer Islands Land Use Category ~~are~~ includes sparsely settled ~~lands that~~ have minimal existing or planned infrastructure, ~~and are very distant from major shopping and employment centers. Except for those services as provided in compliance with other sections of this plan~~ With minor exceptions, Outer Islands are not expected to be programmed to receive Urban ~~Area-type~~ capital improvements in the time frame of this plan. Outer Islands lands uses will and as such can anticipate a continued to experience levels of public services below that of other land use categories. The continuation of the Outer Islands essentially in their present character is intended to provide for a rural character and lifestyle, and conserve open space and important natural upland resources. Maximum density is one dwelling unit per acre (1 du/acre). Outer Islands uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per acre (1 du/a)
- c. Incentive Density Units: None

(Edited Policy 1.4.2)

POLICY 1.5.5: Open Lands. Open Lands Land Use Category consists of ~~are~~ upland areas ~~land uses that are~~ located north of Rural and/or sparsely developed areas in Township 43 South. These areas ~~lands are~~ extremely remote from public services and are characterized by agricultural and low-density residential uses. Commercial and industrial uses are permitted ~~in this category in accordance consistent~~ with the standards in the Rural category. ~~The maximum density in this category is one dwelling unit per ten acres (1 du/10 acres); except that a maximum density of one dwelling unit per five acres (1 du/5 acres) is permitted if the planned development process is used to prevent adverse impacts on environmentally sensitive lands (as defined in the Policy 107.1.1.4).~~ Open Lands land uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per 10 acres (1 du/ 10 acres)
 - 1. Standard Density Units: One dwelling per 5 acres (1 du/5 acres) is permitted utilizing LDC lot split limitations, any development above these limitations must follow the planned development process to prevent adverse impacts on environmentally sensitive lands, as defined in the Communities Element.

(Modified Policy 1.4.4)

POLICY 1.5.6: Density Reduction/Groundwater Resource (DR/GR). The DR/GR Land Use Category includes uplands that provide substantial recharge to aquifers most suitable for future wellfield development. These lands also are the most favorable locations for physical withdrawal of water from those aquifers. ~~Only~~ Minimal public facilities exist or are programmed.

- a. New land uses in these areas that require rezoning or a development order must demonstrate compatibility with maintaining surface and groundwater levels at their historic levels (except as provided elsewhere in the plan, particularly the Southeast Lee County goal and policies within the Communities Element. ~~(in Policies 33.1.3 and 33.3.3)~~ utilizing hydrologic modeling, the incorporation of increased storage capacity, and inclusion of green infrastructure. ~~The~~ Modeling must also show that no adverse impacts will result to properties located upstream, downstream, as well as adjacent to the site. Offsite mitigation can be utilized, and may be required, to demonstrate ~~this~~ compatibility. Evidence as to historic levels may be submitted during the rezoning or development review processes.
- b. Permitted land uses include agriculture, natural resource extraction and related facilities, conservation uses, public and private recreation facilities, and residential uses at a ~~maximum~~ standard density of one dwelling unit per ten acres (1 du/10 acres). See ~~Policies 33.3.2, 33.3.3 and 33.3.4~~ the DR/GR Policies within the Communities Element for potential density adjustments resulting from concentration or transfer of development rights.
 - 1. For residential development, also see Southeast Lee County goal and policies within the Communities Element. Objective 33.3 and following policies. Commercial and civic uses can be incorporated into Mixed-Use Communities to the extent specifically provided in those policies.
 - 2. Individual residential parcels may ~~contain~~ consist of up to two acres of Wetlands without losing the right to have a dwelling unit, provided that no alterations are made to ~~the~~ these wetland areas.
 - 3. The Future Limerock Mining overlay (Map ##) identifies sufficient land near the traditional Alico Road industrial corridor for continued limerock mining to meet regional demands through the 2035 Lee Plan's planning horizon. ~~(currently 2030).~~ See Objective 33.1 and following policies.
- c. Private Recreational Facilities may be permitted in accordance with the site locational requirements and design standards, ~~as further defined in Goal 16.~~ No Private recreational facilities may occur within the DR/GR land use category without a rezoning to an appropriate planned development zoning category, and compliance with the Private Recreation Facilities performance standards. ~~, contained in Goal 16. of the Lee Plan.~~

(Modified Policy 1.4.5)

OBJECTIVE 1.6: CONSERVATION LANDS LAND USE CATEGORIES. Conservation Lands are Non-Urban Areas used for conservation purposes via a binding mechanism such as statutory requirements, funding or grant conditions, mitigation preserve areas required for land development approvals, or by agreement from the property owner. There are two Conservation Lands Categories:

- a. Conservation Lands Uplands and
- b. Conservation Lands Wetlands.

(New Objective)

POLICY 1.6.1: Conservation Lands Uplands. The Conservation Lands Upland Land Use Category includes uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5## and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands Uplands may include such uses as wildlife preserves; wetland and upland mitigation areas land uses and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation, and natural resource based parks (including uses such as e.g.: signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as including aquifer recharge areas, flow ways, flood prone areas, and well fields. Conservation 2020 lands designated as Conservation Lands are also subject to the more stringent use provisions of the Conservation 2020 Program or the 2020 and its governing ordinances. (Modified Policy 1.4.6)

POLICY 1.6.2: Conservation Lands Wetlands. The Conservation Lands Wetlands includes wetlands that are owned and used for long range conservation purposes. Conservation Wetlands will be are subject to the most stringent provisions of both the Wetlands land use category described in Objective 1.5 and the Wetlands and Conservation Lands land use categories category. described above in this policy. The most stringent provisions of either category will apply to wetland conservation lands. (Modified Policy 1.4.6)

OBJECTIVE 1.7: COUNTY-WIDE LAND USE CATEGORIES. County-Wide Land Use Categories are General Areas that are found throughout the county in Urban and Non-Urban areas. County-Wide Land Use categories include:

- a. Public Facilities; and
- b. Wetlands.

(New Objective)

POLICY 1.7.1: Public Facilities. The Public Facilities areas Land Uses Category includes the publicly owned lands within the county such as public schools, parks, airports, public transportation, and other governmental facilities. The allowable uses in within these areas are

determined by the entity owning ~~each such the~~ parcel and the local government ~~having with~~ zoning and permitting jurisdiction. (Edited Policy 1.1.8)

POLICY 1.7.2: Wetlands. ~~Wetlands Land Use Category are Designate on the Future Land Use Map these lands that are~~ identified as Wetlands in accordance with Florida Statutes Chapter 373F.S. 373.019(17) through the use of the unified state delineation methodology described in FAC Chapter 17-340., ~~as ratified and amended in F.S. 373.4211.~~ Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. ~~All Development in Wetlands must be consistent with other plan goals, objectives, and policies Goal 11 of this plan.~~ The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as ~~otherwise~~ provided in Table ## and the Procedures and Administration Element Chapter XIII. of this plan.

- a. ~~When the exact location of Wetlands boundaries are is in question, the Procedures and Administration Element Chapter XIII of this plan provides an administrative process, including a field check, to precisely define the boundary.~~
- b. Wetlands that are conservation lands will be subject to the provisions of the most stringent provisions of the Conservation Lands and Wetlands land use categories. Policy 1.4.6 are as well as the provisions of Objective 1.5. The most stringent provisions of either category will apply. Conservation wetlands will be identified on the FLUM to distinguish them from non-conservation wetlands.
- c. (a) If the dwelling units are relocated off-site through the provisions of the Transfer of Development Rights Ordinance (No. 86-18, as amended or replaced); or
- d. (b) Dwelling units may be relocated to developable contiguous uplands designated Intensive Development, Central Urban, Urban Community, Suburban, Outlying Suburban, or Sub-Outlying Suburban Urban Core, Urban Places, Urban Neighborhood, Suburban 6, Suburban 4, Suburban 2, or Coastal Suburban from preserved freshwater wetlands at the same underlying density as is permitted for those uplands. Impacted wetlands will be calculated at the standard Wetlands density of 1 dwelling unit per 20 acres. Planned Developments or Development Orders approved prior to October 20, 2010 are permitted the density approved prior to the adoption of CPA2008-18.

(Edited and merged Objective 1.5, and Policies 1.5.1, 1.5.2 and 1.5.3, Table 1(a))

OBJECTIVE 1.8: PLACE-BASED LAND USE CATEGORIES. Place-Based Land Use Categories address the unique needs and conditions of specific locations by establishing land use categories with specific development plans and requirements pertinent to the location. (New Objective)

POLICY 1.8.1: Discourage the adoption of additional placed-based land use categories. (New Policy)

POLICY 1.8.2: The Burnt Store Marina Village Land Use Category areas is located within Urban Land Areas. The category 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. By establishing realistic aesthetic

requirements designed to allow Burnt Store Marina Village the ability to develop as a community center, the category manages 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. The residential dwelling units 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 5. (Edited Policy 1.7.12 and Table 1(a))

POLICY 1.8.3: Destination Resort Mixed Use Water Dependent (DRMUWD). The DRMUWM Land Use Category provides for attractive, functioning mixed use water dependent destination resorts. The land uses within this category are characterized by their proximity to 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 suitable for a mixture of uses including residential, resort, commercial, and industrial type activities that benefit from access to the water front. These developments offer a diverse living, working and vacationing experience that benefit the entire county while being environmentally friendly and economically viable. The density ranges is up to ten dwelling units per acre (10 du/a). Residential densities in developments that include commercial and residential uses in the same project or same building may be developed as through mixed-use development practices.

Determine appropriate locations for Destination Resort Mixed Use Water Dependent areas by evaluating considerations such as location criteria:

- a. Areas-Characterized by predominantly outdated RV type living facilities meant for temporary habitation without individual type land ownership and depressed/underutilized water dependent waterfronts;
 - b. 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;
 - c. Areas within coastal wind zones depicted as 100 Year Flood Plains, as illustrated on Map## of the Lee Plan;
 - d. Areas with direct access to existing roadways and navigable bodies of water;
 - e. Areas with multiple zoning districts that may not be compatible with each other; and
 - f. New dwelling units are limited to existing platted, recorded, or vested units.
- (Modified Policy 31.1.2)

OBJECTIVE 1.9: SPECIAL TREATMENT AREAS. Designate as overlays on the Future Land Use Map, as overlays, special treatment areas that contain special restrictions or allowances in addition to all of the requirements of their the underlying land uses categories. (Formerly Objective 1.7)

POLICY 1.9.1: Airport Noise Zones. ~~The Airport Noise Zones cover areas~~ include lands subject to varying levels of airport-related noise. ~~By 2006 and every 5 years thereafter, The Port Authority will update the aviation forecasts and associated noise contours for the Southwest Florida International Airport RSW, on an as needed basis as required by the FAA or as determined by the Lee County Port Authority; and initiate an amendment to the Airport Noise Zone Overlay Map to reflect the findings of this study. In addition to meeting the requirements of the underlying Future Land Use Map categories, properties within the Noise Zone Overlay must meet the following:~~

- a. Airport Noise Zone A is limited to uses ~~that are~~ compatible with airports and air commerce, including but not limited to ~~these~~ uses necessary to provide services and convenience goods to airline passengers, ~~these~~ uses generally associated with airport operation, and related development.
- b. Airport Noise Zone B ~~prohibits~~ does not permit any residential units, places of worship, libraries, schools, hospitals, correctional institutions or nursing homes. However, residential units, including mobile or manufactured homes, ~~that lawfully existed~~ lawfully existing as of June 27, 2000 will be treated as legally permitted uses and may be replaced with a new mobile or manufactured home or conventional single family construction as long as ~~such the~~ replacement would be ~~otherwise~~ allowed by the LDC. ~~LDC. However, An Existing conventional homes may not be replaced with a new mobile or manufactured homes. One conventional single family home is permitted on each lot in a plat properly recorded before June 27, 2000 if such the use would have been permitted on the lot prior to June 27, 2000. Airport Noise Zone B requires formal notification to property owners through recording of the Airport Noise Zone in the official county records of potential noise and over flights. and applies to all development, both existing and new, within the zone.~~
- c. Airport Noise Zones C ~~and D~~ allow ~~existing and new construction and land uses as would otherwise be~~ development permitted by the LDC. ~~LDC. However, this zone requires formal notification through by recording of the Airport Noise Zone in the official county records of potential noise and over flights. and applies to all development, both existing and new, within the zone.~~
- d. ~~Airport Noise Zone D allows existing and new construction and land uses as would otherwise be permitted by the LDC. However, this zone requires formal notification through recording of the Airport Noise Zone in the official county records of potential noise and aircraft over flights associated with future training activity and applies to all development, both existing and new, within the zone.~~

(Modified Policy 1.7.1)

POLICY 1.9.2: Urban Reserve. The Urban Reserve Overlay includes ~~indicates~~ areas that are suitable for annexation into the adjoining municipality. Urban Reserve areas are initially established by interlocal agreement pursuant to Florida Statute Chapter 163, Section 163.3171(1), F.S. (Edited Policy 1.7.3)

POLICY 1.9.3: Water-Dependent. The Water-Dependent Overlay zone includes ~~designates~~ shoreline areas where priority will be granted to water-dependent land uses. Specific requirements are detailed for ~~these such-zones are located within the~~ Conservation and Coastal Management Element as well as the San Carlos Island and Greater Pine Island goals and policies ~~within the Communities Element. on San Carlos Island under Goal 12, in the Greater Pine Island area under Goal 14, and for other areas in Lee County in the~~ Conservation and Coastal Management Element. (Edited Policy 1.7.5)

POLICY 1.9.4: Agricultural. The Agricultural Overlay (Map ##) ~~shows~~ reflects existing active and passive agricultural operations in excess of 100 acres located outside of the Future Urban Areas. Since ~~these areas~~ agriculture plays a vital role in ~~Lee County's~~ the economy, ~~they~~ these lands should be protected from the impacts of new developments, and the county should not attempt to alter or curtail agricultural operations on them ~~merely to satisfy the lifestyle expectations of non-urban residents.~~ (Edited Policy 1.7.8)

POLICY 1.9.5: Urban Infill and Redevelopment. The Urban Infill and Redevelopment Overlay (Map ##) designates areas that have been targeted for economic development, job creation, housing, transportation, crime prevention, neighborhood revitalization and preservation, and land use incentives to encourage urban-infill and redevelopment within the urban core, in accordance with ~~F.S. 163.2517~~ Florida Statute Chapter 163. These areas have the opportunity to receive additional funding to implement ~~the~~ planning programs through the Urban Infill and Redevelopment Assistance Grant Program. ~~through the Florida Department of Community Affairs.~~ (Edited Policy 1.7.9)

POLICY 1.9.6: Irrigation Well. The Irrigation Well Overlay (Map ##) ~~in Bonita Springs (as defined in this plan) is hereby declared a critical area for future potable water supply, based on evidence that withdrawals from the main potable aquifer, the lower Tamiami aquifer, are approaching or exceeding the maximum safe yield. In response to this designation, the county will maintain current~~ The county will maintain regulations to ~~provide that prohibit issuance of~~ new irrigation well permits in the Irrigation Well overlay may not that utilize the main potable water source. ~~For the purposes of this plan, The boundaries of the Irrigation Well overlay are indicated~~ reflected on Map ## of the Future Land Use Map series. Also see other plan elements including Conservation and Community Facilities and Services Elements, Policy 54.1.9 for new permit requirements for wells in Lehigh Acres, and Policy 2.4.2 for special requirements for amendments to the Future Land Use Map). (Edited Policy 1.7.10)

POLICY 1.9.7: Future Limerock Mining. The Future Limerock Mining Overlay (Map ##) identifies sufficient land near the traditional Allico Road industrial corridor for continued limerock mining to meet regional demands through the Lee Plan's planning horizon (currently 2035~~0~~). See Objective 33.1 and ~~following policies~~ additional Southeast Lee County goal and policies within the Communities Element. (Edited Policy 1.7.13)

POLICY 1.9.8: Southeast Residential DR/GR. The Southeast Residential DR/GR Overlay (Map ##) is described in the other Southeast Lee County goal and policies within the Communities Element Policies 33.3.1 through 33.3.3. ~~This overlay affects only Southeast Lee County and identifies four~~ three types of land:

- a. “Existing Acreage Subdivisions”: existing rural residential subdivisions that should be protected from adverse external impacts such as natural resource extraction;
- b. “Rural Golf Course Communities” potential locations for the concentration of development rights on property zoned Private Recreational Facilities Planned Development and located in the ~~Density Reduction/Groundwater Resource area~~ DR/GR land use category;
- c. “Mixed-Use Communities” locations where this concentration of development rights from large contiguous tracts with the ~~Density Reduction/Groundwater Resource area~~ DR/GR that can be supplemented by transfer of development rights from non-contiguous tracts in the ~~Density Reduction/Groundwater Resource area~~ DR/GR. See ~~Objective 33.3 and following policies; and~~
- d. “Improved Residential Communities.” Property with existing residential approvals that are inconsistent with the Southeast Density Reduction/Groundwater Resource area that could be improved environmentally.

(Edited Policy 1.7.14)

POLICY 1.9.9: Historic Surface and Groundwater Levels. The Historic Surface and Groundwater Levels Overlay (Map ##) depicts the best available analysis of historic wet-season water depths and hydro-periods for Southeast Lee County as of March 2010. This depiction is based on detailed ecological analyses of 1953 aerial photography ~~as described in the 2008 report, *Ecological Memorandum of the Density Reduction/Groundwater Resource Area*, by Kevin L. Erwin, Consulting Ecologist, Inc.~~ For purposes of determining compliance with the DR/GR land use category Policy 1.4.5, additional evidence on ~~as to~~ historic water levels and hydro-periods may be submitted during the rezoning or development review processes as a basis for site-specific hydrological analysis for project design. (Edited Policy 1.7.15)

POLICY 1.9.10: Hideaway Cove. The Hideaway Cove Overlay (Map ##) depicts the development standards for Lots 6 -11, San Carlos Groves Tract, Section 20, Township 46 S, Range 25 E of the San Carlos/Estero area:

- a. The property may be developed at a gross density of one dwelling unit per acre; however, a gross density of up to two dwelling units per acre is permitted through the planned development zoning process, in which the residential development is clustered in a manner that provides for the protection of flow ways, high quality native vegetation, and endangered, threatened or species of special concern. Clustered development must also connect to a central water and sanitary sewer system.
- b. A maximum of one hundred and twenty (120) residential dwelling units, along with accessory, and accessory active recreation uses are permitted through the use of clustering and the planned development zoning process. The dwelling units and accessory uses must be clustered on an area not to exceed thirty two (±32) acres, which must be located on the northwestern portion of the property. No development may occur in the flow way, with the

exception of the improvement of the existing road access from the site to Pine Road. The remainder of the property will be designated as preserve/open space, which can be used for passive recreation, and environmental management and education. In addition, the developer will diligently pursue the sale or transfer of the preserve/open space area, along with development rights for thirty (30) of the maximum one hundred and twenty (120) residential dwelling units, to the State, County, or other conservation entity.

(Excerpted Policy 1.1.11)

POLICY 1.9.11: Research and Enterprise Diamond. The Research and Enterprise Diamond Overlay (Map ##) depicts an area targeted for the creation of a economically diverse center for businesses. Located within a 40-square-mile area of south Lee County, businesses in the Diamond will benefit from existing and planned infrastructure in transportation, education and recreation. Resources, such as the SWFIA, JetBlue Park, and FGCU, establish a prime location for creating synergies among research, renewable energy, enterprise opportunities, and economic growth. Infill development to create more walkable, transit-oriented communities that meet complete streets objectives will be encouraged. (New)

~~**GOAL 1: FUTURE LAND USE MAP.** To maintain and enforce a Future Land Use Map showing the proposed distribution, location, and extent of future land uses by type, density, and intensity in order to protect natural and man-made resources, provide essential services in a cost-effective manner, and discourage urban sprawl.~~

~~**OBJECTIVE 1.1: FUTURE URBAN AREAS.** Designate on the Future Land Use Map (Map 1) categories of varying intensities to provide for a full range of urban activities. These designations are based upon soil conditions, historic and developing growth patterns, and existing or future availability of public facilities and services. (The Future Land Use Map series also contains Map 2 and additional maps located in the appendix. A colored wall-size reproduction of Map 1 is also available.) (New; Incorporates much of Objective 1.1) (Addressed by revised Objective 1.1)~~

~~**POLICY 1.1.1:** The Future Land Use Map contained in this element is hereby adopted as the pattern for future development and substantial redevelopment within the unincorporated portion of Lee County. Map 16 and Table 1(b) are an integral part of the Future Land Use Map series (see Policies 1.7.6 and 2.2.2). They depict the extent of development through the year 2030. No development orders or extensions to development orders will be issued or approved by Lee County which would allow the Planning Community's acreage totals for residential, commercial or industrial uses established in Table 1(b) to be exceeded (see Policy 1.7.6). The cities of Fort Myers, Cape Coral, Sanibel, Bonita Springs and Town of Fort Myers Beach are depicted on these maps only to indicate the approximate intensities of development permitted under the comprehensive plans of those cities. Residential densities are described in the following policies and summarized in Table 1(a). (Addressed by revised Policy 1.1.1)~~

~~**POLICY 1.1.5:** The Suburban areas are or will be predominantly residential areas that are either on the fringe of the Central Urban or Urban Community areas or in areas where it is appropriate to protect existing or emerging residential neighborhoods. These areas provide housing near the~~

more urban areas but do not provide the full mix of land uses typical of urban areas. The standard residential densities are the same as the Urban Community category. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. Bonus densities are not allowed. (Policy not needed.)

POLICY 1.1.6: ~~The Outlying Suburban areas are characterized by their peripheral location in relation to established urban areas. In general, these areas are rural in nature or contain existing low-density development. Some, but not all, of the requisite infrastructure needed for higher density development is generally planned or in place. It is intended that these areas will develop at lower residential densities than other Future Urban Areas. As in the Suburban areas, higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to three dwelling units per acre (3 du/acre). Bonus densities are not allowed. (Policy not needed.)~~

POLICY 1.1.9: ~~The University Community land use category provides for Florida's 10th University, Florida Gulf Coast University (FGCU), and for associated support development. The location and timing of development within this area must be coordinated with the development of the University and the provision of necessary infrastructure. All development within the University Community must be designed to enhance and support the University. In addition to all other applicable regulations, development within the University Community will be subject to cooperative master planning with, and approval by, the Florida Gulf Coast University Board of Trustees.~~

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

~~Within the University Community are two distinct sub-categories: University Campus and the University Village. The University Window overlay, although not a true sub-category, is a distinct component of the total university environment. Together these functions provide the opportunity for a diversity of viable mixed-use centers. Overall residential development within the University Village will not exceed 6,510 dwelling units. None of the 6,510 dwelling units may be used on or transferred to lands located outside of the University Community land use boundaries as they exist on (insert here the date of adoption of CPA 2009-01). Clustered densities within the area may reach fifteen units per acre to accommodate university housing. The overall average intensity of non-residential development within the University Village will be limited to 10,000 square feet of building area per non-residential acre allowed pursuant to Map 16 and Table 1(b). Specific policies related to the University Community are included within the Lee Plan under Goal 18. (Addressed by new policy 1.4.5)~~

POLICY 1.1.11: ~~The Sub-Outlying Suburban areas are residential areas that are predominantly low-density development. Generally the requisite infrastructure needed for higher density development is not planned or in place. It is intended that these areas will develop at lower~~

residential densities than other Future Urban Areas and are placed within communities where higher densities are incompatible with the surrounding area and where there is a desire to retain a low density community character. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to two dwelling units per acre (2 du/acre). Bonus densities are not allowed.

OBJECTIVE 1.3: INTERSTATE HIGHWAY INTERCHANGE AREAS. Designate on the Future Land Use Map specialized categories for land adjacent to the interchanges of Interstate 75. It is important to make maximum beneficial use of these critical access points and at the same time avoid irreconcilable conflicts between competing demands, such as through traffic vs. local traffic, conservation vs. development, commercial development vs. industrial development, and tourist commercial facilities vs. general shopping facilities. Development in these areas must minimize adverse traffic impacts and provide appropriate buffers, visual amenities, and safety measures. Each interchange area is designated for a specific primary role: General, General Commercial, Industrial Commercial, Industrial, University Village, and Mixed Use. Residential uses are only permitted in these categories in accordance with Chapter XIII or as provided in Policy 1.3.2. These areas are also considered Future Urban Areas.

POLICY 1.3.1: The Industrial Interchange areas allow combinations of light industry, research, and office uses. In addition, certain visitor-serving commercial uses such as restaurants and hotels are appropriate.

POLICY 1.3.2: The General Interchange areas are intended primarily for land uses that serve the traveling public: service stations, hotel, motel, restaurants, and gift shops. But because of their location, market attractions, and desire for flexibility, these interchange uses permit a broad range of land uses that include tourist commercial, general commercial and light industrial/commercial.

POLICY 1.3.3: The General Commercial Interchange areas are intended primarily for general community commercial land uses: retail, planned commercial districts, shopping, office, financial, and business.

POLICY 1.3.4: The Industrial Commercial Interchange areas are designated to permit a mixture of light industrial and/or commercial uses. This category does not permit heavy industrial uses. Within areas expanded beyond the existing Industrial Commercial Interchange boundaries (on January 1, 2007), retail commercial uses will be limited to 20% of the total floor area and light industrial uses will be a minimum of 50% of the total floor area.

POLICY 1.3.5: The University Village Interchange land use category is designed to accommodate both interchange land uses and non-residential land uses related to the University. Development within this interchange area may or may not be related to, or justified by the land use needs of the University. Land uses allowed within this area include those allowed in the Industrial Commercial Interchange category and the associated support development allowed in

~~the University Village. The overall average intensity of non-residential development will be limited to 10,000 square feet of building area per non-residential acre allowed pursuant to Map 16 and Table 1(b). See the definition of Associated Support Development in the Glossary. Cooperative master planning and approval by the Florida Gulf Coast University Board of Trustees will be required prior to development within this land use category. Additionally, any development which meets or exceeds the Development of Regional Impact thresholds, either alone or through aggregation, must conform to the requirements of Chapter 380 F.S.~~

POLICY 1.3.6: ~~Lee County recognizes that development immediately adjoining the I-75 ramps could render future interchange improvements extremely costly if not prohibitive. To assist the county in evaluating the impacts of specific rezoning proposals located within 1000 feet of I-75 ramps, county staff will estimate the possible right of way needs for interchange improvements in that quadrant and present this information during the rezoning process. Where possible, development approvals must be phased to protect land critical for future interchange improvements. (Policy moved to Transportation Element.)~~

POLICY 1.3.7: ~~The following access control standards will apply to the interstate interchange areas of Luckett Road, Alico Road, Corkscrew Road, and Bonita Beach Road. The specified turning movements are not to be construed as conveying a property right or creating any expectation that they will be a permanent feature. The County reserves the right to modify or further restrict movements as it deems necessary to address operational and safety issues. Access control issues for Daniels Parkway west of I-75 are governed by the controlled access resolution adopted by the Board of County Commissioners on October 4, 1989, as may be amended from time to time. The other interchange areas are state roads where access is controlled by the Florida Department of Transportation under the provisions of Rule 14-97.003, FAC. The standard is a strict requirement during the rezoning and development order processes for cases after the effective date of this policy.~~

Access Control Standards for Luckett Road and Bonita Beach Road

- ~~1. The distance to the first connection will be at least 880 feet, provided such location is outside the federal limited access right-of-way line. A connection is generally defined as a driveway or roadway, limited to right-in/right-out movements, but can include a directional median opening. This distance will be measured from the end of the upstream interchange ramp or the beginning of the downstream interchange ramp, whichever is farther from the centerline of the interstate. A single connection per property not meeting this connection spacing standard may be provided, pursuant to the connection permit process, if no reasonable access to the property exists, and if permitting authority review of the connection permit application provided by the applicant determines that the connection does not create a safety, operational or weaving hazard.~~

2. ~~The minimum distance to the first full movement median opening will be at least 1760 feet as measured from the end of the upstream interchange ramp or the beginning of the downstream interchange ramp, whichever is farther from the centerline of the interstate.~~
3. ~~Connections and median openings consistent with the above spacing standards may still be denied in the location requested when the Lee County Traffic Engineer determines, based on the engineering and traffic information provided in the permit application, that the safety or operation of the interchange or the limited access highway would be adversely affected.~~
4. ~~Connections and median openings existing prior to 1998 that do not meet the standards are allowed to remain (unless they need to be closed for operational safety reasons), but cannot expand movements, except in the case of County roadway extensions.~~

Access Control Standards for Alico Road

The access on Alico Road is limited to the following movements and locations, from west to east and excluding the area within the interstate limited access right-of-way:

STATION N	DISTANCE ⁽¹⁾	MEDIAN OPENING?	MOVEMENT	CONNECTION
160+59.33	n/a	Yes	All	Oriole Road
170+54.54	995.21 ft.	Yes ⁽²⁾	All	Alico Int. Park DRI
177+74.54	720 ft.	Yes	All	Three Oaks Parkway
222+81	n/a	Yes	EB to NB Left in ⁽³⁾ Rt in/Rt out — from N&S	Coca-Cola Bottling Co. (N) University Plaza (S)
234+44	1163 ft.	Yes	All	Ben Hill Griffin Pkwy.

