

**REPLACEMENT PAGES FOR JANUARY 2021
LEE PLAN CODIFICATION**

Replace these pages...	... with these pages
Cover Page	Cover Page
Ordinance Page	Ordinance Page
Chronology	Chronology
Contents	Contents (pgs i-iii)
FUTURE LAND USE	
II-1 thru II-120	II-1 thru II-115
TRANSPORTATION ELEMENT	
III-1 thru III-15	III-1 thru III-15
CONSERVATION AND COASTAL	
VII-1 thru VII-21	VII-1 thru VII-21
ADMINISTRATION	
XIII-1 thru XIII-6	XIII-1 thru XIII-6
MAPS	
Map 1, Page 6	Map 1, Page 6
Map 14	Maps 14 & 15 RESERVED
Map 15 (Reserved)	Remove
TABLES	
Table 1(b)	Table 1(b)
Table 3 (5 pages)	Table 3 (3 pages)
Table 3A (4 pages)	Table 3A (4 pages)
Table 4	Table 4
Table 5	Table 5

THE LEE PLAN 2021 CODIFICATION

As amended through January 2021



Department of Community Development
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January 2021

THE PAGES CONTAINED HEREIN INCLUDE ORDINANCE 89-02 AND ALL AMENDMENTS AS ENACTED BY ORDINANCES 90-09, 90-43, 90-44, 91-10, 91-19, 92-35, 92-41, 92-47, 92-48, 92-51, 93-05, 93-25, 94-23, 94-29, 94-30, 95-27, 96-19, 97-05, 97-13, 97-17, 97-22, 98-02, 98-09, 98-26, 99-15, 99-16, 99-17, 99-18, 99-19, 00-08, 00-22, 01-24, 02-02, 02-03, 02-04, 02-05, 02-06, 02-29, 03-01, 03-02, 03-03, 03-04, 03-05, 03-06, 03-07, 03-12, 03-15, 03-19, 03-20, 03-21, 03-26, 04-15, 04-14, 04-16, 05-19, 05-20, 05-21, 07-09, 07-10, 07-11, 07-12, 07-13, 07-14, 07-15, 07-16, 07-17, 07-18, 08-04, 08-05, 08-17, 08-18, 08-27, 09-06, 09-07, 09-08, 09-09, 09-10, 09-11, 09-12, 09-13, 09-14, 09-15, 09-16, 09-17, 09-27, 09-28, 10-03 thru 10-18, 10-19, 10-20, 10-21, 10-27, 10-33, 10-34 thru 10-39, 10-40, 10-43, 10-46, 11-13 thru 11-24, 11-30, 12-24, 13-12, 13-16, 14-01, 14-02, 14-03, 14-05, 14-09, 14-10, 14-14, 14-16, 14-21, 15-10, 15-13, 15-14, 16-01, 16-02, 16-03, 16-05, 16-07, 16-08, 16-13, 16-14, 16-15, 16-16, 16-17, 16-20, 17-06, 17-10, 17-12, 17-13, 17-19, 17-20, 17-21, 17-23, 17-24, 18-04, 18-05, 18-06, 18-14, 18-17, 18-18, 18-23, 18-25, 18-26, 18-28, 19-01, 19-02, 19-10, 19-13, 19-14, 19-16, 19-17, 19-22, 19-24, 19-25, 19-26, 20-04, 20-05, 20-06, 20-08, and 20-13.

THE COUNTY HAS TAKEN EVERY PRECAUTION TO ENSURE THE ACCURACY OF THESE REVISIONS, HOWEVER, IF A DISCREPANCY EXISTS, THE OFFICIAL ADOPTED AMENDING ORDINANCE SHALL RULE.

CHRONOLOGY OF ADOPTED AMENDMENTS TO THE LEE PLAN

(most recent amendments listed first)

COMPREHENSIVE PLAN OR PLAN AMENDMENT	ADOPTING ORDINANCE(S)	DATE OF ADOPTION	EFFECTIVE DATE	NOTICE/ STATEMENT OF INTENT ISSUED	DETERMINATION	REMEDIAL ORDINANCE NUMBER
2020 CIP Program Update	20-13	11/17/2020	11/17/2020	NA	NO CHALLENGE	NA
CPA2019-10 Central Park Mixed Use Overlay	20-08	8/19/2020	9/19/2020	NA	NO CHALLENGE	NA
CPA2019-08 EEPKO Text Amendment	20-06	5/6/2020	6/6/2020	5/19/2020	NO CHALLENGE	NA
CPA2018-12&13 Vintage Commerce Center	20-05	5/6/2020	6/6/2020	5/19/2020	NO CHALLENGE	NA
CPA2019-06 Conservation Lands Update	20-04	5/6/2020	6/6/2020	5/19/2020	NO CHALLENGE	NA
CPA2019-01 Wetland Impacts	19-26	12/18/2019	1/30/2020	1/21/2020	NO CHALLENGE	NA
CPA2018-08 Old Corkscrew Commercial	19-25	12/18/2019	2/6/2020	1/17/2020	NO CHALLENGE	NA
CPA2019-05 Cam 40	19-24	11/20/2019	1/2/2020	12/23/2019	NO CHALLENGE	NA
2019 CIP Program Update	19-22	11/19/2019	11/19/2019	NA	NO CHALLENGE	NA
CPA2016-10 Troyer Brothers Conservation Lands	19-17	8/21/2019	9/29/2019	9/12/2019	NO CHALLENGE	NA
CPA2016-06 Troyer Brothers Map 14 Amendment	19-16	8/21/2019	10/10/2020	9/12/2019	COMPLIANCE ¹	NA
CPA2018-04 Portico	19-14	8/7/2019	9/13/2019	8/27/2019	NO CHALLENGE	NA
CPA2018-14 Limerock Mining	19-13	6/19/2019	10/10/2020	7/22/2019	COMPLIANCE ¹	NA
CPA2018-10 Old Corkscrew Golf Club	19-10	5/22/2019	7/5/2019	6/27/2019	NO CHALLENGE	NA
CPA2018-09 Airport Lands Update	19-02	3/30/2019	5/2/2019	4/15/2019	NO CHALLENGE	NA
CPA2018-02 Alico Crossing Small Scale	19-01	2/6/2019	3/9/2019	NA	NO CHALLENGE	NA
CPA2017-06 Conservation & Coastal Mgmt.	18-28	12/6/2018	1/14/2019	4/15/2019	NO CHALLENGE	NA
2018 CIP Program Update	18-26	11/20/2018	11/28/2018	NA	NO CHALLENGE	NA
CPA2018-07 Public Facilities & Cons. Lands	18-25	11/7/2018	12/21/2018	11/20/2018	NO CHALLENGE	NA
CPA2017-09 Treeline 115	18-23	10/17/2018	11/25/2018	10/25/2018	NO CHALLENGE	NA
CPA2017-10 Community Planning Update	18-18	6/20/2018	7/29/2018	7/5/2018	NO CHALLENGE	NA
CPA2018-01 Conservation Lands Update	18-17	6/20/2018	7/29/2018	7/5/2018	NO CHALLENGE	NA
CPA2014-08 Overriding Public Necessity	18-14	4/4/2018	5/10/2018	4/13/2018	NO CHALLENGE	NA
CPA2016-13 Babcock	18-06	2/7/2018	4/5/2018	4/5/2018	NO CHALLENGE	NA
CPA2017-08 Chapter 13	18-05	2/7/2018	3/23/2018	2/26/2018	NO CHALLENGE	NA
CPA2015-09 Captiva Community Plan	18-04	2/7/2018	3/23/2018	2/26/2018	NO CHALLENGE	NA
CPA2016-09 Verdana	17-24	12/20/2017	1/29/2018	1/2/2018	NO CHALLENGE	NA
CPA2016-07 Timber Creek	17-23	12/20/2017	1/29/2018	1/2/2018	NO CHALLENGE	NA
2017 CIP Program Update	17-21	12/19/2017	12/20/2017	NA	NO CHALLENGE	NA
CPA2017-04 NFM Mixed Use Overlay Exp.	17-20	11/22/2017	1/5/2018	12/11/2017	NO CHALLENGE	NA
CPA2017-03 Capital Improvement Plan	17-19	12/20/2017	1/5/2018	12/11/2017	NO CHALLENGE	NA
CPA2017-01 Growth Management	17-13	9/6/2017	10/20/2017	9/25/2017	NO CHALLENGE	NA
CPA2015-10 Apaloosa Lane	17-12	9/6/2017	10/20/2017	9/25/2017	NO CHALLENGE	NA
CPA2016-11 Centerplace	17-10	8/16/2017	9/28/2017	9/14/2017	NO CHALLENGE	NA
CPA2016-03 Pepperland Ranch	17-06	8/2/2017	9/15/2017	8/15/2017	NO CHALLENGE	NA
2016 CIP Program Update	16-20	12/6/2016	12/8/2016	NA	NO CHALLENGE	NA
CPA2015-03 Dusty Metro	16-17	10/5/2016	11/18/2016	11/10/2016	NO CHALLENGE	NA
CPA2016-04 RSW Noise Zone Update	16-16	10/5/2016	11/18/2016	11/10/2016	NO CHALLENGE	NA
CPA2016-01 Airport Dev. Schedules Update	16-15	10/5/2016	11/18/2016	11/10/2016	NO CHALLENGE	NA
CPA2016-08 Deschenes Small Scale	16-14	10/5/2016	11/7/2016	10/7/2016	NO CHALLENGE	NA
CPA2016-02 Lee Plan Map Amendments	16-13	8/17/2016	9/23/2016	9/16/2016	NO CHALLENGE	NA
CPA2015-12 Hill Tide Estates Small Scale	16-08	3/16/2016	4/16/2016	NA	NO CHALLENGE	NA
CPA2015-13 Pine Island Community Plan	16-07	3/16/2016	4/28/2016	4/1/2016	NO CHALLENGE	NA
2015 CIP Program Update	16-05	3/1/2016	3/2/2016	NA	NO CHALLENGE	NA
CPA2015-08 Capital Improvement Plan	16-03	1/20/2016	3/4/2016	2/2/2016	NO CHALLENGE	NA
CPA2015-06 Treeline 200	16-02	1/20/2016	3/4/2016	2/2/2016	NO CHALLENGE	NA
CPA2014-01 Water Supply Facilities	16-01	1/20/2016	3/4/2016	2/2/2016	NO CHALLENGE	NA
CPA2015-01 Corkscrew Farms	15-14	8/19/2015	9/29/2015	8/27/2015	NO CHALLENGE	NA
CPA2014-04 Wildblue	15-13	8/5/2015	9/17/2015	8/17/2015	NO CHALLENGE	NA
CPA2012-01 River Hall	15-10	6/3/2015	11/17/2017	7/13/2015	COMPLIANCE ¹	NA
CPA2013-04 Corkscrew Ranch	14-21	11/5/2014	12/18/2014	11/17/2014	NO CHALLENGE	NA
CPA2014-03 Replace Estero Goal 19	14-16	8/20/2014	10/4/2014	9/26/2014	NO CHALLENGE	NA
CPA2013-08 Small Scale Estero Apts.	14-14	6/18/2014	7/19/2014	NA	NO CHALLENGE	NA
CPA2013-07 Wellfield Protection	14-10	4/16/2014	6/1/2014	5/30/2014	NO CHALLENGE	NA
CPA2013-06 Concurrence	14-09	4/16/2014	6/1/2014	5/30/2014	NO CHALLENGE	NA
CPA2013-09 CIP	14-05	2/19/2014	3/22/2014	NA	NO CHALLENGE	NA
CPA2013-05 DRI Requirement	14-03	1/22/2014	3/6/2014	2/21/2014	NO CHALLENGE	NA
CPA2013-03 RSW Map 3F	14-02	1/22/2014	3/6/2014	2/21/2014	NO CHALLENGE	NA
CPA2013-02 AG Rezoning	14-01	1/22/2014	3/6/2014	2/21/2014	NO CHALLENGE	NA
CPA2013-01 Small Scale (Map 6)	13-16	8/19/2013	9/19/2013	NA	NO CHALLENGE	NA
CPA2011-22 Port Authority	13-12	6/17/2013	7/26/2013	7/24/2013	NO CHALLENGE	NA
CPA2011-18 Corkscrew Woods	12-24	10/1/2012	11/15/2012	11/5/2012	NO CHALLENGE	NA
CPA2010-06 Pine Tarr, LLC	11-30	12/14/2011	1/22/2012	1/17/2012	NO CHALLENGE	NA
2010/2011 Cycle	11-13 thru 11-24	9/28/2011	11/11/2011	11/9/2011	NO CHALLENGE	NA
CPA2010-09 CIP	10-46	12/14/2010	3/24/2011	3/1/2011	COMPLIANCE	NA
CPA2009-01 Alico West	10-40	10/20/2010	3/14/2011	12/14/2010	COMPLIANCE ³	NA

COMPREHENSIVE PLAN OR PLAN AMENDMENT	ADOPTING ORDINANCE(S)	DATE OF ADOPTION	EFFECTIVE DATE	NOTICE/ STATEMENT OF INTENT ISSUED	DETERMINATION	REMEDIAL ORDINANCE NUMBER
CPA2010-02 University Highland DRI	10-33	10/18/2010	1/11/2011	12/20/2010	COMPLIANCE	NA
2009/2010 Cycle	10-34 thru 10-39	10/20/2010	1/5/2011	12/14/2010	COMPLIANCE	NA
CPA2010-03 Small Scale	10-27	6/16/2010	7/19/2010	NA	NA	NA
CPA2008-06 DR/GR	10-19, 10-20, 10-21	3/3/2010	3/30/2012	5/12/2010	COMPLIANCE ²	NA
CPA2009-04 CIP	09-28	12/15/2009	7/8/2010	6/16/2010	COMPLIANCE	NA
2008/2009 Cycle	10-03 thru 10-18	3/3/2010	6/2/2010	5/11/2010	COMPLIANCE	NA
2006/2007/2008 Cycle	09-06 thru 09-17	2/25/2009	5/15/2009	4/22/2009	COMPLIANCE	NA
CPA2006-16	08-17	8/26/2008	11/7/2008	10/16/2008	COMPLIANCE	NA
CPA2006-18	08-18	8/26/2008	11/7/2008	10/16/2008	COMPLIANCE	NA
CPA2006-02 Small Scale	08-04	3/11/2008	4/11/2008	NA	NA	NA
CPA2007-02 Small Scale	08-05	3/11/2008	4/11/2008	NA	NA	NA
CPA2008-11	08-27	12/9/2008	3/12/2008	2/16/2008	COMPLIANCE	NA
2005 EAR & Smart Growth Amendments	07-09 thru 07-18	5/16/2007	8/13/2007	7/23/2007	COMPLIANCE	NA
CPA2005-01 Small Scale	07-07	4/24/2007	5/24/2007	NA	NA	NA
CPA2006-04 Small Scale	07-06	4/24/2007	5/24/2007	NA	NA	NA
CPA2004-13	05-20	10/12/2005	11/15/2006	12/19/2005	NON-COMPLIANCE ¹	NA
2004/2005 Cycle	05-19, 05-21	10/12/2005	1/9/2006	12/19/2005	COMPLIANCE	NA
CPA2001-18	03-03	1/9/2003	12/24/2004	3/11/2003	COMPLIANCE	NA
CPA2003-02	04-16	9/22/2004	12/10/2004	11/19/2004	COMPLIANCE	NA
North Point DRI CPA2003-014	04-14	9/20/2004	12/7/2004	11/16/2004	COMPLIANCE	NA
CPA2003-05 Small Scale	04-15	9/22/2004	10/23/2004	NA	NA	NA
Miromar Lakes DRI CPA2001-03	03-26	12/15/2003	3/6/2004	2/14/2004	COMPLIANCE	NA
2002/2003 Cycle	03-19, 03-20, 03-21	10/23/2003	1/12/2004	12/22/2003	COMPLIANCE	NA
CPA2003-03 Small Scale	03-15	6/24/2003	7/25/2003	NA	NA	NA
CPA2003-01 Small Scale	03-12	5/6/2003	6/6/2003	NA	NA	NA
2001/2002 Cycle	03-01, 02, 04 thru 07	1/9/2003	4/1/2003	3/11/2003	COMPLIANCE	NA
Coconut Point DRI CPA 2000-30	02-29	10/21/2002	1/9/2003	12/18/2002	COMPLIANCE	NA
2000/2001 Cycle	02-02 thru 02-06	1/10/2002	3/27/2002	3/5/2002	COMPLIANCE	NA
CPA2001-08 Small Scale	01-24	12/13/2001	1/13/2002	NA	NA	NA
1999/2000 EAR Addendum Amendments	00-22	11/1/2000	12/26/2000	12/26/2000	COMPLIANCE	NA
PAM 99-26 Small Scale	00-16	8/8/2000	9/8/2000	NA	NA	NA
PAM 99-23	00-08	5/4/2000	6/26/2000	6/26/2000	COMPLIANCE	NA
PAM 98-01 Small Scale	99-02	4/13/1999	2/4/2000	NA	COMPLIANCE	NA
1998/1999 Cycle	99-15	11/22/1999	1/19/2000	1/19/2000	COMPLIANCE	NA
PAT 98-08	99-16	11/22/1999	1/19/2000	1/19/2000	COMPLIANCE	NA
PAT 98-34	99-17	11/22/1999	1/19/2000	1/19/2000	COMPLIANCE	NA
PAM/T 98-07	99-18	11/22/1999	1/19/2000	1/19/2000	COMPLIANCE	NA
PAM 99-25 Small Scale	99-19	11/22/1999	12/23/1999	NA	NA	NA
PAM 98-02 Small Scale	98-26	11/24/1998	12/25/1998	NA	NA	NA
EAR Addendum Amendments	98-09	6/3/1998	7/30/1998	7/30/1998	COMPLIANCE	NA
PAM 97-04 Small Scale	98-02	1/13/1998	2/13/1998	NA	NA	NA
PAM 97-02 Small Scale	97-22	11/25/1997	12/26/1997	NA	NA	NA
Gargiulo Compliance Agreement PAT 97-03	97-17	8/26/1997	9/30/1997	9/30/1997	COMPLIANCE	NA
PAM 97-01 Small Scale	97-13	6/24/1997	7/25/1997	NA	NA	NA
Remedial Amendments 96-02 thru 96-06	97-05	3/5/1997	4/23/1997	4/2/1997	COMPLIANCE	NA
Raymond Lumber 96-01 Small Scale	96-19	10/2/1996	11/2/1996	NA	NA	NA
1993/1994 Cycle and EAR amendments	94-30	11/1/1994	7/25/1996	12/29/1994	NON-COMPLIANCE	NA
Wood Bridge 95-01 Small Scale	95-27	12/20/1995	1/20/1996	NA	COMPLIANCE	NA
FGCU/Sheridan 93-10, 93-11	94-29	10/26/1994	1/9/1995	12/20/1994	COMPLIANCE	NA
Pelican Landing PAM 93-03	94-23	8/29/1994	11/14/1994	10/24/1994	COMPLIANCE	NA
1992/1993 Cycle	93-25	9/20/1993	1/24/1994	11/11/1993	COMPLIANCE	NA
Conn 93-01 Small Scale	93-05	2/22/1993	2/26/1993	5/21/1993	COMPLIANCE	NA
Compliance Agreement For 90/91 Cycle	92-51	12/9/1992	12/21/1992	2/15/1993	COMPLIANCE	NA
Tenth University	92-47	10/27/1992	11/9/1992	12/16/1992	COMPLIANCE	NA
Wildlife Corridor	92-48	10/27/1992	11/9/1992	12/16/1992	COMPLIANCE	NA
Paluck 92-04 Small Scale	92-41	9/15/1992	9/21/1992	12/23/1992	COMPLIANCE	NA
1991/1992 Cycle	92-35	8/7/1992	8/18/1992	9/30/1992	NON-COMPLIANCE	NA
1990/1991 Cycle	91-19	7/9/1991	7/18/1991	8/30/1991	NON-COMPLIANCE	NA
Dennis 90-03 Small Scale	91-10	4/3/1991	4/10/1991	5/29/1991	COMPLIANCE	NA
1990 Settlement Agreement for 1989 Plan	90-43, 90-44	9/6/1990	9/17/1990	10/25/1990	COMPLIANCE	NA
Gateway DRI	90-09	3/7/1990	3/14/1990	4/24/1990	COMPLIANCE	NA
1989 Lee Plan	89-02	1/31/1989	3/1/1989	3/24/1989	NON-COMPLIANCE	NA

¹ Found in Compliance by Governor and Cabinet or Florida Department of Economic Opportunity

² Challenged - Partial Final Order issued on 6/24/11; Second Partial Final Order issued on 10/19/11; Final Order issued on 3/30/12

³ Challenge Settled

CONTENTS

I.	VISION STATEMENT	
II.	FUTURE LAND USE ELEMENT	
	a. Growth Management	II-1
	b. Community Planning	II-52
III.	TRANSPORTATION ELEMENT	
	a. Multi-modal Transportation	III-1
	b. Ports, Aviation and Related Facilities.....	III-11
IV.	COMMUNITY FACILITIES AND SERVICES ELEMENT	
	a. Potable Water	IV-1
	b. Sanitary Sewer	IV-4
	c. Surface Water Management.....	IV-6
	d. Solid Waste.....	IV-13
	e. Groundwater Recharge.....	IV-14
	f. Libraries.....	IV-15
	g. Fire Protection and Emergency Medical Service	IV-15
	h. Education and Public School Facilities.....	IV-17
	i. Environmental Health	IV-22
	j. Police and Justice	IV-24
	k. Energy Conservation.....	IV-24
	l. Emergency Services.....	IV-25
V.	PARKS, RECREATION AND OPEN SPACE ELEMENT	
VI.	CAPITAL IMPROVEMENTS ELEMENT	
VII.	CONSERVATION AND COASTAL MANAGEMENT ELEMENT	
VIII.	HOUSING ELEMENT	
IX.	HISTORIC PRESERVATION ELEMENT	
X.	INTERGOVERNMENTAL COORDINATION ELEMENT	
XI.	ECONOMIC ELEMENT	
XII.	GLOSSARY	
XIII.	ADMINISTRATION	
	a. Effect and Legal Status of the Plan.....	XIII-1
	b. Administrative Interpretations of the Plan.....	XIII-2
	c. Legislative Interpretations of the Plan	XIII-5
	d. Amendments to the Plan	XIII-6

APPENDIX A: MAPS

1. Future Land Use Map	Page 1
Water Dependent Overlay, Community Planning Areas	Page 2
Lee County Development of Regional Impact Activities	Page 3
Urban Reserve, Privately Funded Infrastructure, Public Acquisition, Airport Mitigation Overlay, Priority Restoration Strategy	Page 4
Airport Noise Zones	Page 5
Mixed Use Overlay	Page 6
Lehigh Acres Community Plan Overlay	Page 7
2. San Carlos Island Future Land Use Map & Water-Dependent Overlay Zones	
3. Transportation Maps	
A. 2030 Financially Feasible Highway Plan	
B. Future Functional Classification	
C. 2030 Financially Feasible Transit Network	
D. Lee County Walkways & Bikeways	
E. Airports, Seaports, Railways & Waterways	
F. Alico Road Access Plan	
G. Corkscrew Road Access Plan	
H. Future Maintenance Responsibility	
I. Public Transit Trip Generators	
J. Evacuation Routes	
4. Private Recreational Facilities Overlay	
5. Coastal High Hazard Area	
6. Future Water Service Areas, Lee County Utilities	
7. Future Sanitary Sewer Service Areas, Lee County Utilities	
8. Wellfield Protection Zones	
9. Defined 100-Year Floodplains	
10. General Soils	
11. Historic Surface And Groundwater Levels	
12. Water-Dependent Overlay Zones	
13. Lee County Educational And School District Facilities	
14. Reserved	
15. Reserved	
16. Planning Communities	
17. Southeast DR/GR Residential Overlay	

18. Lee County Watershed
19. Reserved
20. Contiguous Agricultural Parcels Over 100 Acres In Non-Urban Future Land Use Categories
21. Existing Pine Island Farmland
22. Lee County Greenways Master Plan

APPENDIX B: TABLES

- 1 (a) Summary of Residential Densities
(b) Year 2030 Allocations
(c) Mixed Use Overlay/Lehigh Acres Specialized Mixed Use Node Ratios
- 2 (a) Constrained Roads – State and County Roads
(b) Recommended Operational Improvements on Constrained Roads
- 3 Capital Improvement Program Detailed Report
(a) Lee County School District Capital Plan
- 4 Capital Improvement Program Total Revenue and Project Summary
- 5 10 Year Water Supply Development Projects

II. Future Land Use Element

a. Growth Management

GOAL 1: FUTURE LAND USE MAP. To maintain and enforce a Future Land Use Map showing the proposed distribution, location, and extent of future land uses by type, density, and intensity in order to protect natural and man-made resources, provide essential services in a cost-effective manner, and discourage urban sprawl. (Ordinance No. [94-30](#))

OBJECTIVE 1.1: FUTURE URBAN AND SUBURBAN AREAS. Designate areas with varying intensities on the Future Land Use Map (Map 1) that provide for a full range of urban activities. These designations are based upon soil conditions, historic and developing growth patterns, and existing or future availability of public facilities and services. (Ordinance No. [17-13](#))

POLICY 1.1.1: The Future Land Use Map contained in this element is hereby adopted as the pattern for future development and substantial redevelopment within the unincorporated portion of Lee County. Map 16 and Table 1(b) are an integral part of the Future Land Use Map series (see Policies 1.7.6 and 2.2.2). They depict the extent of development through the year 2030. No development orders or extensions to development orders will be issued or approved by Lee County which would allow the Planning Community's acreage totals for residential, commercial or industrial uses established in Table 1(b) to be exceeded (see Policy 1.7.6). The cities of Fort Myers, Cape Coral, Sanibel, Bonita Springs and Town of Fort Myers Beach are depicted on these maps only to indicate the approximate intensities of development permitted under the comprehensive plans of those cities. Residential densities are described in the following policies and summarized in Table 1(a). (Ordinance No. [94-29](#), [98-09](#), [07-12](#), [07-13](#))

POLICY 1.1.2: The Intensive Development areas are located along major arterial roads in Fort Myers, North Fort Myers, East Fort Myers west of I-75, and South Fort Myers. By virtue of their location, the county's current development patterns, and the available and potential levels of public services, they are well suited to accommodate high densities and intensities. Planned mixed use centers of high-density residential, commercial, limited light industrial (see Policy 7.1.6), and office uses are encouraged to be developed as described in Objective 11.1, where appropriate. As Lee County develops as a metropolitan complex, these centrally located urban nodes can offer a diversity of lifestyles, cosmopolitan shopping opportunities, and specialized professional services that befit such a region. The standard density range is from eight dwelling units per acre (8 du/acre) to fourteen dwelling units per acre (14 du/acre). Maximum total density is twenty-two dwelling units per acre (22 du/acre). The maximum total density may be increased to thirty dwelling units per acre (30 du/acre) utilizing Greater Pine Island Transfer of Development Units. (Ordinance No. [94-30](#), [09-06](#), [10-10](#), [16-07](#))

POLICY 1.1.3: The Central Urban areas can best be characterized as the “urban core” of the county. These consist mainly of portions of the city of Fort Myers, the southerly portion of the city of Cape Coral, and other close-in areas near these cities; and also the central portions of the city of Bonita Springs, Iona/McGregor, Lehigh Acres, and North Fort Myers. This is the part of the county that is already most heavily settled and which has or will have the greatest range and highest levels of urban service--water, sewer, roads, schools, etc. Residential, commercial, public and quasi-public, and limited light industrial land uses (see Policy 7.1.6) will continue to predominate in the Central Urban area with future development in this category encouraged to be developed as a mixed

use, as described in Objective 11.1, where appropriate. This category has a standard density range from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre) and a maximum total density of fifteen dwelling units per acre (15 du/acre). The maximum total density may be increased to twenty dwelling units per acre (20 du/acre) utilizing Greater Pine Island Transfer of Development Units. (Ordinance No. [94-30](#), [02-02](#), [09-06](#), [16-07](#))

POLICY 1.1.4: The Urban Community areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, South Fort Myers, Iona/McGregor, Pine Island, and Gasparilla Island. Although the Urban Communities have a distinctly urban character, they should be developed at slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6) with future development in this category encouraged to be developed as a mixed use, as described in Objective 11.1, where appropriate. Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum total density of ten dwelling units per acre (10 du/acre). The maximum total density may be increased to fifteen dwelling units per acre (15 du/acre) utilizing Greater Pine Island Transfer of Development Units. (Ordinance No. [94-30](#), [02-02](#), [09-06](#), [10-10](#), [10-33](#), [16-07](#))

POLICY 1.1.5: The Suburban future land use category will consist of predominantly residential areas that are either on the fringe of the Central Urban or Urban Community future land use categories or in areas where it is appropriate to protect existing or emerging residential neighborhoods. This category provides housing near the more urban areas but does not provide the full mix of land uses typical of urban areas. Industrial land uses are not permitted. This category has a standard density range from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre). The maximum total density may only be increased to eight dwelling units per acre (8 du/acre) utilizing Greater Pine Island Transfer of Development Units except in areas that specifically prohibit bonus density. Other forms of bonus densities are not allowed. (Ordinance No. [94-30](#), [16-07](#), [17-13](#))

POLICY 1.1.6: The Outlying Suburban future land use category is characterized by its peripheral location in relation to established urban areas. In general, this category is rural in nature or contains existing low-density development. Some of the requisite infrastructure needed for higher density development is planned or in place. Industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to three dwelling units per acre (3 du/acre). Bonus densities are not allowed. (Ordinance No. [91-19](#), [03-20](#), [03-02](#), [17-13](#))

POLICY 1.1.7: The Industrial Development future land use category plays an important role in strengthening the county's economic base and will become increasingly important as the county grows in size and urban complexity. To a great extent these are the areas to which Lee County must look for expanded job opportunities, investments and production opportunities, and a balanced and sufficient tax base. These uses have special locational requirements that are more stringent than those for residential areas, including transportation needs (e.g., air, rail, highway); industrial levels of water, sewer, fire protection, and other urban services; and locations that are convenient for employees to reach. The Industrial Development future land use category is reserved mainly for industrial activities and selective land use mixtures. Appropriate land use mixtures include industrial, manufacturing, research, recreational uses and office complex (if specifically related to adjoining industrial uses) that constitute a growing part of Florida's economic development sector. Retail, recreational and service uses are allowed as follows:

1. Retailing and/or wholesaling of products manufactured or directly related to that manufactured on the premises; or,
 2. Recreational, service and retail uses may not exceed 20% of the total acreage within the Industrial Development future land use categories of each Planning Community.
- (Ordinance No. [94-30](#), [98-09](#), [99-15](#), [02-02](#), [09-06](#), [09-12](#), [10-14](#), [10-16](#), [10-20](#), [17-13](#))

POLICY 1.1.8: The Public Facilities areas include the publicly owned lands within the county such as public schools, parks, airports, public transportation, and other governmental facilities. The allowable uses within these areas are determined by the entity owning each such parcel and the local government having zoning and permitting jurisdiction. (Ordinance No. [10-10](#))

POLICY 1.1.9: The University Community future land use category provides for Florida's 10th University, Florida Gulf Coast University (FGCU), and for associated support development. The location and timing of development within this area must be coordinated with the development of the University and the provision of necessary infrastructure. All development within the University Community must be designed to enhance and support the University. In addition to all other applicable regulations, development within the University Community will be subject to cooperative master planning with, and approval by, the FGCU President or their designee.

Prior to development in the University Community future land use category, there will be established a Conceptual Master Plan which includes a generalized land use plan and a multi-objective water management plan. These plans will be developed through a cooperative effort between the property owner, Lee County, and South Florida Water Management District.

Within the University Community are two distinct sub-categories: University Campus and the University Village. The University Window Overlay, although not a true sub-category, is a distinct component of the total university environment. Together these functions provide the opportunity for a diversity of viable mixed use centers. Overall residential development within the University Village will not exceed 6,510 dwelling units. None of the 6,510 dwelling units may be used on or transferred to lands located outside of the University Community land use boundaries as they exist on October 20, 2010. Specific policies related to the University Community are provided in Goal 15. (Ordinance No. [92-47](#), [94-30](#), [98-09,00-22](#), [10-40](#), [17-10](#), [18-18](#))

POLICY 1.1.10: The Commercial future land use category is located in close proximity to existing commercial areas or corridors accommodating employment centers, tourist oriented areas, and where commercial services are necessary to meet the projected needs of the residential areas of the county. These areas are specifically designated for commercial uses. Residential uses, other than bona fide caretaker residences, are not permitted in this future land use category. The Commercial future land use category is in areas where residential uses are not expected or compatible due to the nature of the surrounding land uses and their location along major travel corridors. The commercial category is intended for use where residential development would increase densities in areas such as the Coastal High Hazard Areas of the county or areas such as Lehigh Acres where residential uses are abundant and existing commercial areas serving the residential needs are extremely limited.

The requisite infrastructure needed for commercial development is generally planned or in place. New developments in this category must connect to a potable water and sanitary sewer system. Commercial retail developments, hotels and motels, banks, all types of office development, research and development, public, and other similar development will be predominant in the Commercial future land use category. Limited light industrial uses are also permitted, excluding outdoor storage type uses. Any redesignation of land to the Commercial land use category should occur along major travel corridors and at road intersections. The planned development rezoning

process must be used to prevent adverse impacts to the surrounding areas and to ensure that appropriate site development regulations are incorporated into the development plans of each site. (Ordinance No. [03-02](#), [10-34](#), [17-13](#), [18-05](#))

POLICY 1.1.11: The Sub-Outlying Suburban future land use category is characterized by low density residential areas. Generally the infrastructure needed for higher density development is not planned or in place. This future land use category will be placed in areas where higher densities would be incompatible or where there is a desire to retain a low-density community character. Industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to two dwelling units per acre (2 du/acre). Bonus densities are not allowed.

For Lots 6 -11, San Carlos Groves Tract, Section 20, Township 46 South, Range 25 East, of the San Carlos/Estero area:

- a. The property may be developed at a gross density of one dwelling unit per acre; however, a gross density of up to two dwelling units per acre is permitted through the planned development zoning process, in which the residential development is clustered in a manner that provides for the protection of flow-ways, high quality native vegetation, and endangered, threatened or species of special concern. Clustered development must also connect to a central water and sanitary sewer system.
- b. A maximum of 120 residential dwelling units, along with accessory, and accessory active recreation uses are permitted through the use of clustering and the planned development zoning process. The dwelling units and accessory uses must be clustered on an area not to exceed 32 acres, which must be located on the northwestern portion of the property. No development may occur in the flow-way, with the exception of the improvement of the existing road access from the site to Pine Road. The remainder of the property will be designated as preserve/open space, which can be used for passive recreation, and environmental management and education. In addition, the developer will diligently pursue the sale or transfer of the preserve/open space area, along with development rights for 30 of the maximum 120 residential dwelling units, to the state, county, or other conservation entity.

(Ordinance No. [03-20](#), [03-02](#), [17-13](#))

POLICY 1.1.12: The Airport Lands future land use category accommodates the Port Authority's airports and its projected growth needed, as economic engines, to meet the region's demands for air travel and for the non-aviation related uses necessary to continue viable airport operations.

Allowable land uses and intensities within the Airport Lands future land use category are according to the plans for the airport properties outlined in the *Southwest Florida International Airport Master Plan Update* dated March 2004 by DMJM Aviation, Inc. on behalf of Lee County Port Authority and the *Page Field General Aviation Airport Master Plan Update* dated May 2002 by Birk Hillman Consultants, Inc. on behalf of Lee County Port Authority.

Development will include aviation related facilities such as hangars, terminals, and runways and non-residential, non-aviation related uses as approved through the Airport Operations Planned Development (AOPD) zoning process. Compatible non-aviation related uses support the continued development of airports by providing a supplementary revenue source and economic growth for the community.

In cooperation with local, state, and federal regulatory agencies, the Port Authority will work to minimize and correct any wildlife hazards arising from existing wetlands or water bodies located on properties designated Airport Lands in accordance with FAA directives. Site improvements on properties designated Airport Lands will be designed to minimize attractiveness to wildlife of natural areas and man-made features such as detention/retention ponds, landscaping, and wetlands,

which can provide wildlife with ideal locations for feeding, loafing, reproduction, and escape. Specific to Southwest Florida International Airport, any future expansion or development of aviation-related facilities and non-aviation uses will offset environmental impacts through the Airport Mitigation Lands Overlay, depicted on Map 1, Page 4, or other appropriate mitigation. The physical design of the airport expansion will minimize any degradation of the recharge capability of land being developed. All non-aviation land use development will meet the indigenous vegetation requirements set forth in the Land Development Code.

If the airport master planning process precipitates a change to the airport boundaries, or a substantive change to development intensities, the Port Authority will initiate the appropriate amendment to reflect such changes. (Ordinance No. [94-30](#), [00-22](#), [04-16](#), [07-12](#), [09-14](#), [11-16](#), [13-12](#), [16-15](#), [19-02](#))

POLICY 1.1.13: The Tradeport future land use category includes areas of commercial and industrial lands adjacent to the airport. These areas will include developments consisting of light manufacturing or assembly, warehousing, and distribution facilities; research and development activities; laboratories; ground transportation and airport-related terminals or transfer facilities; hotels/motels, meeting facilities; and office uses. Stand-alone retail commercial uses intended to support and complement the surrounding business and industrial land uses are permitted if they are approved as part of a Development of Regional Impact (DRI) or Planned Development rezoning. Stand-alone retail commercial uses are limited to 1 acre out of every 10 Tradeport and preserved wetland acres within the project. To provide an incentive to preserve upland habitat, Developments of Regional Impact or Planned Developments may also receive additional stand-alone retail acres at the rate of 1 additional acre out of every 10 acres of preserved and enhanced uplands within the project that protect wetlands, flow-ways or occupied listed species habitat. Ancillary retail commercial uses, related directly to the sale of products manufactured or services provided in the Tradeport, are allowed if they are part of a planned development. Residential uses, other than bona fide caretaker residences, are not permitted in this category. Caretaker residences are not permitted in the Airport Noise Zone B. Special environmental and design review guidelines will be applied to this future land use category because of its location within the Six Mile Cypress Basin and in order to maintain the appearance of this area as a primary point of entry into Lee County. Property in Section 1 and the east ½ of Section 2, Township 46 South, Range 25 East, and in Section 6, Township 46 South, Range 26 East, must be rezoned to a planned development zoning category prior to any development other than the construction of essential public services. During the rezoning process, the best environmental management practices identified on pages 43 and 44 of the July 28, 1993 Henigar & Ray study entitled, “Groundwater Resource Protection Study” will be rebuttably presumed to be necessary to protect potential groundwater resources in the area. (Ordinance No. [94-30](#), [02-02](#), [03-04](#), [04-16](#), [03-02](#), [09-06](#), [10-14](#), [10-20](#), [10-37](#), [18-05](#), [19-02](#), [19-13](#))

OBJECTIVE 1.2: RESERVED (Ordinance No. [19-02](#))

OBJECTIVE 1.3: INTERSTATE HIGHWAY INTERCHANGE AREAS. Special areas adjacent to the interchanges of Interstate 75 that maximize critical access points will be designated on the Future Land Use Map. Development in these areas must minimize adverse traffic impacts and provide appropriate buffers, visual amenities, and safety measures. Each interchange area is designated for a specific primary role: General, General Commercial, Industrial Commercial, Industrial, and University Village. Residential uses are only permitted in these categories in accordance with Policy 1.3.2. (Ordinance No. [94-30](#), [99-18](#), [00-22](#), [16-02](#), [17-13](#), [18-05](#))

POLICY 1.3.1: The Industrial Interchange areas allow combinations of light industry, research, and office uses. In addition, certain visitor-serving commercial uses such as restaurants and hotels are appropriate. (Ordinance No. [98-09](#))

POLICY 1.3.2: The General Interchange areas are intended primarily for land uses that serve the traveling public: service stations, hotel, motel, restaurants, and gift shops. But because of their location, market attractions, and desire for flexibility, these interchange uses permit a broad range of land uses that include tourist commercial, general commercial, light industrial¹/commercial, and multi-family dwelling units. The standard density range is from eight dwelling units per acre (8 du/acre) to fourteen dwelling units per acre (14 du/acre). Maximum density is twenty-two dwelling units per acre (22 du/acre). (Ordinance No. [94-30](#), [99-18](#), [16-02](#), [17-12](#))

POLICY 1.3.3: The General Commercial Interchange areas are intended primarily for general community commercial land uses: retail, planned commercial districts, shopping, office, financial, and business.

POLICY 1.3.4: The Industrial Commercial Interchange areas are designated to permit a mixture of light industrial and/or commercial uses. This category does not permit heavy industrial uses. Within areas expanded beyond the existing Industrial Commercial Interchange boundaries (on January 1, 2007), retail commercial uses will be limited to 20% of the total floor area and light industrial uses will be a minimum of 50% of the total floor area. (Ordinance No. [07-10](#))

POLICY 1.3.5: The University Village Interchange land use category is designed to accommodate both interchange land uses and non-residential land uses related to the University. Development within this interchange area may or may not be related to, or justified by the land use needs of the University. Land uses allowed within this area include those allowed in the Industrial Commercial Interchange category and the associated support development allowed in the University Village. The overall average intensity of non-residential development will be limited to 10,000 square feet of building area per non-residential acre allowed pursuant to Map 16 and Table 1(b). See the definition of Associated Support Development in the Glossary. Cooperative master planning and approval by the Florida Gulf Coast University Board of Trustees will be required prior to development within this land use category. Additionally, any development which meets or exceeds the Development of Regional Impact thresholds, either alone or through aggregation, must conform to the requirements of Chapter 380 F.S. (Ordinance No. [92-47](#), [94-30](#), [00-22](#), [10-40](#))

POLICY 1.3.6: Lee County recognizes that development immediately adjoining the I-75 ramps could render future interchange improvements extremely costly if not prohibitive. To assist the county in evaluating the impacts of specific rezoning proposals located within 1000 feet of I-75 ramps, county staff will estimate the possible right-of-way needs for interchange improvements in that quadrant and present this information during the rezoning process. Where possible, development approvals must be phased to protect land critical for future interchange improvements. (Ordinance No. [99-18](#), [00-22](#))

POLICY 1.3.7: The following access control standards will apply to the interstate interchange areas of Lockett Road, Alico Road, Corkscrew Road, and Bonita Beach Road. The specified turning movements are not to be construed as conveying a property right or creating any expectation that they will be a permanent feature. The county reserves the right to modify or further restrict movements as it deems necessary to address operational and safety issues. Access control issues for Daniels Parkway west of I-75 are governed by the controlled access resolution adopted by the

¹ Light industrial uses are not permitted on property located more than 2,400 feet west from the centerline intersection of I-75 and Daniels Parkway as of September 6, 2017.

Board of County Commissioners on October 4, 1989, as may be amended from time to time. The other interchange areas are state roads where access is controlled by the Florida Department of Transportation under the provisions of Rule 14-97.003, FAC. The standard is a strict requirement during the rezoning and development order processes for cases after the effective date of this policy.

Access Control Standards for Lockett Road and Bonita Beach Road

1. The distance to the first connection will be at least 880 feet, provided such location is outside the federal limited access right-of-way line. A connection is generally defined as a driveway or roadway, limited to right-in/right-out movements, but can include a directional median opening. This distance will be measured from the end of the upstream interchange ramp or the beginning of the downstream interchange ramp, whichever is farther from the centerline of the interstate. A single connection per property not meeting this connection spacing standard may be provided, pursuant to the connection permit process, if no reasonable access to the property exists, and if permitting authority review of the connection permit application provided by the applicant determines that the connection does not create a safety, operational or weaving hazard.
2. The minimum distance to the first full movement median opening will be at least 1,760 feet as measured from the end of the upstream interchange ramp or the beginning of the downstream interchange ramp, whichever is farther from the centerline of the interstate.
3. Connections and median openings consistent with the above spacing standards may still be denied in the location requested when the Lee County Traffic Engineer determines, based on the engineering and traffic information provided in the permit application, that the safety or operation of the interchange or the limited access highway would be adversely affected.
4. Connections and median openings existing prior to 1998 that do not meet the standards are allowed to remain (unless they need to be closed for operational safety reasons), but cannot expand movements, except in the case of county roadway extensions.

Access Control Standards for Alico Road

The access on Alico Road is limited to the following movements and locations, from west to east and excluding the area within the interstate limited access right-of-way:

STATION	DISTANCE ²	MEDIAN OPENING?	MOVEMENT	CONNECTION
160+59.33	n/a	Yes	All	Oriole Road
170+54.54	995.21 ft.	Yes ³	All	Alico Int. Park DRI
177+74.54	720 ft.	Yes	All	Three Oaks Parkway
222+81	n/a	Yes	EB to NB Left-in ⁴ Rt-in/Rt-out from N & S	Coca-Cola Bottling Co. (N) University Plaza (S)
234+44	1,163 ft.	Yes	All	Ben Hill Griffin Pkwy.

²Distance measured from next connection to the west.

³Unsignalized only; subject to future restrictions if traffic signal warranted.

⁴A WB to SB left-in may be allowed if sufficient right-of-way is provided and an analysis demonstrating acceptable operation is submitted to and approved by LCDOT.

Access Control Standards for Corkscrew Road

The access on Corkscrew Road is limited to the following movements and locations, from west to east and excluding the area within the interstate limited access right-of-way:

STATION	DISTANCE ⁵	MEDIAN OPENING?	MOVEMENT	CONNECTION
172+84	n/a	Yes	All	Three Oaks Parkway
179+44	660 ft.	Yes	EB to NB Left-in ⁶ Rt-in/Rt-out from N & S	Corkscrew Crossing (#1)
185+29	585 ft.	Yes	All	Corkscrew Crossing (#2)
187+83	254 ft.	No	Rt-in/Rt-out from N ⁷	Pic-N-Run Entrance
190+34	253 ft.	Yes	EB to NB Left-in Rt-in/Rt-out from N	Estero Int. Com. Park (#3)
194+29	395 ft.	Yes	WB to SB Left-in NB to WB Left-out Rt-in/Rt-out from S	Corkscrew Woodlands
221+47	n/a	Yes	U-turns only	None
230+14	867 ft.	Yes	EB to NB Left-in Rt-in/Rt-out from N & S ⁸	Miromar Outlet Mall
236+73	660 ft.	Yes	All	Ben Hill Griffin Pkwy.

(Ordinance No. [00-22](#), [03-05](#))

OBJECTIVE 1.4: NON-URBAN AREAS. Designate on the Future Land Use Map categories for those areas not anticipated for urban development at this time.

POLICY 1.4.1: The Rural areas are to remain predominantly rural – that is, low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. Natural resource extraction may be permitted in accordance with Policy 10.1.4. These areas are not to be programmed to receive urban-type capital improvements, and they can anticipate a continued level of public services below that of the urban areas. Maximum density in the Rural area is one dwelling unit per acre (1 du/acre). (Ordinance No. [97-17](#), [98-09](#), [00-22](#), [07-12](#), [10-20](#))

POLICY 1.4.2: The Outer Islands are sparsely settled, have minimal existing or planned infrastructure, and are very distant from major shopping and employment centers. Except for those services as provided in compliance with other sections of this plan, they are not expected to be programmed to receive urban-type capital improvements in the time frame of this plan, and as such can anticipate a continued level of public services below that of other land use categories. The continuation of the Outer Islands essentially in their present character is intended to provide for a rural character and lifestyle, and conserve open space and important natural upland resources. Maximum density is one dwelling unit per acre (1 du/acre). (Ordinance No. [98-09](#), [09-09](#))

POLICY 1.4.3: The Rural Community Preserves future land use category requires special design approaches to maintain existing rural character, for example: conservation easements, flexible road design standards (including relocation of future arterials not serving the rural community), special fencing and commercial sign standards, and retention of historic rural uses. These areas are not programmed to receive urban-type capital improvements. Lands within this category are not to be

⁵Distance measured from next connection to the west.

⁶A WB to SB left-in may be allowed at this location if necessary.

⁷The previously-approved driveway for the Pic-N-Run may remain provided there is no other access; however, if Pic-N-Run establishes a connection to the frontage road system and other access locations, the driveway must be removed.

⁸The Right-in/Right-out from the south already exists at Station 230+65. This connection may be shifted west to any point between Stations 226+30 and 230+65 if proven not to be a traffic safety hazard.

converted to future urban or suburban areas; rather, they are to remain permanently rural in character and use. These areas are restricted to low density residential uses (with minimum lot size requirements), agricultural uses, and minimal non-residential uses that are needed to serve the rural community. Property in this category may not be rezoned to any RV district. Maximum density is one dwelling unit per acre (1 du/acre). (Ordinance No. [91-19](#), [94-30](#), [17-13](#), [18-14](#))

POLICY 1.4.4: Open Lands are upland areas that are located north of Rural and/or sparsely developed areas in Township 43 South. These areas are extremely remote from public services and are characterized by agricultural and low-density residential uses. Commercial and industrial uses are permitted in this category in accordance with the standards in the Rural category. The maximum density in this category is one dwelling unit per ten acres (1 du/10 acres); except that a maximum density of one dwelling unit per five acres (1 du/5 acres) is permitted if the planned development process is used to prevent adverse impacts on environmentally sensitive lands. (Ordinance No. [94-30](#), [18-28](#))

POLICY 1.4.5: The Density Reduction/Groundwater Resource (DR/GR) land use category includes upland areas that provide substantial recharge to aquifers most suitable for future wellfield development. These areas also are the most favorable locations for physical withdrawal of water from those aquifers. Only minimal public facilities exist or are programmed.

1. New land uses in these areas that require rezoning or a development order must demonstrate compatibility with maintaining surface and groundwater levels at their historic levels utilizing hydrologic modeling, the incorporation of increased storage capacity, and inclusion of green infrastructure. The modeling must also show that no adverse impacts will result to properties located upstream, downstream, as well as adjacent to the site. Offsite mitigation may be utilized, and may be required, to demonstrate this compatibility. Evidence as to historic levels must be submitted as part of the rezoning application and updated, if necessary, as part of the mining development order application.
2. Permitted land uses include agriculture, natural resource extraction and related facilities, conservation uses, public and private recreation facilities, and residential uses at a maximum standard density of one dwelling unit per ten acres (1 du/10 acres). See Objectives 33.2 and 33.3 for potential density adjustments resulting from concentration or transfer of development rights.
3. Private Recreational Facilities may be permitted in accordance with the site locational requirements and design standards, as further defined in Goal 13. No Private Recreational Facilities may occur within the DR/GR land use category without a rezoning to an appropriate planned development zoning category, and compliance with the Private Recreation Facilities performance standards, contained in Goal 13 of the Lee Plan.

(Ordinance No. [91-19](#), [94-30](#), [99-16](#), [02-02,10-20](#), [12-24](#), [15-13](#), [18-18](#), [19-13](#), [20-06](#))

POLICY 1.4.6: The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the Future Land Use Map. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation Lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks;

natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation, and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flow-ways, flood prone areas, and well fields. Conservation 20/20 lands designated as conservation are also subject to more stringent use provisions of the 20/20 Program or 20/20 ordinances. (Ordinance No. [98-09](#), [02-02](#))

POLICY 1.4.7: The Coastal Rural land use category is established for the Greater Pine Island Planning Community to address the area's predominantly rural character, coastal environment, existing agricultural uses, limited public infrastructure, and its location within and proximity to the Coastal High Hazard Area and Hurricane Vulnerability Zone.

The standard maximum density is one dwelling unit per 2.7 acres (1 du/2.7 acres). Maximum densities will be increased to an "Adjusted Maximum Density" of one dwelling unit per acre (1 du/acre) where 70% of the overall development parcel(s) is: maintained as native habitat; or restored as native habitat; or maintained in agricultural use on those parcels identified as existing farmland on Lee Plan Map 21.

Residential developments containing ten or more dwelling units must be approved through the planned development rezoning process and, as part of the planned development process, must: a) demonstrate the implementation of adopted design standards and development approaches that support and maintain the rural character; b) provide notification to property owners of permitted adjacent agricultural uses and their right to continue operations; and c) provide mitigation for impacts to hurricane evacuation clearance times and shelter needs.

Permitted land uses include agriculture, fill-dirt extraction, conservation uses, minimal non-residential land uses, limited to marinas, fish houses, and minor commercial uses, that serve the island residents and visitors as set forth in Policy 24.4.4, and low density residential uses. Bonus densities are not allowed in this land use category. (Ordinance No. [03-03](#), [05-21](#), [10-17](#), [16-07](#), [18-18](#))

OBJECTIVE 1.5: WETLANDS. Designate on the Future Land Use Map those lands that are identified as Wetlands in accordance with F.S. 373.019(27) through the use of the unified state delineation methodology described in FAC Chapter 27-340, as ratified and amended in F.S. 373.4211. (Ordinance No. [94-30](#))

POLICY 1.5.1: Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 124 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan. (Ordinance No. [94-30](#), [18-28](#))

POLICY 1.5.2: When the exact location of Wetlands boundaries is in question, Chapter XIII of this plan provides an administrative process, including a field check, to precisely define the boundary. (Ordinance No. [94-30](#))

POLICY 1.5.3: Wetlands that are conservation lands will be subject to the provisions of Policy 1.4.6 as well as the provisions of Objective 1.5. The most stringent provisions of either category will apply. Conservation wetlands will be identified on the Future Land Use Map to distinguish them from non-conservation wetlands. (Ordinance No. [98-09](#))

OBJECTIVE 1.6: NEW COMMUNITY. Designate on the Future Land Use Map areas which are suitable for the development of large-scale multi-use communities developed pursuant to an overall planned development. (Ordinance No. [18-06](#))

POLICY 1.6.1: New Community areas are lands that are capable of being planned and developed as a cohesive unit in order to better achieve conservation of important environmental resources and to initiate area wide surface water management. New Community land must be located such that the area is capable of being developed with a balance of residential and non-residential uses and that major impacts of the development are internalized and/or alleviated by infrastructure that is existing or will be funded privately. New Community areas will be developed as freestanding economic units and will not impose negative fiscal impacts on the county (other than those associated with the delay in placing property improvements on the tax rolls).

New Communities will not exceed a residential density of one unit per 2.5 gross acres (1 du/2.5 acres) except within the Gateway/Airport Planning Community, where residential densities of up to six dwelling units per gross acre (6 du/acre) may be permitted. Development within the New Community future land use category must have at least the following characteristics:

1. The land will be developed under a well-conceived overall planned development;
2. The land can be served with all necessary facilities and services at no expense to the county. Uniform Community Development Districts and special taxing districts may be utilized toward achieving this objective;
3. Population, recreation, open space, educational, office, and research facilities are distributed in an orderly and attractive manner;
4. The land must be developed in such a manner as to protect environmentally sensitive areas;
5. The land must be developed as a free-standing community offering a complete range of land uses (e.g. a full mix of housing types for a range of household incomes, industrial and office employment centers, and community facilities such as fire departments, schools, law enforcement offices, public recreational areas, health care facilities, and community commercial areas). The mix of land uses will be evaluated through buildout of the New Community to ensure developments include both residential and non-residential uses;⁹
6. Off-site impacts must be mitigated;
7. On-site levels of service must meet the county-wide standards contained in this plan;
8. The land area must exceed a minimum of 2,000 acres to ensure an appropriate balance of land uses; and
9. The land must be developed consistent with Goal 29 if located within the North Olga Community Plan area identified on Lee Plan Map 1, Page 2.

(Ordinance No. [00-22](#), [18-06](#), [18-18](#))

OBJECTIVE 1.7: SPECIAL TREATMENT AREAS. Designate on the Future Land Use Map, as overlays, special treatment areas that contain special restrictions or allowances in addition to all of the requirements of their underlying categories.

POLICY 1.7.1: The Airport Noise Zones cover areas subject to varying levels of airport-related noise. In conformance with Airport Noise Compatibility Planning outlined in Title 14 of the Code of Federal Regulations (CFR) Part 150, the Port Authority will update the aviation forecasts and associated noise contours for the Southwest Florida International Airport when warranted by operational changes and will initiate an amendment to the Airport Noise Zone Overlay to reflect the updates as applicable. In addition to meeting the requirements of the underlying Future Land Use Map categories, properties within the Airport Noise Zone Overlay must meet the following:

⁹ Planned developments in the New Community future land use category in the North Olga Community Plan area must have a minimum of 50,000 square feet of non-residential floor area under construction prior to construction of the 1,000th residential dwelling unit.

Zone A/Airport Property is limited to uses that are compatible with airports and air commerce, including but not limited to those necessary to provide services and convenience goods to airline passengers, those generally associated with airport operation, and related development. Upon disposition of any Port Authority property, the land is then subject to the Noise Zone as applicable based on the most recent Composite Day-Night Average Noise Level (DNL) Noise Contours map for Southwest Florida International Airport approved by the Federal Aviation Administration.

Zone B does not permit any residential units, places of worship, libraries, schools, hospitals, correctional institutions or nursing homes. However, residential units, including mobile or manufactured homes, that were lawfully existing as of June 27, 2000 will be treated as legally permitted uses and may be replaced with a new mobile or manufactured home or conventional single family construction as long as such replacement would be otherwise allowed by the Land Development Code. However, an existing conventional home may not be replaced with a new mobile or manufactured home. One conventional single family home is permitted on each lot in a plat properly recorded before June 27, 2000 if such use would have been permitted on the lot prior to June 27, 2000. Zone B requires formal notification as provided for in the Land Development Code.

Zone C and D allow existing and new construction and land uses as would otherwise be permitted by the Land Development Code. These zones require formal notification as provided for in the Land Development Code. (Ordinance No. [00-22](#), [02-02](#), [03-02](#), [16-16](#))

POLICY 1.7.2: The Development of Regional Impact overlay is an informational tool showing all of the Lee County property subject to development orders approved pursuant to Chapter 380 of the Florida Statutes. Development in these areas is regulated by the terms of the applicable development orders. (Ordinance No. [94-30](#))

POLICY 1.7.3: The Urban Reserve overlay indicates areas that are suitable for annexation into the adjoining municipality. Urban Reserve areas are initially established by interlocal agreement pursuant to Section 163.3171(1), F.S.

POLICY 1.7.4: Certain lands are designated as future urban areas because of special needs for the provision of Privately Funded Infrastructure. Development in these areas may occur in accordance with the provisions of Goal 3 and its subsequent objective and policies. (Ordinance No. [93-25](#))

POLICY 1.7.5: The Water-Dependent overlay zone designates shoreline areas where priority will be granted to water-dependent land uses. Specific requirements are detailed for such zones on San Carlos Island under Goal 32, in the Greater Pine Island area under Goal 24, and for other areas in Lee County in the Conservation and Coastal Management Element. (Ordinance No. [94-30](#), [00-22](#), [18-18](#))

POLICY 1.7.6: The Planning Communities Map and Acreage Allocation Table (see Map 16, Table 1(b), and Policies 1.1.1 and 2.2.2) depicts the proposed distribution, extent, and location of generalized land uses through the Plan's horizon. Acreage totals are provided for land in each Planning Community in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded. This policy will be implemented as follows:

1. For each Planning Community the county will maintain a parcel based database of existing land use. The database will be periodically updated at least twice every year, in September and March, for each Planning Community.

2. Project reviews for development orders must include a review of the capacity, in acres, that will be consumed by buildout of the development order. No development order, or extension of a development order, will be issued or approved if the acreage for a land use, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Table 1(b) regardless of other project approvals in that Planning Community.
 3. At each regularly-scheduled date for submission of the Lee Plan Evaluation and Appraisal Report, the county must conduct a comprehensive evaluation of Planning Community Map and the Acreage Allocation Table system, including but not limited to, the appropriateness of land use distribution, problems with administrative implementations, if any, and areas where the Planning Community Map and the Acreage Allocation Table system might be improved.
- (Ordinance No. [94-29](#), [98-09](#), [00-22](#), [07-13](#), [10-20](#), [19-13](#))

POLICY 1.7.7: The Public Acquisition overlay zone designates areas that have been targeted for public acquisition by federal, state, regional, and/or local agencies. This overlay does not restrict the use of the land in and of itself. It will be utilized for informational purposes since this map will represent a composite of public acquisition activities in the county. (Ordinance No. [91-19](#), [00-22](#))

POLICY 1.7.8: The Agricultural overlay (Map 20) shows existing active and passive agricultural operations in excess of 100 acres located outside of the future urban areas. Since these areas play a vital role in Lee County's economy, they should be protected from the impacts of new developments, and the county should not attempt to alter or curtail agricultural operations on them merely to satisfy the lifestyle expectations of non-urban residents. (Ordinance No. [94-30](#))

POLICY 1.7.9: The Historic Surface and Groundwater Levels overlay (Map 11) depicts the best available analysis of historic wet-season water depths and hydroperiods for Southeast Lee County as of March 2010. This depiction is based on detailed ecological analyses of 1953 aerial photography as described in the 2008 report, *Ecological Memorandum of the Density Reduction/Groundwater Resource Area*, by Kevin L. Erwin, Consulting Ecologist, Inc. For purposes of determining compliance with Policy 1.4.5, additional evidence as to historic water levels and hydroperiods may be submitted during the rezoning or development review processes as a basis for site-specific hydrological analysis for project design. (Ordinance No. [10-20](#), [14-10](#), [18-18](#))

POLICY 1.7.10: The Airport Mitigation Lands Overlay, depicted on Map 1, Page 4, identifies lands owned by Lee County that were acquired for the purpose of mitigating environmental impacts attributable to development of Port Authority properties. Activities performed in these areas must be in accordance with state and federal permitting agency requirements. This Overlay is intended solely as an informational tool designed to identify the location of the lands and the purpose for which the land was acquired. The Overlay does not restrict the use of the land in and of itself. Use of these lands will be determined by permit requirements. In all cases, the use of this land will be consistent with the underlying future land use category. (Ordinance No. [04-16](#), [14-10](#), [19-02](#))

POLICY 1.7.11: The Burnt Store Marina Village area provides for the redevelopment that enhances the existing character of the Burnt Store Marina project, protects natural resources, and provides continuing public access to the water via boat ramps and docks while managing the location and intensity of future commercial, residential and commercial marina uses by establishing realistic aesthetic requirements designed to allow Burnt Store Marina Village the ability to develop as a community center. The following uses are permitted within the Burnt Store Marina Village category; a maximum of 55,000 square feet of retail uses; a maximum of 1,325 wet and dry spaces; a maximum of 15,000 square feet of office space; a maximum of 145 hotel units; and a maximum of 160 residential units. (Ordinance No. [09-16](#), [14-10](#))

POLICY 1.7.12: The Southeast Density Reduction/Groundwater Resource overlay (Map 17) is described in Policies 33.3.1 through 33.3.4. This overlay affects only Southeast Lee County and identifies five types of land:

1. “Existing Acreage Subdivisions:” Existing rural residential subdivisions that should be protected from adverse external impacts such as natural resource extraction.
2. “Rural Golf Course Communities:” Potential locations for the concentration of development rights on property zoned Private Recreational Facilities Planned Development and located in the Southeast Density Reduction/Groundwater Resource area.
3. “Mixed-Use Communities:” Locations where this concentration of development rights from large contiguous tracts with the Density Reduction/Groundwater Resource area that can be supplemented by transfer of development rights from non-contiguous tracts in the Southeast Density Reduction/Groundwater Resource area. See Objective 33.3 and following policies.
4. “Improved Residential Communities:” Property with existing residential approvals that are inconsistent with the Southeast Density Reduction/Groundwater Resource area that could be improved environmentally.
5. “Environmental Enhancement and Preservation Communities:” Properties adjacent to Corkscrew and Alico Roads that have the potential to improve and restore important regional hydrological and wildlife connections.

