

## CPA2026-00005 - Bayshore Community Plan Changes

| GOAL 18: BAYSHORE COMMUNITY PLAN                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| Goal / Objective / Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Change Notes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p><b>GOAL 18: BAYSHORE COMMUNITY PLAN.</b> Protect the existing rural residential, agricultural and equestrian-oriented character of the community by maintaining low residential densities and minimal commercial activities, and exclude incompatible uses that are destructive to the character of this rural residential environment.</p>                                                                                                                                                                                                                                                                                                                                                                   | <p>Goal 18 addresses general character of the Bayshore Community. The Goal is not required by State Statutes and creates ambiguities with the existing future land use categories and reduces predictability of the Lee Plan. No changes are proposed to future land use categories. Areas that are currently in the Rural future land use category will remain in the Rural future land use category.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p><b>OBJECTIVE 18.1: LAND USE.</b> The County will continue to enforce land development regulations that ensure separation of urban and rural land uses through the implementation of open space, buffers, and setback requirements that protect high quality environmental areas, such as creeks, oak hammocks, floodplains and wetlands from potential impacts of development. Planned developments, through appropriate conditions of approval, will be required to locate low residential densities along the perimeters of the development. Amendments to the Future Land Use Map that increase density or intensity must demonstrate compatibility through a concurrent planned development rezoning.</p> | <p>The County has open space, indigenous preservation, buffers, and setback requirements set forth in the Land Development Code.</p> <p><b>Duplicative of:</b><br/> <b>POLICY 5.1.5:</b> Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in the LDC, Chapter 10, are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a Planned Development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The LDC will continue to require appropriate buffers for new developments.</p> <p><b>POLICY 6.1.1:</b> All applications for commercial development will be reviewed and evaluated as to:</p> <ol style="list-style-type: none"> <li>1. Traffic and access impacts (rezoning and development orders);</li> <li>2. Landscaping and detailed site planning (development orders);</li> <li>3. Screening and buffering (Planned Development rezoning and development orders);</li> <li>4. Availability and adequacy of services and facilities (rezoning and development orders);</li> <li>5. Impact on adjacent land uses and surrounding neighborhoods (rezoning);</li> <li>6. Proximity to other similar centers (rezoning); and</li> <li>7. Environmental considerations (rezoning and development orders).</li> </ol> |