⁽¹⁾ Distance measured from next connection to the west.

⁽²⁾ Unsignalized only. Subject to future restrictions if traffic signal warranted.

⁽³⁾ A WB to SB left in may be allowed if sufficient right-of-way is provided and an analysis demonstrating acceptable operation is submitted to and approved by LCDOT.

Access Control Standards for Corkscrew Road

The access on Corkscrew Road is limited to the following movements and locations, from west to east and excluding the area within the interstate limited access right-of-way:

STATION	DISTANCE ⁽⁴⁾	MEDIAN OPENING?		MOVEMENT	CONNECTION
		Yes	All		
172+84	n/a	Yes	All		Three Oaks Parkway
179+44	660 ft.	Yes	EB to NB Left in ⁽²⁾ Rt in/Rt out — from N&S		Corkserew Crossing (#1)
185+29	585 ft.	Yes	All		Corkserew Crossing (#2)
187+83	254 ft.	No	Rt in/Rt out from N ⁽³⁾		Pic N Run Entrance
190+34	253 ft.	Yes	EB to NB Left in		Estero Int. Com. Park (#3)
194+29	395 ft.	Yes	WB to SB Left in NB to WB Left out		Corkserew Woodlands
221+47	n/a	Yes	U turns only		None
230+14	867 ft.	Yes	EB to NB Left in		Miromar Outlet Mall
236+73	660 ft.	Yes	All		Ben Hill Griffin Pkwy.

⁽⁴⁾—Distance measured from next connection to the west.

⁽²⁾—A WB to SB left in may be allowed at this location if necessary.

⁽³⁾—The previously approved driveway for the Pic N Run may remain provided there is not other access; however, if Pic N Run establishes a connection to the frontage road system and other access locations, the driveway must be removed.

⁽⁴⁾—The Right in/Right out from the south already exists at Station 230+65. This connection may be shifted west to any point between Stations 226+30 and 230+65 if proven not to be a traffic safety hazard. (Policy not needed, issue will be addressed by the LDC.)

OBJECTIVE 1.4: NON-URBAN AREAS. Designate on the Future Land Use Map categories for those areas not anticipated for urban development at this time. (Addressed by Revised Objective 1.4.)

POLICY 1.4.5: The Airport AOPD zoning resolution must be amended before any non-aviation related uses can be developed at the Southwest Florida International Airport. The intensity of the proposed aviation and non-aviation land uses at Southwest Florida International Airport must be consistent with Lee Plan Table 5(a). (Moved Policy 1.2.4)

OBJECTIVE 1.6: NEW COMMUNITY. Designate on the Future Land Use Map areas which are suitable for the development of large-scale multi-use communities developed pursuant to an overall master plan. This category is also considered a Future Urban Area.

~~**POLICY 1.6.1:** New Community areas are lands that are capable of being planned and developed as a cohesive unit in order to better achieve conservation of important environmental resources and to initiate areawide surface water management. New Community land must be located such that the area is capable of being developed with a balance of residential and non-residential uses and that major impacts of the development are internalized and/or alleviated by infrastructure that is existing or will be funded privately. New Community areas will be developed as freestanding economic units and will not impose negative fiscal impacts on the county (other than those associated with the delay in placing property improvements on the tax rolls).~~

~~New Communities will not exceed a residential density of six dwelling units per gross acre and must have at least the following characteristics:~~

- ~~1. The land will be developed under a well-conceived overall master plan;~~
- ~~2. The land can be served with all necessary facilities and services at no expense to the county. Uniform Community Development Districts and special taxing districts may be utilized toward achieving this objective;~~
- ~~3. Population, recreation, open space, educational, office, and research facilities are distributed in an orderly and attractive manner;~~
- ~~4. The land must be developed in such a manner as to protect environmentally sensitive areas;~~
- ~~5. The land must be developed as a free-standing community offering a complete range of land uses (e.g. a full mix of housing types for a range of household incomes, industrial and office employment centers, and community facilities such as fire departments, schools, law enforcement offices, public recreational areas, health care facilities, and community commercial areas);~~
- ~~6. Off-site impacts must be mitigated; and,~~
- ~~7. On-site levels of service must meet the county-wide standards contained in this plan.~~

~~**POLICY 1.7.2:** The Development of Regional Impact overlay is an informational tool showing all of the Lee County property subject to Development Orders approved pursuant to Chapter 380 of the Florida Statutes. Development in these areas is regulated by the terms of the applicable development orders. (Policy not needed)~~

~~**POLICY 1.7.4:** Certain lands are designated as Future Urban Areas because of special needs for the provision of Privately Funded Infrastructure. Development in these areas may occur in accordance with the provisions of Goal 3 and its subsequent objectives and policies. (Policy not needed.)~~

~~**POLICY 1.7.7:** The Public Acquisition overlay zone designates areas that have been targeted for public acquisition by federal, state, regional, and/or local agencies. This overlay does not restrict the use of the land in and of itself. It will be utilized for informational purposes since this map will represent a composite of public acquisition activities in the county. (Policy not needed)~~

~~**POLICY 1.7.11:** The Airport Mitigation Lands overlay (Map 3M) depicts lands owned by Lee County that were acquired for the purpose of mitigating environmental impacts attributable to development of the Southwest Florida International Airport. Activities performed in these areas must be in accordance with~~

~~state and federal permitting agency requirements. This Overlay is intended solely as an informational tool designed to identify the location of the lands and the purpose for which the land was acquired. The Overlay does not restrict the use of the land in and of itself. Use of these lands will be determined by permit requirements. In all cases, the use of this land will be consistent with the underlying Future Land Use category. (Policy addressed by the Transportation Element.)~~

Goal 2: Growth Management. Improvements were made to the county's existing growth management provisions to address recommendations that resulted through the EAR process. These improvements primarily included removing language in the Lee Plan that hindered infill and redevelopment within the Urban Land Use Areas. Goal 2 continues to require coordination of the location and timing of future development with existing or planned public infrastructure and services. While most of the objectives and policies currently exist in the Lee Plan, there is a new objective and policies related to transfer of development rights. This new objective intends to support the development of urban, suburban, and rural places by generally allowing development rights to be moved from Rural Areas to Urban Areas. In doing so this new objective supports the intent of providing for well managed and appropriately located development.

GOAL 2: GROWTH MANAGEMENT. ~~To provide for an economically feasible plan which~~ Coordinates Coordinate the location and timing of new development with the provision of infrastructure by government agencies, private utilities, and other sources. (Edited Goal 2)

OBJECTIVE 2.1: DEVELOPMENT LOCATION. Promote contiguous and compact growth patterns ~~will be promoted~~ through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Edited Policy Objective 2.1)

POLICY 2.1.1: ~~Most~~ Encourage residential, commercial, industrial, and public development is expected to occur within the designated Future Urban Areas on the Future Land Use Map ~~through the assignment of very low densities to the non-urban categories.~~ (Edited Policy 2.1.1)

POLICY 2.1.2: Support infill and redevelopment in Urban Areas by encouraging the use of higher densities and intensities to offset higher per acre land costs of infill development. Infill and redevelopment may include new construction, reuse, or rehabilitation of uses within developed areas. (New Policy)

POLICY 2.1.3: The following uses may be considered in all land use categories ~~All land use categories and Planning Community Map areas permit the consideration of churches and schools (except in the Conservation Lands Categories, Wetlands, and Airport Noise Zones), public uses and buildings, public utilities and resource recovery facilities, public recreational uses (including franchised quasi-commercial uses in conjunction with a public use), and sites for compatible public facilities when consistent with the goals, objectives, policies, and standards in this plan and applicable zoning and development regulations.~~ (Edited from Policy 2.1.3)

POLICY 2.1.4: ~~In order to e~~Ensure that public school locations are proximate to urban residential areas and are consistent with county growth policies ~~proposals for new schools are subject to the objectives and policies contained under Goal 66.~~ (Edited Objective 2.10)

POLICY 2.1.5: Assisted living facilities, as defined ~~Any facility licensed under Chapter 1058A-5 F.A.C. (e.g., an adult congregate living facility)~~ will be deemed a residential use and limited to locations and densities appropriate for residences. (Modified Policy 2.1.4)

OBJECTIVE 2.2: DEVELOPMENT TIMING. Direct new growth to ~~those portions of the Future Urban Areas where adequate public facilities exist or are assured planned and where that create compact and contiguous development patterns. can be created.~~ Development orders and permits, (as defined in Florida Statute, F.S. 163.3164(7)) ~~will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and this plan the county's Concurrence Management Ordinance.~~ (Edited Objective 2.2)

POLICY 2.2.1: Evaluate rezonings and DRI development of regional impact proposals in light of ~~will be evaluated as to the availability and proximity of the~~ of adequate public facilities, including: road transportation network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. (Edited Policy 2.2.1)

POLICY 2.2.2: Map 1 of the ~~Future~~ Land Use Map series indicates the uses and density ranges that ~~will may~~ ultimately be permitted on a given parcel. The future land use designation of a parcel ~~However, it is not a guarantee that the such densities or uses are immediately appropriate. as The future land use map provides for the county's growth through 2035. beyond the Lee Plan's planning horizon of 2030. During the rezoning process the Board of County Commissioners (Board) must will balance the overall standards and policies of this plan with these additional considerations: three additional factors:~~

- ~~a. Whether a given proposal would further burden already overwhelmed existing and committed public facilities such that the approval should be delayed until the facilities can be constructed; and~~
- a. Whether the proposed development in a Non-Urban Area is remote from a given proposal is for land so far beyond existing development, or if there are not adequate public facilities to serve the proposed development, that approval should be delayed in an effort to encourage compact and efficient growth patterns; and
- b. Whether a given proposal in a Non-Urban Area would result in unreasonable development expectations that may not be achievable because of the acreage limitations contained in the Acreage Allocation Table (see Policy 1.7.6, Map ## and Table ##. Additional provisions related to mining are provided in Policy 33.1.4.

~~In all cases where rezoning is approved, such approval does not constitute a determination that the minimum acceptable levels of service (see Policy 95.1.3) will be available concurrent with the impacts of the proposed development. Such a determination must be made prior to the issuance of~~

~~additional development permits, based on conditions which exist at that time, as required by Lee County's concurrency management system. (Modified Policy 2.2.2)~~

POLICY 2.2.3: When an area within the county is approaching the capacity of the necessary facilities as described above, requested rezonings to increase densities and intensities may be deferred or denied to give preference to existing vacant lots and other valid development approvals, provided that a constitutionally mandated reasonable use of land would still be permitted. (Existing 2.2.3)

POLICY 2.2.4: ~~Consistent with tThe Capital Improvements Program Element, will give the highest priority to the planning, programming, and construction of urban services and facilities in the existing developed areas where facilities are inadequate. Give the next priority will be given to service expansions in existing developed areas, followed by further expansion into other portions of the Future Urban Areas. Sufficient land will be Identified and protected Identify and protect sufficient land for utility facilities that will be necessary to support the proposed levels of development. Detailed Other infrastructure planning priorities are contained in Policy 38.2.4 and Policy 95.1.1 the Capital Improvements Element. (Edited Objective 2.3)~~

POLICY 2.2.5: ~~The cost for the provision and expansion of services and facilities that benefit new development will be borne primarily by those who benefit. Such Funding may include (but is not limited to) impact fees, special taxing or benefit districts, community development districts, dedication of land and facilities, in-lieu-of fees, and capital construction, operation, and maintenance funds. (Edited Policy 2.3.2)~~

POLICY 2.2.6: ~~The Planning District Community Map and Acreage Allocation Table (see Map 16 and Table 1(b) and Policies 1.1.1 and 2.2.2) depicts the proposed distribution, extent, and location of generalized land uses for the year 20305. Acreage totals are provided for land in each Planning District Community in unincorporated Lee County and used to reconcile the carrying capacity of the map with the adopted population projection for the time horizon of the this plan. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded. This policy will be implemented as follows: 1. For each Planning District, Community The County will maintain an updated, parcel based database of existing land use for each Planning District. The database will be periodically updated at least twice every year, in September and March, for each Planning Community. (Modified from Policy 1.7.6)~~

POLICY 2.2.7: In urban areas, where infrastructure is anticipated to accommodate future development and redevelopment, the acreage totals in table 1(b) will be used as a planning tool to guide necessary infrastructure improvements. (New Policy)

POLICY 2.2.8: In non-urban areas, where minimal public infrastructure is anticipated, 2Pproject reviews for development orders must include a review of the capacity, in acres, that will be consumed by build out of the development order. No development order, or extension of a development order, will be issued or approved, for residential, commercial or industrial uses, if the project acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Table 1(b), Acreage Allocation Table regardless of other project approvals in that Planning Community. For limerock mining in the Southeast Lee County Planning District Community #18, see special requirements in Policy 33.1.4 regarding industrial acreages in Table 1(b). (Modified from Policy 1.7.6)

POLICY 2.2.9: At each regularly-scheduled date for submission of the Lee Plan Evaluation and Appraisal Report, the County must conduct a comprehensive evaluation of Planning District Community Map and the Acreage Allocation Table system, including but not limited to, a calculation of the estimated carrying capacity of the Land Use Map, the appropriateness of land use distribution, problems with administrative implementations, if any, and areas where the Planning District Community Map and the Acreage Allocation Table system might be improved. (Modified from Policy 1.7.6)

OBJECTIVE 2.3: FUTURE LAND USE MAP AMENDMENTS. Regularly examine the Future Land Use Map in light of new information and changed conditions, and make necessary modifications. (Edited from Objective 2.4)

POLICY 2.3.1: The county will Accept applications from private landowners or non-profit community organizations to modify the boundaries as shown on the Future Land Use Map. Adopt procedures, fees, and timetables for this procedure will be adopted by administrative code. (Edited from Policy 2.4.1)

POLICY 2.3.2: Proposed amendments must address:

- a. Availability of public facilities and services;
- b. Projected permanent and seasonal population of the area;
- c. Amount of land required to accommodate anticipated growth, including employment opportunities;
- d. Suitability of the proposed land use map designation considering the character of the land, soils, topography, natural resources, and historic resources; and
- e. Compatibility of uses in proximity to the proposed amendment.

(New Policy)

POLICY 2.3.3: No land use map amendments that increase density may be made to the Non-Urban Areas unless the density is acquired through transfer of development rights or three members of the Board make a finding of overriding public necessity. (New Policy)

POLICY 2.3.4: Discourage amendments to the Lee Plan that promote urban sprawl. (New Policy)

POLICY 2.3.5: All proposed changes to the ~~Future~~ Land Use Map in critical areas for future potable water supply (Lehigh Acres as described in the Conservation and Coastal Management Element Policy 54.1.9; and all land in the DR/GR Density Reduction/ Groundwater Resource land use category) will be subject to a special review ~~by the staff of Lee County~~. This review ~~will~~ Analyze the proposed land uses to determine the short-term and long-term availability of irrigation and domestic water sources. ~~and will~~ Assess whether the proposed land uses ~~would~~ will cause ~~any~~ significant impacts to ~~on~~ present or future water resources. ~~If The Board of County Commissioners wishes to approve any such changes to the Future Land Use Map, it must make a formal finding that no significant impacts on present or future water resources will result from the change.~~ (Edited Policy 2.4.2)

POLICY 2.3.6: Except for areas identified as needed for airport expansion, ~~discourage~~ Future Land Use Map Amendments to the ~~existing~~ DR/GR areas south of SR 82 east of I-75, ~~excluding areas designated by the Port Authority as needed for airport expansion, which~~ that increase the current allowable density or intensity. ~~of land use will be discouraged by the county.~~ It is Lee County's the county's policy not to approve further urban designations in the DR/GR ~~there~~ for the same reasons that supported its 1990 decision to establish ~~this~~ the category. In addition to satisfying the requirements in 163 Part II Florida Statutes, ~~Rule 9J-5 of the Florida Administrative Code,~~ the Strategic Regional Policy Plan, the State Comprehensive Plan, and ~~all of the criteria in the Lee Plan,~~ applicants seeking such an amendment must also:

- ~~1a.~~ Analyze the proposed allowable land uses to determine the availability of irrigation and domestic water sources; ~~and,~~
- ~~2b.~~ Identify potential irrigation and domestic water sources, consistent with the Regional Water Supply Plan. Since regional water suppliers cannot obtain permits consistent with the planning time frame of the Lee Plan, water sources do not have to be currently permitted and available, but they must be reasonably capable of permitting; ~~being permitted;~~ ~~and,~~
- ~~3c.~~ Present data and analysis that the proposed land uses will not cause ~~any~~ significant harm to present and future public water resources; ~~and,~~
- ~~4d.~~ Supply data and analysis specifically addressing the urban sprawl criteria listed in Florida Statutes. F Rule 9J-5.006(5) (g), (h), (i) and (j), FAC Florida Statutes 163 Part II.

During the transmittal and adoption process, the Board of ~~County Commissioners~~ must review the application for all these analytical requirements and make a finding that the amendment complies with all of them. (Modified Policy 2.4.3)

OBJECTIVE 2.4: DENSITY AND INTENSITY TRANSFER. Support the development of distinct urban and suburban places by establishing innovative programs that allow the transfer of density and intensity to targeted areas. (New Objective)

POLICY 2.4.1: Promote increased density in the more intense urban land use categories by establishing procedures that enable the use of higher and incentive densities. (New Policy)

POLICY 2.4.2: Maintain existing and establish new programs that create opportunities to:

- a. Transfer density and intensity from designated “sending areas” to designated “receiving areas”.
- b. Increase density for developments that either promote or provide affordable housing.
- c. Increase density for developments that provide enhanced urban services and infrastructure such as; enhanced transit, pedestrian, bicycle, or other mobility alternatives; provision of civic or public spaces; or, other urban amenities.

(New Policy)

POLICY 2.4.3: Viable candidates for receiving sited for increased density and intensity include:

- a. Areas in the Mixed-Use Overlay;
- b. Urban Core, Urban Places, Urban Neighborhoods, and Suburban Six; and,
- c. Designated Mixed-Use Compact Communities;
- d. Incorporated areas where there are interlocal agreements between the city and county.

(New Policy)

POLICY 2.4.4: Viable candidates for sending sites include:

- a. Lands that maintain a rural or environmental character such as providing links to the regional open space system, listed species habitat, flow ways, or groundwater recharge.
- b. Non-conforming lots and other lots with rights to develop residential unit(s) that are not suited for development.

(New Policy)

POLICY 2.4.5: Programs created under this objective will be incorporated into the LDC and Administrative Code.

- a. Innovative techniques to assure successful programs will utilize incentives for both the sending and receiving sites.
- b. Appropriate density and intensity multipliers will be evaluated and established for sending sites. Streamlined approval processes will be evaluated and established for receiving sites.
- c. Areas that are proposed for, or that request, reduction of allowable density through land use map amendments will be compensated with additional density over and above the proposed reduction of density.

(New Policy)

POLICY 2.4.6: Facilitate the transfer of rights from property owners with sending sites to property owners with receiving sites through a publicly administered TDR bank. (New Policy)

POLICY 2.4.7: Allow TDR credits to be redeemed in incorporated municipalities where suitable interlocal agreements specify the terms of potential transfers. Interlocal agreements could also provide for reciprocity with municipalities that have a substantially equivalent TDR programs.

~~**POLICY 2.3.1:** Specific level of service standards and capital improvement priorities will be detailed in the relevant elements of this plan and carried out through a capital improvements program as described in the Capital Improvements element.~~

~~**POLICY 2.3.3:** All facility provision from the special funding sources in policy 2.3.2 must be consistent with this plan.~~

~~**OBJECTIVE 2.6: REDEVELOPMENT.** Future redevelopment activities will be directed in appropriate areas, consistent with sound planning principles, the goals, objectives, and policies contained within this plan, and the desired community character.~~

~~**POLICY 2.6.1:** Community redevelopment activities will be conducted by the Lee County Community Redevelopment Agency within approved redevelopment areas according to adopted redevelopment plans.~~

~~**POLICY 2.6.2:** Redevelopment activities will be comprehensive in approach and include the following components:~~

- ~~• Study of incompatible land uses;~~
- ~~• Correction of outdated zoning classifications;~~
- ~~• Elimination of substandard or unsafe buildings;~~
- ~~• Traffic circulation and parking;~~
- ~~• Economic revitalization;~~
- ~~• Protection of adjacent residential neighborhoods and historic and natural resources;~~
- ~~• Signage;~~
- ~~• Landscaping;~~
- ~~• Urban Design/Master Planning;~~
- ~~• Affordable Housing.~~

~~**POLICY 2.6.3:** Within the Charleston Park CRA residential, commercial and industrial uses which meet the needs of the low income residents and which are suitable to the scale and location of the community and will be compatible with the residential character of the community and consistent with the adopted CRA plan will be permitted.~~

~~**OBJECTIVE 2.7: HISTORIC RESOURCES.** Historic resources will be identified and protected pursuant to the Historic Preservation element and the county's Historic Preservation Ordinance.~~

~~**OBJECTIVE 2.8: COASTAL ISSUES.** Development in coastal areas is subject to the additional requirements found in the Conservation and Coastal Management element of this plan, particularly those found under Goals 105, 109, 110, 111, 112, and 113.~~

~~**OBJECTIVE 2.9: SCENIC CORRIDORS.** By 1995, formally consider the establishment of specialized design standards along specified arterial and collector roads.~~

~~**POLICY 2.9.1:** The county will identify key road segments which, with specialized design and landscaping standards, could become scenic landmarks. These segments may be relatively undeveloped arterial or collector roads or may be older roads along which revitalization or historic preservation efforts would be appropriate.~~

~~**POLICY 2.9.2:** A study will be conducted in cooperation with interested parties to identify and evaluate alternative design themes and land use patterns. The study will recommend specific incentives, development regulations, and funding sources to implement a scenic corridor program. (Policy addressed through the Transportation and Parks and Recreation Elements.)~~

~~**OBJECTIVE 2.10: SCHOOL LOCATION** In order to ensure that public school locations are proximate to urban residential areas and are consistent with county growth policies proposals for new schools are subject to the objectives and policies contained under Goal 66.~~

~~**OBJECTIVE 2.12: DIVERSIFIED CLUSTER DEVELOPMENT** The County in several future land use categories allows the potential for a mixture of different land uses including: residential, commercial/office, research and development, and light industrial.~~

~~**POLICY 2.12.1:** The County encourages and promotes clustered, mixed use development within certain Future Urban Area land use categories to spur cluster development and smart growth within those areas of Lee County where sufficient infrastructure exists to support development, as well as continue to improve the economic well-being of the County; provide for diversified land development; and provide for cohesive, viable, well integrated, and pedestrian and transit oriented projects. This is intended to encourage development to be consistent with Smart Growth principles.~~

~~**POLICY 2.12.2:** Future development within the Tradeport and Industrial Development future land use categories is strongly encouraged to be designed to include a mixture of research and development, industrial, and related office uses, where appropriate.~~

~~**POLICY 2.12.3:** Future development within the Intensive Development, Central Urban, and Urban Community future land use categories is strongly encouraged to be development as a mixed use with two or more of the following uses: residential, commercial (including office), and light industrial (including research and development use). When residential use is one of three uses proposed, in a mixed use development, residential densities may be developed as provided for under the Glossary terms: "Mixed Use", "Mixed Use Building", and "Density."~~

~~**GOAL 3: PRIVATELY FUNDED INFRASTRUCTURE.** To assist in the provision of a full range of privately funded urban infrastructure in specified Future Urban areas which have existing or projected deficits in one or more essential services.~~

~~**OBJECTIVE 3.1: FUNDING MECHANISMS.** The Future Land Use Map will include overlays designating specific geographic areas which are permitted urban level densities and intensities because most necessary infrastructure will be provided through the creation of multifunction taxing~~

and/or benefit districts, community development districts, direct developer provision, or an effective combination of similar financing mechanisms.

~~**POLICY 3.1.1:** The county will establish taxing/benefit districts where appropriate for the designated areas in accordance with the provisions of general law. Such a district may be limited to specific types of infrastructure upon a formal finding by the Board of County Commissioners that more appropriate mechanisms have been identified to provide the remaining facilities and services; a district may also be limited to a geographic area smaller than the overlay zone upon a formal finding by the board that this reduction will not substantially increase infrastructure costs which must be paid by general county revenues.~~

~~**POLICY 3.1.2:** With initial funds from each designated area or other source, an examination will be made (under direction of the county) of the infrastructure needs for that area. A detailed plan for the provision of needed facilities will then be prepared.~~

~~**POLICY 3.1.3:** The infrastructure to be provided through this program in each designated area may include any or all of the following facilities and services as appropriate: collector and arterial roads, surface water management (see Policy 60.2.2), water and sewer mains and treatment, fire and EMS service, parks, etc.~~

~~**POLICY 3.1.4:** A committee of landowners in each designated area may be established to provide input into this process(Policy addressed through the Capital Improvements Element.)~~

~~**POLICY 3.1.5:** Where proposed development projects had been approved contingent upon the private provision of infrastructure that now will be provided through a different mechanism, the developer may apply through the zoning process to have such conditions modified or deleted.~~

~~**POLICY 3.1.6:** Rezoning to permit increased densities that are granted after the effective date of this policy (March 1, 1989) but before the district (or equivalent funding mechanism) has been established and an infrastructure plan has been prepared will be subject to a special requirement that further development orders will be granted only upon a clear showing that the development will not cause the mandatory levels of service in Policy 95.1.3 to be exceeded. The granting of a development order will not release the property owner from any obligations under the privately funded infrastructure overlay. This requirement will not apply if it would preclude the constitutionally mandated reasonable use of a parcel of land.~~

Goal 3: Development Standards. Goal 3 is also mostly existing language consisting of residential standards (formerly Goal 5), commercial standards (formerly Goal 6), industrial standards (formerly Goal 7), marine-oriented land use standards (formerly Goal 8), agricultural standards (formerly Goal 9), and natural resource extraction standards (formerly Goal 10). The goal continues to require development standards that assure the county's priorities for how land is to be developed in the future. While some new policies have been created and others have been redrafted, all of issues are addressed by existing policies within the current Future Land Use

Element. New language, as shown in underline, is based upon the direction provided through the EAR.

GOAL 3: DEVELOPMENT STANDARDS. Establish land use practices and standards that guide the review of future development projects and direct the development of residential, commercial, industrial, agricultural, marine-oriented, and natural resource extraction areas. (New goal)

OBJECTIVE 3.1 REVIEW STANDARDS. ~~To insure~~ Ensure that appropriate water, sewer, traffic, and environmental review standards are considered in reviewing rezoning applications and that those standards are met prior to issuance of a county development order. (Edited Goal 11)

POLICY 3.1.1: Evaluate development designs ~~will be evaluated~~ to ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site, and that the placement of uses or structures within the development minimizes the expansion and construction of street and utility improvements. (Former Policy 4.1.1)

POLICY 3.1.2: Evaluate development designs will be evaluated to ensure that the internal street system is designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development. (Former Policy 4.1.2)

POLICY 3.1.3: Incorporate Crime Prevention through Environmental Design (CPTED) guidelines ~~will be incorporated~~ to the maximum extent possible. (Modified Policy 4.3.3(1))

POLICY 3.1.4: Lee Plan amendment applications to expand the Lee Plan's employment centers, which include light industrial, commercial retail and office land uses, will be evaluated by the Board of County Commissioners in light of the locations and cumulative totals already designated for such uses, including the 1994 addition of 1,400 acres to the Tradeport category just south of the Southwest Florida International Airport. (Added by Ordinance No. 97-05, Amended by Ordinance No. 00-22, 04-16) (Former Policy 2.4.4)

POLICY 3.1.5: Potable Water Standards.

- a. ~~Any~~ New residential development exceeding ~~that exceeds~~ 2.5 dwelling units per gross acre, and ~~any~~ new single commercial or industrial development exceeding ~~in excess of~~ 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as ~~that is defined by Florida Statutes; Chapter 17-22, F.A.C.;~~
- b. If the proposed development lies within the boundaries of a water utility's certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 6), then the development must be connected to that utility;
- c. The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.

- d. All waterline extensions to new development will be designed to provide minimum fire flows, as well as adequate domestic services as required by Florida Statutes; Chapter 10D-4, F.A.C.;
- e. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map ##), and the utility cannot provide the service or cannot provide the service except at a clearly unreasonable cost to the developer, the developer is encouraged to petition the appropriate regulatory agency to contract the service area so that the development may establish its own community water system or invite another adjacent utility to expand its service area ~~in order~~ to provide the required service; and
- f. If a development lies outside ~~any a utility~~ service area as described above, the developer may:
 - 1. Request that the service area of an adjacent water utility be extended to incorporate the property;
 - 2. Establish a community water system for the development; or
 - 3. Develop at an intensity that does not require a community water system.

(Edited Standard 11.1)

POLICY 3.1.6: Sanitary Sewer Standards.

- a. ~~Any~~ New residential development ~~exceeding that exceeds~~ 2.5 dwelling units per gross acre, and ~~any~~ new single commercial or industrial development ~~that generates~~ generating more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system;
- b. If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map ##), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within 1/4 mile from any part of the development;
- c. If there is not sufficient capacity ~~nor~~ or adequate infrastructure within 1/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service;
- d. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map ##), and the utility cannot provide the service, or cannot provide the service ~~except~~ but at a clearly unreasonable cost to the developer, the developer may establish, on a temporary basis, a self-provided sanitary sewer facility for the development, to be abated when the utility extends service to the site. The developer may also petition the appropriate regulatory agency to contract the service area of the utility so in order that another utility may be invited to provide the service; and
- e. If a development lies outside ~~any a~~ service area as described above, the developer may:
 - 1. Request that the service area of an adjacent sewer utility be expanded to incorporate the property;
 - 2. Establish a self-provided sanitary sewer system for the development;
 - 3. Develop at an intensity that does not require sanitary sewer service; or

4. If no more than 5000 gallons of effluent per day per parcel is produced, the development may utilize an individual sewage disposal system per Chapter 10D-6 may be utilized in accordance with Florida Statute, contingent on approval by all relevant authorities.

(Edited Standard 11.2)

POLICY 3.1.7: Multimodal Transportation Standards Traffic.

- a. A multimodal transportation traffic impact statement must be submitted to and accepted by the county DOT for the following developments applications:
 1. Comprehensive Plan Amendment;
 2. Developments of Regional Impact (DRIs);
 3. Planned Developments (as specified in the Zoning Regulations); and
 4. Developments requiring a county development order, as specified in the LDC LDC.
- b. The form, content, and level of detail required in the multimodal transportation traffic impact statement will be established by Lee County by ordinance, administrative code, or other regulations. Lee County will establish criteria or thresholds to determine the scope of the multimodal transportation traffic impact statement required:
 1. In urban land use categories, the multimodal transportation impact statement will provide information regarding project impacts to multimodal facilities, safety and accessibility to the adjacent multimodal transportation infrastructure.
 2. In all other land use categories, if If the development does not meet or exceed these the established thresholds, the multimodal transportation traffic impact statement will provide information regarding multimodal traffic generation and impacts at the development's access points to the adjacent street system; and If the development meets or exceeds the established thresholds, the multimodal transportation traffic impact statement will provide a comprehensive assessment of the development's impacts on the surrounding multimodal transportation infrastructure road system

(Edited Standard 11.3)

POLICY 3.1.8: Environmental Review Factors. ~~In any case~~ Where there exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, South Florida Water Management District, or other applicable regulatory agency), the developer/applicant must require developers and/or applicants to prepare an environmental assessment that examines examining the existing conditions, addresses addressing the environmental problems, and proposing proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources. (Edited Standard 11.4)

OBJECTIVE 3.2: RESIDENTIAL STANDARDS AND PRACTICES. Support development of attractive and safe neighborhoods with a variety of price ranges and housing types to accommodate the population needs of the county. (New Objective)

POLICY 3.2.1: Ensure residential land uses support the urban, suburban, rural, or mixed-use context of the surrounding developments by implementing the following standards:

- a. Locate high-density urban and suburban residential developments near mixed-use centers; employment and commercial districts; parks and schools; and multi-modal transportation facilities;
- b. Provide a variety of multi-modal interconnections to adjoin developments and the local transportation system through various pedestrian, bicycle, transit, and auto opportunities;
- c. Ensure residential communities provide for open spaces and community facilities that are easily accessible via pedestrian and bicycle connections, and provide for the functional needs of the community (e.g.: urban courtyards, parks, and central public spaces; passive landscaping, buffering, and open spaces; and active playgrounds and recreation areas);
- d. Encourage interconnections within and between developments—particularly those located within Urban Areas;
- e. Require residential developments meeting Development of County Impact (DCI) thresholds to develop as planned residential developments; and
- f. Restrict residential development from areas with physical constraints or hazards (e.g.: flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; Airport Noise Zone B; industrial land use categories; or other characteristics that may endanger the residential community.).

(Modified to address issues from Policies 5.1.1 and 5.1.2)

POLICY 3.2.2: Protect existing and future residential areas from encroachment of uses potentially destructive to the character and integrity of the residential environment.

- a. ~~Within Suburban and Rural Land Use Categories requests for conventional rezonings will be denied in the event that the where buffers measures to ensure compatibility provided in LDC Chapter 10 of the LDC are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a~~
- b. Within Suburban and Rural Land Use Categories planned developments or special exceptions, if and generally applicable development regulations are deemed found to be inadequate, must include conditions will be attached to minimize or eliminate the potential impacts. or, Where no adequate or enforceable conditions can be devised, the application will be denied altogether. The LDC will continue to require appropriate buffers for new developments within suburban and rural land use areas.
- c. Within the three Urban Land Use Categories varied land uses are expected to be located in close proximity to one another. Compatibility will be addressed through zoning conditions and development design.

(Modified Policy 5.1.5)

POLICY 3.2.3: ~~In those instances Where land under single ownership is divided into two or more land use categories by the adoption or revision of the Future Land Use Map, the allowable density under this plan will be the sum of the allowable densities for each land use category for each portion of the land. This Resulting density may can be allocated across the entire property provided that:~~

- a. Planned development zoning is utilized;
- b. No density is allocated to lands designated as ~~Non-Urban or Environmentally Critical that would cause the density to exceed that allowed on such areas; and~~
- c. ~~The land was under single ownership at the time this policy was adopted and is contiguous; in situations where land under single ownership is divided by roadways, railroads, streams (including secondary riparian systems and streams but excluding primary riparian systems and major flow ways such as the Caloosahatchee River and Six Mile Cypress Slough), or other similar barriers, the land will be deemed contiguous for purposes of this policy; and~~
- c. The resultant Planned Development affords further protection to protects environmentally sensitive lands ~~if they exist~~ on the property.

(Edited Policy 5.1.10)

OBJECTIVE 3.3: ~~Redevelopment of~~ **EXISTING MULTI-FAMILY RESIDENTIAL REDEVELOPMENT:** ~~To Incentivize and promote cost effective and timely redevelopment of multi-family developments that were approved and developed prior to the adoption of the 1984 Lee Plan, in excess of the standard density range for their current Future Land Use Category. (Edited Objective 5.2)~~

POLICY 3.3.1: Permit over-density multi-family residential developments that lawfully achieved their density prior to the effective date of the Lee Plan (December 21, 1984), ~~may be permitted to redevelop at their existing density.~~ Over-density multi-family redevelopments will be considered on a case by case basis to determine the approval process to be followed to achieve redevelopment. (Edited Policy 5.2.1)

POLICY 3.3.2: ~~When rezoning is required,~~ Require the planned development zoning process ~~must to be utilized when rezoning is required in order~~ to prevent and mitigate adverse impacts to the surrounding areas and to ensure that appropriate site development regulations are incorporated into the development plans. (Edited 5.2.2)

POLICY 3.3.3: ~~In order to Document~~ existing conditions as part of a redevelopment plan structures including:

- a. Number of dwelling units;
- b. Floor area; ~~existing~~
- c. Water management systems and outfalls;
- d. Impervious area on the subject property; and ~~all proposals for over-density multi-family redevelopment must provide the county with full documentation verifying this information and establishing development was lawful when initially constructed.~~

The documentation must be provided at a pre-application meeting and include two site plans: one depicting existing development and another depicting the proposed plan of redevelopment. This information ~~must be provided at a pre-application meeting with county staff.~~

(Modified 5.2.3)

POLICY 3.3.4: Require the site design of the proposed development must to be compatible with surrounding land uses to the maximum extent possible. (Edited 5.2.4)

POLICY 3.3.5: Require all wet retention and dry retention areas must to be planted with appropriate native trees and herbaceous plant species. (Edited 5.2.5)

POLICY 3.3.6: For sites located within the Coastal High Hazard Area, proposed redevelopment must Ensure redevelopment projects located within the Coastal High Hazard Area incorporate the following features:

- a. ~~Have~~ Sufficient elevation to address a storm surge from a land falling category 5 hurricane;
- b. ~~Be~~ Constructed to withstand winds of 200 mph in accordance with the Florida Building Code;
- c. ~~Utilize~~ Impact protection for all exterior openings in accordance with the Florida Building Code;
- d. ~~Be Equipped with~~ Emergency power and potable water supplies ~~to last for~~ up to five days;
- e. ~~Be Protected with adequate~~ Ventilation, sanitary facilities, and first aid medical equipment; and,
- f. ~~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 to reduce the impact on wildlife such as sea turtles and migrating birds. 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 and metal halide lamps are also prohibited; and
 - 3. Glass windows and doors must be treated to achieve an industry-approved, inside-to-outside light transmittance value of 45 percent or less.

(Edited Policy 5.2.6)

OBJECTIVE 3.4 COMMERCIAL STANDARDS AND PRACTICES. Provide for the county's commercial needs through development standards and planning practices that direct the design, location, and makeup of mixed-use and commercial centers. (New objective)

POLICY 3.4.1: Ensure commercial development supports the surrounding development and provides for the economic and commercial needs of the people who live, work, and visit the area through the following practices:

- a. Prioritize redevelopment and infill in areas where existing commercial development exist;
- b. Permit when properly zoned within the Urban Areas;
- c. Expand multi-modal transportation options through the development areas and protect the traffic-carrying capacity of arterial roads between the commercial and mixed-use centers;
- d. Provide appropriate public space, civic areas, landscaping, open space, and buffering.
- e. Incorporate architectural features that enhance the appearance of structures, screen parking areas, and blend with the character of existing or planned surrounding land uses.

- f. Allow limited commercial marinas (not including heavy marine commercial, such as extensive storage and hull, engine, and electronic repairs) in non-urban areas.

(Redrafted to address issues in Policies 6.1.6, 6.1.7, 6.1.8)

POLICY 3.4.2: Ensure commercial developments are designed consistent with the context of the surrounding area and support the needs of the surrounding area by reviewing applications for commercial developments according to the following issues:

- a. Adjacent land uses and surrounding neighborhoods (rezoning);
- b. Proximity to other similar uses (rezoning); and
- c. Connectivity and access to multi-modal transportation (rezoning and development orders);
- d. Adequate levels of services and facilities (rezoning and development orders);
- e. Landscaping and detailed site planning (development orders);
- f. Environmental features (rezoning and development orders); and
- g. Development transitions, facility screening, and landscape buffering (planned development rezoning and development orders).

(Redrafted to address issues from Policies 6.1.1, 6.1.6)

POLICY 3.4.3: ~~Require commercial planned developments meeting requiring rezoning and meeting Development of County Impact DCI thresholds must be developed as planned developments, if rezoning is required and designed to incorporate the following features: :~~ designed to arrange uses in an integrated and cohesive unit in order to:

- a. ~~Provide~~ Visual harmony and landscaping;
- b. Interconnectivity to reduce dependence on the automobile;
- c. ~~Promote~~ Promotion of pedestrian movement within the development and to adjacent developments;
- d. Utilize Joint parking, access, and loading facilities;
- e. ~~Avoid~~ Avoidance of negative impacts and support of surrounding land uses, development forms, and travel circulation;
- f. ~~Protect~~ Protection of natural resources; and
- g. ~~Provide~~ Provision of necessary services and facilities ~~where they are inadequate to serve the proposed use.~~

(Revised Policy 6.1.3)

POLICY 3.4.4: ~~Prohibit commercial developments from locating in such a way as to open opening new areas to premature, scattered, or strip development. but Encourage permit commercial development to in infill, redevelopment, and previously established development locations on small parcels in areas where existing commercial development would make a residential use clearly unreasonable.~~

(Revised Policy 6.1.7)

POLICY 3.4.5: Define locations and standards for the size, location, and access of commercial retail facilities in the LDC. (Addressed Policy 6.1.2)

POLICY 3.4.6: ~~The approval or existence of Commercial development approved or existing on one corner of an intersection is not an indication on its own does not mean, that all corners of the intersection are appropriate for commercial or mixed use development. nor does~~ Further, the existence of commercial development on an arterial or collector road ~~does not dictate that all frontages must be used in a similar manner similarly used.~~ (Modified Policy 6.1.10)

POLICY 3.4.7: Permit limited commercial uses, agriculturally related services, and other needs of the rural area ~~which serve rural areas and agriculturally related needs may be permitted in non-urban areas as follows: unless more restrictive provisions exist within this plan.~~

- a. Location: The ~~entire~~ retail use, including buildings and outdoor sales area, must be located as follows except where this plan provides specific exceptions:
 1. At the intersection of an arterial and collector or two arterials ~~so that~~ with direct access is provided to both intersecting roads. ~~Such~~ Direct access may be provided via ~~achieved~~ with an internal access road to either intersecting road. On Lee County's islands where there is no with intersecting network of collectors and arterials, neighborhood commercial ~~centers~~ development may be located using the standards for minor ~~commercial centers~~ at or near the intersection of local and collector, or local and arterial, or collector and collector roads; and
 2. ~~As identified within the~~ Consistent with the Communities Community Planning Element;
 - b. Site Area: Two acres or less; and
 - c. Range of Gross Floor Area: Less than 30,000 square feet.
- (Modified Policy 6.1.2:1)

OBJECTIVE 3.5: INDUSTRIAL STANDARDS AND PRACTICES. Provide for the economic needs of the county through land use standards that direct the planning and design of industrial and economic land uses in appropriate locations. (New objective)

POLICY 3.5.1: Provide for the land use and transportation needs of industrial and economic land uses through locations that provide for the special needs of such uses, such as: ~~Industrial land uses must be located in areas appropriate to their special needs and constraints, including, but not limited to, considerations of:~~

- a. Commuter access from home-to-work trips;
- b. Intermodal access by truck, air, deep water, and rail; air and water quality considerations;
- c. Proximity to supportive and related land uses and utilities;
- d. Topography;
- e. Choice and flexibility in site selection;
- f. Greenbelt and other amenities; and
- g. Compatibility with neighboring uses.

(Edited Policy 7.1.3)

POLICY 3.5.2: Permit agriculturally-related industrial uses that directly serve ~~the~~ serving the rural and agricultural community in ~~areas indicated on the Future Land Use Map as Rural or Open Lands, the Rural Communities, Open Lands, DR/GR Land Use Categories provided~~ there is they

~~have~~ adequate fire protection, transportation, and wastewater treatment and water supply, and provided the uses have no adverse effect on surrounding land uses and natural resources. These determinations will be made during the rezoning process. (Edited Policy 7.1.7)

POLICY 3.5.3: Land located outside of the Industrial/~~Research~~ Development, Tradeport, and Interstate ~~Highway~~ Interchange Land Use Categories but within the designated urban land uses may be developed for light industrial purposes ~~so long as~~ when adequate services and facilities are available; the use will not adversely impact surrounding land uses, and natural resources are protected, if one of the following conditions is met:

- a. The parcel is located in the ~~Intensive Development~~ Urban Core, ~~Central Urban Places~~, or Urban ~~Community Neighborhood~~ land use categories, was zoned IL or IG prior to the adoption of the 1984 Lee Plan, and does not exceed 50 acres in size (unless it is adjacent to other existing or designated industrial lands); or
- b. The parcel is located in the ~~Intensive Development~~ Urban Core, ~~Central Urban Places~~, Urban ~~Community Neighborhood~~, General Interchange, ~~Industrial Commercial Interchange~~, or ~~University Village Employment Interchange~~ land use categories, and is zoned as a Planned Development.

(Modified Policy 7.1.6)

POLICY 3.5.4: Support development of industrial areas in appropriate urban and suburban land use categories by reviewing and evaluating proposed industrial development according to the following conditions during the zoning and development order process:

- a. Permit the timing and location of industrial development with the availability and adequacy of services and facilities;
- b. Air emissions;
- c. Impact and effect on environmental and natural resources;
- d. Effect on surrounding land use;
- e. Impacts on water quality and water needs;
- f. Drainage system ;
- g. Employment characteristics;
- h. Fire and safety;
- i. Noise and odor;
- j. Buffering and screening;
- k. Industrial traffic is directed away from local residential streets;
- l. Impacts on transportation facilities and access points;
- m. Access to rail, major thoroughfares, air, and, if applicable, water;
- n. Utility needs; and
- o. Sewage collection and treatment.

(Redrafted to address issues from Policies 7.1.1, 7.1.4, and 7.1.5)

POLICY 3.5.5: Industrial planned developments ~~requiring rezoning and meeting Development of County Impact DCI thresholds must be developed as Planned Developments designed to~~ arrange uses as an integrated and cohesive unit in order to:

- a. Promote compatibility and screening;
 - b. Reduce dependence on the automobile;
 - c. Promote pedestrian movement within the development;
 - d. Utilize joint parking, access and loading facilities;
 - e. avoid negative impacts on surrounding land uses and traffic circulation;
 - f. Protect natural resources; and
 - g. Provide ~~necessary~~ facilities and services ~~where they are~~ when inadequate to serve the proposed use.
- (Formerly Policy 7.1.2)

POLICY 3.5.6: ~~Land development regulations will~~ Require that industrial uses to be adequately buffered and screened from adjacent existing or proposed residential areas so as to prevent visual blight and noise pollution. (Formerly Policy 7.1.8)

POLICY 3.5.7: Provide for the safety and health of the county's residents and natural resources by prohibiting bulk storage or production of toxic, explosive, or hazardous materials near residential areas and prohibiting the storage of these materials in areas that have the potential to contaminate ground or surface water. (Policy addresses issues from Policy 7.1.1 (3))

OBJECTIVE 3.6: AGRICULTURAL STANDARDS AND PRACTICES. Support a diverse and robust agricultural economy by protecting agricultural lands from the encroachment of incompatible land uses and discouraging the introduction or expansion of agricultural uses in the Urban Areas.

POLICY 3.6.1: Identify rural agriculture lands on the land use map and establish policies and practices that support a diverse agricultural economy including:

- a. Utilize an Agricultural Overlay to identify, inventory, and promote agricultural uses;
- b. Evaluate applications for conversion of agricultural land uses in Non-Urban areas to other land uses;
- c. Encourage agricultural operations to meet water quality and surface water management standards by providing advisory water management plans through the Lee Soil and Water Conservation District;
- d. Promote energy, water, and soil conservation management practices; and
- e. Continue to update and analyze agricultural land use data.

(Redrafted to address issues from Objective 9.1, Policies 9.1.2, 9.1.3, and 9.1.5)

POLICY 3.6.2: Protect agricultural activities on lands within the designated as agricultural on the agricultural overlay (see Map X) from the impacts of new natural resource extraction operations, recreational uses, and residential development. However, In future limerock mining areas (see Map X), agricultural activities may be limited to the interim period prior to mining or may need to coexist with adjoining mining activities and mining pits. (Formerly Policy 9.1.4)

POLICY 3.6.3: ~~Lee County will work with a private agricultural advisory committee, agricultural operators, and landowners to~~ Establish and implement incentives to encourage the continuation of existing agricultural operations and improvements to existing agricultural operations as needed to store and treat water and improve ecological values. ~~The county will Investigate the feasibility of a Transfer of Development Rights (TDR) bank for agricultural property by 2012.~~ (Edited Policy 9.1.6)

POLICY 3.6.4: Existing agricultural lands within the DR/GR land use category provide important surface and subsurface connections for water and wildlife resources. ~~The county Support the integration of agriculture as part of a within a comprehensive and coordinated effort of county and regional agencies to manage the water resources in a manner that includes including the protection and restoration of natural systems within Southeast Lee County.~~ (Edited Policy 9.1.7)

POLICY 3.6.5: ~~Prevent the location of~~ Discourage agricultural uses proximate to incompatible urban uses and to promote the efficient use of existing and programmed urban infrastructure. , ~~new-Direct new agricultural uses should be directed away from future urban areas.~~ (Edited Objective 9.2)

POLICY 3.6.6: Rezoning of land to agricultural zoning districts is prohibited ~~in the in those areas designated by the Lee Plan as Future Urban Areas, Land Use Categories.~~ (Modified Policy 9.2.1)

POLICY 3.6.7: ~~with the exception of those areas designated as Outlying Suburban, Review Allow rezoning proposals of parcels of five acres or more to an agricultural zoning district within Suburban Categories to be reviewed on a case by case basis. requests will be reviewed on a case by case basis, and Base recommendations will be made based on:~~

- a. Current and future availability of urban infrastructure; and
- b. Compatibility with existing and future land uses;
- c. Acreage of rezoning request; and
- d. Consideration of applicable community plans. (Modified Policy 9.2.1)

POLICY 3.6.8: Planned development rezonings ~~within the future in~~ urban areas must not establish new, or expand existing, agricultural uses. Bona fide agricultural uses ~~that exist existing~~ at the time of rezoning may be approved and the use allowed to continue until development commences. ~~The approved Existing agricultural uses must may~~ not expand beyond the boundaries ~~that existed existing~~ at the time of rezoning. Existing agricultural uses within any tract or phase must be discontinued upon local development order approval including that tract or phase. (Edited Policy 9.2.2)

OBJECTIVE 3.7: MARINE-ORIENTED LAND USES STANDARDS AND PRACTICES. Designate prime locations for marine-oriented land uses and protect ~~them~~ those locations from incompatible or pre-emptive land uses. (Previously Goal 8)

POLICY 3.7.1: ~~Encourage existing marinas, fish houses, and port facilities located within indicated on the Future Land Use Map as having water-dependent overlay zones on the Future Land Use Map will be reclassified by the county to commercial and industrial marine zoning categories to protect their the right to rebuild and expand and to prevent their conversion to non-water-dependent uses without a public hearing (See Map ##).~~ (Edited Objective 8.1)

POLICY 3.7.2: ~~All Development approvals for marine-oriented land uses must also comply with requirements set forth in the Ports, Aviation and Related Facilities sub-element Coastal and Conservation Management, Objective 128.5: Marine Facilities Siting Criteria, and Objective 128.6: Marina Design Criteria.~~ (Edited Objective 8.2)

OBJECTIVE 3.8: NATURAL RESOURCE EXTRACTION STANDARDS AND PRACTICES. Protect areas containing identified natural resources from incompatible urban development, while insuring that natural resource extraction operations minimize or eliminate adverse effects on surrounding land uses and on other natural resources. (Edited Goal 10)

POLICY 3.8.1: Designate through the rezoning process, sufficient lands suitable for providing fill material, limerock, and other commercially valuable natural resources to meet the county's needs and to export to other communities, while providing adequate protection for the county's other natural resources. (Formerly Objective 10.1)

POLICY 3.8.2: 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 fill material must be trucked to likely destinations (see also Policy 33.1.5). (Formerly Policy 10.1.1)

POLICY 3.8.3: The future uses of any new or existing natural resource extraction operations must be evaluated at the time the property undergoes planned development zoning review. Site plans should be designed to incorporate proposed future uses, including open space, and to ensure the protection of surface and ground water resources, wildlife, and native plant communities. (Formerly Policy 10.1.2)

POLICY 3.8.4: Reclamation is intended to replace or offset ecological benefits lost during extraction, including the creation of conditions that will support a healthy water body to the extent practicable. Applications for natural resource extraction permits for new or expanding sites, or for future use of such sites, must include a reclamation plan that provides assurance of implementation. Reclamation This plans must address the reclamation and sustainable management of all existing and future mining pits, preserves, and buffer areas that are or may in the future be related to the mining operation. Reclamation plans in Future Limerock Mining areas (see Map 14) must include littoral shelves suitable for native wetland plants, re-vegetation of disturbed land, allowance for wildlife movement, and minimization of long-term effects on

surrounding surface and groundwater levels. Reclamation plans for mines providing primarily fill material should provide more extensive littoral shelves and describe how shorelines will be configured and managed and how disturbed uplands will be restored or converted to other acceptable land uses. Reclamation plans in or near important surface and groundwater resource areas must also be designed to minimize the possibility of contamination of the surface and groundwater during mining and after completion of the reclamation. (Formerly Policy 10.1.3)

POLICY 3.8.5: Limerock mining may be permitted only in accordance with goals, objective, and policies for Southeast Lee County, Objective 33.1 and its policies contained in the Communities Element. Other natural resource extraction activities such as fill dirt operations and ancillary industrial uses may be permitted as follows:

- a. In areas indicated on the ~~Future~~ Land Use Map as Rural, Open Lands, and ~~DR/GR Density Reduction/Groundwater Resource~~, provided there is ~~they have~~ adequate fire protection, transportation facilities, wastewater treatment and water supply, and provided further ~~that they have~~ there are no significant adverse effects such as dust and noise on surrounding land uses and natural resources. In the ~~DR/GR Density Reduction/Groundwater Resource~~ category, fill dirt operations are further restricted in accordance with ~~Policy 33.1.5~~ other policies in the Lee Plan.
- b. In order to reduce transport costs and minimize wear on the county's roadways, the extraction and transport of fill material may also be permitted as an interim use in the ~~Future~~ Urban Areas provided that the above requirements are met; however, special restrictions may also be applied to protect other land uses. These determinations will be made during the rezoning process. Ancillary crushing of limerock strata embedded within fill material may be permitted for use on-site. (Edited Policy 10.1.4)

POLICY 3.8.6: Lee County will support efforts by government, community leaders, and the extractive industry owners and businesses to incorporate reclaimed mining pits into a comprehensive and coordinated effort of ~~county and regional~~ governmental agencies to enhance wildlife habitat values, minimize or repair the long-term impacts to adjoining natural systems, provide for human recreation, education, and other appropriate uses, and/or strengthen community environmental benefits. (Formerly Policy 10.1.5)

POLICY 3.8.7: Coordinate mining activities, including evaluation, monitoring, reclamation, and redevelopment, with water supply planning, surface and groundwater management activities, wetland protection, wildlife conservation, and future residential activities. Consider the cumulative and watershed-wide impacts of mining activities, ~~not just in addition to~~ the direct impacts of each individual mine ~~in isolation~~. (Previously Objective 10.2)

POLICY 3.8.8: Natural resource extraction operations must provide a monitoring system to measure surface and groundwater levels and quality to assess any degradation of surface and groundwater resources. Particular attention will be given to potential travel time to wellfields and residential wells. Mining applications are strongly encouraged to include a minimum of three years baseline monitoring and assessments of the likely change in flow, timing of travel, and

direction of surface and groundwater systems on-site and in the impacted area. (Formerly Policy 10.2.1)

POLICY 3.8.9: Applications for natural resource extraction permits for new or expanding areas must include an environmental assessment. The assessment ~~will~~ must include (but not be limited to) consideration of air emissions, impact on environmental and natural resources, effect on nearby land uses, degradation of water quality, depletion of water quantity, drainage, fire and safety, noise, odor, visual impacts, transportation including access roads, sewage disposal, and solid waste disposal. Assessments ~~will~~ must also include:

- a. Potential impacts on the aquatic ecology and water quality of mining pits that will result from mining pit design.
- b. Likely post-mining impacts such as runoff or surface and groundwater flow on land uses surrounding the site.
- c. Consideration of the primary and secondary impacts at the local and watershed levels.