(Ordinance No. [10-19](#), [12-24](#), [14-10](#), [15-13](#), [19-13](#))

GOAL 2: GROWTH MANAGEMENT. To provide for an economically feasible plan which coordinates the location and timing of new development with the provision of infrastructure by government agencies, private utilities, and other sources.

OBJECTIVE 2.1: DEVELOPMENT LOCATION. Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Ordinance No. [94-30](#), [00-22](#))

POLICY 2.1.1: Most residential, commercial, industrial, and public development is expected to occur within the designated future urban areas on the Future Land Use Map through the assignment of very low densities to the non-urban categories.

POLICY 2.1.2: New land uses will be permitted only if they are consistent with the Future Land Use Map and the goals, objectives, policies, and standards of this plan. (Ordinance No. [00-22](#))

POLICY 2.1.3: All land use categories and Planning Community Map areas permit the consideration of churches and schools (except in Wetlands and Airport Noise Zones), public uses and buildings, public utilities and resource recovery facilities, public recreational uses (including franchised quasi-commercial uses in conjunction with a public use), and sites for compatible public facilities when consistent with the goals, objectives, policies, and standards in this plan and applicable zoning and development regulations. (Ordinance No. [94-30](#), [98-09](#))

POLICY 2.1.4: Any facility licensed under Chapter 10A-5, FAC (e.g. an adult congregate living facility) will be deemed a residential use and limited to locations and densities appropriate for residences. (Ordinance No. [94-30](#), [00-22](#))

POLICY 2.1.5: Residential and commercial development proposals within the vicinity of existing or proposed commodity movement facilities must demonstrate land use compatibility with these uses during the rezoning process and propose mitigation measures for adverse impacts. (Ordinance No. [99-15](#), [19-02](#))

OBJECTIVE 2.2: DEVELOPMENT TIMING. Direct new growth to those portions of the future urban areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in Section 163.3164(7), F.S.) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, F.S. and the concurrency requirements in the Land Development Code. (Ordinance No. [94-30](#), [00-22](#), [17-19](#))

POLICY 2.2.1: Rezoning and Development of Regional Impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. (Ordinance No. [94-30](#), [00-22](#))

POLICY 2.2.2: Map 1 of the Future Land Use Map series indicates the uses and density ranges that will ultimately be permitted on a given parcel. However, it is not a guarantee that such densities or uses are immediately appropriate, as the map provides for the county's growth beyond the Lee Plan's planning horizon of 2030. During the rezoning process the Board of County Commissioners will balance the overall standards and policies of this plan with three additional factors:

1. Whether a given proposal would further burden already overwhelmed existing and committed public facilities such that the approval should be delayed until the facilities can be constructed; and
2. Whether a given proposal is for land so far beyond existing development or adequate public facilities that approval should be delayed in an effort to encourage compact and efficient growth patterns; and
3. Whether a given proposal would result in unreasonable development expectations that may not be achievable because of acreage limitations contained in the Acreage Allocation Table (see Policy 1.7.6, Map 16 and Table 1(b)). Additional provisions related to mining are provided in Policy 33.1.4.

In all cases where rezoning is approved, such approval does not constitute a determination that the minimum acceptable levels of service (see Policy 95.1.3) will be available concurrent with the impacts of the proposed development. Such a determination must be made prior to the issuance of additional development permits, based on conditions which exist at that time, as required by Lee County's concurrency management system. (Ordinance No. [94-30](#), [98-09](#), [10-20](#))

POLICY 2.2.3: When an area within the county is approaching the capacity of the necessary facilities as described above, requested rezonings to increase densities and intensities may be deferred or denied to give preference to existing vacant lots and other valid development approvals, provided that a constitutionally mandated reasonable use of land would still be permitted.

OBJECTIVE 2.3: RESERVED (Ordinance No. [17-19](#))

OBJECTIVE 2.4: FUTURE LAND USE MAP AMENDMENTS. To require formal findings for certain Future Land Use Map amendments. (Ordinance No. [18-05](#))

POLICY 2.4.1: All proposed changes to the Future Land Use Map in critical areas for future potable water supply (Lehigh Acres as described in Policy 54.1.9 and all land in the Density Reduction/Groundwater Resource land use category) will be subject to a special review by the staff of Lee County. This review will analyze the proposed land uses to determine the short-term and long-term availability of irrigation and domestic water sources, and will assess whether the proposed land uses would cause any significant impact on present or future water resources. If the Board of County Commissioners wishes to approve any such changes to the Future Land Use Map,

it must make a formal finding that no significant impacts on present or future water resources will result from the change. (Ordinance No. [92-47](#), [94-30](#), [00-22](#), [02-02](#), [14-10](#), [18-05](#))

POLICY 2.4.2: Future Land Use Map amendments to the existing DR/GR areas south of SR 82 east of I-75, excluding areas designated by the Port Authority as needed for airport expansion, which increase the current allowable density or intensity of land use will be discouraged by the county. It is Lee County's policy not to approve further urban designations there for the same reasons that supported its 1990 decision to establish this category. In addition to satisfying the requirements in 163 Part II Florida Statutes, the Strategic Regional Policy Plan, the State Comprehensive Plan, and all of the criteria in the Lee Plan, applicants seeking such an amendment must:

1. analyze the proposed allowable land uses to determine the availability of irrigation and domestic water sources; and,
2. identify potential irrigation and domestic water sources, consistent with the Regional Water Supply Plan. Since regional water suppliers cannot obtain permits consistent with the planning time frame of the Lee Plan, water sources do not have to be currently permitted and available, but they must be reasonably capable of being permitted; and,
3. present data and analysis that the proposed land uses will not cause any significant harm to present and future public water resources; and,
4. supply data and analysis specifically addressing urban sprawl.

During the transmittal and adoption process, the Board of County Commissioners must review the application for all these analytical requirements and make a finding that the amendment complies with all of them. (Ordinance No. [97-05](#), [16-01](#), [18-05](#))

POLICY 2.4.3: Lee Plan amendment applications to expand the Lee Plan's employment centers, which include light industrial, commercial retail and office land uses, will be evaluated by the Board of County Commissioners in light of the locations and cumulative totals already designated for such uses, including the 1994 addition of 1,400 acres to the Tradeport category just south of the Southwest Florida International Airport. (Ordinance No. [97-05](#), [00-22](#), [04-16](#), [18-05](#))

OBJECTIVE 2.5: ANNEXATION POLICY. The county will strive to negotiate interlocal agreements with the incorporated municipalities to resolve planning issues relating to areas outside the cities' limits which they would like to target for annexation. Urban Reserve boundaries adopted in such agreements will be designated on the Future Land Use Map (see Policies 1.7.3 and 152.1.4). (Ordinance No. [00-22](#))

OBJECTIVE 2.6: REDEVELOPMENT. Future redevelopment activities will be directed in appropriate areas, consistent with sound planning principles, the goals, objectives, and policies contained within this plan, and the desired community character. (Ordinance No. [00-22](#))

POLICY 2.6.1: Community redevelopment activities will be conducted by the Lee County Community Redevelopment Agency within approved redevelopment areas according to adopted redevelopment plans. (Ordinance No. [91-19](#), [00-22](#))

POLICY 2.6.2: Redevelopment activities will be comprehensive in approach and include the following components: study of incompatible land uses; correction of outdated zoning classifications; elimination of substandard or unsafe buildings; traffic circulation and parking; economic revitalization; protection of adjacent residential neighborhoods and historic and natural resources; signage; landscaping; urban design/master planning; and, affordable housing. (Ordinance No. [91-19](#), [00-22](#))

POLICY 2.6.3: Within the Charleston Park CRA residential, commercial and industrial uses which meet the needs of the low-income residents and which are suitable to the scale and location of the community and will be compatible with the residential character of the community and consistent with the adopted CRA plan will be permitted. (Ordinance No. [92-35](#), [94-30](#), [00-22](#), [07-12](#))

OBJECTIVE 2.7: HISTORIC RESOURCES. Historic resources will be identified and protected pursuant to the Historic Preservation element and the county's Historic Preservation Ordinance. (Ordinance No. [94-30](#), [00-22](#))

OBJECTIVE 2.8: COASTAL ISSUES. Development in coastal areas is subject to the additional requirements found in the Conservation and Coastal Management element of this plan, particularly those found under Goals 72, 73 and 101. (Ordinance No. [18-28](#)).

OBJECTIVE 2.9: SCENIC CORRIDORS. By 1995, formally consider the establishment of specialized design standards along specified arterial and collector roads. (Ordinance No. [94-30](#))

POLICY 2.9.1: The county will identify key road segments which, with specialized design and landscaping standards, could become scenic landmarks. These segments may be relatively undeveloped arterial or collector roads or may be older roads along which revitalization or historic preservation efforts would be appropriate. (Ordinance No. [00-22](#))

POLICY 2.9.2: A study will be conducted in cooperation with interested parties to identify and evaluate alternative design themes and land use patterns. The study will recommend specific incentives, development regulations, and funding sources to implement a scenic corridor program. (Ordinance No. [00-22](#))

OBJECTIVE 2.10: SCHOOL LOCATION. In order to ensure that public school locations are proximate to urban residential areas and are consistent with county growth policies proposals for new schools are subject to the objectives and policies contained under Goal 67. (Ordinance No. [99-15](#), [18-28](#))

OBJECTIVE 2.11: CARRYING CAPACITY. Understand the carrying capacity of the future land use map and integrate the concept into planning strategies. (Ordinance No. [07-16](#))

POLICY 2.11.1: During each Evaluation and Appraisal Report process, calculate an estimate of the carrying capacity information. (Ordinance No. [07-16](#))

POLICY 2.11.2: Utilizing carrying capacity information, determine the constraints to continual development as a quality of life characteristic. (Ordinance No. [07-16](#))

POLICY 2.11.3: Evaluate a general assessment (barometer of variables) that links the goal of (and) capacity of development (built environment) to environment (natural or green space). (Ordinance No. [07-16](#))

POLICY 2.11.4: Evaluate science based goals to assess what is necessary to maintain desired environmental factors (i.e. panthers extant, Estero Bay health, etc.). (Ordinance No. [07-16](#))

POLICY 2.11.5: Maintain a Master Mitigation Plan that will identify and map and update, through a science based process, those lands with the environmental science based opportunities for mitigation, remediation, or preservation. Promote such areas for such uses through county programs. (Ordinance No. [07-16](#))

GOAL 3: PRIVATELY FUNDED INFRASTRUCTURE. To assist in the provision of a full range of privately funded urban infrastructure in specified future urban areas which have existing or projected deficits in one or more essential services. (Ordinance No. [94-30](#))

OBJECTIVE 3.1: FUNDING MECHANISMS. The Future Land Use Map will include overlays designating specific geographic areas which are permitted urban-level densities and intensities because most necessary infrastructure will be provided through the creation of multifunction taxing and/or benefit districts, community development districts, direct developer provision, or an effective combination of similar financing mechanisms. (Ordinance No. [00-22](#))

POLICY 3.1.1: The county will establish taxing/benefit districts where appropriate for the designated areas in accordance with the provisions of general law. Such a district may be limited to specific types of infrastructure upon a formal finding by the Board of County Commissioners that more appropriate mechanisms have been identified to provide the remaining facilities and services; a district may also be limited to a geographic area smaller than the overlay zone upon a formal finding by the board that this reduction will not substantially increase infrastructure costs which must be paid by general county revenues. (Ordinance No. [00-22](#))

POLICY 3.1.2: With initial funds from each designated area or other source, an examination will be made (under direction of the county) of the infrastructure needs for that area. A detailed plan for the provision of needed facilities will then be prepared.

POLICY 3.1.3: The infrastructure to be provided through this program in each designated area may include any or all of the following facilities and services as appropriate: collector and arterial roads, surface water management (see Policy 60.2.2), water and sewer mains and treatment, fire and EMS service, parks, etc.

POLICY 3.1.4: A committee of landowners in each designated area may be established to provide input into this process.

POLICY 3.1.5: Where proposed development projects had been approved contingent upon the private provision of infrastructure that now will be provided through a different mechanism, the developer may apply through the zoning process to have such conditions modified or deleted.

POLICY 3.1.6: Rezoning to permit increased densities that are granted after the effective date of this policy (March 1, 1989) but before the district (or equivalent funding mechanism) has been established and an infrastructure plan has been prepared will be subject to a special requirement that further development orders will be granted only upon a clear showing that the development will not cause the mandatory levels of service in Policy 95.1.3 to be exceeded. The granting of a development order will not release the property owner from any obligations under the privately funded infrastructure overlay. This requirement will not apply if it would preclude the constitutionally mandated reasonable use of a parcel of land. (Ordinance No. [93-25](#), [00-22](#))

GOAL 4: GENERAL DEVELOPMENT STANDARDS. Pursue or maintain land development regulations which protect the public health, safety and welfare, encourage creative site designs and balance development with service availability and protection of natural resources. (Ordinance No. [94-30](#), [07-15](#), [17-13](#))

OBJECTIVE 4.1: WATER, SEWER, AND ENVIRONMENTAL STANDARDS. Consider water, sewer, and environmental standards during the rezoning process. Ensure the standards are met prior to issuing a local development order. (Ordinance No. [17-13](#))

STANDARD 4.1.1: WATER.

1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a “community” water system as that is defined by Chapter 62-550, FAC).
2. If the proposed development lies within the boundaries of a water utility's certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 6), then the development must be connected to that utility.
3. The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.
4. All waterline extensions to new development will be designed to provide minimum fire flows, as well as adequate domestic services as required by Chapter 62-555, FAC.
5. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 6), and the utility cannot provide the service or cannot provide the service except at a clearly unreasonable cost to the developer, the developer is encouraged to petition the appropriate regulatory agency to contract the service area so that the development may establish its own community water system or invite another adjacent utility to expand its service area in order to provide the required service.
6. If a development lies outside any service area as described above, the developer may:
 - request that the service area of Lee County Utilities or an adjacent water utility be extended to incorporate the property;
 - establish a community water system for the development; or
 - develop at an intensity that does not require a community water system.
7. Lee County Utilities may provide potable water service to properties not located within the future water service area when such potable water service is found to benefit public health, safety, and welfare, including protection of Lee County's natural resources.

(Ordinance No. [94-30](#), [00-22](#), [16-01](#), [17-13](#), [17-19](#))

STANDARD 4.1.2: SEWER.

1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.
2. If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 7), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within 1/4 mile from any part of the development.
3. If there is not sufficient capacity nor adequate infrastructure within 1/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service.
4. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 7), and the utility cannot provide the service, or cannot provide the service except at a clearly unreasonable cost to the developer,

the developer may establish on a temporary basis a self-provided sanitary sewer facility for the development, to be abated when the utility extends service to the site. The developer may also petition the appropriate regulatory agency to contract the service area of the utility in order that another utility may be invited to provide the service.

5. If a development lies outside any service area as described above, the developer may:
 - request that the service area of Lee County Utilities or an adjacent sewer utility be expanded to incorporate the property;
 - establish a self-provided sanitary sewer system for the development;
 - develop at an intensity that does not require sanitary sewer service; or
 - if no more than 5000 gallons of effluent per day per parcel is produced, an individual sewage disposal system per Chapter 64E-6, FAC may be utilized, contingent on approval by all relevant authorities.
6. Lee County Utilities may provide sanitary sewer service to properties not located within the future sewer service area when such sanitary sewer service is found to benefit public health, safety, and welfare, including protection of Lee County's natural resources.
(Ordinance No. [94-30](#), [00-22](#), [16-01](#), [17-13](#), [17-19](#))

STANDARD 4.1.3: REUSE.

1. Any development that requires a development order, on a property that is adjacent to public reuse infrastructure with sufficient capacity, must connect to the reuse system for irrigation needs.
2. Any new development that, at build-out, has an anticipated irrigation demand of 50,000 gallons per day, or more, using the Blaney-Criddle method, must connect to a public reuse system for irrigation needs when sufficient capacity and adequate infrastructure is within 1/4 mile from any part of the development.
3. If there is not sufficient capacity or adequate infrastructure within 1/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service.
4. If a development has been rejected for reuse service, the proposed source of irrigation water must be identified consistent with Policy 61.1.6.

(Ordinance No. [17-19](#))

STANDARD 4.1.4: ENVIRONMENTAL FACTORS.

1. In any case where there exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, South Florida Water Management District, or other applicable regulatory agency), the developer/applicant must prepare an environmental assessment that examines the existing conditions, addresses existing or anticipated environmental problems, and proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources.
2. Ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site.
3. Ensure development minimizes the need for expansion and construction of street and utility improvements.

(Ordinance No. [94-30](#), [91-19](#), [00-22](#), [17-13](#), [17-19](#))

GOAL 5: RESIDENTIAL LAND USES. To provide sufficient land in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County in the year 2030 in attractive and safe neighborhoods with a variety of price ranges and housing types. (Ordinance No. [94-30](#), [07-12](#))

OBJECTIVE 5.1: All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan. (Ordinance No. [94-30](#), [00-22](#))

POLICY 5.1.1: Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as planned residential developments. (Ordinance No. [00-22](#))

POLICY 5.1.2: Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.

POLICY 5.1.3: During the rezoning process, direct high-density residential developments to locations that are near employment and shopping centers; are close to parks and schools; and are accessible to mass transit and bicycle facilities. (Ordinance No. [94-30](#))

POLICY 5.1.4: Prohibit residential development in all Industrial Development areas and Airport Noise Zone B as indicated on the Future Land Use Map, except for residences in the Industrial Development area for a caretaker or security guard. (Ordinance No. [94-30](#), [03-02](#), [18-05](#))

POLICY 5.1.5: 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 Chapter 10 of the Land Development Code 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 Land Development Code will continue to require appropriate buffers for new developments. (Ordinance No. [94-30](#), [99-15](#), [00-22](#))

POLICY 5.1.6: Maintain development regulations that require high-density, multi-family, cluster, and mixed use developments to have open space, buffering, landscaping, and recreation areas appropriate to their density and design. (Ordinance No. [94-30](#))

POLICY 5.1.7: Maintain development regulations that require that community facilities (such as park, recreational, and open space areas) in residential developments are functionally related to all dwelling units and easily accessible via pedestrian and bicycle pathways. These pathways must be interconnected with adjoining developments and public pathways whenever possible. Townhouses, condominiums, apartments, and other types of multi-family residential development must have directly accessible common open space. (Ordinance No. [94-30](#), [00-22](#))

POLICY 5.1.8: Provide for adequate locations of low- and moderate-income housing through the rezoning process, the provision of public facilities and services, and the elimination of unnecessary administrative and legal barriers.

POLICY 5.1.9: A single-family home may be constructed on a bona fide previously subdivided lot regardless of the maximum densities specified in Table 1(a) if such lot complies with the specific rules in Chapter XIII of this plan. (Ordinance No. [07-12](#))

POLICY 5.1.10: In those instances where land under single ownership is divided into two or more land use categories by the adoption or revision of the Future Land Use Map, the allowable density under this Plan will be the sum of the allowable densities for each land use category for each portion of the land. This density can be allocated across the property provided that:

- a. The planned development zoning is utilized; and
- b. No density is allocated to lands designated as non-urban or Environmentally Critical that would cause the density to exceed that allowed on such areas; and
- c. The land was under single ownership at the time this policy was adopted and is contiguous; in situations where land under single ownership is divided by roadways, railroads, streams (including secondary riparian systems and streams but excluding primary riparian systems and major flow ways such as the Caloosahatchee River and Six Mile Cypress Slough), or other similar barriers, the land will be deemed contiguous for purposes of this policy; and
- d. The resultant planned development affords further protection to environmentally sensitive lands if they exist on the property.

(Ordinance No. [92-35](#), [00-22](#), [07-12](#))

OBJECTIVE 5.2: REDEVELOPMENT OF EXISTING MULTI-FAMILY RESIDENTIAL DEVELOPMENT. To incentivize and promote cost effective and timely redevelopment of multi-family developments that were approved and developed prior to the adoption of the 1984 Lee Plan, in excess of the standard density range for their current Future Land Use Category. (Ordinance No. [10-08](#))

POLICY 5.2.1: Over-density multi-family residential developments that lawfully achieved their density prior to the effective date of the Lee Plan (December 21, 1984), may be permitted to redevelop at their existing density. Over-density multi-family redevelopments will be considered on a case by case basis to determine the approval process to be followed to achieve redevelopment. (Ordinance No. [10-08](#))

POLICY 5.2.2: When rezoning is required, the planned development zoning process must be utilized to prevent and mitigate adverse impacts to the surrounding areas and to ensure that appropriate site development regulations are incorporated into the development plans. (Ordinance No. [10-08](#))

POLICY 5.2.3: In order to establish the: existing structures; number of dwelling units; floor area; existing water management systems and outfalls; and, impervious area on the subject property, all proposals for over-density multi-family redevelopment must provide the county with full documentation verifying this information and establishing development was lawful when initially constructed. The documentation must include two site plans. One depicting existing development and another depicting the proposed plan of redevelopment. This information must be provided at a pre-application meeting with county staff. (Ordinance No. [10-08](#))

POLICY 5.2.4: The site design of the proposed development must be compatible with surrounding land uses to the maximum extent possible. (Ordinance No. [10-08](#))

POLICY 5.2.5: All wet retention and dry retention areas must be planted with appropriate native trees and herbaceous plant species. (Ordinance No. [10-08](#))

POLICY 5.2.6: For sites located within the Coastal High Hazard Area, proposed redevelopment must:

1. Have sufficient elevation to address a storm surge from a land falling category 5 hurricane;
2. Be constructed to withstand winds of 200 mph in accordance with the Florida Building Code;
3. Utilize impact protection for all exterior openings in accordance with the Florida Building Code;
4. Be equipped with emergency power and potable water supplies to last up to five days;
5. Be protected with adequate ventilation, sanitary facilities, and first aid medical equipment; and,
6. Be designed to minimize light pollution, sky glow and light trespass beyond the property lines by using appropriate light fixtures and other light management techniques to reduce the impact on wildlife such as sea turtles and migrating birds. Techniques may include:
 - a. Utilizing fully shielded, full cut off luminaries; down style canisters with interior baffles on the balconies; pole lights less than 15 feet in height; bollard type fixtures with louvers; and other techniques acceptable to the Division of Environmental Sciences.
 - b. Up-lighting is prohibited. Mercury vapor and metal halide lamps are also prohibited.
 - c. Glass windows and doors must be treated to achieve an industry-approved, inside-to-outside light transmittance value of 45% or less.

(Ordinance No. [10-08](#))

GOAL 6: COMMERCIAL LAND USES. To permit orderly and well-planned commercial development at appropriate locations within the county. (Ordinance No. [94-30](#))

OBJECTIVE 6.1: Development approvals for commercial land uses must be consistent with the following policies, the general standards under Goal 4 and other provisions of this plan. (Ordinance No. [94-30](#), [11-18](#))

POLICY 6.1.1: All applications for commercial development will be reviewed and evaluated as to:

- a. Traffic and access impacts (rezoning and development orders);
- b. Landscaping and detailed site planning (development orders);
- c. Screening and buffering (planned development rezoning and development orders);
- d. Availability and adequacy of services and facilities (rezoning and development orders);
- e. Impact on adjacent land uses and surrounding neighborhoods (rezoning);
- f. Proximity to other similar centers (rezoning); and
- g. Environmental considerations (rezoning and development orders).

(Ordinance No. [00-22](#))

POLICY 6.1.2: Commercial development in non-urban future land use categories is limited to Minor Commercial except that:

- Neighborhood Commercial uses serving the Lee County Civic Center are permitted within one quarter mile of SR31 between North River Road and the Caloosahatchee River in the North Olga Community Planning Area and may be expanded to Community Commercial when approved as part of a planned development that is located at the intersection of two arterial roadways and has direct access to, or the ability to extend, existing water and sanitary sewer utilities.
- Neighborhood Commercial uses are permitted in the Southeast Lee County Planning Community as provided for in Objectives 13.3 and 33.3.

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 roads. 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. (Ordinance No. [93-25](#), [94-30](#), [98-09](#), [99-15](#), , [99-18](#), [00-22](#), [02-02](#), [03-02](#), [10-05](#), [10-16](#), [10-19](#), [10-40](#), [11-18](#), [16-07](#), [17-13](#), [19-25](#), [20-06](#))

POLICY 6.1.3: Commercial developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as commercial planned developments designed to arrange uses in an integrated and cohesive unit in order to:

- provide visual harmony and screening;
- reduce dependence on the automobile;
- promote pedestrian movement within the development;
- utilize joint parking, access and loading facilities;
- avoid negative impacts on surrounding land uses and traffic circulation;
- protect natural resources; and,
- provide necessary services and facilities where they are inadequate to serve the proposed use. (Ordinance No. [94-30](#), [00-22](#))

POLICY 6.1.4: Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities. (Ordinance No. [94-30](#), [00-22](#))

POLICY 6.1.5: The land development regulations will require that commercial development be designed to protect the traffic-carrying capacity of roads and streets. Methods to achieve this include, but are not limited to: frontage roads; clustering of activities; limiting access; sharing access; setbacks from existing rights-of-way; acceleration, deceleration and right-turn-only lanes; and, signalization and intersection improvements. (Ordinance No. [94-30](#), [00-22](#))

POLICY 6.1.6: The land development regulations will require that commercial development provide adequate and appropriate landscaping, open space, and buffering. Such development is encouraged to be architecturally designed so as to enhance the appearance of structures and parking areas and blend with the character of existing or planned surrounding land uses.

POLICY 6.1.7: Prohibit commercial developments from locating in such a way as to open new areas to premature, scattered, or strip development; but permit commercial development to infill on small parcels in areas where existing commercial development would make a residential use clearly unreasonable.

POLICY 6.1.8: Prohibit commercial development from locating near existing or planned school areas in such a way as to jeopardize the safety of students. (Ordinance No. [00-22](#), [17-13](#))

POLICY 6.1.9: The approval or existence of commercial development on one corner of an intersection will not dictate the development of all corners for commercial development, nor does the existence of commercial development on an arterial or collector road dictate that all frontage must be similarly used. (Ordinance No. [00-22](#), [17-13](#))

POLICY 6.1.10: Provide appropriate requirements and incentives for the conversion of strip commercial development into series of discrete, concentrated commercial areas. (Ordinance No. [94-30](#), [07-12](#), [17-13](#))

POLICY 6.1.11: Encourage the upgrading or revitalization of deteriorating commercial areas (consistent with approved CRA plans, where applicable), but prohibit the expansion or replacement

of commercial uses which are inappropriately located or that have an adverse impact on surrounding residential and non-residential uses. Such revitalization includes, but is not limited to: store-front renewal, sign control, and the provision of common parking areas and consolidated access. (Ordinance No. [94-30](#), [17-13](#))

GOAL 7: INDUSTRIAL LAND USES. To promote opportunities for well-planned industrial development at suitable locations within the county.

OBJECTIVE 7.1: All development approvals for industrial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan. (Ordinance No. [94-30](#))

POLICY 7.1.1: In addition to the standards required herein, the following factors apply to industrial rezoning and development order applications:

1. The development must comply with local, state, and federal air, water, and noise pollution standards.
2. When located next to residential areas, industry must not generate noise levels incompatible with the residential development.
3. Bulk storage or production of toxic, explosive, or hazardous materials will not be permitted near residential areas.
4. Contamination of ground or surface water will not be permitted.
5. Applications for industrial development will be reviewed and evaluated as to:
 - a. air emissions (rezoning and development orders);
 - b. impact and effect on environmental and natural resources (rezoning and development orders);
 - c. effect on neighbors and surrounding land use (rezoning);
 - d. impacts on water quality and water needs (rezoning and development orders);
 - e. drainage system (development orders);
 - f. employment characteristics (rezoning);
 - g. fire and safety (rezoning and development orders);
 - h. noise and odor (rezoning and development orders);
 - i. buffering and screening, except properties within the Industrial Development future land use category adjacent to lands redesignated to the Urban Community future land use category by Ordinance 16-17 will retain their development potential and land development regulations (including buffers and setbacks) consistent with the requirements previous to the redesignation, as though the redesignated lands are non-residential in use (planned development rezoning and development orders);
 - j. impacts on transportation facilities and access points (rezoning and development orders);
 - k. access to rail, major thoroughfares, air, and, if applicable, water (rezoning and development orders);
 - l. utility needs (rezoning and development orders); and
 - m. sewage collection and treatment (rezoning and development orders).

(Ordinance No. [00-22](#), [16-17](#))

POLICY 7.1.2: Industrial developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as Planned Developments designed to arrange uses as an integrated and cohesive unit in order to:

1. promote compatibility and screening;
2. reduce dependence on the automobile;
3. promote pedestrian movement within the development;
4. utilize joint parking, access and loading facilities;
5. avoid negative impacts on surrounding land uses and traffic circulation;

6. protect natural resources; and
7. provide necessary facilities and services where they are inadequate to serve the proposed use. (Ordinance No. [94-30](#), [98-09](#), [00-22](#))

POLICY 7.1.3: Industrial land uses must be located in areas appropriate to their special needs and constraints, including, but not limited to, considerations of: topography; choice and flexibility in site selection; access by truck, air, deep water, and rail; commuter access from home-to-work trips; and utilities; greenbelt and other amenities; air and water quality considerations; proximity to supportive and related land uses; and compatibility with neighboring uses. (Ordinance No. [93-25](#), [94-30](#), [00-22](#))

POLICY 7.1.4: The Future Land Use Map must designate a sufficient quantity of land to accommodate the minimum allocated land area found in Policy 1.7.6 and related Table 1(b), where appropriate. Lee County will monitor the progress of development and the number of acres converted to industrial use as part of every Evaluation and Appraisal Report (EAR). This acreage may be adjusted to accommodate increases in the allocations. (Ordinance No. [93-25](#), [94-30](#), [00-22](#), [09-06](#))

POLICY 7.1.5: The timing and location of industrial development will be permitted only with the availability and adequacy of existing or planned services and facilities. (Ordinance No. [00-22](#))

POLICY 7.1.6: Land that is located outside of the Industrial Development, Tradeport, and Industrial Interchange areas but within the designated future urban areas may be developed for light industrial purposes so long as adequate services and facilities are available, the use will not adversely impact surrounding land uses, and natural resources are protected, if one of the following conditions is met:

- a. The parcel is located in the Intensive Development, Central Urban, or Urban Community land use categories, was zoned IL or IG prior to the adoption of the 1984 Lee Plan, and does not exceed 50 acres in size (unless it is adjacent to other existing or designated industrial lands); or
- b. The parcel is located in the Intensive Development, Central Urban, Urban Community, General Interchange, Industrial Commercial Interchange, or University Village Interchange land use categories, and is zoned as a Planned Development.

(Ordinance No. [94-30](#), [98-09](#), [99-18](#), [04-16](#))

POLICY 7.1.7: Permit agriculturally-related industrial uses that directly serve the rural and agricultural community in areas indicated on the Future Land Use Map as Rural or Open Lands, provided they have adequate fire protection, transportation, and wastewater treatment and water supply, and have no adverse effect on surrounding land uses and natural resources. These determinations will be made during the rezoning process. (Ordinance No. [94-30](#), [00-22](#))

POLICY 7.1.8: Land development regulations will require that industrial uses be adequately buffered and screened from adjacent existing or proposed residential areas so as to prevent visual blight and noise pollution. (Ordinance No. [00-22](#))

POLICY 7.1.9: Industrial development will not be permitted if it allows industrial traffic to travel through predominantly residential areas. (Ordinance No. [00-22](#))

POLICY 7.1.10: All county actions relating to industrial land uses must be consistent with the goals, objectives, and policies of the Economic element of this Plan. (Ordinance No. [94-30](#), [00-22](#))

GOAL 8: MARINE-ORIENTED LAND USES. To designate prime locations for marine-oriented land uses and protect them from incompatible or pre-emptive land uses.

OBJECTIVE 8.1: Existing marinas, fish houses, and port facilities indicated on the Future Land Use Map as having water-dependent overlay zones will be reclassified by the county to commercial and industrial marine zoning categories to protect their rights to rebuild and expand and to prevent their conversion to non-water-dependent uses without a public hearing(See Map 12).(Ordinance No. [94-30](#), [00-22](#))

OBJECTIVE 8.2: All development approvals for marine-oriented land uses must also comply with requirements in the Ports, Aviation and Related Facilities sub-element, Objective 128.5: Marine Facilities Siting Criteria, and Objective 128.6: Marina Design Criteria. (Ordinance No. [94-30](#), [00-22](#), [07-09](#))

GOAL 9: AGRICULTURAL LAND USES. To protect existing and potential agricultural lands from the encroachment of incompatible land uses and to discourage the introduction or expansion of agricultural uses in the future urban areas. (Ordinance No. [00-22](#))

OBJECTIVE 9.1: Place existing active and passive agricultural uses, that are zoned AG, have an agricultural exemption from the property appraiser's office, and are located outside of areas anticipated for urban use during the life of the plan on an agricultural overlay. Non-contiguous parcels less than 100 acres in size will not be included on this Overlay. A bi-annual review of this map will be conducted to track changes in the inventory of agriculturally used land in the non-urban areas of Lee County. (Ordinance No. [94-30](#), [03-04](#))

POLICY 9.1.1: In accordance with F.S. 187.201(23)(b)1, nothing in this plan will be construed to permanently prohibit the conversion of agricultural uses to other land uses. (Ordinance No. [94-30](#), [00-22](#))

POLICY 9.1.2: Encourage the utilization of energy, water, and soil conservation management practices in agricultural activities. (Ordinance No. [10-19](#))

POLICY 9.1.3: Continue to encourage agricultural operations to meet adopted water quality and surface water management standards by providing advisory water management plans through the Lee Soil and Water Conservation District. (Ordinance No. [94-30](#))

POLICY 9.1.4: Protect bonafide agricultural activities in Future Non-Urban Areas (see Map 20) from the impacts of new natural resource extraction operations, recreational uses, and residential developments. (Ordinance No. [94-30](#), [02-02](#), [10-20](#), [19-13](#))

POLICY 9.1.5: Continue to update and analyze agricultural land use data. (Ordinance No. [94-30](#), [07-12](#))

POLICY 9.1.6: Lee County will work with a private agricultural advisory committee, agricultural operators, and landowners to establish incentives to encourage the continuation of existing agricultural operations and improvements to existing agricultural operations as needed to store and treat water and improve ecological values. The county will investigate the feasibility of a Transfer of Development Rights (TDR) bank for agricultural property by 2012. (Ordinance No. [94-30](#), [00-22](#), [07-12](#), [10-19](#))

OBJECTIVE 9.2: To prevent the location of agricultural uses proximate to incompatible urban uses and to promote the efficient use of existing and programmed urban infrastructure, new agricultural uses should be directed away from future urban areas. (Ordinance No. [00-22](#))

POLICY 9.2.1: Rezoning of land to agricultural zoning districts is prohibited in those areas designated by the Lee Plan as future urban areas, with the exception of those areas designated as Sub-Outlying Suburban, Outlying Suburban, or Suburban where parcels five acres or larger may request rezoning to an agricultural zoning district. These requests will be reviewed on a case by case basis. Approval will be based on:

- a. current and future availability of urban infrastructure;
- b. compatibility of the existing and future land uses;
- c. acreage of rezoning request;
- d. cumulative effect on county tax base;
- e. Suburban and Sub-Outlying Suburban lands must be located within the Pine Island and Caloosahatchee Shores Planning Communities; and,
- f. evaluation of how environmental features, including but not limited to flow-ways, protected species, and habitat, will be protected or mitigated.

(Ordinance No. [00-22](#), [14-01](#))

GOAL 10: NATURAL RESOURCE EXTRACTION. To protect areas containing commercially valuable natural resources from incompatible urban development while ensuring natural resource extraction operations minimize or eliminate adverse effects on surrounding land uses and on other natural resources. (Ordinance No. [02-02](#), [10-20](#), [19-13](#))

OBJECTIVE 10.1: Minimize or eliminate adverse effects of natural resource extraction operations through efficient use of land, natural resources, and reclamation. (Ordinance No. [10-20](#), [19-13](#))

POLICY 10.1.1: Limit the depth of mining excavations in order to prevent any breach of an aquaclude or confining layer. (Ordinance No. [10-20](#), [19-13](#))

POLICY 10.1.2: Encourage the sale of overburden from approved limerock mines. (Ordinance No. [10-20](#), [19-13](#))

POLICY 10.1.3: Supplement limerock supply by encouraging public and private entities to recycle asphalt and concrete materials. (Ordinance No. [19-13](#))

POLICY 10.1.4: Fill dirt operations and ancillary uses may be permitted in areas indicated on the Future Land Use Map as Rural, Coastal Rural, Open Lands, and Density Reduction/Groundwater Resource provided there is adequate fire protection, transportation facilities, wastewater treatment and water supply, and compatibility with surrounding land uses and natural resources. (Ordinance No. [94-30](#), [00-22](#), [02-02](#), [10-20](#), [19-13](#))

POLICY 10.1.5: Encourage a collaborative effort between public and private entities to maximize the potential of reclaimed mining pits for enhancing wildlife habitat values, minimizing or repairing long-term impacts to adjoining natural systems, providing for human recreation, education, and other appropriate uses, and/or strengthening community environmental benefits. (Ordinance No. [99-15](#), [02-02](#), [10-20](#), [19-13](#))

POLICY 10.1.6: Maintain land development regulations to minimize or eliminate adverse effects of natural resource extraction operations. (Ordinance No. [19-13](#))

POLICY 10.1.7: Wetland impacts that were approved through a rezoning, as a result of being identified on the Future Limerock Mining Overlay, prior to the adoption of Ord. 19-13 or approved through a MEPD rezoning application that was found sufficient prior to adoption of Ord. 19-13, will be deemed consistent with current Lee Plan wetland provisions. (Ordinance No. [19-13](#))

OBJECTIVE 10.2: Ensure new and expanded natural resource extraction operations are compatible with the environment and surrounding land uses through requirements for monitoring, reclamation, water supply planning, surface and groundwater management, wetland protection, and wildlife conservation. Consider the cumulative and watershed-wide impacts of natural resource extraction operations, not just the direct impacts of each individual mine in isolation. (Ordinance No. [10-20](#), [19-13](#))

POLICY 10.2.1: Natural resource extraction operations must provide a monitoring system to measure surface and groundwater levels and quality to assess any degradation of surface and groundwater resources. Particular attention will be given to potential travel time to wellfields and residential wells. Mining applications are strongly encouraged to include a minimum of three years baseline monitoring and assessments of the likely change in flow, timing of travel, and direction of surface and groundwater systems on-site and in the impacted area. (Ordinance No. [02-02](#), [10-20](#))

POLICY 10.2.2: Applications for natural resource extraction permits for new or expanding areas must include an environmental assessment. The assessment will include (but not be limited to) consideration of air emissions, impact on environmental and natural resources, effect on nearby land uses, degradation of water quality, water budget, drainage, fire and safety, noise, odor, visual impacts, transportation including access roads, sewage disposal, and solid waste disposal. Assessments will also include:

1. Potential impacts on the aquatic ecology and water quality of mining pits that will result from mining pit design.
2. Likely post-mining impacts such as runoff or surface and groundwater flow on land uses surrounding the site.
3. Consideration of the primary and secondary impacts at the local and watershed levels.

(Ordinance No. [00-22](#), [02-02](#), [10-20](#), [19-13](#))

POLICY 10.2.3: All proposed uses of any new or existing natural resource extraction operation must be evaluated at the time the property is rezoned. Site plans should be designed to incorporate proposed uses, including open space, and to ensure the protection of surface and ground water resources, wildlife, and native plant communities. Uses may be added to an approved zoning through the appropriate planned development zoning review process. (Ordinance No. [10-20](#), [19-13](#))

POLICY 10.2.4: Other limitations on mining pit size, setbacks, and depths will be determined on a case-by-case basis depending on existing neighboring uses, specific hydrogeologic conditions, wetlands and watershed protection, wildlife conservation, and transportation routes including anticipated traffic to and from the mine. (Ordinance No. [10-20](#))

POLICY 10.2.5: Areas that are designated as preserve areas (e.g., buffers, indigenous preservation, and reclaimed littoral shelves) during the mining rezoning process must be protected by the execution of perpetual conservation easements so that these areas will be maintained during mine operation and in perpetuity regardless of future land uses. A timetable for all environmental remediation including the construction of buffers and reclamation of littoral shelves must be included as part of the mine rezoning application. Lee County must be named in the easement as a grantee with the power and authority, but not obligation, to enforce the terms of the easement. An entity, other than Lee County, should be identified and obligated to maintain the easement in perpetuity. However, Lee County may agree to be primarily responsible for maintenance. (Ordinance No. [10-20](#))

POLICY 10.2.6: The Land Development Code will establish the contents and frequency of monitoring reports from authorized mines. These reports may include surface and groundwater

monitoring of water quality and quantity, the areas under active mining, the depths being mined, the quantity and type of mined materials, estimated reserves left for mining, and the annual volume, direction, and destination of the material being transported. Reporting will include the active mining and processing area; the areas where reclamation has been completed; and the areas where invasive exotic removal is underway or completed. (Ordinance No. [10-20](#))

POLICY 10.2.7: Zoning or development order approvals may require that significant adverse impacts identified during mining or post-mining will be subject to adaptive resource management acceptable to Natural Resources whereby corrective measures can be guaranteed through conditions on the next phase's approval. (Ordinance No. [10-20](#))

POLICY 10.2.8: Natural resource extraction permits for new or expanding sites, or for future use of such sites are required to submit a reclamation plan that provides assurance of implementation. Reclamation plans in or near important surface and groundwater resource areas must be designed to minimize the possibility of contamination of the surface and groundwater during mining and after completion of the reclamation. (Ordinance No. [00-22](#), [02-02](#), [10-20](#), [19-13](#))

POLICY 10.2.9: As part of the MEPD rezoning application, a public informational meeting which meets the requirements of Policy 17.3.4 must be held prior to the submittal of the rezoning application and within three miles of the boundary of the affected Community Plan Area. (Ordinance No. [19-13](#))

GOAL 11: MIXED USE. Encourage mixed use developments that integrate multiple land uses, public amenities and utilities at various scales and intensities in order to provide: diversified land development; a variety of housing types; greater connectivity between housing, workplaces, retail businesses, and other destinations; reduced trip lengths; more transportation options; and pedestrian and bicycle-friendly environments. (Ordinance No. [17-13](#))

OBJECTIVE 11.1: MIXED USE DEVELOPMENT. Allow and encourage mixed use development within certain future land use categories and at appropriate locations where sufficient infrastructure exists to support development. (Ordinance No. [17-13](#))

POLICY 11.1.1: Developments located within the Intensive Development, Central Urban, or Urban Community future land use categories that have existing connectivity or can demonstrate that connectivity may be created to adjacent neighborhoods are strongly encouraged to be developed with two or more of the following uses: residential, commercial (including office), and light industrial (including research and development use). (Ordinance No. [17-13](#))

POLICY 11.1.2: Residential densities may be calculated from the entire project area when the development is consistent with the following:

- At least three uses are proposed and must include residential, commercial (including office) and light industrial (including research and development use).
- The development is located in the Intensive Development, Central Urban, or Urban Community future land use categories.

(Ordinance No. [09-06](#), [17-13](#))

OBJECTIVE 11.2: MIXED USE OVERLAY. The county will maintain an overlay in the future land use map series identifying locations appropriate for mixed use located in proximity to: public transit routes; education facilities; recreation opportunities; and, existing residential, shopping and employment centers. Mixed Use, Traditional Neighborhood, and Transit Oriented development patterns are encouraged and preferred within the Mixed Use Overlay. (Ordinance No. [07-15](#), [17-13](#))

POLICY 11.2.1: The Mixed Use Overlay identifies locations where mixed use development will have a positive impact on transportation facilities through increased transit service, internal trip capture, and reduced travel distance. Requests to expand the Mixed Use Overlay will be evaluated based on all of the following criteria:

1. Located within the extended pedestrian shed of established transit routes; and,
2. Distinct pedestrian and automobile connections to adjacent uses can be achieved without accessing arterial roadways; and,
3. Located within the Intensive Development, Central Urban, or Urban Community future land use categories;
4. Availability of adequate public facilities and infrastructure; and
5. Will not intrude into predominately single-family residential neighborhoods.

(Ordinance No. [07-15](#), [17-13](#))

POLICY 11.2.2: Development in the Mixed Use Overlay should accommodate connections to adjacent uses. (Ordinance No. [07-15](#), [17-13](#))

POLICY 11.2.3: At the discretion of the Board of County Commissioners, the Mixed Use Overlay boundary may be extended up to one-quarter mile to accommodate developments located partially within a Mixed Use Overlay or immediately adjacent to a Mixed Use Overlay. (Ordinance No. [07-15](#), [17-13](#))

POLICY 11.2.4: Use of conventional zoning districts will be encouraged within the Mixed Use Overlay in order to promote continued redevelopment. (Ordinance No. [17-13](#))

POLICY 11.2.5: Lee County will maintain land development regulations for properties within the Mixed Use Overlay that allow for urban forms of development and a variety of uses. (Ordinance No. [17-13](#))

POLICY 11.2.6: Properties in a Mixed Use Overlay are encouraged to utilize bonus density. Projects utilizing Greater Pine Island TDUs are eligible for increased maximum densities and additional development incentives as set forth in this plan to encourage a compact and functional development pattern. (Ordinance No. [07-15](#), [16-07](#), [17-13](#))

POLICY 11.2.7: Development, redevelopment, and infill development located within the Mixed Use Overlay may use the area of non-residential uses in their density calculations. (Ordinance No. [07-15](#), [17-13](#))

GOAL 12: DESTINATION RESORT MIXED USE WATER DEPENDENT (DRMUWD). To establish a land-use category that considers the uniqueness of water dependent land, with existing antiquated zoning, and outdated uses that will provide a mechanism to create an attractive, functioning mixed use destination resort through well planned redevelopment. (Ordinance No. [09-15](#), [18-18](#))

OBJECTIVE 12.1: To ensure that DRMUWD categories are located in the most appropriate areas. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.1.1: These areas can best be characterized by their proximity to the water and need for redevelopment due to changes in the market and outdated development patterns. By virtue of their proximity to navigable water and availability of public services, these locations are suited to accommodate a mixture of uses that range between residential, resort, commercial and industrial type activities that benefit from access to the water front. As Lee County moves toward being a larger metropolitan area and a world class destination, these types of developments can offer a diverse living, working and vacationing experience that benefit the entire area while being

environmentally friendly and economically viable. The density ranges from 6 dwelling units per acre to 9.36 dwelling units per acre. Residential densities in developments that include commercial and residential uses in the same project or same building may be developed as provided for under the Glossary terms: “Mixed Use,” “Mixed Use Building,” and “Density.” (Ordinance No. [09-15, 18-18](#))

POLICY 12.1.2: DRMUWD location criteria:

1. Areas characterized by predominantly outdated RV type living facilities meant for temporary habitation without individual type land ownership and depressed/underutilized water dependent waterfronts.
2. Located in Areas characterized as predominantly impacted by a declining water dependent industry like commercial fishing or other and with a minimum of 8 acres of contiguous lands under unified control.
3. Areas within coastal wind zones depicted as 100 Year Flood Plains, as illustrated on Map 9.
4. Areas with direct access to existing roadways and navigable bodies of water.
5. Areas with multiple zoning districts that may not be compatible with each other.

(Ordinance No. [09-15, 18-18](#))

POLICY 12.1.3: DRMUWD land use category will only be allowed, subject to the other requirements of these Goals, and in the areas as defined by the location criteria. (Ordinance No. [09-15, 18-18](#))

OBJECTIVE 12.2: GROWTH MANAGEMENT. DRMUWD land use category must be consistent with the growth management principles and practices provided in the following policies. (Ordinance No. [09-15, 18-18](#))

POLICY 12.2.1: All new development in this land use category must be reviewed and rezoned as a planned development. (Ordinance No. [09-15, 18-18](#))

POLICY 12.2.2: DRMUWD land use location must have adequate fire protection, transportation facilities, wastewater treatment and water supply, and have no adverse effects such as noise, lighting, or odor on surrounding land uses and natural resources. (Ordinance No. [09-15, 18-18](#))

POLICY 12.2.3: Adjacent contiguous properties on San Carlos Island may be added to the category with an amendment to the Future Land Use Map and text. All existing and new developments must be under unified control for common areas. (Ordinance No. [09-15, 18-18](#))

POLICY 12.2.4: Applications for DRMUWD development will be reviewed and evaluated as to their impacts on, and may not negatively affect, adjacent, existing residential, commercial or conservation activities. (Ordinance No. [09-15, 18-18](#))

POLICY 12.2.5: The Land Development Code (LDC) must be amended to include specific property development regulations for this category. The LDC provisions will encourage joint use of parking, access easements, and storm-water retention facilities where appropriate. (Ordinance No. [09-15, 18-18](#))

POLICY 12.2.6: The maximum height for buildings is 180 feet. Buildings that utilize multiple stories of enclosed parking under the residential or hotel use may add up to an additional 50 feet of building height, up to a maximum of 230 feet. (Ordinance No. [09-15, 09-27, 18-18](#))

OBJECTIVE 12.3: COMMERCIAL LAND USES. Ensure that new development areas create a unified and pleasing aesthetic/visual quality through landscaping, architecture, lighting and signage,

while providing additional employment opportunities, and eliminating uses that are not compatible with the adjacent uses. Existing and future county regulations, land use interpretations, policies, zoning approvals, and administrative actions should be undertaken in an effort to promote the goal of redevelopment for the areas with increased mixed use opportunities to service the needs of the community and surrounding areas. Commercial land uses must be designed to be compatible Old Florida or other Florida Vernacular styles of architecture and the historic identity of the area. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.3.1: The property owners of lands designated DRMUWD will utilize innovative open space design, mixed use concept that integrate well designed pedestrian/bicycle connections to commercial and, locations on or a walk-able distance to mass transit service. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.3.2: The cost for the provision and expansion of facilities for potable water and sanitary sewer that benefits development in the DRMUWD area will be borne by those who benefit. Funding may include (but is not limited to), impact fees, special taxing or benefit districts, or Uniform Community Development Districts. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.3.3: The DRMUWD is an area which provides the associated support development and synergism to create a viable mixed use destination type development with water dependent uses as part of the mix. This land use category allows a mixture of land uses related to and justified by the development of a destination resort. Predominant land uses within this area are expected to be residential, commercial, transitory lodging, office, public, recreation, and development all with a water related uses. The following is a list of water dependent uses that will be allowed in this category:

1. Aids to navigation
2. Bait and tackle shops
3. Boat launch and or moorage facilities, Marina, and boat charter services
4. Communication facilities essential to service water dependent uses
5. Facilities for refueling and providing other services for boats, ships and related marine equipment
6. Laboratory research on marine/estuarine products and resources and physical and biological characteristics of the estuary
7. Marine related specialty shop
8. Office in conjunction with a permitted or conditionally permitted use
9. Public waterfront access
10. Research and education observation
11. Storage of Marine equipment
12. Stores for sale and rental of marine supplies and equipment
13. Utilities
14. Wholesale and retail markets for marine estuarine products
15. Grocery store/ships store
16. Restaurants
17. Processing of seafood in conjunction with retail sales operation
18. Boat repair and building
19. Boat terminal facilities
20. Uses not listed as permitted but shown to be water dependent or water related by the applicant and approve by the Director of Community Development.

(Ordinance No. [09-15](#), [18-18](#))

POLICY 12.3.4: The following uses are prohibited within the DRMUWD:

- Drive thru facilitates
 - Big box retailers and single free standing retail facilities greater than 20,000 square feet.
- (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.3.5: Commercial developments must provide interconnection opportunities with adjacent uses to minimize access points onto primary road corridors; and residential developments to provide interconnect opportunities with commercial areas, including but not limited to, bike paths and pedestrian access ways. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.3.6: The category must be developed with a mix of uses not to exceed:

- Residential (Maximum of 271 dwelling units)
- Lodging (Maximum of 450 hotel rooms)
- Office (Maximum of 10,000 square feet)
- Retail (Maximum of 98,000 square feet)
- Marina (Maximum of 850 wet or dry boat slips)
- Civic (Maximum of 10,000 square feet)

(Ordinance No. [09-15](#), [18-18](#))

POLICY 12.3.7: To reduce the impact on wildlife such as sea turtles and migrating birds, projects must be designed to minimize light pollution, sky glow and light trespass beyond the property lines by using appropriate light fixtures and other light management techniques. Techniques may include:

1. Utilizing fully shielded, full cut off luminaries; down style canisters with interior baffles on the balconies; pole lights less than 15 feet in height; bollard type fixtures with louvers; and other techniques acceptable to the Division of Environmental Sciences.
2. Up-lighting is prohibited. Mercury vapor or metal halide lamps are also prohibited.
3. Glass windows and doors must be treated to achieve an industry-approved, inside-to-outside light transmittance value of 45% or less.

(Ordinance No. [09-15](#), [18-18](#))

OBJECTIVE 12.4: RESIDENTIAL USES. This land use category will enhance the character of the area by evaluating adjacent uses, natural resources, access and recreational or open space, and requiring compliance with enhanced buffering requirements. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.4.1: This land use category will provide opportunities for public access to the water and will include provisions for bicyclists/pedestrians. At a minimum, one public access easement must be provided to the waterfront per development. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.4.2: Road capacity improvements necessary to serve demands generated outside the community will be designed to minimize the impacts on the community. (Ordinance No. [09-15](#), [18-18](#))

OBJECTIVE 12.5: COMMUNITY CHARACTER. Land Development Code provisions will incorporate regulations, policies and actions affecting the character and aesthetic appearance of the development to help create a visually attractive community. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.5.1: In order to maintain a marine identity for the community, commercial developments must use vernacular Florida architectural styles for all buildings. The use of Mediterranean styles of architecture is discouraged. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.5.2: In order to preserve/enhance/restore the heritage and natural beauty of the area, this land use category will provide an educational component with the objective of educating the public on its unique quality and rich history and how to protect the area. This will be done with descriptive display, multimedia presentations and other proven means to educate and inform. (Ordinance No. [09-15](#), [18-18](#))

OBJECTIVE 12.6: COORDINATION OF MASS TRANSIT. The developer(s) will coordinate with Lee County to ensure consistency with the Transit Development Plan (TDP). (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.6.1: Mixed use developments, as defined in the Land Development Code, containing both commercial and residential uses within the same development will provide for an interconnection of commercial with residential uses with pedestrian linkages. Mixed use developments will be limited to an overall density of 9.36 dwelling units per acre at these locations. Mixed use developments that include commercial and residential uses within the same development will be allowed to use the entire site for density calculation. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.6.2: Bicycle & Pedestrian facilities will be provided throughout the development. Connections between all uses are required to facilitate alternative modes of transportation. When possible, connections to adjacent developments must be provided. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.6.3: Vehicular connections between residential and non-residential uses will be provided to facilitate the internal capture of trips. When possible, vehicular connections to adjacent developments will be made to provide alternative access to the non-residential and mixed use components of the development. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.6.4: Water access – Each development must provide at a minimum one designated public access easement point to the water. (Ordinance No. [09-15](#), [18-18](#))

OBJECTIVE 12.7: INCORPORATION AND UTILIZATION OF MULTIMODAL AND ALTERNATIVE MODES OF TRANSIT. The development will establish a comprehensive approach to multimodal and alternative modes of transportation for its residents and guests. These will include, but will not be limited to, mass transit stops (minimum of one), or shuttle service to a stop, bicycle rental, integrated network of sidewalks and board walks, airport shuttle services and water-taxi transportation facilities. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.7.1: Each development will establish a water taxi/shuttle service to and from the property. The shuttle will be open to guests, residents and outsiders wanting an alternative access to the water. Hours of operation will be determined based on market conditions, but will at a minimum provide three round trips daily. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.7.2: Each development will establish or participate in an airport shuttle service to and from the Southwest Florida International Airport and the development. The shuttle services hours of operation will be determined based on market conditions and can be a fixed route shuttle or a point of demand service type or combination of both. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.7.3: Where projects are intersected by public roadways, a grade separation may be provided for safe pedestrian and bicycle access between the properties. The purpose of this policy is to safely move pedestrian and bicycles across the road. Examples of grade separation would involve taking the bicycle/pedestrian facilities up and over the road or involve in taking the road over the pedestrian/bicycles paths. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.7.4: As part of any rezoning action, the existing roadways that are adjacent to or run through the project, particularly Main Street, will be evaluated with a cross-sectional analysis to identify needed upgrades of driver and bicycle/pedestrian safety and bus access to and from the property. At a minimum, one bus stop will be provided along Main Street meeting Lee Tran standards or better. Improvements to bring Main Street up to Class A road standards, subject to deviations where appropriate, will be provided by the developer. Where bicycle/pedestrian upgrades or additions are determined by Lee County to be desirable along Main Street or other area streets, those improvements will be eligible for road impact fee credits in accordance with the Land Development Code. (Ordinance No. [09-15](#), [10-38](#), [18-18](#))

OBJECTIVE 12.8: SERVICE AREA AND EQUIPMENT. Ensure that service and function areas are planned and designed to have the least amount of impact on the general public and adjacent neighbors. This can be accomplished by providing adequate space and incorporating these elements into the project at an early stage. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.8.1: Materials, supplies, or equipment must be stored inside a closed building or behind a suitable barrier so as not to be visible to the general public or to an adjoining site. Loading doors and service areas must be screened, or buffered by landscaping, so as not to be visible from any street or from any adjoining residential site. Adequate area must be provided on site for loading and maneuvering of trucks and other vehicles so that operations will not be carried out in the street. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.8.2: Screening devices must be of a height at least equal to that of the material or equipment screened. The design, material, textures, and colors of screening devices must be architecturally compatible with those of the building and with the landscaping. The design of these elements will appear seamless with the building and/or landscaping. Frequently, planting material can provide an effective screen offering the same opaqueness of a wall. Plantings should be considered to soften the “hardness” of man-made screens. (Ordinance No. [09-15](#), [18-18](#))

OBJECTIVE 12.9: INTERGOVERNMENTAL COORDINATION WITH THE TOWN OF FORT MYERS BEACH. Due to the unique location and proximity to the town of Fort Myers Beach, the development will commit to working with the town to propose and resolve concerns. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.9.1: The developer will establish a dialogue with the town to review parking and access issue during the development order process. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.9.2: The developer will provide a liaison and resources to any harbor planning committee to coordinate activities in and around the Harbor. (Ordinance No. [09-15](#), [18-18](#))

OBJECTIVE 12.10: Development and Redevelopment in the Destination Resort Mixed Use Water Dependent category in the Coastal High Hazard Areas must mitigate hurricane sheltering and evacuation impacts consistent with the following policy. (Ordinance No. [09-15](#), [18-18](#))

POLICY 12.10.1: An agreement must be executed between the county and the property owner to mitigate the project’s hurricane sheltering and evacuation impacts. The agreement will include provisions to construct on site shelter to withstand Category 5 hurricane force winds and storm surge to accommodate residents in compliance with the following requirements:

1. On-site shelters and all required equipment and supplies for these facilities must comply with the following standards:
 - a. Elevation to the anticipated storm surge from a land falling Category 5 storm.
 - b. Construction to withstand winds of 200 mph in accordance with the Florida Building Code.

