



Development Services

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Limited Development Order – Type D Application and Approval Guide

New utility lines in existing rights-of-way or easement; improvements with insignificant impacts to public facilities; improvements to county rights-of-way thru incorporated areas

This guide is intended to help you submit the required application and documents to receive a Lee County Development Order. The [Lee County Land Development Code](#) and the [Lee Plan \(Comprehensive Plan\)](#) are the official governing documents.

This guide includes these sections:

1. [Development Order Description](#)
2. [Schedule an Informal/Pre-application Meeting](#)
3. [Apply for a Development Order](#)
 - Complete your application package, which includes the application AND all required supporting documents
4. [Pay your fee\(s\)](#)
5. [Understand the review process and track your application](#)
6. [Request the necessary inspections](#)
7. [Obtain Certificate of Compliance](#)

1. Development Order Description

A project proposing redevelopment of new utility lines in existing rights-of-way or easement; improvements with insignificant impacts to public facilities; or improvements to county rights-of-way thru incorporated areas, would require approval of a Type D Limited Development Order in accordance with Section 10-174 of the Lee County Land Development Code.

Lee County Land Development Code and other state and local guidance provide the requirements for when a development order is required.

Need Help? Contact us @ PODDevRev@leegov.com with your detailed questions.

2. Schedule an Informal/Pre-Application Meeting

Prior to the submission of an application for development order approval, applicants are encouraged to schedule an informal meeting with Community Development staff members to discuss details of the proposed project and to obtain general guidance on the application process. These meetings help to advance a conceptual plan for development prior to submitting the formal application. Providing details in advance of these meetings helps staff to better understand project goals, resulting in an exchange of information important to the applicant.

Request an [Informal / Pre-Application Meeting](#) via eConnect or [download](#) the form and e-mail to informals@leegov.com.

3. Apply for a Development Order

A complete application package includes: filling out the eConnect form fields and adding all required supporting documents as attachments.

ATTENTION: All taxes must be paid prior to issuance of the DO. [\[10-108.1\]](#)

Notice: Employment of engineers and design consultants. [\[10-102\]](#)

An engineer shall be employed by the developer to design all required improvements such as streets, drainage structures, drainage systems, bridges, bulkheads, water and sewage facilities, etc. All plans, drawings, reports and calculations shall be prepared, signed and sealed by the appropriate licensed professional, such as engineers, architects, landscape architects, land surveyors and attorneys, registered in the state. Other specialized consultants, such as environmental consultants, archaeologists, etc., may be required to assist in the preparation of the plans, drawings, reports and other documents required as development order submittals. Successor engineers must follow the procedures outlined in FAC 61G15-27.001 to continue use of sealed contract documents by any prior professional engineer.

All applicants are **REQUIRED** to use [eConnect](#) to electronically submit their application package.

eConnect Application Package (Electronic Submission)

Register for eConnect

To apply for a Lee County development order online, you must first register at [eConnect](#). Instructions for **New Users: Register for an Account** are included on the eConnect login page.

Review the [eConnect Users Guide](#) for more details about using eConnect.
Also see **eConnect Instructions** highlighted throughout this guide.

eConnect Steps

Once you have logged into [eConnect](#), select the *Development Services* menu to *Create an Application*. Review the general disclaimer terms and select the checkbox to *Continue the Application*.

1. Select a Record Type

On the *Select a Record Type* screen, select **Limited Development Order**. Select the radio button and *Continue Application*.

2. Provide the Property Information (* indicate required fields) to identify the property for which the application will be used. Search by one of the following: Address (using the required fields Street No., Street Name and Zip) or Parcel (using Parcel Number).

eConnect Instructions: If multiple addresses are found, they will be displayed in the *Address Search Result List*. Use the radio button to select the desired record, then click *Select*.

Once search results are returned, the other fields on the screen will automatically populate. Review information for accuracy and *Continue Application*.

3. Applicant and Contacts

To associate the Applicant and Contact(s) with the application using either: *Select from Account* or *Add New*.

Note: The Applicant listed in eConnect will receive all notifications from the County related to this application.

4. Project Detail Fields

Provide the project detail listed below.

- **Project Name:** What is the name of the project?
- **Detailed Description:** Provide a complete and accurate description of the proposed project and *Continue Application*.
- **Type of Request:** select the correct type of application
(Options: *Type A – Limited Review, Type B – Limited Review, Type C – Limited Review, Type D – Limited Review, Type E – Limited Review*)
- **Is this a CIP Project?:** Capital Improvement Projects refer to County funded projects.
(Options: *Yes or No*)
- **Residential/Commercial:**
(Options: *Commercial or Residential*)
- **Area Type:** Select measurement.
(Options: *Acres or Square feet*)
- **Area Size:** Include the acreage for the entire parcel, not just the proposed development area.
- **Current Use of Property:** Description.
- **Intended User of Property:** Description.
- **Notes/Directions:** Provide directions to the property
- **Applicant Acknowledgement:** A checkbox with these instructions - Please check here to acknowledge the requirement for a completed application, and supporting documentation, to be uploaded with this online application. Failure to comply shall result in the rejection of your online application. “By clicking the checkbox, you are acknowledging the requirement for a completed application, and the supporting documentation, to be uploaded with this online application.”

5. Attachments

In the Attachment window *Add* the required and conditional documents that are a part of a completed application package. Name uploaded files with brief, descriptive and identifiable titles (e.g. Application, Site Plan, etc.) (Use list of documents in the next section).

Required Documents

Notice: *Lee County may require additional supporting documentation to process the development order. Additional restrictions applicable to this property that may be found in public records, and there may be additional permits required from other governmental entities such as water management districts, state or federal agencies.*

1. Cover Letter

Prepare a cover letter to outline the submission that includes a list of attached documents with each document appropriately named.

2. Filing Fee [PAID]

Prepare to pay the filing fee. [\[10-108\(a\)\]](#)

3. Affidavit of Authorization

Prepare the required [Affidavit of Authorization](#). The signatory represents that they are either the owner or the authorized representative of the owner(s) of the property and that they have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with the application and the Land Development Code. The Affidavit must be notarized. [\[10-153\]](#)

- ❑ **4. Existing Conditions Drawing**
Prepare a detailed existing conditions drawing to show the location and important dimensions and conditions of existing structures on a given lot. [\[10-154\(6\)\]](#)
- ❑ **5. Area Location Map**
Prepare a location map of the geographical area of the proposed project improvements and its larger and presumably more familiar area. [\[10-154\(6\)\(a\)\]](#)
- ❑ **6. Site Plan**
Include a site plan which is a detailed drawing of proposed improvements to a given lot that typically includes building footprints, travel ways, parking, and any site related information for the proposed changes. Such a plan of a site is a graphic representation of the proposed arrangement of site improvements and any other structures that are part of a development project. [\[10-154\(7\)\]](#)
Tips:
 - Ensure Cross Sections accurately illustrate easements, buffers, and property lines.
 - Show drainage/hydrology components
- ❑ **7. Traffic Impact Statement**
Prepare a traffic impact statement based on the proposed use of the site with trip generation based on existing and proposed conditions.
[\[10-154\(10\)\]](#)

Conditional Required Documents

- ❑ **8. Deviations**
If the project meets criteria for administrative deviations, then the applicant may apply concurrently with the submitted development order. [\[10-104\]](#)
[Application for Administrative Deviations from Chapters 10 and 33 \(Unincorporated Areas\)](#)
- ❑ **9. Waiver Request Form**
If the applicant is requesting a waiver on the submission of required submittal items, complete the [Request for Submittal Requirement Waiver Form](#).
[\[10-152\]](#)
- ❑ **10. Utility Plans**
If the proposed development includes water and sewer, include a Utility Plan in the Site Plan that is a graphic representation of both the proposed and existing utility service system including structures such as water and sewer lines that are part of the project. [\[10-154\(6\)\(h\); 10-154\(7\)\(j\)\]](#)
Common Issues / Tips:
 - Don't landscape in the Utilities easement;
 - Provide profiles for main extensions and road crossings; and
 - Show existing infrastructure.
 - Design of the utilities should be consistent with the requirements of the Utility provider, and usually requires additional construction approvals.
 - Lee County Utilities Service Area reference the [Design Manual](#):
 - Don't use PVC water main under pavement or vertical deflections;
 - Don't use PVC on fire lines a fire hydrant leads;

- Don't use DR-18 PVC wastewater force main under pavement or vertical deflections;
Show easements;
Ensure separation requirements for the palm tree root balls, drainage and other utilities are met;
- Ensure separation requirements for shade tree root balls and buildings are met;
- Label all fittings in plan and profile;

□ 11. Drainage Plans

If the proposed development requires changes or improvements to drainage, include a Drainage Plan in the Site Plan that is a graphic representation of the proposed arrangement of proposed and existing improvements that identifies structures such as inlets and drainage pipe lines that are part of a development project. This plan also includes the flow of storm water with the use of flow arrows and proposed or existing elevations. [\[10-154\(7\)\(k\)\]](#)

□ 12. Landscaping Plans

If the proposed development requires landscaping, include a Landscape Plan as a graphic representation of the arrangement of proposed and existing landscape that identifies the required trees and shrubs, irrigation, landscape calculation, and installation details. [\[10-154\(7\)\(l\)\]](#)

Tip: Landscape plans designed per LDC. [\[10-416\]](#)

Show easements; no landscaping in the easements. [\[10-421\]](#)

