

LEE COUNTY ORDINANCE NO. 26-03
(SR 31 Civic 10)
(CPA2024-00017)

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT PERTAINING TO THE SR 31 CIVIC 10 (CPA2024-00017) APPROVED DURING A PUBLIC HEARING; PROVIDING FOR PURPOSE, INTENT, AND SHORT TITLE; AMENDMENTS TO ADOPTED MAP AND TEXT; LEGAL EFFECT OF "THE LEE PLAN"; PERTAINING TO MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan ("Lee Plan") and Chapter XIII, provides for adoption of amendments to the Plan in compliance with State statutes and in accordance with administrative procedures adopted by the Board of County Commissioners ("Board"); and,

WHEREAS, the Board, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6, provides an opportunity for the public to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency ("LPA") held a public hearing on the proposed amendment in accordance with Florida Statutes and the Lee County Administrative Code on October 27, 2025; and,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on December 3, 2025. At that hearing, the Board approved a motion to send, and did later send, proposed amendment pertaining to SR 31 Civic 10 (CPA2024-00017) to the reviewing agencies set forth in Section 163.3184(1)(c), F.S. for review and comment; and,

WHEREAS, at the December 3, 2025 meeting, the Board announced its intention to hold a public hearing after the receipt of the reviewing agencies' written comments; and,

WHEREAS, on April 8, 2026, the Board held a public hearing and adopted the proposed amendment to the Lee Plan set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt map and text amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." **This amending ordinance may be referred to as the " SR 31 Civic 10 Ordinance (CPA2024-00017)."**

SECTION TWO: ADOPTION OF COMPREHENSIVE PLAN AMENDMENT

The Lee Plan, initially adopted by Ordinance Number 89-02, is hereby amended to amend the Lee Plan Map 1-A, the Future Land Use Map, to change the future land use category of the subject property from Rural to Outlying Suburban, and amend Map 4-A, Lee County Utilities Future Water Service Areas, to include the subject property. The property is located on the west side of SR 31, directly north of the Mike Greenwell Regional Park, formerly known as Lee County Civic Center.

The corresponding Staff Reports and Analysis, along with all attachments and application submittals for this amendment are adopted as "Support Documentation" for the Lee Plan. Proposed amendments adopted by this Ordinance are attached as Exhibit A.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as amended.

SECTION FOUR: MODIFICATION

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

SECTION FIVE: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION SIX: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the

powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board that this ordinance would have been adopted had the unconstitutional provisions not been included therein.

SECTION SEVEN: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or other appropriate word or phrase in order to accomplish this intention; and regardless of whether inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

SECTION EIGHT: EFFECTIVE DATE

The plan amendments adopted herein are not effective until 31 days after the State Land Planning Agency notifies the County that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the State Land Planning Agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status.

THE FOREGOING ORDINANCE was offered by Commissioner Petrosky, who moved its adoption. The motion was seconded by Commissioner Pendergrass. The vote was as follows:

| | |
|----------------------|-----|
| Kevin Ruane | Aye |
| Cecil L. Pendergrass | Aye |
| David Mulicka | Aye |
| Brian Hamman | Aye |
| Trish Petrosky | Aye |

DONE AND ADOPTED this 8th day of April 2026.

ATTEST:
KEVIN C. KARNES
CLERK OF CIRCUIT COURT

Signed by:
Kevin Karnes
BY: 7687653FEAF549B
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY FLORIDA