- c. Construction with minimum exterior glass with all glazed openings provided with impact protection in accordance with the Florida Building Code.
 - d. Equipped with emergency power and potable water supplies to last up to five days.
 - e. Protected with adequate ventilation, sanitary facilities, and first aid medical equipment.
2. Developer/operator must conduct annual training of the on-site shelter managers. The training is to be conducted by the Red Cross and approved by Lee County Emergency Management.
 3. Developer/operator must submit a post storm recovery plan including post storm evacuation plan for review and approval by Lee County Emergency Management.
- (Ordinance No. [09-15](#), [18-18](#))

GOAL 13: PRIVATE RECREATIONAL FACILITIES IN THE DR/GR. To ensure that the development of Private Recreational Facilities in the DR/GR areas is compatible with the intent of this Future Land Use category, including recharge to aquifers, development of future wellfields and the reduction of density. (Ordinance No. [99-16](#), [18-18](#))

OBJECTIVE 13.1: To ensure that Private Recreation Facilities are located in the most appropriate areas within the DR/GR future land use category. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.1.1: The Private Recreation Facilities Overlay, Map 4, shows those locations that are appropriate for the development of Private Recreation Facilities in the DR/GR area. The areas depicted on Map 4 are consistent with the application of the following locational criteria:

1. Located outside of those areas designated for public acquisition through the Florida Conservation and Recreational Land Program (CARL), the Corkscrew Regional Ecosystem Water Trust (CREW), the South Florida Water Management District's Save Our Rivers Program, and the county's 20/20 Conservation Program;
2. Located in areas characterized as predominantly impacted with agricultural, mining or other permitted uses;
3. Located outside of areas depicted as 100 Year Flood Plains, as illustrated on Map 9 as amended through June of 1998;
4. Located to minimize impact on "Hot Spots of Biological Resources and Rare Species Occurrence Records," from the Florida Game and Freshwater Fish Commission's, "Closing the Gaps in Florida Wildlife Habitat Conservation System" published in 1994;
5. Located in areas characterized by large lot single or limited ownership patterns; and,
6. Located in areas with direct access to existing roadways.

(Ordinance No. [99-16](#), [18-18](#))

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 Map 4, Private Recreational Facilities Overlay. (Ordinance No. [99-16](#), [18-18](#))

OBJECTIVE 13.2: GROWTH MANAGEMENT. Development of Private Recreation Facilities in the DR/GR areas must be consistent with the growth management principles and practices as provided in the following policies. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.2.1: PRIVATE RECREATION FACILITY PLANNED DEVELOPMENT (PRFPD). By the end of December, 2000, Lee County will amend the Land Development Code to include provisions for a new PRFPD zoning category. All Private Recreational Facilities proposed within the DR/GR land use category must be reviewed as a Development of County Impact, PRFPD. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.2.2: Approved PRFPDs will automatically expire, reverting to the original zoning category, if a Lee County development order is not obtained within five years of zoning approval. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.2.3: RESIDENTIAL USES PRECLUDED. Residential uses, other than a single bonafide caretaker's residence or a resident manager's unit, or those uses as listed in Policy 13.2.6 are not permitted in conjunction with a PRFPD. Residential density associated with land zoned as Private Recreational Facility will be extinguished and cannot be transferred, clustered or otherwise assigned to any property. (Ordinance No. [99-16](#), [10-21](#), [18-18](#))

POLICY 13.2.4: Further, the approval of Private Recreational Facilities on any property within the DR/GR will not be considered as justification for approving an amendment to the Future Land Use Map series which would increase residential density in the DR/GR areas. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.2.5: The boundaries of the PRFPD may not be designed to allow out-parcels or enclaves of residential units to be integrated into the golf course perimeter, except as allowed in Policy 13.2.6. (Ordinance No. [99-16](#), [10-21](#), [18-18](#))

POLICY 13.2.6: Time share, fractional ownership units (meaning any dwelling unit for which ownership is shared among multiple entities for the primary purpose of creating short-term use or rental units rather than permanent full time residential units), and Bed and Breakfast establishments may be permitted if the property is included on Map 17 as Rural Golf Course Residential Overlay area. These uses must be ancillary to or in conjunction with uses within the Private Recreational Facility, including a Golf Training Center or similar facility and must be located adjacent to, or within 1,000 feet of, the principal use that is being supported. Through the PRFPD process, the applicant must demonstrate that external vehicular trips will be reduced from typical single-family residential units due to the ancillary nature of the use. (Ordinance No. [10-43](#), [18-18](#))

POLICY 13.2.7: Time share, fractional ownership units, or bed and breakfast establishments will only be permitted in a designated Rural Golf Residential Overlay area as specified on Map 17 and may only be constructed through transferring density in accordance with the Southeast Lee County TDR Program. Each TDR credit that is eligible to be transferred to a Mixed-Use Community on Map 17 can be redeemed for one timeshare unit, one fractional ownership unit, or two bed and breakfast bedrooms. (Ordinance No. [10-43](#), [17-13](#), [18-18](#))

POLICY 13.2.8: Private Recreational Facilities must have adequate fire protection, transportation facilities, wastewater treatment and water supply, and provided further that they have no adverse effects such as dust, noise, lighting, or odor on surrounding land uses and natural resources. (Ordinance No. [99-16](#), [10-43](#), [18-18](#))

POLICY 13.2.9: COMMERCIAL USES. Commercial uses may be permitted within PRFPDs as provided in Policy 13.3.9 when ancillary or in conjunction with Private Recreation Facilities. (Ordinance No. [99-16](#), [10-43](#), [18-18](#), [19-25](#))

POLICY 13.2.10: Applications for Private Recreational Facility development will be reviewed and evaluated as to their impacts on, and will not negatively affect, any adjacent, existing agricultural, mining or conservation activities. (Ordinance No. [99-16](#), [10-43](#), [18-18](#))

POLICY 13.2.11: Applications for Private Recreational Facility development will be reviewed and evaluated as to their impacts on, and must be compatible with any adjacent publicly owned lands. (Ordinance No. [99-16](#), [10-43](#), [18-18](#))

POLICY 13.2.12: During the 2010 comprehensive plan Evaluation and Appraisal Report process the county will conduct a comprehensive evaluation of the impacts of Private Recreation Facilities on surface and groundwater quality and quantity. Recommendations from this evaluation will then be incorporated into the Lee Plan. (Ordinance No. [99-16](#), [10-43](#), [18-18](#))

OBJECTIVE 13.3: GENERAL DEVELOPMENT REGULATIONS. The protection of water quality, quantity, natural resources, and compatibility will be addressed by additional development controls that regulate the permitted uses, parcel size, density, intensity and design of Private Recreational Facilities. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.3.1: Private Recreational Facilities will submit a Master Concept Plan at the time of planned development submittal that identifies the general location of proposed uses and structures, play fields and golf course routings. Minor adjustments to this Master Concept Plan may be made administratively at the discretion of the Director. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.3.2: Applications for Private Recreational Facilities must include an environmental assessment during the zoning approval process. The assessment must include, at a minimum, an analysis of the environment, historical and natural resources and a protected species survey as required by chapter 10 of the LDC. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.3.3: In addition to an environmental assessment, the applicant must demonstrate compatibility with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.3.4: The development will incorporate an Integrated Pest Management program for any managed recreational areas. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.3.5: Where buildings or impervious development is located within twenty-five feet of the property boundary, a buffer 15 feet wide, with 5 trees per 100 linear feet, and a solid double row hedge must be provided, unless a more restrictive buffer is required during the planned development review. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.3.6: No illumination may be used which creates glare on adjacent properties. All exterior lighting will be designed with downward deflectors to eliminate skyward glare. Parking areas, walkways and paths and maintenance areas may be illuminated for security purposes, provided that light poles do not exceed twelve feet in height. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.3.7: Native and xeriscape vegetation will be encouraged, such that:

1. 100% of all required trees and 75% of all additional trees must be native.
2. 80% of all required shrubs and 50% of all additional shrubs must be native.
3. A minimum of 70% of all trees and shrubs must be xeriscape varieties.
4. The native and xeriscape requirements do not apply to turf areas.
5. No plant species included in the Florida Exotic Pest Plant Council, 1999 List of Florida's Most Invasive Species, will be planted.

(Ordinance No. [99-16](#), [18-18](#))

POLICY 13.3.8: The following site requirements, regulating lot size, setbacks and open space must be equaled or exceeded:

1. Principal uses, other than golf courses, and the ancillary uses listed in Policy 13.2.6, permitted under this subdivision must have a minimum lot size of ten acres.
2. Building Setbacks.
 - a. 50 feet from an existing right-of-way line or easement.
 - b. 75 feet from any private property line under separate ownership and used for residential dwellings.
 - c. 50 feet from any adjacent agricultural or mining operation.
 - d. Greater setbacks may be required during the public hearing process to address unique site conditions.
3. Setbacks for accessory buildings or structures. All setbacks for accessory buildings or structures must be shown on the Master Concept Plan required as part of the planned development application. No maintenance area or outdoor storage area, irrigation pump or delivery area may be located less than 500 feet from any existing or future residential use, as measured from the edge of the above-listed area to the property line of the residential use. For purposes of this policy, any property that is 10 acres or less in size and is zoned to permit dwelling units will be considered a future residential property. Properties larger than 10 acres may be considered future residential based on the property's size, the ownership pattern of properties in the surrounding area, and the use, zoning and size of surrounding properties. To allow flexibility, the general area of any accessory buildings, structures and maintenance areas must be shown on the site plan with the appropriate setbacks as noted in this subsection listed as criteria for the final placement of these buildings, structures or facilities.

In addition to the other standards outlined in this policy, any maintenance area or outdoor storage area, irrigation pump or delivery area must meet one of the following standards:

- a. be located 500 feet or more from any property line abutting an existing or planned public right-of-way; or
 - b. provide visual screening around such facilities, that provides complete opacity, so that the facilities are not visible from any public right-of-way; or
 - c. be located within a structure that meets or exceeds the current Lee County architectural standards for commercial structures.
4. Open Space. A minimum of 85% open space must be provided. However, natural and man-made bodies of water may contribute 100% to achieving the minimum requirements. To the extent possible, pervious paving and parking areas, and buildings elevated above ground level will exceed the 85% open space requirement.
 5. Security. All entrances to Private Recreational Facilities must be restricted from public access during non-use hours.

(Ordinance No. [99-16](#), [02-04](#), [10-21](#), [18-18](#))

POLICY 13.3.9: DENSITY/INTENSITY LIMITATIONS. Uses in a PRFPD are subject to the following limitations:

Clubhouse/ Administrative Area	20,000 SF/18 hole golf course
Golf Course Restrooms	Not to exceed two structures per 18 hole golf course, limited to 150 SF per structure
Maintenance Area	Not to exceed 25,000 SF of enclosed or semi-enclosed building area, on a maximum of 5 acres of land per 18 hole golf course

Fractional Ownership/ Time-share Units	<ul style="list-style-type: none"> • The maximum allowable units will be calculated based on 1 du/10 acres for the entire area of the PRFPD • All timeshare/fractional ownership units must be transferred in accordance with Goal 33
Bed and Breakfast Establishments	<ul style="list-style-type: none"> • The maximum number of Bed and Breakfast establishments will be limited to 1 per every 18 holes of golf • Bedrooms within a Bed and Breakfast establishment will be limited to a maximum of 7 per unit, with a maximum of two adult occupants per bedroom
Horse Stable	40,000 SF of stable building/10 acres
Camping Restrooms	<ul style="list-style-type: none"> • 1 toilet per four camp units, clustered in structures not to exceed 500 SF per structure • 1 shower per 4 toilets
Camping Area Office	1,000 SF per campground
Commercial Uses	<ul style="list-style-type: none"> • Limited to neighborhood commercial development with uses that are in compliance with the Wellfield Protection Ordinance without any exemptions¹⁰ • Total commercial gross floor area for the entire area of the PRFPD may not exceed 100,000 SF, not including clubhouse square footage

(Ordinance No. [99-16](#), [02-02](#), [10-21](#), [18-18](#), [19-25](#))

OBJECTIVE 13.4: WATER QUALITY, QUANTITY, AND SURFACE WATER RESOURCES.

Private Recreational Facilities must be located, designed and operated in such a way that they will not degrade the ambient surface or groundwater quality. These facilities must be located, designed and operated in such a way that they will not adversely impact the county's existing and future water supply. The location, design and operation of Private Recreational Facilities must maintain or improve the storage and distribution of surface water resources. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.4.1: All applications and documentation for the planned development rezoning process must be submitted to the Lee County Department of Natural Resources for their formal review and comment. The Department of Natural Resources Director must make a formal finding that the proposed uses will not have negative impacts on present and future water quality and quantity, and will review and approve modeling submitted to support the planned development. Applicant modeling efforts must be evaluated and approved by the Lee County Department of Natural Resources and the Lee County Utilities Department. Issues of well locations, easements and wastewater reuse must be evaluated and approved by the Lee County Department of Natural Resources and the Lee County Utilities Department during the planned development process. Formal agreements addressing these issues will be entered into prior to the issuance of a development order. Co-location of recreational and public facilities is encouraged. (Ordinance No. [99-16](#), [03-04](#), [18-18](#))

POLICY 13.4.2: Applications for Private Recreational Facilities in or near existing and proposed wellfields must be designed to minimize the possibility of contamination of the groundwater during construction and operation. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.4.3: Private Recreational Facilities must provide a monitoring program to measure impacts to surface and groundwater quality and quantity (see Objective 13.7). (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.4.4: As part of a rezoning request for a Private Recreational Facility in the DR/GR area, a pre-development groundwater and surface water analysis must be conducted and submitted

¹⁰No uses that would require the storage of any toxic, hazardous substances as identified in the Wellfield Protection Ordinance or sanitary hazards may be permitted.

to the county. This analysis is intended to establish baseline data for groundwater and surface water monitoring for the project area. The analysis must be designed to identify those nutrients and chemicals which are anticipated to be associated with the project. Prior to the applicant commencing this baseline study, the methodology of the study must be submitted for review, comment, and approval by the county. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.4.5: Any Private Recreational Facility located in any wellfield protection zone must meet the requirements/criteria for protection zone 1, unless updated modeling is provided by the applicant and is approved by Lee County Department of Natural Resources and the Lee County Utilities Department. (Ordinance No. [99-16](#), [03-04](#), [18-18](#))

POLICY 13.4.6: The surface water management system design must incorporate natural flowway corridors, cypress heads, natural lakes, and restore impacted natural flowway corridors.

1. Stormwater run-off must be pre-treated through an acceptable recreated natural system or dry retention and water retention system, prior to discharging the run-off into existing lake or wetland (any aquatic) systems. Included within these systems must be an average 50 foot wide vegetative setback measured from the edge of managed turf to the wetland jurisdictional wetland line or top of bank of natural water bodies.
2. The development must maintain the function and integrity of local and regional flow-ways. Flow-ways are precluded from being primary surface water treatment areas. Applications for Private Recreational Facilities must demonstrate adequate hydraulic capacity without increasing flood levels. Private Recreational Facilities must participate in the implementation of the Lee County Surface Water Management Plan as well as the South Florida Water Management District's South Lee County Watershed Plan.
3. The Historic Flowway Aerial Map depicts the general flowway paths that exist in the DR/GR area. The lines shown on this map are not regulatory but show the general boundaries of the main conveyances. During the rezoning process, conceptual surface water management plans must be submitted and approved. Prior to the issuance of a development order, proposed Private Recreation Facilities will provide detailed hydrologic and hydraulic analysis demonstrating the limits of flow for various storm events and the developed sites ability to convey these flows. Where an existing flowway is not well defined or discontinuous, flexibility will be given to allow different alignments within a site.

(Ordinance No. [99-16](#), [18-18](#))

POLICY 13.4.7: Any Private Recreational Facilities proposed within the DR/GR land use category must cooperate with Lee County and SFWMD in implementing an overall surface water management plan as outlined in Objective 60.2 and 117.1. Compliance with these policies must be demonstrated during development order approval. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.4.8: If a proposed Private Recreation Facilities falls within an area identified as an anticipated drawdown zone for existing or future public well development, the project must utilize an alternative water supply such as reuse or withdrawal from a different non-competing aquifer or show that adequate supply is available in excess of that being used for planned public water supply development. (Ordinance No. [99-16](#), [18-18](#))

OBJECTIVE 13.5: WILDLIFE. The location, design and operation of Private Recreational Facilities will incorporate preservation and/or management activities that restrict the unnecessary loss of wildlife habitat or impact on protected species, species of special concern, threatened or endangered species. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.5.1: The development will not have an adverse impact on any existing, viable on-site occupied wildlife habitat for protected species, species of special concern, threatened or endangered species. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.5.2: All proposed fencing must be designed to permit wide-ranging animals to traverse the site. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.5.3: Through the development review process, Private Recreation Facilities will be designed and operated to conserve critical habitat of protected species. This will be accomplished through regulation, incentives and public acquisition. (Ordinance No. [99-16](#), [18-18](#))

OBJECTIVE 13.6: NATURAL RESOURCES. Private Recreational Facilities must be located, designed and operated to minimize environmental impacts, and where appropriate, protect, enhance and manage natural resources such as flow-ways, waterways, wetlands, natural water bodies, and indigenous uplands. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.6.1: All retained onsite natural areas, must be perpetually managed by the owner(s), or their assignees, with accepted Best Management Practices. The type of management techniques will be determined by the specific plant community. A natural area land management plan must be submitted to the Lee County Department of Community Development prior to the approval of a final local development order. Management techniques addressed in the plan must include, but not be limited to the following: exotic pest plant control; removal of any trash and debris; restoration of appropriate hydrology; prescribed fire; native plant restoration, where appropriate; discussion of flora and fauna; enhancement of wildlife habitat; and, retention of dead trees and snags. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.6.2: The development will minimize adverse effects on wetlands and riparian areas, and will result in no net reduction in functional wetland acreage as identified by the South Florida Water Management District Wetland Rapid Assessment Procedure (WRAP). (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.6.3: Private Recreational Facilities must be designed to preserve a minimum of 50% of on-site, indigenous native upland habitat. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.6.4: The development will incorporate energy and resource conservation devices, such as low flow water fixtures, and natural skylights. (Ordinance No. [99-16](#), [18-18](#))

OBJECTIVE 13.7: MONITORING AND ENFORCEMENT. In order to ensure that Private Recreational Facilities do not degrade the ambient condition of water quality, water quantity, vegetation and wildlife, an ongoing monitoring program must be established by the developer. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.7.1: Annual surface water and groundwater monitoring must continue in perpetuity. The monitoring requirements will be established utilizing those nutrients and chemicals that are anticipated to be associated with the proposed project that were identified by the pre-development groundwater and surface water analysis required by Policy 13.4.4. This surface and groundwater monitoring is to be conducted, at a minimum, on a quarterly basis by a qualified third party. This monitoring data must be submitted to the county as soon as it is available. A summary report of this monitoring effort must be provided annually to Lee County Department of Natural Resources for their review. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.7.2: If surface and/or groundwater monitoring shows degradation of water quality the county will notify the property owner that a plan, to correct the identified problem(s), must be submitted. The property owner must submit a plan of action within 30 days after receipt of written notice from the county. The plan must identify actions that will correct the problem(s) within the shortest possible time frame. This plan will be reviewed and must be found to be acceptable by the county. If the plan is not submitted as required, or is found to be unacceptable by the county, the county will require that all activities on the property cease until a plan is submitted and approved. The approved plan must be implemented by the property owner. If the county determines that the approved plan is not being implemented properly, the county can require that all activities on the property cease until the property owner comes back into compliance. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.7.3: The approved Private Recreational Facility must submit an annual monitoring report for a period of five years, addressing the interaction between the use and environment. This report must provide a discussion and documentation on the following activities:

1. Construction Monitoring - the applicant will submit annual reports detailing construction activities, permitting, compliance with Audubon International Signature Standards and percent complete.
2. Land Management Activities - including those used on the golf course, as well as natural and preserve areas.
3. Wildlife Monitoring - the applicant will provide a discussion of wildlife, wildlife activity, and wildlife management activities.
4. Irrigation Monitoring - the applicant will provide a summary of the monthly irrigation withdrawal and irrigation sources.
5. Mitigation/Vegetation Monitoring - the applicant will provide status reports on the viability of any mitigation and/or landscaping conducted on site.
6. Integrated Pest Management Monitoring - the applicant will provide a discussion on the pest management techniques, and any pest problems that have occurred on the project.

Should adverse impacts in any of the above areas be identified, enforcement and mitigation will be provided through the appropriate regulatory agency and enforcement procedures. These procedures will be spelled out during the development order process. If, after five years, no significant adverse impacts are determined, the reporting on these subjects may be terminated. (Ordinance No. [99-16](#), [18-18](#))

OBJECTIVE 13.8: GOLF COURSE PERFORMANCE STANDARDS. The location, design and operation of golf courses located within Private Recreational Facilities will minimize their impacts on natural resources, and incorporate Best Management Practices. A maximum of five 18-hole golf courses, for a total of 90 golf holes, will be permitted through 2030. (Ordinance No. [99-16](#), [10-21](#), [18-18](#))

POLICY 13.8.1: Natural waterways located on the site of a proposed golf course must be left in a natural, unaltered condition. Channelization will not be performed. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.8.2: An applicant must demonstrate, prior to the issuance of a local development order, that a golf course is designed to minimize adverse effects to waters and riparian areas through the use of such practices as integrated pest management, adequate stormwater management facilities, vegetated buffers, reduced fertilizer use, etc. The facility must have an adequate water quality management plan, such as a stormwater management facility constructed in uplands to ensure that the recreational facility results in no substantial adverse effect to water quality. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.8.3: If a waterway crossing is necessary, then it must be designed to minimize the removal of trees and other shading vegetation. Any crossings of existing natural flow-ways and water bodies must be bridged. Created or restored flow-ways and water bodies may be crossed by bridges or culverts or a combination as approved by Lee County and the South Florida Water Management District. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.8.4: Waterway crossings by cart paths will be constructed of permeable material, no wider than 8-feet, and placed on pilings from edge of floodplain to edge of floodplain. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.8.5: A new lake or pond should not be located within an existing natural waterway. Upland ponds must not expose stream channels to an increase in either the rate or duration of floodwater, unless required by the South Florida Water Management District for regional water management objectives. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.8.6: For golf course developments, all fairways, greens, and tees must be elevated above the 25 year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be pre-treated prior to discharge into the balance of the project's water management system. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.8.7: Where a golf course is proposed, it must comply with the Best Management Practices for Golf Course Maintenance Departments, prepared by the Florida Department of Environmental Protection, May 1995. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.8.8: The owners will employ management strategies in and around any golf course to address the potential for pesticide/chemical pollution of the groundwater and surface water receiving areas. The owners will comply with the goals of the Audubon International Signature Program for Golf Courses. The management practices include:

1. The use of slow release fertilizers and/or carefully managed fertilizer applications.
2. The practice of integrated pest management when seeking to control various pests, such as weeds, insects, and nematodes. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad-spectrum pesticides is not acceptable. The management program will minimize, to the extent possible, the use of pesticides, and will include the use of the USDA-SCS Soil Pesticide Interaction Guide to select pesticides for uses that have a minimum potential for leaching or loss due to runoff depending on site specific soil conditions. Application of pesticides within 100 feet of any CREW, or other adjacent public preserve lands, is prohibited.
3. The coordination of the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any applied pesticides and nutrients.
4. The utilization of a golf course manager who is licensed by the State to use restricted pesticides and who will perform the required management functions.

(Ordinance No. [99-16](#), [18-18](#))

POLICY 13.8.9: Irrigation systems must utilize computerized irrigation based on weather station information, moisture sensing systems to determine existing soil moisture, evapotranspiration rates, and zone control, to ensure water conservation. For Private Recreation Facilities located outside of the depicted Wellfield Protection zones, reuse water, where available, will be utilized for irrigation. Reuse water within Wellfield Protection zones must be in compliance with the Wellfield Protection Ordinance. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.8.10: Golf courses must be designed, constructed, managed and certified in accordance with the Audubon International Signature Program. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.8.11: It is the landowner(s) responsibility to notify the county within 10 working days if the status of certification from Audubon changes from being in full compliance. Failure to do so could result in penalties up to and including revocation of golf course use if it is deemed that the violation(s) are a possible threat to the environment. If the golf course loses its certification from Audubon, then the property owner must submit a plan of action acceptable to the county that will achieve re-certification in the shortest possible time. The plan must be submitted within 30 days after receipt of written notice from the county. If the plan is not submitted as required, then all activity on the property must cease until a plan is submitted and approved. An approved plan must be implemented in good faith by the property owner. If the county determines that the plan is not being implemented properly, then all activity on the property must cease until the property owner comes back into full compliance. (Ordinance No. [99-16](#), [18-18](#))

POLICY 13.8.12: GOLF SITE REQUIREMENTS.

1. The minimum number of golf holes is 18. The minimum size for an 18 hole golf course is 150 acres. In no instance may the golf course impacts exceed 150 acres per 18 holes. Allowable uses within the impact area are greens, tees, fairways, clubhouses, maintenance facilities, cart and pedestrian pathways, parking areas, i.e. all associated support uses.
2. 200 acres of indigenous vegetation preserve is required for every 18 holes. The indigenous vegetation preserve requirement may be provided on-site or off-site. On-site preserves must be a minimum of 1-acre in size; minimum 75-foot wide with an average 100-foot width. Indigenous vegetation preserved on site may utilize a two to one (2:1) credit on a sliding scale based on minimum acreage and width criteria to be included in the Land Development Code. However, the indigenous vegetation preserve requirement must be met with a minimum of 100 actual indigenous acres onsite. Indigenous vegetation preservation requirements must be met outside of the 150 acre golf course impact area.
3. All off-site indigenous vegetation preserves must be located within the DR/GR areas. Unless located within or adjacent to existing or designated public acquisition areas, the minimum parcel size is 50 indigenous acres.
4. The off-site indigenous vegetation preserves must include a management plan that is approved as part of the planned development rezoning. This management plan must include invasive exotic vegetation removal with perpetual management. This does not preclude the transfer of the property to a public entity as long as perpetual maintenance is guaranteed.
5. Additional golf development must be in increments of 9 golf holes. For every additional 9 golf holes, the site area must be increased by 75 acres. Additional golf course impacts are limited to 75 acres per nine holes. The on-site or off-site indigenous preserve area must be increased by 100 acres for each nine holes and is subject to the restrictions above.

(Ordinance No. [99-16](#), [02-02](#), [18-18](#))

GOAL 14: BURNT STORE MARINA VILLAGE. To promote redevelopment that enhances the existing character of the Burnt Store Marina project, protects natural resources, and provides continuing public access to the water via boat ramps and docks while managing the location and intensity of future commercial, residential and commercial marina uses by establishing realistic aesthetic requirements designed to allow Burnt Store Marina Village the ability to develop as a community center. (Ordinance No. [09-16](#), [18-18](#))

OBJECTIVE 14.1: The Burnt Store Marina Village is intended to encourage and facilitate redevelopment of the existing marina and commercial area located internal to the Burnt Store Marina project with an attractive mix of residential, marine, retail, hotel and office uses designed to enhance and protect the public use of, and access to, the waterfront and marina. Development of commercial

retail, hotels, general office and marina related uses will predominate in the Burnt Store Marina Village. Limited residential and commercial marina uses are also permitted to facilitate the proper development mix to allow integration of the Burnt Store Marina Village into the overall Burnt Store Marina project. (Ordinance No. [09-16](#), [18-18](#))

POLICY 14.1.1: The following uses are permitted within the Burnt Store Marina Village category; a maximum of 55,000 square feet of retail uses; a maximum of 525 wet slips; a maximum of 800 dry storage spaces; a maximum of 15,000 square feet of office space; a maximum of 145 hotel units; and a maximum of 160 residential units. A maximum height of 220 feet is permitted if multiple layers of parking are incorporated into the structures. (Ordinance No. [09-16](#), [18-18](#))

POLICY 14.1.2: Development and redevelopment within the Burnt Store Marina Village must be accomplished through the planned development rezoning process. New development in this category must connect to a potable water and sanitary sewer system. (Ordinance No. [09-16](#), [17-13](#), [18-18](#))

POLICY 14.1.3: Lee County will cooperate with private developer efforts to create an identity for the Burnt Store Marina Village through unified architectural quality and creative site design that enhances the waterfront community and consists of scenic views, buildings with varying roof lines, open space, a pedestrian and neighborhood oriented activity center and enhanced buffering requirements. (Ordinance No. [09-16](#), [18-18](#))

POLICY 14.1.4: Lee County will work in conjunction with private developers to reserve existing marina facilities with on or off-site public parking spaces for vehicles and trailers and access for the benefit of the public. (Ordinance No. [09-16](#), [18-18](#))

POLICY 14.1.5: The residential and hotel development portions of this redevelopment project must be located outside of the designated Coastal High Hazard Area in accordance with Lee Plan Map 5. (Ordinance No. [09-16](#), [18-18](#))

GOAL 15: UNIVERSITY COMMUNITY. In order to ensure that development within the University Community land use category protects and enhances the ability of Florida's 10th University to provide secondary education as described in the Mission Statement of that institution and to assure that land uses or development activities do not interfere with, disrupt, or impede the efficient operation of that institution the following Objectives and Policies will apply to all development within the University Community land use category. The Application (Volume 1 of 2) (1992) and the Support Document (Volume 2 of 2) (1992) to the Amendment to the Lee County Comprehensive Plan for the University Community is incorporated by reference herein as a resource and information document. (Ordinance No. [92-47](#), [94-30](#), [00-22](#), [17-10](#), [18-18](#))

OBJECTIVE 15.1: FUTURE LAND USE. In order to ensure that the location and timing of development within the University Community is coordinated with the development of the University and the provision of necessary infrastructure; and, that all associated support development within the University Community is designed to enhance the University; all development within the University Community will be subject to cooperative master planning which must conform to the following policies. (Ordinance No. [00-22](#), [18-18](#))

POLICY 15.1.1: Lee County will, through public and private economic and business development initiatives, promote the University Community as a catalyst for economic diversification and the promotion of employment throughout Lee County and the Region. Within the University Community land use category the focus of this endeavor (the emphasis) will be on university related scientific research and high technology development activities. (Ordinance No. [00-22](#), [18-18](#))

POLICY 15.1.2: The University Community will provide a mix of housing types with densities sufficient to meet the needs of and designed to accommodate the varying lifestyles of students, faculty, administration, other university personnel and employees of the associated support development. (Ordinance No. [00-22](#), [18-18](#))

POLICY 15.1.3: Lee County will maintain and as necessary adopt appropriate regulations providing for university housing, including student dormitories and boarding houses. (Ordinance No. [00-22](#), [07-12](#), [18-18](#))

POLICY 15.1.4: Lee County will maintain and as necessary adopt regulations further defining how densities for individual parcels within the University Community will be determined. The regulations will address how the total number of units will be tallied to ensure that the overall total number of residential units within the University Village do not exceed 6,510 dwelling units. The regulations will provide a mechanism for clustering densities within the University Community. (Ordinance No. [00-22](#), [07-12](#), [10-40](#), [18-18](#))

POLICY 15.1.5: In order to create a cohesive community, site design within the University Community must utilize alternative modes of transportation such as pedestrian networks, mass transit opportunities, sidewalks, bike paths and similar facilities. Site design must link related land uses through the use of alternative modes of transportation thus reducing automobile traffic within the University Community. The county will work cooperatively with the University on these matters as the University proceeds through the Campus Master Plan Process.

As part of the local development order approval for primary infrastructure installation on property within Area 9 of the University Community, the developer must demonstrate that the proposed plan of development supports pedestrian, bicycle and transit opportunities. A multi-modal interconnection between the property and the FGCU campus must be provided at no cost to Lee County consistent with Lee Plan Policy 15.1.16.5. (Ordinance No. [94-30](#), [00-22](#), [10-40](#), [14-03](#), [17-10](#), [18-18](#))

POLICY 15.1.6: Lee County will facilitate mass transit opportunities connecting the University Community to other parts of the county, in accordance with the goals, objectives, and policies of the Mass Transit element. (Ordinance No. [94-30](#), [00-22](#), [18-18](#))

POLICY 15.1.7: A diverse mixture of land uses will be encouraged within the University Community. (Ordinance No. [94-30](#), [00-22](#), [17-13](#), [18-18](#))

POLICY 15.1.8: Agricultural activity including but not limited to tree farms, nurseries, or agricultural research facilities will be permitted within the University Community. (Ordinance No. [00-22](#), [17-10](#), [18-18](#))

POLICY 15.1.9: Prior to the commencement of development within the University Community land use category, an area-wide Conceptual Water Management Master Plan must be submitted to and approved by Lee County and South Florida Water Management District staff. This water management plan will be integrated with the Conceptual Master Plan and be prepared through a cooperative effort between the property owner, Lee County, and South Florida Water Management District. This master plan will ensure that the water management design of any development within the University Community will maintain or improve the currently existing quality and quantity of groundwater recharge. This plan must be consistent with the drainage basin studies that were prepared by Johnson Engineering, and approved by the SFWMD. Lee County will amend the county land development regulations to require all new development to be consistent with the

appropriate basin study. Prior to zoning or development order approval on any portion of Area 9, the developer must demonstrate through modeling, accepted by Lee County staff, that the proposed development will not create significant impacts on present or future water resources. (Ordinance No. [94-30](#), [00-22](#), [10-40](#), [17-10](#), [18-18](#))

POLICY 15.1.10: Development within the University Community land use category will be consistent with the Generalized Land Use Map and the eight area descriptions contained on or between pages 6 through 10 of the University Community Conceptual Master Plan, dated April 1994. The University Community Conceptual Master Plan is hereby amended to include a new Area 9 which is east and north of areas 5 and 8 and bounded on the east side by the Florida Power and Light easement and the north by Alico Road. (Ordinance No. [94-30](#), [10-40](#), [18-18](#))

POLICY 15.1.11: If not otherwise addressed by the Conceptual Master Plan, the landowner(s) within the University Village will coordinate infrastructure connections and interconnections, including but not limited to roadways, utilities and water management, with the University Campus through the established Board of Regents' master planning, review and approval process. (Ordinance No. [00-22](#), [07-12](#), [18-18](#))

POLICY 15.1.12: To encourage a variety of wildlife habitats and university study sites, special consideration will be given in the Conceptual Master Plan to the preservation of portions of the most pristine and diverse wildlife habitat areas (such as, pine flatwoods, palmetto prairies, and major cypress slough systems) as an incentive to reduce, on a one-for-one basis, open space requirements in other developments within the University Community. The implementation of this policy will occur at the time of zoning and development review. (Ordinance No. [94-30](#), [00-22](#), [07-12](#), [10-40](#), [17-10](#), [18-18](#))

POLICY 15.1.13: The use of septic tanks will be prohibited except for temporary septic tanks for model homes, construction trailers, and temporary sales offices. Permanent septic tanks will be limited to rest room facilities in golf courses, existing agricultural operations, or any agricultural operation of twenty five acres or more. (Ordinance No. [00-22](#), [07-12](#), [18-18](#))

POLICY 15.1.14: The cost for the provision and expansion of facilities for potable water and sanitary sewer that benefits development in the University Community will be borne by those who benefit. Such funding may include (but is not limited to) outright construction by the developer, special taxing or benefit districts, or Uniform Community Development Districts (Chapter 190, F.S.). The cost for these types of improvements will not be borne by the county. (Ordinance No. [94-30](#), [00-22](#), [07-12](#), [18-18](#))

POLICY 15.1.15: The cost for the provision and expansion of facilities necessary to comply with the recommendations of the Estero Basin that benefits development in the University Community will be borne by those who benefit. Such funding may include (but is not limited to) outright construction by the developer, special taxing or benefit districts, or Uniform Community Development Districts (Chapter 190, F.S.). The cost for these types of improvements will not be borne by the county. (Ordinance No. [94-30](#), [00-22](#), [07-12](#), [18-18](#))

POLICY 15.1.16: For those lands in Area 9, all development must be designed to enhance and support the University. All rezonings in this area must include a specific finding that the proposed uses qualify as Associated Support Development, as that term is defined in the glossary. The final design and components will be determined as part of the rezoning process and must be consistent with the following development standards:

1. **Mixed Use:** Development must incorporate a mix of uses (multiple types of residential development along with non-residential development) and be consistent with the intent of Goals 11 and 15 and Policy 1.1.9. Development on Alico West, Area 9, must be rezoned to a planned development as specified by the Land Development Code. The following maximum development parameters per use are approved for Area 9, subject to transportation mitigation requirements:
 - Residential: A maximum of 1,950 units
 - Retail: A maximum 200,000 square feet
 - Office/Research/Development: A maximum of 140,000 square feet
 - Hotel: 250 rooms
2. **Density:** To ensure the creation of a development that has sufficient residential mass to support the proposed non-residential intensity, while providing a mixture of housing types to meet the needs and accommodate the varying lifestyles of persons related directly and indirectly to the University as required by Policy 15.1.2, the total project must not exceed a total of 1,950 dwelling units.
3. **Non-Residential Uses:** Specific location of non-residential uses, design details, and intensities of non-residential uses will be reviewed during the rezoning process to determine compliance with the requirements of applicable Lee Plan provisions, including but not limited to compatibility, mix of uses, civic spaces, recreation and open space, interconnectivity, and multi-modal design elements.
4. **Office, Research and Development Facilities:** Research and development facilities and office buildings are encouraged which will attract the targeted industries as established by the State of Florida and by Lee County to create economic diversity and to create synergy between FGCU and private facilities. As required by Policy 15.1.1, the emphasis will be on University related scientific research and high technology development activities but may also include and allow a diversity of activities that support the University and private development within Area 9 in keeping with the predominant land uses as established by Policy 15.2.2.
5. **Connectivity to FGCU:** To further implement Policy 15.1.5 relative to alternative modes of transportation, Area 9 will be designed with a connection to FGCU. This connection will be a pedestrian-friendly multi-modal facility, with traffic calming, multi use paths, and other pedestrian oriented safety features. The connection to FGCU must be constructed consistent with the FGCU Campus Master Plan and Development Agreement.
6. **Pedestrian Friendly Design:** The development will be designed as a pedestrian-friendly community. Areas targeted and marketed as student housing, as well as retail, office, and research and development areas, will include pedestrian oriented design features, including traffic calming, sidewalks on both sides of the road system, safety call boxes, and facilities to accommodate the FGCU Eagle Express, Lee Tran, and other alternative modes of transportation.
7. **Parking:** Parking in Area 9 should be screened and minimized to the furthest extent possible in order to create a walkable community that considers the needs of pedestrians and recognizes the possibility for internal trip capture. Parking may be minimized by using on-street parking, shared parking, or structured parking.
8. **Residential Uses:** Single-family residential units and zero lot line units, as defined in the Land Development Code, will be limited to a maximum of 25% of the total approved dwelling units in the planned development.
9. **Town Square:** Area 9 may contain public and private entertainment venues, including but not limited to facilities such as theaters, bars and cocktail lounges, restaurants, bowling alleys, batting cages, arcades, as well as passive recreation facilities.
10. **Landscaping:** All plantings used in buffers and landscaping must be at least 75% native. Irrigation must be provided through a central irrigation system that complies with the Lee County Water Conservation Ordinance. Irrigation control boxes and wells are prohibited on individual residential lots.

11. Florida Gulf Coast University Participation: The owner or agent for Development of Regional Impact or planned development rezoning requests must conduct two meetings with the President of FGCU or designees and will provide detailed information to such representatives at those meetings relating to the Site Plan and Master Concept Plan for any proposed development within Area 9. The developer must invite Lee County zoning and planning staff to participate in such meetings. These meetings must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space and providing security measures as needed. Subsequent to this meeting, the applicant must provide county staff with a meeting summary document that contains the following information: the date, time, and location of the meetings, list of attendees; a summary of the concerns or issues that were raised at the meetings; and a proposal of how the applicant will respond to any issues that were raised.

12. Stormwater Retention for adjacent transportation facilities: Area 9 will accommodate stormwater detention/retention requirements for the Alico Road widening and County Road 951 extension adjacent to the property, if constructed.

(Ordinance No. [10-40](#), [14-03](#), [17-10](#), [18-18](#))

OBJECTIVE 15.2: UNIVERSITY COMMUNITY SUB-CATEGORIES. The University Community meets an educational infrastructure need for the Southwest Florida five county area by providing the necessary and appropriate land uses to carry out the mission of Florida's 10th University as stated by the Board of Regents. Within the University Community land use category there are two distinct sub-categories: University Campus and the University Village. The University Window Overlay is also a part of the University Community land use category. (Ordinance No. [94-30](#), [18-18](#))

POLICY 15.2.1: The University Campus area provides for the land uses of the University and its related functions. Development within the University Campus will be in accordance with provisions of any development agreement(s) between the Department of Community Affairs and the Board of Regents under the provisions of Chapter 380 F.S. and any other applicable state law. (Ordinance No. [00-22](#), [18-18](#))

POLICY 15.2.2: The University Village is an area which provides the associated support development and synergism to create a viable University Community. This sub-category allows a mix of land uses related to and justified by the University and its development. Predominant land uses within this area are expected to be residential, commercial, office, public and quasi-public, recreation, and research and development parks. (Ordinance No. [00-22](#), [14-03](#), [18-18](#))

POLICY 15.2.3: The University Window Overlay includes the area within 100 feet on both sides of the right-of-way of the following roadway segments:

Ben Hill Griffin Parkway	From Alico Road to Corkscrew Road
Alico Road	From I-75 to Ben Hill Griffin Parkway
Corkscrew Road	From I-75 to Ben Hill Griffin Parkway
Estero Parkway	From I-75 to Ben Hill Griffin Parkway

With input from affected property owners, Lee County and the Florida Gulf Coast University Board of Trustees will develop mutually agreed upon standards for the University Window addressing landscaping, signage and architectural features visible from the designated roadway segments. (Ordinance No. [00-22](#), [07-12](#), [10-40](#), [17-10](#), [18-18](#))

GOAL 16: RESERVED (Ordinance No. [18-18](#))

b. Community Planning

GOAL 17: COMMUNITY PLANNING. Ensure a unified approach to community planning that complements and remains consistent with the county's overall goals, objectives, and policies. (Ordinance No. [07-09](#), [18-18](#))

Goal Number	Community Name
18	Bayshore
19	Boca Grande
20	Buckingham
21	Caloosahatchee Shores
22	Olga
23	Captiva
24	Greater Pine island
25	Lehigh Acres
26	North Captiva
27	Northeast Lee County
28	Alva
29	North Olga
30	North Fort Myers
31	Page Park
32	San Carlos Island
33	Southeast Lee County
34	Tice

OBJECTIVE 17.1: COMMUNITY PLANS. To create community plans that address specific conditions unique to a defined area of the county. A community plan is a Goal in the Lee Plan specific to a defined area of the county with long term community objectives and policies. (Ordinance No. [07-09](#), [18-18](#))

POLICY 17.1.1: Coordinate community plans with county-wide and regional plans with respect to population accommodation, transportation, employment, economic development, and infrastructure needs in an effort to avoid inconsistencies. (Ordinance No. [07-09](#), [18-18](#))

POLICY 17.1.2: Community plans must address specific conditions unique to a defined area of the county. Conditions may be physical, architectural, historical, environmental or economic in nature. (Ordinance No. [18-18](#))

POLICY 17.1.3: Community plans should consist of long term objectives and policies that are not regulatory in nature. If needed, land development regulations may be adopted to implement the community plan. (Ordinance No. [18-18](#))

OBJECTIVE 17.2: COMMUNITY PLAN AREAS. To depict the boundaries of community plan areas on the Future Land Use Map (Map 1, Page 2). (Ordinance No. [18-18](#))

POLICY 17.2.1: Each community plan area boundary must be rationally related to the condition(s) identified in the individual community plan. (Ordinance No. [18-18](#))

POLICY 17.2.2: Expansion of an existing community plan area boundary must be supported by data and analysis demonstrating all of the following:

- a specific condition addressed in the community plan also exists outside and immediately contiguous to the existing community plan area;
- expansion of the community plan area boundary would not be duplicative or contrary to the provisions of the Lee Plan;
- expansion of the community plan area boundary requires authorization by the property owner whose property will be added to the community plan area;
- expansion of the community plan area boundary will advance the objectives of the community plan; and
- expansion of the community plan area boundary must be contiguous to the existing community plan area and must not create an enclave.

(Ordinance No. [18-18](#))

OBJECTIVE 17.3: PUBLIC INPUT. To provide opportunities for public input as part of the comprehensive plan and land development code amendment process. (Ordinance No. [18-18](#))

POLICY 17.3.1: Educate the public regarding comprehensive planning and sound planning principles by requiring public information meetings. (Ordinance No. [07-09](#), [18-18](#))

POLICY 17.3.2: One public information meeting is required for privately-initiated applications that propose a text change within a community plan or revises a map designation within a community plan area boundary. The meeting must be conducted before the application can be found complete. (Ordinance No. [18-18](#))

POLICY 17.3.3: Public information meetings required pursuant to the provisions of this sub-element must be held within the established community plan area boundary that is affected by the amendment.¹¹ (Ordinance No. [18-18](#))

POLICY 17.3.4: For required public information meetings, the applicant must provide the following:

- Adequate meeting space to accommodate projected attendance and security measures (as needed).
- Advance notice of the meeting in a publication of local distribution provided at least ten calendar days prior to the meeting, unless otherwise specified herein.¹²
- At the meeting, a general overview of the text or map amendment and effect thereof.
- After the meeting, a meeting summary document submitted to the county that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and the applicant's response to any issues that were raised.

(Ordinance No. [18-18](#))

POLICY 17.3.5: Additional public information meetings may be required as provided in the Land Development Code. (Ordinance No. [18-18](#))

¹¹ For applications within the Northeast Lee County community plan area boundary, a public information meeting must be held within both the Alva and North Olga community plan area boundaries.

¹² See Policy 23.4.1 for specific public information meeting requirements for applications within the Captiva community plan area boundary.

GOAL 18: BAYSHORE COMMUNITY PLAN. 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. (Ordinance No. [03-02](#), [18-18](#))

OBJECTIVE 18.1: LAND USE. 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. (Ordinance No. [03-02](#), [18-14](#), [18-18](#))

POLICY 18.1.1: 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 Land Development Code. (Ordinance No. [03-02](#), [18-18](#))

POLICY 18.1.2: 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. (Ordinance No. [03-02](#), [17-13](#), [18-18](#))

POLICY 18.1.3: No new industrial uses or industrial rezonings are permitted after February 3, 2003. (Ordinance No. [03-02](#), [18-18](#))

POLICY 18.1.4: No new mining uses or commercial excavations are permitted after February 3, 2003. (Ordinance No. [03-02](#), [18-18](#))

OBJECTIVE 18.2: TRANSPORTATION. 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. (Ordinance No. [03-02](#), [18-18](#))

POLICY 18.2.1: Any expansion of the state arterial roadways should include physically separated provisions for bicyclists/pedestrians. (Ordinance No. [03-02](#), [18-18](#))

POLICY 18.2.2: 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. (Ordinance No. [03-02](#), [18-18](#))

POLICY 18.2.3: 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. (Ordinance No. [03-02](#), [18-18](#))

OBJECTIVE 18.3: SEWER AND WATER. 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. Central water service for enhanced fire protection will be encouraged where economically feasible. (Ordinance No. [03-02](#), [18-18](#))

POLICY 18.3.1: 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. (Ordinance No. [03-02](#), [18-18](#))

OBJECTIVE 18.4: PARKS AND RECREATION. 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. (Ordinance No. [03-02](#), [18-18](#))

POLICY 18.4.1: The support of the Bayshore residents may include assistance with development and maintenance of such a recreation facility. (Ordinance No. [03-02](#), [18-18](#))

GOAL 19: BOCA GRANDE COMMUNITY PLAN. Preserve and conserve the environment, recreation and open space areas, and historic resources within the Boca Grande Community Plan area boundary of the community plan area while implementing the Gasparilla Island Conservation District Act (GICDA) and upholding the Boca Grande Historic District.¹³ (Ordinance No. [05-19](#), [18-18](#))

OBJECTIVE 19.1: FUTURE LAND USE. To preserve the traditional character, and scale of the Historic District and residential areas of the Boca Grande Community Plan area by continuing to limit the densities and intensities of use and development to sustainable levels that will not adversely impact the natural environment, overburden the existing infrastructure, or require additions to the present infrastructure.

To enforce the regulations found in the GICDA and to further develop growth management policies and regulations to limit densities and intensities of development in the Boca Grande Community Plan area, in order to maintain the historic scale and development patterns of the community. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.1.1: Lee County will work with the Boca Grande community to establish boating and marine facility site location standards which will help to identify appropriate locations and development regulations that are consistent with a scope and intensity that will protect the community from the potential negative impacts. Future public boat ramps and other watercraft launching facilities on Gasparilla Island will only be developed with adequate on-site parking, and should minimize impacts to traffic and pedestrian safety, the environment, neighborhoods, and consider marine safety issues. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.1.2: In order to preserve the existing community character of Boca Grande, the Boca Grande community will work to develop standards to regulate all commercial uses on Gasparilla Island. Development standards will identify commercial design guidelines, parking and signage standards, appropriate intensity of uses and establish location standards to ensure consistency with the existing community character. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.1.3: The owner or agent for any rezoning or special exception request must conduct one public information meeting in accordance with Policies 17.3.3 and 17.3.4 prior to the application being found sufficient. (Ordinance No. [05-19](#), [18-18](#))

¹³ The Boca Grande Historic District is that area described in Resolution Designating Historic Resource HD 90-05-01 District recorded in the Lee County Clerk of Courts Official Records Book 2164 Pages 1166-1203.

POLICY 19.1.4: In order to promote water conservation and better manage this important resource, the Boca Grande community will develop standards for permit requests of new buildings to conduct a cistern feasibility study as part of the permitting process. For redevelopment projects, Lee County will seek to encourage the establishment of cisterns as a non potable water source, wherever practicable. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.1.5: In order to maintain the traditional scale and historic patterns of development on Gasparilla Island, including areas outside the Boca Grande Historic District, the Boca Grande community will develop regulations to preserve light, space and air around new residential dwelling construction and to discourage “mega houses” or “mansionization” of Boca Grande. New development or redevelopment will recognize that traditional setbacks, particularly front and side yard setbacks, as well as strict adherence to the Coastal Construction Control Line, within existing and proposed neighborhoods on Gasparilla Island, should be maintained. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.1.6: Lawfully existing businesses and commercial buildings in the Boca Grande commercial areas will be deemed to be vested as related to parking, setbacks, height, and land use. Any expansion or change of use to one of higher intensity will require a review of parking impacts, setbacks, height, and uses as necessary. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.1.7: Lee County will support the Boca Grande community in their efforts to further investigate the need for modified development regulations applicable to Boca Grande, based upon the unique nature of the community, the location of Boca Grande on a barrier island at the mouth of Charlotte Harbor, the limited opportunities for supporting infrastructure, the seasonal nature of the demand upon public facilities, and the need for cross-county administration of growth management legislation. The Boca Grande community may propose development regulations that address the following:

- a. The creation of the Gasparilla Island Zoning Overlay district to address inconsistencies with current zoning districts and the comprehensive plan and GICDA, implement policies adopted in this plan, and adopt modified development regulations such as, but not limited to, parking requirements, minimum setbacks, and commercial and residential design standards.
- b. The creation of a marine park zoning district to facilitate consistent local enforcement of existing Federal, State and County regulations in waterfront areas and new regulations to better manage coastal issues such as use and rental of personal watercrafts, abandoned vessels, live aboards, sanitation, water quality, and noise.

(Ordinance No. [05-19](#), [18-18](#))

OBJECTIVE 19.2: TRANSPORTATION, PARKING AND TRAFFIC CIRCULATION. To ensure residential and commercial land use in Boca Grande that recognizes the connection between the existing transportation infrastructure and the community's desire to preserve Boca Grande's community character as a tranquil residential community, with an historic village center, and abundant open space and preservation areas. No policy in this community plan will be construed or interpreted to imply that Lee County will implement and/or enforce new traffic regulations, traffic control, or parking regulations which are determined to be significantly substandard or may cause a defined safety or operational problem.

Lee County will recognize the inherent need to limit additional impacts to the existing transportation infrastructure of Boca Grande, the varied types and limited access to the community, the need for alternate forms of transportation within the community, the need for specialized standards for parking and commercial service areas, and the seasonal nature of infrastructure demand that exists throughout the community. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.2.1: Enforce the provisions of the GICDA which limit growth, limit building height and restrict advertising throughout the Boca Grande Community Plan area. (Ordinance No. [05-19, 18-18](#))

POLICY 19.2.2: Lee County will support the provision of convenient, safe bridges providing access to Gasparilla and Cole Islands and supports the highest standard of safety for vehicles, golf carts, bicycles, and pedestrians including strict enforcement of traffic laws. (Ordinance No. [05-19, 18-18](#))

POLICY 19.2.3: In order to preserve the historic characteristics of the community, Lee County will support the use of all way stop intersections or other traffic control methods, rather than traffic signals, whenever possible in the Boca Grande community. (Ordinance No. [05-19, 18-18](#))

POLICY 19.2.4: Lee County will support efforts of the Boca Grande community to beautify road right-of-ways and enhance the public realm of Boca Grande by including provisions for streetscaping in Historic Downtown Villages in the LeeScape Master Plan. In order to maintain low traffic volumes, operating speeds, and noise levels, improvements will emphasize traffic calming techniques, and the need to preserve the aesthetic values of the community. Particular emphasis will be placed in the Historic District. Enhancements may include village streetscaping such as additional street trees, trash receptacles, benches and burying utilities underground. (Ordinance No. [05-19, 18-18](#))

POLICY 19.2.5: Lee County will continue to ensure viable hurricane evacuation options for the residents and stakeholders of Boca Grande. (Ordinance No. [05-19, 18-18](#))

POLICY 19.2.6: Lee County will support improvement of pedestrian safety by establishing and marking crosswalks throughout the community, and by improving pedestrian circulation within the Historic District. (Ordinance No. [05-19, 18-18](#))

OBJECTIVE 19.3: PARKING. To create safe and efficient parking for employees, patrons and visitors by implementing appropriate parking standards in the Land Development Code which address the capacity and design needs of the commercial businesses in the Boca Grande Community Plan area. (Ordinance No. [05-19, 18-18](#))

POLICY 19.3.1: As a result of regional growth and local redevelopment, Lee County will provide assistance to develop a long-range strategy to address increased parking demand. This may result in regulations, infrastructure improvements or adoption of management practices which incorporate any number of the following:

- a. Revised traffic count thresholds
- b. Maximum development intensities
- c. Revised minimum parking requirements
- d. Traffic congestion mitigation practices
- e. Vehicle and pedestrian safety programs
- f. Shared parking agreements
- g. Public/Private partnerships to fund new or expanded parking facilities

(Ordinance No. [05-19, 18-18](#))

POLICY 19.3.2: Lee County will seek to maximize the efficiency and the functionality of existing parking facilities by improving trailblazing signage, re-designing existing parking facilities, and creating specific facilities for golf cart and bicycle parking. Designated parking for employees, the appropriate number of parking spaces for new and expanded uses, and enforcement of existing parking restrictions and permit requirements will also be examined. (Ordinance No. [05-19, 18-18](#))

POLICY 19.3.3: Parking along the beach access streets and other public rights-of-way will be regulated to allow convenient ingress and egress to residences and permit adequate emergency vehicle access at all times. Lee County will support efforts of the Boca Grande community to analyze the appropriateness of overnight and long term parking in the public rights-of-way, the Gilchrist median, and along beach access streets. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.3.4: Lee County will seek to direct service vehicles and delivery vehicles to designated unloading zones. Due to the traffic congestion in the Historic District, Lee County will assist in establishing time restrictions on service and delivery trucks during peak traffic periods, such as those occurring in March and April. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.3.5: For all new development and redevelopment, Lee County will continue to support and improve design and permitting efforts through the site plan review process that adequately address truck deliveries, emergency vehicle access, and solid waste disposal. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.3.6: Lee County will assist in a study of traffic patterns and flow in and around the Post Office, Park Avenue, East Railroad Avenue and West Railroad Avenue, seeking to develop a plan of action that will improve the functionality of the infrastructure while preserving the aesthetics of the community. (Ordinance No. [05-19](#), [18-18](#))

OBJECTIVE 19.4: CONSERVATION AND COASTAL MANAGEMENT. To preserve, protect, and, where possible, enhance the physical integrity, village character, ecological values, and natural beauty of the Boca Grande Community plan area, focusing upon the diverse and healthy native vegetation, the clear offshore waters, and the varied and abundant native marine and wildlife resources in a manner compatible with the GICDA, the promotion and preservation of the Boca Grande Historic District as a thriving community, and preservation of the Boca Grande Community Plan area's historic heritage. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.4.1: Lee County will support and encourage beach renourishment and other efforts to maintain the beaches and protect Gasparilla Island from tidal events. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.4.2: Support the State's efforts to protect and preserve mangroves both on private properties as well as within public lands and easements. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.4.3: Preserve the beach dune system, beach dune vegetation, and beach dune wildlife, by discouraging any construction seaward of the 1978 Coastal Construction Control Line. This policy will not apply to the placement of raised walkways intended to cross over the dune system from adjoining properties, nor will it apply to bona fide beach renourishment and shoreline protection efforts. Lee County will support the State's efforts to protect the beach dune system, beach dune vegetation, and beach dune wildlife communities on Gasparilla Island. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.4.4: Beach renourishment efforts will include the re-establishment of a beach dune system, beach dune vegetation, and beach dune wildlife communities, including nesting birds and turtles, to the greatest extent practicable. Any rock or hard revetment will be covered with sand and planted with salt resistant native plants. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.4.5: Except for emergency events and public purposes, vehicular traffic is banned from all beaches in the Boca Grande Community Plan area. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.4.6: Lee County will use regulatory powers to preserve, protect, and enhance the marine habitat surrounding Gasparilla Island, including sea grass beds, manatee habitat, estuarine habitat, and near shore waters of Gasparilla Island. Nothing in this policy requires Lee County to support unreasonable policies of any other regulatory agency. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.4.7: Permits for new dock construction will be reviewed to assure the protection of sea grass beds, manatee habitat, tarpon fishing grounds, and other environmental values intrinsic to Charlotte Harbor. Nothing in this policy requires Lee County to support unreasonable policies of any other regulatory agency. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.4.8: Assist in the enforcement of best management practices for anchorages of Gasparilla Island. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.4.9: Maintain policies and guidelines for beach clean-up during red tide and similar extraordinary tidal events. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.4.10: Maintain a program to restore the plant diversity on county owned lands within the Boca Grande Community plan area through the removal of exotic vegetation and its replacement with native species. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.4.11: Lee County will support programs that provide periodic clean-up activities in aquatic preserves, on the beaches of Gasparilla Island, and at beach access points on Gasparilla Island. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.4.12: Work in conjunction with Charlotte County to implement a plan to stop the proliferation of iguanas and other exotic fauna within the Boca Grande Community Plan area. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.4.13: Support research into the causes and control of red tide and other similar extraordinary tidal events. (Ordinance No. [05-19](#), [18-18](#))

OBJECTIVE 19.5: NATURAL RESOURCE PROTECTION. To preserve, protect, and enhance the natural environments within the Boca Grande Community plan area through measures that control the risk of harm attributable to human impact. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.5.1: Lee County will support efforts to preserve, protect, and, where possible, enhance the tarpon and game fish population of Charlotte Harbor and the near shore waters of the Gulf of Mexico. (Ordinance No. [05-19](#), [18-18](#))

OBJECTIVE 19.6: COMMUNITY FACILITIES AND SERVICES. To ensure the continued delivery of high quality, accessible community facilities and services that meet the educational, recreational, informational, and public safety, health and welfare needs of the residents, visitors and stakeholders of the Boca Grande Community plan area.

Through the administration of county services, the Land Development and Administrative Codes, and the cooperative efforts of interagency and intergovernmental agreements, continue to provide utilities and infrastructure; emergency, law enforcement and fire protection services; education, information resource and recreation services; and mosquito and animal control services, in a safe and efficient manner. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.6.1: Lee County will seek to maintain and enhance the public/ private partnership for the operation and enhancement of the Boca Grande Community Center and other county operated facilities open to the public in the community of Boca Grande. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.6.2: Lee County will cooperate with the Gasparilla Island Water Association (GIWA) to ensure the continued provision of potable water and sanitary sewer service to the community of Boca Grande. Lee County will continue to support the Wellhead Protection regulations adopted by the GIWA and Charlotte County to protect and preserve the sources upon which the community of Boca Grande relies for its potable water. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.6.3: Lee County will facilitate and provide for the disposal of solid waste, including refuse, recyclables, and horticultural waste. Lee County will enter into an inter-governmental agreement with Charlotte County, if necessary, to ensure that the community of Boca Grande will have access to Charlotte County's solid waste disposal area located on Environmental Way in Charlotte County. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.6.4: Lee County will facilitate and cooperate with the applicable mosquito control district to control the health risk that mosquitoes represent. Lee County will continue to support the utilization of safe, effective, and environmentally responsible measures for mosquito control, recognizing the need to preserve local flora and fauna, including marine life. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.6.5: Lee County will work with the applicable mosquito control district to facilitate the dissemination of aerial spraying schedules, as well as any threat to the public health, to the community of Boca Grande, the Boca Grande Health Clinic, and the newspapers that serve the community of Boca Grande. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.6.6: Lee County will support the operation and enhancement of a reference library facility, including the provision and improvement of adequate electronic based equipment, internet access, and software, in cooperation with local community organizations. Professionally trained library personnel will manage and operate the facility. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.6.7: So long as local interest exists in the community of Boca Grande to maintain an Island School to serve the population of the community of Boca Grande, Lee County will support the Lee County School Board, if necessary, with an inter-local agreement, in maintaining a viable school site and educational programs. Such support may include, but is not limited to, facilitation of land use regulations, joint use of community resources, funding assistance, joint utilization of staffing, or other applicable coordination efforts. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.6.8: Lee County will cooperate with the Boca Grande Fire Control District (BGFCF) in the provision of fire protection services to the community of Boca Grande. Such cooperation will include, but will not be limited to, recognition that the Fire Chief of the BGFCF has the authority for interpretation and enforcement of fire codes in the community of Boca Grande. All homes will be required to have the address clearly posted on the property. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.6.9: Lee County will provide the necessary communications infrastructure as required to manage and dispatch all 911 calls affecting the community of Boca Grande, entering into agreements as necessary with the BGFCF and Charlotte County. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.6.10: Lee County will cooperate in the establishment of inter-local agreements between and among all necessary parties to provide for: 1) the appropriate handling of hazardous

materials incidents; 2) mutual aid agreements with the Englewood Fire Control District and Charlotte County Fire and EMS; 3) advanced life support emergency medical services; and 4) back-up EMS response as may be required by the community of Boca Grande. (Ordinance No. [05-19, 18-18](#))

POLICY 19.6.11: Lee County will cooperate as necessary in the provision of communications, information distribution, public service meetings, educational efforts, and a local liaison for emergency situations affecting the community of Boca Grande. Lee County will maintain an up-to-date list of first-in team contacts, cooperate as necessary with applicable jurisdictions and service providers for communication of evacuation status, shelter locations, and re-entry information in the event of an emergency situation. The issuance of evacuation notices will be coordinated with Charlotte County. Lee County will work with other local, State, and Federal authorities as necessary to assist in the provision of adequate means by which the community of Boca Grande can be evacuated through the Cape Haze Peninsula in the event of an emergency situation. It is acknowledged that the appropriate Emergency Operations Center (EOC) is determined by the Boca Grande Fire Control District. (Ordinance No. [05-19, 18-8](#))

POLICY 19.6.12: Lee County Emergency Medical Services will provide land or air transportation to the most appropriate facility and will maintain a liaison with the Boca Grande Health Clinic to keep the clinic fully informed of all Emergency Medical protocols and procedures for operations and any changes that may be implemented whether temporary or permanent. The Boca Grande Health Clinic will be informed relating to any public health issues or public county health problems. (Ordinance No. [05-19, 18-18](#))

POLICY 19.6.13: Lee County will promote and assist as necessary in the provision of a full-time police and law enforcement presence for the community of Boca Grande. Cooperative arrangements in the form of inter-local agreements, or other mechanisms as may be applicable, between Lee and Charlotte County will be supported if necessary. (Ordinance No. [05-19, 18-18](#))

POLICY 19.6.14: Provide the necessary maintenance and improvements on all public rights-of-way to ensure the continued safety and efficiency of roadways, paths, and surface water management systems. (Ordinance No. [05-19, 18-18](#))

OBJECTIVE 19.7: OPEN SPACE, RECREATION AND BEAUTIFICATION. To promote, protect and enhance existing and potential open space, recreational facilities, and the quality of life for the residents and stakeholders of the Boca Grande Community Plan area. These efforts will enhance the aesthetic qualities of the Boca Grande Community Plan area and benefit its residents while preserving the characteristics of its fragile barrier island system.

The Boca Grande Community Plan area represents a unique cross-jurisdictional, barrier island community with distinct physical attributes that govern the preservation of open space and recreational opportunities. Opportunities will be sought to enhance and protect the quality of life for residents, visitors and stakeholders through the preservation of functional open space and recreational areas while seeking to limit demands upon a restricted infrastructure and enhancing the aesthetic qualities of the Boca Grande Community Plan area. (Ordinance No. [05-19, 18-18](#))

POLICY 19.7.1: Support efforts to protect and enhance the functionality of the eight-mile long pedestrian/bike/electric golf cart path in the Boca Grande Community Plan area (Ordinance No. [05-19, 18-18](#))

POLICY 19.7.2: Coordinate public works projects, such as street resurfacing, repairs, maintenance, drainage swales and other surface water management systems so that they include

landscaping and aesthetic options that are in keeping with the concept of promoting, preserving and enhancing the ecological and aesthetic qualities of the Boca Grande Community Plan area. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.7.3: Investigate the feasibility of converting Banyan Street to a one-way facility and reducing the pavement width in order to better preserve and protect the banyan trees. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.7.4: Automobile parking on 5th Street from Park to Gilchrist, known as Mahogany and Veterans Park, is prohibited. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.7.5: Lee County will continue to support the designation of Gasparilla Island as a bird and wildlife sanctuary, as adopted in Lee County Ordinance 83-16. Lee County will support the efforts of Charlotte County for the designation of Cole Island, Live Oak Key, Peekins Ranch Cove and Key, the fishing pier at the old 400 foot railroad bridge, the peninsula located north of the Lee County line (as identified in the Open Space Inventory), all remaining land zoned Environmentally Sensitive, as well as the Charlotte County portion of Gasparilla Island, as a bird and wildlife sanctuary. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.7.6: Support and promote the preservation of environmentally sensitive lands and support, promote and investigate additional preservation programs. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.7.7: Lee County will maintain the existing recreational facilities on Gasparilla Island, including two tennis courts, a basketball court, a volleyball court, the baseball field on Wheeler Street, the various beach access locations, a community playground, the picnic areas, and fishing sites, including one on the Bayou. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.7.8: Lee County will support efforts in the Historic District to install and maintain additional native landscaping, especially along Park Avenue and Fourth Street, to provide greater community aesthetics, safer pedestrian movement, landscaped parking areas for automobiles and golf carts and more efficient traffic flow. (Ordinance No. [05-19](#), [18-18](#))

OBJECTIVE 19.8: HISTORIC PRESERVATION. To protect, preserve, and enhance the historic resources and heritage of the Boca Grande Community Plan area. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.8.1: Maintain a Boca Grande Historic Preservation Board. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.8.2: Lee County will work with the community of Boca Grande in updating its inventory of contributing and non-contributing structures as part of its efforts to preserve the historic resources of Gasparilla Island. Lee County will assist in efforts to create a record of the historic features of the Island in order to sustain a legacy for future generations. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.8.3: Lee County will work with the Boca Grande Historic Preservation Board and the community of Boca Grande in reviewing the design parameters applicable to the Historic District of Boca Grande to ascertain whether additions, modifications, or deletions need to be considered. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.8.4: Lee County will investigate additional fiscal and tax incentives to preserve the economic viability of the Historic District of Boca Grande. (Ordinance No. [05-19](#))

POLICY 19.8.5: Lee County will preserve the historic village character of the commercial sector of Boca Grande by adhering to the criteria of the Design Guidelines Manual for the Boca Grande Historic District. Lee County will support efforts of the Boca Grande community to modify site and design regulation within the Boca Grande Historic District to include commercial signage and other design components or uses that are not in keeping with the historic elements of the existing community character on Gasparilla Island. (Ordinance No. [05-19](#))

POLICY 19.8.6: Lee County will work with the Boca Grande Historic Preservation Board and the community to review the build-back regulations to ascertain whether modifications need to be undertaken in order to restore historic features in the event of catastrophe. If necessary, regulations to allow designated historic resources to be reconstructed will be adopted. (Ordinance No. [05-19](#))

OBJECTIVE 19.9: ECONOMICS. To preserve and promote the economic health of the Boca Grande Community Plan area while not expanding the amount of commercial property on the Island in accordance with the GICDA. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.9.1: Lee County will support efforts by the Gasparilla Island Bridge Authority (GIBA) to secure funding for the repair and maintenance of the bridges connecting Gasparilla Island to the mainland. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.9.2: Lee County will support efforts to preserve, maintain, and enhance the beaches of Gasparilla Island. (Ordinance No. [05-19](#), [18-18](#))

POLICY 19.9.3: To ensure Boca Grande's economic health, Lee County will support the preservation of historic businesses and commercial structures. Support may include historic preservation grants and development regulations which will encourage mixed use buildings. The Gasparilla Inn is an example. (Ordinance No. [05-19](#), [18-18](#))

GOAL 20: BUCKINGHAM COMMUNITY PLAN. Manage the future growth in the Buckingham Community Plan area; to preserve the existing rural and agricultural land use pattern; to diversify the choice of housing for Lee County by maintaining and enhancing the historic and rural character; and to protect the unique historical and environmental resources in the Buckingham Community Plan area. (Ordinance No. [91-19](#), [93-25](#), [94-30](#), [10-15](#), [18-18](#))

OBJECTIVE 20.1: LAND USE. Land uses in the Buckingham Community Plan area will be developed in a manner that is consistent with the rural and agricultural land use pattern. (Ordinance No. [00-22](#), [10-15](#), [18-14](#), [18-18](#))

POLICY 20.1.1: No property within the Buckingham Community Plan area will be rezoned to RVPD. (Ordinance No. [00-22](#), [10-15](#), [18-18](#))

POLICY 20.1.2: The southeast and northeast quadrants of the intersection of Orange River Boulevard and Buckingham Road is designated as the commercial node for the Buckingham Community Plan area. With the exception of the uses and the property identified in this policy, no new commercial development will be located outside of this commercial node. All new commercial developments in the node are required to provide a minimum of 30% open space. This commercial node is described as those lands 300 feet eastward from the easterly right-of-way of Buckingham Road and lying between Cemetery Road and a point 300 feet north of the intersection of Buckingham Road and Orange River Boulevard. Commercial uses permitted in agricultural zoning districts, such as Feed and Tack stores, are allowed outside of the commercial node if appropriate zoning approval is granted. Commercial boarding stables throughout the Rural Community

Preserve will be allowed to give lessons and clinics if lawfully existing or appropriate zoning approval is granted. Commercial uses are permitted on the property zoned C-1 located at 9140 Buckingham Road. (Ordinance No. [94-30](#), [98-09](#), [00-22](#), [10-15](#), [18-18](#))

POLICY 20.1.3: Except for those clustered areas approved in accordance with Policy 20.1.5, all lots created in the Rural Community Preserve future land use category must have a minimum area of 43,560 square feet, unless a Minimum Use Determination has been issued. Calculation of lot size must exclude any road right-of-way or easement areas, water management areas, and natural water bodies. (Ordinance No. [00-22](#), [10-15](#), [18-18](#))

POLICY 20.1.4: Bonus density is prohibited in the Rural Community Preserve. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.1.5: Clustering of residential development in the Rural Community Preserve requires residential planned development (RPD) zoning. Density in clustered developments will be based on upland acreage. Dwelling units must be located away from the property boundaries. Clustering of residential development is limited in the following fashion:

- Buildings must be set back a minimum of 100 feet from the RPD boundary.
- The RPD must have a minimum of 10 acres in order to cluster homesites.

(Ordinance No. [10-15](#), [18-18](#))

POLICY 20.1.6: When possible, residential development adjacent to the Rural Community Preserve future land use category should make appropriate transitions to the Community Plan area with a graduated increase in density as development moves away from the Rural Community Preserve future land use category boundary. Appropriate buffers will be established for projects adjacent to the Rural Community Preserve future land use category boundary during the rezoning process. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.1.7: To preserve the shoreline, a 50 foot setback is required from the Orange River. The setback will be measured from the mean high water line or from the top of bank of the Orange River, whichever is further landward. Docks are exempt from this setback requirement. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.1.8: The owner or agent of any rezoning or special exception request on property within the Community Plan area boundary or on property with existing or proposed direct access to Buckingham Road, must hold one public information meeting in accordance with Policies 17.3.3 and 17.3.4 prior to the application being found sufficient. (Ordinance No. [18-18](#))

OBJECTIVE 20.2: TRANSPORTATION. To use context sensitive design, appropriate to Future Non-Urban Areas, for roadway improvements. For purposes of this objective, improvements related to bicycle, pedestrian and equestrian facilities or safety improvements, including but not limited to intersection and turn lane additions or improvements, will not be deemed an expansion of the roadway. (Ordinance No. [94-30](#), [99-15](#), [00-22](#), [10-15](#), [18-18](#))

POLICY 20.2.1: Future multi-lane expansions within the Buckingham Community Plan area will be limited to the four-laning of Buckingham Road (except for the portion of Buckingham Road that is encompassed by the Luckett Road Extension). All other existing roadways within the boundaries of the Buckingham Community Plan area will remain in their two-lane configuration. This policy does not include bicycle, pedestrian and equestrian facilities or safety improvements. Prior to adding any multi-lane expansions of Buckingham Road to the schedule of capital improvements, one public meeting after 5:00 p.m. regarding the proposed road expansion must be held in accordance with Policies 17.3.3 and 17.3.4. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.2.2: Future extensions of roadways into or through the Community Plan area will be limited to the Luckett Road Extension on the alignment and in the configuration as adopted by the Board of County Commissioners on June 3, 2008. Any proposal to further change the adopted alignment of the Luckett Road Extension will require analysis and public input with at least one public meeting in accordance with Policies 17.3.3 and 17.3.4. The analysis must consider the feasibility of locating the alignment as far south as possible, starting east of Pangola, in order to skirt the Buckingham Community Plan area. In addition, specific roadway extensions are prohibited as follows:

1. The extension of State Road 31 south of the Orange River is prohibited.
2. The extension of Ellis Road is prohibited.
3. The extension of Staley Road to State Road 82 is prohibited.
4. The extension and connection of Long Road to Ellis Road is prohibited.
5. No new east/west collector roadways will be planned or built within the Rural Community Preserve.

(Ordinance No. [10-15](#), [18-18](#))

POLICY 20.2.3: Identify issues, propose options, and develop a plan directed at improving safety on roads, limiting the negative effects of traffic, and improving the overall functionality of roads within the Buckingham Community Plan area to the extent practicable and consistent with the balance of applicable policies. (Ordinance No. [10-15](#), [18-18](#))

OBJECTIVE 20.3: PUBLIC FACILITIES AND UTILITIES. To maintain the rural character of the Buckingham Community Plan area with the provision of public facilities and utilities appropriate for Future Non-Urban Areas. (Ordinance No. [00-22](#), [03-19](#), [10-15](#), [18-18](#))

POLICY 20.3.1: In order to discourage unwanted urban development, central sewer lines will not be extended into the Buckingham Community Plan area, except to the areas identified by Lee Plan Map 7 as Future Sanitary Sewer Service Areas, the existing Resource Recovery Facility, the adjacent Lee County Parks and Recreation Facility, and any future public facility. Under no circumstances will the availability of central sewer lines be accepted as justification for a density or intensity increase, or reduction of lot size requirements (except as provided in Policy 20.1.5), within the Rural Community Preserve. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.3.2: Central water lines may be extended along roads of the Buckingham Community Plan area upon request of property owners, with extension and connection fees paid by the person(s) receiving the water service. The county may also extend central water lines through the Buckingham Community Plan area, if necessary. Connection to this expanded water service network will be on a voluntary basis. Under no circumstances will the availability of central water be accepted as justification for a density or intensity increase, or reduction of lot size requirements (except as provided in Policy 20.1.5), within the Buckingham Community Plan area. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.3.3: All new large developments (as defined in chapter 10 of the Land Development Code) must install utilities underground. Utilities include, but are not limited to, electricity, telephone, and cable lines. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.3.4: Lehigh Acres Municipal Services Improvement District (LAMSID) is encouraged to continue to develop and maintain its infrastructure to minimize flooding, manage flows down the Orange River, and improve water quality. In addition, LAMSID is encouraged to work with the Lee County Emergency Operations Center to develop a system to warn residents in advance of large releases of water. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.3.5: Any development or redevelopment of property must be done in a manner that does not adversely impact the rural community. Any use must provide appropriate separation, buffering, traffic mitigation and control, and environmental protection. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.3.6: Detention and correctional facilities are prohibited within the Buckingham Community Plan area. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.3.7: No new landfills or resource recovery facilities are permitted in the Buckingham Community Plan area. Expansion of the Resource Recovery facilities located on the county property is permitted, including the introduction of new operations and facilities to address solid waste needs. (Ordinance No. [10-15](#), [18-18](#))

OBJECTIVE 20.4: LANDSCAPING, BUFFERING, COMMUNITY AESTHETICS, AND QUALITY OF LIFE. To provide adequate and appropriate landscaping, open space, and buffering as a means of protecting and enhancing the historic rural character and natural environment of the Buckingham Community Plan area from potential negative impacts of developments, utilities, public services, roads, and land use changes or other improvements. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.4.1: Essential service and community facilities must provide an appropriate native vegetative buffer to address compatibility. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.4.2: Lee County will continue, through Lee County Solid Waste Collection Agreements, to require all current and future solid waste collection contractors to perform weekly litter collection along approximately one and one half miles of Buckingham Road, in the vicinity of the Resource Recovery Facility. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.4.3: Residential project walls are prohibited. Berms are allowed in accordance with the Land Development Code, but must be designed to be undulating. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.4.4: Outdoor lighting must be designed to reduce light pollution and light trespass. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.4.5: Any deviation from landscaping, buffering, or signage requirements may not be granted, unless the request meets the approval criteria for variances set forth in Chapter 34 of the Land Development Code. (Ordinance No. [10-15](#), [18-18](#))

OBJECTIVE 20.5: ENVIRONMENT, OPEN SPACE AND PARKS. To protect the environment, open space and parks within the Buckingham Community Plan area. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.5.1: Lee County will work with the Buckingham Community to develop a plan for an interconnected system of parks, hiking, and horse riding trails within the Buckingham Community Plan area. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.5.2: Any access to the Orange River, except for single family docks, will be reviewed through the planned development zoning process to insure consistency with surrounding areas. Docks, except for single family docks, approved prior to March 3, 2010 may remain but may not be expanded unless the expansion complies with this policy. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.5.3: The removal of invasive exotic plants, as defined by the state or county, is required for all new development within the Rural Community Preserve. (Ordinance No. [10-15](#), [18-18](#))

OBJECTIVE 20.6: To protect and support agricultural uses. These uses include a variety of agricultural applications such as tree farms, citrus farms, stables, cattle, cows, goats, and other livestock and crops of varying sizes. (Ordinance No. [10-15](#), [18-18](#))

POLICY 20.6.1: Growing of crops for alternative energy sources on an experimental basis, such as *Jatropha curcas*, will be considered an agricultural use. (Ordinance No. [10-15](#), [18-18](#))

GOAL 21: CALOOSAHATCHEE SHORES COMMUNITY PLAN. Protect the existing character, natural resources and quality of life in the Caloosahatchee Shores Community Plan area, while promoting new development, redevelopment and maintaining a more rural identity for the neighborhoods east of I-75 by establishing minimum aesthetic requirements, planning the location and intensity of future commercial and residential uses, and providing incentives for redevelopment, mixed use development and pedestrian safe environments. (Ordinance No. [03-21](#), [18-18](#))

OBJECTIVE 21.1: COMMUNITY CHARACTER. To create a visually attractive community. (Ordinance No. [03-21](#), [18-18](#))

POLICY 21.1.1: Maintain Land Development Code regulations that provide for enhanced landscaping, signage and architectural standards consistent with the goal of maintaining an old Florida rural identity. The preferred architectural style for all buildings in commercial developments is Florida vernacular. (Ordinance No. [03-21](#), [07-12](#), [18-18](#))

POLICY 21.1.2: Any deviation from landscaping, buffering, signage or architectural requirements may not be granted unless the request meets the approval criteria for variances set forth in Chapter 34 of the Land Development Code. (Ordinance No. [03-21](#), [18-18](#))

POLICY 21.1.3: Protect Caloosahatchee Shores' rural character from the encroachment of inconsistent and incompatible urban development by requiring that amendments to the future land use map that increase density or intensity be accompanied with a concurrent planned development rezoning that demonstrates compatibility with the rural character. (Ordinance No. 09-06, [18-14](#), [18-18](#))

OBJECTIVE 21.2: COMMERCIAL LAND USES. New commercial uses will be limited to properties already zoned for commercial uses as well as properties located at the intersection of I-75 and S.R. 80, the intersection of S.R. 31 and S.R. 80, the State Route 80 Corridor Overlay, the Verandah Boulevard commercial node, and the Commercial, Central Urban and Suburban future land use categories adjacent to S.R. 80. New commercial zoning must be approved through the planned development rezoning process. Commercial redevelopment and increased commercial opportunities on properties adjacent to SR 80 to service the needs of the Caloosahatchee Shores Community Plan area and surrounding areas are encouraged. (Ordinance No. [03-21](#), [11-24](#), [17-13](#), [18-18](#))

POLICY 21.2.1: To service the retail needs of Caloosahatchee Shores and the surrounding rural communities, the intersection of SR 80 and SR 31, north of SR 80 and east and west of SR 31 are designated as commercial nodes to allow for greater commercial intensity. Commercial nodes are intended for development or redevelopment at Community Commercial levels as defined in the Glossary. ([Ordinance No. 17-13](#))

The Verandah Boulevard commercial node is intended for Minor Commercial levels as defined in the Glossary. Office and residential uses consistent with the Suburban designation are also allowed in this Minor Commercial node. (Ordinance No. [03-21](#), [11-24](#), [17-13](#))

POLICY 21.2.2: New retail uses along Buckingham Road will be limited to the intersection of S.R. 80 and Buckingham Road. (Ordinance No. [03-21](#), [11-24](#), [17-13](#))

POLICY 21.2.3: The Olga Mall property, 2319 S. Olga Drive, may continue to provide minor commercial retail services for the Olga community. (Ordinance No. [03-21](#), [11-24](#))

OBJECTIVE 21.3: RESIDENTIAL USES. To protect and enhance the existing residential neighborhoods in the Caloosahatchee Shores Community Plan area by providing appropriate buffers between residential and non-residential uses. (Ordinance No. [03-21](#), [18-18](#))

POLICY 21.3.1: Maintain Land Development Code regulations that provide for greater buffering between adjacent commercial and residential uses except for in mixed use developments. (Ordinance No. [03-21](#), [07-12](#), [18-18](#))

OBJECTIVE 21.4: MIXED USE DEVELOPMENT. To encourage mixed use developments in specific areas of the Caloosahatchee Shores Community Plan area through a variety of incentives. (Ordinance No. [03-21](#), [18-18](#))

POLICY 21.4.1: With the exception of mixed use projects, residential uses fronting SR 80 and Buckingham Road are limited to no more than four dwelling units per acre. (Ordinance No. [03-21](#))

POLICY 21.4.2: Mixed use developments and mixed use buildings, as defined in the Glossary, are the preferred development and building type for properties within the Mixed Use Overlay (Map 1, Page 6). With the exception of development at the intersection of SR 80 and SR 31, which will be allowed densities consistent with the Urban Community future land use designation, mixed use developments in the Mixed Use Overlay will be limited to six dwelling units per acre. (Ordinance No. [03-21](#), [18-18](#))

POLICY 21.4.3: Maintain Land Development Code regulations that encourage mixed use developments. (Ordinance No. [03-21](#), [07-12](#), [18-18](#))

OBJECTIVE 21.5: COMMUNITY FACILITIES/PARKS. To provide and facilitate the provision of a broad mix of community facilities. (Ordinance No. [03-21](#), [18-18](#))

POLICY 21.5.1: Seek appropriate recreational opportunities, parks, nature, pedestrian and equestrian trails through public/private partnerships. (Ordinance No. [03-21](#), [18-18](#))

POLICY 21.5.2: Identify opportunities to maintain and enhance public access to the Caloosahatchee River. All new commercial development on properties along the Caloosahatchee River are strongly encouraged to provide for public access to the riverfront. (Ordinance No. [03-21](#), [18-18](#))

POLICY 21.5.3: Ensure that the development of new parks or enhancement of existing parks address the recreational needs of the community and are integrated into the surrounding developments and open space areas. The concept would be for a park to act as a hub, connected to other open space/recreational opportunities through pedestrian bicycle or equestrian linkages, either along public rights-of-way or through adjacent developments. (Ordinance No. [03-21](#), [18-18](#))

GOAL 22: OLGA COMMUNITY PLAN. Maintain Olga’s heritage and rural character. (Ordinance No. [09-10](#), [18-18](#))

OBJECTIVE 22.1: To maintain the Future Land Use Map in a manner that reflects the Olga Community Plan. (Ordinance No. [09-10](#), [18-18](#))

POLICY 22.1.1: All new development requiring a development order on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot wide bicycle and pedestrian facilities along one side of the length of the property line. The bicycle and pedestrian facility will be required on the east and south side of Old Olga Road from the western intersection of Old Olga Road and SR 80 to the intersection of Old Olga Road and South Olga Road; and, on the north side of Old Olga Road from the intersection of Old Olga Road and South Olga Road to the eastern intersection of Old Olga Road and SR 80. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized. (Ordinance No. [09-10](#), [18-18](#))

POLICY 22.1.2: Development density and intensity will gradient from the center to the edge suitable to integrate surrounding land uses. (Ordinance No. [09-10](#), [18-18](#))

POLICY 22.1.3: Floor Area Ratio (FAR) maximums in the Commercial Future Land Use Category described in Lee Plan Policy 1.1.10, located north of SR 80 and east of South Olga Road will be a maximum of 0.25. (Ordinance No. [09-10](#), [10-34](#), [18-18](#))

POLICY 22.1.4: Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development. (Ordinance No. [09-10](#), [18-18](#))

POLICY 22.1.5: Heritage trees, as defined in Land Development Code Sec. 10-415, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space. (Ordinance No. [09-10](#), [18-18](#))

POLICY 22.1.6: A collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive is supported. If constructed, the roadway connection will be at the developer’s expense as properties along the proposed roadway are built. (Ordinance No. [09-10](#), [18-18](#))

POLICY 22.1.7: Maintain Land Development Code regulations that require natural habitats, such as tree canopies, be incorporated into project site designs. (Ordinance No. [09-10](#), [18-18](#))

POLICY 22.1.8: When undertaking streetscape improvements, new private construction and building rehabilitation, utility lines must be placed underground where it is economically feasible and where practical to improve visual qualities. (Ordinance No. [09-10](#), [18-18](#))

GOAL 23: CAPTIVA COMMUNITY PLAN. The goal of the Captiva Community Plan is to protect the coastal barrier island community’s natural resources such as beaches, waterways, wildlife, vegetation, water quality, dark skies and history. This goal will be achieved through environmental protections and land use regulations that preserve shoreline and natural habitats, enhance water quality, encourage the use of native vegetation, maintain the mangrove fringe, limit noise, light, water, and air pollution, create mixed use development of traditionally commercial properties, and enforce development standards that maintain one

and two story building heights and the historic low-density residential development pattern of Captiva. (Ordinance No. [03-01](#), [18-04](#), [18-18](#))

OBJECTIVE 23.1: PROTECTION OF NATURAL RESOURCES. To continue the long-term protection and enhancement of wetland habitats, water quality, native upland habitats (including rare and unique habitats), and beaches on Captiva. (Ordinance No. [03-01](#), [18-04](#), [18-18](#))

POLICY 23.1.1: Mangrove Fringe. Consider development regulations that will provide additional protection to the shoreline, including mangrove fringe, to the greatest extent possible. (Ordinance [18-04](#), [18-18](#))

POLICY 23.1.2: Blind Pass. Cooperate at the federal, state, regional and local levels, efforts to maintain Blind Pass as an open pass. Lee County recognizes the positive benefits of maintaining an open Blind Pass to the near-shore environment, marine ecology, back-bay water quality and boater access. (Ordinance No. [03-01](#), [11-19](#), [18-04](#), [18-18](#))

POLICY 23.1.3: Estuarine and Wetland Resources. Continue to support the protection of estuarine and wetland resources and wildlife habitat on Captiva. (Ordinance No. [03-01](#), [18-04](#), [18-18](#))

POLICY 23.1.4: Beach and Shore Preservation. Continue to support the effort of the Captiva Erosion Prevention District, a beach and shore preservation authority under provisions of Chapter 161, Florida Statutes, to preserve, protect and maintain Captiva's beaches using environmentally responsible methods. (Ordinance No. [03-01](#), [18-04](#), [18-18](#))

POLICY 23.1.5: Quality of Adjacent Waters. Continue to support efforts to investigate measures that may improve water quality in Pine Island Sound and the Gulf of Mexico. This may include a feasibility analysis of alternative wastewater collection and treatment systems to serve the Captiva community for a planning period of 30 years, including a central sewer system based upon current land use regulations. Should the feasibility analysis show that Captiva requires or is best served by an alternative wastewater collection and treatment system, Lee County will encourage efforts to size the system consistent with development permitted by the Lee Plan and the Land Development Code. (Ordinance No. [03-01](#), [18-04](#), [18-18](#))

POLICY 23.1.6: Natural Upland Habitats. Continue to support the preservation of native upland vegetation and wildlife habitat on Captiva. (Ordinance No. [18-04](#), [18-18](#))

OBJECTIVE 23.2: PROTECTION OF COMMUNITY RESOURCES. To continue the long-term protection and enhancement of community facilities, existing land use patterns, unique neighborhood-style commercial activities, infrastructure capacity, and historically significant features on Captiva. (Ordinance No. [03-02](#), [18-04](#), [18-18](#))

POLICY 23.2.1: Mixed Use Development. Mixed use developments as defined in the Glossary, and mixed use developments containing both commercial and residential uses within the same structure, are appropriate on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed residential units in addition to commercial uses at a density consistent with the Lee Plan. Such developments will only be permitted if approved as a Commercial or Mixed Use Planned Development. (Ordinance No. [03-02](#), [18-04](#), [18-18](#))

POLICY 23.2.2: Subdivision of Existing RSC-2 Parcels. Maintain existing development regulations that restrict the subdivision of parcels that are zoned RSC-2 (Captiva Estate) as of January 1, 2002 unless the resulting lots comply with the minimum lot size and dimensional

requirements set forth in the Land Development Code for RSC-2 zoned lots in Captiva. (Ordinance No. [03-01](#), [18-04](#), [18-18](#))

POLICY 23.2.3: Building Heights. Maintain building height regulations established as of March 23, 2018 that account for barrier island conditions, such as mandatory flood elevation and mean-high sea level, for measuring height of buildings and structures. (Ordinance No. [18-04](#), [18-18](#))

POLICY 23.2.4: Historic Development Pattern. Limit development to that which is in keeping with the historic development pattern on Captiva including the designation of historic resources and the rehabilitation or reconstruction of historic structures. The historic development pattern on Captiva is comprised of low-density residential dwelling units, as defined in Chapter 10 of the Land Development Code, minor commercial development and South Seas Island Resort. (Ordinance No. [18-04](#), [18-18](#))

POLICY 23.2.5: Lot Size Per Unit. Development orders or development permits that would result in a reduction of the minimum lot size per unit permitted on a parcel under the parcel's current zoning category or under any other zoning category that would result in a reduction of the minimum lot size per unit on that parcel (as of March 23, 2018) are prohibited. (Ordinance No. [18-04](#), [18-18](#))

POLICY 23.2.6: Variances and Deviations. Variances and/or deviations from the current development standards will not be permitted unless they meet all of the specific requirements for variances and deviations set forth in the Land Development Code. (Ordinance No. [18-04](#), [18-18](#))

POLICY 23.2.7: Alternative Transportation. Support integration of pedestrian and bicycle facilities into the transportation network to make Captiva safer for pedestrians, golf carts and bicyclists and to reduce automobile dependence and the need for increased parking facilities. (Ordinance No. [18-04](#), [18-18](#))

POLICY 23.2.8: Underground Utilities. Support efforts to investigate the relocation of utilities underground. (Ordinance No. [18-04](#), [18-18](#))

POLICY 23.2.9: Dark Skies. Limit light pollution and light trespass on Captiva in order to protect wildlife from any detrimental effects and for the benefit of Captiva residents and visitors. (Ordinance No. [18-04](#), [18-18](#))

OBJECTIVE 23.3: NATIVE VEGETATION AND TREE CANOPY. To enforce and strengthen existing vegetation ordinances intended to preserve, promote, and enhance the existing native vegetation and tree canopy on Captiva. (Ordinance No. [18-04](#), [18-18](#))

POLICY 23.3.1: Trees along Captiva Drive. Support efforts to restore the historic tree canopy and vegetative buffers along Captiva Drive between Blind Pass and the north end of Captiva Drive by promoting planting of indigenous, native or non-invasive trees, preferably those that require minimal irrigation once established. (Ordinance No. [18-04](#), [18-18](#))

POLICY 23.3.2: Invasive Vegetation and Nuisance Pests. Consider implementation of methods or programs, including education of individual property owners, to reduce the proliferation of invasive exotic vegetation and nuisance pests. (Ordinance No. [18-04](#), [18-18](#))

OBJECTIVE 23.4: PUBLIC PARTICIPATION. Opportunities for public input will be provided during the comprehensive plan amendment and rezoning processes. (Ordinance No. [18-04](#), [18-18](#))

POLICY 23.4.1: Public Informational Meeting. The owner or agent applying for an amendment to Captiva community-specific provisions in the Lee Plan or Land Development Code must conduct one public informational meeting. The applicant is fully responsible for providing the meeting space, providing advance notice of the meeting, and providing security measures as needed. The meeting must be held within the community plan boundary. Advance notice of the meeting must be disseminated in a community-based media outlet, physically posted at the post office and provided in writing to citizen groups and civic associations within the community that are registered with Lee County for notification of pending Lee Plan or Land Development Code amendments. The notice must be available and posted at least one week prior the scheduled meeting date.

At the meeting, the agent will provide a general overview of the amendment for any interested citizens. Subsequent to this meeting, the applicant must provide county staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and the applicant's response to any issues that were raised. This information must be submitted to the county before an application for a project can be found sufficient.

Zoning Public Informational Meetings: Zoning related public information meetings will be required as provided in Land Development Code. (Ordinance No. [18-04](#), [18-18](#))

POLICY 23.4.2: Online Database. Maintain an online database available to the public for their review containing comprehensive plan amendment and zoning case information specific to each community plan area. (Ordinance No. [18-04](#), [18-18](#))

GOAL 24: GREATER PINE ISLAND COMMUNITY PLAN. Manage future growth on and around Greater Pine Island so as to: maintain the island's unique natural resources, rural character, and coastal environment; support the viable and productive agricultural community and other local businesses; and to protect the public health, safety and welfare of island residents and visitors when a hurricane strike is imminent. (Ordinance No. [94-30](#), [05-21](#), [16-07](#), [18-18](#))

OBJECTIVE 24.1: NATURAL RESOURCES. County regulations, policies, and discretionary actions affecting Greater Pine Island will permit no further degradation of estuarine and wetland resources, and will serve the long-term preservation of native upland vegetation and wildlife habitat. (Ordinance No. [94-30](#), [00-22](#), [16-07](#), [18-18](#))

POLICY 24.1.1: The county will not approve or support any new canals on Greater Pine Island or any new artificial channels in natural waters within one mile of Pine Island. (Ordinance No. [94-30](#), [00-22](#), [18-18](#))

POLICY 24.1.2: Lee County will maintain a map of the seagrass beds around Greater Pine Island, and will regulate boating activities around Greater Pine Island and marina siting on Greater Pine Island in such a way as to prevent the net loss of seagrasses due to "prop dredging." (Ordinance No. [94-30](#), [00-22](#), [18-18](#))

POLICY 24.1.3: Lee County will explore the possibility of estimating the aerial extent and maturity of mangroves in Greater Pine Island for the purpose of providing baseline data necessary to ensure that the cumulative impact of mangrove alteration does not decrease the combination of aerial extent and maturity of mangroves relative to the baseline data. (Ordinance No. [94-30](#), [00-22](#), [16-07](#), [18-18](#))

POLICY 24.1.4: Maintenance dredging of old channels and canals may be permitted in those cases where the original channel (or canal) depth and width can be accurately determined. ([Ordinance No. 18-18](#))

POLICY 24.1.5: New development, including “planned development” rezoning approvals, new subdivisions, and agriculture, that adjoin state-designated aquatic preserves and associated wetlands and natural tributaries must preserve or create a 50-foot-wide native vegetated buffer area between the development and the waterbody or associated wetlands. This requirement will not apply to existing subdivided lots.

For agriculture, this requirement:

- will be implemented through the notice-of-clearing process in Chapter 14 of the Land Development Code;
- will include a requirement to use this area as a riparian forest buffer with an adjoining filter strip wherever farmland abuts wetlands; and
- if native vegetation does not currently exist, native tree cover will be established within three years of issuance of the notice of clearing.

The placement and width of the 50 foot vegetated buffer can be modified to accommodate development; however, the development must meet all of the following criteria:

- impact less than 1.5 acres of the associated wetlands; and,
- the impacted area must consist primarily of exotic vegetation; and,
- avoid all impacts to mangrove swamps and tidal flats (FLUCCS Code 612 and 651); and,
- be in the Urban Community Future Land Use Category; and,
- be a planned development.

In addition to the listed criteria, the development must create an onsite wetland area. The created wetland area must meet the following:

- must be a minimum of 1.5 square feet for each square foot of impacted associated wetlands; and,
- consist of 100% native wetland species; and,
- consist of 6’ wetland trees to be planted 15’ on center and 3 gallon wetland shrubs planted 3’ on center; and,
- maintain a hydrologic connection with the remaining preserved associated wetlands; and,
- the wetland creation area may be comprised of planted dry detention, filter marsh or other similar green infrastructure techniques; and,
- the created wetlands are not intended to replace any state or federal required offsite mitigation for permitted impacts to wetlands.

(Ordinance No. [00-22](#), [03-03](#), [11-30](#), [18-18](#))

POLICY 24.1.6: The county will continue to encourage the preservation of environmentally sensitive areas, rare and unique uplands, eagle nesting areas, and archaeological and historic sites on Greater Pine Island in accordance with the priorities set out in this Plan. (Ordinance No. [94-30](#), [00-22](#), [18-18](#))

POLICY 24.1.7: Lee County will assess the condition of septic tank drainfields along saltwater canals in St. James City, Bokeelia, and Flamingo Bay if grant funding can be obtained and if property owners are willing to cooperate with the study. This program would analyze whether current soil conditions or the density, age, or condition of drainfields are likely to be degrading tidal water in the canals. If serious degradation is taking place, Lee County will assess the feasibility of various corrective measures. (Ordinance No. [94-30](#), [00-22](#), [03-03](#), [18-18](#))

POLICY 24.1.8: Lee County will support practices that reduce pesticides, fertilizers, animal waste, and other pollutants entering Greater Pine Island’s estuarine and wetland resources. (Ordinance No. [16-07](#), [18-18](#))

POLICY 24.1.9: Lee County will support the use of central sanitary sewer service to reduce potential contamination to groundwater or the surrounding estuarine systems from on-site septic systems. (Ordinance No. [16-07](#), [18-18](#))

OBJECTIVE 24.2: ROAD IMPROVEMENTS. The county will continually monitor traffic levels within Greater Pine Island to maintain hurricane evacuation clearance times in accordance with Objective 24.7. (Ordinance No. [00-22](#), [16-07](#), [18-18](#), [18-28](#))

POLICY 24.2.1: Lee County will monitor impacts to the existing transportation infrastructure of Greater Pine Island recognizing the limited access to the community and the seasonal nature of infrastructure demand. (Ordinance No. [16-07](#), [18-18](#))

POLICY 24.2.2: Lee County will continue to work toward attaining a level of service for out of county hurricane evacuation in a Category 5 storm event that does not exceed 18 hours. (Ordinance No. [16-07](#), [18-18](#))

POLICY 24.2.3: Lee County will work with the Florida Department of Transportation to identify hurricane evacuation roadway capacity improvements in order to maintain evacuation clearance time standards for Greater Pine Island. (Ordinance No. [16-07](#), [18-18](#))

POLICY 24.2.4: The county will make every effort to continue extending the bicycle path to run the entire length of Stringfellow Road. This path should be designed similar to the bicycle path north of Pineland that was completed in 2001. (Ordinance No. [03-03](#), [16-07](#), [18-18](#))

POLICY 24.2.5: Lee County will continue to evaluate pedestrian safety and circulation, and will seek to minimize pedestrian-vehicular conflicts within the Matlacha Historic District. (Ordinance No. [16-07](#), [18-18](#))

POLICY 24.2.6: Lee County will assess the benefits of expanding mass transit services to Greater Pine Island to minimize the number of vehicular trips through Matlacha, and will encourage projects to accommodate bus stops, multi-modal opportunities, ride share lots, water taxis, and/or pedestrian connectivity. (Ordinance No. [16-07](#), [18-18](#))

OBJECTIVE 24.3: RESIDENTIAL LAND USES. County regulations, policies, and discretionary actions will recognize certain unique characteristics of Greater Pine Island which justify different treatment of existing and future residential areas than in mainland Lee County, as described in the following policies. (Ordinance No. [94-30](#), [00-22](#), [18-18](#))

POLICY 24.3.1: Due to the constraints on future development posed by the limited road connections to mainland Lee County, only Greater Pine Island TDUs are permitted in Greater Pine Island consistent with Table 1(a), Note 4. Only the portion of Greater Pine Island defined as Pine Island Center is eligible to receive Greater Pine Island TDUs. (Ordinance No. [16-07](#), [18-18](#))

POLICY 24.3.2: When warranted by actual construction and occupancy of homes, existing substandard subdivisions may become subject to Municipal Service Taxing or Benefit Districts to provide roads, drainage, and other public facilities. (Ordinance No. [18-18](#))

POLICY 24.3.3: Adjusted Maximum Density is not permitted to be located within Coastal Rural designated lands within the Coastal High Hazard Area. (Ordinance No. [16-07](#), [18-18](#))

POLICY 24.3.4: Dwelling units may be transferred from parcels that have a future land use designation of Coastal Rural to parcels with urban future land use categories on Greater Pine Island, subject to the following:

1. The receiving and transferring lands are under the same ownership at the time this policy was adopted, and remain under the same ownership at the time units are transferred;
2. The maximum allowable density that may be transferred from Coastal Rural parcels is limited to one dwelling unit per 2.7 acres (1 du/2.7 acres);
3. The property receiving the additional dwelling units is rezoned to a planned development;
4. Density can be allocated across the planned development-zoned property, including those lands within the planned development that are designated Coastal Rural, provided that the density developed within Coastal Rural designated property does not exceed 1 dwelling unit per 2.7 acres (1 du/2.7 acres);
5. Development rights for each unit transferred from the transferring parcel are extinguished through a recorded instrument acceptable to the County Attorney's Office and provided to the Department of Community Development with the planned development rezoning application for the receiving parcel;
6. The allowable density on the receiving parcels will be the sum of the allowable densities for the receiving and transferring parcel, subject to the Coastal Rural density limitations set forth in subsection 4 above; and
7. Bona fide agricultural uses on the transferring parcel may continue in accordance with Policy 14.6.1.

(Ordinance [16-07](#), [18-18](#))

OBJECTIVE 24.4: COMMERCIAL LAND USES. County regulations, policies, and discretionary actions will recognize certain unique characteristics of Greater Pine Island which justify different treatment of existing and future commercial areas than in mainland Lee County, as described in the following policies. (Ordinance No. [94-30](#), [00-22](#), [18-18](#))

POLICY 24.4.1: Future urban area in Pine Island Center are targeted for most future commercial and industrial uses, as permitted by other portions of this plan. Non-residential developments within Pine Island Center are encouraged to provide employment opportunities; serve the day to day needs of residents and visitors; demonstrate a positive impact on traffic patterns within Greater Pine Island; and reduce the number of vehicular trips through Matlacha. (Ordinance No. [16-07](#), [18-18](#))

POLICY 24.4.2: Commercial development at locations outside Pine Island Center, but within future urban land use categories, must be designed to minimize impacts to residential and adjacent agricultural uses. Permitted uses should be restricted to the following: marinas; fish houses; and minor commercial uses to serve the day to day needs of local residents and island visitors. (Ordinance No. [94-30](#), [00-22](#), [10-17](#), [16-07](#), [18-18](#))

POLICY 24.4.3: The county will provide specific architectural and site design standards for Greater Pine Island in the Land Development Code. These standards must: promote but not mandate rehabilitation over demolition; address the size and scale of building mass in relation to the built and natural environment; establish community-specific architectural standards in support of Greater Pine Island's coastal rural character; preserve mature trees wherever possible; encourage the location of off-street parking to the side and rear of buildings to preserve viewsheds along public roadways; require large windows and forbid most blank walls; and encourage metal roofs and other features of traditional "Old Florida" styles. The new commercial design standards will reflect the different characteristics of Bokeelia, Pineland, Matlacha, and St. James City. Deviations from these

standards may not be granted unless the request meets the county approval criteria for variances set forth in Chapter 34 of the Land Development Code. (Ordinance No. [03-03](#), [16-07](#), [18-18](#))

POLICY 24.4.4: In the Coastal Rural future land use category, non-residential development is restricted to minor commercial development. All zoning requests for commercial projects must utilize the planned development rezoning process and be consistent with the following:

- Total building floor area is limited to 5,000 square feet, unless the development can demonstrate compatibility with adjacent uses, and a positive impact on traffic patterns within Greater Pine Island.
- Development must not exceed two acres of impervious area.
- Uses are limited to those that reflect the Coastal Rural character and unique culture of Greater Pine Island, such as animal clinics, bait and tackle shops, ecotourism, farm and feed supply stores, food stores, lawn and garden supply stores, restaurants (excluding fast food), roadside/produce stands, specialty retail, and plant nurseries.
- Buildings exceeding 5,000 square feet that are lawfully existing or approved as of October 1, 2009 will be deemed vested for the approved and existing square footage for the life of the structure despite a change in use.

(Ordinance No. [10-17](#), [16-07](#), [18-18](#))

OBJECTIVE 24.5: HISTORIC RESOURCES. Lee County will continue to formally designate historic resources and archaeological sites on and around Greater Pine Island. (Ordinance No. [94-30](#), [00-22](#), [18-18](#))

POLICY 24.5.1: The county will continue to recognize Matlacha as an historic district, with an emphasis upon preserving the historic commercial fishing uses that give the community its unique character. (Ordinance No. [94-30](#), [00-22](#), [18-18](#))

POLICY 24.5.2: Public acquisition of historic structures and archaeological sites will be considered in conjunction with other public purposes such as parks or preservation of environmentally sensitive lands. (Ordinance No. [00-22](#), [18-18](#))

POLICY 24.5.3: The county will evaluate the effects of county regulations (such as zoning, road setbacks, and other development regulations) on designated historic districts and other districts of local concern, and will modify such regulations where necessary to protect both the interests of owners of historic structures and the health, safety, and welfare of the general public. (Ordinance No. [94-30](#), [00-22](#), [18-18](#))

POLICY 24.5.4: The county will update its historic sites survey of Greater Pine Island if an update is determined to be needed. The county will consider formal local designation of additional historic buildings, especially in St. James City, Pineland, and Bokeelia, and will identify potential buildings or districts for the National Register of Historic Places. (Ordinance No. [03-03](#), [18-18](#))

OBJECTIVE 24.6: GREATER PINE ISLAND TRANSFER OF DEVELOPMENT RIGHTS PROGRAM. To promote and preserve the rural character of Pine Island, Lee County will pursue the incorporation of Greater Pine Island's purchase and transfer of development rights programs into the Land Development Code. (Ordinance No. [05-21](#), [16-07](#), [18-18](#))

POLICY 24.6.1: Lee County will amend its Land Development Code to implement Transfer of Development Rights (TDR) and Purchase of Development Rights (PDR) programs for Greater Pine Island. The new programs will create incentives for property owners within Greater Pine Island to transfer development rights associated with their parcels to: receiving lands outside of the planning community; future urban areas within the planning community that are targeted for development

in accordance with these provisions; or, Lee County. The programs will allow for continued agricultural uses on sending lands, in addition to limited non-residential uses that directly support the agricultural operations. (Ordinance No. [16-07](#), [18-18](#))

POLICY 24.6.2: The Greater Pine Island TDR program will have the following characteristics:

- a. Creation of Transferable Development Units (TDUs).
 1. Up to one TDU may be created per five acres of wetlands.
 2. Up to one TDU may be created per one acre of uplands located in non-urban future land use categories.
 3. Up to three TDUs may be created per one acre of uplands located in the Outlying Suburban future land use categories.
 4. Up to two TDUs may be created from a single-family lot or parcel designated as wetlands that holds an affirmative Minimum Use Determination pursuant to Chapter XIII.
- b. Receiving area density and intensity equivalents of Greater Pine Island TDUs.
 1. One Greater Pine Island TDU will be equal up to two dwelling units when transferred to eligible receiving lands outside of the Greater Pine Island Community Plan area.
 2. One Greater Pine Island TDU will be equal up to one dwelling unit when transferred to receiving lands in Pine Island Center.
 3. Lee County may establish non-residential incentives for the use of Greater Pine Island TDUs within Future Urban Areas of the unincorporated Lee County.
- c. The Land Development Code may include regulations that permit the County to evaluate the effectiveness of the Greater Pine Island TDR program and make changes that may further condition or restrict the use of Greater Pine Island TDUs.

(Ordinance No. [16-07](#), [18-18](#))

POLICY 24.6.3: The county will administer the TDR program and will develop a clear and concise forum to disseminate program information and records, including but not limited to a: TDR program website that will provide general program information, rules and guidelines; TDU administrative determination application; county-approved form of conservation easement; certified TDU database with ownership information; and, for-sale TDU clearinghouse information for those individuals that request to be included within the TDU clearinghouse program. (Ordinance No. [16-07](#), [18-18](#))

OBJECTIVE 24.7: HURRICANE PREPAREDNESS, EVACUATION AND MITIGATION. Lee County will provide for the protection of Greater Pine Island residents, visitors and property from the physical and economic effects of hurricanes and tropical storms. The following policies will supplement Goal 73 as it relates to the hurricane preparedness, evacuation, mitigation and sheltering for residents of Greater Pine Island. (Ordinance No. [16-07](#), [18-18](#), [18-28](#))

POLICY 24.7.1: Lee County will work to maintain hurricane evacuation clearance times for Greater Pine Island, and continue to incorporate those times into the county-wide evacuation decision-making planning. (Ordinance No. [16-07](#), [18-18](#))

POLICY 24.7.2: Lee County will continue to include Greater Pine Island specific issues in its Comprehensive Emergency Management Plan (CEMP) and related evacuation planning documents. (Ordinance No. [16-07](#), [18-18](#))

POLICY 24.7.3: Comprehensive Plan amendments within Greater Pine Island must be found consistent with Policy 101.1.4. (Ordinance No. [16-07](#), [18-18](#), [18-28](#))

POLICY 24.7.4: Lee County will continue to include Greater Pine Island in its year-round public information program focused on disaster preparedness. The program will include information on hurricane risk, the need for timely evacuation, the availability and location of hurricane shelters and the actions necessary to minimize property damage to protect human life. (Ordinance No. [16-07](#), [18-18](#))

POLICY 24.7.5: New residential development and redevelopment within, or partially within, the Hurricane Vulnerability Zone must mitigate hurricane sheltering and evacuation impacts in accordance with Chapter 2, Article XI of the Land Development Code. (Ordinance No. [16-07](#), [18-18](#))

POLICY 24.7.6: Shelters will not be built on barrier or coastal islands within Greater Pine Island. Where financially feasible, geographically appropriate, and in the interest of public health, safety and welfare, Lee County will make every effort to construct new public buildings to hurricane shelter standards. (Ordinance No. [16-07](#), [18-18](#))

POLICY 24.7.7: Where feasible, Lee County will evaluate the purchase of lands within Greater Pine Island identified as Coastal High Hazard in order to reduce the expansion of new development within vulnerable areas. (Ordinance No. [16-07](#), [18-18](#))

POLICY 24.7.8: The county will evaluate alternative mechanisms to improve evacuation clearance times within the planning community, including but not limited to: access control; mandatory evacuation notices; one-way evacuation routes; and the preparation and implementation of community-specific mitigation measures. (Ordinance No. [16-07](#), [18-18](#))

POLICY 24.7.9: Deviations relating to setbacks, lot coverage, and density within the Coastal High Hazard Area may not be granted, unless the request meets the county approval criteria for variances set forth in Chapter 34 of the Land Development Code. (Ordinance No. [16-07](#), [18-18](#))

GOAL 25: LEHIGH ACRES COMMUNITY PLAN. Ensure that continued development and redevelopment converts this largely single use, antiquated pre-platted area into a vibrant residential and commercial community consisting of: safe and secure single family and multi-family neighborhoods; vibrant commercial and employment centers; pedestrian friendly mixed use activity centers and neighborhood nodes; and, adequate green space and recreational opportunities. (Ordinance No. [10-16](#), [18-18](#))

OBJECTIVE 25.1: SPECIALIZED MIXED USE NODES. To create mixed use nodes that contribute the uses needed to support the Lehigh Acres Community Plan area shown on Map 1, Page 7. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.1.1: Specialized mixed use nodes are classified in three sub-categories: Downtown Lehigh Acres; Community Mixed Use Activity Centers; and, Neighborhood Mixed Use Activity Centers. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.1.2: New development and redevelopment are encouraged to integrate a mixture of at least two or more varied uses, such as retail, office, residential, or public. All developments within the Specialized Mixed Use Nodes must be consistent with Table 1(c). (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.1.3: In order to promote a sustainable urban form, these areas are expected to develop at the higher end of the density and intensity ranges, including bonus density. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.1.4: Developments in these areas are encouraged to share required features such as parking, stormwater detention and management areas, open space and other civic areas. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.1.5: Within these nodes, promote pedestrian friendly mixed use development:

- a. Buffer walls between commercial and residential uses are not required.
- b. Bicycle and pedestrian facilities will be provided throughout these developments.
- c. Connections between all uses are required to facilitate alternative modes of transportation.
- d. Connections to adjacent developments will be provided.
- e. Vehicular connections between different uses will be provided to facilitate the internal capture of trips.

(Ordinance No. [10-16](#), [18-18](#))

POLICY 25.1.6: Additional Specialized Mixed Use Nodes may be appropriate at the following intersections following the construction of the Luckett Road Extension:

- a. W 12th Street and Sunshine Boulevard
- b. W 12th Street and Williams Avenue
- c. W 12th Street and Richmond Avenue
- d. W 12th Street and Joel Boulevard

(Ordinance No. [10-16](#), [18-18](#))

POLICY 25.1.7: Development within Specialized Mixed Use Nodes may use the development standards allowed within the Mixed Use Overlay. (Ordinance No. [17-13](#), [18-18](#))

POLICY 25.1.8: Establish comprehensive stormwater management areas within the Specialized Mixed Use Nodes to achieve an efficient use of property. (Ordinance No. [10-16](#), [18-18](#))

OBJECTIVE 25.2: DOWNTOWN LEHIGH ACRES. To redevelop as a vibrant, intensely developed mixed use gathering place to serve area residents. Downtown Lehigh Acres will provide opportunities for multi-family residential, public and private education, live-work, retail, office, medical, entertainment, arts, commercial/public parking, parks, other civic uses, and public amenities. The potential mixture of jobs, living, cultural and recreation opportunities allows the greatest efficiency in the use of infrastructure and other public expenditures of any development style envisioned by this Plan. Downtown Lehigh Acres is an appropriate receiving area for transferred development rights. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.2.1: The Downtown Lehigh Acres area offers a mix of opportunities to live and work in a vibrant, well designed urban environment. Land use is focused on providing residential or office uses on upper floors, with retail uses at the street level to energize the urban experience. Parking should be in structures, not in surface lots. Street trees, well designed public gathering areas, and lighting should be employed to create a safe, inviting experience at the street level both day and night. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.2.2: Provide housing for a wide variety of income levels, in an environment that allows less reliance on the automobile. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.5.3: Create and revitalize the Downtown as the premier urban center of Lehigh Acres, providing jobs, residential opportunities, and cultural and economic activities. Residents should

find not only access to employment, transportation, and basic amenities, but a concentration of restaurants, galleries, and unique shopping experiences. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.2.4: Downtown Lehigh Acres will be viewed as a receiving area for any transfer of development rights program that is established in Lee County. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.2.5: Bonus density greater than 15 units per acre in the Intensive Development Future Land Use Category must be achieved through the transfer of development rights program. (Ordinance No. [10-16](#), [18-18](#))

OBJECTIVE 25.3: COMMUNITY MIXED USE ACTIVITY CENTERS. To provide the uses needed to support all of the Lehigh Acres Community Plan area including: residential; public and private education; live-work; retail; office; medical; entertainment; light industrial; commercial/public parking; parks; and, other civic uses. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.3.1: Identify those areas within Lehigh Acres that have sufficient vacant or undeveloped land to accommodate the community-scale development that will balance the land uses and provide opportunities to diversify the economic base of the community. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.3.2: Future developments that provide employment opportunities mixed with facilities offering goods and services that support the wider community are encouraged. (Ordinance No. [10-16](#), [18-18](#))

OBJECTIVE 25.4: NEIGHBORHOOD MIXED USE ACTIVITY CENTER. To provide the uses needed to support large portions of the Lehigh Acres Community Plan area including: residential; public and private education; live-work; retail; office; medical; entertainment; light industrial; commercial/public parking; parks; and, other civic uses. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.4.1: Future developments that provide mixed use facilities offering goods and services that support the surrounding neighborhoods as well as local employment opportunities and alternate housing types are encouraged. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.4.2: In addition to adhering to the policies under Objective 25.1, Specialized Mixed Use Nodes, these areas are intended to provide a strong link to the existing single family areas. Interconnections utilizing all modes of transportation are highly encouraged. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.4.3: In areas that are already platted, the utilization of the existing street network and block design is strongly encouraged. (Ordinance No. [10-16](#), [18-18](#))

OBJECTIVE 25.5: LOCAL MIXED USE ACTIVITY CENTERS. To support the local daily commercial needs of the neighborhood. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.5.1: To assure neighborhoods have local access to commercial services that support the daily needs of the neighborhood, Local Mixed Use Activity Centers will not be assumed to be an encroachment into the neighborhood. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.5.2: These areas are intended to provide a strong link to the existing single family neighborhood. Interconnections utilizing all modes of transportation are highly encouraged. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.5.3: Buffer walls between commercial and residential uses are not required. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.5.4: Connections between the commercial use and the immediate neighborhood are required. These connections should include pedestrian and bicycle facilities. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.5.5: To receive the Local Mixed Use Activity Center designation, the center should be located approximately ½ mile or more from the edge of any area identified in Objective 25.1, Specialized Mixed Use Nodes, and must meet the following locational and access criteria

- a. Must initially have frontage on two publicly maintained streets.
- b. Local Mixed Use Activity Center will be designated through the zoning process.
- c. May be expanded to an area that is adjacent to a previously designated Local Mixed Use Activity Center.

(Ordinance No. [10-16](#), [18-18](#))

OBJECTIVE 25.6: COMMERCIAL OVERLAY ZONES. To designate on the Future Land Use Map a Commercial Overlay for properties in the Lehigh Acres Community Plan area. (Ordinance No. [98-09](#); [10-16](#), [18-18](#))

POLICY 25.6.1: Commercial uses are permitted on lands in the Lehigh Commercial Overlay once commercial zoning has been approved. Land in the Lehigh Commercial Overlay may also be used for schools, parks, and other public facilities; churches and synagogues; and residential uses that provide housing alternatives to the typical 1/4 to 1/2 acre subdivision lots. Creation of new single-family lots smaller than one acre is not permitted due to the oversupply of standard subdivision lots. If cumulative new residential development takes place on more than 1% of this land per year, Lee County will take steps to provide additional commercial land in Lehigh Acres to offset the loss. Lee County will take steps to reduce any emerging surplus of commercial land in Lehigh Acres if cumulative new commercial development exceeds an average floor area ratio of 1.0 (the ratio of interior floor space to total lot area). (Ordinance No. [98-09](#), [00-22](#), [10-16](#), [18-18](#))

POLICY 25.6.2: Because of the shortage of suitable undivided tracts, commercial uses may also be appropriate on certain other lands that might otherwise be used for residential lots.

1. Many such lands are designated as part of the Lot Assembly Overlay. These lands are platted for single-family lots and are under multiple ownerships. Commercial uses on individual lots or small assemblies of lots would generally be intrusive to existing or emerging neighborhoods. However, the assembly of entire blocks would provide suitable commercial parcels. Major lot assemblies could qualify for commercial zoning whether assembled by government action, private sector purchases, cooperative arrangements between individual lot-owners, or similar arrangements.
2. Other tracts or combinations of platted lots in Lehigh Acres may also be considered for commercial rezoning (even if they are outside any of the three overlays) through the planned development zoning processes or by requesting the CN-3 conventional commercial zoning district that was created to address Lehigh Acres conditions. Lands suitable for such rezoning would include:
 - a. Tracts that are assembled from vacant lots at the intersection of future collector or arterial roads in sparsely developed areas where there are very limited or no suitable commercial locations in any of the commercial overlays; or
 - b. Tracts that separate existing commercial and residential land uses where some commercial uses may be appropriate if they provide a substantial buffer and reasonably protect the privacy of existing dwellings. Landowners seeking commercial zoning under this

subsection should expect a minimal level of commercial uses and/or to provide extra levels of buffering.

(Ordinance No. [98-09](#), [00-22](#); [10-16](#), [18-18](#))

OBJECTIVE 25.7: PARKS, RECREATION, OPEN SPACE AND PUBLIC FACILITIES. To create a coherent network of parks, greenways, water amenities, open space, and other public facilities. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.7.1: Lee County Parks and Recreation will work with the Lehigh Acres Municipal Service Improvement District (LAMSID) to identify rights-of-way or easements that can be incorporated into the Greenways Master Plan. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.7.2: Lee County, LAMSID, the Lee County School District, and other agencies will work together to identify areas that can be acquired for possible co-location of parks, water retention and other water amenities, school sites, and other public facilities. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.7.3: Lee County will work with the Lee County School District and other agencies that operate within the Community Plan area to identify adequate land to develop additional public facilities needed to accommodate the expected growth of Lehigh Acres. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.7.4: Lee County will explore cost effective land acquisition opportunities that may present themselves through the escheatment process. Where these opportunities exist and can be capitalized on, Lee County will plan for the aggregation of land for needed community facilities or to incentivize private development of commercial or employment uses. (Ordinance No. [10-16](#), [18-18](#))

OBJECTIVE 25.8: TRANSPORTATION, PARKING, AND TRAFFIC CIRCULATION. To improve transportation, parking, and circulation within the Lehigh Acres Community Plan area. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.8.1: Whenever possible, all new commercial development adjacent to Lee Boulevard right-of-way must provide access to either 5th Street West, 4th Street West, or other local, collector or arterial roadway. Direct access to Lee Boulevard is discouraged. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.8.2: All connections to SR 82 must be consistent with the Florida Department of Transportation Corridor Access Management Plan for SR 82. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.8.3: All connections to Gunnery Road must be consistent with the Gunnery Road Access Management Plan. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.8.4: All new commercial development must provide parking lot interconnections to adjacent properties and must not prevent pedestrian or vehicular access from adjacent residential areas. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.8.5: Lee County will identify possible locations of new bridges to improve the continuity of the street network and connect neighborhoods. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.8.6: Lee Tran will continue to identify opportunities to improve service, frequency, routes, and bus stop amenities in the Lehigh Acres Community Plan area. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.8.7: New single-family model homes are prohibited within 300 feet of arterial and collector roads. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.8.8: Lee County will not permit mine truck traffic from mines established in Hendry County to utilize Lee County maintained roads within the Lehigh Acres Community Plan area as a primary access. Mines within Hendry County may establish secondary access points to Lee County maintained roads for emergency access purposes only. (Ordinance No. [10-16](#), [18-18](#))

OBJECTIVE 25.9: SEWER AND WATER. Expedite the staged extension of water and sewer systems, connect lots previously served by on-site septic and wells, and discourage additional development that is reliant upon on-site well and septic systems. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.9.1: The availability of sewer and water to serve uses within the Specialized Mixed Use Nodes and the Commercial Overlay Zones is not a requirement for zoning approval. However, sewer and water must be available to the property in accordance with Standard 4.1.1 and 4.1.2 before a development order will be issued. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.9.2: Direct new development and redevelopment in Lehigh Acres to areas that can be reasonably expected to receive urban services and infrastructure during the planning horizon. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.9.3: Lee County will work with Florida Governmental Utilities Authority (FGUA) to prioritize areas for the expansion of utilities. (Ordinance No. [10-16](#), [18-18](#))

OBJECTIVE 25.10: NATURAL RESOURCES. To preserve, protect, and, where possible, enhance the physical integrity, ecological values, and natural beauty of Lehigh Acres Community Plan area, by maintaining the diverse and healthy native vegetation, and wildlife resources. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.10.1: Lee County will encourage on-site preservation of indigenous plant communities and listed species habitat. Any required mitigation will be of similar habitat, and provided, whenever possible, within the Lehigh Acres Community Plan area. Development must also be consistent with Goal 77 and Objective 77.3. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.10.2: Lee County will work with various agencies to identify existing wetlands that are worth saving or restoring within the Lehigh Acres Community Plan area. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.10.3: Lee County will provide incentives (for example increased density, Transfer of Development Rights, etc.) for the protection of wetlands, historic flow ways, native habitat or other significant natural resources. (Ordinance No. [10-16](#), [18-18](#))

POLICY 25.10.4: Where not inconsistent with the South Florida Water Management District design criteria, natural habitat restoration is preferred to open water systems for treating stormwater. (Ordinance No. [10-16](#), [18-18](#))

GOAL 26: NORTH CAPTIVA COMMUNITY PLAN. Preserve the character, scale, fragile environment, and way of life in the North Captiva Community Plan area by guiding future land use; transportation and roads; conservation and coastal management; Safety Harbor; shore and water quality, water and waste management; open space, recreation, and quality of life; and citizen participation and community education. (Ordinance No. [09-09](#), [18-18](#))

OBJECTIVE 26.1: FUTURE LAND USE. Preserve the traditional character, scale, and tranquility of the North Captiva community by continuing to limit the densities and intensities of use and development to sustainable levels that will not adversely impact the natural environment or overburden the existing infrastructure. (Ordinance No. [09-09](#), [18-18](#))

POLICY 26.1.1: Variances should be limited to unique, specifically authorized circumstances and be allowed only in situations where unnecessary hardship would otherwise occur; i.e., where all of the following criteria are met:

1. the hardship cannot be corrected by other means allowed in the land development regulations;
2. strict compliance with the applicable regulations allows the property owner no reasonable use of the property;
3. the variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties located on the same street and within the same Future Land Use category, unless denial of the variance would allow no reasonable use of the property;
4. the applicant did not cause the need for the variance, and;
5. the variance is not contrary to the spirit of the Land Development Code.

(Ordinance No. [09-09](#), [18-18](#))

OBJECTIVE 26.2: TRANSPORTATION AND PATHWAYS. Ensure that the character of North Captiva is retained while providing adequate facilities for ingress, egress, and intra-island transportation consistent with property rights. (Ordinance No. [09-09](#), [18-18](#))

POLICY 26.2.1: Lee County will cooperate with the North Captiva community in the location and provision of public boat ramps, access facilities, and parking for the purpose of providing access to North Captiva. (Ordinance No. [09-09](#), [18-18](#))

POLICY 26.2.2: Seek technical advice from Lee County from time to time on procedures necessary to accomplish pathway maintenance and safety. (Ordinance No. [09-09](#), [18-18](#))

POLICY 26.2.3: Except for emergency events, public purposes, approved community needs, and permitted heavy construction equipment, internal combustion powered vehicles are banned from all pathways on North Captiva. (Ordinance No. [09-09](#), [18-18](#))

OBJECTIVE 26.3: CONSERVATION AND COASTAL MANAGEMENT. To preserve, protect and enhance the natural resources, wildlife habitat, and natural beauty of North Captiva, by maintaining diverse and healthy native vegetation, clear offshore waters, diverse and abundant native marine life, wildlife resources, and by minimizing harm resulting from human activity. (Ordinance No. [09-09](#), [18-18](#))

POLICY 26.3.1: Protect and preserve the distinct environmental resources on North Captiva to the greatest extent possible. These resources include but are not limited to:

- mangroves
- the beach dune system, beach dune vegetation, and beach dune wildlife
- coastal dunes, beaches, and coastal scrub vegetation
- beach dune wildlife, including shorebird nesting habitat and sea turtle habitat
- the marine habitat, including sea grass beds and fisheries
- rare and unique upland habitats

(Ordinance No. [09-09](#), [18-18](#))

POLICY 26.3.2: Support the efforts of the Federal, State and County authorities to preserve, protect, and enhance the distinct environmental resources on North Captiva. (Ordinance No. [09-09](#), [18-18](#))

POLICY 26.3.3: Maintain land development regulations intended to stop the proliferation of invasive exotic vegetation and nuisance pests. (Ordinance No. [09-09](#), [18-18](#))

OBJECTIVE 26.4: WATER AND WASTE MANAGEMENT. Ensure a high quality of living by managing natural resources and waste products in a way that is sustainable, cost effective, and agreeable to island residents and island taxpayers. (Ordinance No. [09-09](#), [18-18](#))

POLICY 26.4.1: The North Captiva community may conduct a feasibility study of cisterns and other water conservation systems, the long-term development of an island-wide potable water system, and the development of an island-wide wastewater treatment system. The feasibility study will include, but not be limited to, costs estimates, new or innovative technologies, grant funding assistance and other funding opportunities. (Ordinance No. [09-09](#), [18-18](#))

POLICY 26.4.2: The North Captiva community may conduct a potable water hydrology study to support potable water planning. (Ordinance No. [09-09](#), [18-18](#))

OBJECTIVE 26.5: OPEN SPACE, RECREATION, AND QUALITY OF LIFE. To promote, protect, and enhance open space, recreational facilities, including beach access, and the quality of life for residents and visitors of North Captiva. (Ordinance No. [09-09](#), [18-18](#))

POLICY 26.5.1: The North Captiva community and Lee County will cooperate to preserve, protect, and enhance open space, passive recreation areas, and beach access points, regardless of size on North Captiva. This may be accomplished by Lee County acquiring property or conservation easements on private lands or vacant lots. (Ordinance No. [09-09](#), [18-18](#))

POLICY 26.5.2: The North Captiva community and Lee County will cooperate in the community's efforts to obtain an accessible community facility and library for the purposes of meeting, recreation, and community education. (Ordinance No. [09-09](#), [18-18](#))

POLICY 26.5.3: The North Captiva community will work with Lee County, the State of Florida, and the National Parks Service and other agencies to provide appropriate new or enhanced greenways, ecological corridors, or recreational trail systems. These opportunities may include passive parks or nature and pedestrian trails, and may be developed through public/private partnerships. (Ordinance No. [09-09](#), [18-18](#))

OBJECTIVE 26.6: CITIZEN PARTICIPATION AND COMMUNITY EDUCATION. To enhance the community character, sustain natural resources, and involve the public in decisions that affect them, by providing educational and participation opportunities. (Ordinance No. [09-09](#), [18-18](#))

POLICY 26.6.1: Lee County will involve residents from the North Captiva Community Plan area in planning processes that relate specifically to North Captiva and generally to barrier islands, island ingress and egress, and other changes that may affect the island and its environment. (Ordinance No. [09-09](#), [18-18](#))

POLICY 26.6.2: Upon request, Lee County will provide educational programs or materials on energy conservation, solid waste management, hazardous waste, surface water runoff, septic maintenance, water conservation, Florida Friendly Landscaping, green building, harbor

management, cultural resources, and history. The site for these programs will be located on North Captiva. (Ordinance No. [09-09](#), [18-18](#))

OBJECTIVE 26.7: PUBLIC SAFETY. Preserve the character of North Captiva by providing for a law enforcement presence on North Captiva Island. (Added by Ordinance No. [09-09](#), [18-18](#))

POLICY 26.7.1: The North Captiva community will encourage the Lee County Sheriff's Office to be present during special events and during periods of high occupancy on North Captiva. The North Captiva community will work to identify housing and other resources as necessary in support of enforcement activities. (Ordinance No. [09-09](#)[18-18](#))

POLICY 26.7.2: Lee County will continue to ensure viable hurricane evacuation for hurricanes and other emergencies as well as emergency communication options for the residents and other affected persons. (Ordinance No. [09-09](#), [18-18](#))

GOAL 27: NORTHEAST LEE COUNTY COMMUNITY PLAN. Maintain, enhance, and support the heritage and rural character, natural resources, and agricultural lands. Alva and North Olga will work cooperatively toward this goal through the objectives and policies that follow, and through their individual community plans. (Ordinance No. [11-14](#), [18-18](#))

OBJECTIVE 27.1: AGRICULTURAL AND RURAL CHARACTER. Maintain and enhance the viability of the existing and evolving commercial agricultural operations, preserve open space, and retain the rural character of Northeast Lee County. For the purposes of this objective, rural character is defined as those characteristics that convey a sense of rural lifestyle such as large lots or clustered development, ample views of wooded areas, open spaces, and river fronts, working farms and productive agricultural uses, and the protection of environmentally sensitive lands. (Ordinance No. [11-14](#), [18-18](#))

POLICY 27.1.1: Support the agricultural and rural character within Northeast Lee County by encouraging continued commercial agricultural operations and encourage new development to be clustered to conserve large areas of open lands. (Ordinance No. [11-14](#), [18-18](#))

POLICY 27.1.2: Work with residents and property owners of Alva and North Olga to develop standards and guidelines for clustering future development and conserving large areas of open lands to promote compatibility with adjacent residential and agricultural areas. These standards and guidelines are intended to give clear and meaningful direction for future amendments to the Land Development Code. (Ordinance No. [11-14](#), [18-18](#))

POLICY 27.1.3: Work with residents and property owners of Alva and North Olga to amend the Land Development Code to provide opportunities for rural mixed uses that are connected to and compatible with adjacent areas. (Ordinance No. [11-14](#), [18-18](#))

POLICY 27.1.4: Work with the residents and property owners of Alva and North Olga to establish amendments to the Land Development Code that will foster agricultural operations and support rural uses. (Ordinance No. [11-14](#), [18-18](#))

POLICY 27.1.5: In all discretionary actions, consider the effect on Northeast Lee County's commercial agricultural operations and rural character. (Ordinance No. [11-14](#), [18-18](#))

POLICY 27.1.6: Coordinate planning activities in the Alva and North Olga Community Plan area boundaries to maintain and enhance the rural character, natural resources, agriculture, and connectivity of Northeast Lee County. ([Ordinance No. 18-18](#))

POLICY 27.1.7: Facilitate appropriate access and use of Conservation 20/20 lands to support kayaking/canoeing, bird watching, hiking and other passive recreational uses related to nature-based tourism. Recreational opportunities will be balanced with the protection of natural resources and will comply with the Land Stewardship Plan prepared by the Conservation 20/20 Land Program. ([Ordinance No. 18-18](#))

POLICY 27.1.8: The owner or agent of a rezoning or special exception request within the Northeast Lee County Community Plan area must conduct two public information meetings, in accordance with Policies 17.3.3 and 17.3.4, prior to the application being found sufficient. One meeting must be held within the Alva Community Plan area boundary and the other in the North Olga Community Plan area boundary. ([Ordinance No. 18-18](#))

OBJECTIVE 27.2: RURAL PLANNING TOOLBOX. To develop and further the use of a rural toolbox of incentives, programs, and regulations that enhance and maintain Northeast Lee County's sense of place and provide for the long-term preservation of large tracts of contiguous natural resource and open space areas, while providing the regulatory flexibility needed to support commercial agricultural operations. ([Ordinance No. 11-14](#), [18-18](#))

POLICY 27.2.1: Work with Alva and North Olga to develop and refine rural planning tools including but not limited to: Transfer of Development Rights (TDR) and Purchase of Development Rights (PDR) programs, conservation and agricultural easements, farmland trusts, and Land Development Code regulations. ([Ordinance No. 11-14](#), [18-18](#))

POLICY 27.2.2: The Northeast Lee County Planning Community may be a sending area for county-wide TDRs, but may only receive TDRs from within the Northeast Lee County Planning Community. ([Ordinance No. 11-14](#), [18-18](#))

OBJECTIVE 27.3: NATURAL RESOURCES. To enhance, preserve and protect the physical integrity, ecological standards, and rural character of Northeast Lee County by focusing on:

1. Water Basins;
 2. Native vegetation;
 3. Wildlife habitat and resources; and
 4. Areas designated for long-term conservation.
- ([Ordinance No. 11-14](#), [18-18](#))

POLICY 27.3.1: Identify opportunities for appropriate limited public access to and passive recreational use of the Bob Janes Preserve. ([Ordinance No. 11-14](#), [18-18](#))

POLICY 27.3.2: Identify, maintain, and enhance appropriate public access to Northeast Lee County's public lands and surface waters, balanced with new and ongoing efforts to protect and enhance the community's water quality and natural resources. ([Ordinance No. 11-14](#), [18-18](#))

POLICY 27.3.3: Lee County will work to identify areas suitable for public water-dependent/water-related recreation, such as canoe/kayak launches, boardwalks, jogging paths, fishing platforms, and waterside parks within Northeast Lee County. ([Ordinance No. 18-18](#))

OBJECTIVE 27.4: CONNECTIVITY. Enhance and maintain high levels of connectivity across the Northeast Lee County Planning Community. ([Ordinance No. 11-14](#), [18-18](#))

POLICY 27.4.1: Work to preserve the rural character and scenic qualities of North River Road, and support multiple modes of travel for residents, businesses, visitors, and commercial agriculture

within Northeast Lee County. Implementation of this policy will not impact the function or operation of agricultural lands within the Planning Community for the purposes of scenic preservation. (Ordinance No. [11-14](#), [18-18](#))

POLICY 27.4.2: Plan and implement alternatives to roadways (e.g., greenways, blueways, equestrian trails, and other pedestrian pathways) within Northeast Lee County connecting people to public lands, recreation areas, public facilities, and the rural mixed use villages. (Ordinance No. [11-14](#), [18-18](#))

POLICY 27.4.3: Proactively plan for wildlife connections within Northeast Lee County that support habitat needs of native animals on public lands and waters. (Ordinance No. [11-14](#), [18-18](#))

POLICY 27.4.4: Evaluate funding opportunities and feasibility of creating a multipurpose path to run the entire length of North River Road. (Ordinance No. [11-14](#), [18-18](#))

GOAL 28: ALVA COMMUNITY PLAN. Support and enhance the unique rural, historic, agricultural character and natural environment and resources of the Alva Community Plan area, including the rural village and surrounding area. (Ordinance No. [11-21](#), [18-18](#))

OBJECTIVE 28.1: RURAL CHARACTER. Maintain and enhance the rural character and environment of Alva through planning practices that:

1. Manage growth and protect Alva's rural nature.
2. Maintain agricultural lands and rural land use patterns.
3. Provide needed community facilities, transportation systems, and infrastructure capacity.
4. Protect and enhance native species, ecosystems, habitats, natural resources, and water systems.
5. Preserve Alva's historic places and archaeological sites.

(Ordinance No. [11-21](#), [18-18](#))

POLICY 28.1.1: Evaluate and identify appropriate commercial areas with a focus on the rural village area. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.1.2: Alva will work with Lee County to develop sustainable land use practices through which transportation and infrastructure systems, public services, and parks are provided consistent with Alva's rural character. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.1.3: Alva will work with Lee County to identify appropriate locations for and promote the establishment of community gardens. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.1.4: New industrial activities or changes of land use that allow future industrial activities, not directly associated with Alva's commercial agriculture, are prohibited in Alva. By 2014, Alva will work with Lee County to establish regulations in the Land Development Code to further this policy. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.1.5: New natural resource extraction mining activities are prohibited in Alva. By 2014, Alva will work with Lee County to establish regulations in the Land Development Code to further implement this policy. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.1.6: Outdoor display in excess of one acre and commercial uses that require outdoor display to such an extent are prohibited. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.1.7: Coordinate the Alva and North Olga Community Plans to achieve the Northeast Lee County Community Plan goal, objectives, and policies. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.1.8: Alva will work in coordination and partnership with the other planning communities in the East Lee County area in order to ensure effective collaboration and coordinated planning efforts. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.1.9: Alva will work with Lee County to coordinate planning efforts with the adjacent counties, and other local, regional, state, and federal agencies to maintain the rural character of Alva. (Ordinance No. [11-21](#), [18-18](#))

OBJECTIVE 28.2: RURAL LANDS FRAMEWORK. Provide for the varied residential, commercial, and natural resource needs of Alva's rural lands by establishing a planning framework that serves the area's different users. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.2.1: Alva will work with Lee County to ensure that future development projects maintain or enhance Alva's rural character by establishing planning policies and Land Development Code standards that are compatible with Alva's vision and guiding principles. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.2.2: Future land use amendments that would increase the allowable total density of Alva are discouraged and must demonstrate consistency with the objectives and policies of this goal through concurrent planned development rezoning. Future land use map amendments that would decrease the allowable total density of Alva and that are otherwise consistent with the objectives and policies of this goal are encouraged. (Ordinance No. [11-21](#), [18-14](#), [18-18](#))

POLICY 28.2.3: Promote sustainable residential development patterns and rural character by utilizing rural planning practices such as:

1. Cluster development in compact, interconnected neighborhoods situated in appropriate locations.
2. Designate appropriate allowed uses.
3. Establish compatible parcel sizes, density, and intensity standards.
4. Conserve natural resources.
5. Provide standards for adequate open space.
6. Maintain commercial agricultural uses.
7. Incorporate green building standards.
8. Identify locations suitable for public services.

(Ordinance No. [11-21](#), [18-18](#))

POLICY 28.2.4: Establish architectural standards that support and enhance the historic resources within the Alva Community Plan area:

1. Featuring architectural and design themes consistent with Alva's historic architectural styles.
2. Including street graphic standards that address size, location, style, and lighting.

(Ordinance No. [11-21](#), [18-18](#))

POLICY 28.2.5: Promote economic opportunities, including ecotourism, commercial agriculture, and associated businesses that contribute to the rural character of the Alva Community Plan area. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.2.6: Establish design standards in the Land Development Code that:

1. Foster a unique landscape theme for the rights-of-way for North River Road and other county-maintained roads.
2. Address connectivity and separation among differing uses.

3. Preserve native plant communities, including subtropical and tropical hardwood hammock, scrub, and wetlands, to enhance the existing native vegetation and tree canopy.
 4. Encourage the removal of exotic species.
- (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.2.7: Promote commercial agriculture by addressing:

1. Farm to market demands on roadway infrastructure.
 2. Storage of commercial agricultural equipment at a private residence of an individual employed or engaged in an agricultural operation as a permitted use in residential zoning districts.
 3. Incentives for continued commercial agricultural use.
 4. Location of associated packaging, processing, warehousing, and other value-added activities.
- (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.2.8: Promote the historic character of the Alva Community Plan area by utilizing the Land Development Code to:

1. Consider formal local designation of additional historic buildings and districts.
2. Identify potential national or state registered history buildings and districts.
3. Evaluate the effects of county regulations on designated historic districts and modify as necessary.

(Ordinance No. [11-21](#), [18-18](#))

POLICY 28.2.9: Develop and promote innovative rural planning tools, such as purchase and transfer of development rights, to:

1. Maintain commercial agriculture.
2. Conserve and restore agricultural lands, open lands, native vegetated uplands and wetlands.
3. Sustain the rural character of the Alva Community Plan area.

(Ordinance No. [11-21](#), [18-18](#))

OBJECTIVE 28.3: RURAL VILLAGE FRAMEWORK. To establish the appropriate regulatory and incentive framework to implement a mixed use rural village center in the area depicted on Map 1, Page 6. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.3.1: Establish standards for a mixed use rural village center that provides for walkable residential areas, appropriately located commercial and professional services, and public resources. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.3.2: Alva will work with Lee County to consider designating the rural village and areas therein as historic districts. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.3.3: Consider a maximum height standard in the Land Development Code for the historic core, as depicted on Map 1, Page 6, that supports the Alva Methodist Church and the Alva School buildings position as dominant features and landmarks of the rural village. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.3.4: Explore the feasibility and potential funding for developing and implementing a site improvement plan for the existing boat launch area and facilities on Pearl Street and the Alva Heritage Park on Palm Beach Boulevard and the right-of-way for High Street. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.3.5: To prevent strip development along Palm Beach Boulevard, the majority of acreage available for commercial development will be located within the rural village, particularly the village center (sub areas 2 and 3). (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.3.6: Any new development on parcels within the rural village area currently zoned commercial will be evaluated for consistency with the design and use standards of the rural village through the development review process in order to contribute to the overall design concept and be compatible with the village character and adjacent neighborhoods. (Ordinance No. [11-21](#), [18-18](#))

OBJECTIVE 28.4: CONNECTIVITY. To provide appropriate and reasonable access and linkages throughout the Alva Community Plan area that support rural character. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.4.1: Establish a walkable mixed use rural village center that provides for the needs of pedestrians, cyclists, equestrian riders, and drivers. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.4.2: Provide for multiple connections to the existing transportation network by establishing land development practices and regulations through which new streets and roads, particularly those in residential areas or rural centers, will be required to interconnect with adjacent land uses. Additionally, the regulations will prohibit entry gates and perimeter walls around residential development. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.4.3: Address roadway transportation needs in a context sensitive manner reflective of Future Non-Urban Areas.

1. Evaluate the capacity and level of service standards for rural roads.
 2. Monitor traffic levels in coordination with Hendry County.
 3. Evaluate the designation of North River Road as a constrained roadway for scenic purposes.
 4. Maintain farm-to-market functions of rural roadways including North River Road and Palm Beach Boulevard.
- (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.4.4: Evaluate funding opportunities and feasibility of creating a multipurpose path to run the entire length of North River Road. (Ordinance No. [11-21](#), [18-18](#))

OBJECTIVE 28.5: NATURAL RESOURCES AND ENVIRONMENTAL SYSTEMS. To enhance, preserve, protect, and restore the physical integrity, ecological standards, and natural beauty of the Alva Community Plan area. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.5.1: Consider development standards that:

1. Protect the integrity, stability, and beauty of the natural environment.
 2. Maintain wildlife habitat and habitat travel corridors.
 3. Require new development and redevelopment to be designed and operated to conserve critical habitats of protected, endangered, and threatened species, and species of special concern.
 4. Increase development setbacks from natural areas and surface waters.
 5. Establish requirements for natural buffers from parcel lines to development areas.
 6. Prohibit developments that would harm protected, endangered, and threatened species, or species of special concern.
 7. Enhance connectivity to maintain uninterrupted wildlife corridors among, between, and within parcels.
 8. Develop surface water management system design standards that incorporate natural flowway corridors, cypress heads, natural lakes, and restore impacted natural surface waters.
 9. Evaluate the feasibility and opportunities for an overall surface water management plan.
- (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.5.2: Identify and evaluate land conservation funding opportunities and acquisition priorities to protect vital natural resources, ecosystems, and habitats from the impacts of clear cutting for residential or agricultural purposes. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.5.3: All new development and redevelopment must maintain compliance with State of Florida mandated Total Maximum Daily Load (TMDL) requirement for designated water bodies. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.5.4: New development and redevelopment in or near existing and potential wellfields must:

1. Be designed to minimize the possibility of contaminating groundwater during construction and operation.
2. Comply with the Lee County Wellfield Protection Ordinance.

(Ordinance No. [11-21](#), [18-18](#))

POLICY 28.5.5: Provide educational programs or materials on energy conservation, energy efficiency, greenhouse gas emission reductions, solid waste management, hazardous waste, surface water runoff, septic maintenance, water conservation, Florida Friendly Landscaping, green building, cultural resources, history, etc. The site for these programs will be located in Alva. (Ordinance No. [11-21](#), [18-18](#))

OBJECTIVE 28.6: PUBLIC RESOURCE ACCESS. Increase the opportunity for public access to and enjoyment of the scenic, historic, recreational, and natural resources in Alva. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.6.1: Alva will work with Lee County to identify opportunities to link public lands, facilities, and recreation areas that minimize disturbance of natural systems and wildlife habitat and incorporate these links into the Greenways Master Plan. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.6.2: Identify potential public uses for significant historic structures and archaeological sites. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.6.3: Alva will work with Lee County to identify areas suitable for passive water-dependent/water-related recreational uses and activities, such as canoe and kayak launch areas, boardwalks, jogging paths, fishing platforms, and waterside parks. (Ordinance No. [11-21](#), [18-18](#))

POLICY 28.6.4: Alva will continue to work with Lee County to evaluate appropriate access and use of Conservation 20/20 lands to support kayaking and canoeing, bird watching, hiking, and other passive recreation related to eco-tourism. Recreational opportunities will be balanced with the protection of natural resources and will comply with the Land Stewardship Plan prepared by the Conservation 20/20 Land Program. (Ordinance No. [11-21](#), [18-18](#))

GOAL 29: NORTH OLGA COMMUNITY PLAN. Promote and support the unique rural character, heritage, economy, quality of life, and natural resources in the North Olga Community Plan area. (Ordinance No. [11-14](#), [18-06](#), [18-18](#))

OBJECTIVE 29.1: COMMUNITY CHARACTER. To establish comprehensive plan policies, land development regulations, and other planning and development tools to manage future community development in a manner that protects and enhances the rural character and aesthetic appearance of the North Olga Community Plan area, while supporting the continued viability of commercial agricultural businesses. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.1.1: Protect the community's rural aesthetic qualities, preserve the natural and historic resources, and support a diverse rural economy by promoting compact or clustered development

areas that maintain large, contiguous tracts of open space, while supporting commercial agricultural businesses. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.1.2: The North Olga Community will work in conjunction with Lee County, public agencies, land owners, and community service providers to examine the need for a rural mixed use village center that provides for public meeting space, institutional uses, recreational opportunities and local goods and services. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.1.3: Maintain enhanced design, landscaping, signage, and architectural standards to promote the rural character of the North Olga Community Plan area. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.1.4: Deviations or variances relating to landscaping, signage guidelines, or compliance with applicable architectural standards within the North Olga Community Plan area may not be granted, unless the request meets the approval criteria for variances set forth in Chapter 34 of the Land Development Code. (Ordinance No. [11-14](#), [18-18](#))

OBJECTIVE 29.2: RESIDENTIAL LAND USES. Protect and enhance the rural character of the North Olga Community by evaluating residential development proposals for consistency with the community's rural character and sense of community. Rural character is defined as those characteristics that convey the rural lifestyle such as: large lots or clustered development, ample view of wooded areas, open spaces, and river fronts, working farms, productive agricultural uses, and the protection of environmentally sensitive lands. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.2.1: Proposed planned developments will be encouraged to provide a mix of unit types and flexible lot sizes to allow for clustering, affordability, preservation of open space, natural assets, and diversity of choice within the community. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.2.2: Proposed residential development adjacent to an existing large lot residential area or commercial agriculture business will provide appropriate separation, such as a minimum lot size of one unit per acre for lots abutting the perimeter of property line(s). For the purposes of this policy, large lot residential uses are defined as those residential uses with lot sizes equal to or greater than one acre. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.2.3: Encourage proposed planned developments to provide community gardens to allow for social, recreational and education activities for the residents of the planned development. (Ordinance No. [11-14](#), [18-18](#))

OBJECTIVE 29.3: COMMERCIAL LAND USES. Existing and future county regulations, land use interpretations, policies, zoning approvals, and administrative actions should promote the rural character of the North Olga Community Plan area and allow for non-residential land uses that serve and support the rural community, including uses permitted by Objective 29.9. Regulations will support a unified and attractive rural-oriented design theme in terms of landscaping architecture, lighting and signage. (Ordinance No. [11-14](#), [18-06](#), [18-18](#))

POLICY 29.3.1: Continue to support the long-term viability of commercial agriculture industry through the development and implementation of incentives and tools including, but not limited to: TDR programs; farmland trusts; agricultural easements; and development practices that promote compact development patterns and the preservation of productive agricultural lands. For the purposes of this policy, commercial agriculture is defined as the production of crops and livestock for sale, specifically for widespread distribution to wholesalers and /or retail outlets. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.3.2: Support ancillary commercial throughout the Rural designated areas that promote the rural and agricultural character of the community, if appropriate zoning approval is granted. For the purposes of this policy, ancillary commercial uses are defined as non-residential uses that support the local, rural-based economy. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.3.3: In order to maintain the rural and aesthetic value of the community, proposed new commercial development will utilize a consistent landscaping and architectural style for all buildings within proposed commercial developments, and will comply with the applicable design standards within Land Development Code Chapter 33 as part of the development review process. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.3.4: Opportunities for non-residential and mixed use development that are compatible with the rural and agricultural character of the community may be permitted through the planned development rezoning process within the New Community future land use category in accordance with Objective 29.9.2. (Ordinance No. [18-06](#), [18-18](#))

OBJECTIVE 29.4: TRANSPORTATION. Road improvements within the North Olga community considered by the county will promote the community's goal to maintain its rural character and provide for safe access, and appropriate transportation resources including roadways and pedestrian, bike, and equestrian trails and pathways. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.4.1: Future improvements to North River Road or other public roadways within the North Olga community should be pursued only after careful analysis of safety, need, community and environmental impact. Public roadways improvements should incorporate rural design treatments. Public participation in planning and design processes for these road improvements should provide opportunities for involvement of the North Olga community. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.4.2: Work with the North Olga community to allow for the use of roadways in a manner that supports local commercial agriculture businesses and their continued viability. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.4.3: Work with the North Olga community to evaluate funding opportunities and feasibility of creating a multipurpose path to run the entire length of North River Road through the community. (Ordinance No. [11-14](#), [18-18](#))

OBJECTIVE 29.5: AGRICULTURE. Support small and large-scale farming operations and alternative, agriculturally-based enterprises to sustain economically-viable commercial agriculture in order to foster a diverse local economy while maintaining the agricultural heritage of the North Olga Community Plan area. For the purposes of this objective, alternative, agriculturally-based enterprises including but are not limited to the production of biofuel crops, niche farming activities, agri-tourism, and carbon offset farming. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.5.1: Support the use of public and private lands for community gardens. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.5.2: Evaluate future development proposals, not including lot splits, for compatibility with adjacent, existing small- and large-scale farming operations, including buffers, setbacks, and site design standards to ensure that those activities do not unduly impact the viability of the community's agricultural businesses. (Ordinance No. [11-14](#), [18-18](#))

OBJECTIVE 29.6: OPEN SPACE, RECREATION AND COMMUNITY FACILITIES. Facilitate public access to and the enjoyment of scenic, historic, recreational, and natural resources in the North Olga community. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.6.1: Incorporate key linkages within the North Olga community into the Greenways Master Plan, such as connection between the North River Road Greenway and the Franklin Locks. These linkages will serve the purpose of providing a meaningful trail network, which will include connections to public recreational areas and minimize disturbances to wildlife habitats and natural systems. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.6.2: Work with private landowners to identify opportunities to maintain and enhance public access to the Caloosahatchee River. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.6.3: Proposed planned developments adjacent to the Caloosahatchee River will be encouraged to provide public access to the river. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.6.4: Identify and expand water-based recreational opportunities, including but not limited to canoe/kayak launch areas, boardwalks, fishing platforms and waterside parks. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.6.5: Evaluate the need for community facilities within North Olga to provide public meeting space. This evaluation will include the identification of funding sources and the facility's appropriate location and scale. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.6.6: Support the development of nature and agriculturally-based tourism where appropriate throughout the community. Opportunities for nature and agriculturally-based tourism include but are not limited to bird watching, equestrian facilities, kayaking/canoeing, and bed and breakfast establishments. (Ordinance No. [11-14](#), [18-18](#))

OBJECTIVE 29.7: CONSERVATION. Preserve, protect, and, where possible, enhance the physical integrity, rural character, ecological values, and natural beauty of the North Olga Community Plan area, focusing upon the Caloosahatchee River, native vegetation, wildlife resources, and areas designated for long-term conservation. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.7.1: Balance public access to the Caloosahatchee River with protection and rehabilitation efforts, in order to preserve the river's natural features and function. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.7.2: Encourage future development to maintain on-site native vegetation communities. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.7.3: Proposed planned developments will consider the incorporation of "Firewise" principles in site design, including building orientation, access management, landscaping type and placement. For the purposes of this policy, Firewise principles are those guidelines developed by the National Fire Protection Association to mitigate the risk of wildland fire to homes in the wildland/urban interface. (Ordinance No. [11-14](#), [18-18](#))

OBJECTIVE 29.8: WATER DEPENDENT OVERLAY. Protect marine-oriented land uses within the North Olga Community Plan area from incompatible or pre-emptive land uses. The water dependent overlay within the community applies to the Owl Creek Boat Works as depicted on Lee Plan Map 12. (Ordinance No. [11-14](#), [18-18](#))

POLICY 29.8.1: Prior to the redevelopment of the Owl Creek Boat Works facility, the owner will be required to conduct a cultural resource assessment of the property to determine the existence of historical structures, archaeological resources and other cultural resources. (Ordinance No. [11-14](#), [18-18](#))

OBJECTIVE 29.9: NEW COMMUNITY. Land designated as New Community on the Future Land Use Map within the North Olga Community Plan area will be developed as a unified planned development in order to achieve conservation and enhancement of important environmental resources; initiate area wide surface water management; prevent sprawling land use patterns; create critical hydrological and wildlife corridors and connections; and protect rural character of the surrounding community. (Ordinance No. [18-06](#), [18-18](#))

POLICY 29.9.1: Residential densities for land within the New Community future land use category may be permitted up to a maximum of 1 du/2.5 acres. In no case shall the unit count in the New Community future land use category in North Olga exceed 1,630 dwelling units. (Ordinance No. [18-06](#), [18-18](#))

POLICY 29.9.2: Non-residential intensities for lands within the New Community future land use category will be limited to a maximum permitted Floor Area Ratio (FAR) of 0.15. The FAR will be based upon the gross acreage dedicated to non-residential uses within the overall planned development boundary, including all uplands, wetlands, open space, rights-of-way, recreation areas, and/or lake. In no case shall the total commercial square footage in the New Community future land use category in North Olga exceed 1,170,000 square feet, in addition to 600 hotel rooms. (Ordinance No. [18-06](#), [18-18](#))

POLICY 29.9.3: Prior to development, a planned development rezoning must be approved, and include conditions and requirements that demonstrate the following:

a. Environmental Enhancements.

1. A minimum of 60% open space, inclusive of onsite preserve, to accommodate the following:
 - i. Water quality enhancement areas, including but not limited to natural systems-based stormwater management facilities, filter marshes, and wetland buffers to reduce the rate of run-off and associated nutrient loads;
 - ii. Existing regional flow-ways;
 - iii. Preservation of 90% of the onsite wetlands;
 - iv. Critical wildlife connection(s) to adjacent conservation areas through on-site preserve areas;
 - v. Roadway setbacks and perimeter buffers; and
 - vi. Passive recreational and civic areas that comply with the definition of open space, as set forth in the Land Development Code.
2. Open space areas must be platted in separate tracts, outside of privately owned lots, and dedicated to an appropriate maintenance entity. A Community Development District (CDD), Independent Special District (ISD), or a master property owners association must be created to accept responsibility for perpetually maintaining the open space areas identified in the planned development.
3. Record a conservation easement for a minimum of 50% of the planned development benefiting a public agency acceptable to Lee County, or Lee County itself, and dedicated to an appropriate maintenance entity. Land subject to conservation easement(s) can be used for on-site mitigation and will be recorded as development orders are issued. The timing of conservation easement(s) and restoration may be phased so long as the area dedicated

to conservation easement is equal to or greater than the area of land approved for development on a cumulative basis.

4. Provide a protected species management plan to address human wildlife coexistence, including educational programs and development standards.
 5. Provide wildlife crossings on-site and to adjacent wildlife habitat areas.
 6. Provide recreational connections to adjacent public and private conservation and preserve land, subject to approval by the appropriate agencies, through the provision of publicly accessible trailheads and similar facilities within the development.
 7. Incorporate Florida Friendly Landscaping with the low irrigation requirements in common areas.
 8. A binding commitment as part of the planned development to implement an environmental education program for homeowners, businesses and visitors to describe the local ecology, including but not limited to wildlife, plant communities, and native habitats, in addition to the design standards, restoration projects, and management programs/plans, incorporated into the development to address environmental protection.
 9. Incorporate energy efficiency and other low impact development (LID) performance standards within the development.
 10. Minimize impacts to natural areas and native habitat by concentrating development primarily in areas previously impacted by agricultural uses and other development activities.
- b. Water Quality & Hydrological Enhancements.
1. The stormwater management system must demonstrate through design or other means that water leaving the development meets current state and federal water quality standards. Outfall monitoring will be required on a quarterly basis for a minimum of 5 years from the date of acceptance of construction of the water management system by the South Florida Water Management District. Monitoring may be eliminated after 5 years if the water quality standards are met.
 2. Demonstrate an additional 50% water quality treatment beyond the treatment required by the SFWMD for the on-site stormwater management basins.
 3. Protect existing groundwater levels and improve existing wetland hydroperiods in onsite preserve areas, as applicable by SFWMD permits.
 4. Provide a lake management plan that requires best management practices for the following:
 - i. fertilizers and pesticides;
 - ii. erosion control and bank stabilization; and
 - iii. lake maintenance requirements and deep lake management for lakes exceeding 12 feet below lake surface (BLS).
 5. Provide a site-specific ecological and hydrological plan, which includes at a minimum the following: preliminary excavation and grading plans, exotic removal and maintenance plan, supplemental planting plan, and success criteria for meeting established goals.
 6. Provide a site-specific mitigation and enhancements to reduce discharge rates.
 7. Utilize reuse and surface water generated by the development to meet the irrigation demands of the recreation and development areas, to the extent such reuse is available.
 8. Demonstrate that the proposed planned development will not result in significant detrimental impacts on present or future water resources.
- c. Infrastructure Enhancements.
1. All development within the planned development must connect to centralized water and sewer services, with the exception of interim facilities used on a temporary basis during construction, and for unmanned essential services on a temporary basis until water and sewer service is extended to the development.

2. Written verification as to adequate public services for the planned development from the sheriff, EMS, fire district, and Lee County School District, or via interlocal agreements with adjacent jurisdictions and/or special districts.
 3. Civic space, recreational areas, and a variety of amenities distributed throughout the development for use by the general public, to be maintained by the property owners' association or similar entity.
 4. Sufficient right-of-way to accommodate an 8-foot wide multi-purpose pathway along the roadway frontages, where the planned development abuts SR 31 and CR 78.
- d. Community Character.
1. Transition to lower densities and intensities where adjacent to off-site conservation lands.
 2. Enhanced buffers and setbacks along external roadways to preserve rural vistas and viewsheds that are at least 50% wider than the Land Development Code requirements.
 3. Locate access points onto adjacent arterial roadways to minimize impact to the surrounding rural community.
- (Ordinance No. [18-06](#), [18-18](#))

GOAL 30: NORTH FORT MYERS COMMUNITY PLAN. Improve the livability and economic vitality in the North Fort Myers Community Plan area by: promoting compact, mixed use development in the form of town and neighborhood centers; attracting appropriate investment to revitalize older neighborhoods and commercial corridors; stabilizing and enhancing, existing neighborhoods; and preserving natural resources. (Ordinance No. [09-11](#), [18-18](#))

OBJECTIVE 30.1: NEIGHBORHOODS AND HOUSING. To support the creation and preservation of affordable housing options in safe and attractive neighborhoods. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.1.1: Continue to implement Neighborhood District Revitalization Plans utilizing Community Development Block Grant (CDBG) funds, as available. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.1.2: Explore opportunities to expand programs designed to help maintain, repair, and improve existing owner-occupied housing. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.1.3: Encourage a diversity of housing types in the North Fort Myers Community Plan area by supporting mixed use projects, with residential above or adjacent to retail and service uses, within the Mixed Use Overlay. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.1.4: Encourage development of affordable housing options on property with the following characteristics:

- Located within the Intensive Development, Central Urban, and Urban Community on the Future Land Use Map;
- located where central water/sewer service is available; and
- located within walking distance of mass transit, commercial and personal services, and parks and recreation facilities.

(Ordinance No. [09-11](#), [18-18](#))

POLICY 30.1.5: The North Fort Myers Community supports incorporating into the Mixed Use Overlay the addition of single person apartment types of 500 square feet or less and the evaluation of flexibility for all types of fees associated with the development of those units. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.1.6: Accessory apartments, such as mother-in-law or student housing units, will be considered affordable units, allowing those units to be considered bonus density when calculating allowable density. (Ordinance No. [09-11](#), [18-18](#))

OBJECTIVE 30.2: LAND USE: CENTERS AND CORRIDORS. To encourage revitalization of designated Town Center overlay districts, road corridor overlay districts and redevelopment areas. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.2.1: Town Centers, located at the intersections listed below, are appropriate for moderate to high intensity, pedestrian-oriented, mixed use development and redevelopment.

- North Cleveland Avenue and Hancock Bridge Parkway.
- North Tamiami Trail – Pondella Road to the Caloosahatchee River.
- Bayshore and I-75.

(Ordinance No. [09-11](#), [18-18](#))

POLICY 30.2.2: Development of the Town Centers as a whole (not individual projects) are envisioned to encompass the following general principles:

- A mix of uses are encouraged to promote walking; allow for shared parking; support transit; and minimize disturbance of natural areas, wildlife corridors, and drainage ways;
- Buildings should be designed to frame the public realm, enliven streetscapes, and provide for the informal surveillance of public spaces, primary entries, windows, storefronts, porches, and stoops should open onto streets, sidewalks, and public spaces;
- Parks, squares, plazas, and promenades should be designed to promote community life and provide a variety of outdoor public space;
- To dispense traffic, promote walking, and provide convenient routes for vehicles and pedestrians, streets should be designed in interconnected networks with generous sidewalks, shade trees, well-marked crossings, and amenities; and
- Parking areas (except for on-street spaces), loading docks, and service entries should be screened from public view and accessed from alleys, service courts, and side streets.

Individual projects within the Town Centers should further these general principles. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.2.3: Maintain provisions allowing for greater minimum, maximum base, and maximum total densities and building heights in the Mixed Use Overlay. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.2.4: The following areas are designated as Neighborhood Centers appropriate for moderate intensity, pedestrian-oriented, mixed use development:

- Littleton and North Cleveland Avenue;
- North Tamiami Trail and Del Prado Boulevard;
- North Tamiami Trail and Nalle Grade Road;
- Hancock Bridge Parkway and Orange Grove Boulevard;
- North Tamiami Trail and Pine Island/Bayshore Roads;
- Bayshore Road and Slater Road; and
- Bayshore Road and Hart Road

For these areas, neighborhood-serving, mixed use development; pedestrian-friendly street, site, and building designs; the incorporation of live/work, multi-family, and attached housing; and sidewalk and path connections to nearby neighborhoods, parks, and public uses are preferred. (Ordinance No. [09-11](#), [17-13](#), [18-18](#))

POLICY 30.2.5: Certain areas along major road corridors outside designated Town Centers and Neighborhood Centers, are located within a Corridor Overlay District with provisions in the Land Development Code requiring enhanced landscaping, greater buffering and shading of parking areas, improved commercial signage, enhanced standards to ensure architectural quality and compatibility, and incentives for quality development. Within the Corridor Overlay District, deviations from landscaping, buffering, signage or architectural requirements may not be granted, unless the request meets the approval criteria for variances set forth in Chapter 34 of the Land Development Code. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.2.6: Development within the Town and Neighborhood Centers and the Corridor Overlay Districts may use the development standards allowed within the Mixed Use Overlay. (Ordinance No. [18-18](#))

POLICY 30.2.7: Maintain land development incentives for bringing older development into compliance with current regulations. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.2.8: The following uses are prohibited within the North Fort Myers Community Plan area: “detrimental use” as defined in the Land Development Code. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.2.9: Floor Area Ratio (FAR) maximums in the Commercial Future Land Use Category described in Policy 1.1.10, located south of Pine Island Road between Orchid Road and Barrett Road, will be 0.26. (Ordinance No. [10-34](#), [18-18](#))

OBJECTIVE 30.3: TRANSPORTATION. The North Fort Myers Community Plan area will have neighborhood, corridors and community interface improvements identified. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.3.1: Encourage streetscape and landscape improvements along major roadways consistent with the general provisions of the LeeScape Master Plan, including Bayshore and Pine Island Roads, North Cleveland Avenue, North Tamiami Trail, Pondella Road, Hancock Bridge Parkway, and Del Prado Boulevard. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.3.2: Provide public input opportunities in the planning and design processes for future improvements or extension of Littleton Road, Hancock Bridge Parkway, Hart Road, Slater Road, and other roadways not currently shown on the Future Functional Classification Map (Map 3B). Road improvements or extensions should be based on a careful analysis of need, community and environmental impact, and the potential for incorporation of context-sensitive design treatments. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.3.3: Identify opportunities to improve transit service, frequency, routes, and stop amenities within the North Fort Myers Community Plan area. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.3.4: Road capacity improvements needed within the North Fort Myers Community Plan area to serve demand generated outside the Community Plan area should be designed to minimize impacts, improve visual character, and improve local access and mobility. (Ordinance No. [09-11](#), [18-18](#))

OBJECTIVE 30.4: COMMUNITY FACILITIES & SERVICES. To provide community facilities and services within the Town Centers, Neighborhood Centers and Corridor Overlay Districts. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.4.1: Support a collaborative effort for providing medical services and facilities within the North Fort Myers Community Plan area. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.4.2: Support the concept of a single source of sewage service to the North Fort Myers Community Plan area. (Ordinance No. [09-11](#), [18-18](#))

OBJECTIVE 30.5: PARKS, RECREATION & CONSERVATION. The North Fort Myers community will identify park, recreation, open space, environmental protection and restoration needs and deficiencies to pursue remedies. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.5.1: Ensure parks and recreation facilities are reasonably accessible and adequate to meet the needs of residents. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.5.2: Integrate the North Fort Myers Community Park into the surrounding development and open space areas, including incorporation of the development of a community park facility. The concept would be for the park to act as a hub, connected to other open space/recreational opportunities through pedestrian or bicycle linkages, either along public rights of way or through adjacent developments. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.5.3: Protect and conserve natural resources, expand recreation opportunities and accessibility for the use of existing waterways, and provide a broad mix of parks, trails, and water recreation areas, to support the lifestyle preferences, livability, sustainability, recreational interest and economic vitality of the community. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.5.4: Maintain stewardship and management plans for 20/20 Conservation Lands within North Fort Myers Community Plan area. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.5.5: Support the nomination of properties along planned trails, wildlife corridors, greenways, major creeks, and with access to the Caloosahatchee River to the Conservation 20/20 program. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.5.6: Implement recommendations for the Greenways Master Plan. As a first priority, support development of the Tamiami Trail North segment of the Charlotte-Lee Collier Greenway and water access and signage improvements to access the Blueways designated along Yellow Fever Creek and along the Caloosahatchee River at Caloosahatchee Creeks Preserve. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.5.7: Identify opportunities in new developments for the establishment and protection of wildlife movement corridors and interconnection of conservation easements to facilitate wildlife movement through the county. (Ordinance No. [09-11](#), [18-18](#))

OBJECTIVE 30.6: Downtown Waterfront. The North Fort Myers community supports the creation of a project specific, time specific, cost specific redevelopment plan for the North Fort Myers Downtown Waterfront area. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.6.1: The North Fort Myers community supports the integration of the redevelopment plan for waterfront downtown with the planning for the alignment, functional classification, and location of any Hancock Bridge Parkway expansion. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.6.2: The redevelopment plan will consider the stormwater needs and water and sewer needs that result from the transportation and land use changes of Downtown Waterfront. (Ordinance No. [09-11](#), [18-18](#))

POLICY 30.6.3: The land use component of Downtown Waterfront will include land uses that assist in completing North Fort Myers' employment base, and broaden the housing base for those who will be employed by the new center. (Ordinance No. [09-11](#), [18-18](#))

GOAL 31: PAGE PARK COMMUNITY PLAN. Revitalize the village-like residential neighborhood into a vibrant mixed use community, that captures the heritage of the Page Park Community Plan area by providing infrastructure, pedestrian and bicycle connections, and business opportunities together with consistency in signage, landscaping, and enhanced development standards, thereby promoting a mix of commercial and residential uses that will provide services to the local community and the driving public. (Ordinance No. [09-08](#), [18-18](#))

OBJECTIVE 31.1: Enhance the existing physical appearance of Page Park while maintaining the historic character of the community. (Ordinance No. [09-08](#), [18-18](#))

POLICY 31.1.1: Deviations from landscaping, buffering, signage or architectural requirements may not be granted, unless the request meets the approval criteria for variances set forth in Chapter 34 of the Land Development Code. (Ordinance No. [09-08](#), [18-18](#))

POLICY 31.1.2: Encourage mixed use developments with mixed use buildings throughout the commercial/mixed use areas depicted on the Page Park Overlay (Map 1, Page 6). (Ordinance No. [09-08](#), [17-13](#), [18-18](#))

POLICY 31.1.3: New residential development, with the exception of a single-family residential dwelling, that requires a rezoning within the Page Park Community Plan area must be rezoned as a Residential Planned Development (RPD). (Ordinance No. [09-08](#), [18-18](#))

OBJECTIVE 31.2: COMMERCIAL USE. To ensure that commercial redevelopment incorporates required landscaping, architecture, lighting and signage, and provides for employment opportunities, while discouraging uses that are not compatible with adjacent uses and have significant adverse impacts on the neighboring properties. (Ordinance No. [09-08](#), [18-18](#))

POLICY 31.2.1: New stand-alone commercial activity and uses will be limited to Danley Drive and within the commercial/mixed use areas shown on the Page Park Overlay (Map 1, Page 6). Commercial uses will be permitted elsewhere within the community, but only as part of a mixed use development or as a mixed use building. This policy does not apply to existing commercial uses and property currently zoned for commercial uses. (Ordinance No. [09-08](#), [18-18](#))

POLICY 31.2.2: The following uses are prohibited within the Page Park Community Plan area: "detrimental uses" (as defined in the Land Development Code); nightclubs or bar and cocktail lounges not associated with a Group III Restaurant; and retail uses that require outdoor display over one acre. (Ordinance No. [09-08](#), [18-18](#))

POLICY 31.2.3: New stand-alone industrial development that requires rezoning within the Page Park Community Plan area must be rezoned as an Industrial Planned Development (IPD). (Ordinance No. [09-08](#), [18-18](#))

OBJECTIVE 31.3: HOUSING. Explore opportunities to provide workforce housing. (Ordinance No. [09-08](#), [18-18](#))

POLICY 31.3.1: Encourage live-work units within the commercial/mixed use areas on the Page Park Overlay (Map 1, Page 6). (Ordinance No. [09-08](#), [17-13](#), [18-18](#))

POLICY 31.3.2: Upon request, the county will inform, educate, and encourage residents of the Page Park Community Plan area about funding opportunities or programs available to assist in the rehabilitation of existing residential structures that are in need of repair, rehabilitation or removal. (Ordinance No. [09-08](#), [17-13](#), [18-18](#))

OBJECTIVE 31.4: TRANSPORTATION. To give preference to transportation alternatives that allow existing roads to function at their current capacity when considering necessary road improvements within the Page Park Community Plan area. (Ordinance No. [09-08](#), [18-18](#))

POLICY 31.4.1: Implement traffic calming techniques to mitigate or curtail cut-through and speeding traffic on local residential streets within the Page Park Community Plan area. (Ordinance No. [09-08](#), [18-18](#))

POLICY 31.4.2: The county may review and evaluate traffic control devices in the Page Park Community Plan area, including one-way streets and stop controls, and remove or revise traffic control devices found to be obsolete for traffic routing. (Ordinance No. [09-08](#), [18-18](#))

POLICY 31.4.3: Expansion of Danley Drive or South Road should include engineering and financial feasibility analysis for physically separated provisions for bicyclists/pedestrians to provide for connection to the Ten Mile Linear Park, Jerry Brooks Park, and US 41 corridors. Paved shoulders and sidewalks may be considered where a separated path is not feasible. (Ordinance No. [09-08](#), [18-18](#))

OBJECTIVE 31.5: SEWER AND WATER. To recognize that central sewer service is essential and is strongly encouraged given the desire to provide a mix of uses and a mix of residential densities in the Page Park Community Plan area. (Ordinance No. [09-08](#), [18-18](#))

POLICY 31.5.1: Central sewer service is strongly recommended for future higher density and intensity developments proposed within the Page Park Community Plan area. Any new developments that meet the criteria outlined in Lee Plan Standard 4.1.2 are required to connect to a central sewer system. (Ordinance No. [09-08](#), [18-18](#))

GOAL 32: SAN CARLOS ISLAND. All development approvals on San Carlos Island must be consistent with following objective and policy in addition to other provisions of this plan. (Ordinance No. [94-30](#), [18-18](#))

OBJECTIVE 32.1: SAN CARLOS ISLAND WATER-DEPENDENT OVERLAY ZONE. To protect marine-orientated land uses on San Carlos Island from incompatible or pre-emptive land uses all development must be consistent with the following policies in addition to other provisions of this plan. (Ordinance No. [99-15](#), [18-18](#))

POLICY 32.1.1: New development and substantial redevelopment within the Industrial Development and the Destination Resort Mixed Use Water Dependent land use categories on San Carlos Island will be permitted only in accordance with the following criteria (See glossary for definitions and Map 2 for map boundaries). However, in no event will Lee County permit new or expanded petroleum facilities which would serve uses other than marine-related uses.

1. At the foot of the Matanzas Pass Bridge - Within the water-dependent overlay zone which is defined as land within 150 feet of the shoreline: water-dependent marine industrial uses and water-dependent functions of recreational marinas.

- Landward of the overlay zone (150-foot line): marine industrial uses, in addition to water-related accessory uses which may be permitted to occupy up to 50% of that portion of a parcel lying landward of the 150-foot line.
2. North of Main Street - Within the water-dependent overlay zone which is defined as land within 150 feet of the shoreline: water-dependent marine industrial uses and recreational marinas.
 - Landward of the overlay zone (150-foot line): marine industrial uses, in addition to commercial or marine industrial uses which support the major industrial activities and recreational marinas.
 3. South of Main Street - Within the water-dependent overlay zone which is defined as land within 300 feet of the shoreline: water-dependent marine industrial uses as well as those uses described under Goal 12 and Policy 12.3.3.
 - Landward of the overlay zone (300-foot line): marine industrial uses; in addition, dry-storage recreational marinas may also be permitted through the “planned development” rezoning process, provided the following is clearly demonstrated:
 - Water access can be provided with only minimal interference to the waterfront industrial uses; and
 - Adequate road access is provided for the waterfront industrial uses; and
 - Any other commercial uses (such as food service or retail space) must be clearly ancillary to the recreational marina or industrial uses and comprise no more than five percent of the site, unless located within the Destination Resort Mixed Use Water Dependent future land use category.
 4. Water-Dependent Overlay Zones in General - The water-dependent overlay zones will be included in the Lee County zoning regulations and may be the subject of deviation requests during the planned development rezoning process. This provision is particularly intended to encourage joint use of parking, access easements, and stormwater retention facilities where such joint use does not negate the essential purpose of the overlay zones. (This also applies to the water-dependent overlay zones elsewhere on San Carlos Island as described in Policy 32.1.1.)
 5. Ancillary Commercial Uses - Wherever water-dependent, marine industrial uses are permitted, water-related ancillary commercial uses may also be permitted, provided they are clearly subordinate to the parcel's principal use and their total development area (building, parking, required buffers, water retention, etc.) does not exceed 15% of the parcel's total area. However, at the foot of the Matanzas Pass Bridge, this percentage may be increased to 25% so long as the resulting commercial use of land lying in the Industrial Development land use category does not exceed 50% of all land in that category that is under unified ownership or control as of March 1, 1988.
 6. Destination Resort Mixed Use Water Dependent Future Land Use Category - Development within this land use category must be consistent with the requirements of Goal 12. (Ordinance No. [94-30](#), [99-15](#), [00-22](#), [10-38](#), [18-18](#))

POLICY 32.1.2: New development and substantial redevelopment within a portion of the Urban Community land use category on San Carlos Island will be subject to the additional requirement that within a water-dependent overlay zone, wet or dry storage recreational marinas and other water-dependent uses only will be permitted. This water-dependent overlay zone affects two separate areas, both lying south of Main Street and east of San Carlos Boulevard, as depicted on Map 2 and described as follows: land within 150 feet of the shoreline along the inlet (between other lands designated as Industrial Development but exempting the Gulf Cove Trailer Park); and, land

within 300 feet of the shoreline and lying east of, and within 930 feet of, the main Industrial Development area. (Ordinance No. [99-15](#), [00-22](#), [18-18](#))

OBJECTIVE 32.2: To manage growth, development, and redevelopment on San Carlos Island. To maintain and enhance the area's quality of life and public and private infrastructure. (Ordinance No. [98-09](#), [18-18](#))

POLICY 32.2.1: As part of the transit design process, the county will consider ways to establish pull-overs and turn-offs for the pick-up and discharge of passengers from all trolley and mass transit vehicles and requiring that such pick-up and discharge be done only at specified transit stops. (Ordinance No. [98-09](#), [00-22](#), [18-18](#))

POLICY 32.2.2: Prior to the expenditure of public funds for the construction of new parking facilities within San Carlos Island, an analysis of the relationship of the facility to the level-of-service on constrained and backlogged roads will be undertaken, in order to determine if the location, size and function of the facility is appropriate and consistent with the adopted CRA plan and the Transportation Element of the Lee Plan. (Ordinance No. [98-09](#), [00-22](#), [18-18](#))

POLICY 32.2.3: Recreation areas must have a minimum of impervious surfaces. (Ordinance No. [98-09](#), [00-22](#), [18-18](#))

POLICY 32.2.4: Sidewalks, bike paths and mass transit routes must be designed to provide convenient and safe access to all recreational facilities in the area. (Ordinance No. [98-09](#), [00-22](#), [18-18](#))

GOAL 33: SOUTHEAST LEE COUNTY. Protect Southeast Lee County's natural resources through public and private acquisition and restoration efforts. Development incentives will be utilized as a mechanism to preserve, enhance, and protect natural resources, such as regional flow-ways and natural habitat corridors in the development of privately owned land. Allowable land uses will include conservation, agriculture, public facilities, low density or clustered residential, natural resource extraction operations, and private recreation facilities; allowable land uses must be compatible with protecting Southeast Lee County's environment. (Ordinance No. [10-20](#), [19-13](#))

OBJECTIVE 33.1: WATER, HABITAT, AND OTHER NATURAL RESOURCES. Protect and restore natural resources within Southeast Lee County including, but not limited to, surface and ground water, wetlands, and wildlife habitat. (Ordinance No. [10-19](#), [19-13](#))

POLICY 33.1.1: Large-scale ecosystem integrity in Southeast Lee County should be maintained and restored. Protection and/or restoration of land is of even higher value when it connects existing corridors and conservation areas. Restoration is also highly desirable when it can be achieved in conjunction with other uses on privately owned land including agriculture. (Ordinance No. [10-19](#), [15-13](#), [19-13](#))

POLICY 33.1.2: The DR/GR Priority Restoration overlay depicts seven tiers of land where protection and/or restoration would be most critical to restore historic surface and groundwater levels and to connect existing corridors or conservation areas (see Policy 1.7.7 and Map 1, Page 4). Within these tiers, density incentives will be utilized as a mechanism to improve, preserve, and restore regional surface and groundwater resources and wildlife habitat of state and federally listed species; with Tier 1 and Tier 2 being the most incentivized tiers. Lee County may consider amendments to this overlay based on changes in public ownership, land use, new scientific data, and/or demands on natural resources. This overlay does not restrict the use of the land. (Ordinance No. [10-19](#), [19-13](#))

POLICY 33.1.3: Pursue acquisition (partial or full interest) of land within the Tier 1 areas in the DR/GR Priority Restoration overlay through direct purchase; partnerships with other government agencies; long-term purchase agreements; right of first refusal contracts; land swaps; or other appropriate means to provide critical connections to conservation lands that serve as the backbone for water resource management and wildlife movement within Southeast Lee County. Tier 2 lands are of equal ecological and water resource importance as Tier 1 but have better potential to remain in productive agricultural use. Tier 3 lands and the southern two miles of Tiers 5, 6, and 7 can provide an important wildlife connection to conservation lands in Collier County and an anticipated regional habitat link to the Okaloacoochee Slough State Forest. Tiers 1, 2, 3, and the southern two miles of Tiers 5, 6, and 7 may qualify for unique development incentives outlined in Objectives 33.2 and 33.3 due to the property's potential for natural resource benefits and/or wildlife connections. Additionally, the county may consider incentives, within all tiers, for private landowners to improve water resources and natural ecosystems. (Ordinance No. [10-19](#), [12-24](#), [19-13](#))

POLICY 33.1.4: Restoration of critical lands in Southeast Lee County is a long-term program that will progress in phases based on available funding, land ownership, and natural resource priority. On individual sites, restoration can be carried out in stages:

1. Initial restoration efforts would include techniques such as filling agricultural ditches and/or establishing control structures to restore the historic water levels as much as possible without adversely impacting nearby properties.
2. Future restoration efforts would include the eradication of invasive exotic vegetation and the reestablishment of appropriate native ecosystems based upon the restored hydrology.

(Ordinance No. [10-19](#), [19-13](#))

POLICY 33.1.5: Lee County recognizes the importance of maintaining agricultural lands within Southeast Lee County for local food production, water conservation and storage, land conservation, wildlife habitat, and wetland restoration. The continued use of ever evolving agricultural best management practices will protect native soils and potentially improve the quantity and quality of water resources, allowing sustainable agriculture to be integrated into restoration planning for Southeast Lee County. (Ordinance No. [10-19](#), [19-13](#))

POLICY 33.1.6: On existing farmland, the county will offer incentives to encourage the continuation of agricultural operations. Incentives will include the ability to concentrate all existing development rights while farming continues on the remainder of the tract; and, the ability to sever and sell all development rights while farming continues on the entire tract. Other incentives may be provided to agricultural operations that implement and maintain best management practices. Continued agricultural use may be a desirable long-term use even within land designated on the priority restoration overlay as potentially eligible for protection (see Policy 9.1.7). (Ordinance No. [10-19](#), [19-13](#))

POLICY 33.1.7: Impacts of proposed land disturbances on surface and groundwater resources will be analyzed using integrated surface and groundwater models that utilize site-specific data to assess potential adverse impacts on water resources and natural systems within Southeast Lee County. Lee County Division of Natural Resources will determine if the appropriate model or models are being utilized, and assess the design and outputs of the modeling to ensure protection of Lee County's natural resources. (Ordinance No. [10-19](#), [19-13](#))

POLICY 33.1.8: The county supports a comprehensive and coordinated effort to manage water resources in a manner that includes the protection and restoration of natural systems within Southeast Lee County. (Ordinance No. [10-19](#), [19-13](#))

OBJECTIVE 33.2: RESIDENTIAL AND MIXED-USE DEVELOPMENT. Designate on a Future Land Use Map overlay areas that should be protected from adverse impacts of mining (Existing Acreage Subdivisions), specific locations for concentrating existing development rights on large tracts (Mixed-Use Communities), specific properties which provide opportunities to protect, preserve, and restore strategic regional hydrological and wildlife connections (Environmental Enhancement and Preservation Communities), and vacant properties with existing residential approvals that are inconsistent with the Density Reduction/Groundwater Resource future land use category (Improved Residential Communities). (Ordinance No. [10-43](#), [12-24](#), [15-13](#), [19-13](#))

POLICY 33.2.1: Existing acreage subdivisions are shown on Map 17. These subdivisions should be protected from adverse external impacts. (Ordinance No. [10-43](#), [17-13](#), [19-13](#))

POLICY 33.2.2: Map 17 identifies future locations for Mixed-Use Communities where development rights can be concentrated from large Southeast Lee County tracts into Traditional Neighborhood Developments. The preferred pattern for residential development is to cluster density within Mixed-Use Communities along existing roads and away from Future Limerock Mining areas.

1. Southeast Lee County Mixed-Use Communities must be concentrated from contiguous property owned under single ownership or control. Residential density is calculated from the upland and wetland acreage of the entire contiguous Southeast Lee County property. Increases in residential densities may be approved through incentives as specified in the LDC for permanent protection of indigenous native uplands on the contiguous tract (up to one extra dwelling unit allowed for each five acres of preserved or restored indigenous native uplands) and through the acquisition of TDUs from TDR sending areas within Southeast Lee County as provided in Objective 33.3.
 - a. The maximum gross density is 5 dwelling units per acre of total land designated as a Mixed-Use Community when TDUs are used.
 - b. Properties that concentrate development rights and/or use TDUs created from Southeast Lee County within the Mixed-Use Communities identified on Map 17 will be allowed to develop using permitted uses and the property development regulations for the C-2A zoning district.
2. Contiguous property under the same ownership may be developed as part of a Mixed-Use Community provided it does not extend more than 400 feet beyond the perimeter of the Mixed-Use Community as designated on Map 17.
3. Central water and wastewater services are required to develop a Mixed-Use Community.
4. Commercial uses developed as part of a Mixed-Use Community will be consistent with Policy 33.3.5 and will not exceed the allowable total square footage for commercial uses in Southeast Lee County.

(Ordinance No. [10-43](#), [12-24](#), [17-13](#), [19-13](#), [20-06](#))

POLICY 33.2.3: Properties within Southeast Lee County that have existing approvals for residential development inconsistent with the current DR/GR or Wetlands density requirements, may have a negative impact on surface and sub-surface water resources, impact habitat, and may encroach on environmentally important land if developed consistent with the vested approvals. As an incentive to reduce these potential impacts, additional densities may be granted if strict criteria improving the adverse impacts are followed.

1. These properties may be designated on Map 17 as “Improved Residential Communities,” provided they meet all of the following requirements:
 - a. Abut lands designated as future urban areas;
 - b. Adjacent to and eligible for public water and sewer services;

- c. Can provide two direct accesses to an arterial roadway, and;
 - d. Is not already designated on Lee Plan Map 17 as an Existing Acreage Subdivision or a Mixed-Use Community.
2. In order to request an increase in density, the property must be rezoned to a Residential Planned Development (RPD) that demonstrates and is conditioned to provide the following:
- a. Reduced stress to the onsite potable aquifers and is more consistent with water resource goals of Lee County in Southeast Lee County than the existing development approvals.
 - b. Increased conservation areas, relative to the existing approvals, with a restoration plan and long term maintenance commitment.
 - c. Active and passive recreational amenities.
 - d. Demonstrates a net benefit for water resources, relative to the existing approvals that demonstrates the following.
 - (1) Lower irrigation demand.
 - (2) Eliminates private irrigation wells
 - (3) Protects Public wells by meeting or exceeding the requirements of the Well Field Protection Ordinance.
 - (4) Uses Florida Friendly Plantings with low irrigation requirements in Common Elements.
 - (5) Connects to public water and sewer service, and must connect to reclaimed water when available.
 - (6) Reduces impervious area relative to existing approvals improving opportunities for groundwater recharge.
 - (7) Designed to accommodate existing or historic flow-ways.
 - e. Includes an enhanced lake management plan, that addresses at a minimum the following issues:
 - (1) Best management practices for fertilizers and pesticides
 - (2) Erosion control and bank stabilization
 - (3) Lake maintenance requirements
 - (4) Public well field protection
 - f. Indigenous Management Plans must address human-wildlife coexistence.
3. Properties meeting the above criteria and requirements may be permitted additional residential dwelling units in addition to the already existing approvals, but in no case in excess of three dwelling units per DR/GR upland acre. The application for Residential Planned Development must identify the source of the additional residential dwelling units from the criteria below. Approval of the rezoning will be conditioned to reflect the source of additional dwelling units:
- a. 2 dwelling units for every acre of offsite DR/GR property acquired for conservation purposes with the possibility of passive recreation activities.
 - b. 2 dwelling units for every additional acre of offsite DR/GR property put under a conservation easement dedicated to Lee County.
 - c. 1.5 dwelling units for every additional acre of onsite property put under a conservation easement.
 - d. 1 dwelling unit for every acre of onsite restoration, subject to restoration plan approval as part of the planned development rezoning process.
 - e. 2 dwelling units for every acre of non-isolated DR/GR preserved primary and secondary panther habitat.
 - f. 2 dwelling units for every acre of protected onsite wetlands connected to a regionally significant flowway identified in the Lee Plan.
 - g. 1 dwelling unit for every \$8,500 (the current estimated cost to purchase an acre of Southeast DR/GR land) the applicant provides to the county to extinguish density on other Southeast DR/GR parcels.

- h. 1 dwelling unit for every \$8,500 the applicant provides to the county to construct a planned large mammal roadway crossing in the Southeast DR/GR area.

The improvements or acquisition of properties serve to mitigate impacts of the increased density. Future “Improved Residential Communities” proposed to be added to Map 17 must provide a reanalysis of the cost to purchase one acre of DR/GR property if criteria g. or h. are used to account for the increased density.

(Ordinance No. [12-24](#), [17-13](#), [19-13](#))

POLICY 33.2.4: Lands that provide a significant regional hydrological and wildlife connection have the potential to improve, preserve, and restore regional surface and groundwater resources and indigenous wildlife habitats. These lands, located along Corkscrew and Alico Roads, can provide important hydrological connections to the Flint Pen Strand and the Stewart Cypress Slough as well as important wildlife habitat connections between existing CREW and Lee County properties. As an incentive to improve, preserve, and restore regional surface and groundwater resources and wildlife habitat of state and federally listed species additional densities and commercial uses may be granted if the project is found consistent with and demonstrates through a planned development rezoning the following:

1. These lands are within the “Environmental Enhancement and Preservation Communities” overlay as designated on Map 17 of the Plan. Lands eligible for designation on the Environmental Enhancement and Preservation Communities overlay must be consistent with the criteria below:
 - Provide significant regional hydrological and wildlife connections and have the potential to improve, preserve, and restore regional surface and groundwater resources and indigenous wildlife habitats; and
 - Be located west of Lee County 20/20 Imperial Marsh Preserve (Corkscrew Tract) and within one mile north or south of Corkscrew Road. Properties with frontage on Corkscrew Road designated as Tier 1 Priority Restoration Area may extend the overlay an additional mile south to include contiguous Tier 1 properties where the extension will result in regional environmental benefits by connecting protected habitat north of Corkscrew Road to land in Collier County used for conservation purposes; or,
 - Be located west of the intersection of Alico Road and Corkscrew Road, north of Corkscrew Road and south of Alico Road.
2. The property is rezoned to a planned development that meets the following:
 - a. Planned development must include a minimum of 60% open space, not including previously mined lakes, which will be used to accommodate the following:
 1. Restore and accommodate existing and historic regional flow-ways where they currently or previously existed;
 2. Restore and accommodate existing and historic groundwater levels;
 3. Restore and preserve wetlands;
 4. Restore and preserve indigenous upland habitats;
 5. Provide critical wildlife connections to adjacent conservation areas; and
 6. Provide 100’ foot buffer along Corkscrew Road East of Alico Road.
 - b. Includes an enhanced lake management plan, that:
 1. Applies best management practices for fertilizers and pesticides;
 2. Provides erosion control and bank stabilization; and
 3. Establishes lake maintenance requirements.
 - c. Develop a site specific ecological and hydrological restoration plan which includes at a minimum the following: preliminary excavation and grading plans, analysis of hydrological improvements and water budget narrative, replanting plan, habitat restoration plan, success criteria, long term monitoring and maintenance.

- d. Preservation areas must be platted in separate tracts and dedicated to an appropriate maintenance entity. For projects larger than 1,000 acres a Community Development District (CDD) or a master home owners association must be created that will accept responsibility for perpetually maintaining the preservation requirements identified in the planned development, prior to issuance of certificate of compliance (CC) for first local development order.
 - e. Record a Conservation Easement for a minimum of 55% of the planned development, not including previously mined lakes, to be dedicated to the appropriate maintenance entity that provides Lee County or some other public agency, acceptable to Lee County, with third party enforcement rights. All Conservation Easements required as part of the planned development must be recorded within 5 years from first development order approval.
 - f. Indigenous management plans must address human-wildlife coexistence.
 - g. Uses Florida Friendly Plantings with low irrigation requirements in Common Elements.
 - h. The stormwater management system must demonstrate through design or other means that water leaving the development meets state and federal water quality standards. The developer must obtain authorization from the Division of Natural Resources prior to discharge of stormwater from the development into the county's MS4 system directly or indirectly.
 - i. Irrigation and fertilizers (or other chemicals) for agricultural purposes must be entirely eliminated at time of first development order approval for row crops and no later than 5 years from first development order approval for citrus groves. If cessation of citrus groves is to be phased, a phasing plan provided at the time of zoning must demonstrate regional environmental benefits, including but not limited to regional or historic surface water and wildlife connections, occurring with the first phase of development.
 - j. Protects public wells through compliance with the requirements of the Well Field Protection Ordinance.
 - k. Each planned development within the Overlay will be required to mitigate the traffic impacts of the planned development and provide its proportionate share of the needed roadway improvements in accordance with Administrative Code 13-16. The proportionate share amount can be offset, in accordance with AC13-16, by the dedication of needed right of way or the construction of improvements that would measurably lessen the need for roadway improvements, or by payment of impact fees, or use of impact fee credits, or as otherwise set forth in a written agreement between Lee County and the Developer. Prior to a final determination of a Project's proportionate share amount, compliance may be met through an enforceable instrument that obligates the property owners within a planned development to pay the Project's proportionate share, with said instrument being recorded prior to the issuance of any development order. For the developments known as WildBlue (CPA2014-00004) and Corkscrew Farms (CPA2015-00001) if the instrument is recorded prior to the final determination of the proportionate share amount, the proportionate share payment may not exceed \$1,600 per unit above the road impact fee amount.
 - l. Connect to public water and sewer service. Connect to reuse water if available at time of development order approval.
 - m. Obtain written verification as to adequate public services for the planned development, from the sheriff, EMS, fire district, and Lee County School District.
 - n. Demonstrate that the planned development will not result in significant detrimental impacts on present or future water resources.
3. In recognition of the preservation, enhancement, and protection of regional flow-ways and natural habitat corridors, the interconnection with existing off-site conservation areas, and the significant enhancement, preservation and protection of these lands, additional density may be approved through planned developments meeting the criteria and requirements outlined above as follows:

- a. Tier 1 lands within the Priority Restoration Strategy will be permitted a maximum density of 1 unit per acre.
 - b. Tier 2 lands within the Priority Restoration Strategy will be permitted a maximum density of 1 unit per 2 acres.
 - c. Other lands within the Environmental Enhancement and Preservation Overlay, outside of Tier 1 and Tier 2, meeting the requirements above will be permitted a maximum density of 1 unit per 3 acres.
 - d. Density in the Environmental Enhancement and Preservation Overlay will be based upon the acreage of the entire planned development (i.e. all areas within the boundary of the planned development whether uplands, wetlands, or lakes).
 - e. Additional dwelling units may be approved in the planned development by using any combination of the following:
 - 1) Utilize the Southeast Lee County TDR program to transfer dwelling units from Southeast Lee County lands located outside of the planned development pursuant to Policy 33.3.2.
 - 2) Provide all of the following as part of the planned development for a density increase of up to 15%:
 - i. A minimum of 65% open space, not including previously mined lakes; and
 - ii. Significant regional hydrological connections that further Lee County's flood mitigation and flowway restoration efforts by providing:
 - a. Physical surface water connections to allow surface water to flow to and from adjacent properties and off-site flowways (to be considered site-related improvements); and
 - b. Enhanced on-site surface water storage and flood attenuation.
4. Commercial uses may be approved as part of a mixed use planned development if the project is found consistent with all of the following:
- a. The project is a minimum of 2,000 acres;
 - b. The project consists of both residential and commercial development and meets the minimum requirements of this policy;
 - c. Wetlands may not be impacted by the commercial development area;
 - d. The project will be consistent with Policy 33.2.5 and will not exceed the allowable total square footage for commercial uses in Southeast Lee County;
 - e. Commercial uses and maximum floor area is limited to Neighborhood Commercial, as defined, and must not include any of the following uses: auto parts stores, lawn and garden supply stores, fuel pump stations, drycleaners (on-site), or any other use that is not compatible with protecting Southeast Lee County's environment;
 - f. Commercial development within the 6-month, 1-year, 5-year, or 10-year travel zones of the Wellfield Protection Ordinance must provide a total of 1½ -inches of treatment, ½ -inch of which must be completed via dry pretreatment, at a minimum. The entire commercial portion of the project will be considered to be within the most restrictive wellfield protection zone as provided in the Wellfield Protection Ordinance. Ground water quality monitoring well(s) for the Surficial Aquifer System must be provided and located between Lee County's nearest production well(s) and the commercial development; and
 - g. The human-wildlife coexistence plan required by subsection 2.f. of this policy must include a commercial component that at a minimum provides for bear-proof refuse containers, below ground grease traps, and prevents light spillage onto adjacent preserve areas.
- (Ordinance No. [15-13](#), [15-14](#), [17-13](#), [17-24](#), [19-13](#), [20-06](#))

POLICY 33.2.5: Commercial uses may only be permitted if incorporated into a Mixed-Use Community, Environmental Enhancement and Preservation Community, or Rural Golf Course Community depicted on Map 17. The maximum commercial floor area that may be approved

within the Southeast Lee County community plan area may not exceed 300,000 square feet. (Ordinance No. [19-13](#), [20-06](#))

OBJECTIVE 33.3: SOUTHEAST LEE COUNTY TRANSFER OF DEVELOPMENT RIGHTS (TDR) PROGRAM. To protect water resources and natural habitat of Southeast Lee County, Lee County may incorporate Southeast Lee County's purchase and transfer of development rights programs into the Land Development Code. (Ordinance No. [17-13](#), [19-13](#))

POLICY 33.3.1 The new programs may create incentives for property owners within Southeast Lee County to transfer development rights associated with their parcels to receiving lands outside the planning community; or, residential areas identified on Map 17; Southeast DR/GR Residential Overlay as specified in Policy 33.3.2. (Ordinance No. [17-13](#), [19-13](#))

POLICY 33.3.2: The Southeast Lee County TDR program will have the following characteristics:

1. Creation of Transferable Development Units (TDUs).
 - a. Up to one TDU may be created per five acres of preserved or indigenous wetlands.
 - b. Up to two TDUs may be created from a single-family lot or parcel designated as wetlands that holds an affirmative Minimum Use Determination pursuant to Chapter XIII.
 - c. TDU credits may be established from DR/GR designated lands as follows:
 - 1) Up to one TDU may be created for each ten upland acres encumbered by an agricultural easement.
 - 2) Up to one TDU may be created for each 5 upland acres with indigenous native or restored native vegetation encumbered by a conservation easement.
 - 3) For each TDU credit allowed by c.1) or c.2) above, up to two extra TDU credits may be created if the sending area land is designated as Tier 1, Tier 2, Tier 3, or the southerly two miles of Tiers 5, 6 and 7 in the Priority Restoration Strategy (Map 1, Page 4).
2. Receiving area density and intensity equivalents of Southeast Lee County TDUs.
 - a. In Mixed-Use Communities in Southeast Lee County identified on Map 17, each Southeast Lee County TDU credit may be redeemed for a maximum of one dwelling unit plus a maximum of 800 square feet of non-residential floor area.
 - b. In Improved Residential Communities in Southeast Lee County identified on Map 17, each Southeast Lee County TDU credit may be redeemed for a maximum of one dwelling unit.
 - c. In Rural Golf Course Communities in Southeast Lee County identified on Map 17, each Southeast Lee County TDU credit may be redeemed for a maximum of one dwelling unit or two bed and breakfast bedrooms.
 - d. In Environmental Enhancement and Preservation Communities identified on Map 17, each Southeast Lee County TDU credit may be redeemed for a maximum of one dwelling unit per 10 acres using credits from DR/GR sending areas and a maximum of one dwelling unit per 20 acres using credits from wetland sending areas.
 - e. No more than 2,000 dwelling units may be placed on receiving parcels identified in subsections a. through d. above using the Southeast Lee County TDR program.
 - f. In the Intensive Development, Central Urban, Urban Community, or General Interchange future land use categories outside of Southeast Lee County, each Southeast Lee County TDU may be redeemed for up to two dwelling units. Southeast Lee County TDUs may not be redeemed for non-residential floor area in these future urban areas.
3. The Land Development Code may include regulations that permit the county to evaluate the effectiveness of the Southeast Lee County TDR program and make changes that may further condition or restrict the use of Southeast Lee County TDUs.
(Ordinance No. [17-13](#), [18-05](#), [19-13](#), [19-26](#), [20-06](#))

POLICY 33.3.3: The county will administer the TDR program and develop a forum to disseminate program information and records. The forum may include a TDR program website that provides general program information, rules and guidelines; TDU administrative determination application; county-approved form of conservation easement; certified TDU database with ownership information; and, TDU clearinghouse for individuals that request to be included within the TDU clearinghouse program. (Ordinance No. [17-13](#), [19-13](#))

GOAL 34: TICE HISTORIC COMMUNITY PLAN. Redevelop the Community Plan area into vibrant commercial and residential neighborhoods, with mixed use centers, landscaping, safe pedestrian and bicycle facilities, improved transit service, and an array of public space and recreational areas while protecting the community's historic resources. (Ordinance No. [18-18](#))

OBJECTIVE 34.1: REDEVELOPMENT. Promote redevelopment activities that:

- a. Enhance appearance, form, use, and interconnectivity of private and public buildings;
- b. Expand multimodal transportation facilities;
- c. Extend the community's road and street grid;
- d. Improve public facilities and infrastructure systems;
- e. Preserve historic resources; and
- f. Create mixed use centers.

(Ordinance No. [18-18](#))

POLICY 34.1.1: In the Tice Gateway and Tice Historic Center utilize the Mixed Use Overlay to encourage mixed use developments consistent with Goal 11 that integrate multiple land uses, public amenities and utilities at various scales and intensities in order to provide: diversified land development; a variety of housing types; greater connectivity between housing, workplaces, retail businesses, and other destinations; reduced trip lengths; more transportation options; and pedestrian and bicycle-friendly environments. Tice Gateway is defined as the properties with frontage on Palm Beach Boulevard. The Tice Historic Center is the area of the Community Plan area contiguous to the City of Fort Myers at the intersection of Tice Street and Palm Beach Boulevard. (Ordinance No. [18-18](#))

POLICY 34.1.2: Support redevelopment by maintaining land development regulations that allow for urban forms of development and a variety of uses in the Mixed Use Overlay. (Ordinance No. [18-18](#))

POLICY 34.1.3: Improve the overall connectivity, increase the functionality of the street grid, and expand the multimodal connectivity within the Community Plan area by improving the linkages between the community's neighborhoods (including: Morse Shores, Russell Park, South Tice, and Alabama Groves), commercial and economic areas, mixed use centers, parks, and schools through the incorporation of:

- a. Connector roads and neighborhood streets;
- b. Courtyards, public plazas and gathering places;
- c. Greenway trails and sidewalks;
- d. Parks and recreational facilities;
- e. Blueways; and
- f. Natural open spaces.

(Ordinance No. [18-18](#))

POLICY 34.1.4: Evaluate creating a historic district that identifies and protects the Community Plan area's historic resources through historic designations. The intent of the historic district designation is to preserve and highlight the historic resources and ensure new development is compatible with the historic character of the area. (Ordinance No. [18-18](#))

POLICY 34.1.5: Encourage the preservation of historic resources and support redevelopment efforts that integrate known historic resources into development plans. (Ordinance No. [18-18](#))

POLICY 34.1.6: Explore funding sources and options for signage to identify key community entrances, neighborhoods, and historic structures. (Ordinance No. [18-18](#))

POLICY 34.1.7: Explore local funding mechanisms to support redevelopment. These mechanisms may include establishment of a municipal service benefit/taxing unit. (Ordinance No. [18-18](#))

OBJECTIVE 34.2: COMMERCIAL AND ECONOMIC LAND USES. Provide commercial, economic, and employment opportunities within the Community Plan area by establishing active economic corridors centered along Palm Beach Boulevard, Ortiz Avenue, and Tice Street that feature high quality, distinct, and visually appealing commercial developments. (Ordinance No. [18-18](#))

POLICY 34.2.1: Maintain land development regulations that address the following:

- a. Underutilized buildings, shopping centers, and lots;
- b. Uses that provide socioeconomic opportunity;
- c. Lots that have irregular size, depth, building placement, and lack parking, landscaping, and infrastructure facilities;
- d. Vegetative and light features that help unify and add visual appeal to developments;
- e. Transportation resources that connect the Community Plan area to the surrounding neighborhoods and greater Lee County region and provide opportunities to walk, bike, ride transit, and drive within and through the Community Plan area; and
- f. Transit facilities that provide for the specific needs of the area's workforce and that link Palm Beach Boulevard, Tice Historic Center (intersection of Palm Beach Boulevard and Tice Street), and Billy's Creek Commerce Center.

(Ordinance No. [18-18](#))

POLICY 34.2.2: Maintain development standards for commercial developments to be designed as to support a walkable, multimodal community with transportation facilities that provide for the needs of pedestrians, cyclists, transit riders, and drivers by providing:

- a. Interconnection of adjacent commercial uses in order to minimize vehicular access points on primary road corridors;
- b. Parking at the rear of the developments;
- c. Pedestrian connections such as sidewalks, trails, crosswalks, walkways and entrances, signalized and or lighted crossings, shade, and other pedestrian elements;
- d. Bike facilities such as bike racks, bike lanes, and bike ways;
- e. Transit resources such as shelters, well serviced transit lines, and intermodal connection facilities;
- f. Improved network connections to Tice Street; and
- g. Intersection improvements along Palm Beach Boulevard, Ortiz Avenue, and Tice Street.

(Ordinance No. [18-18](#))

OBJECTIVE 34.3: TRANSITIONAL USES. Establish transitional use areas between commercial corridors and single-family residential neighborhoods. (Ordinance No. [18-18](#))

POLICY 34.3.1: Transitional uses include pedestrian oriented retail uses, commercial offices, day care centers, mid-rise multifamily buildings, live-work units, and accessory apartments. (Ordinance No. [18-18](#))

POLICY 34.3.2: Consider development standards to allow the conversion of single-family uses abutting commercial uses that are located along commercial corridors into transitional uses. (Ordinance No. [18-18](#))

POLICY 34.3.3: It is anticipated that transitional uses will coexist with existing single-family residences in the transitional use area. (Ordinance No. [18-18](#))

OBJECTIVE 34.4: COMMUNITY FACILITIES. Coordinate the provision of a broad mix of community facilities including parks, utilities and infrastructure, and transportation. (Ordinance No. [18-18](#))

POLICY 34.4.1: Community facilities will be located and designed to promote an economically vibrant, mixed use, and interconnected multimodal urban community. Public facilities, such as stormwater, transportation facilities, public spaces, and other utilities in the community's mixed use centers will be developed to meet the unique needs and demands of such areas. (Ordinance No. [18-18](#))

POLICY 34.4.2: Integrate parks and open spaces into the surrounding neighborhoods. Locate parks to act as anchors for neighborhoods, and connect to other open space and recreational opportunities through pedestrian and bicycle linkages, either along public rights-of-way or through adjacent neighborhoods. (Ordinance No. [18-18](#))

POLICY 34.4.3: Maintain the existing waterfront county parks and explore maintenance options for Russell Park. (Ordinance No. [18-18](#))

OBJECTIVE 34.5: COORDINATION. Coordinate with the City of Fort Myers and the Florida Department of Transportation to enable and promote effective redevelopment activities within the Community Plan area. (Ordinance No. [18-18](#))

POLICY 34.5.1: Promote the use of Palm Beach Boulevard as the "Gateway" to Fort Myers through a collaborative effort between Lee County, City of Fort Myers, and Florida Department of Transportation. Aesthetic and safety improvements may include:

- a. Road improvements;
- b. Bicycle and pedestrian improvements that better link the corridor to the surrounding neighborhoods;
- c. Landscaping, hardscaping, signage and other community character elements;
- d. Building placement, pedestrian entranceways, and other physical design features; and
- e. Access to commercial businesses and neighborhood streets through connectivity improvements.

(Ordinance No. [18-18](#))

GOAL 35: RESERVED (Ordinance No. [18-18](#))

III. Transportation Element

a. Multi-Modal Transportation

GOAL 36: MAPS. Provide and keep current an integrated series of transportation maps. (Ordinance No. [98-09](#), [99-15](#), [17-13](#))

OBJECTIVE 36.1: TRANSPORTATION MAPS. Review and amend the adopted maps as necessary. Lee County will coordinate with the Metropolitan Planning Organization (MPO) to ensure any necessary changes incorporated into the MPO Plan remain consistent with the Lee Plan. (Ordinance No. [98-09](#), [17-13](#))

POLICY 36.1.1: Incorporate by reference, the most recent MPO Long Range Transportation Plan (LRTP), Bicycle and Pedestrian Master Plan (BPMP), Transit Development Plan (TDP), Florida Department of Transportation Plan (FDOT) Transportation Plan, and Transportation Improvement Plan (TIP). (Ordinance No. [98-09](#), [99-15](#), [02-02](#), [02-29](#), [03-19](#), [07-11](#), [17-13](#))

POLICY 36.1.2: Map 3B (Future Functional Classification Map) identifies the future functional classification of transportation facilities. References to the functional classification of roadways (i.e., arterials, collectors, etc.) in the county land development regulations will rely on the existing or future classification of roads. The existing classification of roads will be kept in an Administrative Code consistent with the functional classification structure adopted by FDOT and coordinated through the MPO. (Ordinance No. [99-15](#), [17-13](#))

POLICY 36.1.3: Construction of new transportation facilities will be based on the transportation maps. (Ordinance No. [98-09](#), [99-15](#), [17-13](#))

POLICY 36.1.4: Protect the through traffic capacity of the county's expressways, controlled access facilities, principal and minor arterials, and major collectors depicted on Map 3A. (Ordinance No. [17-13](#))

OBJECTIVE 36.2: RESERVED (Ordinance No. [17-13](#))

OBJECTIVE 36.3: BABCOCK RANCH COMMUNITY. To minimize the development impacts of the Babcock Ranch Community (BRC) in Charlotte County on the Lee County transportation system, with the goal of protecting the rural nature of northeastern Lee County, and to assure the transportation impacts in Lee County, generated by the Babcock Ranch Community (BRC) approved in Charlotte County, are funded entirely by the BRC Independent Service District (ISD) or other BRC related funding mechanism. In addition, to provide a process by which these identified improvements are added to the Lee Plan Transportation Map Series and the Capital Improvement Program (CIP). (Ordinance No. [10-03](#))

POLICY 36.3.1: Lee County views as a priority the proposed East-West Connector roadway and related interstate interchange and any other transportation/mobility improvements that will minimize the impacts in Lee County from the development of the BRC in Charlotte County. Lee County supports the use of the Lee County and Charlotte County MPO plan update processes in a comprehensive, coordinated, cooperative fashion to consider the need for, and location of, an East-West Connector roadway and related interstate interchange, as well as evaluation of transportation alternatives that might serve the projected need related to development of the BRC

while minimizing the impacts to the rural nature of northeast Lee County. Upon inclusion in the appropriate MPO plan(s), funding for the East-West Connector roadway or transportation/mobility alternatives will be allocated in accordance with Policy 36.3.3(c) below. (Ordinance No. [10-03](#))

POLICY 36.3.2: The comprehensive transportation analysis of the BRC has identified the potential need for numerous transportation/mobility improvements in Lee County. In order to address the impacts of the development of the BRC in Charlotte County, additions to the Lee Plan Transportation Map Series and the CIP may be necessary.

- a. Lee County does not have the responsibility to fund the capital transportation/mobility improvements required by the development of the BRC in Charlotte County.
- b. As contemplated in the Interlocal Planning Agreement dated March 13, 2006, and the Babcock Ranch Community Road Planning Agreement dated May 23, 2006, the capital transportation/mobility improvements required by the development of the BRC will be funded entirely by the BRC Independent Service District (ISD) or other BRC related funding mechanism (hereinafter the Developer).

(Ordinance No. [10-03](#))

POLICY 36.3.3: Analysis of the development of the Babcock Ranch Community in Charlotte County identified potential transportation/mobility improvements beyond the financially feasible improvements currently reflected in the Lee Plan Transportation Map Series; therefore any future amendments to the Lee Plan Transportation Map Series related to the BRC will be consistent with the procedures set forth below:

- a. The funding necessary to construct the transportation/mobility improvements resulting from BRC development may exceed the proportionate share contribution anticipated from the BRC DRI increments. Developer contributions exceeding the DRI proportionate share assessment for a given increment may be necessary to satisfy the financially feasible standard required to support an amendment to the Lee Plan Transportation Map Series, as well as future amendments to the CIP.
- b. Prior to Lee County amending the Lee Plan Transportation Map Series and the CIP to include specific BRC-related transportation/mobility improvements, the ISD, or other BRC-related funding mechanism, will have to commit to fully funding these improvements if the proportionate share assessment does not fully fund these identified improvements.
- c. Developer contributions in excess of its DRI proportionate share assessment may be applied directly toward identified improvements through pipelining. The funding necessary to justify inclusion in the Lee Plan will be delivered via development agreements, interlocal agreements, or other mechanisms acceptable to Lee County, which mechanisms will coincide with each increment of the BRC. Upon execution of a development agreement, interlocal agreement, or other mechanism acceptable to Lee County providing for full funding of the identified transportation/mobility improvement, the County will include the transportation/mobility improvement on the Lee Plan Transportation Map Series and the transportation/mobility improvements will be included in the Capital Improvements Program (CIP) as funded by developer contributions.

- d. Failure of the developer of the BRC to fully fund the transportation/mobility improvements necessary to serve the BRC will prevent the inclusion of those transportation/mobility improvements as amendments to the Lee Plan Transportation Map Series and the CIP. (Ordinance No. [10-03](#))

POLICY 36.3.4: In recognition of the environmentally sensitive nature of the area, any transportation/mobility improvements in Lee County or within two miles of the Lee County border must include an analysis of the location and design of wildlife crossings. The wildlife crossings must be coordinated with the appropriate federal, state and local agencies including: South Florida Water Management District (SFWMD), Florida Fish and Wildlife Conservation Commission (FWC), Charlotte County, U.S. Fish and Wildlife Service (USFWS), and Lee County Division of Environmental Sciences. (Ordinance No. [10-03](#))

GOAL 37: LEVEL OF SERVICE (LOS) STANDARDS. Establish and maintain specified transportation LOS standards. (Ordinance No. [98-09](#), [99-15](#), [00-08](#), [17-13](#))

OBJECTIVE 37.1: GENERAL STANDARDS. Monitor non-regulatory LOS standards outlined in Policy 95.1.3 on county and state transportation facilities within Lee County. Cooperate with municipalities on the facilities maintained by Lee County within the municipalities and with FDOT on state transportation facilities. (Ordinance No. [99-15](#), [16-07](#), [17-13](#))

POLICY 37.1.1: Lee County will develop multi-modal service volumes (capacities) based on local Lee County conditions for determination of the LOS of transportation facilities. (Ordinance No. [98-09](#), [99-15](#), [14-09](#), [17-13](#))

POLICY 37.1.2: Lee County will continue to maintain its permanent and periodic traffic count program as the basis for determining existing roadway conditions. (Ordinance No. [98-09](#), [99-15](#), [17-13](#))

POLICY 37.1.3: Lee County will use the most current Highway Capacity Manual, FDOT Quality Level of Service Handbook, and other best practices to calculate LOS. (Ordinance No. [98-09](#), [99-15](#), [07-09](#), [17-13](#))

OBJECTIVE 37.2: CONSTRAINED ROADS. Due to scenic, historic, environmental, aesthetic, and right-of-way characteristics and considerations, Lee County has determined that certain roadway segments will be deemed “constrained” and therefore will not be widened to increase motor vehicle capacity. (Ordinance No. [99-15](#), [00-08](#), [17-13](#))

POLICY 37.2.1: Reduced peak hour LOS will be accepted on constrained roads identified in Table 2(a). (Ordinance No. [99-15](#), [00-08](#), [17-13](#))

POLICY 37.2.2: Potential Multi-modal Operational Improvements for the constrained roads identified in Table 2(a) are identified in Table 2(b). These include improvements capable of implementation within the context of a constrained system. Improvements may include adding transit facilities, bicycle lanes, paved shoulders, sidewalks, and motor vehicle turn lanes. (Ordinance No. [99-15](#), [00-08](#), [17-13](#))

OBJECTIVE 37.3: TRANSPORTATION CAPACITY MONITORING SYSTEM. Lee County will continue to monitor the capacity of the roadway network for planning and informational purposes in order to identify where areas of concern may be expected. (Ordinance No. [99-15](#), [00-08](#), [14-09](#))

POLICY 37.3.1: Lee County will measure traffic volumes and capacity on all roads on a roadway segment-by-segment basis, except for constrained roads and where alternatives are established pursuant to Chapter 163.3180, F.S. Transportation for Pine Island will be governed by the policies under Objective 24.2 of this comprehensive plan. (Ordinance No. [98-09](#), [99-15](#), [00-08](#), [07-09](#), [14-09](#), [16-07](#))

POLICY 37.3.2: Lee County will continue to annually identify roadway conditions and available capacity on major roadways as part of its capacity monitoring report. The report will identify existing traffic conditions (based on the latest year's traffic counts), a one-year projection (adding traffic from projects with approved building permits) and forecast traffic conditions (adding traffic from projects with approved local development orders). The available capacity for existing conditions will include the added capacity of roadway improvements programmed for construction in the first three years of an adopted County Capital Improvement Program or State Five-Year Work Program. (Ordinance No. [00-08](#), [07-09](#), [14-09](#))

POLICY 37.3.3: All proposed development activity (local development order requests) will be inventoried against the available capacity identified in the annual capacity monitoring report based on existing conditions. (Ordinance No. [99-15](#), [00-08](#), [07-09](#), [14-09](#))

OBJECTIVE 37.4: PROPORTIONATE SHARE PROGRAM. Lee County will maintain a Transportation Proportionate Share Program that provides a method by which the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors. (Ordinance No. [07-09](#), [14-09](#), [17-13](#))

POLICY 37.4.1: Lee County will provide developers with an opportunity to proceed with development under certain conditions notwithstanding the failure to achieve transportation LOS, by allowing developers to contribute a proportionate share of the cost of improving impacted transportation facilities. (Ordinance No. [07-09](#), [17-13](#))

POLICY 37.4.2: Lee County will maintain its land development regulations to include methodologies that will be used to calculate proportionate share contributions. (Ordinance No. [07-09](#), [17-13](#))

GOAL 38: CAPITAL IMPROVEMENTS PROGRAMMING. Prioritize and implement, where feasible, projects identified on the transportation maps. Provide for efficient operations and maintenance of the multi-modal transportation system. (Ordinance No. [99-15](#), [17-13](#))

OBJECTIVE 38.1: REVENUES. Establish fiscally sound transportation budgeting and planning practices. (Ordinance No. [98-09](#), [17-13](#))

POLICY 38.1.1: Lee County will develop and implement an effective and fair system of impact fees or similar funding mechanisms to ensure that development creating transportation impacts on transportation facilities pays its share of needed improvements. (Ordinance No. [99-15](#), [17-13](#))

POLICY 38.1.2: Consider and evaluate a variety of funding sources to construct, operate and maintain current and future transportation infrastructure components. (Ordinance No. [98-09](#), [99-15](#), [17-13](#))

POLICY 38.1.3: Routinely review and update user fee revenue sources based on capital and maintenance costs of transportation facilities. (Ordinance No. [99-15](#), [17-13](#))

POLICY 38.1.4: The county may designate various limited access facilities as toll facilities. (Ordinance No. [99-15](#), [17-13](#))

POLICY 38.1.5: Transportation impact fees or similar mechanisms collected for projects that include the state highway system in their calculation methodology may be used to improve state roads. (Ordinance No. [99-15](#), [17-13](#))

POLICY 38.1.6: Property that was subject to CPA2009-01 will donate 75 feet of right-of-way along the entire frontage of Alico Road. The donation of right-of-way along Alico Road will not be creditable against road impact fees or DRI proportionate share obligations. (Ordinance No. [10-40](#), [17-13](#))

POLICY 38.1.7: Lee County will complete a study by July 1, 2017, with input from property owners, to determine the improvements necessary to address increased density within the Environmental Enhancement and Preservation Overlay (See Policy 33.3.4). The study will include a financing strategy for the identified improvements, including participation in a Proportionate Share Program. (Ordinance No. [15-13](#), [17-13](#))

OBJECTIVE 38.2: TIMING. Update transportation projects in the Capital Improvement Program (CIP) to prioritize operations and maintenance, safety improvements, and projects to maintain LOS or provide additional capacity, consistent with Policy 95.1.1. (Ordinance No. [99-15](#), [17-13](#))

POLICY 38.2.1: Annually fund projects to improve and make the transportation system safer and more efficient through operational, maintenance, and safety projects (e.g. small bridge replacement/maintenance, street resurfacing/reconstruction, signal improvements and coordination, traffic management systems, intersection modifications, bicycle and pedestrian facilities, lighting, street repair, and sign maintenance). (Ordinance No. [99-15](#), [17-13](#))

POLICY 38.2.2: The following priorities are established in addition to the priorities provided in Policy 95.1.1 for improving the existing and future county maintained road system:

- Construction, maintenance, and reconstruction, where necessary, of roadways needed for emergency evacuation.
- Prioritization of major reconstruction, bridge replacement and capacity expansion projects will consider:
 - 1) system preservation/maintenance of assets;
 - 2) transportation facilities operating at or below the adopted LOS (existing or projected with approved development orders) as specified in Policy 95.1.1;
 - 3) system continuity (e.g. critical bridge replacement/reconstruction, parallel route providing relief to I-75);
 - 4) safety;
 - 5) multi-modal benefits;
 - 6) donation or matching fund offers;
 - 7) return on investment (e.g. congestion relief, commercial or freight corridor, maintaining in good repair, multi-modal improvement); and
 - 8) other considerations such as projects consistent with Transportation Map 3A, or providing street connectivity in future urban areas.

(Ordinance [98-09](#), [99-15](#), [07-09](#), [17-13](#))

GOAL 39: TRANSPORTATION AND LAND USE. Adopt planning practices and development regulations that fully link transportation and land use, and identify developer contributions to achieve a multi-modal transportation system. (Ordinance No. [98-09](#), [99-15](#), [17-13](#))

OBJECTIVE 39.1: DEVELOPMENT CONTRIBUTIONS TO SUPPORT A MULTI-MODAL TRANSPORTATION SYSTEM. Maintain development practices that identify developer transportation system responsibilities, including site-related and proportionate share contributions; and establish criteria or thresholds to determine the scope of the traffic impact statement. (Ordinance No. [99-15](#), [17-13](#))

POLICY 39.1.1: Adopt development regulations providing traffic impact statement requirements for development orders and rezoning; and developer provided site-related improvements, including multi-modal connections and facilities required at time of local development order. (Ordinance No. [99-15](#), [17-13](#))

POLICY 39.1.2: Developments within municipalities will be subject to Lee County roadway design standards, including provision of site-related improvements within the right-of-way, as a condition of permit approval for modifications to county maintained transportation facilities. (Ordinance No. [98-09](#), [99-15](#), [17-13](#))

POLICY 39.1.3: Through the plan amendment and zoning process, the county will direct high-intensity land uses to land proximate to existing and future transit corridors identified on the transportation maps, LRTP and TDP. (Ordinance No. [98-09](#), [99-15](#), [17-13](#))

OBJECTIVE 39.2: TRANSPORTATION AND LAND USE PLANNING. Develop and maintain transportation planning tools and strategies to coordinate land use development with planned transportation facilities appropriate to future urban, suburban, or non-urban areas as defined in the Glossary. 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 19, Lee County Greenways and Multi-Purpose Recreational Trails Master Plan. (Ordinance No. [17-13](#))

POLICY 39.2.1: Future urban areas will have a balanced emphasis on automobile, freight, transit, pedestrian, and bicycle modes of transportation by:

- Promoting safe and convenient street, bicycle and pedestrian facility connectivity for easy access between modes.
- Utilizing short block lengths within urban Mixed Use Overlay areas.
- Providing transit service with an emphasis on urban Mixed Use Overlay areas.
- Incentivizing infill and redevelopment, mixed uses, pedestrian friendly design, and higher density in areas served by transit.
- Providing sidewalks along all roads and streets in urban areas, except where prohibited.

(Ordinance No. [17-13](#))

POLICY 39.2.2: Future suburban areas will have an emphasis on movement by motor vehicle by:

- Providing connectivity and accessibility to different uses through a network of motor vehicle, transit, bicycle, and pedestrian facilities.
- Providing transit service with an emphasis on suburban Mixed Use Overlay areas.
- Incentivizing infill and redevelopment, mixed uses, pedestrian friendly design, and higher development density/intensity in areas served by transit.
- Providing sidewalks along all roads, except where prohibited and except on roads eligible for a waiver as outlined in the LDC.

(Ordinance No. [17-13](#))

POLICY 39.2.3: Future non-urban areas are planned primarily for motor vehicle transportation by:

- Limiting transit service and provision of separate pedestrian facilities to Mixed Use Overlay areas unless otherwise stated in the LDC.
- Accommodating bicycle usage on bicycle lanes, paved shoulder or multiuse recreational trail facilities. (Ordinance No. [17-13](#))

POLICY 39.2.4: Encourage connectivity when streets are proposed for county maintenance. Evaluate extending county maintained streets, including bridges, to eliminate dead-end public streets. (Ordinance No. [17-13](#))

POLICY 39.2.5: Establish connection separation standards in the LDC based on functional classification and future urban, suburban, or non-urban area designation. Designate by Board action, certain roadways as “controlled access,” to which permanent access points are restricted to locations established and set by a specific access plan adopted by Board resolution. (Ordinance No. [98-09](#), [99-15](#), [17-13](#))

POLICY 39.2.6: New and expanded transportation facilities will continue to be aligned and designed to protect estuarine water bodies, environmentally sensitive areas, and rare and unique habitats (see Conservation and Coastal Management element), unless identified on the transportation map series. (Ordinance No. [98-09](#), [17-13](#))

POLICY 39.2.7: Construction of new collector and arterial roads will not be undertaken by the county in non-urban areas unless fully reimbursed by MSTU/MSBUs or property owners, except where identified in the transportation map series. (Ordinance No. [99-15](#), [17-13](#))

OBJECTIVE 39.3: SAFETY. The county will continue its program of county transportation system modifications to protect the public health, safety, and welfare. (Ordinance No. [98-09](#), [99-15](#), [17-13](#))

POLICY 39.3.1: The county will identify high-hazard crash locations and countermeasures to mitigate such hazards. (Ordinance No. [99-15](#), [17-13](#))

POLICY 39.3.2: Improve safety and reduce crashes by addressing freight, motor vehicle, transit, bicycle and pedestrian conflict points along roadways. (Ordinance No. [99-15](#), [17-13](#))

POLICY 39.3.3: Ensure the county maintained transportation system can operate during evacuation and emergency events. (Ordinance No. [99-15](#), [17-13](#))

OBJECTIVE 39.4: EFFICIENCY. The county will continue its program of system modifications to make the transportation system more efficient for all users. (Ordinance No. [17-13](#))

POLICY 39.4.1: Encourage more efficient use of existing road space, conserve energy, and reduce peak hour vehicle usage using transportation demand management (TDM) strategies and employer-based incentives including:

- Variable work hours and telecommuting.
- Ride sharing programs (e.g. carpooling, multiple occupancy vehicle lanes, park and ride lots).
- Incentives, premium service facilities and programs to increase the use of mass transit as identified through the Transit Development Plan (TDP) (e.g. reduce transit headways, bus rapid transit, neighborhood circulators, rider incentives, regional connectors).
- Toll programs (e.g. off-peak hour incentives, automated collection and payment acceptance with other toll systems).

(Ordinance No. [17-13](#))

POLICY 39.4.2: Prioritize transportation system management (TSM) strategies for better movement of people and goods such as:

- Traffic signal interconnection, coordination and monitoring for rapid response.
- Regulating median cuts and driveways.
- Adequately funding street operations, maintenance and reconstruction programs.

(Ordinance No. [17-13](#))

POLICY 39.4.3: The county will consider implementation of appropriate improvements identified in the MPO Congestion Management System (CMS) and Freight Movement study in the LRTP. (Ordinance No. [98-09](#), [17-13](#))

OBJECTIVE 39.5: ROADWAY LANDSCAPING. The county will implement a landscaping program for Lee County roadways. (Ordinance No. [98-09](#), [99-15](#), [07-09](#), [17-13](#))

POLICY 39.5.1: Maintain the Lee County Roadway Landscape (LeeScape) Master Plan as a long term operating document and guide for landscape development and maintenance within county maintained right-of-way. (Ordinance No. [98-09](#), [99-15](#), [17-13](#))

POLICY 39.5.2: Lee County may establish right-of-way landscaping requirements for development along non-county maintained roadways in the LDC. (Ordinance No. [17-13](#))

OBJECTIVE 39.6: BICYCLE/PEDESTRIAN NETWORK. When conducting all transportation planning and engineering studies, consider the convenience, safety and accessibility of bicyclists and pedestrians of all ages. (Ordinance No. [98-09](#), [99-15](#), [17-13](#))

POLICY 39.6.1: The county will develop a safe and interconnected bicycle/pedestrian network, giving priority to facilities depicted on the Bikeways/Walkways Facilities Plan (Map 3D), the Greenways Multi-Purpose Recreational Trails Master Plan (Map 22), and the MPO BPMP. (Ordinance No. [98-09](#), [99-15](#), [17-13](#))

POLICY 39.6.2: Incorporate bicycle/pedestrian facilities with the public or private funding and construction of improvements. (Ordinance No. [99-15](#), [17-13](#))

POLICY 39.6.3: Promote non-motorized transportation greenway projects throughout Lee County. (Ordinance No. [07-09](#), [17-13](#))

POLICY 39.6.4: Develop and implement design standards and practices for a multi-modal transportation network with complete streets for all modes of travel. Include adequate width for transit, bicycle, and pedestrian facilities, appropriate to context in anticipated right-of-way needs. (Ordinance No. [17-13](#))

OBJECTIVE 39.7: COMMUNITY IMPACTS. New and expanded transportation facilities will be aligned and designed to protect existing development except where no feasible alternative exists. (Ordinance No. [98-09](#), [99-15](#), [17-13](#))

POLICY 39.7.1: Alignments of new and expanded roads and other transportation improvements will be selected to maximize the benefit/cost ratio while:

- Minimizing the number of businesses and residences displaced.
- Using major roads to define neighborhoods.
- Facilitating the development of Mixed Use Overlay areas, promoting infill and redevelopment.

- Distributing traffic loadings among available facilities.
(Ordinance No. [98-09](#), [17-13](#))

GOAL 40 – GOAL 41: RESERVED (Ordinance No. [17-13](#))

GOAL 42: INTERGOVERNMENTAL COORDINATION. Cooperate with other governmental entities in the planning, funding, construction, operations and maintenance of transportation improvements within or affecting Lee County. (Ordinance No. [99-15](#), [02-02](#))

OBJECTIVE 42.1: PLANNING. Coordinate planning efforts with municipalities, surrounding counties, the Port Authority, and FDOT. (Ordinance No. [99-15](#), [19-02](#))

POLICY 42.1.1: The county will participate in the MPO and Regional Planning Council planning processes for system-wide facility needs.

POLICY 42.1.2: The county will use informal mediation whenever possible to resolve disputes before pursuing other formalized processes. (Ordinance No. [99-15](#))

POLICY 42.1.3: The county declares a position of interest for land use decisions affecting county and state roads within Sanibel, Cape Coral, Fort Myers Beach, Bonita Springs, and Fort Myers, and state roads and county roads shared with adjacent counties. (Ordinance No. [99-15](#), [02-02](#))

OBJECTIVE 42.2: FINANCING. The county will continue to pursue multi-jurisdictional funding sources for shared facilities.

POLICY 42.2.1: The county will continue to encourage the municipalities to maintain a roads impact fee program or to participate in the county's program. (Ordinance No. [99-15](#))

POLICY 42.2.2: The county will encourage interlocal agreements with the State of Florida, affected municipalities, and adjoining counties to plan, design, construct, and/or maintain selected roadway facilities. (Ordinance No. [99-15](#))

GOAL 43: MASS TRANSIT SERVICE. Reduce the number of automobile trips on Lee County roads by providing high quality public transit service within and between the concentrated population centers of Lee County, and ensure that this service is integrated with other modes of transportation. (Ordinance No. [99-15](#), [07-09](#), [17-13](#))

OBJECTIVE 43.1: RIDERSHIP. The county will continually improve efforts to increase annual public transit ridership. (Ordinance No. [98-09](#), [17-13](#))

POLICY 43.1.1: Provide access for bicycle and pedestrian interface with mass transit, through the linkage of bicycle/pedestrian facilities and bus stops. (Ordinance No. [99-15](#), [07-09](#))

POLICY 43.1.2: Maintain efforts to provide for the construction of bus stop amenities. (Ordinance No. [98-09](#), [07-09](#), [17-13](#))

POLICY 43.1.3: Develop and maintain a convenient public transit network between centers of employment, shopping, medical, educational, residential and recreation centers. (Ordinance No. [17-13](#))

POLICY 43.1.4: Develop and maintain a convenient public transit network between unincorporated communities, participating municipalities, the Southwest Florida International Airport and Florida Gulf Coast University. (Ordinance No. [17-13](#))

POLICY 43.1.5: Provide transit service accessibility to elderly and disabled residents and to others with special needs. (Ordinance No. [99-15](#), [07-09](#), [17-13](#))

OBJECTIVE 43.2: RESERVED (Ordinance No. [17-13](#))

OBJECTIVE 43.3: OPERATING POLICIES. Maintain a public transit service that offers reliability, accessibility, safety, convenience, affordable prices, and efficiency as outlined and measured in the TDP. (Ordinance No. [98-09](#), [99-15](#), [17-13](#))

POLICY 43.3.1: Seek out new and innovative funding to supplement public funding for operation. (Ordinance No. [99-15](#), [07-09](#), [17-13](#))

POLICY 43.3.2: Widely disseminate mass transit scheduling and service information. (Ordinance No. [99-15](#), [17-13](#))

POLICY 43.3.3: Utilize new technologies to disseminate information, such as mass transit scheduling and service information, when practicable. (Ordinance No. [17-13](#))

POLICY 43.3.4: Develop convenient schedules to encourage use of mass transit for commuting trips during peak hours. (Ordinance No. [99-15](#), [17-13](#))

POLICY 43.3.5: Continue conversion of transit vehicles to alternative fuels. (Ordinance No. [07-09](#), [17-13](#))

OBJECTIVE 43.4: COORDINATION. All mass transit plans will be coordinated with state, regional, and other local governmental agencies and special needs groups. (Ordinance No. [99-15](#), [07-09](#))

POLICY 43.4.1: Coordinate mass transit activities with the MPO, the FDOT, and the Federal Transit Administration. (Ordinance No. [99-15](#), [17-13](#))

POLICY 43.4.2: Co-operate with the private sector to increase the viability of privately funded transit service, especially in areas with a large seasonal population. (Ordinance No. [17-13](#))

POLICY 43.4.3: Along with the School Board, the county will develop a joint plan for transporting students on public transportation and school buses. (Ordinance No. [07-16](#), [17-13](#))

POLICY 43.4.4: Lee Tran will coordinate with the Port Authority to continue to provide high quality public transit service to the Southwest Florida International Airport. This includes participation in Southwest Florida International Airport Master Plan Update efforts to re-evaluate and identify appropriate locations for multi-modal transfer facilities on Port Authority property. (Ordinance No. [98-09](#), [99-15](#), [07-09](#), [17-13](#), [19-02](#))

POLICY 43.4.5: Work with the Florida Gulf Coast University Board of Trustees to provide public transit service for Florida Gulf Coast University. (Ordinance No. [98-09](#), [99-15](#), [17-13](#))

GOAL 44: TRANSIT DEVELOPMENT PLAN. To continue the development of a Transit Development Plan (TDP) for the county. (Ordinance No. [99-15](#))

OBJECTIVE 44.1: TDP STUDY. Complete a comprehensive update of the Lee County TDP with annual updates, as needed. Implement its recommendations in order to enhance and improve mass transit in Lee County. (Ordinance No. [98-09](#), [99-15](#), [17-13](#))

POLICY 44.1.1: Develop and conduct ridership surveys in order to assess and identify any changes in the existing and potential ridership profile. (Ordinance No. [99-15](#))

POLICY 44.1.2: Identify and analyze existing problems and needs. (Ordinance No. [98-09](#), [99-15](#))

POLICY 44.1.3: Develop transit system alternatives to fixed route bus service, such as High Occupancy Vehicle Lanes, Bus Rapid Transit, Light Rail, queue jumps, exclusive bus lanes, and signal priority for transit vehicles. (Ordinance No. [07-09](#), [17-13](#))

OBJECTIVE 44.2: TDP IMPLEMENTATION. Select and implement the desired transit system alternatives from the Transit Development Plan study as prescribed in the plan. (Ordinance No. [98-09](#), [99-15](#))

POLICY 44.2.1: Prioritize the transit system alternatives.

POLICY 44.2.2: Investigate additional funding programs to implement the desired transit system, with full consideration given to establishing a dedicated source of funding for mass transit. (Ordinance No. [99-15](#), [07-09](#))

POLICY 44.2.3: Identify long-term funding support strategies to ensure the implementation of the transit development program.

POLICY 44.2.4: Include the future mass transit facilities in the Future Transportation Map series (Map 3C). (Ordinance No. [98-09](#))

b. Ports, Aviation and Related Facilities

GOAL 45: MARINE NAVIGATION MANAGEMENT. Develop and implement a comprehensive marine access program. (Ordinance No. [98-09](#), [99-15](#))

OBJECTIVE 45.1: CHANNEL DREDGING. The county will maintain the support facility and service systems of existing ports. (Ordinance No. [99-15](#))

POLICY 45.1.1: The county will monitor the maintenance of support facility and service systems of existing ports, with responsibility for:

- Coordination between the U.S. Army Corps of Engineers and Lee County on the timing of maintenance dredging on federally maintained channels.
- Assessing the possibility of instituting a private channel maintenance assessment on properties benefiting from the channels.

