



Lee County
Southwest Florida

LDC Amendments (Building Height and Resiliency)


Public Meeting #1

July 13, 2023



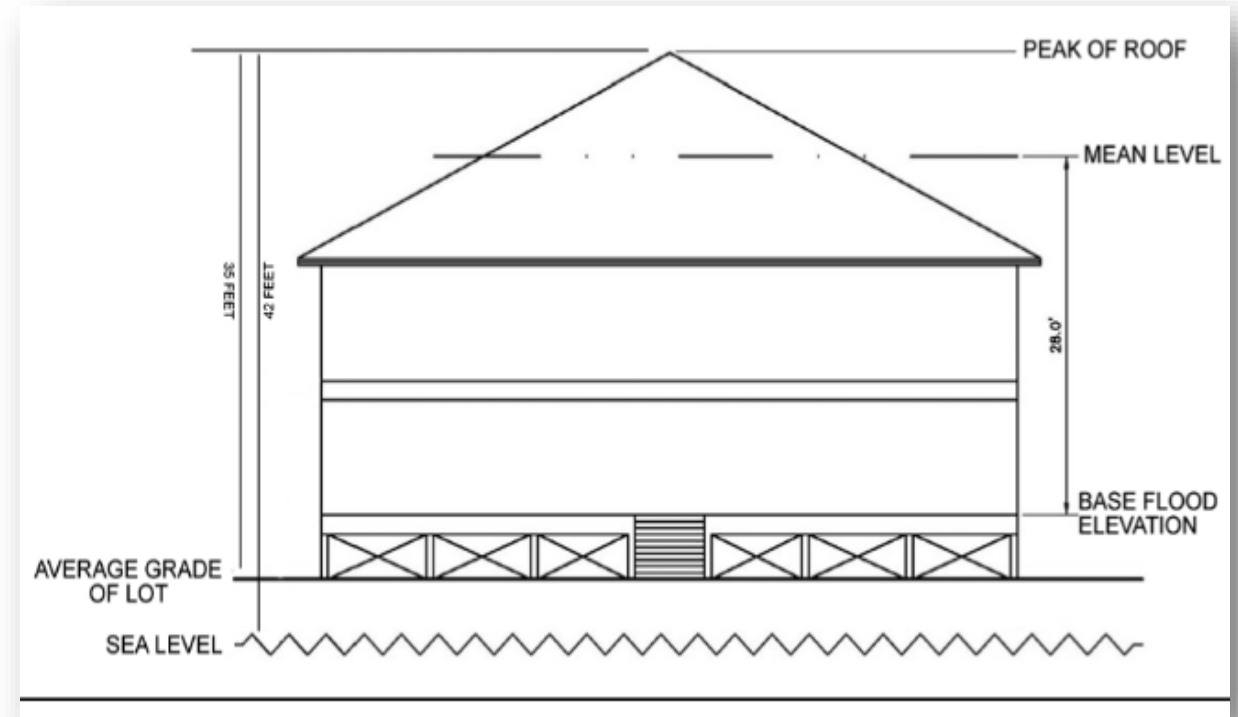
Background and Summary

- Amendments prepared in response to BoCC direction to staff in January of 2023
- Coordinated effort between staff from DCD and County Attorney's Office

		AGENDA RECAP MEETING DATE: January 17, 2023
ITEMS TO BE DEFERRED/CONTINUED		
Item #	Details	Requested by
C8	Adopt Resolution to Amend Administrative Code AC-1-2 - <i>Defer item</i>	County Attorney
Revisions & Corrections		
Item #	Details	Requested by
ITEMS TO BE PULLED FOR DISCUSSION		
Item #	Title	Pulled by
WALK ONS OR CARRY-OVERS		
•		
COMMISSIONERS' ITEMS		
<ul style="list-style-type: none"> • Commissioner Ruane <ul style="list-style-type: none"> ○ Direction to Staff to review and bring back proposed amendments to Lee County regulations addressing height, setbacks and other development limitations that are potentially restricting residents' ability to rebuild their homes and businesses in a manner that reduces potential flooding threats. This includes review and proposed amendments to provisions of the LDC applicable to development of South Seas. ○ Task Force Update 		

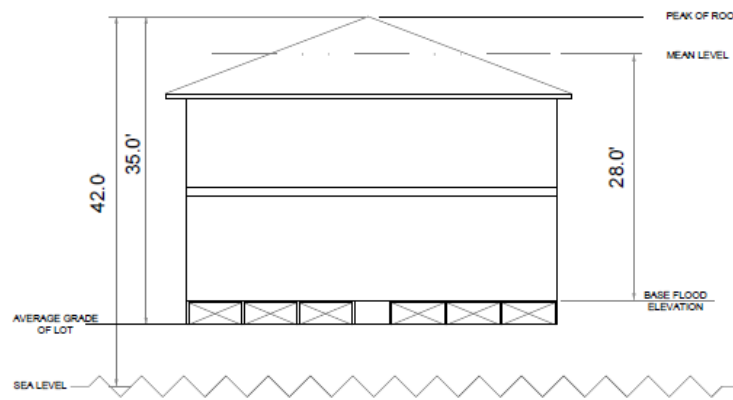
Existing Regulations (Captiva) (LDC Sec. 33-1627)

