



Lee County  
*Southwest Florida*

# Amenity Improvement Amendments

CPA2025-00012 Privately Initiated Text Amendments

LPA Hearing – February 23, 2026

# AMENITY IMPROVEMENT AMENDMENT

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## Requested Amendments

- Amend **the text of Goal 13** of the Lee Plan to allow golf courses and ancillary uses in Mixed Use Planned Developments (MPD), subject to **Settlement Agreement Case No. 22-CA-002743**.

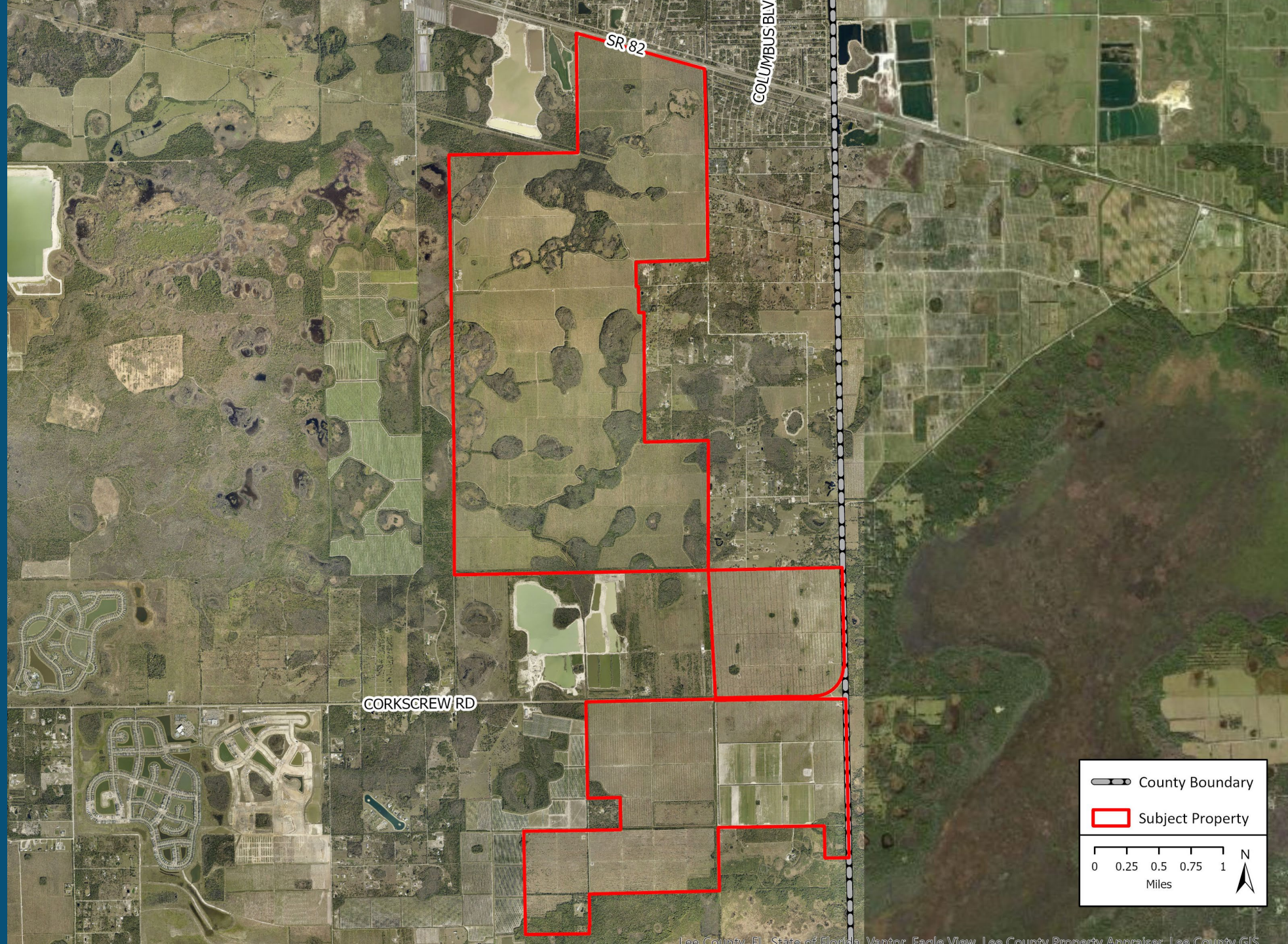
## Summary

- The applicant is reconciling the disparity between the requirements of **Lee Plan Goal 13, Lee Plan Chapter 13**, and the zoning designation set forth in the **Settlement Agreement** by creating an exception within Goal 13 to permit the golf course in the MPD, subject to the Stipulated Settlement Agreement.
- The amendment **applies only to the Kingston Development** and does not affect any other properties within the Southeast Lee Community Plan Area or DR/GR.