Signed by:
Cecil Pendergrass
BY: 773513F34F2140B...
Cecil L. Pendergrass, Chair



DATE: 4/8/2026

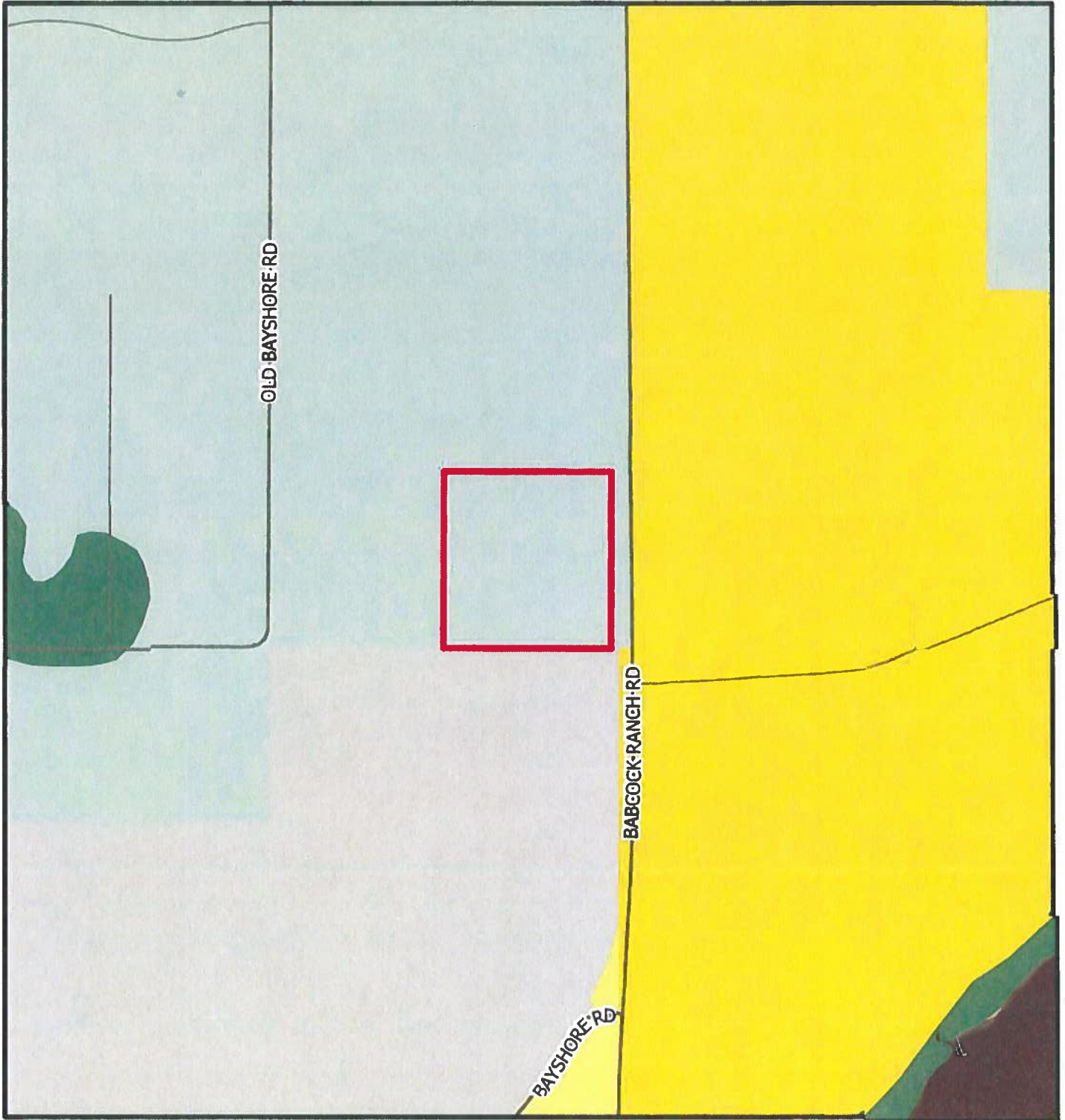
APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

Signed by:
Michael Jacob
BY: EB23023555DA45F...
County Attorney's Office

Exhibit A (Adopted by BOCC April 8, 2026):
Adopted existing Future Land Use Map 1A
Adopted revisions to Future Land Use Map 1A
Adopted revisions to Future Water Service Areas 4A

EXHIBIT A


Note: Text depicted with underscores represents additions to the Lee Plan. Strike-through text represents deletions from the Lee Plan.