□ 13. Exterior Lighting Plan

If the proposed development will provide exterior lighting, include an exterior lighting plan (aka a Photometric Plan) as a graphic representation of the arrangement of proposed and existing lighting structures including poles and/or building-mounted lighting, lighting cut sheets, and tables of the min/max illumination levels per Land Development Code [\[34-625\]](#). [\[10-154\(8\)\]](#)

□ 14. Port Facility Permits (i.e. Tall Structures Permit)

If a proposed development is situated within an area designated as an Airport Obstruction Notification Zone for either Southwest Florida International Airport (SWFIA) or Page Field Airport and the proposed buildings of the development or the equipment that will be used to construct the development are taller than the AMSL (Above Mean Sea Level) for the Airport Obstruction Notification Zone, then a Tall Structures Permit from Lee County Port Authority (LCPA) is required. [\[10-154\(13\)\]](#)

□ 15. Protected Species Survey

If the project is a large development (greater than 10 acres or proposes more than 2 acres of impervious cover) and there is possible presence of Lee County protected animals or plants, then a protected species survey is required. This is an initial survey of a development site, indicating a possible presence of a Lee County listed or protected animal and plant species. The survey must include Lee County listed species presence (sightings, signs, tracks, trails, nests, evidence of feeding, etc.), population estimates and occupied habitat boundaries. A map and narrative must describe the methodology as applied and the findings. The mapped information must be at the same scale as the development order or zoning application plans and an aerial map at a scale of one inch is less than or equal to 400 feet. [\[10-473\]](#) [\[10-154\(14\)\]](#) [\[10-1\(b\)\]](#)

16. Protected Species Management Plan

If the project is a large development (greater than 10 acres or proposes more than 2 acres of impervious cover), and if listed protected species are found on the property, submit a management plan that outlines the methodology, timing, and implementation of management activities within an indigenous preserve area. [10-474] and [10-154(15)]

Tip: Include a monitoring report to detail the condition of the habitat and management techniques an annual basis for up to five years. [10-474]

17. Emergency Preparedness Plan

If the proposed development is a for a hospital, nursing home, assisted living facility, developmentally disabled housing project or marina, multi-slip dock facility or any residential development of 50 or more units, then include an emergency preparedness plan. This is required prior to final approval. [10-154(21)]

Tip: Don't forget to include hurricane mitigation requirements and address storm surge [2-482]; contact Lee County Emergency Management with questions.

18. Operation & Maintenance Covenants

If the development proposes shared infrastructure, then submit the Operation and Maintenance Covenants that are part of property association documents required for compliance with Lee County Administrative Code AC13-19(G). [10-154(23)]

19. Assignment of Maintenance

If the development proposes shared infrastructure, then submit the Assignment of Maintenance. This designates the entity responsible for the maintenance of infrastructure. Lee County Administrative Code AC13-19(G). [10-154(24)]

20. Cost Opinion

If the proposed development includes off-site improvements within public and/or private right-of-way or for subdivisions with any on-site common infrastructure improvements, then an Opinion of Probable Construction Costs will be included. This is the Engineer of Record's Construction Cost estimate that is required for bonding. [10-154(25)]

21. Architectural Elevation Plan

If the site is a commercial property, include an Architectural Elevation Plan in the Site Plan as a graphic representation of the proposed building(s) elevation. [10-604]

Architectural Design Style:

Tips: There are a few factors that can dictate architectural design style:

- Areas of Lee County that have a Community Plan may require specific design elements or architectural style;
- Outparcels of other developments may be subject to design elements and architectural style of the anchor building; and
- Commercially zoned parcels are subject to Land Development Code Section 10-620.
- Documentation must be signed and sealed by a Florida licensed and registered professional.

22. Wireless Communications Facility Shared Use Plan Agreement

If the proposed development includes a cell tower, then submit a Wireless Communications Facility Shared Use Plan Agreement. [34-1441]

☐ 23. Agreement for Shared Access, Utilities or Drainage

If other parties will be granted specific types of access through an easement or shared use of utilities or drainage, then a Shared Access Agreement easement is generally recorded with the Lee County Clerk of Courts. The documented easement will show up when a title search is conducted unless all parties agree to remove it. This easement should also describe and depict the area of the easement.

This easement can be granted for public access for ingress and egress. This easement may also grant designated parties the right to construct within the easement area. This easement may also designate the parties responsible for maintenance within the easement area. [\[10-285\(c-e\)\]](#), [\[10-610\(e\)\]](#), and [\[34-2015\(2\)f.\]](#)

☐ 24. State / Federal Permit Applications

Copies of applicable completed applications for permits issued by:

- FDEP National Pollutant Discharge Elimination System Permit
- FDEP Wastewater Collection/Transmission System Permit
- FDEP Underground Fuel Storage Tanks Installation
- SFWMD Dewatering Water Use Permit
- SFWMD Irrigation Water Use Permit
- SFWMD Public Consumption Water Use Permit
- SFWMD and FDEP Environmental Resource Permit
- SFWMD 10/2 Self-Certification General Permit
- FDOT Right of Way Permit
- FDOT Driveway Permit
- FDOT Drainage Permit
- FDOH Limited Use or Multifamily Water System Construction Permit
- FDOH Limited Use Public Water Systems (LUPWS) Operating Permit
- FDOH Potable Water Service Connection Permit
- FDOH Subsurface Sewage Disposal Permit
- USACE Standard Permit for Construction and Dredging in Navigable Waters
- FWC Gopher Tortoise Permits
- FWC Eagle Permits
- FWC Burrowing Owl

[\[10-153\(4\)d\]](#), [\[10-153\(6\)b\]](#), and [\[10-154\(22\)\]](#)

4. Pay your Fee(s)

All payments must be received prior to reviewing the application. Make payments through [eConnect](#); or make a credit card payment by phone, 239-533-8997, option *. **Cash is not accepted;** please pay by credit/debit card, check or money order.

eConnect Instructions: Search for your application using *My Records*, the *Global Search* or the *Search Applications* under *Development Services* menu. Click on the record number for your application, select the menu option for *Payments >> Fees*, then click *Pay Fees*, review fees, select *Continue Application*, enter your payment information and click *Submit Payment*.

5. Understand the Review Process and Track your Application

Completeness Check

When the application package is first received, it is reviewed for completeness to determine that the general application is complete and that all required documents, signatures, and seals are attached. If the package is incomplete, the applicant must provide missing information before the application package can be forwarded for review.

Lee County Review of an Application Package

After payment is requested and received, the application will be assigned to multiple functional areas for simultaneous review. The review will check for compliance with The Lee Plan, Lee County Land Development Code, Lee County Administrative Codes, and Lee County Ordinances.

Applicants can use [eConnect](#) at any time to track the progress of the application record through the process.

eConnect Instructions: Search for your application using *My Records*, the *Global Search* or the *Search Applications* under *Development Services* menu. Click on the record number for your application to see the Records Status, Conditions and Record Details.

The final reviewer will consolidate all comments and an email notice will be generated to the applicant.

Notice of Application Sufficiency or Insufficiency

Email notices inform the applicant if their application was sufficient or insufficient.

- **Insufficiency Letter:** An application may be returned to the applicant with a notice of insufficiencies to be addressed for resubmittal; or an insufficient application that does not meet state and local codes may not be resubmitted if there are no options to correct non-compliance.
 - **Resubmitting an Application:** Applicants have 30 days to address insufficiencies and resubmit [Florida Statute 125.022]. To ensure correct versioning in eConnect, attachments that are resubmitted should have the same file name as the original.
- **Sufficiency Letter:** Once staff has found the project sufficient, concurrency and impact fee requirements will be assessed as applicable, and the Development Order will be issued.

Once approved, applicants will receive email notice from Lee County and may access [eConnect](#) to print their approval documents. The Notice of Approval is filed with the [Lee County Clerk of Court](#).

eConnect Instructions: Search for your application using *My Records*, the *Global Search* or the *Search Applications* under the *Development Services* menu. Click on the record number for your application, select *Attachments*. All documents will be listed. Choose *Actions* drop-down to review any details of the documents. Click on the document name to open or save.

Prior to Beginning Site Work

If applicable, complete the following prior to starting any site work:

- Surety
- State and Federal permit(s)
- Right of Way permit
- Vegetation Removal permit [[14-377](#)]

[Vegetation Removal Permit Submittal Requirements](#)

[Vegetation Removal Permit](#)

[Authorization Letter](#)

6. Request Inspections

Once the Development Order is issued and all criteria has been met, an applicant may begin the site work. Expiration details will be listed in the approval letter. [\[10-115\]](#)

The issuance of a Certificate of Compliance is a multifunctional process requiring site inspections by Development Services, Environmental Sciences, Lee County Utilities, the Lee County Department of Transportation (LDOT), and the Florida Department of Transportation (FDOT) if work was performed within their respective right-of-way.

The Certificate of Compliance process is set in motion through the submission of Letters of Substantial Compliance from the project engineer of record for site work and site lighting, and Registered Landscape Architect for required buffers and other landscaping and environmental matters. If a licensed professional was not involved with the project, then an email request for inspection can be sent to DevRevInspections@leegov.com

For additional questions on the Certificate of Compliance process, please contact DevRevInspections@leegov.com

Letters of Substantial Compliance

- [Engineer](#)
- [Landscape Architect](#)
- [Lighting](#)

7. Obtain Certificate of Compliance

Once all inspections have passed, the Certificate of Compliance is issued. Applicants may pull approval documents through the [Development Review Case File search](#).