- Least restrictive of:
 - 35 feet above average grade of lot or 42 feet above mean sea level as measured to the peak of the roof (whichever is lower); or
 - 28 feet above lowest horizontal member at/below lawful base flood elevation to mean level between eaves and ridge of roof

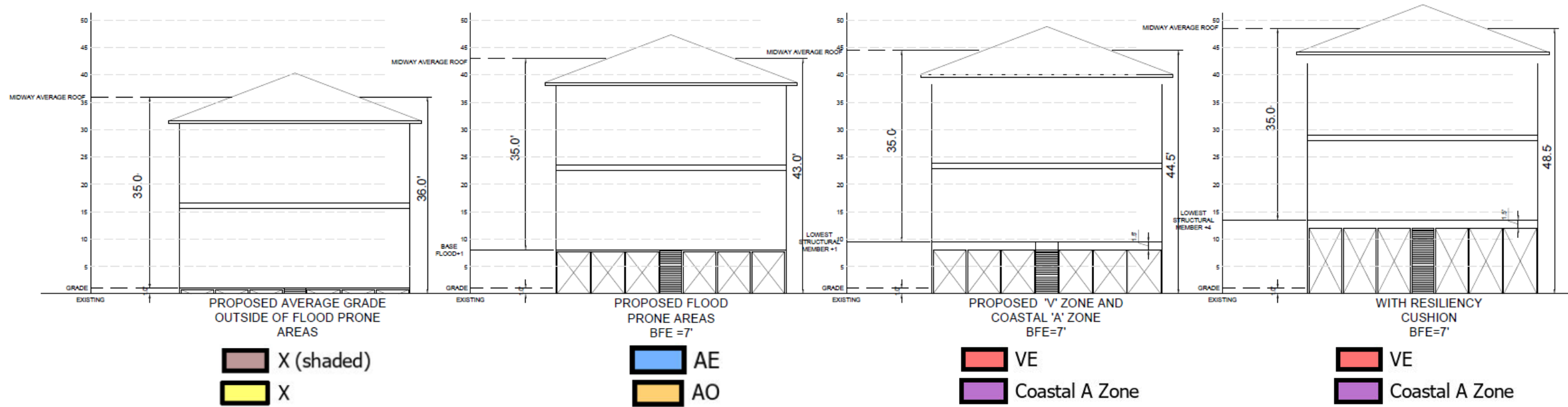


Proposed Regulations (Captiva) (LDC Sec. 34-2175(a)(2))

- Relocated to existing Section 34-2175:
 - “The height of a building or structure may not exceed 35 feet. The provisions of section 34-2174(a) do not apply to Captiva Island. No variance or deviation from this height restriction may be granted; provided however, one communication tower, not to exceed 170 feet in height, may be constructed in accord with section 33-1627.”*
- Measurement is taken from:
 - Grade (if outside of flood prone area); or
 - The lowest minimum habitable floor elevation for which a building permit may be issued (if within a flood prone area)
- Measurement is taken to:
 - Highest point of roof surface for flat roof
 - Deck line of mansard roof
 - Mean height level between eaves and ridge of gable, hip, shed, and gambrel roof



EXISTING REGULATIONS

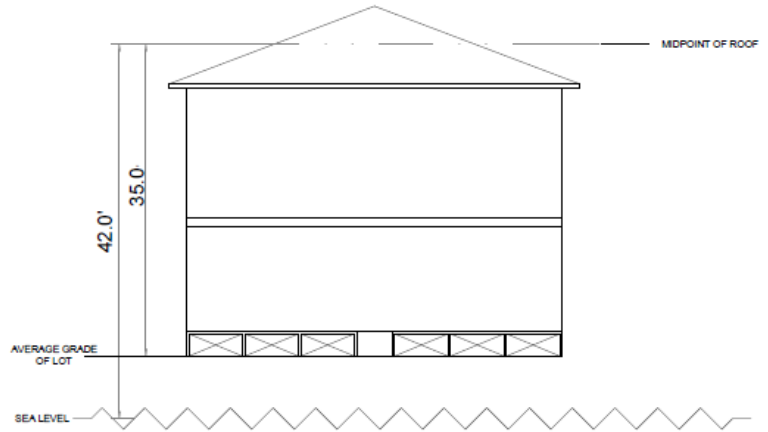


South Seas Resort (ADD2002-00098)