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| <p><b>POLICY 18.1.1:</b> Retail commercial uses will be limited to the Interstate Interchange designation at Bayshore and I-75, plus minor commercial uses at the intersections of Nalle Road and Bayshore, SR 31 and Bayshore, and SR 31 and Old Bayshore. Non-retail commercial uses are permitted elsewhere consistent with the Lee Plan and the LDC.</p>                                                                                           | <p>This Policy identifies where commercial development is allowed in Future Urban and Future Suburban Areas of the Lee County, and is unnecessary because commercial is already allowed in those areas.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p><b>POLICY 18.1.2:</b> The following properties are deemed consistent with Policy 18.1.1: the existing 7.1 acre +/- retail commercial center at 10440 Bayshore Road, the 0.66 acre +/- retail commercial property at 19451 SR 31, the 0.83 +/- acre retail commercial property at 17270 Durrance Road, and the 0.36 +/- acre retail commercial property described in resolution Z-72-93, which is part of the property at 6600 Nalle Grade Road.</p> | <p><b>Duplicative of:</b><br/> <b>POLICY 6.1.2:</b> Commercial development in non-urban future land use categories is limited to Minor Commercial, unless the Lee Plan specifically provides otherwise. 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 road. 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.</p> |
| <p><b>POLICY 18.1.3:</b> No new industrial uses or industrial rezonings are permitted after February 3, 2003.</p>                                                                                                                                                                                                                                                                                                                                      | <p>Industrial Uses are addressed in Goal 7 and Objective 7.1 of the Lee Plan.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p><b>POLICY 18.1.4:</b> No new mining uses or commercial excavations are permitted after February 3, 2003.</p>                                                                                                                                                                                                                                                                                                                                        | <p>Mining uses are addressed in Goal 10 and Objective 10.1 of the Lee Plan.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>OBJECTIVE 18.2: TRANSPORTATION.</b> All road improvements within the Bayshore Community considered by the County will address the community's goal to maintain its rural character and give preference to alternatives that allow existing roads to function at their current capacity.</p>                                                                                                                                                      | <p>This Objective is out of date and does not account for existing development approvals in the area that will impact transportation facilities. Lee County's transportation network should be coordinated across the entire county.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p><b>POLICY 18.2.1:</b> Any expansion of the state arterial roadways should include physically separated provisions for bicyclists/pedestrians.</p>                                                                                                                                                                                                                                                                                                   | <p>Lee County coordinates with FDOT about improvements to state roads, but FDOT will ultimately determine what improvements, if any, are made to State transportation facilities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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| <p><b>POLICY 18.2.2:</b> Road capacity improvements needed within the Bayshore Community to serve demands generated outside the community will be designed to minimize the impacts on the community and its rural character.</p>                                                                                                                                                                                                                                          | <p><b>Duplicative of:</b><br/> <b>OBJECTIVE 39.2: TRANSPORTATION AND LAND USE PLANNING.</b> Develop and maintain transportation planning tools and strategies to coordinate land use development with planned transportation facilities appropriate to future urban areas, future suburban areas, or future non-urban areas, as defined. Include road designs and street modifications to accommodate significant truck traffic on freight corridors identified in the MPO Freight Mobility Study and for transit, bicycle, and pedestrian facilities where indicated on the Transportation Map Series and Map 4-E, the Lee County Greenways Master Plan.</p> <p><b>OBJECTIVE 39.7: COMMUNITY IMPACTS.</b> New and expanded transportation facilities will be aligned and designed to protect existing development except where no feasible alternative exists.</p> |
| <p><b>POLICY 18.2.3:</b> If a need to extend Del Prado Boulevard east of I-75 through the Bayshore Community Plan area is demonstrated, the corridor evaluation must include alternatives to using the existing Nalle Grade Road alignment. The evaluation will address (but not be limited to) access, safety and community character issues. Alternatives will be presented at an evening public information meeting in accordance with Policies 17.3.3 and 17.3.4.</p> | <p>Unnecessary. Location of interchanges on the interstate highway system require alternatives analysis. FDOT planning is beyond local control.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p><b>OBJECTIVE 18.3: SEWER AND WATER.</b> Given the desire to maintain a low residential density, new central sewage service is not economically feasible and is discouraged north of Bayshore Road within the future non-urban land use categories except to the areas identified by Lee Plan Table 6, “10-Year Sanitary Sewer Service Feasibility Plan”. Central water service for enhanced fire protection will be encouraged where economically feasible.</p>        | <p>Objective 18.3 is out of date and not appropriate given current water quality concerns. Availability of utilities can directly impact water quality and quantity and should be coordinated across the entire county. Removal of this policy will not require residents to connect to water or sewer facilities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p><b>POLICY 18.3.1:</b> No landowner will be required to connect to central sewer or water utilities or be assessed for same unless a threat to public health can be documented, or if a new development proposes an intensity that exceeds the thresholds in Standards 4.1.1 and 4.1.2.</p>                                                                                                                                                                             | <p>For residential uses Standard 4.1.1 for water and Standard 4.1.2 for sewer provide owners are only required to connect if development exceeds a certain threshold – 2.5 units an acre.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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| <p><b>OBJECTIVE 18.4: PARKS AND RECREATION.</b><br/>The County will explore, with the support of the residents of Bayshore, the feasibility of establishing an equestrian park as the primary recreation facility for this community.</p> | <p>Lee County currently maintains the Pop Ash Creek Preserve near the intersections of Nalle Grade Road and Nalle Road, which includes equestrian trails.</p> <p><b>Duplicative of:</b><br/><b>GOAL 76: DISTRIBUTION OF FACILITIES.</b> To provide, maintain and preserve a diverse park, recreational, and open space system which provides equitable access and distribution to all residents of unincorporated Lee County regardless of interest, age, sex, income, race, handicap, or location of residency within unincorporated Lee County.</p> <p><b>POLICY 76.1.1:</b> Based on community needs and interests, the County will equitably distribute community park facilities within impact fee districts in unincorporated Lee County.</p> <p><b>POLICY 76.1.3:</b> By using the experience and knowledge of community groups and professionals and by using data garnered from surveys and public hearings, the County will distribute facilities based on interest and need.</p> |
| <p><b>POLICY 18.4.1:</b> The support of the Bayshore residents may include assistance with development and maintenance of such a recreation facility.</p>                                                                                 | <p>Unnecessary and unenforceable.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |