

CPA2022-00005
Pine Island Preserve
at Matlacha Pass

LPA HEARING JUNE 27, 2022

Lee Plan Policy 1.4.7

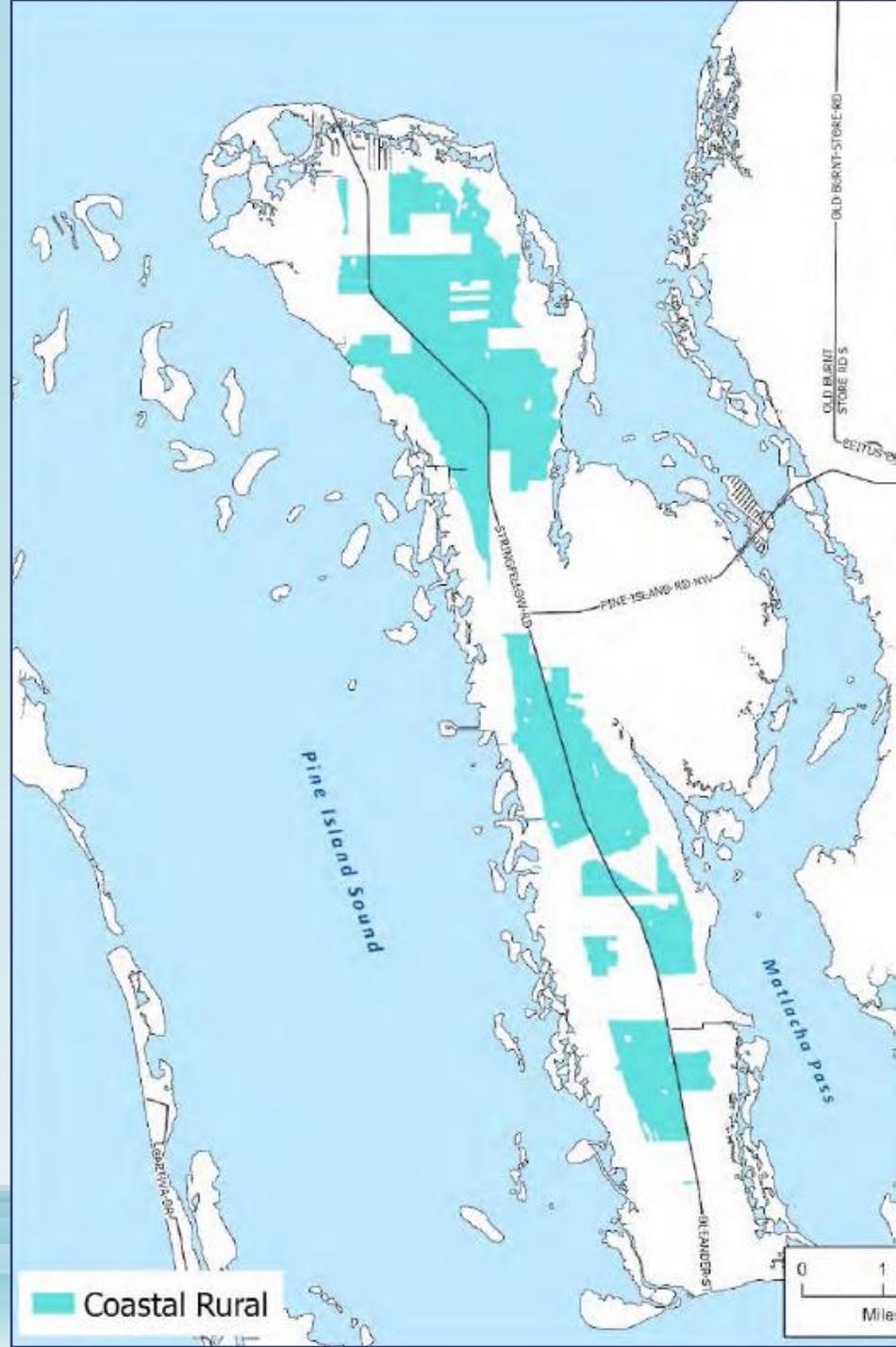
POLICY 1.4.7: The Coastal Rural future land use category is established for the Greater Pine Island Planning District to address the area's predominantly rural character, coastal environment, existing agricultural uses, limited public infrastructure, and its location within and proximity to the Coastal High Hazard Area and Hurricane Vulnerability Zone. The standard maximum density is one dwelling unit per 2.7 acres (1 du/2.7 acres). Maximum densities will be increased to an "Adjusted Maximum Density" of one dwelling unit per acre (1 du/acre) where 70% of the overall development parcel(s) is: maintained as native habitat; or restored as native habitat; or maintained in agricultural use on those parcels identified as existing farmland on Lee Plan Map 2-C.