CPA2024-00017

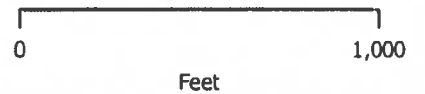
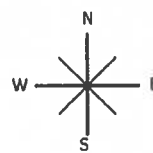


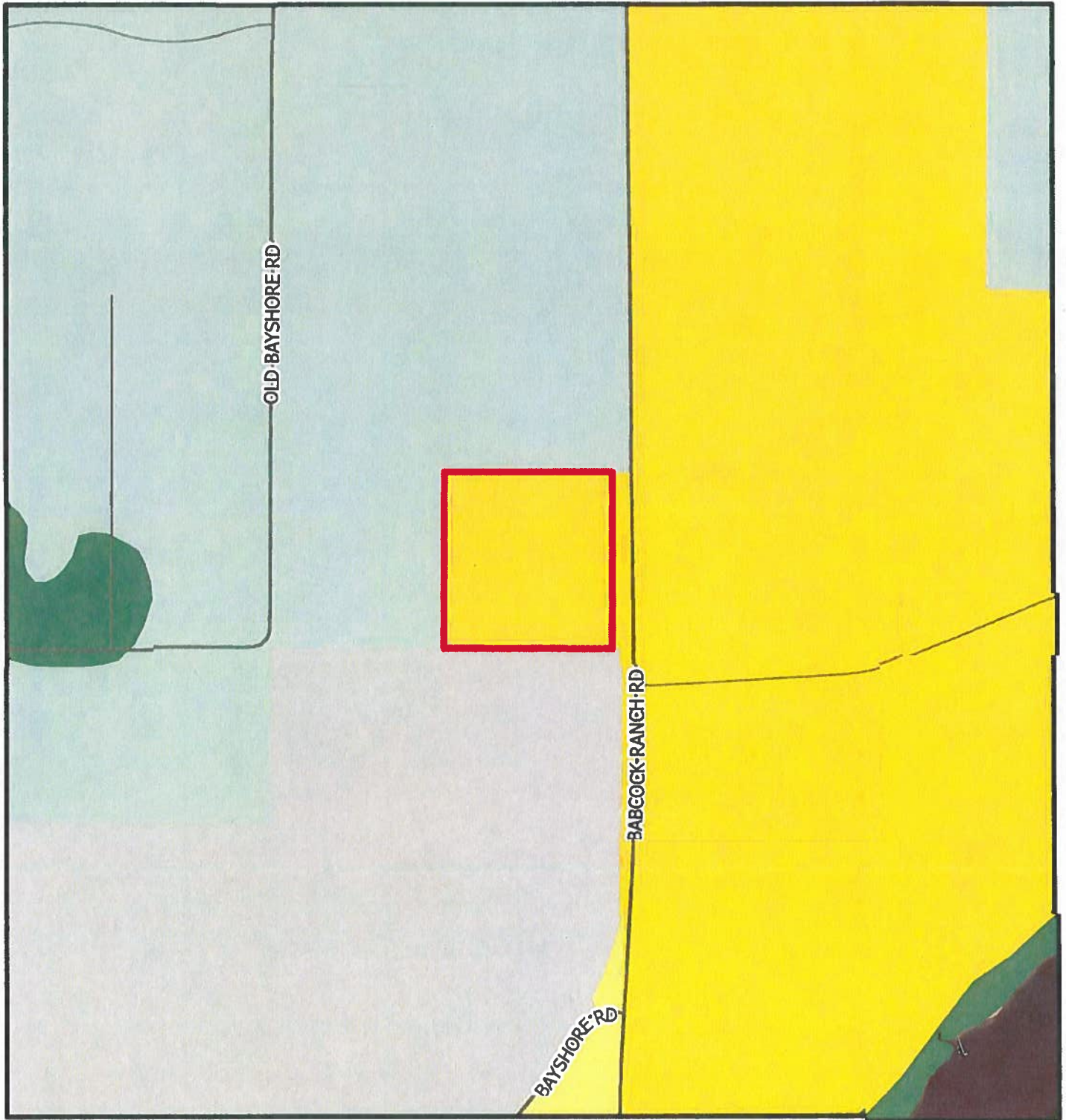
Map Generated: October 2025

-  Subject Property
-  Outlying Suburban
-  Sub-Outlying Suburban
-  Public Facilities
-  Rural
-  Wetlands