(Ordinance No. [99-15](#))

GOAL 46: COORDINATED SYSTEM OF RAILWAYS, AVIATION, PORTS, AND ROADS. Develop and maintain a coordinated system of railways, aviation, ports, roads, and related facilities to facilitate the safe and efficient movement of commerce, consistent with community values and economic objectives. (Ordinance No. [99-15](#))

OBJECTIVE 46.1: AGENCY COORDINATION. The county will require port operators to obtain all required permits and leases prior to the construction of new or improved port facilities; construction and operation of the facilities will be performed in close cooperation with the appropriate federal, state, and local agencies including but not limited to the U.S. Army Corps of Engineers, Department of Environmental Protection, Metropolitan Planning Organization and the Florida Department of Transportation to ensure that access routes to ports are properly integrated with other means of transportation. (Ordinance No. [99-15](#), [19-02](#))

POLICY 46.1.1: Private ports, in cooperation with the U.S. Coast Guard and the state, will be prepared to contain spills of petroleum and other toxic materials. Petroleum ports will have containment devices on site. The adequacy of proposed containment measures will be evaluated during the rezoning or Development of Regional Impact process. (Ordinance No. [99-15](#), [19-02](#))

POLICY 46.1.2: The county will encourage rail providers, as appropriate, to provide rail access to the ports and the Southwest Florida International Airport where feasible. (Ordinance No. [99-15](#), [07-09](#), [19-02](#))

POLICY 46.1.3: The county will encourage private investors to develop and use rail freight facilities by encouraging construction of connecting rail tracks in a manner consistent with this plan, and seeking the necessary funding to maintain and improve Lee County's rail link. (Ordinance No. [99-15](#), [19-02](#))

POLICY 46.1.4: The county will encourage discussions between the Florida High Speed Rail Commission and appropriate local groups in regards to the location of a high speed rail train in the county in a manner consistent with this plan. (Ordinance No. [99-15](#), [19-02](#))

POLICY 46.1.5: The county will prepare a coordinated intermodal transportation management program for surface water, and air transportation. (Ordinance No. [99-15](#), [07-09](#), [19-02](#))

OBJECTIVE 46.2: COORDINATION OF ELEMENTS. Port operators will be required to abide by all relevant parts of the Lee Plan in the construction and operation of the ports, especially the Future Land Use, Conservation and Coastal Management, and Transportation elements. (Ordinance No. [98-09](#), [99-15](#), [19-02](#))

POLICY 46.2.1: Adverse structural and non-structural impacts upon natural resources from port facilities will be mitigated, and natural resources will be preserved and protected. These issues will be evaluated during the rezoning and Development of Regional Impact processes. (Ordinance No. [99-15](#), [19-02](#))

POLICY 46.2.2: In order to protect ports and related facilities from the encroachment of incompatible land uses, development proposals (including but not limited to residential and commercial uses within the vicinity of existing or proposed ports and railways and related facilities) must demonstrate land use compatibility with these uses and propose mitigation measures for any adverse impacts during the rezoning and Development of Regional Impact processes. (Ordinance No. [99-15](#), [19-02](#))

GOAL 47: COORDINATED SYSTEM OF AVIATION FACILITIES. Develop and maintain a coordinated system of aviation facilities to facilitate the safe, cost-effective, and efficient movement of commerce consistent with community values and economic objectives. (Ordinance No. [99-15](#))

OBJECTIVE 47.1: ECONOMIC GROWTH. The capacity and long term development of the Southwest Florida International Airport and Page Field Airport will be expanded consistent with the currently adopted Airport Master Plans and Airport Layout Plans maintained by the Port Authority in accordance with the FAA to aid in the diversification of the county's economic growth. Expansions will be funded through user fees, airline contributions, and other funding sources not involving general county tax dollars. The Port Authority will strive to minimize impacts to surrounding land uses while maintaining a safe and efficient facility for airport operations. (Ordinance No. [98-09](#), [99-15](#), [04-16](#), [09-14](#), [19-02](#))

POLICY 47.1.1: The development potential of Port Authority facilities will continue to be protected by the acquisition of additional land for runway and taxiway, road access, storm water management, and environmental mitigation use, consistent with the adopted Airport Master Plans and the Port Authority's Capital Improvement Programs. (Ordinance No. [98-09](#), [99-15](#), [07-09](#), [19-02](#))

POLICY 47.1.2: The Port Authority will continue to expand existing and proposed aviation facilities such as terminals, airport aprons, cargo facilities, roadways and parking in order to meet the forecasted demand at its facilities. (Ordinance No. [98-09](#), [99-15](#), [04-16](#), [19-02](#))

POLICY 47.1.3: The Port Authority will continue to investigate commercial and industrial potentials at Page Field Airport and at Southwest Florida International Airport through market surveys and the solicitation and receipt of acceptable proposals for land lease at fair market value as well as efforts to cultivate appropriate public/private partnerships in pursuing this potential. (Ordinance No. [98-09](#), [07-09](#), [19-02](#))

POLICY 47.1.4: The Port Authority will capitalize on its Port of Entry and Foreign Trade Zone status to encourage economic diversification. This will be accomplished by actively: (1) seeking to increase international commerce movement; (2) implementing an international marketing program designed to increase tourist activity; (3) continuing planning efforts to ensure availability of adequate airport facilities to accommodate increases in international air traffic; and, (4) pursuing development of international corporate activity. (Ordinance No. [99-15](#), [04-16](#), [19-02](#))

POLICY 47.1.5: The Port Authority will maintain guidelines for the location, development, and operation of private aviation facilities that would add to Lee County's overall tax base. (Ordinance No. [99-15](#), [19-02](#))

OBJECTIVE 47.2: DEVELOPMENT COMPATIBILITY IN VICINITY OF AIRPORTS. Evaluate development proposals for property located within the vicinity of existing or planned aviation facilities to ensure land use compatibility, to preclude hazards to aircraft operations, and to protect airport capacities and facilities. (Ordinance No. [99-15](#), [07-09](#), [19-02](#))

POLICY 47.2.1: Land use compatibility will be considered when reviewing development proposals within the vicinity of existing or planned aviation facilities. (Ordinance No. [99-15](#), [19-02](#))

POLICY 47.2.2: Maintain regulations in the Land Development Code which restrict land uses in areas covered by the Airport Noise Zones to uses that are compatible with the operation of the airport. (Ordinance No. [99-15](#), [19-02](#))

POLICY 47.2.3: Utilize the currently adopted Airport Master Plans, rules of Chapter 333, F.S., and the Southwest Florida International Airport FAR Part 150 Study, including updates, as a basis to amend the Lee Plan and the Land Development Code to prohibit development that is incompatible with the Southwest Florida International Airport or Page Field Airport; and, to ensure future economic enhancement consistent with Objective 47.1. (Ordinance No. [99-15](#), [04-16](#), [09-14](#), [16-15](#), [19-02](#))

POLICY 47.2.4: In the interest of the safety of air commerce, the county will not approve a temporary or permanent structure which is an obstruction to air navigation and affects the safe and efficient use of navigable airspace or the operation of planned or existing air navigation and communication facilities; or, does not comply with placement, lighting and marking standards established by the Port Authority, Florida Statutes, or FAA rules and regulations. (Ordinance No. [99-15](#), [07-09](#), [19-02](#))

POLICY 47.2.5: The safety of aircraft operators, aircraft passengers, and persons on the ground will guide the Port Authority's airports operations. Hazardous wildlife attractants within 10,000 feet of a Port Authority airport's Air Operations Area (AOA) will be avoided by minimizing and correcting any wildlife hazards arising from wetlands or water bodies in accordance with FAA AC 150/5200-33B, or as otherwise amended. Site improvements on or near the Port Authority's airports must be designed to minimize attractiveness to wildlife of natural areas and man-made features such as detention/retention ponds, landscaping, and wetlands, which can provide wildlife with ideal locations for feeding, loafing, reproduction and escape. (Ordinance No. [99-15](#), [19-02](#))

POLICY 47.2.6: Through interlocal agreements, the Port Authority and incorporated local governments within Lee County will continue to coordinate the review of new potential obstructions or hazards to aviation within those jurisdictions. (Ordinance No. [07-09](#), [19-02](#))

POLICY 47.2.7: In the interest of the safety of air commerce, the county will not approve mining operations unless it is demonstrated that no adverse vibration, noise, air, and water quality impacts on existing and planned airport capacities, facilities, and operations will result from the proposed mining operation. (Ordinance No. [19-13](#))

OBJECTIVE 47.3: FUTURE DEMANDS. Continually evaluate the projected demands for public aviation facilities and ensure their adequate provision.

POLICY 47.3.1: The Port Authority Executive Director will coordinate all expansion plans contained in approved airport master plans with the Federal Aviation Administration and the Florida Department of Transportation to ensure that projects of interest to the Port Authority are included in the federal and state funding programs. ([Ordinance No. 99-15](#))

POLICY 47.3.2: The appropriate costs for expansion as depicted in the approved Port Authority CIP will continue to be coordinated with the Capital Improvements element. ([Ordinance No. 99-15](#))

POLICY 47.3.3: New or expanded facilities will be planned as part of the normal Airport Master Plan update approval process, subject to approval by the FAA, FDOT, and the Board of County Commissioners. (Ordinance No. [07-09](#), [19-02](#))

OBJECTIVE 47.4: ACCESS. The Southwest Florida International Airport is an intermodal facility of significant value to the regional, state and federal transportation systems. Page Field Airport plays

a vital role as a reliever airport facility to Southwest Florida International Airport. Protecting these resources is vital to maintaining adequate landside and airside capacity. (Ordinance No. [99-15](#), [19-02](#))

POLICY 47.4.1: The Port Authority will coordinate surface transportation planning for Page Field Airport and Southwest Florida International Airport with the Lee County Metropolitan Planning Organization, the Lee County Department of Transportation, Lee Tran, and the Florida Department of Transportation to ensure adequate access to the airports. (Ordinance No. [98-09](#), [99-15](#), [07-09](#), [19-02](#))

POLICY 47.4.2: The Port Authority will aggressively pursue Federal and State funding for access roadway improvements as identified on the Airport Layout Plans. (Ordinance No. [04-16](#), [19-02](#))

POLICY 47.4.3: Development of non-aviation related uses on airport property will be required to meet applicable concurrency standards set forth in the Land Development Code. (Ordinance No. [04-16](#), [19-02](#))

OBJECTIVE 47.5: COORDINATED COMMERCE MOVEMENT. Encourage the provision of facilities that meet the needs of commerce movement enterprises that are also economically feasible and compatible with adjacent land uses, environmental standards, and public safety. (Ordinance No. [99-15](#), [19-02](#))

POLICY 47.5.1: The Port Authority will encourage cargo and freight development at the Southwest Florida International Airport by implementing domestic and international cargo marketing programs and by expanding airport facilities, as needed, in order to accommodate large domestic and international cargo carriers. (Ordinance No. [99-15](#), [19-02](#))

POLICY 47.5.2: Encourage the development of warehouses, cargo handling facilities, and transfer points at or near the Port Authority's aviation facilities. The study of future needs and implementation of strategies to address movement of commerce by local industries, trade and commercial enterprises may be coordinated with the Horizon Council, Industrial Development Authority and the Port Authority. (Ordinance No. [99-15](#), [19-02](#))

GOAL 48 - GOAL 52: RESERVED

VII. Conservation and Coastal Management Element

GOAL 101: COASTAL AREAS. Protect human life along with current and future development from the impacts of coastal flooding. Coastal flooding includes, but is not limited to, high tide events, storm surge, flash floods, stormwater runoff, and impacts of sea level rise. (Ordinance No. [94-30](#), [18-28](#))

OBJECTIVE 101.1: COASTAL AREA PLANNING. Improve the function of natural systems as a defense against coastal flooding. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 101.1.1: Require that development within the Coastal High Hazard Area be compatible with natural systems, such as, water retention and purification, wildlife habitat, primary productivity, and defense against coastal flooding. (Ordinance No. [00-22](#), [18-28](#))

POLICY 101.1.2: Protect and conserve the following environmentally sensitive coastal areas: wetlands, estuaries, mangrove stands, undeveloped barrier islands, beach and dune systems, aquatic preserves, wildlife refuges, undeveloped tidal creeks and inlets, critical wildlife habitats, benthic communities, and marine grass beds. (Ordinance No. [00-22](#), [18-28](#))

POLICY 101.1.3: Evaluate, as needed, county policy regarding development seaward of the Coastal Construction Control Line to assess the adequacy of policies and practices developed by the Department of Environmental Protection and modify county policy as necessary. (Ordinance No. [92-35](#), [94-30](#), [00-22](#), [18-28](#))

POLICY 101.1.4: Require that comprehensive plan amendments which increase density within the Coastal High Hazard Area or on islands meet one of the following criteria in accordance with § 163.3178(8), F.S.:

1. Will not result in an out of county hurricane evacuation time that exceeds 16 hours for a Category 5 storm event (Level E storm surge threat); or
2. Will maintain a 12 hour evacuation time to shelter for a Category 5 storm event (Level E storm surge threat) and ensure shelter space is available to accommodate the additional population; or
3. Will provide appropriate mitigation as determined by Lee County Department of Public Safety to satisfy both criteria above, which may include the payment of money or construction of hurricane shelters and transportation facilities. The applicant must enter into a development agreement to memorialize the mitigation plan prior to adoption of the plan amendment.

(Ordinance No. [09-17](#), [16-07](#), [18-28](#))

POLICY 101.1.5: Maintain undeveloped barrier islands predominantly in their natural state. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

OBJECTIVE 101.2: LIMITATION OF PUBLIC EXPENDITURES IN COASTAL AREAS. Limit the expenditure of public funds in areas particularly subject to repeated destruction by coastal flooding to only necessary repairs, public safety needs, restoration of natural systems, services to existing residents, and recreation and open space uses. Coastal flooding includes, but is not limited to, high tide events, storm surge, flash floods, stormwater runoff, and impacts of sea level rise. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 101.2.1: Limit the expenditure of public funds for new facilities on undeveloped barrier islands or within V zones, as defined by the Flood Insurance Rate Maps (FIRM), to only those expenditures that maintain required service levels, protect existing residents, provide for recreation and open space needs, or improve the function of natural systems. (Also see Policies 95.1.2 and 101.2.5). (Ordinance No. [00-22](#), [18-28](#))

POLICY 101.2.2: No new causeways (public or private) will be constructed to any islands. (Ordinance No. [00-22](#), [18-28](#))

POLICY 101.2.3: No new bridges will be constructed to undeveloped barrier islands except where needed to achieve evacuation clearance time objectives on adjoining islands connected by existing bridges. In such a case, this plan will be amended to insure that the ultimate development of all areas served by the new bridge is limited to levels which can safely be served by the new and existing bridges. (Ordinance No. [00-22](#), [18-28](#))

POLICY 101.2.4: When state funding is required for the relocation or replacement of infrastructure currently within the Coastal Building Zone, the capacity of the replacement structure will be limited to maintaining required service levels, protecting existing residents, and providing for recreation and open space needs. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 101.2.5: Limit public expenditures on undeveloped barrier islands to public parks. (Ordinance No. [18-28](#))

OBJECTIVE 101.3: DEVELOPMENT IN COASTAL AREAS. Protect human life and property from natural and man-made disasters. (Ordinance No. [92-35](#), [93-25](#), [94-30](#), [00-22](#), [18-28](#))

POLICY 101.3.1: Protect shoreline development in V zones from coastal erosion, wave action, and storms with natural systems, setbacks, and/or beach re-nourishment, rather than by seawalls or other hardened structures which tend to hasten beach erosion. Repairs of lawfully constructed, functional, hardened structures as defined in Chapter 161, F.S. may be allowed subject to applicable state and local review and approval. (Ordinance No. [92-35](#), [00-22](#), [18-28](#))

POLICY 101.3.2: Restrict development in the Coastal High Hazard Area to uplands except as needed for the provision of public facilities. (Ordinance No. [18-28](#))

POLICY 101.3.3: Prohibit new or expanded mobile home or recreational vehicle development on barrier islands or in V-zones as defined by the Flood Insurance Rate Maps (FIRM) through the Federal Emergency Management Agency. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 101.3.4: Encourage new residential development, as required by the Land Development Code, to provide continuing information to residents concerning hurricane evacuation and shelters. (Ordinance No. [94-30](#), [00-22](#), [07-12](#), [18-28](#))

POLICY 101.3.5: An applicant of a Development Order for any permanent or temporary places of residence including, but not limited to, caretakers residence, dormitories, hotels or motels, and dwelling units within the Hurricane Vulnerability Zone or on islands, must provide appropriate mitigation as determined by Lee County Department of Public Safety, which may include, but is not limited to, the payment of a fee, or construction of hurricane shelters and transportation facilities. (Ordinance No. [05-19](#), [18-28](#))

POLICY 101.3.6: Prohibit the use of Transferable Development Units (TDUs) and bonus density utilizing cash contributions for affordable housing on property located within the Coastal High Hazard Area. (Ordinance No. [16-07](#), [18-28](#))

POLICY 101.3.7: Bonus density for site-built affordable housing development will be considered within the Coastal High Hazard Area. (Ordinance No. [18-28](#))

POLICY 101.3.8: Prohibit development of undeveloped barrier islands that is inconsistent with the Charlotte Harbor Management Plan, as amended. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 101.3.9: Prohibit new development that requires seawalls for protection from coastal erosion. (Ordinance No. [18-28](#))

OBJECTIVE 101.4: SHORELINE STABILIZING SYSTEMS. Encourage the construction of environmentally compatible shoreline stabilizing systems where stabilizing systems are needed. (Ordinance No. [00-22](#), [18-28](#))

POLICY 101.4.1: Construction of environmentally compatible shoreline stabilizing systems will be allowed along the active gulf beach where necessary for the protection of shorelines from erosion. (Ordinance No. [00-22](#), [18-28](#))

POLICY 101.4.2: Vertical seawalls must not be constructed along natural waterways except where such a wall is the most reasonable alternative (using criteria established by ordinance) and vertical seawalls along artificial canals will not be permitted unless an adequate littoral zone consistent with the surrounding environment is provided. Seawalls in artificial canals where 50% of the canal or greater is seawalled or for seawalls of less than 300 feet where both adjoining properties are seawalled, will be exempt from this requirement. (Ordinance No. [00-22](#), [18-28](#))

POLICY 101.4.3: Encourage the planting of mangroves or placement of rip-rap in artificial and natural canal systems to replace existing seawalls in need of repair. (Ordinance No. [00-22](#), [18-28](#))

POLICY 101.4.4: Build-back of vertical seawalls will not be permitted along natural waterbodies if one or more of the following conditions exist:

- Build-back would cause excessive shoreline erosion or endanger shorelines of surrounding properties.
- Build-back would threaten wetland resources.
- Build-back would be a threat to public safety or block access to state-owned submerged lands.
- Build-back would be waterward of the existing seawall alignment on adjacent shorelines.

(Ordinance No. [00-22](#), [18-28](#))

OBJECTIVE 101.5: BEACH AND DUNE SYSTEMS. Maintain a beach preservation and management plan through the Lee County Coastal Advisory Council or successor agency. (Ordinance No. [98-09](#), [18-28](#))

POLICY 101.5.1: Maintain a beach and dune management program which includes:

1. Preparing beach and dune management plans, with priority to areas designated by the Florida Department of Environmental Protection as critically eroded in the report entitled Critically Eroded Beaches in Florida.
2. Coordinating with local municipalities and the Captiva Erosion Prevention District in preparing beach and dune management plans.

3. Coordinating with governments and private entities to identify sources of beach-quality sand for renourishment projects, concentrating on areas that will have minimal impacts on the county's aquatic resources.
4. Utilizing all possible means to protect beach-quality sand resources from use by public and private out of county users. Lee County will provide comments to the U.S. Army Corps of Engineers and the Florida Department of Environmental Protection regarding impacts to off-shore beach-quality sand resources.
5. Preparing renourishment plans for eroding areas where public facilities and access exist, including areas designated by the Florida Department of Environmental Protection as critically eroded in the report entitled Critically Eroded Beaches in Florida.
6. Recommending regulations and policies to restrict hardened coastal engineering structures such as groin fields and seawalls, protect eroding coastal areas and sand dunes, and discourage development of undeveloped coastal barriers.
7. Protecting sand resources from the placement of infrastructure that may impede access to the resource such as, but not limited to, pipelines and transmission cables.
8. Educating citizens and developers about the costs and benefits of beach and dune conservation approaches.
9. Preparing a sand conservation plan that emphasizes the importance of maintaining beach quality sand within the littoral system.
10. Continuing to participate in the Federal Shore Protection Project as the local sponsor and coordinate with the Town of Fort Myers Beach for implementation of the Estero Island segment.
11. Pursuing all available sources of funding, specifically state and federal funding, for implementation of beach and dune projects.
12. Requiring the installation of dune vegetation as a component of all County funded renourishment projects.

(Ordinance No. [94-30](#), [98-09](#), [00-22](#), [07-09](#), [11-23](#), [18-28](#))

POLICY 101.5.2: The costs of beach renourishment programs will be borne by the beneficiaries of those programs. Funding mechanisms for the renourishment may include, but are not limited to, the use of parks impact fees, public metered parking proceeds, tourist development taxes, Municipal Service Benefit Units (MSBUs), and beachfront property assessments, as long as the title to accreted lands remains public. (Ordinance No. [94-30](#), [98-09](#), [00-22](#), [18-28](#))

POLICY 101.5.3: Support the renourishment of beaches through the use of environmentally responsible methods. (Ordinance No. [98-09](#), [00-22](#), [18-28](#))

GOAL 102 – GOAL 112: RESERVED

GOAL 113: FISHERIES MANAGEMENT. Preserve the ecosystem that nourishes and shelters Lee County's commercial, sport, and recreational fisheries. (Ordinance No. [00-22](#), [18-28](#))

OBJECTIVE 113.1: Support policies and practices that enhance estuarine ecosystems in order to achieve sustainable yields of fish and shellfish. (Ordinance No. [00-22](#), [18-28](#))

POLICY 113.1.1: Coordinate with federal, state, academic, and non-governmental agencies to compile and analyze data about the condition of fisheries in Lee County to guide county actions. (Ordinance No. [00-22](#), [18-28](#))

POLICY 113.1.2: Support state and federal fisheries management programs that maintain and improve the long-term biological and economic productivity of Lee County's fisheries. (Ordinance No. [00-22](#), [18-28](#))

POLICY 113.1.3: Maintain the monitoring system for estuarine water quality so as to evaluate impacts on the health of fish and shellfish. (Ordinance No. [00-22](#), [07-12](#), [18-28](#))

POLICY 113.1.4: Create long-lasting fisheries habitat by studying, building, maintaining, and evaluating artificial reefs in coordination with public and private organizations in order to achieve sustainable yielding fisheries. (Ordinance No. [18-28](#))

POLICY 113.1.5: Provide information and technical assistance, and support funding for projects that enhance fisheries, increase catches of under-utilized species, develop new markets and marketing techniques, and establish environmentally friendly aquaculture ventures for the commercial fishing industry. (Ordinance No. [00-22](#), [18-28](#))

GOAL 114: MARINE AND NAVIGATION MANAGEMENT. Protect and maintain the county's waterways and marine resources through proper navigational, sanitation, and dredging activities. (Ordinance No. [18-28](#))

OBJECTIVE 114.1: DREDGE SPOIL DISPOSAL. Participate with other responsible agencies in the location and placement of spoil material. (Ordinance No. [98-09](#), [18-28](#))

POLICY 114.1.1: Coordinate with the U.S. Army Corps of Engineers on the location and placement of spoil material from maintenance dredging activities. When possible, dredging spoils will be used for beach renourishment. (Ordinance No. [98-09](#), [18-28](#))

POLICY 114.1.2: Participate in and coordinate with the efforts of the West Coast Inland Navigation District to identify existing and future dredge spoil sites in Lee County. (Ordinance No. [98-09](#), [00-22](#), [18-28](#))

POLICY 114.1.3: Maintain, where environmentally and economically feasible, existing channels and passes to the Gulf of Mexico at their authorized and/or historic depths. (Ordinance No. [98-09](#), [00-22](#), [18-28](#))

POLICY 114.1.4: Support the efforts of private individuals or groups to maintain established depths in private canals and waterways through the establishment of Municipal Service Benefit Units (MSBUs) to fund such private efforts, unless the county has determined such efforts to be detrimental to the environment. (Ordinance No. [98-09](#), [00-22](#), [18-28](#))

OBJECTIVE 114.2: NAVIGATIONAL MARKERS. Maintain the Aids to Navigation Program and update the computerized marker inventory when appropriate. (Ordinance No. [00-22](#), [18-28](#))

POLICY 114.2.1: Coordinate with appropriate federal and state agencies, assess the conditions of unmarked channels and identify those used to traverse shallow in-shore waters (a practice that damages seagrass beds and vessels) and develop a program to mark these channels (if appropriate on the basis of the assessment).(Ordinance No. [00-22](#), [18-28](#))

OBJECTIVE 114.3: MARINE SANITATION. Maintain local marine sanitation regulations that complement the Florida Clean Vessel Act. (Ordinance No. [94-30](#), [98-09](#), [07-12](#), [18-28](#))

POLICY 114.3.1: Assist federal and state agencies to maintain an inventory and promote the public awareness of existing marine sanitation facilities. (Ordinance No. [94-30](#), [98-09](#), [18-28](#))

POLICY 114.3.2: Expand, as needed, coordination with law enforcement and environmental agencies in providing enforcement and education measures for marine sanitation laws. (Ordinance No. [94-30](#), [98-09](#), [18-28](#))

POLICY 114.3.3: Maintain regulations for marine sanitation and waste disposal in marinas, docks, wharfs, piers, seawalls, or other docking structures. (Ordinance No. [98-09](#), [18-28](#))

POLICY 114.3.4: Cooperate with state agencies in the development of management standards for marine sanitation in anchorages. (Ordinance No. [98-09](#), [18-28](#))

GOAL 115 – GOAL 121: RESERVED

GOAL 122: ESTUARINE WATER QUALITY. Manage estuarine ecosystems in order to conserve productivity through maintaining or improving water quality, protecting wildlife diversity and reducing or maintaining current pollution loading and system imbalances. (Ordinance No. [94-30](#), [18-28](#))

OBJECTIVE 122.1: Maintain an ongoing water quality monitoring program with local, state, and federal estuarine water quality agencies to ensure that the latest data and recommendations are available. (Ordinance No. [94-30](#), [07-12](#), [18-28](#))

POLICY 122.1.1: Monitor estuarine water quality through the following:

1. Establish and operate a network of water quality sampling sites to fill in gaps in the state sampling program including monitoring of surface water resources for federal and state water quality standards compliance and NPDES permit compliance.
2. Maintain liaisons with local, state, and federal agencies engaged in water quality monitoring, and review their data, conclusions, and recommendations.
3. Develop a system for reporting on water quality conditions and trends on a regular basis.
4. Recommend actions intended to maintain or improve water quality in the estuaries to meet the Florida Department of Environmental Protection's criteria for the water body and preserve the "approved for shellfish harvesting" classification where applicable. Attempt to return viable "closed" (due to water quality) shell fishing areas to an "approved" status.

(Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 122.1.2: Require development affecting coastal and estuarine water resources to maintain or enhance the biological and economic productivity of those resources. (Ordinance No. [00-22](#), [18-28](#))

POLICY 122.1.3: Cooperate with the South Florida Water Management District, local utilities, and other appropriate agencies for monitoring and review of freshwater discharge affecting estuarine areas in order to maintain the biological and chemical balances necessary for optimum productivity. (Ordinance No. [00-22](#), [18-28](#))

POLICY 122.1.4: Cooperate with state and federal agencies to enforce pollution control standards for marinas, marine dumping, and illegal discharges from water craft. (Ordinance No. [00-22](#), [18-28](#))

POLICY 122.1.5: Require installations of shoreside pumpout stations at marinas that serve live-aboards provide adequate facilities for subsequent transfer and treatment of boat sewage. (Ordinance No. [00-22](#), [18-28](#))

POLICY 122.1.6: Encourage the on-going efforts by the South Florida Water Management District to establish a Caloosahatchee Water Management Plan for the Caloosahatchee River that

recognizes public, environmental and agricultural uses of the river through participation in the Southwest Florida Comprehensive Watershed Plan, Northern Everglades and Estuary Protection Plan, Caloosahatchee River Watershed Protection Plan, Lower East Coast and Lower West Coast Regional Water Supply Plans, Minimum Flows and Levels, and the development of maximum flows and discretionary release protocols for Lake Okeechobee. (Ordinance No. [00-22](#), [18-28](#))

OBJECTIVE 122.2: ESTUARINE WATERSHED MANAGEMENT PLANS. Review new upland development for its impacts on estuarine systems. Coordinate with the South Florida Water Management District to ensure new development will maximize stormwater retention and treatment. (Ordinance No. [94-30](#), [07-12](#), [18-28](#))

POLICY 122.2.1: The county's estuarine watershed management agency will be responsible for:

1. Preparing management plans for estuarine watersheds, with priority to the watershed of Estero Bay, a critical estuary undergoing development impacts.
2. Recommending modifications to the Sanibel causeway in order to improve estuarine water quality.
3. Reviewing the feasibility of changing canal patterns and retrofitting existing stormwater collection systems in order to reduce the impact of freshwater on estuaries.
4. Assessing the adequacy of disaster preparedness plans for coastal oil storage facilities.

(Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 122.2.2: Apply key action plans, objectives and policies from the Comprehensive Conservation and Management Plan for the Greater Charlotte Harbor Watershed that relate to Pine Island Sound, Matlacha Pass, the Estero Bay, the tidal Caloosahatchee and attendant watersheds, including upland and coastal development practices and public land acquisition programs. Particular emphasis will be placed on evaluating the effectiveness and improvement of County watershed programs as they relate to watershed conservation and public land acquisition programs, watershed management needs prioritization and water quality monitoring. (Ordinance No. [00-22](#), [18-28](#))

GOAL 123: RESOURCE PROTECTION. Manage coastal, wetland and upland ecosystems and natural resources in order to maintain and enhance native habitats, floral and faunal species diversity, water quality, and natural surface water characteristics.

OBJECTIVE 123.1: RESOURCE MANAGEMENT PLAN. Continue to implement resource management policies and regulations that ensure the long-term protection and enhancement of the natural upland and wetland habitats by retaining the interconnectedness and functionality of the hydroecological systems in order to progress towards a more ecologically productive and sustainable environment. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 123.1.1: Maintain standards for development, mitigation, and conservation that will protect and integrate wetlands and Rare and Unique upland habitats as defined in this plan. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 123.1.2: Maintain the Conservation 20/20 lands acquisition program, which will consist of the following elements:

- a. Acquire and manage environmentally sensitive lands, including: wetlands; important plant communities; critical habitat for listed wildlife species; natural waterways; important water resources; the Coastal High Hazard Area and other flood hazard areas; and Rare and Unique uplands. Manage lands critical to water quality and supply, flood protection, wildlife habitat, and passive recreation. An advisory committee will develop and implement the program.

- b. Cooperatively acquire and manage sensitive lands and leverage other funding sources by working with other land acquisition and land management agencies and organizations. Give priority to acquiring and otherwise protecting properties which are adjacent to or in close proximity to existing preservation areas, with emphasis on maintaining opportunities for a regional greenways system that may include a mix of flow ways, areas subject to flooding, native habitats, recreational trails and wildlife corridors.
- c. A Land Stewardship Plan (LSP) will be created for each Conservation 20/20 property, providing information relating to the long term maintenance and enhancement of acquired properties. The LSP will determine the use of the acquired properties and will address necessary people management (e.g., fences and signage to prevent incompatible uses such as off road vehicle use and hunting); surface water management and restoration; ecosystems restoration; litter control; fire management; invasive exotic plant and animal control; and, where appropriate, compatible recreational use facilities. The plan will also address maintenance funding. Creation of the LSP will provide opportunity for public input.
- d. Provide an annual progress report to the county commission on the status of the Conservation 20/20 program.

(Ordinance No. [94-30](#), [00-22](#), [07-09](#), [18-28](#))

POLICY 123.1.3: Encourage the establishment of and provide assistance to community-based land trusts, whose purpose is the preservation and protection of Lee County's natural resources. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 123.1.4: Coordinate with the appropriate agencies to better control flows of freshwater and reduce pollutant discharges into the Lee County coastal waters. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 123.1.5: Encourage private restoration of natural habitats to support connectivity between public and private conservation and preservation efforts. (Ordinance No. [18-28](#))

POLICY 123.1.6: Continue to study the costs and benefits of adding preservation areas adjacent to the Estero Bay Aquatic Preserve, including lands along major inland tributaries (Hendry, Mullock, and Spring Creeks, and the Estero and Imperial Rivers). (Ordinance No. [94-30](#), [98-09](#), [00-22](#), [18-28](#))

POLICY 123.1.7: Coordinate the location of area wide conservation easements to maximize the protection of natural resources. (Ordinance No. [07-16](#), [18-28](#))

POLICY 123.1.8: Encourage the use of prescribed burns that mimic the fire regimes to support threatened and endangered species as a land management technique. (Ordinance No. [18-28](#))

POLICY 123.1.9: Pursue Mutual Aid Agreements to plan and pool resources and equipment. (Ordinance No. [07-16](#), [18-28](#))

OBJECTIVE 123.2: PLANT COMMUNITIES. Maintain and enhance the biodiversity of the natural plant communities within Lee County to create a more resilient and sustainable ecosystem. (Ordinance No. [94-30](#), [18-28](#))

POLICY 123.2.1: Coordinate with appropriate agencies to exchange updated natural resources information. (Ordinance No. [94-30](#), [18-28](#))

POLICY 123.2.2: Continue to provide regulations and incentives to prevent incompatible development in and around environmentally sensitive lands. (Ordinance No. [94-30](#), [18-28](#))

POLICY 123.2.3: Prevent water management and development projects from altering or disrupting the natural function of significant natural systems. (Ordinance No. [18-28](#))

POLICY 123.2.4: Encourage the protection of viable tracts of sensitive or high-quality natural plant communities within developments. (Ordinance No. [18-28](#))

POLICY 123.2.5: Maintain regulations to control the clearing of natural vegetation, including tree removal and clearing of understory, prior to the development of property or its conversion to agricultural uses. (Ordinance No. [94-30](#), [18-28](#))

POLICY 123.2.6: Avoid destruction of upland vegetation communities including coastal and interior hammocks through consideration of alternative site design layouts. (Ordinance No. [18-28](#))

POLICY 123.2.7: Require inventories and assessments of the impacts of development in environmentally sensitive lands. (Ordinance No. [94-30](#), [18-28](#))

POLICY 123.2.8: Promote the long-term maintenance of natural systems through such instruments as conservation easements, transfer of development rights, restrictive zoning, public acquisition, and appropriate other means. (Ordinance No. [94-30](#), [18-28](#))

POLICY 123.2.9: Maintain regulations, incentives, and programs for preserving and planting native plant species and for controlling invasive exotic plants, particularly within environmentally sensitive areas. (Ordinance No. [94-30](#), [18-28](#))

POLICY 123.2.10: Require that development adjacent to aquatic and other nature preserves, wildlife refuges, and recreation areas be designed to protect the natural character and public investment in these areas. (Ordinance No. [00-22](#), [18-28](#))

POLICY 123.2.11: Planting of invasive exotic plants is prohibited as specified in the Land Development Code. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 123.2.12: To ensure that adequate protection of mangroves is maintained, the county will re-evaluate and amend, if necessary, its mangrove protection regulations whenever state mangrove protection regulations are revised. The county will oppose any efforts of other agencies to reduce or eliminate regulations relating to the protection of mangroves and other wetland areas. (Ordinance No. [93-25](#), [94-30](#), [00-22](#), [18-28](#))

POLICY 123.2.13: Promote optimal conditions rather than minimum conditions for the natural system as the basis for sound planning. (Ordinance No. [07-16](#), [18-28](#))

POLICY 123.2.14: Educate landowners on exotic vegetation eradication and management techniques. (Ordinance No. [07-16](#), [18-28](#))

POLICY 123.2.15: Protect Rare and Unique upland habitats from development impacts, to the maximum extent possible, through conservation and/or site design. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 123.2.16: Maintain and update an inventory of native plant species that have been threatened through anthropogenic processes. Utilize this inventory to help identify future

regulations in order to protect these plant communities from further degradation. (Ordinance No. [18-28](#))

OBJECTIVE 123.3: WILDLIFE. Maintain and enhance the fish and wildlife diversity and distribution within Lee County for the benefit of a balanced ecological system. (Ordinance No. [94-30](#), [18-28](#))

POLICY 123.3.1: Encourage upland preservation in and around preserved wetlands to provide habitat diversity, enhance edge effect, and promote wildlife conservation. (Ordinance No. [18-28](#))

POLICY 123.3.2: Participate in the development of a regional plan to identify and protect areas utilized by wildlife, including panthers and bears, so as to promote the continued viability and diversity of regional species. (Ordinance No. [92-48](#), [18-28](#))

POLICY 123.3.3: Protect wildlife from impacts of new non-agricultural development in non-urban areas through the creation and implementation of a human-wildlife coexistence plan for each new development requiring a development order. (Ordinance No. [18-28](#))

OBJECTIVE 123.4: ENDANGERED AND THREATENED SPECIES IN GENERAL. Protect habitats of endangered and threatened species and species of special concern in order to maintain or enhance existing population numbers and distributions of listed species. (Ordinance No. [18-28](#))

POLICY 123.4.1: Identify, inventory, and protect flora and fauna indicated as endangered, threatened, or species of special concern in the "Official Lists of Endangered and Potentially Endangered Fauna and Flora of Florida," Florida Fish and Wildlife Conservation Commission, as periodically updated. (Ordinance No. [92-48](#), [94-30](#), [00-22](#), [18-28](#))

POLICY 123.4.2: Conserve habitat of rare and endangered plant and animal species through enforcement, regulations, incentives, and acquisition. (Ordinance No. [18-28](#))

POLICY 123.4.3: Require detailed inventories and assessments of the impacts of development where it threatens habitat of endangered and threatened species and species of special concern. (Ordinance No. [18-28](#))

POLICY 123.4.4: Restrict the use of protected plant and wildlife species habitat to that which is compatible with the requirements of endangered and threatened species and species of special concern. New developments must protect remnants of viable habitats when listed vegetative and wildlife species inhabit a tract slated for development, except where equivalent mitigation is provided. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 123.4.5: Maintain regulations that protect species as designated by Florida Fish and Wildlife Conservation Commission and as designated under the Endangered Species Act from the impacts of development. (Ordinance No. [18-28](#))

OBJECTIVE 123.5: LOGGERHEAD SEA TURTLES. Continue the sea turtle protection program to minimize the disorientation of sea turtles along the Gulf beaches. (Ordinance No. [94-30](#), [18-28](#))

POLICY 123.5.1: Include within the sea turtle protection program at least the following activities:

1. Disseminate information that explains the detrimental effects of night-time beachfront lighting on hatchling sea turtles.

2. Design light sources from public facilities and private development to avoid beach lighting and prepare plans to eliminate light from those sources onto the beach during the nesting season.
 3. Participate in programs to educate residents about the importance of reduced lighting levels on the beach and other hazards to turtles from activities of people, pets, and vehicles.
 4. Maintain and enforce sea turtle regulations to prevent inappropriate lighting along beaches during the nesting season.
- (Ordinance No. [94-30](#), [18-28](#))

OBJECTIVE 123.6: SOUTHERN BALD EAGLES. Monitor Southern bald eagle nesting activity and offer incentives to conserve buffer areas around Southern bald eagle nests. (Ordinance No. [98-09](#), [18-28](#))

POLICY 123.6.1: Negotiate with owners of land surrounding eagle nests to provide an optimal management plan for land subject to imminent development. Management plans will include measures to protect and enhance critical eagle nesting habitat. (Ordinance No. [18-28](#))

POLICY 123.6.2: The county's Eagle Technical Advisory Committee will continue to conduct nest monitoring through the nesting season for all known eagle nests in Lee County. Information from these assessments will be used to modify, as needed, the adopted nest guidelines and to adopt guidelines for new eagle nests documented in Lee County. (Ordinance No. [94-30](#), [98-09](#), [00-22](#), [18-28](#))

OBJECTIVE 123.7: WEST INDIAN MANATEES. Implement a broad based approach to manatee protection, including reduced boat related mortality, habitat protection, and increased public awareness, in order to maintain the health and stability of the marine ecosystem including the existing manatee population. (Ordinance No. [94-30](#), [98-09](#), [07-09](#), [18-28](#))

POLICY 123.7.1: Characterize and map important manatee habitats; identify and evaluate potential threats to important habitats; and consider management alternatives to protect such habitats. (Ordinance No. [07-09](#), [18-28](#))

POLICY 123.7.2: Work with Federal and State agencies and law enforcement officers to evaluate and update as necessary the appropriateness of vessel regulations and ensure adequate sign posting for reducing manatee injuries and mortality. (Ordinance No. [94-30](#), [98-09](#), [07-09](#), [18-28](#))

POLICY 123.7.3: Inform and educate the public through sign posting, lectures, and regulations about manatee protection. (Ordinance No. [18-28](#))

POLICY 123.7.4: Educational materials regarding manatees should be disseminated to boaters and signs placed in areas where both manatees and humans congregate and at public boat access locations. (Ordinance No. [07-09](#), [18-28](#))

POLICY 123.7.5: Construction and expansion of boat access facilities with a capacity of five vessels or more will be evaluated against the marine facility siting criteria in the Lee County Manatee Protection Plan approved on June 29, 2004. (Ordinance No. [00-22](#), [07-09](#), [18-28](#))

POLICY 123.7.6: Federal, State, local, and private interests will work in cooperation to implement and update as necessary the Lee County Manatee Protection Plan approved by Lee County on June 29, 2004. (Ordinance No. [00-22](#), [07-09](#), [18-28](#))

POLICY 123.7.7: The county will continue to provide a permanent funding source to assist in the enforcement of vessel regulations for manatee protection. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

OBJECTIVE 123.8: GOPHER TORTOISES. Restore and maintain secure, viable populations of Gopher Tortoises in Lee County. (Ordinance No. [94-30](#), [18-28](#))

POLICY 123.8.1: Protect Gopher Tortoise burrows wherever they are found. If unavoidable conflicts make on-site protection infeasible, off-site mitigation may be provided in accordance with Florida Fish and Wildlife Conservation Commission requirements. (Ordinance No. [94-30](#), [18-28](#))

POLICY 123.8.2: Maintain regulations to protect Gopher Tortoises. (Ordinance No. [18-28](#))

POLICY 123.8.3: Operate and maintain, in coordination with the Florida Fish and Wildlife Conservation Commission, Gopher Tortoise mitigation areas. (Ordinance No. [18-28](#))

OBJECTIVE 123.9: RED-COCKADED WOODPECKER. Coordinate with the United States Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission to determine the appropriate mitigation for the protection of the red-cockaded woodpecker's habitat. Mitigation may include on-site preservation, on-site mitigation, off-site mitigation, and associated habitat management. (Ordinance No. [94-30](#), [18-28](#))

POLICY 123.9.1: Document possible red-cockaded woodpecker sites during routine site inspections. (Ordinance No. [18-28](#))

OBJECTIVE 123.10: WOOD STORK. Lee County will maintain regulatory measures to protect the wood stork's feeding and roosting areas and habitat. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 123.10.1: County protected species regulations will continue to include wood storks as a Lee County Listed Species, requiring surveys for and protection of wood stork habitat. The county will continue to maintain an inventory of documented feeding, roosting, and rooking areas for the wood stork to ensure that surveys submitted through the Protected Species Ordinance include such areas. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 123.10.2: The county will continue to require management plans for existing wood stork feeding, roosting, and rooking areas to utilize "Habitat Management Guidelines for the Wood Stork in the Southeast Region" (U.S Fish and Wildlife Service, 1990). (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 123.10.3: The county will encourage the creation of wood stork feeding areas in mandatory littoral shelf design, construction, and planting. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 123.10.4: Identify wood stork flight patterns from roosting and rooking areas to feeding areas. Evaluate the impact of existing tall structures on wood storks within significant flight areas and consider adoption of regulations if appropriate. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 123.10.5: The county will continue to permit communication towers in excess of 100 feet only by special exception. The impacts of such towers on wood storks must be considered in the review of these applications. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

OBJECTIVE 123.11: FLORIDA PANTHER. Develop strategies to protect the Florida panther. (Ordinance No. [92-48](#), [00-22](#), [18-28](#))

POLICY 123.11.1: Coordinate with regulatory agencies to maintain data on sightings and habitat for the Florida panther. (Ordinance No. [94-30](#), [18-28](#))

POLICY 123.11.2: Encourage state land acquisition programs to include and restore known panther corridors of habitats beneficial to the Florida panther. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 123.11.3: Coordinate corridor projects with neighboring jurisdictions to encourage a regional approach to wildlife movement. (Ordinance No. [00-22](#), [18-28](#))

POLICY 123.11.4: Protect and expand upon the Corkscrew Regional Ecosystem Watershed Greenway, a regionally significant greenway with priority panther habitat, through continued participation in public land acquisition and restoration programs, and incentive programs to preserve and restore habitats. (Ordinance No. [98-09](#), [18-28](#))

POLICY 123.11.5: Include plant species that provide forage for prey of the Florida panther in restoration projects of land acquired for environmental sensitivity. (Ordinance No. [00-22](#), [18-28](#))

POLICY 123.11.6: Ensure panther habitat needs are incorporated in the planning of new roads and road expansion projects. (Ordinance No. [18-28](#))

POLICY 123.11.7: Provide education and outreach to increase public understanding of Florida panthers and the need for panther conservation. (Ordinance No. [18-28](#))

OBJECTIVE 123.12: FLORIDA BLACK BEAR. Maintain sustainable black bear populations in suitable habitats and promote connectivity between sub-populations. (Ordinance No. [18-28](#))

POLICY 123.12.1: Promote connectivity within and among Florida black bear sub-populations by maintaining, improving, or creating landscape connectivity as identified within the Florida Fish and Wildlife Conservation Commission Florida Black Bear Management Plan. (Ordinance No. [18-28](#))

POLICY 123.12.2: Encourage use of bear proof containers to secure waste and other attractants within and adjacent to known bear habitats. (Ordinance No. [18-28](#))

POLICY 123.12.3: Increase public understanding of black bears and need for bear conservation through public education and outreach. (Ordinance No. [18-28](#))

GOAL 124: WETLANDS. To maintain and enforce a regulatory program for development in wetlands that is cost-effective, complements federal and state permitting processes, and protects the fragile ecological characteristics of wetland systems. (Ordinance No. [94-30](#), [18-28](#))

OBJECTIVE 124.1: Protect and conserve the natural functions of wetlands and wetland systems by maintaining wetland protection regulations. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 124.1.1: Ensure that development in wetlands is limited to very low density residential uses and uses of a recreational, open space, or conservation nature that are compatible with wetland functions. The maximum density in the Wetlands category is one unit per 20 acres, except that one single family residence will be permitted on lots meeting the standards in Chapter

XIII, and except that owners of wetlands adjacent to Intensive Development, General Interchange, Central Urban, Urban Community, Suburban, New Community, and Outlying Suburban areas may transfer densities to developable contiguous uplands under common ownership in accordance with Footnote 8b of Table 1(a), Summary of Residential Densities. (Ordinance No. [94-30](#), [00-22](#), [10-20](#), [18-06](#), [18-28](#), [19-13](#))

POLICY 124.1.2: The county's wetlands protection regulations will be consistent with the following:

1. The county will not undertake an independent review at the Development Order stage of the impacts to wetlands resulting from development in wetlands that is specifically authorized by a DEP or SFWMD dredge and fill permit or exemption.
2. No development in wetlands regulated by the State of Florida may be commenced without the appropriate state agency permit or authorization. Development Orders and Development Permits authorizing development within wetlands or lands located within the Wetlands future land use category may be issued subject to a condition that construction may not commence until issuance of the required state permits.
3. Lee County will incorporate the terms and conditions of state permits into county permits and will prosecute violations of state regulations and permit conditions through its code enforcement procedures.
4. Every reasonable effort will be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. On- or off-site mitigation will only be permitted in accordance with applicable state standards.
5. Mitigation banks and the issuance and use of mitigation bank credits will be permitted to the extent authorized by applicable state agencies.
6. The density on wetlands that have been impacted, or will be impacted, in accordance with a state agency permit will be calculated at a density of 1 dwelling unit per 20 acres. Non-residential uses on wetlands that have been impacted, or will be impacted, in accordance with a state agency permit must be consistent with the non-residential uses permitted in the immediately adjacent, least intense, upland future land use category.

(Ordinance No. [94-30](#), [00-22](#), [07-12](#), [10-20](#), [10-39](#), [18-28](#), [19-13](#), [19-26](#))

POLICY 124.1.3: The Future Land Use Map shows the approximate boundaries of wetlands in Lee County. The map will be updated as needed based on the definitions in this plan and new information. If the Future Land Use Map is incorrect due to a clear factual error, or if an exact boundary determination is desired, an administrative process is set out in Chapter XIII of this plan to establish the precise boundary of the wetland. (Ordinance No. [94-30](#), [07-12](#), [18-28](#))

POLICY 124.1.4: Maintain requirements for the placement of fill adjacent to existing mangroves that address the interface of fill areas with existing mangroves to eliminate impacts from fill sloughing or washing into mangrove areas. (Ordinance No. [05-19](#), [18-28](#))

OBJECTIVE 124.2: WETLANDS TRANSFER OF DEVELOPMENT RIGHTS (TDR) PROGRAM. To incorporate purchase and transfer of development rights programs for the protection and preservation of wetlands into the Land Development Code. (Ordinance No. [19-26](#))

POLICY 124.2.1: The programs may create incentives for property owners of wetlands to transfer development rights associated with the Wetlands future land use category to eligible upland receiving lands or Lee County. (Ordinance No. [19-26](#))

POLICY 124.2.2: The Wetlands TDR program will have the following characteristics:

1. Creation of Wetland Transferable Development Units (TDUs).

- a. Up to one TDU may be created per five acres of wetlands.
 - b. Up to two TDUs may be created from a single-family lot or parcel designated as wetlands that holds an affirmative Minimum Use Determination pursuant to Chapter XIII.
 - c. TDUs allowed by 1.a. or 1.b. above, and created from wetlands located within the Coastal High Hazard Area (CHHA) may be doubled.
2. Receiving area density and intensity equivalents of Wetland TDUs.
 - a. In the Intensive Development, Central Urban, Urban Community, or General Interchange future land use categories, one Wetland TDU may be redeemed for up to two dwelling units.
 - b. Lee County may establish non-residential incentives for the use of Wetland TDUs within Future Urban Areas of the unincorporated Lee County.
3. The Land Development Code may include regulations that permit the county to evaluate the effectiveness of the Wetlands TDR program and make changes that may further condition or restrict the use of Wetland TDUs.
(Ordinance No. [19-26](#))

POLICY 124.2.3: The county will administer the TDR program and develop a forum to disseminate program information and records. The forum may include a TDR program website that provides general program information, rules and guidelines; TDU administrative determination application; county-approved form of conservation easement; certified TDU database with ownership information; and, TDU clearinghouse for individuals that request to be included within the TDU clearinghouse program. (Ordinance No. [19-26](#))

GOAL 125: WATER QUALITY. To ensure that water quality is maintained or improved for the protection of the environment and people of Lee County. (Ordinance No. [17-19](#), [18-28](#))

OBJECTIVE 125.1: Maintain high water quality, meeting or exceeding state and federal water quality standards. (Ordinance No. [18-28](#))

POLICY 125.1.1: Sources of water pollution will be identified, controlled, and eliminated wherever feasible. (Ordinance No. [18-28](#))

POLICY 125.1.2: New development and additions to existing development must not degrade surface and ground water quality. (Ordinance No. [00-22](#), [18-28](#))

POLICY 125.1.3: The design, construction, and maintenance of artificial drainage systems must provide for retention or detention areas and vegetated swale systems that minimize nutrient loading and pollution of freshwater and estuarine systems. (Ordinance No. [00-22](#), [18-28](#))

POLICY 125.1.4: Developments which have the potential of lowering existing water quality below state and federal water quality standards will provide standardized appropriate monitoring data. (Ordinance No. [00-22](#), [18-28](#))

POLICY 125.1.5: No garbage or untreated sewage will be discharged into coastal and interior surface waters. (Ordinance No. [00-22](#), [18-28](#))

POLICY 125.1.6: Maintain a wellfield protection program to prevent the contamination of shallow wells by pollutant generating development. (Ordinance No. [00-22](#), [18-28](#))

POLICY 125.1.7: Valid permits and inspections will be required prior and subsequent to drilling operations for wells, elevator shafts, foundation holes, and test borings. (Ordinance No. [00-22](#), [18-28](#))

POLICY 125.1.8: The county will continue its program of plugging improperly constructed wells which are detrimental to groundwater resources. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

GOAL 126: WATER RESOURCES. Conserve, manage, and protect the natural hydrologic systems of Lee County to ensure continued water resource availability. (Ordinance No. [94-30](#), [18-28](#))

OBJECTIVE 126.1: WATER SUPPLIES. Ensure water supplies of sufficient quantity and quality to meet the present and projected demands of consumers based on the capacity of the environment. (Ordinance No. [18-28](#))

POLICY 126.1.1: Natural water system features which are essential for retention, detention, purification, runoff, recharge, and maintenance of stream flows and groundwater levels shall be identified, protected, and managed. (Ordinance No. [18-28](#))

POLICY 126.1.2: Recognize and encourage water and wastewater management practices that do not exceed the natural assimilative capacity of the environment or applicable health standards. Water and wastewater management includes, but is not limited to, aquifer recharge, aquifer storage and recovery, reuse water, reverse osmosis, dual water systems, use of low volume irrigation systems, use of water-conserving vegetation, and other conservation and recycling techniques. (Ordinance No. [94-30](#), [00-22](#), [09-13](#), [18-28](#))

POLICY 126.1.3: Freshwater resources will be managed in order to maintain adequate freshwater supplies during dry periods and to conserve water. (Ordinance No. [00-22](#), [18-28](#))

POLICY 126.1.4: Development designs must provide for maintaining or improving surface water flows, groundwater levels, and lake levels at or above existing conditions. (Ordinance No. [00-22](#), [18-28](#))

POLICY 126.1.5: Cooperate with appropriate agencies to develop and implement an area-wide water resources plan emphasizing planning and management of water resources on the basis of drainage basins and addressing the needs of the existing and potential built environment, natural hydrologic system requirements, and freshwater flow impacts on estuarine systems. (Ordinance No. [00-22](#), [18-28](#))

POLICY 126.1.6: The county will continue to support a monitoring program of existing baseline conditions of water resources. (Ordinance No. [00-22](#), [18-28](#))

POLICY 126.1.7: The county will cooperate fully with emergency water conservation measures of the South Florida Water Management District. (Ordinance No. [00-22](#), [18-28](#))

POLICY 126.1.8: Support the acquisition, restoration, and protection of the Flint Pen Strand as a major water retention and aquifer recharge area. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

OBJECTIVE 126.2: FLORIDA FRIENDLY LANDSCAPE. The county will promote Florida Friendly Landscaping techniques. (Ordinance No. [94-30](#), [00-22](#), [16-01](#), [18-28](#))

POLICY 126.2.1: The county will encourage Florida Friendly Landscaping techniques for development and redevelopment in the Land Development Code. (Ordinance No. [94-30](#), [00-22](#), [16-01](#), [18-28](#))

POLICY 126.2.2: The county will provide education on water conservation through creative landscaping, and promote the conservation and use of native plant species through xeriscape landscaping techniques. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 126.2.3: The county will establish local guidelines that will assist in efforts to reduce landscape irrigation water use to the lowest and most efficient, practical level. (Ordinance No. [00-22](#), [18-28](#))

GOAL 127: AIR QUALITY. To maintain the best possible air quality, meeting or exceeding state and federal air quality standards. (Ordinance No. [18-28](#))

OBJECTIVE 127.1: The county will prepare a plan to promote measures for preserving and improving current air quality to maintain the present attainment status. (Ordinance No. [94-30](#), [00-22](#), [18-28](#))

POLICY 127.1.1: Development must prevent significant emissions of air pollution. (Ordinance No. [00-22](#), [18-28](#))

POLICY 127.1.2: Identify major sources of air pollution in Lee County and develop a program for reducing these emissions. (Ordinance No. [94-30](#), [18-28](#))

POLICY 127.1.3: The county will encourage alternatives (such as composting or chipping facilities) to open burning of debris from land clearing. (Ordinance No. [00-22](#), [18-28](#))

POLICY 127.1.4: Research the use of bio diesel and other clean fuels in public vehicles. (Ordinance No. [07-16](#), [18-28](#))

GOAL 128: SHORELINE MANAGEMENT. To encourage the maintenance and development of water-dependent shoreline uses and to avoid their displacement by non-water-dependent uses.

OBJECTIVE 128.1: COMMERCIAL WATER-DEPENDENT USES. The county will continue to monitor and implement its program to enhance and protect commercial water-dependent uses. (Ordinance No. [00-22](#))

POLICY 128.1.1: Commercial and government-operated multi-slip docking facilities indicated on the Future Land Use Map as having water-dependent overlay zones will be reclassified by the county to marina zoning categories to protect their rights to rebuild and expand and to prevent their conversion to non-water-dependent uses without a public hearing. (Ordinance No. [00-22](#))

POLICY 128.1.2: The Future Land Use Map will designate water-dependent overlay zones over existing commercial fishing, port and docking sites and commercial marinas to protect their rights to rebuild and expand and to prevent their conversion to non-water-dependent uses without a public hearing. (Ordinance No. [00-22](#))

POLICY 128.1.3: The county will encourage the maximum use of dry storage by multi-slip docking facilities when reviewing rezoning and/or Development of Regional Impact applications. (Ordinance No. [00-22](#))

POLICY 128.1.4: The county will maintain an inventory of all multi-slip docking facilities, including the name, location, and STRAP number of the facility, and, as feasible, the number of wet and dry storage spaces, boat ramp lanes, and other services provided. This inventory will be updated as needed. (Ordinance No. [00-22](#))

OBJECTIVE 128.2: INDUSTRIAL WATER-DEPENDENT USES. The county will continue to monitor and implement its program to enhance and protect industrial water-dependent uses. (Ordinance No. [00-22](#))

POLICY 128.2.1: Industrial water-dependent facilities indicated on the Future Land Use Map as having water-dependent overlay zones will be reclassified by the county to industrial marine zoning categories to protect their rights to rebuild and expand and to prevent their conversion to non-water-dependent uses without a public hearing. (Ordinance No. [00-22](#))

POLICY 128.2.2: The county will maintain an inventory of all industrial water-dependent facilities, including the name, location, and STRAP number of the facility. This inventory will be updated as needed. (Ordinance No. [00-22](#))

OBJECTIVE 128.3: SHORELINE MANAGEMENT. By 1990 the county will have developed a shoreline management plan. The program will be submitted to the Board of County Commissioners for formal consideration. (Ordinance No. [00-22](#))

POLICY 128.3.1: County staff will compile and continuously update inventory of various shoreline uses by distinctive geographic shoreline areas. (Ordinance No. [00-22](#))

POLICY 128.3.2: County staff will compile a document analyzing and synthesizing the information in the inventory of shoreline uses by geographic areas. (Ordinance No. [00-22](#))

POLICY 128.3.3: The county will consider specific shoreline management programs based on identified needs. (Ordinance No. [00-22](#))

OBJECTIVE 128.4: CRITERIA FOR PRIORITIZING SHORELINE USES. Priority will be given to new and substantially expanded shoreline land uses as indicated in the following policies. (Ordinance No. [00-22](#))

POLICY 128.4.1: In water-dependent overlay zones, the special provisions contained under Goal 8 of the Future Land Use Element will also apply (see also Policies 128.1.1, 128.1.2, and 128.2.1). (Ordinance No. [00-22](#))

POLICY 128.4.2: In all other non-wetland shoreline areas, water-dependent land uses will have priority over water-related uses and water-related land uses that provide some form of water access to the public will be encouraged, particularly when the site has previously provided water access to the public. (This policy will not be interpreted as a prohibition of new land uses which are only water-related, but instead as a reminder of the diminishing opportunities for water access in Lee County and the desirability of maintaining and increasing such access.)

- Water-dependent uses: Land uses are those for which water access is essential and which could not exist without water access.
- Water-related uses: Land uses that might be enhanced by proximity to the water, but for which water access is not essential.

(Ordinance No. [00-22](#))

POLICY 128.4.3: Lee County will develop, adopt, and implement performance standards for all shoreline developments. (Ordinance No. [00-22](#))

OBJECTIVE 128.5: MARINE FACILITIES SITING CRITERIA. The county will consider the following criteria in evaluating requests for new and expanded marinas, other wet slip facilities, dry slip facilities with launches, and boat ramps in order to make efficient use of limited shoreline locations and to minimize environmental impacts. (Ordinance No. [00-22](#), [07-09](#))

POLICY 128.5.1: Proposed boat access facilities (and expansion of existing facilities) in the following areas face a variety of technical, legal, or environmental obstacles which must be addressed during the review process:

- Aquatic Preserve (DEP)
- Outstanding Florida Waters (DEP)
- Class I Waters (DEP)
- Marine or Estuarine Sanctuaries (NOAA)
- Manatee Sanctuaries or Critical Manatee Habitats (DEP, USFWS, USACE)
- Approved or conditionally approved shellfish harvesting areas (DEP)
- Federal navigation channel setbacks (USCG, USACE)
- Bridge/road right-of-way easement (County DOT, State DOT)
- Other Endangered/Threatened Species Habitat (USFWS, DEP, USACE)

Extra caution and consideration will be given prior to authorizing use of areas with high environmental values. (Ordinance No. [00-22](#), [07-09](#))

POLICY 128.5.2: Cumulative effects of several boat access facilities in a small area will be considered in the review of proposed projects. (Ordinance No. [00-22](#), [07-09](#))

POLICY 128.5.3: Boat access facilities must be consistent with the appropriate aquatic preserve management plan where applicable. (Ordinance No. [00-22](#), [07-09](#))

POLICY 128.5.4: Boat access facilities must be consistent with the following recommendations of the DNR Blue Ribbon Marina Committee (Final Report, January 1983):

- Priority should be given to the expansion of existing facilities, if environmentally sound, over new facilities.
- Marinas are encouraged in previously disturbed areas and in areas that have historically been used for marina-related activities.
- Marinas should be located as close as possible to boating demand.
- Marinas should be encouraged where adequate uplands are available to develop related support activities and to allow for possible future expansion.
- Location of marinas in highly productive marine habitats should be discouraged.
- Location of marinas in or near well-flushed, deep-water areas should be encouraged.
- Impacts upon state-designed manatee sanctuaries should be considered. Particular marina locations or design features which threaten manatees in these sanctuaries should be discouraged.

(Ordinance No. [00-22](#), [07-09](#))

POLICY 128.5.5: New boat access facilities must be designed to avoid erosion on adjacent shorelines. (Ordinance No. [00-22](#), [07-09](#))

POLICY 128.5.6: Proposed boat access facilities and expansion of existing facilities will be evaluated in accordance with the Lee County Manatee Protection Plan (MPP), dated June 17, 2004 and approved by the Board of County Commissioners on June 29, 2004. Specifically,

Section 8 of the MPP, Marine Facility Siting Requirements, will be used to determine the appropriate number of slips as defined by the MPP for each new project or allowable expansion. (Ordinance No. [00-22](#), [07-09](#))

POLICY 128.5.7: Boat access facilities, including multi-slip docking facilities and boat ramps which would disturb or destroy wetlands or grassbeds must demonstrate a pressing need for the proposed facility and must provide for continued use by the general public. (Ordinance No. [07-09](#))

POLICY 128.5.8: Boat access facilities should be located in areas of maximum physical advantage (e.g. adequate water depth). Adequate existing water depths between the proposed facility and any navigational channel, inlet, or deep water, are preferred, as new dredging is discouraged. (Ordinance No. [07-09](#))

POLICY 128.5.9: Boat access facility locations should minimize natural shoreline disruption. (Ordinance No. [07-09](#))

POLICY 128.5.10: Boat access facility construction in dead-end canals is discouraged due to difficulty in meeting state water quality standards. (Ordinance No. [07-09](#))

POLICY 128.5.11: Proposed boat access facilities must demonstrate that the site has adequate uplands to provide support facilities for all activities proposed on site without damaging or removing wetlands or rare and unique upland systems. (Ordinance No. [00-22](#), [07-09](#))

POLICY 128.5.12: Rezoning and DRI applications for boat access facilities will be evaluated in the context of cumulative impacts on manatees and marine resources. (Ordinance No. [00-22](#), [07-09](#))

OBJECTIVE 128.6: MARINA DESIGN CRITERIA. The county will utilize the following criteria in evaluating the design of new marinas (or expansion of wet slip facilities at existing marinas) in order to minimize negative impacts; detailed regulations on these subjects may be contained in the county's development regulations. (Ordinance No. [00-22](#))

POLICY 128.6.1: Boat maintenance activities in new or expanded marina sites must be located as far as possible from open water bodies in order to reduce contamination of water bodies by toxic substances common to boat maintenance. Runoff from boat maintenance activities must be collected and treated prior to discharge. (Ordinance No. [00-22](#))

POLICY 128.6.2: Open wet slips will be preferred to covered wet slips in marina design to reduce shading of water bodies which results in lowered biological productivity. (Ordinance No. [00-22](#))

POLICY 128.6.3: Fuel and/or oil containment facilities or contingency plans are required at all new marina sites and in marina expansion proposals. (Ordinance No. [00-22](#))

POLICY 128.6.4: All marinas serving the general public or live-aboards must provide pump-out facilities if sanitary sewer service is available.

POLICY 128.6.5: All parking, dry storage, and non-water-dependent facilities must be built on existing uplands.

POLICY 128.6.6: Marinas and multi-slip docking facilities must prepare hurricane plans with the assistance of the county which describe measures to be taken to minimize damage to marina sites, neighboring properties, and the environment; this hurricane plan is subject to county approval. (Ordinance No. [00-22](#))

POLICY 128.6.7: Fueling facilities associated with marinas must be designed to preclude spills and must be prepared to contain any spills which reach the water. (Ordinance No. [00-22](#))

POLICY 128.6.8: Marina design must incorporate natural wetland vegetative buffers near the docking area and in ingress/egress areas for erosion and sediment control, runoff purification, and habitat purposes. (Ordinance No. [00-22](#))

POLICY 128.6.9: New fuel facilities must be located on the uplands of a marina site. Proper use and maintenance of fuel pump hoses and other fueling equipment is required. (Ordinance No. [00-22](#))

POLICY 128.6.10: Piling construction and other non-dredge-and-fill techniques shall be utilized where possible to minimize habitat destruction.

POLICY 128.6.11: Mitigation or restoration to offset proposed adverse environmental effects will be required as a condition of approval for any new or expanded marina facilities. Mitigation/restoration is not preferred over preservation of existing resources.

POLICY 128.6.12: To reduce dredging, docks should extend to naturally deep waters when possible. County regulations will specify the criteria for such extensions. (Ordinance No. [00-22](#))

POLICY 128.6.13: Dry storage of small boats should be encouraged, with dry storage structures located inland as far as feasible.

POLICY 128.6.14: Marina designs must not reduce water quality in adjacent natural water bodies in order to accommodate an increase in water quality in the marina basin itself. (Ordinance No. [00-22](#))

POLICY 128.6.15: Existing navigational channels will be used to access new marina sites where possible. (Ordinance No. [00-22](#))

POLICY 128.6.16: Expansion of dry storage capabilities will be strongly encouraged to reduce dredging. (Ordinance No. [00-22](#))

OBJECTIVE 128.7: The Regional Planning Council will be the lead agency addressing the need for adequate sites for water-dependent uses on a regional basis.

POLICY 128.7.1: The county will cooperate with the Regional Planning Council in addressing the need for water-dependent sites on a regional basis.

GOAL 129 - GOAL 134: RESERVED

XIII. Administration

a. Effect and Legal Status of the Plan

After the Lee Plan or portion thereof has been adopted in conformity with Chapter 163, F.S., all development undertaken by, and all actions taken in regard to development orders by Lee County in regard to land covered by the Lee Plan or element must be consistent with the adopted Plan or element. Development permits issued by the county must be consistent with the Plan as adopted on the date of issuance.

Land development regulations adopted or amended after the effective date of the Lee Plan, or amendments thereto, must be consistent with the Lee Plan. Land development regulations that are no longer consistent with the Lee Plan must be amended to conform to the goals, objectives, and policies of the Plan. During the interim period when the provisions of the most recently adopted comprehensive plan, or element or portion thereof, and the land development regulations are inconsistent, the provisions of the most recently adopted comprehensive plan, or element or portion thereof, will govern actions taken in regard to an application for a development order.

A development order or land development regulation will be deemed consistent with the comprehensive plan if the land uses, densities or intensities, and other aspects of development permitted by such order or regulation are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan, and if it meets all other established regulatory requirements of the county.

Where goals, objectives, or policies of particular elements conflict, those conflicts will be resolved based on an analysis of the Lee Plan as a whole. Conflicts between the land development regulations and the Lee Plan will be resolved in favor of the Lee Plan.

1. The following development approvals will be considered consistent with the Lee Plan:
 - a. Development permits authorizing development contemplated by a valid Development Agreement adopted under § 163.3220, F.S.
 - b. Development authorized pursuant to a Development of Regional Impact created under Chapter 380, F.S.
 - c. Development permits, as defined in § 380.031, F.S., where the development began prior to adoption of the amendment and has continued in good faith. Consistency will be limited to the development parameters approved in writing and depicted on accompanying development plans expressly approved under the development order process prior to adoption of the amendment.
 - d. Development authorized by court order resulting from litigation in which Lee County was a party.
 - e. Development permits for reconstruction of structures damaged by fire or other natural forces, so long as reconstruction does not exceed the legally permitted use, density, and intensity existing at the time of destruction and the rebuilt or replaced structure complies with federal, state, local building, and life safety regulations.
 - f. In circumstances where judicially defined principles of equitable estoppel override valid limitations imposed by the Lee Plan, the Board of County Commissioners, acting by resolution on a case-by-

case basis, may issue the minimum development permit necessary to authorize development to avoid a Bert Harris or inverse condemnation action.

- g. Development orders and development permits authorizing development contemplated by an administrative interpretation or a legislative interpretation.
2. Development approvals consistent under subsection 1. above may be modified if the modifications make the development more consistent with the current Lee Plan than the original approval.

(Ordinance No. [18-05](#))

b. Administrative Interpretations of the Plan

An applicant of a development permit whose property rights are directly affected by the Lee Plan have the right to an administrative interpretation of the Plan as to its application to their property. Administrative interpretations are intended to expedite and reduce disputes over interpretations of the Lee Plan, resolve map or boundary disputes, avoid unnecessary litigation, ensure consistency in Plan interpretation, and provide predictability in interpreting the Plan. Administrative interpretations will be determined by the Community Development Director or designee.

Interpretations will remain in effect and bind the county only as to the legally described property and the plan of development upon which the interpretation was based. If the plan of development is changed, then the administrative interpretation is no longer binding. Actions that render a previous interpretation no longer binding include the following: significant changes in parcel or platted lot(s) configuration; changes to land uses; decreases in open space or preserved land; increases in density or intensity; increases in the acreage; or, other changes that make the plan of development less consistent with the Lee Plan. Determinations of whether a plan of development will be changed so as to render the previous interpretation no longer binding on the county will be made on a case by case basis.

Applicants seeking an administrative interpretation must submit an application demonstrating compliance with the standards below. Procedures for obtaining an administrative interpretation are provided in Lee County Administrative Code [13-2](#).

1. Subject Matter of Administrative Interpretations

Administrative interpretations are limited to:

- a. Whether the Minimum Use Determination, formerly known as the single-family residence provision, applies to a lot/parcel.
- b. Whether a parcel has been properly designated within the Wetlands future land use category. Wetlands future land use boundaries will be determined by using the methodology in Chapter 17-340, F.A.C. as ratified and amended in § 373.4211, F.S. A Jurisdictional Determination approved by SFWMD or Florida DEP must be submitted prior to the issuance of such an interpretation.
- c. Providing clarification of Land Use Map boundaries.

2. Standards for Administrative Interpretations

- a. Interpretations that are confiscatory, arbitrary, capricious, unreasonable, or which would deny all economically viable use of property must be avoided;
- b. Interpretations must be consistent with background data, other policies, and objectives of the plan as a whole;
- c. Interpretations should, to the extent practical, be consistent with prior interpretations; and
- d. Interpretations must be consistent with Statutory Rules of Construction.
- e. In addition to the above, interpretations for a Minimum Use Determination (MUD) will be determined under the following standards:
 - (1) Property not in compliance with the standard density requirements of the Lee Plan may construct one single-family residence on the property PROVIDED the lot/parcel meets the requirements below:
 - (a) Date Created:
 - (i) The lot/parcel must have been created and recorded in the official Plat Books of Lee County prior to December 21, 1984, and the configuration of the lot has not been altered; or
 - (ii) A legal description of the property was lawfully recorded in the Official Record books of the Clerk of Circuit Court prior to December 21, 1984; or
 - (iii) The lot was lawfully created after December 21, 1984, and the lot area was created in compliance with the Lee Plan as it existed at that time.
 - (b) Minimum Lot Requirements:
 - (i) A lot/parcel created before June 27, 1962 must be a minimum of 4,000 square feet in area; or
 - (ii) A lot/parcel that is part of a subdivision recorded in the official Plat Books of Lee County on or after June 27, 1962, and prior to December 21, 1984, must have a width of at least 50 feet and an area of at least 5,000 square feet; or
 - (iii) A lot/parcel created on or after June 27, 1962, and prior to December 21, 1984, that is not part of a subdivision recorded in the official Plat Books of Lee County must be a minimum of 7,500 square feet in area; or
 - (iv) A lot/parcel created on or after December 21, 1984 was in conformance with the zoning regulations in effect at the time the lot/parcel was recorded; or
 - (v) A lot/parcel approved as part of a planned unit development or planned development.

- (c) Access and Drainage:
 - (i) The lot/parcel must front on a constructed road and the lot/parcel must be served by drainage swales or equivalent drainage measures. The road must have, at a minimum, a graded surface of shell, marl, gravel base rock, or other compacted fill material, suitable for year-round use; or
 - (ii) The lot/parcel must be located within a subdivision approved under Chapter 177, F.S., provided the subdivision access and drainage improvements have been constructed or the developer has posted security for their completion.
 - (d) There is no other permitted use allowed on the property.
- (2) When the right to build a single-family residence on a lot/parcel has been established with a Minimum Use Determination, the following will apply:
- (a) The residential structure must comply with applicable health, safety, and welfare regulations.
 - (b) Lots/parcels that contain wetlands will be subject to the Wetlands Protection Ordinance as codified in the Land Development Code.
 - (c) If two or more contiguous lots/parcels have each qualified for the right to build a single-family residence, the property owner may reapportion the lots/parcels provided the number of lots/parcels created through reapportionment does not exceed the number of single-family residences approved for each lot/parcel.
 - (d) Lots/parcels that qualify for the right to construct a single-family residence may be combined with contiguous property provided overall density will not increase.
 - (e) If two or more contiguous properties have each qualified for the right to construct a single-family residence and if the lots/parcels are located in a zoning district that permits duplex or two-family dwellings, the lots/parcels may be combined to build a single duplex or two-family building in lieu of constructing two single-family residences.
- (3) A Minimum Use Determination will run with the land and is available to subsequent owners if the property is transferred in its entirety.
- (4) Lots/parcels with a favorable Minimum Use Determination may be permitted non-residential uses in addition to a single family residence if:
- (a) The lot/parcel is located in the Open Lands or Density Reduction/Groundwater Resource (DR/GR) future land use category and the use is allowed by the future land use category and complies with the Land Development Code; or
 - (b) The lot/parcel is located on Captiva Island in an area identified by Policy 23.2.1 and is approved as a Commercial or Mixed-Use planned development.
- (5) A Minimum Use Determination may be vacated on a property that is brought into compliance with the standard density requirements of the Lee Plan.

- (6) In the General Interchange future land use category, property that is less than one acre in size and qualifies for a Minimum Use Determination may be permitted a single-family residence. Property that is an acre or more in size does not qualify for a Minimum Use Determination and will be required to meet the minimum density of 8 units per acre and limited to multi-family dwelling units.
 - (7) Properties within future land use categories that do not permit residential density, as summarized on Table 1(a), do not qualify for a Minimum Use Determination.
 - (8) A property that is 10 or more acres in size with at least 8 acres of land designated as DR/GR and no more than 2 acres of Wetlands, provided that no alterations are made to those wetland areas, may be permitted one single family residence.
- f. Interpretations that find a property improperly designated in the Wetlands future land use category will assign the property to the most appropriate, least intense, contiguous upland future land use category.

3. Standards for Appeal

The Board will consider information submitted during the administrative interpretation process and will review only whether the standards set forth in subsection 2. above have been properly applied to the facts.

(Ordinance No. [18-05](#), [18-18](#), [19-13](#), [19-26](#))

c. Legislative Interpretations of the Plan

The Lee Plan will be interpreted in accordance with generally accepted rules of statutory construction, based upon sound legal advice. Legislative interpretations will have the force of law, unless the Lee Plan is amended to change the effect of the legislative interpretation.

Requests for legislative interpretations may be placed before the Comprehensive Plan Annotations Committee (CPAC) by any one of its three members in response to a question raised by the Board of County Commissioners, collectively or by any one commissioner, by any member of the county administration responsible for administering the Plan, by the Local Planning Agency (LPA), by the Lee County Hearing Examiner, or by any applicant for development regulated by the Plan. Legislative interpretations will be made using the procedures provided in Lee County Administrative Code [13-2](#).

Comprehensive Plan Annotations Committee (CPAC). The three members of the CPAC are the Director of Community Development, the Planning Manager, and the County Attorney, or designee. Only one vote may be cast by or on behalf of each official. The CPAC is subject to the sunshine regulations and all meetings must be open to the public. The CPAC will function in an informal workshop atmosphere, with an emphasis on the timely production of concise, written recommendations to the LPA.

(Ordinance No. [18-05](#))

d. Amendments to the Plan

This plan, including the Future Land Use Map, may be amended in accordance with Florida Statutes and administrative procedures adopted by the Board of County Commissioners in Lee County Administrative Code [13-6](#). In accordance with § 163.3177(1)(f), F.S., all amendments must be based upon relevant and appropriate data and analysis.

The decision of the Board of County Commissioners on a plan amendment is final and deemed rendered on the date the Board votes on the matter denying or approving the requested amendment. In accordance with § 163.3181(4), F.S., if an applicant's request for an amendment to the Lee Plan, which is applicable to the applicant's property, is denied by the Board of County Commissioners, the applicant may request informal mediation or other alternative dispute resolution agreed upon by the applicant and the county to attempt to resolve issues raised regarding the proposed amendment. The costs of the mediation or other alternative dispute resolution shall be borne equally by the county and the applicant. A written request under this section must be submitted to the Chairman of the Board of County Commissioners within 30 days from the date the application was denied by the Board. Failure to make the request will be deemed a waiver of the opportunity afforded under § 163.3181(4), F.S. All public and private discussions in furtherance of settlement under the informal mediation or alternative dispute resolution process are inadmissible in subsequent litigation.

Sections of this plan may be renumbered or relettered, and typographical errors which do not affect the intent, may be authorized by the County Manager, or designee, without a public hearing, by filing a corrected copy with the Clerk of the Circuit Court.

(Ordinance No. [18-05](#))

TABLE 1(b) Year 2030 Allocation

Future Land Use Category		Lee County Totals	Northeast Lee County	Boca Grande	Bonita Springs	Fort Myers Shores	Burnt Store	Cape Coral	Captiva	Fort Myers	Fort Myers Beach	Gateway/ Airport	Daniels Parkway
Residential By Future Land Use Category	Intensive Development	1,361				5		27		250			
	Central Urban	14,766				225				230			
	Urban Community	16,396	520	485		637						250	
	Suburban	16,623				1,810				85			
	Outlying Suburban	4,301	30			498	20	2	500				1,438
	Sub-Outlying Suburban	1,687				279						227	
	Commercial												
	Industrial	79								39		20	
	Public Facilities	1							1				
	University Community	850											
	Destination Resort Mixed Use Water Dependent	8											
	Burnt Store Marina Village	4					4						
	Industrial Interchange												
	General Interchange	169										29	58
	General Commercial Interchange												
	Industrial Commercial Interchange												
	University Village Interchange												
	Mixed Use Interchange												
	New Community	2,100	1,200									900	
	Airport												
	Tradeport	9										9	
	Rural	8,313	1,948			1,400	636						1,500
	Rural Community Preserve	3,100											
	Coastal Rural	1,300											
	Outer Island	202	5			1			150				
	Open Lands	2,805	250				590						120
	Density Reduction/ Groundwater Resource	6,905	711									94	
	Conservation Lands Upland												
	Wetlands												
	Conservation Lands Wetland												
Unincorporated County Total Residential		80,979	4,664	485		4,855	1,250	29	651	604		1,529	3,116
Commercial		12,793	177	52		400	50	17	125	150		1,100	440
Industrial		6,620	26	3		400	5	26		300		3,100	10
Non Regulatory Allocations													
Public		82,570	7,100	421		2,005	7,000	20	1,961	350		7,752	2,477
Active AG		24,208	5,100			550	150						20
Passive AG		43,591	12,229			2,305	109					1,241	20
Conservation		81,933	2,214	611		1,142	3,236	133	1,603	748		2,947	1,733
Vacant		24,481	1,953			61	931	34		45		282	151
Total		357,175	33,463	1,572		11,718	12,731	259	4,340	2,197		17,951	7,967
Population Distribution (unincorporated Lee County)		495,000	9,266	1,531		34,178	3,270	225	530	5,744		19,358	16,375

TABLE 1(b) Year 2030 Allocation

Future Land Use Category		Iona/ McGregor	San Carlos	Sanibel	South Fort Myers	Pine Island	Lehigh Acres	Southeast Lee County	North Fort Myers	Buckingham	Estero	Bayshore
Residential By Future Land Use Category	Intensive Development				660	3	42		365		9	
	Central Urban	375	17		3,140		8,179		2,600			
	Urban Community	850	1,000		860	500	10,734			110	450	
	Suburban	2,488	1,975		1,200	675			6,690		1,700	
	Outlying Suburban	377				600			382		454	
	Sub-Outlying Suburban		25						140	66		950
	Commercial											
	Industrial	5	5		10							
	Public Facilities											
	University Community		850									
	Destination Resort Mixed Use Water Dependent	8										
	Burnt Store Marina Village											
	Industrial Interchange											
	General Interchange							15	31		6	30
	General Commercial Interchange											
	Industrial Commercial Interchange											
	University Village Interchange											
	Mixed Use Interchange											
	New Community											
	Airport											
	Tradeport											
	Rural		90			190	14		500	50	635	1,350
	Rural Community Preserve									3,100		
	Coastal Rural					1,300						
	Outer Island	1				45						
	Open Lands								45			1,800
	Density Reduction/ Groundwater Resource							4,000				2,100
	Conservation Lands Upland											
	Wetlands											
	Conservation Lands Wetland											
Unincorporated County Total Residential		4,104	3,962		5,870	3,313	18,969	4,015	10,753	3,326	3,254	6,230
Commercial		1,100	1,944		2,100	226	1,300	68	1,687	18	1,700	139
Industrial		320	450		900	64	300	65	554	5	87	5
Non Regulatory Allocations												
Public		3,550	3,059		3,500	2,100	15,289	12,000	4,000	1,486	7,000	1,500
Active AG						2,400		14,352	200	411	125	900
Passive AG						815		17,521	1,532	3,619	200	4,000
Conservation		9,306	2,969		188	14,767	1,541	31,210	1,317	336	5,068	864
Vacant		975	594		309	3,781	10,505	470	2,060	1,000	800	530
Total		19,355	12,978		12,867	27,466	47,904	79,701	22,103	10,201	18,234	14,168
Population Distribution (unincorporated Lee County)		34,538	36,963		58,363	13,265	148,669	1,270	71,001	6,117	25,577	8,760

TABLE 3

CAPITAL IMPROVEMENT PROGRAM DETAILED REPORT 2020/2021 - 2024/2025

Fund Codes: A=Advalorem; CONS= Conservation 2020; D=Debt, E=Enterprise; G=Grant; GF=General Fund; GT=Gas Tax; I=Impact Fees; L= Library Advalorem; T=Tourist Development Tax; S=Special; M=MSTBU, ST=Surplus Tolls; GIF=Growth Inc Funding; CON = Contribution; BP=BP; E911=E-911 Operations

Project Title	Project #	Fund	Fund Code	Total Project FY 18/19	FY 19/20 Adopted Budget	FY19-20 Amended Budget	Spent as of Feb 2020	Budgeted Encumb	FY 20/21 Proposed Budget	FY21/22 Proposed Budget	FY 22/23 Proposed Budget	FY 23/24 Proposed Budget	FY24/25 Proposed Budget	Five Year Project Total	6-10 Years	Total Project
Community Development																
Wild Turkey Strand Regional Site 90	20500930700	30700	GT						2,502,315	200,864				2,703,179		2,703,179
	20500948730	48730	E						2,502,315	200,864				2,703,179		2,703,179
Total Community Development									5,004,630	401,728				5,406,358		5,406,358
County Lands																
Conservation 2020	20880030103	30103	A	317,947,924	25,000	8,286,062	8,253,048		25,000	25,000	25,000	25,000	25,000	125,000		326,358,986
Total County Lands				317,947,924	25,000	8,286,062	8,253,048		25,000	25,000	25,000	25,000	25,000	125,000		326,358,986
Natural Resources																
EMWCD-Infrastructure Repair Grant - NEW	21072730100	30100	G						5,339,470	1,779,823				7,119,293		7,119,293
Caloosahatchee Canal L-3 Rehab	20860030100	30100	GF	53,845		66,155	8,698	72,788	80,000					80,000		200,000
	22860030100	30100	G			80,000			320,000					320,000		400,000
Deep Lagoon Hydro Presv Rest	20851730100	30100	GF	35,181	100,000	464,820					2,600,000			2,600,000		3,100,001
Flood Remediation	20064830100	30100	GF			2,781,683	88,769	238,697						0		2,781,683
Canal H-7	20071330100	30100	GF			25,424								0		25,424
	21071330100	30100	G			76,271								0		76,271
Industrial Park Berm	20071430100	30100	GF			29,155								0		29,155
	21071430100	30100	G			87,467								0		87,467
Lakes Park Phase III	20070930100	30100	GF		200,000	200,000	72				1,025,000			1,025,000		1,225,000
	22070930100	30100	G								475,000			475,000		475,000
Powell Crk Old BidgePk Restor	20860130100	30100	GF	76,921	25,000	148,079	2,500	138,579	26,000					26,000		251,000
	22860130100	30100	G						774,000					774,000		774,000
Sunniland/9 Mile Run Drainage	20855730100	30100	GF	76,157		123,843	7,955	66,988	100,000	700,000				800,000		1,000,000
	22855730100	30100	G							300,000				300,000		300,000
Yellow Fever Crk Chain Imp	20850930100	30100	GF	310,585		467,289	11,987	11,783	683,000					683,000		1,460,874
	22850930100	30100	G			125,000			817,000					817,000		992,000
Total Natural Resources				602,689	325,000	4,675,186	119,981	528,834	8,139,470	4,279,823	2,600,000	0	0	15,019,293	0	20,297,168
Parks and Recreation																
Boca Grande Dog Park - NEW	20071838627	38627	I						4,138					4,138		4,138
	20071838651	38651	I						395,862					395,862		395,862
Larry Kiker Preserve NEW	20071930105	30105	CONS						500,000	60,000	660,000	1,900,000	2,700,000	5,820,000		5,820,000
Rutenburg Park Improvements - NEW	not assigned														425,000	425,000
Six Mile Slough Preserve Improvements - NEW	20072038700	38700	I						53,000	533,000				586,000		586,000
Able Canal Pathway	20215438700	38700	I	9,753	200,000	490,247						1,500,000		1,500,000		2,000,000
Boca Grande Storage Bldg	20065038651	38651	I										285,000	285,000		285,000
Lehigh Comm Park Expansion	20065138623	38623	I	1,543,094	500,000	2,209,437	60,625		700,000					700,000		4,452,531
	20065138652	38652	I						1,100,000					1,100,000		1,100,000
Total Parks and Recreation				1,552,847	700,000	2,699,684	60,625		2,753,000	593,000	660,000	3,400,000	2,985,000	10,391,000	425,000	15,068,531
Library																
Library Admin Relocation	20071234800	34800	L		80,000	80,000			2,902,530					2,902,530		2,982,530
Riverdale Library Renovations	20070634800	34800	L						330,675	2,191,500				2,522,175		2,522,175
South Cty Regional Renovations	20070734800	34800	L							600,000	3,400,000			4,000,000		4,000,000
Total Library					80,000	80,000			3,233,205	2,791,500	3,400,000			9,424,705		9,504,705
Public Safety																
GCN Radio Replacement - NEW	20072152000	17500 15500 30100 18200 48600 48700							1,358,800 154,800 1,019,100 25,800 606,300 374,100					1,358,800 154,800 1,019,100 25,800 606,300 374,100		1,358,800 154,800 1,019,100 25,800 606,300 374,100
EOC Expansion	20066430100	30100	GF	21,432		1,813,209	53,384	1,051,079	9,831,640					9,831,640		11,666,281
	20066415200	15200	E911						5,464,980					5,464,980		5,464,980
	20066418200	18200							1,000,000					1,000,000		1,000,000
GCN Radio System Replacement	20066530100	30100	GF		2,000,000	7,000,000			1,000,000					1,000,000		8,000,000
	20066552000	52000	GCN	1,566,258	1,000,000	3,433,742			1,000,000					1,000,000		6,000,000
	22066552000	52000	G	1,000,000										1,000,000		1,000,000
Total Public Safety				2,587,690	3,000,000	12,246,951	53,384	1,051,079	21,835,520					21,835,520		36,670,161

Project Title	Project #	Fund	Fund Code	Total Project FY 18/19	FY 19/20 Adopted Budget	FY19-20 Amended Budget	Spent as of Feb 2020	Budgeted Encumb	FY 20/21 Proposed Budget	FY21/22 Proposed Budget	FY 22/23 Proposed Budget	FY 23/24 Proposed Budget	FY24/25 Proposed Budget	Five Year Project Total	6-10 Years	Total Project
Transit																
Lehigh Acres Park & Ride -NEW	22072448640	48640	G						2,910,000					2,910,000		2,910,000
ADA & Passenger Amenities			GF	864,567		62,097	13,307	70,716						926,664		
				1,567,795		72,734	10,029	181,835						1,640,529		
			G	9,724		2,712,321	20,057	55,009						2,722,045		
			G	4,671		213,636	48,170	140,257						218,307		
Rosa Parks Intermodel Expansion			G			2,300,000		1,606						2,300,000		
South Park & Ride Trsf Stations			GF	29,375					428,996		875,480			1,304,476		29,375
				3,375		1,000,000								2,307,851		
			G		2,500,000	3,500,000								3,500,000		
			G		1,568,000	2,568,000								2,568,000		
Total Transit				2,479,509	4,068,000	12,428,788	91,563	449,423	3,338,996		875,480			4,214,476		19,122,773
Solid Waste																
Ash Monofill Closure - NEW	not assigned	40107	E												2,300,000	2,300,000
Buckingham Scale Improvements			E		665,000	665,000	6,079	3,921			386,000	1,544,000		1,930,000		2,595,000
Buckingham Upgrades (umbrella)			E		80,000	80,000			15,450	15,900	16,350	16,800	17,250	81,750		161,750
C&D Facility Improvements			E	63,551	320,000	831,449	7,173	23,903	153,000					153,000		1,048,000
Compost Facility&Well Imprvmnt			E		206,000	556,000			200,000					200,000		756,000
Equip for MRF Agrmt (umbrella)			E						104,000	107,000	761,000	793,000		1,765,000		1,765,000
Generators-mult sites (umbrella)			E		80,000	80,000			142,000	154,000	161,000	167,000		624,000		704,000
Hendry Cnty Transfer Station			E		125,000	125,000	5,688	4,312	435,000		1,400,000	500,000		2,335,000		2,460,000
Landfill Class I Update and Design			E	10,000	1,340,000	1,340,000	16,462	538	1,260,000	4,500,000	4,000,000	4,230,000		13,990,000		15,340,000
Landfill Class III Update and Design			E										2,600,000	2,600,000	12,900,000	15,500,000
Landfill Gas Collection System			E	5,479		100,000	0	9,521			2,300,000		1,900,000	4,200,000	5,700,000	10,005,479
LHLF Ash Monofill Leachate Imp			E			529,283	1,110	890	535,000					535,000		1,064,283
Materials Processing Impr			E		90,000	90,000			559,000					559,000		649,000
Mechanical Systems (umbrella)			E		85,000	85,000			154,500	58,300	59,950	67,200	34,500	374,450	147,000	606,450
Parts and Equipment Storage Area			E	53,981		200,000		45,362	637,000					637,000		890,981
Scales (umbrella)			E							122,000	198,000	201,000	209,000	730,000		730,000
Total Solid Waste				133,011	2,991,000	4,681,732	36,512	88,447	4,194,950	4,957,200	9,282,300	7,519,000	4,760,750	30,714,200	21,047,000	56,575,943
DOT																
Alico Road Connector			GT		5,000,000	5,000,000					1,769,711			1,769,711	96,839,659	103,609,370
			I		2,240,686	2,240,686					6,000,000			6,000,000		8,240,686
			I													132,218
			I	261,431	85,410	1,659,595		29,050		986,075		546,250		1,532,325		3,453,351
			I	988,507		979,226	875	2,465	268,513	2,167,027	100,423		577,431	3,113,394	5,081,127	5,081,127
			I	1,420,661		188,303						135,801	780,858	916,659		2,525,623
			I	6,377	43,300	43,300		8,995	205,020	1,139,782		1,091,247	2,436,049	2,485,726		2,485,726
			GT	17,467,407	600,000	4,465,183	56,510	835,864		1,354,571	1,369,367	5,825,965	3,172,862	11,722,765		33,655,355
			G								398,688		2,290,078	2,688,766		2,688,766
Big Carlos Pass Bridge Replace			ST	1,694,755		7,274,803	694,279	3,543,968			22,810,820			22,810,820		31,780,378
			ST								25,000,000			25,000,000		25,000,000
Cape Coral Bdg WP Span Repl			ST								15,291,868			15,291,868	110,693,069	125,984,937
Corkscrew Road			I	542,461		6,411,722			3,000,000		17,795,308			3,000,000	1,400,000	11,354,183
			D								4,440,728			17,795,308		17,795,308
			GT						13,498,078					17,938,806		17,938,806
			G						2,651,966					2,651,966		2,651,966
Estero Blvd Improvements			GF	35,193,635		43,674,538			820,000					820,000		79,688,173
Estero Bvd at Crescent St. Sig			GT						315,000					315,000		315,000
Gateway/Griffin Roundabout			GT	42,801		157,199	37,081	107,805	350,000	1,900,000				2,250,000		2,450,000
Hickory Bridge Replacement			ST								4,472,725			4,472,725	48,978,292	53,451,017
Lee Blvd Traffic Signals			GT	88,226		461,774	2,449	58,000	150,000	400,000				550,000		1,100,000
			GT		1,000,000	1,007,033			5,250,000					5,250,000	400,000	6,800,000
Littleton Road			I	155,279		2,154,721	202,898	865,310	3,000,000					3,000,000		5,310,000
			G						3,750,000					3,750,000		3,750,000
Ortiz 4L/Colonial MLK			I	14,154		2,335,846	70,607	1,734,994		15,000,000				15,000,000		17,350,000
			GT							2,891,311				2,891,311		2,891,311
			GT									519,000		519,000		519,000
			GT							2,133,689				2,133,689		2,133,689
Ortiz Ave MLK to Lockett			GT	9,251,023		554,659							13,152,676	13,152,676	544,000	13,152,676
			I						1,783,711				7,000,000	8,783,711		19,133,393
Signal System ATMS Upgrade			GT	5,426,932	750,000	1,464,400	179,879	219,969	750,000		750,000	750,000		3,750,000		10,641,332
Sunshine Blvd/8th St SW Rounda			GT	208,527		341,473	81,915	6,160	1,990,000					1,990,000		2,540,000
Three Oaks Extension North			GT	7,258,249	20,900,000	23,763,181	562,229	3,095,484		5,930,000	8,820,000			14,750,000		45,771,430
			I								8,000,000			8,000,000		8,000,000
			I	459,665						10,000,000	5,000,000			15,000,000		15,459,665
			GT	959,810		17,470,301				5,000,000	9,900,000		1,050,000	15,950,000		34,380,111
Toll Interoperability			ST	72,416	30,000	43,667	182	5,960	30,000	30,000	30,000	30,000	30,000	150,000		266,083
			ST	429,667	120,000	137,301	728	23,840	120,000	120,000	120,000	120,000	120,000	600,000		1,166,968
Toll System Replacement			ST						50,000		2,600,000			2,650,000		2,650,000
			ST						200,000		10,400,000			10,600,000		10,600,000
Total DOT				82,084,951	30,769,396	121,961,129	1,889,634	10,537,863	36,398,577	119,129,582	77,526,222	9,018,263	28,923,905	270,996,549	258,855,020	733,897,649

Project Title	Project #	Fund	Fund Code	Total Project FY 18/19	FY 19/20 Adopted Budget	FY19-20 Amended Budget	Spent as of Feb 2020	Budgeted Encumb	FY 20/21 Proposed Budget	FY21/22 Proposed Budget	FY 22/23 Proposed Budget	FY 23/24 Proposed Budget	FY24/25 Proposed Budget	Five Year Project Total	6-10 Years	Total Project
Utilities																
Water																
Ben Hill Griffin FM Improvements South	20733448713	48713	E						650,000	1,000,000	1,986,440			3,636,440		3,636,440
Corkscrew Prod Well Panel Repl	20762248720	48720	E	101,812	2,889,200	3,200,387	25,515	262,861	1,800,000					1,800,000		5,102,199
FGCU Water	20719748712	48712	E	141,719		88,306		18,097	290,000					290,000		141,719
	20719748730	48730	E	1,307,092												1,685,398
Fiddlisticks Water Main Rep	20745848720	48720	E	1,277,088		3,365,454	395,604	2,390,499	6,000,000	5,000,000				11,000,000		15,642,542
Green Meadows 2nd Deep Inj	20746148730	48730	E								1,000,000		3,000,000	4,000,000	8,100,000	12,100,000
Interconnect Pinewoods Dist Sy	20746348712	48712	E									450,000		450,000	6,000,000	6,450,000
Lazy Days Water Main Replacement	20065548720	48720	E	122,253	350,000	377,747	31,298	44,702	350,000	350,000	350,000			1,050,000		1,550,000
New Post Rd WM Improvements	20746448720	48720	E	245,117	500,000	1,100,000	2,144	420,120	2,500,000					2,500,000		3,845,117
NLC WTP Expansion to 15 MGD	20063348712	48712	E		264,000				4,000,000	6,500,000	14,000,000	4,000,000		10,500,000		10,764,000
	20063348730	48730	E							11,000,000				29,000,000		29,000,000
NLC WTP Wellfield Expansion to 15MGD	20761948712	48712	E	819,341		2,297,616	318,000	948,741	7,200,000	6,500,000				13,700,000		16,816,957
	20761948730	48730	E	830,287	5,300,000	5,586,064										6,416,351
	20761948735	48735	E	2,763		300,000			1,000,000					1,000,000		1,302,763
North US 41 WM Replacements	20067848730	48730	E						525,000		2,615,000			3,140,000		3,140,000
North-South 30" WM-SR 80	20062848730	48730	E		2,000,000	2,000,000										
RSW Trans Line - Ben Hill to Treeline	20719348712	48712	E	2,316,253		620,000		397,456	1,800,000	2,000,000	2,000,000	4,000,000	6,000,000	14,000,000	14,000,000	30,000,000
	20719348730	48730	E	1,080,018						7,300,000	4,800,000			13,900,000		16,836,253
San Carlos Blvd Improvement	20716248720	48720	E		270,000	270,000			1,862,483					1,862,483		2,132,483
SFM Water Trans Line Improve	20718448730	48730	E	479,232		311,912	51,645	162,353	4,728,208					4,728,208		5,519,352
Tice Area WM Replacement	20063948730	48730	E	10,697	1,200,000	1,200,000	735,908	25,642	500,000					500,000		1,710,697
Water System Improvements	20709448730	48730	E	6,712,055	1,200,000	1,376,120	165,116	320,661	1,200,000	700,000	700,000	700,000	700,000	4,000,000	3,500,000	15,588,175
Water Treatment Plant Improvements	20726848730	48730	E	6,559,625	363,500	363,500	5,454	90,481	325,500	587,500	437,500	187,500	187,500	1,725,500	937,500	9,586,125
Waterway Transmission Line	20718348712	48712	E	254,122					203,885		1,586,715			1,790,600		2,044,722
Well Redevelop Upgrade&Rebuild	20714948720	48720	E	4,346,551	130,000	180,000	7,757	117,660	130,000	130,000	130,000	130,000	130,000	650,000	650,000	5,826,551
Wells D25&S25 Relocation Replacement	20065248730	48730	E						600,000					600,000		600,000
Work Drive Industrial Pk WM Im	20762048720	48720	E	380,629		2,219,371	11,000	81,143	260,000					260,000		2,860,000
Wastewater																
CFM Flow Diversion - NEW	not assigned	48730	E													
Three Oaks WRF Expansion	20072348713	48713							5,000,000	12,200,000	8,200,000	3,200,000	12,800,000	25,400,000	3,500,000	25,400,000
	20072348730	48730												16,000,000		16,000,000
Wastewater Master Plan -NEW	20072248730	48730	E						750,000					750,000		750,000
FGCU Sewer	20730448713	48713	E	2,276,303		158,766		29,112	410,000					410,000		2,435,069
	20730448730	48730	E	401,976												811,976
Fiesta Village Sewer Collection Imp	20729348713	48713	E	37,512	265,000	365,000				1,500,600				1,500,600		1,865,600
	20729348730	48730	E													37,512
Fiesta Village WWTP Deep Well	20925148730	48730	E	146,917		1,283,083	44,061	1,057,806	2,678,000	7,000,000	3,400,000			13,078,000		14,508,000
Fiesta Village WWTP Rm Upgrd	20061648730	48730	E	99,165		1,109,335	75,304	1,034,031	1,777,500	3,000,000	1,000,000			5,777,500		6,986,000
FMB Belt Press Replacement	20067648730	48730	E						370,000		2,150,000			2,520,000		2,520,000
FMB Deep Injection Well #2	20061748730	48730	E	139,901		1,310,099	11,061	1,056,539	2,284,000		6,000,000	3,400,000		11,684,000		13,134,000
FMB Main Switchgear Repl	20062648720	48720	E						400,000	4,400,000				4,800,000		4,800,000
FMB WRF Capacity Restoration	20061948730	48730	E						700,000					700,000		700,000
Gateway WWTP Expansion 3MG to 6MGD	20746048730	48730	E												4,600,000	4,600,000
Gateway WWTP Sludge Roof Rep	20062048730	48730	E			150,000	19,645	23,808	100,000					100,000		250,000
Master Pump Station 6600 Upgrd	20063848730	48730	E			545,000	23,386	506,614	0	2,140,000				2,140,000		2,685,000
McGregor-Tanglewood Force Main	20062148720	48720	E	164,233		519,767	46,898	159,134	3,158,000					3,158,000		3,842,000
Ortiz Av FM-SR 82 to Colonial	20065648720	48720	E			400,000	930	254,300	2,150,000					2,150,000		2,550,000
SEWRFP-SE Water Reclaim Fac	20746748713	48713	E	1,218,687	1,500,000	4,270,865	226,940	635,785								5,489,552
	20746748730	48730	E	14,170		1,485,830		2,500								1,500,000
Summerlin Rd 20" FM Replacement	20065348730	48730	E			939,000	39,023	844,117	6,395,000	3,985,003				10,380,003		11,319,003
Wastewater System Improvements	20722948730	48730	E	4,038,782	350,000	526,429	12,802	456,425	350,000	550,000	560,000	570,000	580,000	2,610,000	3,050,000	10,225,211
Wastewater Treatment Plant Improvements	20713848713	48713	E	196,387	137,500	449,223		227,314	2,025,000	495,000	495,000	445,000	495,000	3,955,000	725,000	196,387
	20713848730	48730	E	5,486,035												10,615,258
Improvements/DOT/Water and Wastewater																
Corkscrew Road Widening	20067548730	48730	E		2,000,000	2,000,000			3,000,000	3,000,000	2,000,000	2,000,000	2,000,000	12,000,000		14,000,000
DOT Proj Utility Relocations	20741648730	48730	E	2,811,586	800,000	1,958,398	102,861	876,174	1,000,000	500,000	500,000	500,000	500,000	3,000,000	2,500,000	10,269,984
Electrical Equip Upgrd&Repl	20742948730	48730	E	5,080,153	345,000	609,968	233,272	371,136	895,000	520,000	635,000	495,000	345,000	2,890,000	1,425,000	10,005,121
LCU Generator Replace/Improve	20744448730	48730	E	1,800,817	580,000	780,000		228,735	270,000	420,000	275,000	50,000	50,000	1,065,000	250,000	3,895,817
Mariana Ave WM Replacement	20927248720	48720	E			500,000			596,000					596,000		1,096,000
Pinewoods NF Wellfield Access	20064348730	48730	E		100,000	100,000			452,000		600,000	2,900,000		3,952,000		4,052,000
Remote Telemetry Replacement	20762348730	48730	E	974,492	1,000,000	1,137,022	95,005	559,021	5,500,000	2,000,000				7,500,000		9,611,514
Secondary Containments-Chemical	20745648730	48730	E	335,643		8,000	7,777		150,000					150,000		493,643
Water/Sewer Line Reloc-Three Oaks Ext	20742648730	48730	E	500	200,000	300,000			500,000	1,300,000	2,000,000			3,800,000		4,100,500
Winkler Rd Watermain Improvements	20927048712	48712	E	133,612		1,366,388	1,965	912,465		200,000	2,000,000			2,200,000		3,700,000
Total Utilities				52,343,524	21,744,200	47,392,650	2,690,371	14,515,431	76,835,576	84,278,103	59,420,655	23,027,500	26,787,500	270,349,334	49,237,500	419,323,008
GRAND TOTAL				459,732,144	63,702,596	214,452,182	13,195,118	27,171,078	161,758,924	216,455,936	153,789,657	42,989,763	63,482,155	638,476,435	329,564,520	1,642,225,281

TABLE 3(a)

LEE COUNTY SCHOOL DISTRICT CAPITAL PLAN 2021-2025

ESTIMATED REVENUE	<u>Actual</u>						
Current Revenue	<u>19/20</u>	<u>20/21</u>	<u>21/22</u>	<u>22/23</u>	<u>23/24</u>	<u>24/25</u>	<u>FIVE YEAR TOTAL</u>
Taxes	131,064,070	139,085,429	143,258,000	147,556,000	151,983,000	156,542,000	738,424,429
Sales Tax	79,534,198	57,807,610	59,378,159	62,820,400	67,080,998	73,520,806	320,607,973
Impact Fees	16,841,899	16,808,000	17,480,000	18,179,000	18,906,000	19,662,000	91,035,000
CO & DS	3,224,110	1,600,000	1,600,000	1,600,000	1,600,000	1,600,000	8,000,000
PECO Maintenance	0	0	1,293,490	1,293,490	1,293,490	1,293,490	5,173,960
Charter Schools Revenue	5,624,174	6,710,000	7,381,000	8,119,000	8,931,000	9,824,000	40,965,000
Safety & Security State Grant	1,661,016	0	0	0	0	0	0
Misc.	842,130	405,000	419,000	434,000	449,000	465,000	2,172,000
Interest	<u>3,567,897</u>	<u>1,341,000</u>	<u>982,000</u>	<u>1,019,000</u>	<u>1,179,000</u>	<u>849,000</u>	<u>5,370,000</u>
Current Revenue sub-total	242,359,494	223,757,038	231,791,649	241,020,890	251,422,488	263,756,296	1,211,748,361
Additional Revenue							
Fund Balance - Unallocated	143,146,306	319,534,208	175,579,990	181,476,157	227,557,155	108,103,711	319,534,208
Prior Year Refund	3,295,526						0
Incoming Transfers	17,183,814						0
DEBT PROCEEDS							
Certificate of Participation (COPs)	<u>159,525,650</u>		<u>108,000,000</u>	<u>241,000,000</u>			349,000,000
TOTAL ESTIMATED REVENUE	565,510,790	543,291,247	515,371,639	663,497,047	478,979,643	371,860,007	1,880,282,569
APPROPRIATIONS							
EAST ZONE CONSTRUCTION PROJECTS	60,792,454	110,382,606	9,250,000	75,400,000	73,150,000	12,650,000	280,832,606
SOUTH ZONE CONSTRUCTION PROJECTS	2,913,095	4,276,446	58,683,124	104,683,124	53,000,000	0	220,642,694
WEST ZONE CONSTRUCTION PROJECTS	0	0	1,500,000	9,250,000	9,250,000	0	20,000,000
MAJOR MAINTENANCE REPAIRS/RENOVATIONS	57,233,731	111,681,304	68,386,603	57,242,523	62,286,523	54,065,523	353,662,476
TECHNOLOGY	24,654,052	33,521,289	32,902,770	31,280,905	14,960,000	22,034,516	134,699,480
EQUIPMENT/BUSES	8,399,583	13,492,630	9,255,000	9,265,000	9,275,000	9,285,000	50,572,630
CHARTER SCHOOLS - TAX REVENUE	93,436	248,433	7,162,900	7,377,800	7,599,150	7,827,100	30,215,383
TRANSFERS	28,624,174	22,710,000	23,381,000	24,119,000	24,931,000	25,824,000	120,965,000
BANK FEES	3,873	0	0	0	0	0	0
DEBT SERVICE	<u>63,262,183</u>	<u>71,398,549</u>	<u>123,374,085</u>	<u>117,321,540</u>	<u>116,424,259</u>	<u>116,830,134</u>	<u>545,348,567</u>
TOTAL APPROPRIATIONS	245,976,582	367,711,257	333,895,482	435,939,892	370,875,932	248,516,273	1,756,938,836
ALLOCATED FUND BAL CARRYFORWARD							
CARRYFORWARD/RESERVE FUTURE PROJ.**	<u>319,534,208</u>	<u>175,579,990</u>	<u>181,476,157</u>	<u>227,557,155</u>	<u>108,103,711</u>	<u>123,343,734</u>	<u>123,343,733</u>
ADJUSTMENTS TO FUND BALANCE							7.90%
TOTAL APPROPRIATIONS AND RESERVES	565,510,790	543,291,247	515,371,639	663,497,047	478,979,643	371,860,007	1,880,282,569
**Is not an indication of available funding due to restrictions applicable to various sources of capital funding.							

SCHOOL PROJECTS

Prj #	PROJECT	STUDENT SEATS	<u>19/20</u>	<u>20/21</u>	<u>21/22</u>	<u>22/23</u>	<u>23/24</u>	<u>24/25</u>	Five Year <u>Total</u>
A. EAST ZONE CONSTRUCTION PROJECTS									
7304	EAST ZONE LAND - TAYLOR LANE		100	324,900					324,900
	ELEM EAST J	1,034			2,000,000	25,500,000	25,500,000		53,000,000
7254	EAST MIDDLE MM	1,345	9,122,285	45,084,288					45,084,288
7046	EAST HIGH MMM	2,200	45,193,184	59,432,604					59,432,604
	EAST ZONE PK-8 INNOVATION SCHOOL	1,600			5,000,000	35,000,000	35,000,000		75,000,000
7047	LEHIGH SENIOR ADDITION	500	6,369,808	47,892					47,892
2310	JAMES STEPHENS PRE-K REMODEL		107,078	1,892,922					1,892,922
7255	RIVERDALE HIGH REMODEL			3,200,000		12,650,000	12,650,000	12,650,000	41,150,000
	LAMS/VETERANS PK REMODEL			400,000	2,250,000	2,250,000			4,900,000
	SUB-TOTAL EAST ZONE PROJECTS		60,792,454	110,382,606	9,250,000	75,400,000	73,150,000	12,650,000	280,832,606
Prj #	PROJECT	STUDENT SEATS	<u>19/20</u>	<u>20/21</u>	<u>21/22</u>	<u>22/23</u>	<u>23/24</u>	<u>24/25</u>	Five Year <u>Total</u>
B. SOUTH ZONE CONSTRUCTION PROJECTS									
7301	SOUTH ZONE LAND - BLOCK LANE		2,527,649						
7303	SOUTH ZONE LAND - PARK PLACE		2,230	1,883					1,883
	FRANKLIN PARK ELEMENTARY REMODEL				3,000,000	25,000,000	25,000,000		53,000,000
	CYPRESS LAKE MIDDLE REMODEL				4,000,000	28,000,000	28,000,000		60,000,000
7049	SOUTH ELEMENTARY K	1,034	82,096	1,878,118	20,413,249	20,413,249			42,704,616
7048	SOUTH MIDDLE NN	1,345	145,650	2,396,445	31,269,875	31,269,875			64,936,195
7045	SOUTH HIGH (LLL)	1,694	152,163						0
	SUB-TOTAL SOUTH ZONE PROJECTS		2,913,095	4,276,446	58,683,124	104,683,124	53,000,000	0	220,642,694
Prj #	PROJECT	STUDENT SEATS	<u>19/20</u>	<u>20/21</u>	<u>21/22</u>	<u>22/23</u>	<u>23/24</u>	<u>24/25</u>	Five Year <u>Total</u>
C. WEST ZONE CONSTRUCTION PROJECTS									
	WEST ELEMENTARY	1000							0
	WEST MIDDLE	1334							0
	WEST HIGH	2106							0
	WEST ZONE HIGH SCHOOL ADDITION				1,500,000	9,250,000	9,250,000		20,000,000
	SUB-TOTAL - WEST ZONE PROJECTS		0	0	1,500,000	9,250,000	9,250,000	0	20,000,000
TOTAL CONSTRUCTION PROJECTS			63,705,550	114,659,051	69,433,124	189,333,124	135,400,000	12,650,000	521,475,299

Prj # PROJECT	19/20	20/21	21/22	22/23	23/24	24/25	Five Year Total
E. SMALL CAPITAL PROJECTS							
7182 PORTABLES	856,147	624,327	624,208	624,208	624,208	624,208	3,121,159
7142 COUNTYWIDE HVAC	4,870,670	6,393,648	5,145,000	5,160,000	5,175,000	5,190,000	27,063,648
7189 SCHOOL IMPROVEMENTS MAINTENANCE PROJECTS	35,271,733	63,847,218	42,959,080	43,795,000	44,085,000	40,555,000	235,241,298
7064 SAFETY TO LIFE	2,250,249	3,098,270	3,015,000	3,015,000	3,015,000	3,015,000	15,158,270
7188 SCHOOL IMPROVEMENTS CONSTRUCTION PROJECTS	234,776	132,134					132,134
9105 SAFETY	53,574	44,200	45,625	45,625	45,625	45,625	226,700
9110 FACILITY DEV & PROG SVCS	2,225	5,000	22,690	22,690	22,690	22,690	95,760
SECURITY	13,568,724	34,750,160	12,510,000	2,330,000	2,180,000	2,180,000	53,950,160
9240 TRANSPORTATION	0	945,625	0	0	0	0	945,625
9050 / 9113 OPERATIONS/PLANNING	10,709	100,000	2,303,000	406,000	5,209,000	412,000	8,430,000
7007 BAND UNIFORMS	114,925	172,485	115,000	115,000	115,000	115,000	632,485
F. CAPITALIZED PERSONNEL							
7995 INFORMATION TECH SUPPORT	0	95,051	100,000	105,000	110,000	116,000	526,051
7999 FACILITIES PROJECT MGMT/PLANNING/TECH SUPPORT	0	1,473,186	1,547,000	1,624,000	1,705,000	1,790,000	8,139,186
TOTAL OTHER CAPITAL PROJECTS	57,233,731	111,681,304	68,386,603	57,242,523	62,286,523	54,065,523	353,662,476
G. TECHNOLOGY							
2282 ATLAS REFRESH	5,765,340	11,155,683	12,100,000	11,445,000	200,000	200,000	35,100,683
9132 TECH EQUIPMENT/SOFTWARE	18,888,713	22,365,606	20,802,770	19,835,905	14,760,000	21,834,516	99,598,797
TOTAL - TECHNOLOGY	24,654,052	33,521,289	32,902,770	31,280,905	14,960,000	22,034,516	134,699,480
H. EQUIPMENT AND BUSES							
7145&7&8 SCHOOL EQUIPMENT	985,614	3,330,250	2,105,000	2,105,000	2,105,000	2,105,000	11,750,250
7146 DEPARTMENT EQUIPMENT	111,307	15,228	0	0	0	0	15,228
7149 FURNITURE ROTATION	136,658	1,108,728	1,000,000	1,000,000	1,000,000	1,000,000	5,108,728
6817 BUILDING SERVICES	139,452	140,000	150,000	160,000	170,000	180,000	800,000
7192 PURCHASE OF BUSES	7,026,552	8,898,425	6,000,000	6,000,000	6,000,000	6,000,000	32,898,425
TOTAL - EQUIPMENT/BUSES	8,399,583	13,492,630	9,255,000	9,265,000	9,275,000	9,285,000	50,572,630
I. CHARTER SCHOOLS							
CHARTER SCHOOLS - TAX REVENUE	0	0	7,162,900	7,377,800	7,599,150	7,827,100	29,966,950
CHARTER SCHOOLS - SAFETY GRANT	93,436	248,433	0	0	0	0	248,433
TOTAL CHARTER SCHOOLS	93,436	248,433	7,162,900	7,377,800	7,599,150	7,827,100	30,215,383

Prj # PROJECT	19/20	20/21	21/22	22/23	23/24	24/25	Five Year Total
J. TRANSFERS							
9600 TRANSFER FOR CHARTER SCHOOLS - PECO	5,624,174	6,710,000	7,381,000	8,119,000	8,931,000	9,824,000	40,965,000
9600 TRANSFER TO CAPITAL PROJECT FUND	6,000,000						0
9600 TRANSFER FOR MAINTENANCE	17,000,000	16,000,000	16,000,000	16,000,000	16,000,000	16,000,000	80,000,000
TOTAL TRANSFERS	28,624,174	22,710,000	23,381,000	24,119,000	24,931,000	25,824,000	120,965,000
BANK FEES	3,873						0
K. DEBT SERVICE							
29600 FY10 COPS	6,407,969	0	0	0	0	0	0
29900 FY11 QSCB	2,008,066	2,027,819	2,023,819	2,023,819	2,023,819	2,023,819	10,123,095
29501 FY12B COPS	1,936,482	23,307,338	23,306,088	6,747,938	0	0	53,361,364
29801 FY12C COPS	14,810,779	0	0	0	0	0	0
29301 FY13 COPS	248,037	249,509	246,548	4,563,530	0	0	5,059,587
29302 FY14A COPS	4,480,930	4,487,413	4,480,913	4,488,913	4,557,663	4,633,913	22,648,815
29201 FY14B COPS	7,779,128	7,795,500	7,791,000	7,791,000	7,840,750	7,937,000	39,155,250
29500 FY16A COPS	4,221,402	3,798,300	3,790,300	3,791,000	3,794,000	3,794,850	18,968,450
29401 FY17A COPS	1,620,450	1,623,762	1,618,762	12,139,762	18,423,747	18,653,080	52,459,113
29502 FY17B COPS	3,819,138	3,832,348	3,826,372	3,826,888	7,880,780	7,878,972	27,245,360
29702 FY17 Bus Loan	4,164,763	4,191,551	4,212,274	0	0	0	8,403,825
Fund 29700 FP&L Lease Agreement	201,371	0	0	0	0	0	0
Fund 29701 FY12 FP&L Lease Agreement	168,758	168,759	168,759	42,190	0	0	379,708
29802 FY19 COPS - Gateway High (MMM)	10,056,652	12,039,939	12,038,539	12,035,271	12,034,104	12,038,539	60,186,391
29802 FY19 COPS - Lehigh High Addition	715,255	856,311	856,211	855,979	855,896	856,211	4,280,609
29601 FY20 COPS - Middle School MM	623,004	7,020,000	7,014,500	7,015,250	7,013,500	7,013,750	35,077,000
FY22 COPS South Zone K & NN			10,700,000	10,700,000	10,700,000	10,700,000	42,800,000
FY22 COPS Elem J, Rebuilds, Innovation School			41,300,000	41,300,000	41,300,000	41,300,000	165,200,000
TRANSFER TO DEBT SERVICE	63,262,183	71,398,549	123,374,085	117,321,540	116,424,259	116,830,134	545,348,567
Value of 50% Mill	65,532,035	69,542,714	71,629,000	73,778,000	75,991,500	78,271,000	
Debt Service as % of 50% mill	42.9%	48.6%	38.8%	32.6%	38.4%	38.1%	
Statutory Debt Limit (75%)	98,298,053	104,314,071	107,443,500	110,667,000	113,987,250	117,406,500	
Debt Service as % of 75% mill	28.6%	32.4%	25.8%	21.7%	25.6%	25.4%	

The debt service limits are based solely on debt to be reimbursed from Capital Outlay Millage funds and does not include debt paid from any other source such as Sales Tax.

****Difference between FY20 budgeted amounts for Capital on previous pages and the Capital Plan is due to anticipated COPS and related expenditures for the construct of new schools scheduled in the next five years.**

TABLE 4

**TOTAL REVENUE & PROJECT SUMMARY
CAPITAL IMPROVEMENT PROGRAM 2020/2021 - 2024/2025**

Category of Improvement	Total Project Costs FY20/21-24/25	Capital Improvement Fund ¹	Transportation Improvement Fund ²	Long-Term Debt or Lease Purchase ³	Water & Sewer Rev/Debt ⁴	Solid Waste Fees/Debt ⁵	Impact Fees & Development Agreements	Growth Increment Funding ⁶	Government Communications Network
Natural Resources	15,019,293	15,019,293							
Parks & Recreation ⁷	10,391,000	5,820,000					4,571,000		
Solid Waste	30,714,200					30,714,200			
Transportation ⁸	270,996,549	9,090,732	158,725,682	17,795,308			66,782,138	18,602,689	
Utilities	270,349,334				270,349,334				
Community Development	5,406,358		2,703,179		2,703,179				
County Lands	125,000	125,000							
Public Safety	21,835,520	20,461,420			374,100				1,000,000
Transit	4,214,476	4,214,476							
Library	9,424,705	9,424,705							
FY 20/21 - 24/25	638,476,435	64,155,626	161,428,861	17,795,308	273,426,613	30,714,200	71,353,138	18,602,689	1,000,000

NOTES:

- 1 Capital Improvement Fund - primary source of revenues are ad valorem and grants (not all grants have been approved)
- 2 Transportation Improvement Fund - primary source of revenues are gasoline taxes and surplus bridge revenue
- 3 Non-ad valorem revenue, fee or toll supported debt, lease purchases and general fund loans
- 4 Water and Sewer revenues (cash flow) including long-term debts supported by these revenues
- 5 Solid Waste Tip fee revenues (cash flow) including long-term debt supported by these revenues
- 6 Growth Increment Funding/BP Settlement
- 7 Community and Regional Parks
- 8 Major Roads

TABLE 5

**TEN YEAR WATER SUPPLY DEVELOPMENT PROJECTS
FY 20/21 APPROVED CAPITAL IMPROVEMENT PLAN**

WATER SUPPLY DEVELOPMENT PROJECTS

CIP #	Lee County/LWCWSP Project Name	Description	Project Status	Total CIP Budget	Completion Year (Estimated)
200633	North Lee County Water Treatment Plant Expansion to 15 MGD	Expand existing North Lee County Treatment Plant from 10 MGD to 15 MGD treatment capacity. The expansion will utilize a reverse osmosis treatment system.	Planning	\$39,500,000	2024
207619	North Lee County Wellfield Expansion to 15 MGD	Design, permitting, land/easement acquisition, and construction of six additional Lower Hawthorn Wells to provide the necessary raw water source for the North Lee County Water Treatment Plant expansion to 15 MGD.	Under Design	\$14,700,000	2024

ALTERNATIVE WATER SUPPLY PROJECTS

CIP #	Lee County/LWCWSP Project Name	Description	Project Status	Total CIP Budget	Completion Year (Estimated)
200616	Fiesta Village Reuse Main Upgrade	Upgrade the reuse main from Fiesta Village WWTP to Fort Myers Beach Reuse System.	Under Design	\$5,777,500	2022