Residential developments containing ten or more dwelling units must be approved through the planned development rezoning process and, as part of the planned development process, must: a) demonstrate the implementation of adopted design standards and development approaches that support and maintain the rural character; b) provide notification to property owners of permitted adjacent agricultural uses and their right to continue operations; and c) provide mitigation for impacts to hurricane evacuation clearance times and shelter needs.

Permitted land uses include agriculture, fill-dirt extraction, conservation uses, minimal nonresidential land uses, limited to marinas, fish houses, and minor commercial uses, that serve the island residents and visitors as set forth in Policy 24.4.4, and low-density residential uses. Bonus densities are not allowed in this land use category.

Greater Pine Island Planning District

Coastal Rural FLU



Lee Plan Goal 24

Lee Plan Goal 24: Greater Pine Island Community Plan. Manage future growth on and around Greater Pine Island so as to: maintain the island's unique natural resources, rural character, and coastal environment; support the viable and productive agricultural community and other local businesses, and to protect the public health, safety and welfare of island residents and visitors when a hurricane strike is imminent.

Objective 24.4: Commercial Land Uses. County regulations, policies, and discretionary actions will recognize certain unique characteristics of Greater Pine Island which justify different treatment of existing and future commercial areas than in mainland Lee County as described in the following policies.

Proposed Text Amendment to Lee Plan Policy 24.4.4

POLICY 24.4.4: In the Coastal Rural future land use category, ~~non-residential~~ commercial development is restricted to minor commercial development as set forth in Policy 6.1.2. All zoning requests for commercial projects must utilize the planned development rezoning process and be consistent with the following:

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

Background / Policy 24.4.4

The Staff Report provides the background of Policy 24.4.4, stating that the intent of CPA2008-17 Coastal Rural Commercial Uses was to “Evaluate and incorporate into the Coastal Rural future land use category appropriate modifications to incorporate and clarify permitted commercial uses in the Coastal Rural future land use category.

It further states that “Although the term “non-residential” is the adopted policy language, only commercial uses were addressed in the request language, all analyses and findings, and attachments within the staff report for CPA2008-17”.

Policy 24.4.4 is intended to implement Objective 24.4: Commercial Land Uses. The applicability of the Objective and subsequent Policies is only for commercial uses. This is further confirmed in the third bullet of Policy 24.4.4 which only lists commercial uses.

The final analysis of Policy 24.4.4 is that, as written, it is internally inconsistent with Policy 2.1.3, which allows for certain public and civic “non-residential” uses in ALL future land use categories. Applying commercial design and use standards set forth in Policy 24.4.4 prevents consideration of these uses in the coastal rural future land use category.

Public Information Meeting

This Comp Plan Amendment was presented to the Greater Pine Island Civic Association on March 1, 2022 at the same time as the rezoning request. The public had lots of environmental questions regarding restoration of 57 acres of pine flatwoods, the pedestrian trails, parking lot, boardwalk, and kayak launch. Overall, the group was supportive of the plans to provide a public park and conservation preserve on the 229 acres. Amending Policy 24.4.4 allows for property owners to preserve and protect the island's natural resources, rural character, and coastal environment, which is consistent with Goal 24 and Policy 24.1.6.



Summary

The proposed amendment will have no impacts to public facilities and infrastructure, including EMS, fire, sheriff, schools, public transit, solid waste, utilities, and transportation infrastructure.

The proposed amendment does not change the number of residential dwelling units or the types of non-residential development that may be approved within the Coastal Rural future land use category. Appropriate uses will continue to be specifically addressed by Policy 1.4.7 and commercial uses will continue to be specifically addressed by 24.4.4, which was the original intent. The proposed amendment is consistent with the Coastal Rural future land use category as described in Policy 1.4.7 as well as the Greater Pine Island Community Plan as set forth in Goal 24.

Objective 24.4: Commercial Land Uses

OBJECTIVE 24.4: COMMERCIAL LAND USES. County regulations, policies, and discretionary actions will recognize certain unique characteristics of Greater Pine Island which justify different treatment of existing and future commercial areas than in mainland Lee County, as described in the following policies.

POLICY 24.4.1: The future urban areas in Pine Island Center are targeted for most future commercial and industrial uses, as permitted by other portions of this plan. Non-residential developments within Pine Island Center are encouraged to provide employment opportunities; serve the day to day needs of residents and visitors; demonstrate a positive impact on traffic patterns within Greater Pine Island; and reduce the number of vehicular trips through Matlacha.

POLICY 24.4.2: Commercial development at locations outside Pine Island Center, but within future urban land use categories, must be designed to minimize impacts to residential and adjacent agricultural uses. Permitted uses should be restricted to the following: marinas; fish houses; and minor commercial uses to serve the day to day needs of local residents and island visitors.

POLICY 24.4.3: The County will provide specific architectural and site design standards for Greater Pine Island in the LDC. These standards must: promote but not mandate rehabilitation over demolition; address the size and scale of building mass in relation to the built and natural environment; establish community-specific architectural standards in support of Greater Pine Island’s coastal rural character; preserve mature trees wherever possible; encourage the location of off-street parking to the side and rear of buildings to preserve viewsheds along public roadways; require large windows and forbid most blank walls; and encourage metal roofs and other features of traditional “Old Florida” styles. The new commercial design standards will reflect the different characteristics of Bokeelia, Pineland, Matlacha, and St. James City. Deviations from these standards may not be granted unless the request meets the County approval criteria for variances set forth in the LDC, Chapter 34.

POLICY 24.4.4: In the Coastal Rural future land use category, non-residential development is restricted to minor commercial development. All zoning requests for commercial projects must utilize the planned development rezoning process and be consistent with the following:

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

Policy 6.1.2

POLICY 6.1.2: Commercial development in non-urban future land use categories is limited to Minor Commercial except that:

- Neighborhood Commercial uses serving the Lee County Civic Center are permitted within one quarter mile of SR31 between North River Road and the Caloosahatchee River in the North Olga Community Planning Area and may be expanded to Community Commercial when approved as part of a planned development that is located at the intersection of two arterial roadways and has direct access to, or the ability to extend, existing water and sanitary sewer utilities.
- Neighborhood Commercial uses are permitted in the Southeast Lee County Planning District as provided for in Objectives 13.3 and 33.3.

Minor Commercial development may include limited commercial uses serving rural areas and agricultural needs, and commercial marinas. Minor Commercial development must be located so that the retail use, including buildings and outdoor sales area, is located at the intersection (within 330 feet of the adjoining rights-of-way of the intersecting roads) of arterial and collector roads or two collector roads with direct access to both intersecting roads. Direct access may be achieved with an internal access road to either intersecting roads. On islands, without an intersecting network of collector and arterial roads, commercial development may be located at the intersection of local and collector, or local and arterial, or collector and collector roads.

Current Rezoning Projects in the Coastal Rural FLU Category

1. Pine Island Preserve at Matlacha Pass at 7746 Stringfellow Rd. Request to rezone 229.39 ac from AG-2 and C-1A to the EC zoning district to permit a public park and preserve.
2. Matlacha-Pine Island Fire Station #152 at 5015 Stringfellow Rd. Request to rezone 3.0 acres from AG-2 to CFPD to expand the existing fire station, including a helipad due to traffic congestion on Pine Island Road.