(Formerly Policy 10.2.2)

POLICY 3.8.10: The depth of mining for a proposed excavation will be limited as necessary to prevent any breach of an aquaclude or confining layer. (Formerly Policy 10.2.3)

POLICY 3.8.11: Other limitations on mining pit size, setbacks, and depths will be determined on a case-by-case basis depending on existing neighboring uses, specific hydrogeologic conditions, wetlands and watershed protection, wildlife conservation, and transportation routes including anticipated traffic to and from the mine. (Formerly Policy 10.2.4)

POLICY 3.8.12: Areas that are designated as preserve areas (e.g., buffers, indigenous preservation, and reclaimed littoral shelves) during the mining rezoning process must be protected by the execution of perpetual conservation easements so that these areas will be maintained during mine operation and in perpetuity regardless of future land uses. A timetable for all environmental remediation including the construction of buffers and reclamation of littoral shelves must be included as part of the mine rezoning application. Lee County must be named in the easement as a grantee with the power and authority, but not obligation, to enforce the terms of the easement. An entity, other than Lee County, ~~should~~ must be identified and obligated to maintain the easement in perpetuity. However, Lee County may agree to be primarily responsible for maintenance. (Edited Policy 10.2.5)

POLICY 3.8.13: The LDC-will establish the contents and frequency of monitoring reports from authorized mines. These reports may include surface and groundwater monitoring of water quality and quantity, the areas under active mining, the depths being mined, the quantity and type of mined materials, estimated reserves left for mining, and the annual volume, direction, and destination of the material being transported. Reporting will include the active mining and processing area; the areas where reclamation has been completed; and the areas where invasive exotic removal is underway or completed. (Edited Policy 10.2.6)

POLICY 3.8.14: Zoning or development order approvals may require that significant adverse impacts identified during mining or post-mining will be subject to adaptive resource management acceptable to Natural Resources whereby corrective measures can be guaranteed through conditions on the next phase's approval. (Edited Policy 10.2.7)

POLICY 3.8.15: Determine and maintain a balance between the County's petroleum resources and the health, safety and welfare of the residents of its Future Urban Areas. (Formerly Objective 10.3)

~~OBJECTIVE 4.1: PLANNED DEVELOPMENT PROCESS.~~ ~~Maintain the current planned development rezoning process which combines site planning flexibility with rigorous review. (Objective Not Needed.)~~

~~GOAL 5: RESIDENTIAL LAND USES.~~ ~~To provide sufficient land in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County in the year 2030 in attractive and safe neighborhoods with a variety of price ranges and housing types. (Amended by Ordinance No. 94-30, 07-12)~~

~~OBJECTIVE 5.1:~~ ~~All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 11, and other provisions of this plan. (Amended by Ordinance No. 94-30, 00-22)~~

~~POLICY 5.1.1:~~ ~~Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as planned residential developments. (Amended by Ordinance No. 00-22) (Addressed as part of Policy 4.1.1)~~

~~POLICY 5.1.2:~~ ~~Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community. (Addressed as part of Policy 4.1.1)~~

~~POLICY 5.1.3:~~ ~~During the rezoning process, direct high-density residential developments to locations that are near employment and shopping centers; are close to parks and schools; and are accessible to mass transit and bicycle facilities. (Amended by Ordinance No. 94-30) (Redrafted as part of Policy 3.2.1)~~

~~POLICY 5.1.4:~~ ~~Prohibit residential development in all Industrial Development areas and Airport Noise Zone B as indicated on the Future Land Use Map, except for residences in the Industrial Development area for a caretaker or security guard, and except as provided in Chapter XIII. (Amended by Ordinance No. 94-30, 07-09) (Addressed by Goal 1 and airport policies in Transportation Element)~~

~~**POLICY 5.1.6:** Maintain development regulations that require high density, multi-family, cluster, and mixed-use developments to have open space, buffering, landscaping, and recreation areas appropriate to their density and design. (Amended by Ordinance No. 94-30) (Addressed as part of Policy 3.2.1)~~

~~**POLICY 5.1.7:** Maintain development regulations that require that community facilities (such as park, recreational, and open space areas) in residential developments are functionally related to all dwelling units and easily accessible via pedestrian and bicycle pathways. These pathways must be interconnected with adjoining developments and public pathways whenever possible. Townhouses, condominiums, apartments, and other types of multi-family residential development must have directly accessible common open space. (Amended by Ordinance No. 94-30, 00-22) (Addressed as part of Policy 3.2.1)~~

~~**POLICY 5.1.8:** Provide for adequate locations of low and moderate income housing through the rezoning process, the provision of public facilities and services, and the elimination of unnecessary administrative and legal barriers. (Addressed by Housing Element)~~

~~**POLICY 5.1.9:** A single family home may be constructed on a bona fide previously subdivided lot regardless of the maximum densities specified in Table 1(a) if such lot complies with the specific rules in Chapter XIII of this plan. (Relocated by Ordinance No. 07-12) (Addressed by Administrative Element)~~

~~**OBJECTIVE 5.2:** Redevelopment of Existing Multi-Family Residential Development: To incentivize and promote cost-effective and timely redevelopment of multi-family developments that were approved and developed prior to the adoption of the 1984 Lee Plan, in excess of the standard density range for their current Future Land Use Category. (Added by Ordinance No. 10-08) (Objective and Policies replaced by Policies 3.2.3)~~

~~**POLICY 5.2.1:** Over density multi-family residential developments that lawfully achieved their density prior to the effective date of the Lee Plan (December 21, 1984), may be permitted to redevelop at their existing density. Over density multi-family redevelopments will be considered on a case-by-case basis to determine the approval process to be followed to achieve redevelopment. (Added by Ordinance No. 10-08) (Objective and Policies replaced by Policies 3.2.3)~~

~~**POLICY 5.2.2:** When rezoning is required, the Planned Development zoning process must be utilized to prevent and mitigate adverse impacts to the surrounding areas and to ensure that appropriate site development regulations are incorporated into the development plans. (Added by Ordinance No. 10-08) (Objective and Policies replaced by Policies 3.2.3)~~

~~**POLICY 5.2.3:** In order to establish the: existing structures; number of dwelling units; floor area; existing water management systems and outfalls; and, impervious area on the subject property, all~~

~~proposals for over density multi family redevelopment must provide the county with full documentation verifying this information and establishing development was lawful when initially constructed. The documentation must include two site plans. One depicting existing development and another depicting the proposed plan of redevelopment. This information must be provided at a pre-application meeting with County staff. (Added by Ordinance No. 10-08) (Objective and Policies replaced by Policies 3.2.3)~~

~~**POLICY 5.2.4:** The site design of the proposed development must be compatible with surrounding land uses to the maximum extent possible. (Added by Ordinance No. 10-08) (Objective and Policies replaced by Policies 3.2.3)~~

~~**POLICY 5.2.5:** All wet retention and dry retention areas must be planted with appropriate native trees and herbaceous plant species. (Added by Ordinance No. 10-08) (Objective and Policies replaced by Policies 3.2.3)~~

~~**GOAL 6: COMMERCIAL LAND USES.** To permit orderly and well planned commercial development at appropriate locations within the county (Goal is unified for all land use form issues and no longer a goal just for mixed-use.)~~

~~**OBJECTIVE 6.1:** Development approvals for commercial land uses must be consistent with the following policies, the general standards under Goal 11 and other provisions of this plan. (Objective not needed)~~

~~**POLICY 6.1.1:** All applications for commercial development will be reviewed and evaluated as to:~~

- ~~a. Traffic and access impacts (rezoning and development orders);~~
 - ~~b. Landscaping and detailed site planning (development orders);~~
 - ~~c. Screening and buffering (planned development rezoning and development orders);~~
 - ~~d. Availability and adequacy of services and facilities (rezoning and development orders);~~
 - ~~e. Impact on adjacent land uses and surrounding neighborhoods (rezoning);~~
 - ~~f. Proximity to other similar centers (rezoning); and~~
 - ~~g. Environmental considerations (rezoning and development orders).~~
- ~~(Redrafted through Policies 3.3.1 and 3.3.2)~~

~~**POLICY 6.1.2:** Commercial development must be consistent with the location criteria in this policy except where specifically excepted by this policy or by Policy 6.1.7, or in Lehigh Acres by Policy 32.2.4 or located in the Mixed Use Overlay utilizing Chapter 32 Compact Communities of the LDC.~~

~~1. Minor Commercial~~

- ~~a. Major function: Provides for the sale of convenience goods and services.~~
- ~~b. Location: The entire retail use, including buildings and outdoor sales area, must be located as follows except where this plan provides specific exceptions (e.g., Policy 6.1.7):~~

~~(1) — On or near the intersection (within 330 feet of the adjoining rights-of-way of the intersection roads) of local and collector, local and arterial, or collector and collector roads. In Commercial Planned Developments where future road improvements that are included in the Capital Improvement Program will enable the property to qualify for the higher level of commercial development specified in Subsection 2 below, and which are conditioned to allow the increased commercial intensity when the roadway actually functions at the higher level of a collector road, the Minor Commercial use may extend beyond 330 feet of such intersections provided the Master Concept plan specifically indicates the phasing of the development from Minor to Neighborhood Commercial use. Proposed interconnections of future internal access roads or driveways servicing only the subject parcel with an arterial or collector will not comply with the requirements of this section;~~

~~(2) — At the intersection (as defined below) of collector and arterial or arterial and arterial roads; or~~

~~(3) — Within a residential planned development provided it is located and designed primarily to meet the commercial needs of the residents of the development.~~

~~e. — Site Area: Two acres or less.~~

~~d. — Range of Gross Floor Area: Less than 30,000 square feet.~~

~~e. — When developed as part of a mixed use planned development, and meeting the use limitations, modified setback standards, signage limitations and landscaping provisions, retail uses may deviate from the locational requirements and maximum square footage limitations, subject to conformance with the Estero Community Plan as outlined in Policies 19.2.3 and 19.2.4, and through approval by the Board of County Commissioners.~~

~~2. — Neighborhood Commercial~~

~~a. — Major function: Provide for the sale of convenience goods and personal services such as food, drugs, sundries, and hardware items.~~

~~b. — Typical leading tenants: Supermarket and drug store.~~

~~c. — Location: Must be located as follows (except where this plan provides specific exceptions):~~

~~At the intersection of an arterial and a collector or two arterials so that direct access is provided to both intersecting roads. Such direct access may be provided via an internal access road to either intersecting road. On Lee County's islands where there is no intersecting network of collectors and arterials, neighborhood commercial centers may be located using the standards for minor commercial centers.~~

~~d. — Site Area: 2 to 10 acres~~

~~e. — Range of Gross Floor Area: 30,000 to 100,000 square feet~~

~~f. — In that portion of North Fort Myers lying between the Cape Coral city limits and the old S.A.L. railroad grade and north of the junction of the 41s, an exception to the strict adherence to the location standards in subsection (c) may be granted upon the approval of an application for Commercial Planned Development rezoning if the Board of County Commissioners makes a formal finding that the proposed project:~~

~~(1) — is located on an existing arterial road;~~

(2) — is located at the intersection of that arterial with a future collector or arterial that is indicated on the Official Trafficways Map; and

(3) — will provide (or at least not interfere with) an acceptable alignment for the future roadway which is the justification for the approval, relative to both extensions from the point of intersection with the existing road.

3. — Community Commercial

a. — Major function: Some functions of neighborhood commercial, in addition to providing for the sale of retail goods such as clothing, variety items, appliances, and furniture.

b. — Typical leading tenants: Supermarket, drug store, minor department store, variety store, or discount center.

c. — Location: Must be located as follows (except where this plan provides specific exceptions):

At the intersection of two arterials so that direct access is provided to both intersecting roads. Such direct access may be provided by an internal access road to either intersecting road.

d. — Site Area: 10 to 35 acres

e. — Range of Gross Floor Area: 100,000 to 400,000 square feet

f. — Notwithstanding prohibitions contained elsewhere in this plan, community commercial development may be granted in a portion of the Suburban land use category in North Fort Myers lying between the Cape Coral city limits and the old S.A.L. railroad grade and north of the junction of the 41s upon the approval of an application for Commercial Planned Development rezoning if the Board of County Commissioners makes a formal finding that the proposed project:

(1) — is located on an existing arterial road;

(2) — is located at the intersection of that arterial with a future arterial road that is indicated on the Official Trafficways Map; and

(3) — will provide (or at least not interfere with) an acceptable alignment for the future roadway which is the justification for the approval, relative to both extensions of that future roadway from the point of intersection with the existing road.

4. — Regional Commercial

a. — Major Function: Some functions of community commercial, in addition to providing a full range and variety of shopping goods for comparative shopping (such as general merchandise, apparel, furniture, and home furnishings).

b. — Typical leading tenants: One or more full line department stores.

c. — Location: Must be located in such a manner as to provide direct access to two and preferably three arterial roads. Such direct access may be via an internal access road to one or more arterials.

d. — Site Area: 35 to 100 acres

e. — Range of Gross Floor Area: 400,000 to 1 million square feet or more.

f. — The Commercial Site location standards described in this policy do not apply to Regional Commercial development approved as a single mixed use Development of Regional Impact containing regional shopping opportunities on a 483-acre portion of Section 9, Township 47

~~South, Range 25 East, that is bounded on the west by U.S. 41, on the east by the Seminole Gulf Railroad tracks, on the south by Coconut Road, and on the north by a line located one half mile north of Coconut Road designated Urban Community, provided that the DRI specifically addresses:~~

- ~~1) — Impacts to flow ways;~~
- ~~2) — Community and Regional Park levels of service;~~
- ~~3) — Roadway levels of service;~~
- ~~4) — Public Schools;~~
- ~~5) — Fire protection services; and~~
- ~~6) — Affordable housing.~~

~~5. — Commercial development “at the intersection” will extend no more than one quarter mile from the centerline of the intersection and must include proper spacing of access points, with the following exception: in a commercial development approved under the planned development rezoning process, “at the intersection” may extend beyond one quarter mile from the intersection, provided that:~~

- ~~a. — direct access is provided to the development within one quarter mile of the intersection;~~
- ~~b. — an internal access road or frontage road provides access to the intersecting street prior to occupancy of the development; and~~
- ~~c. — all access points meet LDC requirements for safety and spacing.~~
- ~~d. — the retail commercial use, including any outdoor sales, does not extend beyond one half mile from the centerline of the intersection. —~~

~~6. — Any contiguous property under one ownership may, at the discretion of the Board of County Commissioners, be developed as part of the interstate interchange, except in the Mixed Use Interchange district, provided the property under contiguous ownership to be developed as part of the interstate interchange does not extend beyond three quarters of a mile from the interchange centerpoint. Applications seeking interstate uses outside of the interstate highway interchange area will be evaluated by the Board considering the following factors: percentage of the property within the interstate interchange; compatibility with existing adjacent land uses; and, compatibility with surrounding Future Land Use Categories. This is intended to promote planned developments under unified ownership and control, and to insure proper spacing of access points.~~

~~7. — The location standards specified in Subsections 1-4 will apply to the following commercial developments: shopping centers; free standing retail or service establishments; restaurants; convenience food stores; automobile dealerships; gas stations; car washes; and other commercial development generating large volumes of traffic. These location standards will not apply to the following: banks and savings and loan establishments without drive-in facilities; hotels or motels; marinas; general, medical, or professional offices; industrial, warehouse, or wholesale development; clubs, as defined in Chapter 34 of the LDC (commercial clubs excepted); and other similar development. The distinction in this subsection between these two major types of commercial uses does not apply in Lehigh Acres, where commercial uses are permitted in~~

~~accordance with Policy 32.2.4. These location standards will not apply to property in the Mixed Use Overlay when Chapter 32—Compact Communities of the LDC is applied.~~

~~8. The standards specified in Subsections 1-4 for location, floor area and site area will serve as guidelines during the rezoning process (allowing limited discretion by the Board of County Commissioners in special cases in which retail uses are the only reasonable use of the parcel in light of its size, its proximity to arterials and collectors, and the nature of the existing and projected surrounding uses, including but not limited to environmental factors) but are strict requirements during the development order process in the case of zoning that existed prior to the effective date of the Lee Plan (December 21, 1984). The other standards specified in Subsections 1-4 will serve generally to indicate the types of development which are likely to fall within each commercial category. Proposed rezonings to commercial zoning districts that include both uses that are subject to the standards in Subsections 1-4 and uses that are not (see Subsection 7) may be found consistent with the Lee Plan by the Board of County Commissioners even if the subject parcel does not comply with the applicable location standard; provided, however, that no development orders will be issued on any such parcel for any use to which the standards in Subsection 1-4 is applicable, and all such development orders must be consistent with the level of service requirements in Policy 95.1.3.~~

~~9. The location standards in this policy are not applicable in the following areas:~~

~~a. In the Interchange land use category~~

~~b. In Lehigh Acres where commercial uses are permitted in accordance with Goal 32~~

~~c. Within the Captiva community in the areas identified by Policy 13.2.1, in Area 9 of the University Community Conceptual Master Plan, or within the Mixed Use Overlay when utilizing Chapter 32—Compact Communities of the LDC~~

~~d. In the Density Reduction/Groundwater Resource land use category where some commercial development is permitted under Objective 33.3.~~

~~10. The Board of County Commissioners may approve applications for minor commercial centers that do not comply with the location standards for such centers but which are consistent with duly adopted CRA and Community plans.~~

~~11. Uses that must comply with Subsections 1-4 may occur at the outside of a T-intersection so long as direct access is provided from at least two points on the adjacent intersecting road, one of which must be an extension of the other intersecting road.~~

~~12. Map 19 illustrates the existing Lee County intersections that are deemed to be consistent with the standards in subsections 2 and 3. Neighborhood and community commercial centers must be located at one of the designated intersections, at another intersection utilizing the list of Functional Classification for Arterial and Collector Roads, or in accordance with one of the exceptions under Goal 6, or in Lehigh Acres in accordance with Policies 1.8.1 through 1.8.3.~~

~~The map shows some intersections with half circles and others with full circles. Half circles indicate that only the two intersection quadrants shown on the map are deemed to be consistent with the standards. All of the quadrants of intersections designated with full circles are deemed to be consistent with the standards. Proposed neighborhood and community commercial centers that are located at the designated intersections are subject to all of the other Goals, Objectives and Policies of this Plan.~~

~~Functional classifications of new or improved streets will be established in accordance with the definitions of "arterial" and "collector" roads in Rule 9J 5.003. A list of Functional Classification for Arterial and Collector Roads, consisting of roads that meet this criteria, will be maintained by the Department of Transportation, for county-maintained roads, and the Division of Development Services, for privately maintained roads. These functional classification lists will be adopted by Administrative Code. For the purpose of determining compliance with the locational standards of Policy 6.1.2, only those roads identified as Major Collector roads will be considered collector roads. Roads identified as Minor Collector or not included on the list will be considered local roads. The map will be revised annually during the county's regular plan amendment cycle.~~

~~13. Freestanding single-use commercial retail development of five (5) acres or more does not qualify as a Neighborhood Center as that term is used in the Suburban and Outlying Suburban Future Land Use Categories. (Addressed through LDC, Redrafted Policies 3.3.5 and 3.3.7)~~

~~**POLICY 6.1.4:** Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities. (Addressed through Policy 3.3.1)~~

~~**POLICY 6.1.5:** The land development regulations will require that commercial development be designed to protect the traffic-carrying capacity of roads and streets. Methods to achieve this include, but are not limited to:~~

- ~~• frontage roads;~~
- ~~• clustering of activities;~~
- ~~• limiting access;~~
- ~~• sharing access;~~
- ~~• setbacks from existing rights-of-way;~~
- ~~• acceleration, deceleration and right turn only lanes; and~~
- ~~• signalization and intersection improvements (Addressed by Transportation Element)~~

~~**POLICY 6.1.6:** The land development regulations will require that commercial development provide adequate and appropriate landscaping, open space, and buffering. Such development is encouraged to be architecturally designed so as to enhance the appearance of structures and parking areas and blend with the character of existing or planned surrounding land uses. (Addressed by Policy 3.3.2 and 3.3.1)~~

~~**POLICY 6.1.8:** Commercial development may take place, when properly zoned and when meeting the standards in Policy 6.1.2, within the Future Urban Areas. Minor or rural commercial uses which serve rural residents or marine traffic, neighborhood commercial uses which serve major non-commercial public attractions (e.g. Lee County Civic Center), limited agricultural-commercial uses which serve rural areas and agriculturally related needs, and limited commercial marinas (not including heavy marine commercial, such as extensive storage and hull, engine, and electronic repairs) may be permitted in non-urban areas. (Addressed by Policy 3.3.1)~~

~~**POLICY 6.1.9:** Prohibit commercial development from locating near existing or planned school areas in such a way as to jeopardize the safety of students. (Addressed by Policy 3.3.1)~~

~~**POLICY 6.1.11:** Provide appropriate requirements and incentives for the conversion of strip commercial development into series of discrete, concentrated commercial areas. (Addressed by Policy 3.3.4)~~

~~**POLICY 6.1.12:** Encourage the upgrading or revitalization of deteriorating commercial areas (consistent with approved CRA plans, where applicable), but prohibit the expansion or replacement of commercial uses which are inappropriately located or that have an adverse impact on surrounding residential and non-residential uses. Such revitalization includes, but is not limited to: store front renewal, sign control, and the provision of common parking areas and consolidated access. (Policy not necessary)~~

~~**GOAL 7: INDUSTRIAL LAND USES.** To promote opportunities for well planned industrial development at suitable locations within the county. (Goal is unified for all land use form issues and no longer a goal just for mixed-use.)~~

~~**OBJECTIVE 7.1:** All development approvals for industrial land uses must be consistent with the following policies, the general standards under Goal 11, and other provisions of this plan. (Objective not needed)~~

~~**POLICY 7.1.1:** In addition to the standards required herein, the following factors apply to industrial rezoning and development order applications:~~

- ~~1. The development must comply with local, state, and federal air, water, and noise pollution standards.~~
- ~~2. When located next to residential areas, industry must not generate noise levels incompatible with the residential development.~~
- ~~3. Bulk storage or production of toxic, explosive, or hazardous materials will not be permitted near residential areas.~~
- ~~4. Contamination of ground or surface water will not be permitted.~~
- ~~5. Applications for industrial development will be reviewed and evaluated as to:~~
 - ~~a. air emissions (rezoning and development orders);~~
 - ~~b. impact and effect on environmental and natural resources (rezoning and development orders);~~

- ~~e. effect on neighbors and surrounding land use (rezoning);~~
- ~~d. impacts on water quality and water needs (rezoning and development orders);~~
- ~~e. drainage system (development orders);~~
- ~~f. employment characteristics (rezoning);~~
- ~~g. fire and safety (rezoning and development orders);~~
- ~~h. noise and odor (rezoning and development orders);~~
- ~~i. buffering and screening (planned development rezoning and development orders);~~
- ~~j. impacts on transportation facilities and access points (rezoning and development orders);~~
- ~~k. access to rail, major thoroughfares, air, and, if applicable, water (rezoning and development orders);~~
- ~~l. utility needs (rezoning and development orders); and~~
- ~~m. sewage collection and treatment (rezoning and development orders).~~

~~**POLICY 7.1.4:** The Future Land Use Map must designate a sufficient quantity of land to accommodate the minimum allocated land area found in Policy 1.7.6 and related Table 1(b), where appropriate. Lee County will monitor the progress of development and the number of acres converted to industrial use as part of every Evaluation and Appraisal Report (EAR). This acreage may be adjusted to accommodate increases in the allocations.~~

~~**POLICY 7.1.5:** The timing and location of industrial development will be permitted only with the availability and adequacy of existing or planned services and facilities.~~

~~**POLICY 7.1.9:** Industrial development will not be permitted if it allows industrial traffic to travel through predominantly residential areas.~~

~~**POLICY 7.1.10:** All county actions relating to industrial land uses must be consistent with the goals, objectives, and policies of the Economic element of this Plan.~~

~~**GOAL 9: AGRICULTURAL LAND USES.** To protect existing and potential agricultural lands from the encroachment of incompatible land uses and to discourage the introduction or expansion of agricultural uses in the Future Urban Areas.~~

~~**OBJECTIVE 9.1:** Place existing active and passive agricultural uses, that are zoned AG, have an agricultural exemption from the property appraiser's office, and are located outside of areas anticipated for urban use during the life of the plan on an agricultural overlay. Non-contiguous parcels less than 100 acres in size will not be included on this Overlay. A bi annual review of this map will be conducted to track changes in the inventory of agriculturally used land in the non-urban areas of Lee County.~~

~~**POLICY 9.1.1:** In accordance with F.S. 187.201(23)(b)1, nothing in this plan will be construed to permanently prohibit the conversion of agricultural uses to other land uses.~~

~~**POLICY 9.1.2:** Encourage the utilization of energy, water, and soil conservation management practices in agricultural activities.~~

~~**POLICY 9.1.3:** Continue to encourage agricultural operations to meet adopted water quality and surface water management standards by providing advisory water management plans through the Lee Soil and Water Conservation District.~~

~~**POLICY 9.1.5:** Continue to update and analyze agricultural land use data.~~

Goal 4: Activity Centers and Corridors. Goal 4 promotes the development of centrally located, interconnected mixed-use activity centers in targeted areas of Lee County. The goal directs the development of future activity centers by incorporating Evaluation and Appraisal Report Chapter 2 recommendations into existing Future Land Use Element Goal 4 objectives and policies. New objectives and policies address how to incentivize the development of mixed-use activity centers. Existing policies have been maintained that address development standards that mixed-use centers are expected to meet. The new and existing policies work together to support the form and design of mixed-use centers while providing guidance to both public and private development efforts.

GOAL 4: ACTIVITY CENTERS AND CORRIDORS. Support the development of compact, mixed-use activity centers and corridors in targeted locations through the public-private partnerships to provide diverse economic, social, and residential opportunities. Promote creative urban design forms that allow for integrated mixed-use buildings, interconnected stand alone buildings within mixed-use centers and corridors. (New goal)

OBJECTIVE 4.1: MIXED-USE PRACTICES. Facilitate the development of mixed-use places that feature a complimentary mix of uses, promote livability, walkability, and multi-modal transportation services, and provide a variety of economic, housing, and recreational opportunities in targeted locations as designated on the Land Use Map. (New objective)

POLICY 4.1.1: Foster a balance of residential, economic, and public space areas by utilizing the Future Land Use Map to designate the location of mixed-use centers and corridors in areas where the densities and intensities of mixed-use places are compatible with surrounding neighborhoods. (New Policy)

POLICY 4.1.2: Encourage mixed-use centers and corridors through development practices that support a diverse housing, economic, transportation, and social connections including:

- a. Multi-generational residential developments with an array of housing types, and live/work options;
- b. Interdependent, 24-7 economy with daytime and evening businesses, activities, and events;

- c. Interconnected land uses and transportation systems that decrease the number and length of vehicular trips, facilitate transportation options, and provide opportunities for walking, biking, riding transit, and driving; and
 - d. Centrally located, accessible, and diverse public places and open spaces.
- (New Policy)

POLICY 4.1.3: Establish and implement a Mixed-Use Overlay as part of the Future Land Use Element to target locations and promote the development of activity centers and corridors. Prioritize mixed-use overlay locations according to the following considerations:

- a. Opportunity to improve connections to surrounding neighborhoods, economic centers, parks and public spaces, and civic areas;
 - b. Redevelopment opportunities for established development areas—particularly on grayfield or brownfield sites;
 - c. Close proximity to: multi-modal transportation facilities; schools; recreation opportunities; and residential, shopping and employment centers;
 - d. Ability to improve the transportation system—e.g.: increased pedestrian, bicycle, and bus service; reduced travel distances; internal trip capture; and improved transit accessibility;
 - e. Location of large amounts of underutilized commercial space with suburban-oriented parking lots; or
 - f. Sites identified through community planning efforts, MPO plans, or Lee Tran transit plans.
- (Addresses issues from Objectives 4.2, Policies 4.2.1 and 4.2.5)

POLICY 4.1.4: Facilitate the planning and development of mixed-use centers by working with community members, property owners, and other interested stakeholders. Emphasize building consensus on locations for the Mixed-Use Overlay, education regarding the benefits and concerns related to mixed-use/higher density developments; and adoption of a mixed-use regulating plan in targeted locations. (Redrafted Policy 4.2.6)

POLICY 4.1.5: Support private mixed-use developments by streamlining the review of mixed-use developments within communities with regulating plans, prioritizing capital improvement projects needed to support mixed-use developments, encouraging creative urban mixed-use design and development practices, and identifying innovative mixed-use incentives. (New Policy)

POLICY 4.1.6: Promote the development of urban communities by prioritizing the planning, development, and funding of mixed-use centers in urban locations. Projects within urban land use categories, particularly those located within areas that have adopted mixed-use regulating plans, are a priority for public resources and programs to spur development through a variety of development practices including:

- a. Planning and adoption of mixed-use regulating plans located in target locations;
- b. Planning, funding, and construction of public services and infrastructure systems (e.g.: transportation systems; utility –potable water, sanitary sewer, and stormwater—systems; parks and public spaces; civic resources, and other);

- c. Funding capital improvement projects and other county infrastructure and transportation funding;
 - d. Identifying additional grant and public resources and programs;
 - e. Utilizing the county's historic resource, housing, park development, and other programs;
 - f. Coordinating with the Economic Development Office and Fort Myers Regional Partnership to promote economic development activities; and
 - g. Utilizing local community funding resources.
- (New policy)

POLICY 4.1.7: Properties in a Mixed Use Overlay Zone, ~~not within the Coastal High Hazard Area, and with adopted regulating plans will be considered as are~~ preferred receiving areas for Transferable Development Rights (TDRs) and ~~will allow these TDRs to serve as a method for obtaining allowable bonus densities~~ incentive density.
(Modified Policy 4.3.8)

POLICY 4.1.8: The Mixed-Use Overlay may include areas within the Coastal High Hazard Area when unique public benefits exist. ~~Such Benefits may include: providing workforce housing options for employees of businesses located on barrier islands when transit is provided between the workforce housing and the employment areas~~

- a. Development of workforce housing alternatives;
- b. Provision of transportation options;
- c. Creation of evacuation shelters; and
- d. Others benefits as determined through the zoning process.