Existing Future Land Use

(Map 1-A)





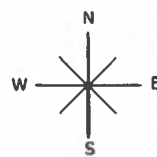
CPA2024-00017

Proposed Future Land Use

(Map 1-A)



- Subject Property
- Outlying Suburban
- Sub-Outlying Suburban
- Public Facilities
- Rural
- Wetlands



Map Generated: October 2025



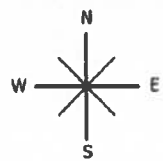
CPA2024-00017

Future Water Service Areas

(Map 4-A)



-  Subject Property
-  Existing Future Water Service Areas
-  Proposed Future Water Service Areas



Map Generated: October 2025



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

April 15, 2026

Kevin Karnes
Clerk of the Circuit Courts
Lee County
Post Office Box 2469
Fort Myers, Florida 33902-2469

Dear Kevin Karnes:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Lee County Ordinance No. 26-03, which was filed in this office on April 15, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

RECEIVED

By Melissa Butler at 10:56 am, Apr 15, 2026

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
CODRS CODING FORM

COUNTY: Lee

COUNTY ORDINANCE #: 26-03

(e.g., 93-001)

PRIMARY KEYFIELD

DESCRIPTOR: Comprehensive Planning

SECONDARY KEYFIELD

DESCRIPTOR: Planning

OTHER KEYFIELD

DESCRIPTOR: Land Use Planning

ORDINANCE DESCRIPTION: SR 31 Civic 10 Map

(25 Characters Maximum Including Spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT #1: 89-02

AMENDMENT #2: _____

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL #1: _____ ; REPEAL #3: _____

REPEAL #2: _____ ; REPEAL #4: _____

(Others Repealed: List All That Apply): _____

(FOR OFFICE USE ONLY):

COUNTY CODE NUMBER: _____

KEYFIELD 1 CODE: _____

KEYFIELD 2 CODE: _____

KEYFIELD 3 CODE: _____

Certificate Of Completion

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| Subject: Routing Board Approved Ordinance 26-03 | |
| Source Envelope: | |
| Document Pages: 9 | Signatures: 3 |
| Supplemental Document Pages: 1 | Initials: 0 |
| Certificate Pages: 4 | |
| AutoNav: Enabled | Stamps: 1 |
| EnvelopeId Stamping: Enabled | Envelope Originator: Lauren Schaefer |
| Time Zone: (UTC-08:00) Pacific Time (US & Canada) | Ischaefer@leegov.com IP Address: 208.89.76.205 |

Record Tracking

| | | |
|---|---|--------------------|
| Status: Original 4/8/2026 2:50:43 PM | Holder: Lauren Schaefer Ischaefer@leegov.com | Location: DocuSign |
|---|---|--------------------|

Signer Events

Michael Jacob
mjacob@leegov.com
Deputy County Attorney
BOCC

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:
Not Offered via Docusign
Supplemental Documents:

Cecil Pendergrass
Dist2@leegov.com
County Commissioner- Chairman
Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:
Accepted: 4/8/2026 1:30:40 PM
ID: 1c4389c4-9b9a-4e34-b211-cc9639f6c651


Kevin Karnes
kkarnes@leeclerk.org
Kevin C. Karnes
Security Level: Email, Account Authentication (None), Logged in

Signature

Signed by:

EB23023555DA45F...
Signature Adoption: Pre-selected Style
Using IP Address: 208.89.76.205

BOCC WORKSHEET for April 8th.DOCX

Signed by:

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Signature Adoption: Pre-selected Style
Using IP Address: 208.89.76.203

Signed by:

7087053FFAF549B...



