

CPA2026-00005

Future Land Use Element Update

STAFF REPORT FOR CPA2026-00005: Future Land Use Element Update



County-Initiated Lee Plan Map and Text Amendments

Recommendation:

Transmit

Applicant:

Lee County BOCC
Direction on April 1, 2025

Representatives:

Lee County Planning
Section, Department of
Community Development

Amended Elements:

I. Vision Statement
II. Future Land Use
III. Transportation
VII. Conservation and
Coastal Management
IX. Historic Preservation
XIII. Administration
XIV. Glossary

Amended Maps:

1-C, 1-D, 1-G, 2-A, 2-B, 2-C,
2-D, 2-E, 3-G, 3-H, 5-E, and
5-F

Amended Tables:

1(a)

Location:

County Wide

Hearing Dates:

LPA: August 31, 2026
BOCC #1: TBD
BOCC #2: TBD

Attachment(s):

1: Proposed Amendments

REQUEST

As directed by the Board of County Commissioners, amend the Lee Plan to increase efficiency, reduce unnecessary regulations, while maintaining the protection of public health, safety, and welfare and meeting State requirements. To maintain internal consistency and in order to relocate certain provisions, amendments are proposed to the Lee Plan Vision, Future Land Use Element, Transportation Element, Conservation and Coastal Management Element, Historic Preservation Element, Administration, Glossary, and the Lee Plan's appendices. **The proposed amendments will not increase allowable densities and intensities within Lee County.**

SUMMARY OF SUBSTANTIVE CHANGES

Relocation and Reorganization

- Relocate requirements from Community Plans tied to specific land use categories (Coastal Rural, Rural Community Preserve, New Community) to the appropriate policies.
- Relocate environmental, transportation, and historic preservation objectives and policies from Community Plans to relevant elements when appropriate and not duplicative.
- Relocate provisions for the North Fort Myers Commercial Corridors and the Lehigh Acres Commercial Overlay to Goal 6 and expand function to be consistent across both areas.
- Move Planned Development requirements for the New Community in Northeast Lee County (Babcock Ranch) to the LDC.
- Consolidate related standards for easier use and administration.

Overlay and Future Land Use Category Updates

- Simplify provisions for the University Community, Burnt Store Marina Village, and University Village Interchange to improve clarity and implementation.
- Designate properties in the North Fort Myers Neighborhood Centers and the Lehigh Acres Specialized Mixed-Use Nodes as part of the Mixed Use Overlay.

Streamlining and Clarifications

- Remove duplicative Goals, Objectives, and Policies.
- Remove unnecessary regulations and relocate necessary standards to broadly applicable policies.
- Remove obsolete procedures, references, programs, and terminology.
- Retain provisions required for consistency with state and federal law.

Policy Expansion

- Expand the redevelopment policy to address a broader range of residential development types in addition to multi-family developments.

RECOMMENDATIONS

Staff recommends that the Board of County Commissioners **transmit** the proposed amendment based on the analysis and findings in this staff report.

PART 1

STAFF DISCUSSION AND ANALYSIS

BACKGROUND

The State of Florida was the national leader in comprehensive planning when the Growth Management Act was adopted in 1985. Not only did the Growth Management Act mandate that all jurisdictions within the State create comprehensive plans, but it also made those plans legally binding on all development within those jurisdictions. The state has updated the Growth Management Act numerous times since the bill was adopted, with the last major update occurring in 2011¹.

Comprehensive plans in Florida must include specific elements, and the content of those elements must be based on relevant and appropriate data and analysis that may or may not be housed in the plan itself. Because Lee County is a coastal county, the Lee Plan **must include elements** that address each of the following, in no particular order:

- Future Land Use
- Transportation
- Sanitary Sewer/Solid Waste/Drainage/
Potable Water/Aquifer Recharge
- Conservation
- Recreation and Open Space
- Housing
- Coastal Management
- Intergovernmental Coordination
- Capital Improvements
- Property Rights

The statute allows local governments to adopt additional **optional elements** but does not specify what those might include. A jurisdiction can choose topics like community design, agriculture, rural lands, resilience, or other locally relevant issues. Many jurisdictions have retained their economic development, historic preservation, or schools elements, as these were required in previous versions of the statute.

State statutes also require local governments to evaluate their comprehensive plans every seven years through a process called the Evaluation and Appraisal Report (EAR). EARs evaluate local comprehensive plans for consistency with state statute. Local governments are given the option (unless a statute provides otherwise) to address changes to comprehensive plans under state law, either through smaller, jurisdiction-initiated comprehensive plan amendments or through the EAR process. The EAR is intended to remedy legal inconsistencies between the local comprehensive plan and state law and assess the comprehensive plan's ability to accommodate the projected population for the next planning horizon. Lee County's next EAR is due in May 2028, and the last EAR occurred in 2021.

Local governments may elect to amend their comprehensive plans in accordance with the process they have established for jurisdiction-initiated amendments. In Lee County, the Board of County Commissioners must provide staff direction with an affirmative vote of three or more Commissioners at a properly noticed public meeting.

¹ Though other major bills have been passed since 2011 that influence community planning such as Senate Bill 180, which prohibits jurisdictions impacted by hurricanes from adopting more burdensome regulations, the Live Local Act, which requires local governments to allow affordable housing developments in all commercial, industrial, and mixed-use zoning districts (among others), and the elimination of Developments of Regional Impact (DRI) in 2015.

Lee County regularly amends its comprehensive plan through privately-initiated and county-initiated amendments. However, the Lee Plan has not undergone a comprehensive overhaul since its inception before the Growth Management Act was even adopted.