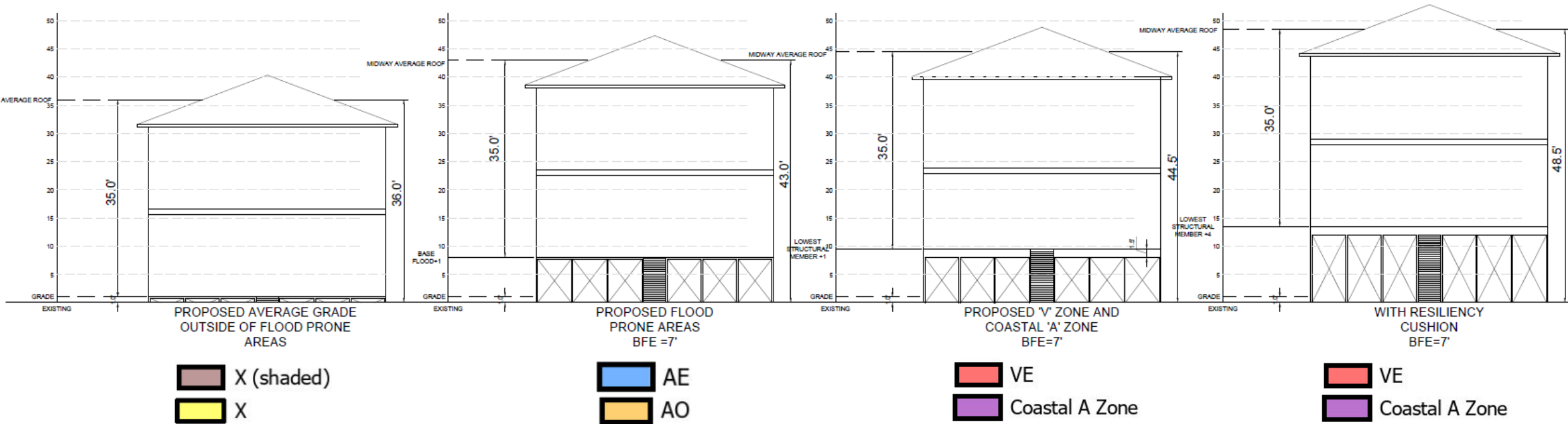
- Existing regulations:

e. **Building Heights:** (These standards are applicable to all new structures except those being replaced under the existing Lee County build-back provisions of the Land Development Code) maximum height to the top of a parapet wall, roof, or mid-point of a pitched roof of no less than 4:1 and no more than 7:1 shall be the lesser of 35' above the grade surrounding the building at its foundation or 42' above mean sea level.

- Proposed Regulations: Rely on underlying zoning district (35 feet)
- Measurement is taken from:
 - Grade (if outside of flood prone area); or
 - The lowest minimum habitable floor elevation for which a building permit may be issued (if within a flood prone area)
- Measurement is taken to:
 - Highest point of roof surface for flat roof
 - Deck line of mansard roof
 - Mean height level between eaves and ridge of gable, hip, shed, and gambrel roof



EXISTING REGULATIONS



Other Proposed Amendments

- Sec. 33-1611 (Applicability of Captiva Community Planning Regulations)
 - Remove reference to ADD2002-00098 while retaining exemption from Captiva-specific development regulations

(e) ~~Unless specifically provided herein, development within the area defined as South Seas Island Resort, as defined herein, is exempt from this article, so long as the development complies with the Administrative Interpretation, ADD2002-00098, adopted by the Board of County Commissioners in 2002.~~

- Sec. 33-1614 (Definitions)
 - Provides definition of South Seas Island Resort

South Seas Island Resort means certain land generally lying north of Captiva Drive and bounded by the Gulf of Mexico, Red Fish Pass, and Pine Island Sound, commonly known as South Seas Island Resort, along with certain parcels lying south of and fronting Captiva Drive as depicted in Appendix I, Map 18.

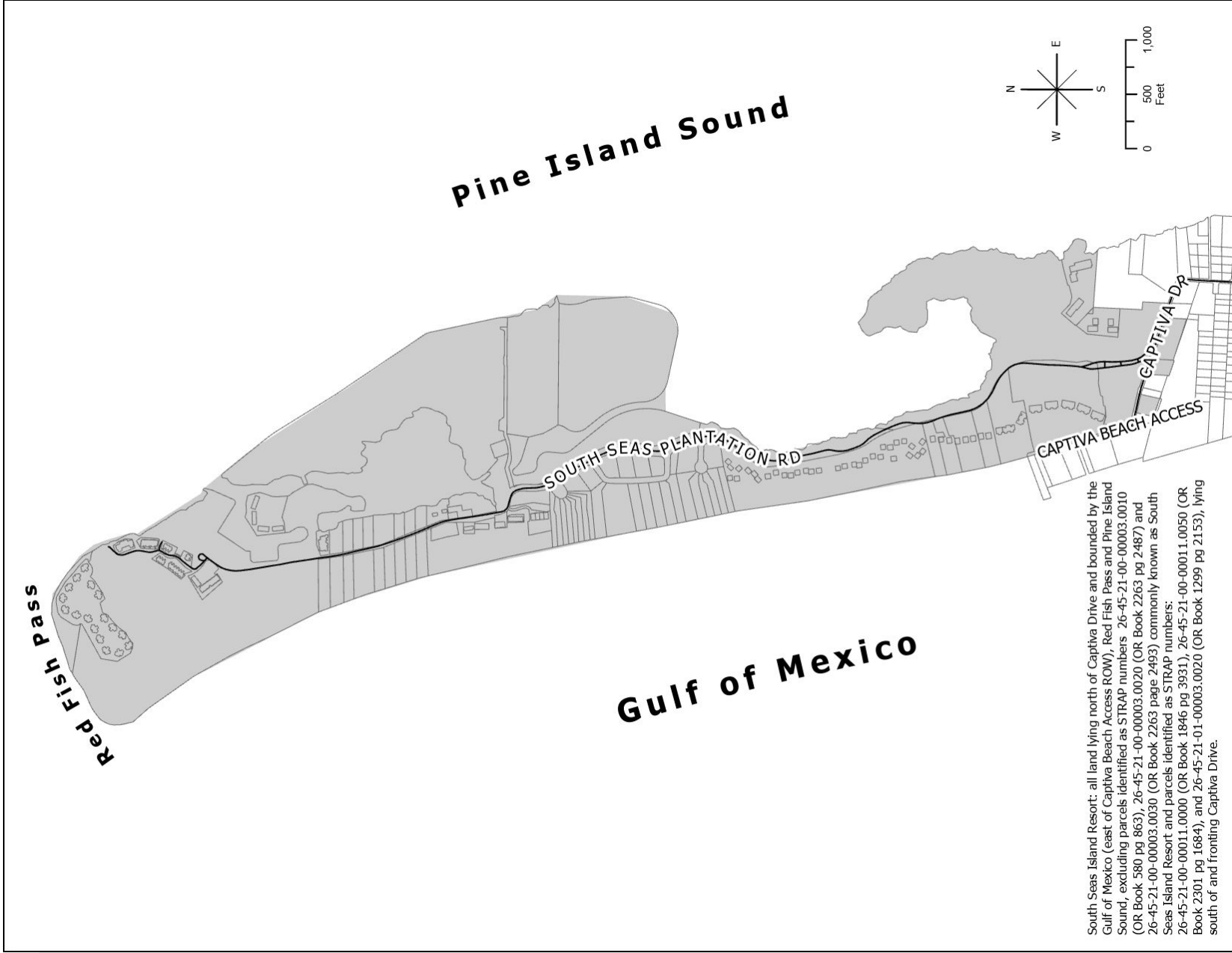
Other Proposed Amendments (cont.)

- Sec. 34-1805 (Hotels and Motels)
 - Exempts South Seas Island Resort from maximum hotel/motel density of three units/acre

Sec. 34-1805. - Density limitation for Captiva Island.

The permitted density for hotels and motels as set forth in this division will not apply to any hotel or motel units on Captiva Island. With the exception of the South Seas Island Resort, ~~the~~ maximum permitted density for hotels or motels on Captiva Island may not exceed three units per gross acre. The redevelopment of nonconforming hotels and motels on Captiva Island will be governed by the provisions of section 33-1628(b). That section will be interpreted to prohibit an increase in the number of rental units and to establish a maximum average unit size of 550 square feet.

- Chapter 34, Appendix I
 - Add accompanying map of South Seas Island Resort (cross-referenced in Sec. 33-1614 definition)



South Seas Island Resort: all land lying north of Captiva Drive and bounded by the Gulf of Mexico (east of Captiva Beach Access ROW), Red Fish Pass and Pine Island Sound, excluding parcels identified as STRAP numbers 26-45-21-00-00003.0010 (OR Book 580 pg 863), 26-45-21-00-00003.0020 (OR Book 2263 pg 2487) and 26-45-21-00-00003.0030 (OR Book 2263 page 2493) commonly known as South Seas Island Resort and parcels identified as STRAP numbers: 26-45-21-00-00011.0000 (OR Book 1846 pg 3931), 26-45-21-00-00011.0050 (OR Book 2301 pg 1684), and 26-45-21-01-00003.0020 (OR Book 1299 pg 2153), lying south of and fronting Captiva Drive.

Stakeholder Discussion