Signature Adoption: Pre-selected Style
Using IP Address: 198.184.170.4

Timestamp

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Signed: 4/8/2026 3:12:55 PM

Viewed: 4/8/2026 3:12:37 PM
Read: Not Required
Accepted: Not Required

Sent: 4/8/2026 3:12:56 PM
Viewed: 4/8/2026 3:25:39 PM
Signed: 4/8/2026 3:25:50 PM

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Viewed: 4/14/2026 2:47:43 PM
Signed: 4/14/2026 2:47:52 PM

Electronic Record and Signature Disclosure:
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In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

| Agent Delivery Events | Status | Timestamp |
|---|---|----------------------------|
| Intermediary Delivery Events | Status | Timestamp |
| Certified Delivery Events | Status | Timestamp |
| Carbon Copy Events | Status | Timestamp |
| Claudia Curtin ccurtin@leeclerk.org Latasha Seth lseth@leeclerk.org Melissa Butler mbutler@leeclerk.org Rachael Rumer Rrumer@leeclerk.org Deputy Clerk Signing Group: Minutes Security Level: Email, Account Authentication (None), Logged in Electronic Record and Signature Disclosure: Not Offered via DocuSign | <div style="border: 2px solid blue; padding: 5px; display: inline-block;">COPIED</div> | Sent: 4/8/2026 4:04:33 PM |
| Lauren E. Schaefer lschaefer@leegov.com Legal Administrative Specialist Lee County BoCC Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign | <div style="border: 2px solid blue; padding: 5px; display: inline-block;">COPIED</div> | Sent: 4/14/2026 2:47:53 PM |
| Witness Events | Signature | Timestamp |
| Notary Events | Signature | Timestamp |
| Envelope Summary Events | Status | Timestamps |
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| Envelope Updated | Security Checked | 4/13/2026 3:19:35 PM |
| Certified Delivered | Security Checked | 4/14/2026 2:47:43 PM |
| Signing Complete | Security Checked | 4/14/2026 2:47:52 PM |
| Completed | Security Checked | 4/14/2026 2:47:53 PM |
| Payment Events | Status | Timestamps |
| Electronic Record and Signature Disclosure | | |

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, County Attorney (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact County Attorney:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: ehassan@leegov.com

To advise County Attorney of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at ehassan@leegov.com and in the body of such request you must state: your previous

email address, your new email address. We do not require any other information from you to change your email address. If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from County Attorney

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to ehassan@leegov.com and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with County Attorney

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to ehassan@leegov.com and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process.

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify County Attorney as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by County Attorney during the course of your relationship with County Attorney.

WORKSHEET
 BOARD OF COUNTY COMMISSIONERS
 WEDNESDAY

April 8, 2026

| STATUS | PLANNER | CASE# | CASE NAME |
|--|---------------------|----------------------|--------------------------------------|
| Transmittal MDJ | Kate Burgess | CPA2025-00012 | Amenity Improvement Amendment |
| Adoption MDJ | Kate Burgess | CPA2024-00017 | SR 31 Civic 10 |
| Z-26-002 0 - participants JAA | MarySue Groth | DCI2025 00005 | SR 31 Civic 10 |
| Z-26-004 1 – participant DWH | Brianna Schroeder | DCI2025-00007 | Park 41 / Caloosa Commons CPD/RPD |
| Z-25-024 1 – participant ALS | Elizabeth Workman | DCI2024-00006 | SR 31 Caloosahatchee Ridge RPD |
| Z-26-001 4 – participants MDJ | Nicholas DeFilippo | DCI2023-00054 | Port Phoenix Water Way Marina |

ADMIN.: Brienne Cherry
 CUTOFF: 03/13/2026

cc: DIST 1, DIST 2, DIST 3, DIST 4 and DIST 5, Marc Mora, David Harner, Mikki Rozdolski, Anthony Rodriguez, Lauren Schaefer, Sandra Kokotilo, Michael Jacob, Amanda Swindle, Joe Adams, Becky Sweigert, Beth Workman, Marcus Evans, Rob Price, Jillian Scholler, John Talmage, Dirk Danley Jr., Brandon Dunn, Janet Miller, Kate Burgess, MarySue Groth, Brianna Schroeder, Nicholas DeFilippo