Since its initial adoption, some of the major updates to the Lee Plan include the addition of Goals, Objectives and Policies intended to implement community plans. The most recent Community Plan Areas were incorporated in 2011. Since then, the County has made updates to the Lee Plan, mostly involving cleanup, addressing specific topics, or responding to new state mandates. The recent Southeast Lee Amendments represented a notable shift from the usual county-initiated amendments to the Lee Plan, in which staff took a closer look at the existing community plan area requirements and re-envisioned them based on current conditions.

On **April 1, 2025**, the Board of County Commissioners directed staff to amend the Lee Plan and Land Development Code (LDC) to increase efficiency, reduce unnecessary regulations, and maintain the protection of public health, safety, and welfare while meeting State requirements.

Staff anticipates bringing additional elements of the Lee Plan forward with future amendments, but the amendments discussed in this report achieve the Board's direction by amending arguably the most impactful element of the Lee Plan to function more efficiently and predictably while staff continues to review other elements through sound and legal planning processes.

The proposed amendments follow the Board's direction to increase efficiency and reduce unnecessary regulations while maintaining the protections of public health, safety, and welfare and meeting State and Federal mandates.

PROCEDURAL REQUIREMENTS

The Lee Plan is Lee County's comprehensive plan, providing the long-term vision for the county's development. Florida Statutes require comprehensive plans to include certain topics as elements. The Lee Plan divides these elements into chapters, which are further supported by goals, objectives, standards, and policies. Lee Plan Chapter XIII, entitled Administration, section "d" addresses Amendments to the Plan. The applicable paragraph is reproduced below.

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), Fla. Stat., all amendments must be based upon relevant and appropriate data and analysis.

Lee County Administrative Code 13-6 establishes procedures for amending the Lee Plan, including notice requirements and public participation provisions. According to Florida Statutes and AC 13-6, the proposed amendments are County-Initiated Amendments, meaning they are proposed amendments directed by an affirmative vote of three or more Commissioners. The BOCC provided specific direction to pursue these amendments on April 1, 2025.

County-initiated amendments have slightly different requirements from privately initiated amendments. According to AC 13-6, County-Initiated Amendments must follow sections C and D.1. Sections B and D.2, which set forth requirements for applications, fees, and Courtesy Notices, do not apply. No sign postings or mailed Courtesy Notices are required under AC 13-6 or Florida Statute. **The proposed amendments have followed the applicable procedures under AC 13-6.**

County-initiated amendments follow the **Expedited State Review** process under F.S. 163.3184(2)(a), which requires one public hearing before the Local Planning Agency for a recommendation to the BOCC and two public hearings before the BOCC. Applications that follow the Expedited State Review process also require review by the State Reviewing Agencies. **The proposed amendments will continue to follow the applicable process under F.S. 163.3184.**

AMENDMENTS & RATIONALE

The analysis and rationale will address the main intent of the Board of County Commissioners' direction to increase efficiency and reduce unnecessary regulation, and will also address relocation of provisions to more suitable locations within the Lee Plan or LDC, enhancements to existing allowances or incentives, elimination of duplicative requirements, and regulatory consistency. The proposed amendments are intended to create a more user-friendly and predictable Lee Plan by:

- Deleting or modifying policies that do not address requirements for Chapter 163 of the Florida Statutes, such as providing densities, intensities, or distribution of uses across unincorporated Lee County, in an effort to make the Lee Plan clearer and more concise;
- Relocating policies as necessary to remain in compliance with applicable comprehensive planning requirements;
- Deleting Goals, Objectives and Policies that create legal ambiguities and reduce predictability of the Lee Plan;
- Deleting Goals, Objectives, or Policies that do not comply with current requirements or case law.
- Deleting Goals, Objectives, or Policies that are outdated and no longer required or necessary
- Deleting Goals, Objectives, or Policies that interfere with Lee County's ability to plan for future infrastructure and public safety needs.
- Deleting duplicative policies and updating cross-references.
- Relocating policies as necessary to maintain public health, safety, and welfare; and
- Relocating regulatory language to the LDC or deleting language that is already included in the LDC

Given the scope of the proposed amendments, this section cannot address every change in the plan. Attachment 1 contains the entirety of the proposed amendments.

Reorganization

According to Florida Statutes, the future land use element of a local comprehensive plan should identify the general distribution, location, and extent of existing and proposed land uses, including residential, commercial, industrial, agricultural, recreational, conservation, and public facilities, or identify density and intensity standards that are necessary to ensure expected development patterns are predictable and transparent.

Several Community Plan Area Goals included objectives or policies that tie directly to future land use categories that are present in those areas and are necessary to retain, as those provisions have worked in tandem with the underlying future land use categories to provide allowable densities, intensities, and distribution of uses across unincorporated Lee County. This includes the Rural Community Preserves in Buckingham, the Coastal Rural future land use category on Pine Island, and areas of New Community within North Olga. In these cases, policies that specified densities, intensities, or uses are proposed to be incorporated into the policies that describe the future land use category, helping to ensure compliance with local comprehensive planning requirements, as discussed and identified in Attachment 1. The Rural

Community Preserves future land use category in the Buckingham Community Plan Area Provides a good example and is discussed below.

Policy 20.1.2 allows for commercial development near the intersections of Buckingham Road and Cemetery Road, and Buckingham Road and Orange River Boulevard that is currently zoned for commercial uses, but would otherwise not be consistent with the Rural Community Preserves future land use category. Senate Bill 180 (2025) prohibits local governments from adopting policies or making changes to local comprehensive plan policies that would result in more restrictions or create additional burdens on the property owner/developer. Therefore Policy 20.1.2 should be incorporated into Policy 1.4.3 in order to remain consistent with Florida law. Policy 20.1.2 is shown below.

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.

Similarly, lot size and clustering requirements have become two of the defining characteristics of the Rural Community Preserves future land use category. Currently, the minimum lot size is addressed in Policy 20.1.3, and clustering requirements are set out in Policy 20.1.5. These policies clearly apply only to the Rural Community Preserves future land use category. The requirements of these policies should continue to be implemented as part of the Rural Community Preserves future land use category. Policies 20.1.3 and 20.1.5 are shown below.

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.

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.

Combining Policies 20.1.2, 20.1.3, and 20.1.5 will relocate the allowable uses, densities, and intensities to a single location, making the Lee Plan and allowable development within the Rural Community Preserves future land use category easier to understand and implement. The relocation of these policies will also ensure that these requirements are not missed during the review of zoning, development order, and plat applications. Policy 1.4.3 as proposed is shown below:

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. Lands within this category are not to be 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. ~~**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 also includes the lands 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. Property in this category may not be rezoned to any RV district. Maximum density is one dwelling unit per acre (1 du/acre). Bonus densities are not allowed. **POLICY 20.1.3:** Except for those clustered areas approved in accordance with Policy 20.1.5, all lots created in the Rural Community Preserves future land use category must have a minimum area of 43,560 square feet, unless a Minimum Use Determination has been issued. Calculation and calculation of lot size must exclude any road right-of-way or easement areas, water management areas, and natural water bodies, unless clustered. **POLICY 20.1.5:** Clustering of residential development in the Rural Community Preserves 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.

Duplication and Ambiguities

The Lee Plan includes provisions addressing residential, commercial, and industrial uses as well as conservation and natural resource protection, including beach nourishment, protection of wetlands and estuaries, protection of protected species habitat, and protection of life and property from flooding. The Lee Plan also provides objectives for hurricane evacuation and the provision of services and infrastructure for all areas of unincorporated Lee County. Many of the community plan goals also include objectives that address these same requirements. Examples of redundant or duplicative provisions include Objective 25.10: Natural Resources and Policies 25.10.1 through 24.10.4, addressing natural resources in Lehigh Acres. This objective and policies are shown along with other requirements of the Lee Plan that are applicable to all areas of unincorporated Lee County, including the Lehigh Acres Community Plan Area.

Applicable to the Lehigh Acres Community Plan Area	Applicable to all areas of unincorporated Lee County, including the Lehigh Acres Community Plan Area.
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.	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.
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.	POLICY 77.3.3: The County encourages new developments to incorporate existing native plant communities and/or native trees along proposed and/or existing rights-of-way.
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.	POLICY 124.1.2#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.
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.	The County does provide incentives through the wetlands density calculations identified in Policy 124.1.1 as well as the Wetlands TDU Program, both apply to all areas of unincorporated Lee County, including Lehigh Acres.
POLICY 25.10.4: Where not inconsistent with SFWMD design criteria, natural habitat restoration is preferred to open water systems for treating stormwater.	POLICY 60.4.1: Encourage new developments to design surface water management systems with Best Management Practices including, but not limited to, filtration marshes, grassed swales planted with native or Florida Friendly Landscaping vegetation, retention/detention lakes with enlarged littoral zones, preserved or restored wetlands, and meandering flow-ways.

Restating similar requirements throughout the Lee Plan complicates the Lee Plan unnecessarily. If the requirements are stated slightly differently, these differences can lead to disagreements about intent and how the policies should be implemented or interpreted at different points in the review process. Deleting duplicative policies and removing unnecessary cross-references will create a comprehensive plan that is easier to understand and implement. Goals, objectives, and policies applicable to all of Lee County will continue to address the required elements of the Lee Plan, including transportation and other public infrastructure and services; conservation and coastal management; housing; parks, recreation, and open space; intergovernmental coordination; and economic development. In these cases, policies that are duplicative are proposed to be deleted and are identified in Attachment 1.

Ambiguities within the Lee Plan are closely tied to redundant or duplicative provisions within the Lee Plan. There are numerous goals, objectives and policies in the Lee Plan that require constant interpretation or reanalysis due to direct inconsistencies or small variations or ambiguities with the Future Land Use Map,

other policies or development standards. This can lead to different interpretations and implementation of policy and development standards. The effect of these ambiguities decreases predictability of the development process and what may be allowable on a given piece of land for property owners, County staff planning for future infrastructure and service needs, and nearby community members and can also lead to an inefficient review process. Goals, objectives or policies that are redundant or duplicative and create ambiguities or reduce predictability are proposed for deletion unless required to maintain compliance with applicable law or to protect public health, safety, and welfare, as identified in Attachment 1.

There are certain policies addressing historic, transportation, and resource protection that are not duplicative and were identified as appropriate to maintain and or relocate based on Board direction. These include, but are not limited to, Lee County's transferable development rights programs, which will be relocated to the Conservation and Coastal Management Element; transportation and parking concerns in Lehigh Acres and Boca Grande, which will be relocated to the Transportation Element; and the relocation of Babcock Ranch planned development rezoning requirements to the LDC. In these cases, policies that were determined not to be duplicative or were necessary to retain are identified in Attachment 1.

The table below summarizes the existing objectives and policies that are proposed to be relocated to other areas of the Lee Plan.

Relocated Community Plan Objectives and Policies

Captiva (Goal 23)	Summary	Relocated to
Policy 23.2.1	Allows mixed-use developments, including calculation of density, on certain Captiva properties through a Planned Development	Policy 11.1.3 (Future Land Use Element)
Greater Pine Island (Goal 24)		
Policy 24.1.1	Prohibits new canals or artificial channels within 1 mile of Pine Island	Policy 114.1.5 (Conservation & Coastal Management Element)
Policy 24.1.4	Provides for maintenance dredging of old channels and canals	Policy 114.1.5 (Conservation & Coastal Management Element)
Policy 24.3.1	Allows for continued implementation of the Greater Pine Island TDU Program	Policy 129.1.3 (Conservation & Coastal Management Element)
Policy 24.3.3	Prohibits adjusted maximum densities within Coastal Rural designations within the CHHA	Policy 1.4.7 (Future Land Use Element)
Objective 24.6	Allows for continued implementation of the Greater Pine Island TDU Program	Objective 129.2 (Conservation & Coastal Management Element)
Policy 24.7.8	Allows for continued implementation of the Greater Pine Island TDU Program	Policy 73.1.3 (Community Facilities & Services Element)
Lehigh Acres (Goal 25)		
Objective 25.8	Objective 28.8 and Policies 25.8.1, 25.8.5, and 25.8.7 address transportation and interconnection	Objective 40.2 (Transportation Element)

	challenges of managing growth within a large pre-platted area, including access onto arterial roadways and drainage canals that disrupt the transportation network.
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North Olga (Goal 29)	Summary	Relocated to
Objective 29.5	Lee County will continue to support agricultural heritage by supporting commercial-agriculture uses, but finds this is appropriate county-wide.	Policy 9.1.6 (Future Land Use Element)
Policy 29.5.1	Policy identifies support of community gardens. This should be applied county-wide.	Policy 9.1.7 (Future Land Use Element)
Policy 29.7.3	Encourages "Firewise" principles in site design for proposed planned developments. Lee County should encourage Firewise principles in all areas at risk of wildfires.	Policy 5.1.11 (Future Land Use Element)
Objective 29.9, Policy 29.9.1 and 29.9.2	Requirements addressing density and intensity for development in New Community will be relocated to the Policy describing the future land use category.	Policy 1.1.15 (Future Land Use Element)
Policy 29.9.3	Design requirements for planned developments under the New Community FLUC will be relocated to Chapter 34 of the LDC.	Land Development Code Section 34-1145

North Fort Myers (Goal 30)	Summary	Relocated to
Policy 30.2	Allows for continued implementation of the North Fort Myers Commercial Corridor.	Goal 6 (Future Land Use Element)
Policy 30.2.5	Allows for continued implementation of the North Fort Myers Commercial Corridor.	Goal 6 (Future Land Use Element)
Policy 30.2.6	Allows for continued implementation of the North Fort Myers Commercial Corridor.	Goal 6 (Future Land Use Element)

Population Growth and Growth Management

Many of the Goals, Objectives, and Policies proposed for deletion are outdated and no longer necessary or appropriate in the current environment. This includes both provisions in the Community Plan sub-element and other areas of the Lee Plan.

The goals, objectives, and policies found in the community plan area sub-element were adopted at various times between 1989 and 2011. The table below lists the initial adoption dates for community plan goals and the County's population at the time each goal was adopted. According to the April 1st, 2025, estimate by the University of Florida Bureau of Economic and Business Research (BEBR), Lee County's current population is 839,125. Based on the current population, Lee County has grown approximately 157 percent since 1989, when the initial community plan provisions were adopted, and 33 percent since the most recent community plan goals were incorporated into the Lee Plan.

Community Plan Area	Year Adopted	County Population When Adopted¹
Boca Grande	1989	325,374
Greater Pine Island	1989	325,374
San Carlos Island	1989	325,374
Buckingham	1991	346,287
Lehigh Acres	1998	413,952
Bayshore	2003	493,147
Caloosahatchee Shores	2003	493,147
Captiva	2003	493,147
Alva	2009	612,169
North Captiva	2009	612,169
North Fort Myers	2009	612,169
Olga	2009	612,169
Page Park	2009	612,169
Tice	2009	612,169
SE Lee County	2010	618,754
NE Lee County	2011	627,509
North Olga	2011	627,509

Community Plans were incorporated into the Lee Plan between 1989 and 2011. No new community plans have been incorporated into the Lee Plan since 2011, when Ordinance 11-14 adopted the community plan goals for North Olga and Northeast Lee County. While many of the community plan goals, objectives, and policies have been updated since then, substantial portions of the Lee Plan remain out of date with the needs of Lee County's current population. The Future Land Use Element contains numerous policies that are no longer necessary or effective due to changes in state law or updated planning efforts. For example, statutory changes since 2011 have eliminated or significantly altered how local governments can apply concurrency and plan for population growth. A good example of this is the restriction of extending or expanding the transportation network "into or through the [Buckingham] Community Plan area" identified in Policies 20.2.1 and 20.2.2 as adopted into the Lee Plan by Lee County Ordinance 10-15 on March 3, 2010. These policies took advantage of existing concurrency laws at the time, which limited growth based on the availability of existing or planned infrastructure such as water and sewer, solid waste, schools, parks and recreation facilities, transportation facilities, and emergency medical services. However, Florida's Community Planning Act of 2011 became effective on June 2, 2011, and revised and deleted mandatory concurrency requirements, including the elimination of mandatory concurrency requirements for transportation, parks and recreation, and schools². The changes incorporated into Florida Statutes through the Community Planning Act and Lee County's implementation of those changes had a direct impact on the effectiveness and consequences of Policies 20.2.1 and 20.2.2. These changes meant that deficiencies in Lee County's transportation network could not be used to effectively limit development dependent on roadway segments within the Buckingham Community Plan area. This has resulted in substantial impacts to levels of service on the transportation facilities in the community. At the same time, these policies have inhibited Lee County from addressing these impacts on a county-wide basis.

² Lee County maintains regulatory school concurrency based on an interlocal agreement between Lee County and the Lee County School District, consistent with 163.31777 of the Florida Statutes.

Another example of Lee Plan provisions that have become outdated is the limitations on central sewer and water facilities within the Bayshore Area. These provisions were initially adopted into the Lee Plan by Ordinance 03-02 on January 9, 2001. Objective 18.3 and Policy 18.3.1 seek to limit water and sewer infrastructure in the Bayshore area based on “the desire to maintain a low residential density” and an assumption that central sewage service is not economically feasible. While these policies may have been appropriate at the time, they are no longer appropriate based on the current environment. Availability of utilities can directly impact water quality and quantity and should be coordinated across the entire county to effectively address local needs, rather than driven only by the preferences of individual communities.

The Bayshore area is included in the Basin Action Management Plan (BMAP) for the Caloosahatchee River and Estuary. A BMAP is an actionable plan that Lee County must follow in order to achieve pollution reductions required by established Total Maximum Daily Loads (TDML) of specific pollutants. Private onsite septic systems have been documented to be a contributor to the TDML within the Caloosahatchee River. Additionally, under state statute FS 163.3177, as amended by HB 1379 in 2023, local governments must consider how to extend utilities to residential development exceeding one (1) unit per acre in a BMAP. Policy 18.3.1 is also duplicative of Lee Plan Standards 4.1.1 and 4.1.2, and removing it will avoid potential conflicts or inconsistencies with Standards 4.1.1, 4.1.2, and Chapter 10 of the Land Development Code (Chapter 10, Article III, Division 4. – Utilities). This was identified as a concern when this objective and policy were originally adopted. While not addressed when originally adopted, it is also inappropriate to tie the hands of future County Commissioners and officials long term because “central sewage service is not economically feasible.” The county must be able to react to changing state requirements and address public health and safety based on current conditions and priorities.

Updated policies will continue to direct growth towards areas with adequate infrastructure planned or in place, reduce reliance on outdated growth controls. The revised Future Land Use Element will continue to discourage leapfrog development through implementation of the Future Land Use Map and policies that are coordinated on a county-wide basis. Future land use categories in Lee County’s Future Non-Urban Areas such as DR/GR, Rural, Rural Community Preserves, Outer Island, and Coastal Rural will retain current low-density standards. Outdated policies not necessary to retain are identified in Attachment 1.

Policy and Program Improvements

There are a few provisions in the Lee Plan, both within the community plan areas and those that apply to all of unincorporated Lee County, that have been beneficial but could be improved to have greater applicability or to provide more of a benefit to property owners while also providing benefits to Lee County as a whole. These include the Commercial Overlay in Lehigh Acres, the Commercial Corridor in North Fort Myers and Objective 5.2, addressing redevelopment of over-density multi-family residential properties. Based on the requirements of Senate Bill 180 each of these strategies must be retained to preserve existing rights and to avoid creating additional burdens or restrictions to properties that currently benefit from these provisions. However, over the past several years staff has been reviewing these strategies and identifying ways to make them more effective for their intended purposes but have not had an opportunity to bring ideas forward for BoCC consideration prior to these amendments.

Objective 5.2: Redevelopment of Existing Multi-Family Residential Development is a good example of this. Objective 5.2 and its supporting policies are intended 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 Pan, in excess of the standard density range for their current Future Land Use Category.” This Objective was initially adopted in the years following Hurricane Charley to support redevelopment of multi-

family developments to modern building codes before being impacted by another storm. Limitations of this Objective and its supporting policies were identified following Hurricane Ian in 2022. Hurricane Ian caused widespread damage to Lee County's coastal areas, impacting many forms of residential development within Lee County, including multi-family, single-family, and mobile home developments. Following Hurricane Ian it also became apparent that structures built using the current/modern Florida Building Code fared substantially better than older structures built prior to current building code and minimum flood elevation requirements. Lee County's coastal areas represent some of the oldest developments in Lee County based on historic settlement patterns, many of which were approved prior to 1984 and were over-density based on the respective future land use categories for each of the properties. To encourage other types of residential developments to redevelop or convert to non-residential uses using modern building code and flood requirements it is recommended that Objective 5.2 and the supporting Policies be amended as shown below:

OBJECTIVE 5.2: REDEVELOPMENT OF EXISTING MULTI-FAMILY RESIDENTIAL DEVELOPMENT. To incentivize and promote cost effective and timely redevelopment of ~~multi-family residential~~ developments that were legally 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. (Ord. 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 or convert to a non-residential use. ~~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.~~ (Ord. 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.~~ (Ord. 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.~~ (Ord. No. [10-08](#))

POLICY 5.2.4-5.2.2: The site design of the proposed development must be compatible with surrounding land uses to the maximum extent possible. (Ord. 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.~~ (Ord. 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: 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 Department of Community Development.~~
- ~~7. Up lighting is prohibited. Mercury vapor and metal halide lamps are also prohibited.~~
- ~~8. Glass windows and doors must be treated to achieve an industry approved, inside to outside light transmittance value of 45% or less.~~

(Ord. No. ~~10-08, 21-09~~)

The intent of the proposed amendments to Objective 5.1 and its supporting policies is to allow and encourage the redevelopment of existing structures to modern building code and elevation requirements without needing to wait to be impacted by a natural disaster, while also reducing redundancy within the Lee Plan and other applicable requirements. The proposed amendments also clarify that Lee County supports redevelopment to a nonresidential property when consistent with the Lee Plan. Language that is redundant with Building Code requirements or other Lee Plan requirements for compatibility are being eliminated. Proposed edits are meant to encourage redevelopment of older structures into modern code-compliant structures, improving the building stock of Lee County. Provisions that have been updated to expand or improve their effectiveness are identified in Attachment 1.

REGULATORY CONSISTENCY

The comprehensive plan governs all land use decisions in unincorporated Lee County. The proposed amendments aim to reorganize, update, and delete portions of the Lee Plan, making it challenging to evaluate each amendment in the Staff Report. For a detailed rationale of each amendment, refer to Attachment 1.

Rather than providing a traditional Lee Plan Analysis, this Staff Report focuses on the consistency of the proposed amendments with Florida Statutes, specifically Chapter 163 and SB 180, as well as relevant case law. The amendments will simplify the structure of the Lee Plan by reorganizing policies across various Goals, Objectives, and Policies, eliminating outdated regulations, and merging redundant provisions. This will enhance internal consistency and alignment with statutory requirements and the guidance of the Board of County Commissioners. Ultimately, the Lee Plan will continue to manage growth, protect natural resources, and coordinate necessary infrastructure and services while complying with local comprehensive planning requirements.

Florida Statutes, Chapter 163

Florida Statutes, Chapter 163.3177, Required and Optional Elements of Comprehensive Plan; Studies and Surveys, require local governments to adopt a comprehensive plan and specifies the elements, data, and analyses those plans must include. Under state requirements, comprehensive plans must provide principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the county, reflecting the community's commitment to implementing the plan and its elements.

The Future Land Use Element of the Lee Plan is the largest and most comprehensive, containing the bulk of the prescribed state requirements for local comprehensive planning. According to the statute:

*A future land use plan element designating **proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land.** The approximate acreage and the general range of density or intensity of use shall be provided for the gross land area included in each existing land use category. The element shall establish the long-term end toward which land use programs and activities are ultimately directed.*

Land use categories must be defined by permitted uses and general standards for density and intensity. These uses must be coordinated with the availability of infrastructure and services, topography, soil types, natural and historic resources, and other relevant criteria. All land use categories must be mapped. Florida Statutes do not prescribe specific future land use categories or locally created overlays. The local government has discretion to establish and organize its future land use categories and overlays, provided that the Future Land Use Element and Future Land Use Map, together, satisfy the requirements of the statute.

The proposed amendments remove, update, and redistribute Goals, Objectives, and Policies related to Lee County's Community Plan Areas, which are currently contained within the "b. Community Planning" sub-element of the Future Land Use Element, to other areas of the comprehensive plan. The Community Plan Areas are overlays for large sections of the county that describe permitted uses, density, and intensity standards in addition to the underlying Future Land Use classification. The additional standards are not necessary to meet State comprehensive planning requirements and are sometimes inconsistent with future land use categories or create ambiguities that can lead to disagreements about the intent of a policy or how the Future Land Use Map and policy should be applied when considering the Lee Plan as a whole.

The Lee Plan, as currently adopted, addresses the required topics and is generally structured to satisfy the applicable state requirements. State law generally does not govern the comprehensive plan's organizational structure, land use categories, overlays, or plan provisions. ***Policies may be removed, revised, consolidated, or relocated within the Lee Plan, provided the revised Plan continues to meet all applicable legal requirements, remains internally consistent, is supported by relevant data and analysis, and retains any protections or standards required by state law.***

The community plans were not intended to be regulatory and are not necessary to comply with state statute. Lee Plan Policy 17.1.3 provides ***"Community Plans should consist of long terms objectives and policies that are not regulatory in nature. If needed, land development regulations may be adopted to implement the community plan."*** This Policy is often missed when interpreting the Lee Plan and applying proper weight to the appropriate goals, objectives, and policies when reviewing the Lee Plan as whole which leads to ambiguities and disagreements about the intent of the Lee Plan.

SB 180

The requirements of SB 180 were generally codified in Florida Statute 252.422. Currently, Florida law, through Senate Bill 180 (2025), also provides that:

“each county listed in the Federal Disaster Declaration for Hurricane Debby (DR–4806), Hurricane Helene (DR–4828), or Hurricane Milton (DR–4834), and each municipality within one of those counties, may not propose or adopt any moratorium on construction, reconstruction, or redevelopment of any property damaged by such hurricanes; propose or adopt more restrictive or burdensome amendments to its comprehensive plan or land development regulations; or propose or adopt more restrictive or burdensome procedures concerning review, approval, or issuance of a site plan, development permit, or development order, to the extent that those terms are defined by s. 163.3164, Florida Statutes, before October 1, 2027,..”.

While the language in SB 180 regarding Counties impacted by Hurricane Debby, Hurricane Helene, or Hurricane Milton, and lasting until October 1, 2027, is not codified in the Florida Statutes, it remains effective law.

Lee County was included in the Federal Disaster Declaration for all three of the identified hurricanes. Therefore, the proposed amendments may not result in comprehensive plan policies or LDC regulations that are more restrictive or burdensome, nor in a more restrictive or burdensome procedure for the review, approval, or issuance of a site plan, development permit, or development order. There are several sections of the Future Land Use Element that provide allowances that must be retained in compliance with SB 180.

Attachment 1 identifies sections of the amendments that retain at least one Policy to avoid conflicts with SB 180. These sections are:

- New Objectives 6.2, Commercial Overlay, and 6.3, Land Use Centers and Corridors, as carryovers from the Lehigh Acres and North Fort Myers Community Plan Areas.
- New Policy 11.1.3, Mixed Use Development, from Policy 23.2.1
- Incorporation of Policy 20.1.2, relating to commercial allowances in Buckingham, into Policy 1.4.3.
- Incorporation of Policy 21.2.3, relating to commercial allowances in Tice, into Goal 6.
- New Policy 129.1.3, relating to Greater Pine Island TDUs, from Policy 24.3.1.

All of these relocated policies provided additional allowances for certain areas of the County. Removing them could alter the property owner's private property rights or make development more difficult (i.e., burdensome).

The proposed Lee Plan Amendments do not result in more restrictive or burdensome amendments to the comprehensive plan or land development regulations.

CONCLUSIONS

Staff has reviewed the proposed amendments and provides the following conclusions:

- The proposed amendments do not increase densities or intensities anywhere within unincorporated Lee County.
- The proposed amendments provide adequate protection for the public health, safety, and welfare.

- The proposed amendments reinforce stated densities, intensities, and distribution of uses across unincorporated Lee County consistent with the Future Land Use Map and future land use categories to make the Lee Plan clearer and more concise;
- The proposed amendments reduce legal ambiguities and improve the predictability of the Lee Plan;
- The proposed amendments are consistent with F.S. 252.422 (Senate Bill 180), as they do not create additional burdens or restrictions and relocate provisions providing specific property rights.
- The proposed amendments are consistent with the BoCC direction from April 1, 2025.

For the reasons discussed in this staff report, staff recommends that the Board of County Commissioners **adopt** the proposed amendment as shown in Attachment 1.

ATTACHMENT 1

➤ **Text Amendments**

➤ **Map Amendments**

➤ **Table Amendment**

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Formatting Notes:

- Text that is proposed to be deleted is shown with ~~strike-through~~ formatting.
- Text that is proposed to be added is shown with underline formatting.
- Text that is proposed to be relocated is shown with ~~strike-through~~ formatting where it is being relocated from and double-underline formatting in the location where it is being relocated.
- If portions of a relocated policy are being deleted it is shown with both ~~double-underline and strike-through formatting~~ to show context.
- Staff notes are provided in red.

TEXT AMENDMENTS

I Vision Statement

The Lee Plan is designed to depict Lee County as it will appear in the year 2045 when the population is projected to be 1,056,600 permanent residents with an additional 18% seasonal residents. In order to balance the County's projected growth with evolving planning priorities, the following trends are expected to continue through the year 2045 planning horizon:

- The County's growth patterns will continue to be dictated by a Future Land Use Map that will not change dramatically. As a result, the distinction between future urban, suburban, and non-urban areas described by this plan will likely be maintained. The County's future urban areas will be essentially built out by 2045 and, to accommodate the population growth, an interest in the redevelopment of these areas will continue.
- The County's public facilities will be maintained at adequate levels of service, partly by the construction of new facilities and partly by the use of new methods to conserve the capacity of existing facilities.
- The County's natural resources will be protected through public land acquisition programs and by maintaining and enforcing cost-effective land use and environmental regulations that supplement, where necessary, federal, state, and regional regulatory programs.
- The County's traditional economic base will continue to be diversified in order to increase the percentage of high-paying jobs, reduce tax burdens on residents, and enhance the stability of the County. Traditional industries, such as agriculture, commercial fishing, tourism, and construction, will continue to play a significant role in the County's economy alongside new industries anticipated in response to technical advancements, the increasing capacity of Southwest Florida International Airport, and the growing number of higher education institutions within the County.

~~Community plans~~ Special Treatment Areas are identified ~~have been created~~ within the Lee Plan to address specific conditions unique to defined areas of the County. ~~The vision for each community plan area is~~

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incorporated as a Goal within the Future Land Use Element and the boundary for each area is shown on the Future Land Use Map (Map 2-A).

II Future Land Use Element

POLICY 1.1.9: The University Community future land use category provides for Florida Gulf Coast University (FGCU) and associated support development. ~~The location and timing of development within this category must be coordinated with the development of FGCU and the provision of necessary infrastructure. In addition to all other applicable regulations, development within the University Community future land use category must be designed to enhance and support FGCU and will be subject to cooperative master planning with, and approval by, the FGCU President or their designee. Overall residential development within the University Village future land use category 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 future land use category boundaries as they exist on October 20, 2010. Specific policies related to the University Community future land use category are provided in Goal 15.~~ **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 future land use category area are expected to be residential, commercial, office, public and quasi-public, recreation, and research and development parks.

- Removed unnecessary language.
- Incorporates language from Policy 15.2.2, addressing appropriate uses within the University Village, into the descriptor Policy for University Community. University Village is currently identified as the portion of the University Community that is outside of the lands covered by the FGCU Campus Master Plan. This is currently the section staff relies on to identify allowable uses within the University Community future land use category. The uses are neither a new requirement nor a restriction.
- Removes coordination requirements that are duplicated by the campus master planning process required by F.S. 1013.30.

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~~ may 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

⁺ 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.

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acre (1 du/acre) to two dwelling units per acre (2 du/acre). Bonus densities are not allowed. (Ord. No. [03-20](#), [03-02](#), [17-13](#), [21-09](#))

- **Removed unnecessary language. The footnote relates to a specific property that has already been developed.**

POLICY 1.1.15: The New Community future land use category are areas of land that can be planned and developed as a cohesive unit to better achieve the conservation of important environmental resources and 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 existing infrastructure 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). The residential density is one unit per 1.9 gross acres (1 du/1.9 acres) except within the Gateway/Airport Planning District, where a residential density 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 using the ~~under a well-conceived overall~~ Planned Development process;
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

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.~~

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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;²

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 2 A.~~ **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 identified on Map 1-D in North Olga exceed 1,170,000 square feet, in addition to 250 hotel rooms.

- Relocated from Goal Policy 29.9.2.
 - Updated for internal consistency and clarity.
-

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 1-B 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 DRI thresholds, either alone or through aggregation, must conform to the requirements of Ch. 380, Fla. Stat. (Ord. No. 92-47, 94-30, 00-22, 10-40)

- Removed unnecessary and outdated language. Coordination requirements with FGCU are duplicative of the statutorily required Campus Master Plan update process.
 - Revised for consistency with University Community future land use category.
-

²-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.