# SUBJECT PROPERTY



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# BACKGROUND INFORMATION

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- In 2019, the Board of County Commissioners denied DCI2011-00007, which sought to rezone the subject property to Industrial Planned Development (IPD) to support a new mine.
- After the denial, the applicant entered into a court-ordered settlement agreement with the County that ultimately led to the creation of the Kingston Development which was to be treated as an MPD (**Settlement Agreement Case No. 22-CA-002743**)
- The settlement agreement allows a variety of uses, including residential uses, their amenities, and ancillary uses.
- The settlement agreement is deemed consistent with the Lee Plan through **Chapter 13, Administration**.
- The developer wants to include a golf course as a residential amenity, Kingston has DR/GR future land use, which **only allows golf courses through a PRFPD under Goal 13 of the Lee Plan, but Kingston is court-ordered to be treated as an MPD.**
- To remedy this inconsistency, the applicant has requested to exempt the Kingston Development from Goal 13.

# REQUEST

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- The applicant has requested amendments to **two (2) existing policies** and added **seven (7) new policies** to Goal 13 of the Lee Plan to exempt the MPD, subject to Settlement Agreement Case No. 22-CA-002743, from the requirements of the PRFPD.

**POLICY 13.1.2: Private Recreational Facilities within the DR/GR** land use category will only be allowed, subject to the other requirements of this Goal, in the areas depicted on the Private Recreational Facilities Overlay, Map 1-F, except for golf courses and ancillary uses in the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S.

**POLICY 13.2.1: PRIVATE RECREATION FACILITY PLANNED DEVELOPMENT (PRFPD).** All Private Recreational Facilities proposed within the DR/GR future land use category must be reviewed as a PRFPD, except for golf courses and ancillary uses in the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S.

# REQUEST (Continued)

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POLICY 13.1.3: **Private Recreational Facilities** are also allowed within the DR/GR land use category in the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. limited to golf courses and ancillary uses.

POLICY 13.3.10: **General development standards** for golf courses and ancillary uses within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. will follow the development standards established for this MPD zoning district and are exempt from Policies 13.3.1 through 13.3.9.

POLICY 13.4.9: The **protection of water quality, quantity, and surface water resources** within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. was found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district, including the Surface Water Quality Monitoring Program within the Enhanced Lake Management Plan and the Hydrological Restoration Plan, and are exempt from Policies 13.4.1 through 13.4.8.

POLICY 13.5.4: The **protection of wildlife** within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. was found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district, including the Protected Species Management and Human-Wildlife Coexistence Plan, and are exempt from Policies 13.5.1 through 13.5.3.

POLICY 13.6.5: The **protection of natural resources** within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. was found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district, including The Indigenous Preservation, Restoration, and Management Plan and Hydrological Restoration Plan, and are exempt from Policies 13.6.1 through 13.6.4.

POLICY 13.7.4: The **monitoring program** within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. was found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district, including the Surface Water Quality Monitoring Program within the Enhanced Lake Management Plan, and are exempt from Policies 13.7.1 through 13.7.3.

POLICY 13.8.13: **Performance standards** within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. were found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district and are exempt from Objective 13.8 and Policies 13.8.1 through 13.8.12.

# LEE PLAN CONSISTENCY

	SUMMARY	REQUEST CONSISTENCY
Policy 13.2.1	All private recreational facilities proposed within the DR/GR future land use category must be reviewed as a PRFPD.	✓
Objective 13.3	General Development Regulations for PRFPDs	✓
Objective 13.4	Requirements for Water Quality, Quantity, and Surface Water Resources	✓
Objective 13.5	Wildlife	✓
Objective 13.6	Natural Resource Protections	✓
Objective 13.7	Water Quality Monitoring Standards	✓
Objective 13.8	Golf Course Performance Standards	✓
Policy 1.4.5	Density Reduction/Groundwater Resource Future Land Use Category	✓
Objective 1.5	Wetlands Future Land Use Designations and Land Use Category	✓
Goal 33	Southeast Lee Community Plan Area	✓

# CONCLUSION

## Conclusion

- No changes have been proposed to the allowed uses within the MPD associated with the Settlement Agreement Case No. 22-CA-002743.
- The proposed text amendments do not create any concurrency issues.
- The applicant has provided all of the required documentation for the proposed amendments according to AC 13-6.
- The proposed amendments do not change the requirements for Goal 13 outside of the area covered by the Settlement Agreement, which contains its own conditions of approval consistent with the Lee Plan and LDC.
- The proposed development's impacts will be assessed during the zoning and development order phases to ensure compliance with Goal 33 requirements.

## Recommendation

- Staff recommends that the BOCC *transmit* the proposed amendments as shown in Attachment 1.