(Modified Policy 4.2.4)

POLICY 4.1.9: Any Planned Development projects adhering to the Mixed-Use Overlay standards, at the discretion of the Board of County Commissioners, may extend a reasonable distance beyond the Mixed-Use Overlay zone ~~up to one quarter mile~~. (Modified Policy 4.2.3)

OBJECTIVE 4.2: MIXED-USE STANDARDS. ~~To Pursue or maintain land development standards and regulations which that encourage creative site designs and mixed use developments. Using an overlay to locate appropriate areas for Mixed Use, Traditional Neighborhood Development, and Transit Oriented Development.~~ (Modified Goal 4)

POLICY 4.2.1: Mixed Uses: Provide a balanced mixture of uses ~~will be provided~~ to reduce overall trip lengths, to support pedestrian, bicycle and transit opportunities and create pedestrian friendly streetscapes. Mixed use form and design considerations include:

- a. ~~Mixed uses will be encouraged~~ developments may take the form of either vertical or linear integration of uses. Vertical integration occurs when uses are mixed within individual buildings (e.g. residential above retail or office space). Linear distribution occurs when uses are connected to other uses as part of a larger mixed-use center or corridor; and
- b. Mixed Use Overlay areas will provide civic uses, such as green spaces or community centers;

- c. Mixed uses will be integrated within an overall design framework to create a pedestrian friendly, human scale environment, through objective, measurable criteria including size, scale, proportion, and materials detailed in the land development regulations. Flexibility in design will allow for choice and variety in architectural style.;~~and~~
- d. ~~Primary and secondary uses will be determined based upon the needs of the community, character of the surrounding area, and characteristics of the transportation network.~~

(Modified Policy 4.3.2)

POLICY 4.2.2: Site and Building Design: Integrate commercial, residential, civic, and open spaces to create multipurpose developments that feature unique style and ambiance through design, encouraging civic involvement and events to promote community interaction. Site and Building Design development practices include:

- a. Provisions for outdoor livability, including interconnected pedestrian and bike facilities, walkways, public plazas, ample seating, and walkable block size;
- b. Well defined centers and edges with public or civic space creating an element around which other development is located;
- c. Development plans will create focal points of signature buildings, civic spaces, natural amenities, and other prominent features through placement or street layout;
- d. Link pedestrian routes and bikeways with the street system or other public space such as parks or squares avoiding routes through parking lots and other locations out of the public realm;
- e. When necessary, development density and intensity will gradient from the center to the edge suitable to integrated surrounding land uses;
- f. The designs will include a pedestrian circulation system to connect the nonresidential uses with residential uses and areas;
- g. Local climate and history will dictate the architectural and landscape design and natural methods of cooling and heating will be encouraged. Evaluate Green Building techniques as an alternative way to provide open space;
- h. Streets and roads will be fronted by design features including sidewalks which define and contribute to a pedestrian street character. Building design, placement, and entrances will be at a pedestrian scale and oriented towards streets or other public space such as parks or squares;
- i. The street system will equally serve automobile and non-automobile modes of transportation. Development will provide pedestrian and bicycle- friendly access, and will provide transit facilities to the development and the surrounding community;
- j. Large scale nonresidential establishments will incorporate development design techniques to integrate the establishment into the surrounding community. Such design techniques will include:
 - 1. Creation of a series of smaller, well defined customer entrances to break up long facades and provide pedestrian scale and variety, that may be achieved through the use of liner buildings;
 - 2. Limited number and size of signs; and

3. Landscaping and use of pocket parks and courtyards adequate to soften large building masses.
- k. ~~An “A/B” street grid system may be utilized where “A” streets meet all pedestrian-oriented standards and create a continuous uninterrupted pedestrian friendly streetscape, while “B” streets may include a limited amount of properly designed non-pedestrian-oriented uses; and~~
- l. ~~Crime Prevention Through Environmental Design (CPTED) guidelines will be incorporated to the maximum extent possible.~~

(Edited Policy 4.3.3)

POLICY 4.2.3: Streetscape Design: Provide for an active mixed-use plan by ensuring the streetscape design supports the form and function of the center and surrounding community. Streetscape Design development practices include:

- a. Location of active uses in relationship to neighborhood-oriented commercial uses (e.g.: small markets, retail shops, and cafes), public spaces and parks, and civic spaces;
- b. Design and sidewalks connections, public areas, and signage as it relates to the design found elsewhere within the community;
- c. Type, size, function, and location of public spaces and parks such as courtyards, plazas, fountains, center parks, natural areas, and civic places;
- d. Placement of streetscape features including: lighting fixtures, benches, bike racks, bus stop shelters; and
- e. Size and location of the center’s buildings relate to the sidewalk, street, public spaces, and surrounding neighborhoods.

(New Policy)

POLICY 4.2.4: Walkable Centers: Locate stores, offices, residences, public services, public spaces, parks and recreational resources within walking distance of each other to promote independence of movement; enable people to conveniently walk, cycle, or ride transit; reduce use of independent vehicles; and provide options to live, work, and play. A walkable distance is typically measured at ¼ to ½ mile with minimal physical and perceived barriers such as dangerous intersections, isolated or unsafe areas, heavy and fast vehicular traffic, vacant lands and parking lots, narrow sidewalks, and poor lighting. (New Policy)

POLICY 4.2.5: Automobile Access and Mobility: ~~Automobile~~ Ensure the transportation facilities within mixed use places are will be designed to provide safe access to and within the development, opportunities for multiple transportation alternatives (walk, bike, transit, and vehicular), and connectivity to all areas within the center. Access and Mobility Design development practices include:

- a. Internal traffic circulation system design will include:
 1. Clearly defined, well lit, and shaded pedestrian connections, sidewalks, and pedestrian crossings;
 2. Traffic calming techniques to maintain safe multi-modal transportation;
 3. An interconnected street grid system extended to adjacent sites at the least intrusive locations;

4. Block sizes will be small enough to create an easily dispersed traffic flow;
 5. Maximum use of common access drives;
 6. A system of alleyways for service vehicles and access to parking; and
 7. Convenient access to transit facilities.
- b. Points of ingress to and egress from arterial roads carrying through traffic will be located at the allowed intersection spacing and connect to the internal traffic circulation system;
 - c. A connector street system will provide multiple vehicular, bicycle, and pedestrian linkages to adjacent local destinations, including residential neighborhoods, as an alternative to arterial and collector roads, except where such connections are precluded by physical layout of natural environmental features;
 - d. Bicycle facilities include bike racks, bike lanes and signage; and bikeways;
 - e. Transit facilities include shaded bus shelters, transfer locations, and bus signage;
 - f. Pedestrian connections located within the center and to adjacent neighborhoods; and
 - g. Automobile-oriented uses will have a limited number of driveways, and drive-in or drive-up windows will be located to avoid conflict with pedestrian and bicycle traffic.
- (Modified Policy 4.3.5)

POLICY 4.2.6: Parking: Design parking areas within mixed-use places will be designed to minimize intrusiveness and impacts on the pedestrian character, through the following techniques:

- a. On-street parking with landscaping and design features, such as corner and mid-street bump outs, that afford traffic calming and produce a comfortable and safe pedestrian environment will be promoted;
- b. Parking lot locations will not separate pedestrian areas including sidewalks, squares, and plazas from the front of buildings containing the primary entrance;
- c. Parking lots will be screened from streets, sidewalks, and open spaces, and will be designed to maintain or enhance the street edge;
- d. Parking lots will be designed with safe pedestrian connections to business entrances and public space to create a park-once environment;
- e. Reduction of paved parking areas will be evaluated wherever practicable through measures such as provision of shared parking and parking structures to serve multiple uses and alternative paving materials. Large expanses of pavement will be discouraged; and
- f. Reduced ratios of required parking for non-residential uses will be provided in the land development regulations.

(Formerly Policy 4.3.4)

POLICY 4.2.7: Community Green Space Parks, Public Spaces, and Open Space: Use public space and landscaping will be provided that includes to create an active mixed-use center and corridor through design that focuses on:

- a. Public areas will provide Providing adequate urban landscaping that includes street trees, planted areas, and street furniture;
- b. Promoting the visual and physical connections to the street;

- c. Use landscaping, hardscaping, and public spaces to demarcate different areas within the center and help screen empty spaces (e.g.: open parking lots, vacant building lots, and undefined open space areas);
- d. ~~Required~~ Requiring surface and storm water management facilities will be designed as an integral physical or visual amenity that provides usable open space or an aesthetic feature that resembles natural areas; and
- e. Requiring paved areas (including parking) ~~will require to have~~ overhead shading from tree canopy or building features based on factors such as scale of development and performance standards;
- f. Linking adjoining areas together with urban greenways and trails; and
- g. Connecting different land uses and amenities, unifying the entire community, and transitioning mixed-use communities to the surrounding neighborhoods and business districts.

(Revised Policy 4.3.6)

POLICY 4.2.8: Connectivity and Buffering: Mixed use developments will be well integrated both internally and externally.

- a. Automotive, pedestrian and/or bicycle connections to adjacent commercial development will be provided;
- b. Connections to adjacent residential neighborhoods will not be precluded by the Mixed-Use Development's design;
- c. Buffering of uses internal to a Mixed Uses development are not required; and
- d. Buffering from adjacent developments, when deemed absolutely necessary, will not preclude future interconnectivity.

(Formerly Policy 4.3.7)

POLICY 4.2.9: Developments within the Mixed Use Overlay conforming to Chapter 32 Compact Communities of the LDC, ~~will be deemed as meeting~~ achieve the principles listed in this objective. (Formerly Policy 4.3.1)

OBJECTIVE 4.3 MIXED-USE INCENTIVES Prioritize the development of mixed-use places through incentives that facilitate the development and improve the marketability of mixed-use centers and the Mixed-Use Overlay. (New Objective)

POLICY 4.3.1: Incentivize mixed-use developments located within the Mixed-Use Overlay utilizing the Compact Communities Code (CCPD) or the applying the principles of the CCPD as outlined in this goal by allowing non-residential areas to be included in density calculations.
(Redrafted Objective 4.3)

POLICY 4.3.2: Promote continued use and redevelopment of mixed-use centers and the Mixed Use Overlay by facilitating the adaptive reuse of existing buildings, enabling existing structures to change or expand the mixture of allowed uses and permitting limited site redevelopment

administratively. Evaluate and incorporate specific incentives and standards in the LDC to further the adaptive reuse of existing structures. (New policy)

POLICY 4.3.3: Promote the development of urban land use categories by encouraging private developers to develop in a mixed-use and urban form through the use of incentives such as:

- a. Density and intensity incentives for the implementation of mixed-use character and form principles;
- b. Transfer and purchase of development rights programs that allow for additional density and intensity in Urban Areas;
- c. Administrative approvals for projects that utilize mixed-use regulating plans adopted as part of the Compact Communities Code; and
- d. Reduced parking standards for projects in mixed-use locations.

(New policy)

POLICY 4.3.4: Utilize the community planning program to facilitate the development of mixed-use centers in targeted locations by establishing a county initiated planning process; publically funded infrastructure systems; administrative permitting and streamlined reviews process; and expanded building rights. Provide for a variety of mixed-use incentives such as:

- a. Increasing the allowable building space (FAR), density, permitted uses, and height standards for mixed-use projects;
- b. Enabling increased density within mixed-use places through transfer and purchase development rights that enable density to be bought or transferred into mixed-use development areas; and
- c. Decreasing the required amounts of parking, on-site stormwater retention, transportation roadway connections needed within mixed-use development areas;
- d. Adopting mixed-use regulating plans in target places that are able to be implemented through administrative processes;
- e. Enabling mixed-use projects to purchase additional density or transfer density into the area from identified rural places; and
- f. Giving mixed-use places priorities in grant applications for historic preservation, community planning, transportation and public service infrastructure; and neighborhood development programs.

(New policy)

POLICY 4.3.5: Support the development of mixed-use places by giving projects located within mixed-use places high priority when reviewing and determining future budgetary, grant, capital improvement, and service projects. (New policy)

POLICY 4.3.6: Promote the development of innovative financing and planning tools for mixed-use centers in targeted locations that have established regulating plans such as community redevelopment agency (CRA), municipal service benefit unit (MSBU); municipal service taxing unit (MSTU), tax increment financing (TIF), community development district (CDD), historic preservation trust funds, grants, tax increment financing, and other programs to help spur and finance the development of mixed-use communities. (New policy)

~~POLICY 4.2.7: Development located in the Mixed Use Overlay applying Chapter 32— Compact Communities of the Lee County LDC will not be subject to the site location standards listed in Policy 6.1.2 and 6.1.2.7. (Added by Ordinance No. 11-18)~~

~~POLICY 4.3.1: Developments within the Mixed Use Overlay conforming to Chapter 32— Compact Communities of the LDC, will be deemed as meeting the principles listed in this objective. (Added by Ordinance No. 07-15, Amended by Ordinance No. 11-18)~~

~~POLICY 4.3.9: The owner or agent for a rezoning request utilizing the Mixed Use Overlay must conduct one publicly noticed informational session, before sufficiency, where the agent will, at a minimum, present an overview of the project's consistency with this objective. 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.~~

~~POLICY 4.4.1: The permitting measures developed should aim towards rehydrating the region and attaining minimum flows and levels for County waterbodies. (Added by Ordinance No. 07-16)~~

~~POLICY 4.4.2: The permitting measures developed should improve the storage within existing natural and manmade flow ways. (Added by Ordinance No. 07-16)~~

~~POLICY 4.4.3: The permitting measures should reevaluate the relationship of volume/area to stormwater management and storage. (Added by Ordinance No. 07-16)~~

~~POLICY 4.4.4: The permitting measures should link Best Management Practices (BMPs) to impervious cover of the impacted sub-watershed and to runoff from various land use types. (Added by Ordinance No. 07-16)~~

**PART III - LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: March 25, 2013

- A. LOCAL PLANNING AGENCY REVIEW**
- B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY**

- 1. RECOMMENDATION:**
- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

C. VOTE:

NOEL ANDRESS	_____
STEVE BRODKIN	_____
WAYNE DALTRY	_____
JIM GREEN	_____
MITCH HUTCHCRAFT	_____
ANN PIERCE	_____
ROGER STRELOW	_____

TEXT AMENDMENTS:**Land Use Element****INTENT**

The Land Use Element intends to guide new development, infill, and redevelopment efforts through land use practices that support urban, suburban, and rural places; economic development; interconnected transportation and land use projects; land and wetland conservation; and existing neighborhoods. The element's growth management strategies are designed to coordinate the location and timing of development with the availability of infrastructure; public services, and needed public facilities. (New)

GOAL 1: LAND USE. Provide for a wide array of land uses that support mixed-use centers, economic development, defined urban and rural areas, natural resources, and provision of essential public services and facilities. (New Goal)

OBJECTIVE 1.1: LAND USE MAP. Maintain a land use map that defines a structure of urban and non-urban land use areas, establishes a pattern for future development and provides for appropriately located residential densities, and nonresidential intensities. (Map ## and Table 1(a)) (New Objective)

POLICY 1.1.1: Utilize the Land Use Map to identify and distinguish urban and non-urban land use areas within the county as identified in Table 1(b).

- a. Urban Land Use Areas include the county's major development areas and consist of the following land use categories:
 1. Urban Land Use Categories: Urban Core, Urban Places, Urban Neighborhoods;
 2. Suburban Land Use Categories: Suburban Six, Suburban Four, Suburban Two, Coastal Suburban
 3. Economic Development Land Use Categories: Commercial, Industrial/Research Development, Tradeport, Airport Lands, and University Community; and Interchange
- b. Non-Urban Land Use Areas include predominantly rural, agricultural, and conservation areas and consist of the following land use categories:
 1. Rural Land Use Categories: Rural, Rural Community Preserve, Coastal Rural, Outer Islands, Open Lands, and Density Reduction/Groundwater Recharge (DR/GR); and
 2. Conservation Land Use Categories: Conservation Lands Uplands and Conservation Lands Wetlands.
- c. General Land Use Areas may be found in areas throughout the county and consist of the following land use categories:
 1. County-wide Land Use Categories: Public Facilities and Wetlands; and
 2. Place-Based Land Use Categories: Burnt Store Marina and Destination Resort Mixed Use Water Dependent (DRMUWD).

(New Policy)

Land Use Categories	Densities and Intensities			
	Residential Densities and Intensities			Commercial Intensities (Maximum FAR)
	Base	Standard	Incentive	
Urban Core	15 DU/Ac.	25 DU/Ac.	40 DU/Ac.	4.00
Urban Places	8 DU/Ac.	18 DU/Ac.	25 DU/Ac.	2.00
Urban Neighborhood ^{1,2}	4 DU/Ac.	8 DU/Ac.	16 DU/Ac.	1.00
Suburban 6	4 DU/Ac.	6 DU/Ac.	10 DU/Ac.	0.50
Suburban 4	2 DU/Ac.	4 DU/Ac.		0.30
Suburban 2		2 DU/Ac.		0.25
Coastal Suburban		3 DU/Ac.		0.25
Commercial				1.00
Industrial Research Development				1.00
Tradeport				
Airport Lands				See Table ##
University Community	See Land Use Element Policy 1.4.5			
Interchange				
Rural ³		1 DU/Ac.		
Rural Community Preserve		1 DU/Ac.		
Coastal Rural	See Land Use Element Policy 1.5.3			
Outer Islands		1 DU/Ac.		
Open Lands ⁴		1 DU / 10 Ac.	1 DU / 5 Ac.	
Density Reduction/ Groundwater Resource ⁵		1 DU / 10 Ac.		
Conservation Lands - Upland				
Conservation Lands - Wetland				
Public Facilities				
Wetlands		1 DU / 10 Ac.		
Burnt Store Marina Village	See Land Use Element Policy 1.8.2			
Destination Resort Mixed Use Water Dependent	See Land Use Element Policy 1.8.3			

Clarifications and Exceptions:

1. Within the Urban Neighborhood land use category in Pine Island Center, rezonings that will allow in excess of 2 dwelling units per gross acre must "acquire" the density above 2 dwelling units per gross acre utilizing TDRs that were created from Greater Pine Island Coastal Rural or Greater Pine Island Urban Categories. TDRs that were created from receiving sites outside of Greater Pine Island are not permitted to be transferred into Greater Pine Island.
2. In all cases on Gasparilla Island, the maximum density must not exceed 3 DU/Ac. See also the Gasparilla Island Conservation District Act of 1980, as amended.
3. In the Rural category located in Section 24, Township 43 South, Range 23 East and south of Gator Slough, the maximum density is 1DU/2.25 Ac.
4. The maximum density of 1 unit per 5 acres can only be approved through the planned development process (see Policy 1.4.4), except in the approximately 135 acres of land lying east of US41 and north of Alico Road in the northwest corner of Section 5, Township 46, Range 25.

5. See Policies 33.3.2, 33.3.3, 33.3.4 and 33.3.5 for potential density adjustments resulting from concentration or transfer of development rights.

POLICY 1.1.2: Promote the character of Urban Land Use Areas through planning and development practices that:

- a. Identify and enable incentive density and higher intensity within these Urban and Suburban Land Use Categories -- Urban Core, Central Urban Place, Urban Neighborhoods, and Suburban Six;
- b. Utilize higher range densities in the Urban Land Use categories to promote transit, walkability, complete streets and the integration of mixed uses;
- c. Employ good urban design to foster compatibility and diversity of uses between urban, suburban, and rural places;
- d. Support the development of mixed-use centers within Urban Areas that connect urban and suburban places and support redevelopment of commercial corridors;
- e. Establish a multi-modal transportation that connect Urban Areas with a variety of walk, bike, transit, and vehicular options;
- f. Provide for greater levels of public services, infrastructure, and park resources within Urban Areas; and
- g. Facilitate higher levels of employment and economic activity within the Urban Areas—particularly within mixed-use centers and Urban, Economic Development, and Interstate Highway Land Use Categories.

(New Policy)

POLICY 1.1.3: The existence of lower density developments in proximity to proposed projects within the Urban Areas will not be used as the sole reason to lower the proposed project's density and intensity of use. (New Policy)

POLICY 1.1.4: Retain the character of Non Urban Areas through planning and development practices that:

- a. Identify and evaluate opportunities to sell or transfer development rights from Non Urban Areas within Rural and Conservation Land Use Categories;
- b. Maintain existing low density standards within Non Urban Areas;
- c. Allow for ancillary businesses and uses that support and serve agriculture and farm operations; and
- d. Discourage the expansion of public services, public utilities, and transportation services into Non Urban Areas.

(New Policy)

POLICY 1.1.5: Facilitate the development of urban, suburban, and rural developments through the appropriate assignment of suggested base, standard, and incentive density provisions as follows:

- a. Base Density is the suggested minimum base-line density for a particular land use category based on the expected development form in that area;
- b. Standard Density is the most appropriate maximum density that can be achieved by right in a particular land use category;

- c. Incentive Density is additional density that may be provided in exchange for meeting specific land use and development goals within the following land use categories: Urban Core, Urban Places, Urban Neighborhoods, and Suburban Six; and
- d. Incentive density does not apply to any islands or to Greater Pine Island
(New Policy)

POLICY 1.1.6: Incentive Density Units are used to provide additional development rights within the Urban Core, Urban Places, Urban Neighborhoods, and Suburban 6 land use categories except for any islands or to Greater Pine Island. Incentive Density Units may be obtained through participation in various county programs including:

- a. Transfer or purchase of development rights (TDR) (PDR);
- b. Provision of public infrastructure;
- c. Provision of affordable housing; or
- d. Provision of contribution towards:
 - 1. Infrastructure improvements; or
 - 1. Affordable housing.

(New Policy)

OBJECTIVE 1.2: URBAN LAND USE CATEGORIES. Urban Land Use Categories are Urban Areas that strengthen the economic base, and provide a more diverse and better balanced tax base, and improve the quality of life. Urban land uses feature interconnected forms of development and provide for mixture of land uses, diverse economic opportunities, multi-modal transportation systems, varied housing types, and an array of park and public spaces. Maximum densities and intensities within Urban Land Use Categories are encouraged and densities below the minimum density range are discouraged. There are three urban land use categories:

- a. Urban Core;
- b. Urban Places; and
- c. Urban Neighborhoods.

(New, addresses issues from Objective 1.2)

POLICY 1.2.1: Urban Core. The Urban Core land use category is located along major arterial roads in Fort Myers, North Fort Myers, East Fort Myers west of I-75, and South Fort Myers. Due to their locations, existing, development patterns, and the available and potential levels of public services, Urban Core land uses are well suited to accommodate high densities and intensities. Planned mixed-use centers of high-density residential, commercial, limited light industrial, and office uses are encouraged to be developed in Urban Core land uses. The development of mixed-use centers within Urban Core areas will enable the county to develop a better connected, more diverse land use pattern with a variety of economic, residential, and recreational opportunities. The Urban Core land use category has the following land use standards:

- a. Residential Density Range:
 - 1. Base Density: Fifteen units per acre (15 du/a)
 - 2. Standard Density: Twenty-five units per acre (25 du/a)
 - 3. Incentive Density Units: Forty units per acre (40 du/a)
- b. Non-Residential Intensity:

1. Maximum Floor Area Ratio: 4.00
(Modified Policy 1.1.2)

POLICY 1.2.2: Urban Places. The Urban Places land use category typically surrounds the Urban Core land uses and urban areas in Central Tice Iona/McGregor near the gateway to Sanibel and Captiva, and the eastern gateway to Lehigh Acres, and North Fort Myers. These urban communities are among the most heavily settled areas within Lee County and are intended to have the greatest range and highest level of urban infrastructure. Urban Places include an integrated variety of residential, commercial, retail, office/professional, limited light industrial land uses, civic spaces, and park and recreational resources. Future development is encouraged in mixed-use forms or to be connected to central mixed-use developments via multi-modal transportation system. The Urban Places land use category has the following land use standards:

- a. Residential density range:
 1. Base Density: Eight units per acre (8 du/a)
 2. Standard Density: Eighteen units per acre (18 du/a)
 3. Incentive Density Units: Twenty-five units per acre (25 du/a)
- b. Non-Residential Intensity:
 1. Maximum Floor Area Ratio: 2.00

(Modified Policy 1.1.3)

POLICY 1.2.3: Urban Neighborhoods. The Urban Neighborhoods Land Use Category includes mixture of relatively intense commercial and residential uses. While these places have a distinctly urban character, they should be developed at slightly lower densities than the Urban Core or Urban Places land use categories due to the proximity to more suburban, mostly residential, communities. Predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry. Future development in this category is encouraged to be developed as a mixed-use, that are intended to support and connect to nearby residential suburban communities. The Urban Neighborhoods land use category has the following land use standards:

- a. Residential density range:
 1. Base Density: Four units per acre (4 du/a)
 2. Standard Density: Eight units per acre (8 du/a)
 3. Incentive Density Units: Sixteen units per acre (16 du/a)
- b. Non-Residential Intensity:
 1. Maximum Floor Area ratio: 1.00

(Modified Policy 1.1.4)

OBJECTIVE 1.3: SUBURBAN LAND USE CATEGORIES. Suburban Land Use Category includes Urban Areas that promote the development of suburban places including: residential communities; economic centers with commercial, office, and professional businesses; public facilities and resources; and, park and recreational opportunities. These categories are intended to be well connected communities with land uses that are linked via a system of roadways, pedestrian and bike connections, and open spaces. There are four suburban land use categories.

- a. Suburban Six;

- b. Suburban Four;
- c. Suburban Two; and
- d. Coastal Suburban.

(New)

POLICY 1.3.1: Suburban Six. The Suburban Six Land Use Category allows the development of moderate density suburban land use areas that are characterized by a mixture of residential neighborhoods, commercial shops and services, civic uses, and park and recreational facilities. Additional density is available through the use of Incentive Density Units. The Suburban Six land use category has the following land use standards:

- a. Residential density range:
 - 1. Base Density: Suggested Four units per acre (4 du/a)
 - 2. Standard Density: Six units per acre (6 du/a)
 - 3. Incentive Density Units: Ten units per acre (10 du/a)
- b. Non-Residential Intensity Range:
 - 1. Maximum Floor Area Ratio: 0.50

(New)

POLICY 1.3.2: Suburban Four. The Suburban Four Land Use Category allows the development of moderately low density suburban areas that provide diverse housing options in locations near the urbanized areas supported by a mix of land uses that support a residential lifestyle including commercial shops and entertainments uses, professional and office businesses and services, civic uses, and park and recreational resources. The Suburban Four land use category has the following land use standards:

- a. Residential Density Range:
 - 1. Base Density: Two units per acre (2 du/a)
 - 2. Standard Density: Four units per acre (4 du/a)
 - 3. Incentive Density Units: None
- b. Non-Residential Intensity Range:
 - 1. Maximum Floor Area Ratio: 0.30

(New)

POLICY 1.3.3: Suburban Two. The Suburban Two Land Use Category allows the development of low-density residential neighborhoods that do not have the public infrastructure resources needed for higher density development. Suburban two land use areas are located within low density communities where it is desirable to retain a low-density community character without large commercial, office, or industrial developments. The Suburban Two areas have the following land use standards:

- a. Residential density range:
 - 1. Base Density: No Base units per acre
 - 2. Standard Density: Two units per acre (2 du/a)
 - 3. Incentive Density Units: None
- b. Non-Residential Intensity Range:
 - 1. Maximum Floor Area Ratio: 0.25

(New)

POLICY 1.3.4: Coastal Suburban. The Coastal Suburban Land Use Category allows the development of low-density residential neighborhoods in a coastal environment subject to storm events. These areas are mainly located adjacent to the Gulf of Mexico, the Caloosahatchee River, Estero Bay, and on Pine Island. The majority of the property within this category is located in the Coastal High Hazard zone and therefore increased or Incentive Density is not permitted. The Coastal Suburban land use category has the following land use standards

- a. Residential density range:
 - 1. Base Density: No base dwelling units per acre
 - 2. Standard Density: Three units per acre (3 du/a)
 - 3. Incentive Density Units: None
 - b. Non-Residential Intensity Range:
 - 1. Maximum Floor Area Ratio: 0.25
- (New)

OBJECTIVE 1.4: ECONOMIC DEVELOPMENT LAND USE CATEGORIES. Economic Development Land Use Categories are Urban Areas needed to establish a strong, vibrant local economy. Economic Development land use categories accommodate commercial, industrial, and research and development enterprises. This category provides opportunities for: expanded job and workforce opportunities; new and innovative investment, research, and production industries; and, a diversified economy base. Additionally, it protects and allows the expansion of major economic engines such as the Southwest Florida International Airport, Florida Gulf Coast University, and other commercial and industrial areas. There are five Economic Development land use categories:

- a. Commercial;
 - b. Industrial Research Development;
 - c. Tradeport;
 - d. Airport Lands;
 - e. University Community; and
 - f. Interstate.
- (New)

POLICY 1.4.1: Commercial. The Commercial Land Use Category is located proximate to existing commercial areas or along corridors accommodating employment centers, tourist oriented needs, and where commercial services are necessary to meet the projected needs of residential-lands of the county. Residential uses, other than bona fide caretaker residences, are not permitted in this land use category except to the extent provided in the Procedures and Administration Element. The Commercial land uses are located where residential uses are not expected or compatible due to the nature of the surrounding land uses and their location.

The infrastructure needed for commercial development is planned or in place. New developments must connect to a potable water and sanitary sewer system. Commercial retail developments, hotels and motels, banks, all types of office development, research and development, public, and other similar development will predominate in the Commercial Land Use Category. Limited light industrial uses are also permitted, excluding outdoor storage type uses. Redesignation of land to the Commercial land use category should occur along major travel

corridors and at road intersections. The planned development rezoning process must be used to prevent adverse impacts to the surrounding areas and to ensure site development regulations are incorporated into the development plans. A maximum Floor Area Ratio (FAR) of 1 will be used as an index of intensity of development. Development in the commercial category is not required to comply with the site location criteria provided in the LDC. (Modified Policy 1.1.10)

POLICY 1.4.2: Industrial/Research Development. Industrial/Research Development Land Use Category plays an important role in strengthening the county's economic base and will become increasingly important as the county grows in size and urban complexity. Industrial/Research Development land uses provide expanded job opportunities, investments, and production opportunities, as well as a balanced and sufficient tax base. These land uses have special location requirements that are more stringent than those for residential land uses, including transportation needs (e.g., air, rail, and highway); industrial levels of water, sewer, fire protection, and other urban services; and locations that are accessible to employees. Other Urban Areas will include a broad combination of residential, commercial, public and limited industrial land uses. The Industrial/Research Development land uses are reserved mainly for industrial activities and for selective land use mixtures such as the combined uses of industrial, manufacturing, research, properly buffered recreational uses (except where precluded by airport hazard zone regulations) and office complexes (if related to industrial uses and research and development activities) that constitute a growing part of Florida's economic development sector.

Retail and commercial service uses supporting the industrial neighborhood are allowed if the following criteria are met:

- a. Retailing and/or wholesaling of products manufactured or directly related to that manufactured on the premises;
- b. Commercial uses are integrated into the primary R&D/Industrial development; or,
- c. Commercial service and retail uses may not exceed 20% of the total acreage within the Industrial Development areas per each Planning District.

(Modified Policy 1.1.7)

POLICY 1.4.3: Tradeport. The Tradeport Land Use Category includes commercial and industrial lands adjacent to the airport needed to accommodate projected growth through the year 2030. These land uses will include developments consisting of light manufacturing or assembly, warehousing, and distribution facilities; research and development activities; laboratories; ground transportation and airport-related terminals or transfer facilities; hotels/motels, meeting facilities; and office uses. Stand alone retail commercial uses intended to support and compliment the surrounding business and industrial land uses are permitted if approved as part of a Development of Regional Impact (DRI) or Planned Development zoning. Stand alone retail commercial uses are limited to 1 acre out of every 10 Tradeport and preserved wetland acres within the project. DRI or Planned Developments may also receive additional stand alone retail acres at the rate of 1 additional acre out of every 10 acres of preserved and enhanced uplands within the project that protect wetlands, flow ways or occupied listed species habitat to provide an incentive to preserve upland habitat.

Ancillary retail commercial uses, related directly to the sale of products manufactured or services provided in Tradeport, are allowed if permitted in a Planned Development. Residential uses, other than bona fide caretaker residences, are not permitted except to the extent provided in Procedures and Administration Element. Caretaker residences are prohibited in the Airport Noise Zone B. Limerock mining may be approved using the Mine Excavation Planned Development zoning process if the property is on the Future Limerock Mining map (Map 14.) Tradeport land is located within the Six Mile Cypress Basin and is a primary point of entry into Lee County. As a result, special environmental and design review guidelines will be applied to development to maintain the appearance of this area as a primary point of entry into Lee County. Property in Section 1 and the east ½ of Section 2, Township 46 South, Range 25 East, and in Section 6, Township 46 South, Range 26 East, must be rezoned to a planned development zoning category prior to any development other than the construction of essential public services. During the rezoning process, the best environmental management practices identified on pages 43 and 44 of the July 28, 1993 Henigar & Ray study entitled, "Groundwater Resource Protection Study" will be presumed necessary to protect potential groundwater resources in the area. (Modified Policy 1.2.2)

POLICY 1.4.4: Airport Lands. The Airport Lands Land Use Category includes the existing facility and projected growth lands of the Southwest Florida International Airport (RSW) and Page Field General Aviation Airport (Fort Myers (FMY)) through the year 2035. The Airport Lands comprising the RSW includes airport and airport-related development and non-aviation land uses approved in the Airport Master Plan update and as-depicted on the Airport Layout Plan sheet (Map 3F) and the RSW Proposed Development Schedule (Table 5(a)). The uses are intended to support the continued development of the RSW. Future development at the RSW will include non-aviation related land uses such as hotels/motels, light industrial, service stations, retail/shopping, and office development. The Airport Lands comprising FMY includes airport and airport-related development and non-aviation land uses approved in the Airport Master Plan update and depicted on the Airport Layout Plan sheet (Map 3G) and FMY Proposed Development Schedule (Table 5(b)). The uses are intended to support the continued development of FMY. Future development at FMY will include non-aviation related land uses such as hotels/motels, light industrial, service stations, retail/shopping, and office development (Modified Policy 1.2.1)

POLICY 1.4.5: University Community. The University Community Land Use Category provides for the development of the university campus and surrounding areas. The purpose of this land use category is to ensure that the land uses within the category (e.g.: residential, research/development, office/professional, commercial, retail, civic spaces, and park and recreational resources.) support and enhance a university environment. The location and timing of development, provision of infrastructure facilities, and demand for public services within this category must be coordinated with the associated university and applicable service providers. Specific details that define how this category is to be applied to a specific area are established within the Communities Element. (New)

POLICY 1.4.6: Interchange. Interchange Land Use Category lands are Urban Areas that provide for the unique development and land use needs of property adjacent to the interchanges of Interstate 75. Interchange uses permit a broad range of land uses that include tourist commercial, general commercial. Light industrial uses will only be permitted at the Alico Road and Lockett Road interchanges. (New)

OBJECTIVE 1.5: RURAL LAND USE CATEGORIES. Rural Land Use Categories are Non-Urban Areas that promote the unique character of the county's rural places and protect vital environmental lands. Rural communities convey a sense of rural lifestyle including: farm lands and ranches, large lot or clustered residential development, ample wooded areas, open spaces, river fronts, and environmentally sensitive lands. Rural land use categories consist of low population communities, existing and evolving commercial agricultural operations, open space and environmental lands preservation, and natural habitat protection. Rural land uses are not programmed to receive urban-type capital improvements, and can anticipate levels of public services below that of the urban areas. There are six Rural land use categories:

- a. Rural;
- b. Rural Community Preserves;
- c. Coastal Rural;
- d. Outer Islands;
- e. Open Lands; and
- f. Density Reduction/Groundwater Resource (DR/GR).

(New Objective)

POLICY 1.5.1: Rural. The Rural Land Use Category will remain predominantly rural with low density residential, agricultural uses, and minimal non-residential land uses needed to serve the rural community. These areas are not to be programmed to receive Urban Area capital improvements, and can anticipate a continued level of public services below that of the urban areas. Rural land uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per acre (1 du/a)
- c. Incentive Density Units: None

(Modified Policy 1.4.1)

POLICY 1.5.2: Rural Community Preserves. The Rural Community Preserves Land Use Category is established following special studies of the county's intact rural communities. Special design approaches are necessary to maintain existing rural character. Such approaches include: conservation easements, flexible transportation design standards (including relocation of future arterials not serving the rural community), special fencing and sign standards, and retention of historic rural uses. Rural Community Preserves are not programmed to receive urban-type capital improvements. Rural Community Preserves are not intended for conversion to Urban Areas; rather, they are to remain rural in character and use. These Rural Community Preserves are restricted to low density residential uses (with minimum lot size requirements), agricultural uses, and minimal non-residential uses that are needed to serve the rural community. Property in

this category may not be rezoned to any RV district. Rural Community Preserve land uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per acre (1 du/a)
- c. Incentive Density Units: None

(Modified Policy 1.4.3)

POLICY 1.5.3: Coastal Rural. The Coastal Rural Land Use Category will remain rural except for property where residential lots are permitted in exchange for permanent preservation or restoration of native upland habitats or a commitment, in the form of a perpetual easement, to preserve agricultural activity on existing farmland, on the remainder of the property. The standard maximum density is one dwelling unit per ten acres (1DU/10 acres). Maximum densities may increase as higher percentages of native habitat are permanently preserved or restored on the uplands portions of the site, or a commitment, in the form of a perpetual easement, to preserve agricultural activity on existing farmland, in accordance with the chart below. Permitted land uses include agriculture, fill-dirt extraction, conservation uses, minimal non-residential land uses, limited to minor commercial, that are necessary to provide basic commercial services to serve the island residents and visitors, and residential uses up to the following densities:

Percentage of the on site uplands that are preserved or restored native habitats or continued in agricultural use on existing farmland	Maximum density if undeveloped land will be permanently preserved or restored as native habitats ¹	Maximum density if undeveloped land will be continued in agricultural use on existing farmland
0%	1 DU/ 10 ac	1 DU/ 10 ac
5%	1 DU/ 9 ac	
10%	1 DU/ 8 ac	1 DU/ 9 ac
15%	1 DU/ 7 ac	
20%	1 DU/ 6 ac	1 DU/ 8 ac
30%	1 DU/ 5 ac	1 DU/ 7 ac
40%	1 DU/ 4 ac	1 DU/ 6 ac
50%	1 DU/ 3 ac	1 DU/ 5 ac
60%	1 DU/ 2 ac	1 DU/ 3 ac
70%	1 DU/ 1 ac	1 DU/ 2 ac

Footnote 1: Existing farmland is depicted on Map 21. Areas for buffers, lakes, and utilities may consist of up to 10% of the upland preserve areas. (Edited Policy 1.4.7)

POLICY 1.5.4: Outer Islands. The Outer Islands Land Use Category includes sparsely settled lands that have minimal existing or planned infrastructure, distant from major shopping and employment centers. With minor exceptions, Outer Islands are not expected to be programmed to receive Urban Area capital improvements in the time frame of this plan. Outer Islands lands uses will continue to experience levels of public services below that of other land use categories. The continuation of the Outer Islands in their present character is intended to provide for rural

lifestyle, and conserve open space and important natural upland resources. Outer Islands uses must adhere to the following land use standards:

- a. Base Density: None
 - b. Standard Density: One dwelling unit per acre (1 du/a)
 - c. Incentive Density Units: None
- (Edited Policy 1.4.2)

POLICY 1.5.5: Open Lands. Open Lands Land Use Category consists of upland land uses located north of Rural and sparsely developed areas in Township 43 South. These lands are remote from public services and characterized by agricultural and low-density residential uses. Commercial and industrial uses are permitted consistent with the standards in the Rural category. Open Lands land uses must adhere to the following land use standards:

Open Lands land uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per 10 acres (1 du/ 10 acres)
 - 1. Standard Density Units: One dwelling per 5 acres (1 du/5 acres) is permitted utilizing LDC lot split limitations, any development above these limitations must follow the planned development process to prevent adverse impacts on environmentally sensitive lands, as defined in the Communities Element.

(Modified Policy 1.4.4)

POLICY 1.5.6: Density Reduction/Groundwater Resource (DR/GR). The DR/GR Land Use Category includes uplands that provide substantial recharge to aquifers most suitable for future wellfield development. These lands also are the most favorable locations for physical withdrawal of water from those aquifers. Minimal public facilities exist or are programmed.

- a. New land uses in these areas that require rezoning or a development order must demonstrate compatibility with maintaining surface and groundwater levels at their historic levels (except as provided elsewhere in the plan, particularly the Southeast Lee County goal and policies within the Communities Element utilizing hydrologic modeling, the incorporation of increased storage capacity, and inclusion of green infrastructure. Modeling must also show that no adverse impacts will result to properties located upstream, downstream, as well as adjacent to the site. Offsite mitigation can be utilized, and may be required, to demonstrate compatibility. Evidence as to historic levels may be submitted during the rezoning or development review processes.
- b. Permitted land uses include agriculture, natural resource extraction and related facilities, conservation uses, public and private recreation facilities, and residential uses at a ~~maximum~~ standard density of one dwelling unit per ten acres (1 du/10 acres). See the DR/GR Policies within the Communities Element for potential density adjustments resulting from concentration or transfer of development rights.
 - 1. For residential development, also see Southeast Lee County goal and policies within the Communities Element. Commercial and civic uses can be incorporated into Mixed-Use Communities to the extent specifically provided in those policies.
 - 2. Individual residential parcels may consist of up to two acres of Wetlands without losing the right to have a dwelling unit, provided that no alterations are made to the wetland areas.

3. The Future Limerock Mining overlay (Map ##) identifies sufficient land near the traditional Alico Road industrial corridor for continued limerock mining to meet regional demands through the 2035 planning horizon.
- c. Private Recreational Facilities may be permitted in accordance with the site location requirements and design standards. No Private recreational facilities may occur within DR/GR land use category without zoning to an appropriate planned development zoning category, and compliance with the Private Recreation Facilities performance standards.
(Modified Policy 1.4.5)

OBJECTIVE 1.6: CONSERVATION LANDS LAND USE CATEGORIES. Conservation Lands are Non-Urban Areas used for conservation purposes via a binding mechanism such as statutory requirements, funding or grant conditions, mitigation preserve areas required for land development approvals, or by agreement from the property owner. There are two Conservation Lands Categories:

- a. Conservation Lands Uplands and
- b. Conservation Lands Wetlands.

(New Objective)

POLICY 1.6.1: Conservation Lands Uplands. The Conservation Lands Upland Land Use Category includes uplands owned and used for long range conservation purposes. Conservation Lands Uplands may include wildlife preserves; wetland and upland mitigation land uses and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation, and natural resource based parks (e.g.: signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands including aquifer recharge areas, flow ways, flood prone areas, and well fields. Conservation 2020 lands designated as Conservation Lands are also subject to the more stringent use provisions of the Conservation 2020 Program and its governing ordinances. (Modified Policy 1.4.6)

POLICY 1.6.2: Conservation Lands Wetlands. The Conservation Lands Wetlands includes wetlands owned and used for long range conservation purposes. Conservation Wetlands are subject to the most stringent provisions of the Wetlands land use category described in the Wetlands and Conservation Lands land use categories. (Modified Policy 1.4.6)

OBJECTIVE 1.7: COUNTY-WIDE LAND USE CATEGORIES. County-Wide Land Use Categories are General Areas that are found throughout the county in Urban and Non-Urban areas. County-Wide Land Use categories include:

- a. Public Facilities; and
- b. Wetlands.

(New Objective)

POLICY 1.7.1: Public Facilities. The Public Facilities areas Land Uses Category includes the publicly owned lands such as public schools, parks, public transportation, and governmental facilities. The allowable uses in these areas are determined by the entity owning the parcel and the local government with zoning and permitting jurisdiction. (Edited Policy 1.1.8)

POLICY 1.7.2: Wetlands. Wetlands Land Use Category lands identified as Wetlands in accordance with Florida Statutes Chapter 373 through the use of the unified state delineation methodology described in FAC Chapter 17-340. Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. Development in Wetlands must be consistent with other plan goals, objectives, and policies. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as provided in Table ## and the Procedures and Administration Element

- a. When Wetlands boundaries are in question, the Procedures and Administration Element provides an administrative process to define the boundary.
 - b. Wetlands that are conservation lands will be subject to the provisions of the most stringent provisions of the Conservation Lands and Wetlands land use categories. Conservation wetlands will be identified on the LUM to distinguish them from non-conservation wetlands.
- (Edited and merged Objective 1.5, and Policies 1.5.1, 1.5.2 and 1.5.3)

OBJECTIVE 1.8: PLACE-BASED LAND USE CATEGORIES. Place-Based Land Use Categories address the unique needs and conditions of specific locations by establishing land use categories with specific development plans and requirements pertinent to the location. (New Objective)

POLICY 1.8.1: Discourage the adoption of additional placed-based land use categories. (New Policy)

POLICY 1.8.2: The Burnt Store Marina Village Land Use Category is located within Urban Land Areas. The category 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. By establishing realistic aesthetic requirements designed to allow Burnt Store Marina Village the ability to develop as a community center, the category manages the location and intensity of future commercial, residential and commercial marina uses. 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. (Edited Policy 1.7.12)

POLICY 1.8.3: Destination Resort Mixed Use Water Dependent (DRMUWD). The DRMUWD Land Use Category provides for attractive, functioning mixed use water dependent destination resorts. The land uses within this category are characterized by their proximity to 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 suitable for a mixture of uses including residential, resort, commercial, and industrial type activities that benefit from access to the water front. These developments offer a diverse living, working and vacationing experience that benefit the entire county while being environmentally friendly and economically viable. The density ranges is up to ten dwelling units per acre (10 du/a). Residential densities in developments that include commercial and residential uses in the same project or same building may be developed as through mixed-use development practices.

Determine appropriate locations for Destination Resort Mixed Use Water Dependent areas by evaluating considerations such as:

- a. Characterized by predominantly outdated RV type living facilities meant for temporary habitation without individual type land ownership and depressed/underutilized water dependent waterfronts;
- b. Located in Areas 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;
- c. Areas within coastal wind zones depicted as 100 Year Flood Plains, as illustrated on Map## of the Lee Plan;
- d. Areas with direct access to existing roadways and navigable bodies of water;
- e. Areas with multiple zoning districts that may not be compatible with each other; and
- f. New dwelling units are limited to existing platted, recorded, or vested units.

(Modified Policy 31.1.2)

OBJECTIVE 1.9: SPECIAL TREATMENT AREAS. Designate as overlays on the Future Land Use Map special treatment areas that contain special restrictions or allowances in addition to the requirements of the underlying land uses categories. (Formerly Objective 1.7)

POLICY 1.9.1: Airport Noise Zones. Airport Noise Zones include lands subject to varying levels of airport-related noise. The Port Authority will update the aviation forecasts and associated noise contours for RSW, on an as needed basis as required by the FAA or as determined by the Lee County Port Authority; and initiate an amendment to the Airport Noise Zone Overlay Map to reflect the findings of this study. In addition to the requirements of the underlying Future Land Use Map categories, properties within the Noise Zone Overlay must meet the following:

- a. Airport Noise Zone A is limited to uses compatible with airports and air commerce, including but not limited to uses necessary to provide services and convenience goods to airline passengers, uses generally associated with airport operation, and related development.
- b. Airport Noise Zone B prohibits residential units, places of worship, libraries, schools, hospitals, correctional institutions or nursing homes. However, residential units, including mobile or manufactured homes, lawfully existing as of June 27, 2000 will be treated as legally permitted uses and may be replaced with a new mobile or manufactured home or conventional single family construction as long as the replacement would be allowed by the LDC. Existing conventional homes may not be replaced with new mobile or manufactured homes. One conventional single family home is permitted on each lot in a plat properly recorded before June 27, 2000 if the use would have been permitted on the lot prior to June 27, 2000. Airport Noise Zone B requires formal notification to property owners through recording of the Airport Noise Zone in the official county records of potential noise and over flights.
- c. Airport Noise Zones C and D allow development permitted by the LDC. However, this zone requires notification by recording of the Airport Noise Zone in the official county records of potential noise and over flights.

(Modified Policy 1.7.1)

POLICY 1.9.2: Urban Reserve. The Urban Reserve Overlay includes areas suitable for annexation into the adjoining municipality. Urban Reserve areas are established by interlocal agreement pursuant to Florida Statute Chapter 163. (Edited Policy 1.7.3)

POLICY 1.9.3: Water-Dependent. The Water-Dependent Overlay zone includes shoreline areas where priority will be granted to water-dependent land uses. Specific requirements are detailed for these zones are located within the Conservation and Coastal Management Element as well as the San Carlos Island and Greater Pine Island goals and policies within the Communities Element. (Edited Policy 1.7.5)

POLICY 1.9.4: Agricultural. The Agricultural Overlay (Map ##) reflects existing active and passive agricultural operations in excess of 100 acres located outside Future Urban Areas. Since agriculture plays a vital role in the economy, these lands should be protected from the impacts of new developments, and the county should not attempt to alter or curtail agricultural operations on them to satisfy the lifestyle expectations of residents. (Edited Policy 1.7.8)

POLICY 1.9.5: Urban Infill and Redevelopment. The Urban Infill and Redevelopment Overlay (Map ##) designates areas that have been targeted for economic development, job creation, housing, transportation, crime prevention, neighborhood revitalization and preservation, and land use incentives to encourage infill and redevelopment within the urban core, in accordance with Florida Statute Chapter 163. These areas have the opportunity to receive additional funding to implement the planning programs through the Urban Infill and Redevelopment Assistance Grant Program. (Edited Policy 1.7.9)

POLICY 1.9.6: Irrigation Well. The Irrigation Well Overlay (Map ##) is a critical area for future potable water supply, based on evidence that withdrawals from the main potable aquifer, the lower Tamiami aquifer, are approaching or exceeding the maximum safe yield. The county will maintain regulations to prohibit issuance of new irrigation well permits in the Irrigation Well overlay that utilize the main potable water source. The boundaries of the Irrigation Well overlay are reflected on Map ## of the Future Land Use Map series. Also see other plan elements including Conservation and Community Facilities and Services Elements. (Edited Policy 1.7.10)

POLICY 1.9.7: Future Limerock Mining. The Future Limerock Mining Overlay (Map ##) identifies sufficient land near the traditional Alico Road industrial corridor for continued limerock mining to meet regional demands through the Lee Plan's planning horizon (currently 2035). See additional Southeast Lee County goal and policies within the Communities Element. (Edited Policy 1.7.13)

POLICY 1.9.8: Southeast Residential DR/GR. The Southeast Residential DR/GR Overlay (Map ##) is described in the other Southeast Lee County goal and policies within the Communities Element and identifies four types of land:

- a. "Existing Acreage Subdivisions": existing rural residential subdivisions that should be protected from adverse external impacts such as natural resource extraction;

- b. "Rural Golf Course Communities" potential locations for the concentration of development rights on property zoned Private Recreational Facilities Planned Development and located in the DR/GR land use category;
 - c. "Mixed-Use Communities" locations where this concentration of development rights from large contiguous tracts with the DR/GR that can be supplemented by transfer of development rights from non-contiguous tracts in the DR/GR; and
 - d. "Improved Residential Communities:" Property with existing residential approvals that are inconsistent with the Southeast Density Reduction/Groundwater Resource area that could be improved environmentally.
- (Edited Policy 1.7.14)

POLICY 1.9.9: Historic Surface and Groundwater Levels. The Historic Surface and Groundwater Levels Overlay (Map ##) depicts the best available analysis of historic wet-season water depths and hydro-periods for Southeast Lee County as of March 2010. This depiction is based on detailed ecological analyses of 1953 aerial photography described in the 2008 report, *Ecological Memorandum of the Density Reduction/Groundwater Resource Area*, by Kevin L. Erwin, Consulting Ecologist, Inc. For purposes of determining compliance with the DR/GR land use category, additional evidence on historic water levels and hydro-periods may be submitted during the rezoning or development review processes as a basis for site-specific hydrological analysis for project design. (Edited Policy 1.7.15)

POLICY 1.9.10: Hideaway Cove. The Hideaway Cove Overlay (Map ##) depicts the development standards for Lots 6 -11, San Carlos Groves Tract, Section 20, Township 46 S, Range 25 E of the San Carlos/Estero area:

- a. The property may be developed at a gross density of one dwelling unit per acre; however, a gross density of up to two dwelling units per acre is permitted through the planned development zoning process, in which the residential development is clustered in a manner that provides for the protection of flow ways, high quality native vegetation, and endangered, threatened or species of special concern. Clustered development must also connect to a central water and sanitary sewer system.
- b. A maximum of one hundred and twenty (120) residential dwelling units, along with accessory, and accessory active recreation uses are permitted through the use of clustering and the planned development zoning process. The dwelling units and accessory uses must be clustered on an area not to exceed thirty two (± 32) acres, which must be located on the northwestern portion of the property. No development may occur in the flow way, with the exception of the improvement of the existing road access from the site to Pine Road. The remainder of the property will be designated as preserve/open space, which can be used for passive recreation, and environmental management and education. In addition, the developer will diligently pursue the sale or transfer of the preserve/open space area, along with development rights for thirty (30) of the maximum one hundred and twenty (120) residential dwelling units, to the State, County, or other conservation entity.

(Excerpted Policy 1.1.11)

POLICY 1.9.11: Research and Enterprise Diamond. The Research and Enterprise Diamond Overlay (Map ##) depicts an area targeted for the creation of a economically diverse center for businesses. Located within a 40-square-mile area of south Lee County, businesses in the Diamond will benefit from existing and planned infrastructure in transportation, education and recreation. Resources, such as the SWFIA, JetBlue Park, and FGCU, establish a prime location for creating synergies among research, renewable energy, enterprise opportunities, and economic growth. Infill development to create more walkable, transit-oriented communities that meet complete streets objectives will be encouraged. (New)

GOAL 2: GROWTH MANAGEMENT. Coordinate the location and timing of new development with the provision of infrastructure by government agencies, private utilities, and other sources. (Edited Policy Goal 2)

OBJECTIVE 2.1: DEVELOPMENT LOCATION. Promote contiguous and compact growth patterns through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Edited Policy Objective 2.1)

POLICY 2.1.1: Encourage residential, commercial, industrial, and public development within the designated Urban Areas on the Land Use Map. Edited Policy 2.1.1)

POLICY 2.1.2: Support infill and redevelopment in Urban Areas by encouraging the use of higher densities and intensities to offset higher per acre land costs of infill development. Infill and redevelopment may include new construction, reuse, or rehabilitation of uses within developed areas. (New Policy)

POLICY 2.1.3: The following uses may be considered in all land use categories churches and schools (except in the Conservation Lands Categories, Wetlands, and Airport Noise Zones), public uses and buildings, public utilities and resource recovery facilities, public recreational uses (including franchised quasi-commercial uses in conjunction with a public use), and sites for compatible public facilities when consistent with the goals, objectives, policies, and applicable zoning and development regulations. (Edited from Policy 2.1.3)

POLICY 2.1.4: Ensure that public school locations are proximate to urban residential areas and are consistent with county growth policies. (Edited Objective 2.10)

POLICY 2.1.5: Assisted living facilities, as defined under Chapter 58A-5 F.A.C. will be deemed a residential use and limited to locations and densities appropriate for residences. (Modified Policy 2.1.4)

OBJECTIVE 2.2: DEVELOPMENT TIMING. Direct new growth to Urban Areas where adequate public facilities exist or are planned and that create compact and contiguous development patterns. (Edited Objective 2.2)

POLICY 2.2.1: Evaluate rezonings and DRI proposals in light of the availability and proximity of the of adequate public facilities, including: transportation network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. (Edited Policy 2.2.1)

POLICY 2.2.2: Map 1 of the Land Use Map series indicates the uses and density ranges that may ultimately be permitted on a given parcel. The future land use designation of a parcel is not a guarantee that the densities or uses are immediately appropriate. The future land use map provides for the county's growth through 2035. During the rezoning process the Board of County Commissioners (Board) must balance the overall standards and policies of this plan with these additional considerations:

- a. Whether the proposed development in a Non-Urban Area is remote from existing development, or if there are not adequate public facilities to serve the proposed development, approval should be delayed to encourage compact and efficient growth patterns; and
- b. Whether a proposal in a Non-Urban Area would result in unreasonable development expectations that may not be achievable because of the acreage limitations in the Acreage Allocation Table (see Map ## and Table ##).

(Modified Policy 2.2.2)

POLICY 2.2.3: When an area within the county is approaching the capacity of the necessary facilities as described above, requested rezonings to increase densities and intensities may be deferred or denied to give preference to existing vacant lots and other valid development approvals, provided that a constitutionally mandated reasonable use of land would still be permitted. (Existing 2.2.3)

POLICY 2.2.4: Consistent with the Capital Improvements Element, give the highest priority to planning, programming, and construction of urban services and facilities in the developed areas where facilities are inadequate. Give the next priority to service expansions in developed areas, followed by further expansion into other portions of the Urban Areas. Identify and protect sufficient land for utility facilities necessary to support the proposed levels of development. Detailed infrastructure planning priorities are contained in the Capital Improvements Element. (Edited Objective 2.3)

POLICY 2.2.5: The cost of services and facilities that benefit new development will be borne primarily by those who benefit. Funding may include (but is not limited to) impact fees, special taxing or benefit districts, community development districts, dedication of land and facilities, in-lieu-of fees, and capital construction, operation, and maintenance funds. (Edited Policy 2.3.2)

POLICY 2.2.6: The Planning District Map and Acreage Allocation Table (see Map 16 and Table 1(b) depicts the proposed distribution, extent, and location of generalized land uses for the year 2035. Acreage totals are provided for land in each Planning District in unincorporated Lee County and used to reconcile the carrying capacity of the map with the adopted population

projection for the time horizon of the this plan. The County will maintain an updated, parcel based database of existing land use for each Planning District. (Modified from Policy 1.7.6)

POLICY 2.2.7: In urban areas, where infrastructure is anticipated to accommodate future development and redevelopment, the acreage totals in table 1(b) will be used as a planning tool to guide necessary infrastructure improvements. (New Policy)

POLICY 2.2.8: In non-urban areas, where minimal public infrastructure is anticipated, project reviews for development orders must include a review of the capacity, in acres, that will be consumed by build out of the development order. No development order will be issued for residential, commercial or industrial uses, if the project acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Table 1(b), Acreage Allocation Table. For limerock mining in the Southeast Lee County Planning District see special requirements in Policy 33.1.4 regarding industrial acreages in Table 1(b). (Modified from Policy 1.7.6)

POLICY 2.2.9: At each regularly-scheduled date for submission of the Lee Plan Evaluation and Appraisal Report, the County must conduct a comprehensive evaluation of Planning District Map and the Acreage Allocation Table system, including but not limited to, a calculation of the estimated carrying capacity of the Land Use Map, the appropriateness of land use distribution, problems with administrative implementations, and areas where the Planning District Map and the Acreage Allocation Table system might be improved. (Modified from Policy 1.7.6)

OBJECTIVE 2.3: LAND USE MAP AMENDMENTS. Regularly examine the Land Use Map in light of new information and changed conditions. (Edited from Objective 2.4)

POLICY 2.3.1: Accept applications from private landowners or non-profit community organizations to modify the boundaries shown on the Land Use Map. Adopt procedures, fees, and timetables for this procedure by administrative code. (Edited from Policy 2.4.1)

POLICY 2.3.2: Proposed amendments must address:

- a. Availability of public facilities and services;
- b. Projected permanent and seasonal population of the area;
- c. Amount of land required to accommodate anticipated growth, including employment opportunities;
- d. Suitability of the proposed land use map designation considering the character of the land, soils, topography, natural resources, and historic resources; and
- e. Compatibility of uses in proximity to the proposed amendment.

(New Policy)

POLICY 2.3.3: No land use map amendments that increase density may be made to the Non-Urban Areas unless the density is acquired through transfer of development rights or three members of the Board make a finding of overriding public necessity. (New Policy)

POLICY 2.3.4: Discourage amendments to the Lee Plan that promote urban sprawl. (New Policy)

POLICY 2.3.5: All proposed changes to the Land Use Map in critical areas for future potable water supply (Lehigh Acres as described in the Conservation and Coastal Management Element; and all land in the DR/GR land use category) will be subject to a special review. Analyze the proposed land uses to determine the short-term and long-term availability of irrigation and domestic water sources. Assess whether the proposed land uses will cause significant impacts to ~~on~~ present or future water resources. The Board must make a formal finding that no significant impacts on present or future water resources will result from the change. (Edited Policy 2.4.2)

POLICY 2.3.6: Except for areas identified as needed for airport expansion, discourage Land Use Map Amendments to the DR/GR areas south of SR 82 east of I-75 that increase the current allowable density or intensity. It is the county's policy not to approve further urban designations in the DR/GR for the same reasons that supported its 1990 decision to establish the category. In addition to satisfying the requirements in 163 Part II Florida Statutes, the Strategic Regional Policy Plan, the State Comprehensive Plan, and the Lee Plan, applicants seeking such an amendment must also:

- a. Analyze the proposed allowable land uses to determine the availability of irrigation and domestic water sources;
- b. Identify potential irrigation and domestic water sources, consistent with the Regional Water Supply Plan. Since regional water suppliers cannot obtain permits consistent with the planning time frame of the Lee Plan, water sources do not have to be currently permitted and available, but they must be reasonably capable of permitting;
- c. Present data and analysis that the proposed land uses will not cause significant harm to present and future public water resources; and,
- d. Supply data and analysis specifically addressing the urban sprawl criteria listed in Florida Statutes.

During the transmittal and adoption process, the Board must review the application for all these analytical requirements and make a finding that the amendment complies with all of them. (Modified Policy 2.4.3)

OBJECTIVE 2.4: DENSITY AND INTENSITY TRANSFER. Support the development of distinct urban and suburban places by establishing innovative programs that allow the transfer of density and intensity to targeted areas. (New Objective)

POLICY 2.4.1: Promote increased density in the more intense urban land use categories by establishing procedures that enable the use of higher and incentive densities. (New Policy)

POLICY 2.4.2: Maintain existing and establish new programs that create opportunities to:

- a. Transfer density and intensity from designated "sending areas" to designated "receiving areas".
- b. Increase density for developments that either promote or provide affordable housing.

- c. Increase density for developments that provide enhanced urban services and infrastructure such as; enhanced transit, pedestrian, bicycle, or other mobility alternatives; provision of civic or public spaces; or, other urban amenities.

(New Policy)

POLICY 2.4.3: Viable candidates for receiving sited for increased density and intensity include:

- a. Areas in the Mixed-Use Overlay;
- b. Urban Core, Urban Places, Urban Neighborhoods, and Suburban Six; and,
- c. Designated Mixed-Use Compact Communities;
- d. Incorporated areas where there are interlocal agreements between the city and county.

(New Policy)

POLICY 2.4.4: Viable candidates for sending sites include:

- a. Lands that maintain a rural or environmental character such as providing links to the regional open space system, listed species habitat, flow ways, or groundwater recharge.
- b. Non-conforming lots and other lots with rights to develop residential unit(s) that are not suited for development.

(New Policy)

POLICY 2.4.5: Programs created under this objective will be incorporated into the LDC and Administrative Code.

- a. Innovative techniques to assure successful programs will utilize incentives for both the sending and receiving sites.
- b. Appropriate density and intensity multipliers will be evaluated and established for sending sites. Streamlined approval processes will be evaluated and established for receiving sites.
- c. Areas that are proposed for, or that request, reduction of allowable density through land use map amendments will be compensated with additional density over and above the proposed reduction of density.

(New Policy)

POLICY 2.4.6: Facilitate the transfer of rights from property owners with sending sites to property owners with receiving sites through a publicly administered TDR bank. (New Policy)

POLICY 2.4.7: Allow TDR credits to be redeemed in incorporated municipalities where suitable interlocal agreements specify the terms of potential transfers. Interlocal agreements could also provide for reciprocity with municipalities that have a substantially equivalent TDR programs. (New Policy)

GOAL 3: DEVELOPMENT STANDARDS. Establish land use practices and standards that guide the review of future development projects and direct the development of residential, commercial, industrial, agricultural, marine-oriented, and natural resource extraction areas. (New goal)

OBJECTIVE 3.1 REVIEW STANDARDS. Ensure appropriate water, sewer, traffic, and environmental review standards are considered in reviewing rezoning applications and that those standards are met prior to issuance of a county development order. (Edited Goal 11)

POLICY 3.1.1: Evaluate development designs to ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site, and that the placement of uses or structures within the development minimizes the expansion and construction of street and utility improvements. (Former Policy 4.1.1)

POLICY 3.1.2: Evaluate development designs will be evaluated to ensure that the internal street system is designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development. (Former Policy 4.1.2)

POLICY 3.1.3: Incorporate Crime Prevention through Environmental Design (CPTED) guidelines to the maximum extent possible. (Modified Policy 4.3.3(l))

POLICY 3.1.4: Lee Plan amendment applications to expand the Lee Plan's employment centers, which include light industrial, commercial retail and office land uses, will be evaluated by the Board in light of the locations and cumulative totals already designated for such uses, including the 1994 addition of 1,400 acres to the Tradeport category just south of the Southwest Florida International Airport. (Added by Ordinance No. 97-05, Amended by Ordinance No. 00-22, 04-16) (Former Policy 2.4.4)

POLICY 3.1.5: Potable Water Standards.

- a. New residential development exceeding 2.5 dwelling units per gross acre, and new single commercial or industrial development exceeding 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as defined by Florida Statutes;
- b. If the proposed development lies within the boundaries of a water utility's certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 6), then the development must be connected to that utility;
- c. The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.
- d. All waterline extensions to new development will be designed to provide minimum fire flows, as well as adequate domestic services required by Florida Statutes;
- e. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map ##), and the utility cannot provide the service or can provide the service except at a clearly unreasonable cost to the developer, the developer is encouraged to petition the appropriate regulatory agency to contract the service area so that the development may establish its own community water system or invite another adjacent utility to expand its service area to provide the service; and
- f. If a development lies outside a utility service area, the developer may:

1. Request that the service area of an adjacent water utility be extended to incorporate the property;
2. Establish a community water system for the development; or
3. Develop at an intensity that does not require a community water system.

(Edited Standard 11.1)

POLICY 3.1.6: Sanitary Sewer Standards.

- a. New residential development exceeding 2.5 dwelling units per gross acre, and ~~any~~ new single commercial or industrial development generating more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system;
- b. If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map ##), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within 1/4 mile from any part of the development;
- c. If there is not sufficient capacity or adequate infrastructure within 1/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service;
- d. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map ##), and the utility cannot provide the service, or can provide the service but at a clearly unreasonable cost to the developer, the developer may establish, on a temporary basis, a self-provided sanitary sewer facility for the development, to be abated when the utility extends service to the site. The developer may also petition the appropriate regulatory agency to contract the service area of the utility so that another utility may be invited to provide the service; and
- e. If a development lies outside a service area, the developer may:
 1. Request that the service area of an adjacent sewer utility be expanded to incorporate the property;
 2. Establish a self-provided sanitary sewer system for the development;
 3. Develop at an intensity that does not require sanitary sewer service; or
 4. If no more than 5000 gallons of effluent per day per parcel is produced, the development may utilize an individual sewage disposal system in accordance with Florida Statute, contingent on approval by all relevant authorities.

(Edited Standard 11.2)

POLICY 3.1.7: Multimodal Transportation Standards.

- a. A multimodal transportation impact statement must be submitted to and accepted by the county for the following development applications:
 1. Comprehensive Plan Amendment;
 2. Developments of Regional Impact (DRIs);
 3. Planned Developments (as specified in the Zoning Regulations); and
 4. Developments requiring a county development order, as specified in the LDC.

- b. The form, content, and level of detail required in the multimodal transportation impact statement will be established by Lee County by ordinance, administrative code, or other regulations. Lee County will establish criteria or thresholds to determine the scope of the multimodal transportation impact statement required:
 - 1. In urban land use categories, the multimodal transportation impact statement will provide information regarding project impacts to multimodal facilities, safety and accessibility to the adjacent multimodal transportation infrastructure.
 - 2. In all other land use categories, if the development does not meet the established thresholds, the multimodal transportation impact statement will provide information regarding multimodal traffic generation and impacts at the development's access points to the adjacent street system; and if the development meets or exceeds the established thresholds, the multimodal transportation impact statement will provide a comprehensive assessment of the development's impacts on the surrounding multimodal transportation infrastructure.

(Edited Standard 11.3)

POLICY 3.1.8: Environmental Review Factors. Where there exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, South Florida Water Management District, or other applicable regulatory agency), require developers and/or applicants to prepare an environmental assessment examining the existing conditions, addressing the environmental problems, and proposing proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources. (Edited Standard 11.4)

OBJECTIVE 3.2: RESIDENTIAL STANDARDS AND PRACTICES. Support development of attractive and safe neighborhoods with a variety of price ranges and housing types to accommodate the population needs of the county. (New Objective)

POLICY 3.2.1: Ensure residential land uses support the urban, suburban, rural, or mixed-use context of the surrounding developments by implementing the following standards:

- a. Locate high-density urban and suburban residential developments near mixed-use centers; employment and commercial districts; parks and schools; and multi-modal transportation facilities;
- b. Provide a variety of multi-modal interconnections to adjoin developments and the local transportation system through various pedestrian, bicycle, transit, and auto opportunities;
- c. Ensure residential communities provide for open spaces and community facilities that are easily accessible via pedestrian and bicycle connections, and provide for the functional needs of the community (e.g.: urban courtyards, parks, and central public spaces; passive landscaping, buffering, and open spaces; and active playgrounds and recreation areas);
- d. Encourage interconnections within and between developments—particularly those located within Urban Areas;
- e. Require residential developments meeting Development of County Impact (DCI) thresholds to develop as planned residential developments; and

- f. Restrict residential development from areas with physical constraints or hazards (e.g.: flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; Airport Noise Zone B; industrial land use categories; or other characteristics that may endanger the residential community.).

(Modified to address issues from Policies 5.1.1 and 5.1.2)

POLICY 3.2.2: Protect existing and future residential areas from encroachment of uses potentially destructive to the character and integrity of the residential environment.

- a. Within Suburban and Rural Land Use Categories requests for conventional rezonings will be denied in the event that measures to ensure compatibility provided in LDC not adequate to address potentially incompatible uses in a satisfactory manner.
- b. Within Suburban and Rural Land Use Categories planned developments or special exceptions, if generally applicable development regulations are found to be inadequate, must include conditions to minimize or eliminate the potential impacts. Where no adequate or enforceable conditions can be devised, the application will be denied altogether.
- c. Within the three Urban Land Use Categories varied land uses are expected to be located in close proximity to one another. Compatibility will be addressed through zoning conditions and development design. (Modified Policy 5.1.5)

POLICY 3.2.3: Where land under single ownership is divided into two or more land use categories the allowable density will be the sum of the densities for each land use category for each portion of the land. Resulting density may be allocated across the entire property provided that:

- a. Planned development zoning is utilized;
- b. No density is allocated to lands designated; and
- c. The Planned Development protects environmentally sensitive lands on the property.

(Edited Policy 5.1.10)

OBJECTIVE 3.3: EXISTING MULTI-FAMILY RESIDENTIAL REDEVELOPMENT:

Incentivize and promote cost effective and timely redevelopment of multi-family developments approved and developed prior to the adoption of the 1984 Lee Plan. (Edited Objective 5.2)

POLICY 3.3.1: Permit over-density multi-family residential developments that lawfully achieved their density prior to the effective date of the Lee Plan (December 21, 1984), to redevelop at existing density. Over-density multi-family redevelopments will be considered on a case by case basis to determine the approval process to be followed to achieve redevelopment. (Edited Policy 5.2.1)

POLICY 3.3.2: Require the planned development zoning process to be utilized when rezoning is required in order to prevent and mitigate adverse impacts to the surrounding areas and to ensure that appropriate site development regulations are incorporated into the development plans. (Edited 5.2.2)

POLICY 3.3.3: Document existing conditions as part of a redevelopment plan including:

- a. Number of dwelling units;
- b. Floor area;
- c. Water management systems and outfalls; and
- d. Impervious area on the subject property.

The documentation must be provided at a pre-application meeting and include two site plans: one depicting existing development and another depicting the proposed plan of redevelopment.
(Modified 5.2.3)

POLICY 3.3.4: Require the site design of the proposed development to be compatible with surrounding land uses. (Edited 5.2.4)

POLICY 3.3.5: Require wet retention and dry retention areas to be planted with native trees and herbaceous plant species. (Edited 5.2.5)

POLICY 3.3.6: Ensure redevelopment projects located within the Coastal High Hazard Area incorporate the following features:

- a. Sufficient elevation to address a storm surge from a land falling category 5 hurricane;
- b. Constructed to withstand winds of 200 mph in accordance with the Florida Building Code;
- c. Impact protection for exterior openings in accordance with the Florida Building Code;
- d. Emergency power and potable water supplies for up to five days;
- e. Ventilation, sanitary facilities, and first aid medical equipment; and,
- f. Designed to minimize light pollution, sky glow and light trespass beyond the property lines using light management techniques to reduce the impact on wildlife such as sea turtles and migrating birds. 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 and metal halide lamps are also prohibited; and
 - 3. Glass windows and doors must be treated to achieve an industry-approved, inside-to-outside light transmittance value of 45 percent or less.

(Edited Policy 5.2.6)

OBJECTIVE 3.4 COMMERCIAL STANDARDS AND PRACTICES. Provide for the county's commercial needs through development standards and planning practices that direct the design, location, and makeup of mixed-use and commercial centers. (New objective)

POLICY 3.4.1: Ensure commercial development supports the surrounding development and provides for the economic and commercial needs of the people who live, work, and visit the area through the following practices:

- a. Prioritize redevelopment and infill in areas where existing commercial development exist;
- b. Permit when properly zoned within the Urban Areas;
- c. Expand multi-modal transportation options through the development areas and protect the traffic-carrying capacity of arterial roads between the commercial and mixed-use centers;
- d. Provide appropriate public space, civic areas, landscaping, open space, and buffering.

- e. Incorporate architectural features that enhance the appearance of structures, screen parking areas, and blend with the character of existing or planned surrounding land uses.
- f. Allow limited commercial marinas (not including heavy marine commercial, such as extensive storage and hull, engine, and electronic repairs) in non-urban areas.

(Redrafted to address issues in Policies 6.1.6, 6.1.7, 6.1.8)

POLICY 3.4.2: Ensure commercial developments are designed consistent with the context of the surrounding area and support the needs of the surrounding area by reviewing applications for commercial developments according to the following issues:

- a. Adjacent land uses and surrounding neighborhoods (rezoning);
- b. Proximity to other similar uses (rezoning); and
- c. Connectivity and access to multi-modal transportation (rezoning and development orders);
- d. Adequate levels of services and facilities (rezoning and development orders);
- e. Landscaping and detailed site planning (development orders);
- f. Environmental features (rezoning and development orders); and
- g. Development transitions, facility screening, and landscape buffering (planned development rezoning and development orders).

(Redrafted to address issues from Policies 6.1.1, 6.1.6)

POLICY 3.4.3: Require commercial planned developments to incorporate the following features:

- a. Visual harmony and landscaping;
- b. Interconnectivity to reduce dependence on the automobile;
- c. Promotion of pedestrian movement within the development and to adjacent developments;
- d. Joint parking, access, and loading facilities;
- e. Avoidance of negative impacts and support of surrounding land uses, development forms, and travel circulation;
- f. Protection of natural resources; and
- g. Provision of necessary services and facilities.

(Revised Policy 6.1.3)

POLICY 3.4.4: Prohibit commercial developments from opening new areas to premature, scattered, or strip development. Encourage commercial development in infill, redevelopment, and previously established development locations.

(Revised Policy 6.1.7)

POLICY 3.4.5: Define locations and standards for the size, location, and access of commercial retail facilities in the LDC. (Addressed Policy 6.1.2)

POLICY 3.4.6: Commercial development approved or existing on one corner of an intersection does not mean, all corners are appropriate for commercial or mixed use development. Further, the existence of commercial development on an arterial or collector road does not dictate that all frontages must be used in a similar manner. (Modified Policy 6.1.10)

POLICY 3.4.7: Permit limited commercial uses, agriculturally related services, and other needs of the rural area in non-urban areas as follows:

- a. Location: The retail use, including buildings and outdoor sales area, must be located as follows except where this plan provides specific exceptions:
 1. At the intersection of an arterial and collector or two arterials with direct access to both intersecting roads. Direct access may be achieved with an internal access road to either intersecting road. On islands with intersecting network of collectors and arterials, commercial development may be located at or near the intersection of local and collector, or local and arterial, or collector and collector roads; and
 2. Consistent with the Communities Element;
 - b. Site Area: Two acres or less; and
 - c. Range of Gross Floor Area: Less than 30,000 square feet.
- (Modified Policy 6.1.2:1)

OBJECTIVE 3.5: INDUSTRIAL STANDARDS AND PRACTICES. Provide for the economic needs of the county through land use standards that direct the planning and design of industrial and economic land uses in appropriate locations. (New objective)

POLICY 3.5.1: Provide for the land use and transportation needs of industrial and economic land uses through locations that provide for the special needs of such uses, such as:

- a. Commuter access from home-to-work trips;
- b. Intermodal access by truck, air, deep water, and rail; air and water quality considerations;
- c. Proximity to supportive and related land uses and utilities;
- d. Topography;
- e. Choice and flexibility in site selection;
- f. Greenbelt and other amenities; and
- g. Compatibility with neighboring uses.

(Edited Policy 7.1.3)

POLICY 3.5.2: Permit agriculturally-related industrial uses directly serving the rural and agricultural community in the Rural Communities, Open Lands, DR/GR Land Use Categories provided there is adequate fire protection, transportation, and wastewater treatment and water supply, and provided the uses have no adverse effect on surrounding land uses and natural resources. These determinations will be made during the rezoning process. (Edited Policy 7.1.7)

POLICY 3.5.3: Land located outside of the Industrial/Research Development, Tradeport, and Interstate Interchange Land Use Categories but within the designated urban land uses may be developed for light industrial purposes when adequate services and facilities are available; the use will not adversely impact surrounding land uses, and natural resources are protected, if one of the following conditions is met:

- a. The parcel is located in the Urban Core, Urban Places, or Urban Neighborhood land use categories, was zoned IL or IG prior to the adoption of the 1984 Lee Plan, and does not exceed 50 acres in size (unless it is adjacent to other existing or designated industrial lands);
or

- b. The parcel is located in the Urban Core, Urban Places, Urban Neighborhood, General Interchange, Employment Interchange land use categories, and is zoned as a Planned Development.

(Modified Policy 7.1.6)

POLICY 3.5.4: Support development of industrial areas in appropriate urban and suburban land use categories by reviewing and evaluating proposed industrial development according to the following conditions during the zoning and development order process:

- a. Permit the timing and location of industrial development with the availability and adequacy of services and facilities;
- b. Air emissions;
- c. Impact and effect on environmental and natural resources;
- d. Effect on surrounding land use;
- e. Impacts on water quality and water needs;
- f. Drainage system ;
- g. Employment characteristics;
- h. Fire and safety;
- i. Noise and odor;
- j. Buffering and screening;
- k. Industrial traffic is directed away from local residential streets;
- l. Impacts on transportation facilities and access points;
- m. Access to rail, major thoroughfares, air, and, if applicable, water;
- n. Utility needs; and
- o. Sewage collection and treatment.

(Redrafted to address issues from Policies 7.1.1, 7.1.4, and 7.1.5)

POLICY 3.5.5: Industrial planned developments to arrange uses as an integrated and cohesive unit in order to:

- a. Promote compatibility and screening;
- b. Reduce dependence on the automobile;
- c. Promote pedestrian movement within the development;
- d. Utilize joint parking, access and loading facilities;
- e. avoid negative impacts on surrounding land uses and traffic circulation;
- f. Protect natural resources; and
- g. Provide facilities and services when inadequate to serve the proposed use.

(Formerly Policy 7.1.2)

POLICY 3.5.6: Require industrial uses to be buffered and screened from adjacent existing or proposed residential areas to prevent visual blight and noise pollution. (Formerly Policy 7.1.8)

POLICY 3.5.7: Provide for the safety and health of the county's residents and natural resources by prohibiting bulk storage or production of toxic, explosive, or hazardous materials near residential areas and prohibiting the storage of these materials in areas that have the potential to contaminate ground or surface water. (Policy addresses issues from Policy 7.1.1 (3))

OBJECTIVE 3.6: AGRICULTURAL STANDARDS AND PRACTICES. Support a diverse and robust agricultural economy by protecting agricultural lands from the encroachment of incompatible land uses and discouraging the introduction or expansion of agricultural uses in the Urban Areas.

POLICY 3.6.1: Identify rural agriculture lands on the land use map and establish policies and practices that support a diverse agricultural economy including:

- a. Utilize an Agricultural Overlay to identify, inventory, and promote agricultural uses;
- b. Evaluate applications for conversion of agricultural land uses in Non-Urban areas to other land uses;
- c. Encourage agricultural operations to meet water quality and surface water management standards by providing advisory water management plans through the Lee Soil and Water Conservation District;
- d. Promote energy, water, and soil conservation management practices; and
- e. Continue to update and analyze agricultural land use data.

(Redrafted to address issues from Objective 9.1, Policies 9.1.2, 9.1.3, and 9.1.5)

POLICY 3.6.2: Protect agricultural activities on lands within the agricultural overlay (see Map X) from the impacts of new natural resource extraction operations, recreational uses, and residential development. In future limerock mining areas (see Map X), agricultural activities may be limited to the interim period prior to mining or may coexist with adjoining mining activities and mining pits. (Formerly Policy 9.1.4)

POLICY 3.6.3: Establish and implement incentives to encourage the continuation of existing agricultural operations and improvements to existing agricultural operations as needed to store and treat water and improve ecological values. Investigate the feasibility of a Transfer of Development Rights (TDR) bank for agricultural property. (Edited Policy 9.1.6)

POLICY 3.6.4: Existing agricultural lands within the DR/GR land use category provide important surface and subsurface connections for water and wildlife resources. Support the integration of agriculture as part of a coordinated effort of county and regional agencies to manage water resources including the protection and restoration of natural systems within Southeast Lee County. (Edited Policy 9.1.7)

POLICY 3.6.5: Discourage agricultural uses proximate to incompatible urban uses and to promote the efficient use of existing and programmed urban infrastructure. Direct new agricultural uses away from urban areas. (Edited Objective 9.2)

POLICY 3.6.6: Rezoning of land to agricultural zoning districts is prohibited in the Urban Land Use Categories. (Modified Policy 9.2.1)

POLICY 3.6.7: Allow rezoning proposals of parcels of five acres or more to an agricultural zoning district within Suburban Categories to be reviewed on a case by case basis. Base recommendations on:

- a. Current and future availability of urban infrastructure;
- b. Compatibility with existing and future land uses;
- c. Acreage of rezoning request; and
- d. Consideration of applicable community plans. (Modified Policy 9.2.1)

POLICY 3.6.8: Planned development rezonings in urban areas must not establish new, or expand existing, agricultural uses. Bona fide agricultural uses existing at the time of rezoning may continue until development commences. Existing agricultural uses may not expand beyond the boundaries existing at the time of rezoning. Existing agricultural uses within any tract or phase must be discontinued upon local development order approval including that tract or phase. (Edited Policy 9.2.2)

OBJECTIVE 3.7: MARINE-ORIENTED STANDARDS AND PRACTICES. Designate prime locations for marine-oriented land uses and protect those locations from incompatible or pre-emptive land uses. (Previously Goal 8)

POLICY 3.7.1: Encourage existing marinas, fish houses, and port facilities located within water-dependent overlay zones on the Future Land Use Map to commercial and industrial marine zoning categories to protect the right to rebuild and expand and to prevent conversion to non-water-dependent uses without a public hearing (See Map ##). (Edited Objective 8.1)

POLICY 3.7.2: Development approvals for marine-oriented land uses must also comply with requirements set forth in the Coastal and Conservation Management, Objective: Marine Facilities Siting Criteria, and Objective: Marina Design Criteria. (Edited Objective 8.2)

OBJECTIVE 3.8: NATURAL RESOURCE EXTRACTION STANDARDS AND PRACTICES. Protect areas containing identified natural resources from incompatible urban development, while ensuring that natural resource extraction operations minimize or eliminate adverse effects on surrounding land uses and other natural resources. (Edited Goal 10)

POLICY 3.8.1: Designate through the rezoning process, sufficient lands suitable for providing fill material, limerock, and other commercially valuable natural resources to meet the county's needs and to export to other communities, while providing adequate protection for other natural resources. (Formerly Objective 10.1)

POLICY 3.8.2: 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 fill material must be trucked to likely destinations. (Formerly Policy 10.1.1)

POLICY 3.8.3: The future uses of any new or existing natural resource extraction operations must be evaluated at the time the property undergoes planned development zoning review. Site plans should be designed to incorporate proposed future uses, including open space, and to ensure

the protection of surface and ground water resources, wildlife, and native plant communities. (Formerly Policy 10.1.2)

POLICY 3.8.4: Reclamation is intended to replace or offset ecological benefits lost during extraction, including the creation of conditions that will support a healthy water body to the extent practicable. Applications for natural resource extraction permits for new or expanding sites, or for future use of such sites, must include a reclamation plan that provides assurance of implementation. Reclamation plans must address the reclamation and sustainable management of existing and future mining pits, preserves, and buffer areas related to the mining operation. Reclamation plans in Future Limerock Mining areas (see Map 14) must include littoral shelves suitable for native wetland plants, re-vegetation of disturbed land, allowance for wildlife movement, and minimization of long-term effects on surrounding surface and groundwater levels. Reclamation plans for mines providing primarily fill material should provide more extensive littoral shelves and describe how shorelines will be configured and managed and how disturbed uplands will be restored or converted to other acceptable land uses. Reclamation plans in or near important surface and groundwater resource areas must be designed to minimize the possibility of contamination of the surface and groundwater during mining and after completion of the reclamation. (Formerly Policy 10.1.3)

POLICY 3.8.5: Limerock mining may be permitted only in accordance with goals, objective, and policies for Southeast Lee County, contained in the Communities Element. Other natural resource extraction activities such as fill dirt operations and ancillary industrial uses may be permitted as follows:

- a. In areas indicated on the Land Use Map as Rural, Open Lands, and DR/GR, provided there is adequate fire protection, transportation facilities, wastewater treatment and water supply, and provided further there are no significant adverse effects such as dust and noise on surrounding land uses and natural resources. In the DR/GR Density Reduction/Groundwater Resource category, fill dirt operations are further restricted in accordance with other policies in the Lee Plan.
- b. In order to reduce transport costs and minimize wear on the county's roadways, the extraction and transport of fill material may also be permitted as an interim use in the Urban Areas provided that the above requirements are met; however, special restrictions may also be applied to protect other land uses. These determinations will be made during the rezoning process. Ancillary crushing of limerock strata embedded within fill material may be permitted for use on-site. (Edited Policy 10.1.4)

POLICY 3.8.6: Lee County will support efforts by government, community leaders, and the extractive industry owners and businesses to incorporate reclaimed mining pits into a comprehensive and coordinated effort of governmental agencies to enhance wildlife habitat values, minimize or repair the long-term impacts to adjoining natural systems, provide for human recreation, education, and other appropriate uses, and/or strengthen community environmental benefits. (Formerly Policy 10.1.5)

POLICY 3.8.7: Coordinate mining activities, including evaluation, monitoring, reclamation, and redevelopment, with water supply planning, surface and groundwater management activities, wetland protection, wildlife conservation, and future residential activities. Consider the cumulative and watershed-wide impacts of mining activities, in addition to the direct impacts of each individual mine. (Previously Objective 10.2)

POLICY 3.8.8: Natural resource extraction operations must provide a monitoring system to measure surface and groundwater levels and quality to assess any degradation of surface and groundwater resources. Particular attention will be given to potential travel time to wellfields and residential wells. Mining applications are strongly encouraged to include a minimum of three years baseline monitoring and assessments of the likely change in flow, timing of travel, and direction of surface and groundwater systems on-site and in the impacted area. (Formerly Policy 10.2.1)

POLICY 3.8.9: Applications for natural resource extraction permits for new or expanding areas must include an environmental assessment. The assessment must include (but not be limited to) consideration of air emissions, impact on environmental and natural resources, effect on nearby land uses, degradation of water quality, depletion of water quantity, drainage, fire and safety, noise, odor, visual impacts, transportation including access roads, sewage disposal, and solid waste disposal. Assessments must also include:

- a. Potential impacts on the aquatic ecology and water quality of mining pits that will result from mining pit design.
- b. Likely post-mining impacts such as runoff or surface and groundwater flow on land uses surrounding the site.
- c. Consideration of the primary and secondary impacts at the local and watershed levels.

(Formerly Policy 10.2.2)

POLICY 3.8.10: The depth of mining for a proposed excavation will be limited as necessary to prevent any breach of an aquaclude or confining layer. (Formerly Policy 10.2.3)

POLICY 3.8.11: Other limitations on mining pit size, setbacks, and depths will be determined on a case-by-case basis depending on existing neighboring uses, specific hydrogeologic conditions, wetlands and watershed protection, wildlife conservation, and transportation routes including anticipated traffic to and from the mine. (Formerly Policy 10.2.4)

POLICY 3.8.12: Areas that are designated as preserve areas (e.g., buffers, indigenous preservation, and reclaimed littoral shelves) during the mining rezoning process must be protected by the execution of perpetual conservation easements so that these areas will be maintained during mine operation and in perpetuity regardless of future land uses. A timetable for all environmental remediation including the construction of buffers and reclamation of littoral shelves must be included as part of the mine rezoning application. Lee County must be named in the easement as a grantee with the power and authority, but not obligation, to enforce the terms of the easement. An entity, other than Lee County, must be identified and obligated to maintain the

easement in perpetuity. However, Lee County may agree to be primarily responsible for maintenance. (Edited Policy 10.2.5)

POLICY 3.8.13: The LDC-will establish the contents and frequency of monitoring reports from authorized mines. These reports may include surface and groundwater monitoring of water quality and quantity, the areas under active mining, the depths being mined, the quantity and type of mined materials, estimated reserves left for mining, and the annual volume, direction, and destination of the material being transported. Reporting will include the active mining and processing area; the areas where reclamation has been completed; and the areas where invasive exotic removal is underway or completed. (Edited Policy 10.2.6)

POLICY 3.8.14: Zoning or development order approvals may require that significant adverse impacts identified during mining or post-mining will be subject to adaptive resource management acceptable to Natural Resources whereby corrective measures can be guaranteed through conditions on the next phase's approval. (Edited Policy 10.2.7)

POLICY 3.8.15: Determine and maintain a balance between the County's petroleum resources and the health, safety and welfare of the residents of its Urban Areas. (Formerly Objective 10.3)

GOAL 4: ACTIVITY CENTERS AND CORRIDORS. Support the development of compact, mixed-use activity centers and corridors in targeted locations through the public-private partnerships to provide diverse economic, social, and residential opportunities. Promote creative urban design forms that allow for integrated mixed-use buildings, interconnected stand alone buildings within mixed-use centers and corridors. (New goal)

OBJECTIVE 4.1: MIXED-USE PRACTICES. Facilitate the development of mixed-use places that feature a complimentary mix of uses, promote livability, walkability, and multi-modal transportation services, and provide a variety of economic, housing, and recreational opportunities in targeted locations as designated on the Land Use Map. (New objective)

POLICY 4.1.1: Foster a balance of residential, economic, and public space areas by utilizing the Future Land Use Map to designate the location of mixed-use centers and corridors in areas where the densities and intensities of mixed-use places are compatible with surrounding neighborhoods. (New Policy)

POLICY 4.1.2: Encourage mixed-use centers and corridors through development practices that support a diverse housing, economic, transportation, and social connections including:

- a. Multi-generational residential developments with an array of housing types, and live/work options;
- b. Interdependent, 24-7 economy with daytime and evening businesses, activities, and events;
- c. Interconnected land uses and transportation systems that decrease the number and length of vehicular trips, facilitate transportation options, and provide opportunities for walking, biking, riding transit, and driving; and
- d. Centrally located, accessible, and diverse public places and open spaces.

(New Policy)

POLICY 4.1.3: Establish and implement a Mixed-Use Overlay as part of the Future Land Use Element to target locations and promote the development of activity centers and corridors. Prioritize mixed-use overlay locations according to the following considerations:

- a. Opportunity to improve connections to surrounding neighborhoods, economic centers, parks and public spaces, and civic areas;
- b. Redevelopment opportunities for established development areas—particularly on grayfield or brownfield sites;
- c. Close proximity to: multi-modal transportation facilities; schools; recreation opportunities; and residential, shopping and employment centers;
- d. Ability to improve the transportation system—e.g.: increased pedestrian, bicycle, and bus service; reduced travel distances; internal trip capture; and improved transit accessibility;
- e. Location of large amounts of underutilized commercial space with suburban-oriented parking lots; or
- f. Sites identified through community planning efforts, MPO plans, or Lee Tran transit plans. (Addresses issues from Objectives 4.2, Policies 4.2.1 and 4.2.5)

POLICY 4.1.4: Facilitate the planning and development of mixed-use centers by working with community members, property owners, and other interested stakeholders. Emphasize building consensus on locations for the Mixed-Use Overlay, education regarding the benefits and concerns related to mixed-use/higher density developments; and adoption of a mixed-use regulating plan in targeted locations. (Redrafted Policy 4.2.6)

POLICY 4.1.5: Support private mixed-use developments by streamlining the review of mixed-use developments within communities with regulating plans, prioritizing capital improvement projects needed to support mixed-use developments, encouraging creative urban mixed-use design and development practices, and identifying innovative mixed-use incentives. (New Policy)

POLICY 4.1.6: Promote the development of urban communities by prioritizing the planning, development, and funding of mixed-use centers in urban locations. Projects within urban land use categories, particularly those located within areas that have adopted mixed-use regulating plans, are a priority for public resources and programs to spur development through a variety of development practices including:

- a. Planning and adoption of mixed-use regulating plans located in target locations;
- b. Planning, funding, and construction of public services and infrastructure systems (e.g.: transportation systems; utility—potable water, sanitary sewer, and stormwater—systems; parks and public spaces; civic resources, and other);
- c. Funding capital improvement projects and other county infrastructure and transportation funding;
- d. Identifying additional grant and public resources and programs;
- e. Utilizing the county's historic resource, housing, park development, and other programs;
- f. Coordinating with the Economic Development Office and Fort Myers Regional Partnership to promote economic development activities; and

- g. Utilizing local community funding resources:
(New policy)

POLICY 4.1.7: Properties in a Mixed Use Overlay Zone, and with adopted regulating plans are preferred receiving areas for incentive density.
(Modified Policy 4.3.8)

POLICY 4.1.8: The Mixed-Use Overlay may include areas within the Coastal High Hazard Area when unique public benefits exist. Benefits may include:

- a. Development of workforce housing alternatives;
- b. Provision of transportation options;
- c. Creation of evacuation shelters; and
- d. Others benefits as determined through the zoning process.

(Modified Policy 4.2.4)

POLICY 4.1.9: Planned Development projects adhering to the Mixed-Use Overlay standards, at the discretion of the Board, may extend a reasonable distance beyond the Mixed-Use Overlay zone. (Modified Policy 4.2.3)

OBJECTIVE 4.2: MIXED-USE STANDARDS. Pursue or maintain land development standards and regulations that encourage creative site designs and mixed use developments. (Modified Goal 4)

POLICY 4.2.1: Mixed Uses: Provide a balanced mixture of uses to reduce overall trip lengths, to support pedestrian, bicycle and transit opportunities and create pedestrian friendly streetscapes. Mixed use form and design considerations include:

- a. Mixed uses developments may take the form of either vertical or linear integration of uses. Vertical integration occurs when uses are mixed within individual buildings (e.g. residential above retail or office space). Linear distribution occurs when uses are connected to other uses as part of a larger mixed-use center or corridor; and
- b. Mixed Use Overlay areas will provide civic uses, such as green spaces or community centers;
- c. Mixed uses will be integrated within an overall design framework to create a pedestrian friendly, human scale environment, through objective, measurable criteria including size, scale, proportion, and materials detailed in the land development regulations. Flexibility in design will allow for choice and variety in architectural style.

(Modified Policy 4.3.2)

POLICY 4.2.2: Site and Building Design: Integrate commercial, residential, civic, and open spaces to create multipurpose developments that feature unique style and ambiance through design, encouraging civic involvement and events to promote community interaction. Site and Building Design development practices include:

- a. Provisions for outdoor livability, including interconnected pedestrian and bike facilities, walkways, public plazas, ample seating, and walkable block size;
- b. Well defined centers and edges with public or civic space creating an element around which other development is located;

- c. Development plans will create focal points of signature buildings, civic spaces, natural amenities, and other prominent features through placement or street layout;
- d. Link pedestrian routes and bikeways with the street system or other public space such as parks or squares avoiding routes through parking lots and other locations out of the public realm;
- e. When necessary, development density and intensity will gradient from the center to the edge suitable to integrated surrounding land uses;
- f. The designs will include a pedestrian circulation system to connect the nonresidential uses with residential uses and areas;
- g. Local climate and history will dictate the architectural and landscape design and natural methods of cooling and heating will be encouraged. Evaluate Green Building techniques as an alternative way to provide open space;
- h. Streets and roads will be fronted by design features including sidewalks which define and contribute to a pedestrian street character. Building design, placement, and entrances will be at a pedestrian scale and oriented towards streets or other public space such as parks or squares;
- i. The street system will equally serve automobile and non-automobile modes of transportation. Development will provide pedestrian and bicycle- friendly access, and will provide transit facilities to the development and the surrounding community;
- j. Large scale nonresidential establishments will incorporate development design techniques to integrate the establishment into the surrounding community. Such design techniques will include:
 - 1. Creation of a series of smaller, well defined customer entrances to break up long facades and provide pedestrian scale and variety, that may be achieved through the use of liner buildings;
 - 2. Limited number and size of signs; and
 - 3. Landscaping and use of pocket parks and courtyards adequate to soften large building masses.

(Edited Policy 4.3.3)

POLICY 4.2.3: Streetscape Design: Provide for an active mixed-use plan by ensuring the streetscape design supports the form and function of the center and surrounding community. Streetscape Design development practices include:

- a. Location of active uses in relationship to neighborhood-oriented commercial uses (e.g.: small markets, retail shops, and cafes), public spaces and parks, and civic spaces;
- b. Design and sidewalks connections, public areas, and signage as it relates to the design found elsewhere within the community;
- c. Type, size, function, and location of public spaces and parks such as courtyards, plazas, fountains, center parks, natural areas, and civic places;
- d. Placement of streetscape features including: lighting fixtures, benches, bike racks, bus stop shelters; and
- e. Size and location of the center's buildings relate to the sidewalk, street, public spaces, and surrounding neighborhoods.

(New Policy)

POLICY 4.2.4: Walkable Centers: Locate stores, offices, residences, public services, public spaces, parks and recreational resources within walking distance of each other to promote independence of movement; enable people to conveniently walk, cycle, or ride transit; reduce use of independent vehicles; and provide options to live, work, and play. A walkable distance is typically measured at ¼ to ½ mile with minimal physical and perceived barriers such as dangerous intersections, isolated or unsafe areas, heavy and fast vehicular traffic, vacant lands and parking lots, narrow sidewalks, and poor lighting. (New Policy)

POLICY 4.2.5: Access and Mobility: Ensure the transportation facilities within mixed use places are designed to provide safe access to and within the development, opportunities for multiple transportation alternatives (walk, bike, transit, and vehicular), and connectivity to all areas within the center. Access and Mobility Design development practices include:

- a. Internal traffic circulation system design will include:
 1. Clearly defined, well lit, and shaded pedestrian connections, sidewalks, and pedestrian crossings;
 2. Traffic calming techniques to maintain safe multi-modal transportation;
 3. An interconnected street grid system extended to adjacent sites at the least intrusive locations;
 4. Block sizes will be small enough to create an easily dispersed traffic flow;
 5. Maximum use of common access drives;
 6. A system of alleyways for service vehicles and access to parking; and
 7. Convenient access to transit facilities.
- b. Points of ingress to and egress from arterial roads carrying through traffic will be located at the allowed intersection spacing and connect to the internal traffic circulation system;
- c. A connector street system will provide multiple vehicular, bicycle, and pedestrian linkages to adjacent local destinations, including residential neighborhoods, as an alternative to arterial and collector roads, except where such connections are precluded by physical layout of natural environmental features;
- d. Bicycle facilities include bike racks, bike lanes and signage; and bikeways;
- e. Transit facilities include shaded bus shelters, transfer locations, and bus signage;
- f. Pedestrian connections located within the center and to adjacent neighborhoods; and
- g. Automobile-oriented uses will have a limited number of driveways, and drive-in or drive-up windows will be located to avoid conflict with pedestrian and bicycle traffic.

(Modified Policy 4.3.5)

POLICY 4.2.6: Parking: Design parking areas within mixed-use places to minimize intrusiveness and impacts on the pedestrian character, through the following techniques:

- a. On-street parking with landscaping and design features, such as corner and mid-street bump outs, that afford traffic calming and produce a comfortable and safe pedestrian environment will be promoted;
- b. Parking lot locations will not separate pedestrian areas including sidewalks, squares, and plazas from the front of buildings containing the primary entrance;

- c. Parking lots will be screened from streets, sidewalks, and open spaces, and will be designed to maintain or enhance the street edge;
- d. Parking lots will be designed with safe pedestrian connections to business entrances and public space to create a park-once environment;
- e. Reduction of paved parking areas will be evaluated wherever practicable through measures such as provision of shared parking and parking structures to serve multiple uses and alternative paving materials. Large expanses of pavement will be discouraged; and
- f. Reduced ratios of required parking for non-residential uses will be provided in the land development regulations.

(Formerly Policy 4.3.4)

POLICY 4.2.7: Parks, Public Spaces, and Open Space: Use public space and landscaping to create an active mixed-use center and corridor through design that focuses on:

- a. Providing adequate urban landscaping that includes street trees, planted areas, and street furniture;
- b. Promoting the visual and physical connections to the street;
- c. Use landscaping, hardscaping, and public spaces to demarcate different areas within the center and help screen empty spaces (e.g.: open parking lots, vacant building lots, and undefined open space areas);
- d. Requiring surface and storm water management facilities will be designed as an integral physical or visual amenity that provides usable open space or an aesthetic feature that resembles natural areas; and
- e. Requiring paved areas (including parking) to have overhead shading from tree canopy or building features based on factors such as scale of development and performance standards;
- f. Linking adjoining areas together with urban greenways and trails; and
- g. Connecting different land uses and amenities, unifying the entire community, and transitioning mixed-use communities to the surrounding neighborhoods and business districts.

(Revised Policy 4.3.6)

POLICY 4.2.8: Connectivity and Buffering: Mixed use developments will be well integrated both internally and externally.

- a. Automotive, pedestrian and/or bicycle connections to adjacent commercial development will be provided;
- b. Connections to adjacent residential neighborhoods will not be precluded by the Mixed-Use Development's design;
- c. Buffering of uses internal to a Mixed Uses development are not required; and
- d. Buffering from adjacent developments, when deemed absolutely necessary, will not preclude future interconnectivity.

(Formerly Policy 4.3.7)

POLICY 4.2.9: Developments within the Mixed Use Overlay conforming to Chapter 32 Compact Communities of the LDC, achieve the principles listed in this objective. (Formerly Policy 4.3.1)

OBJECTIVE 4.3 MIXED-USE INCENTIVES Prioritize the development of mixed-use places through incentives that facilitate the development and improve the marketability of mixed-use centers and the Mixed-Use Overlay. (New Objective)

POLICY 4.3.1: Incentivize mixed-use developments located within the Mixed-Use Overlay utilizing the Compact Communities Code (CCPD) or the applying the principles of the CCPD as outlined in this goal by allowing non-residential areas to be included in density calculations. (Redrafted Objective 4.3)

POLICY 4.3.2: Promote continued use and redevelopment of mixed-use centers and the Mixed Use Overlay by facilitating the adaptive reuse of existing buildings, enabling existing structures to change or expand the mixture of allowed uses and permitting limited site redevelopment administratively. Evaluate and incorporate specific incentives and standards in the LDC to further the adaptive reuse of existing structures. (New policy)

POLICY 4.3.3: Promote the development of urban land use categories by encouraging private developers to develop in a mixed-use and urban form through the use of incentives such as:

- a. Density and intensity incentives for the implementation of mixed-use character and form principles;
- b. Transfer and purchase of development rights programs that allow for additional density and intensity in Urban Areas;
- c. Administrative approvals for projects that utilize mixed-use regulating plans adopted as part of the Compact Communities Code; and
- d. Reduced parking standards for projects in mixed-use locations.

(New policy)

POLICY 4.3.4: Utilize the community planning program to facilitate the development of mixed-use centers in targeted locations by establishing a county initiated planning process; publically funded infrastructure systems; administrative permitting and streamlined reviews process; and expanded building rights. Provide for a variety of mixed-use incentives such as:

- a. Increasing the allowable building space (FAR), density, permitted uses, and height standards for mixed-use projects;
- b. Enabling increased density within mixed-use places through transfer and purchase development rights that enable density to be bought or transferred into mixed-use development areas; and
- c. Decreasing the required amounts of parking, on-site stormwater retention, transportation roadway connections needed within mixed-use development areas;
- d. Adopting mixed-use regulating plans in target places that are able to be implemented through administrative processes;
- e. Enabling mixed-use projects to purchase additional density or transfer density into the area from identified rural places; and

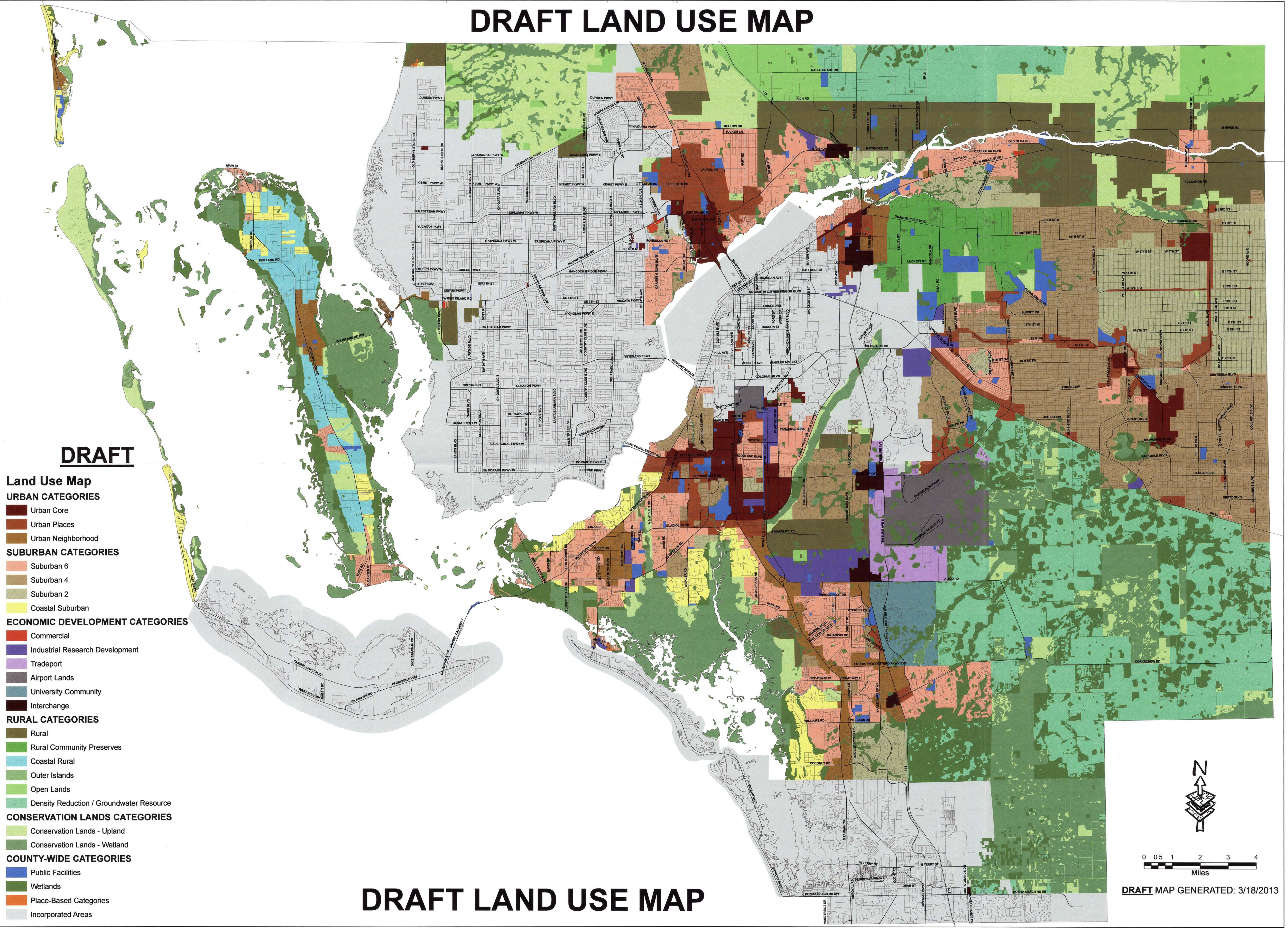
- f. Giving mixed-use places priorities in grant applications for historic preservation, community planning, transportation and public service infrastructure; and neighborhood development programs.

(New policy)

POLICY 4.3.5: Support the development of mixed-use places by giving projects located within mixed-use places high priority when reviewing and determining future budgetary, grant, capital improvement, and service projects. (New policy)

POLICY 4.3.6: Promote the development of innovative financing and planning tools for mixed-use centers in targeted locations that have established regulating plans such as community redevelopment agency (CRA), municipal service benefit unit (MSBU); municipal service taxing unit (MSTU), tax increment financing (TIF), community development district (CDD), historic preservation trust funds, grants, tax increment financing, and other programs to help spur and finance the development of mixed-use communities. (New policy)

DRAFT LAND USE MAP



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Land Use Map
URBAN CATEGORIES

- Urban Core
- Urban Places
- Urban Neighborhood

SUBURBAN CATEGORIES

- Suburban 6
- Suburban 4
- Suburban 2
- Coastal Suburban

ECONOMIC DEVELOPMENT CATEGORIES

- Commercial
- Industrial Research Development
- Tradeport
- Airport Lands
- University Community
- Interchange

RURAL CATEGORIES

- Rural
- Rural Community Preserves
- Coastal Rural
- Outer Islands
- Open Lands
- Density Reduction / Groundwater Resource

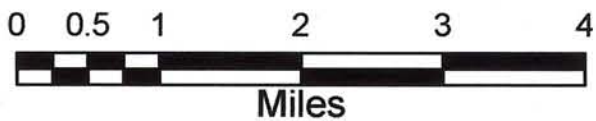
CONSERVATION LANDS CATEGORIES

- Conservation Lands - Upland
- Conservation Lands - Wetland

COUNTY-WIDE CATEGORIES

- Public Facilities
- Wetlands
- Place-Based Categories
- Incorporated Areas

DRAFT LAND USE MAP



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CURRENT FUTURE LAND USE MAP

Future Land Use

FUTURE URBAN AREAS

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Sub-Outlying Suburban
- Commercial
- Industrial
- Public Facilities
- University Community
- Burnt Store Marina Village
- Destination Resort Mixed Use Water Dependent

INTERCHANGE AREAS

- General Interchange
- University Village Interchange
- Industrial Commercial Interchange
- Industrial Interchange
- General Commercial Interchange

NEW COMMUNITY

- New Community

AIRPORT AREAS

- Tradeport
- Airport

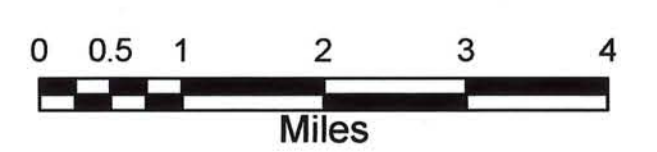
NON-URBAN AREAS

- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Upland

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)

- Wetlands
- Conservation Lands - Wetland
- Incorporated Areas

CURRENT FUTURE LAND USE MAP



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