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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. Lands within this category are not to be 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. **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 also includes the lands 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. Property in this category may not be rezoned to any RV district. Maximum density is one dwelling unit per acre (1 du/acre). Bonus densities are not allowed.

~~**POLICY 20.1.3:** Except for those clustered areas approved in accordance with Policy 20.1.5, all lots created in the Rural Community Preserves future land use category must have a minimum area of 43,560 square feet, unless a Minimum Use Determination has been issued. Calculation and calculation of lot size must exclude any road right-of-way or easement areas, water management areas, and natural water bodies, unless clustered.~~

~~**POLICY 20.1.5:** Clustering of residential development in the Rural Community Preserves 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.~~
- Condensed requirements currently contained in the Buckingham Community Plan to the Rural Community Preserve Land use category.
 - o Relocated non-residential allowances from 20.1.2.
 - o Relocated lot size requirements from Policy 20.1.3.
 - o Relocated clustering requirements from 20.1.5.

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POLICY 1.4.7: The Coastal Rural future land use category is established for the ~~Greater Pine Island Planning District~~ 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 classified as agricultural under Chapter 193, Florida Statute, identified as existing farmland on Lee Plan Map 2-C. ~~**POLICY 24.3.3:** Adjusted Maximum Density is not permitted to be located within the Coastal High Hazard Area.~~

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~~.

- Relocated Adjusted Maximum Density limitation for Coastal Rural future land use in Coastal High Hazard Area from Policy 24.3.3.

~~**POLICY 1.6.3:** 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.~~**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 Implement the Gasparilla Island Conservation District Act (GICDA) and upholding the Boca Grande Historic District.⁹

POLICY 1.6.4: 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~~

⁹ 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.

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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. (Ord. No. [94-30](#), [00-22](#), [18-18](#))

- Relocated to continue implementing the Gasparilla Island Conservation District and Boca Grande Historic District from Goal 19.
 - Updated to maintain internal consistency
-

POLICY 1.6.7: The Agricultural Overlay (Map 1-G) 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. (Ord. No. [94-30](#))

POLICY 1.6.8: The Historic Surface and Groundwater Levels Overlay (Map 2-E 5-E) 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. (Ord. No. [10-20](#), [14-10](#), [18-18](#))

- Update cross-reference.
 - Removed unnecessary and outdated language. The Agricultural Overlay is not required by State Statute; agricultural uses are addressed through existing land uses and zoning allowances.
-

POLICY 2.1.3: All land use categories and Planning Districts permit the consideration of churches and schools (except in Wetlands and³ Airport Noise Zones A and B), public uses and buildings, county facilities, 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.

- Update to include reference to county facilities
-

³ Amendments to this Policy which included striking "Wetlands and" were transmitted by the BoCC on June 3, 2026.

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~~OBJECTIVE 2.5: HISTORIC RESOURCES.~~ Historic resources will be identified and protected pursuant to the Historic Preservation Element and the County's Historic Preservation Ordinance. (Ord. No. ~~94-30, 00-22~~)

- Cross-reference is unnecessary and redundant.

~~OBJECTIVE 2.6: 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. (Ord. No. ~~18-28~~).

- Cross-reference is unnecessary and redundant.

~~OBJECTIVE 2.7: SCENIC CORRIDORS.~~ Consider establishing special design standards along specified arterial and collector roads. (Ord. No. ~~94-30, 21-09~~)

~~POLICY 2.7.1:~~ 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. (Ord. No. ~~00-22~~)

~~POLICY 2.7.2:~~ 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. (Ord. No. ~~00-22~~)

- Objective and policies are not required by state statute and do not protect public health, safety, or welfare.

~~OBJECTIVE 2.8: 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. (Ord. No. ~~99-15, 18-28~~)

- Cross-reference is unnecessary and redundant.

~~OBJECTIVE 2.9: CARRYING CAPACITY.~~ Understand the carrying capacity of the future land use map and integrate the concept into planning strategies. (Ord. No. ~~07-16~~)

~~POLICY 2.9.1:~~ Utilizing carrying capacity information, determine the constraints to continual development as a quality of life characteristic. (Ord. No. ~~07-16~~)

~~POLICY 2.9.2:~~ Evaluate a general assessment (barometer of variables) that links the goal of (and) capacity of development (built environment) to environment (natural or green space). (Ord. No. ~~07-16~~)

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~~**POLICY 2.9.3:** Evaluate science-based goals to assess what is necessary to maintain desired environmental factors (i.e. panthers extant, Estero Bay health, etc.). (Ord. No. 07-16)~~

~~**POLICY 2.9.4:** 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. (Ord. No. 07-16)~~

- Removed unnecessary and outdated language. This was based on sections of state statutes that were removed in 2011. At that time, local governments were required to plan for a specific anticipated population range with an upper limit based on the anticipated population at the Lee Plan's planning horizon. Currently, statutes require that local governments ensure the future land use Map can, at a minimum, accommodate the anticipated population.

~~**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. (Ord. 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. (Ord. 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. (Ord. 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.~~

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~~**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. (Ord. No. 93-25, 00-22)~~

- Removed unnecessary and outdated language. Florida Statutes set forth procedures and requirements for funding private infrastructure.
-

~~**POLICY 5.1.10:** Unless specifically addressed in this plan, in those instances where contiguous land is within two or more land use categories, the allowable number of dwelling units will be the sum of the allowable dwelling units for each land use category. The dwelling units may be distributed across the property provided that the resultant development affords further protection to environmentally sensitive lands, if they exist on the property, and the number of dwelling units within any Future Non-Urban Area land use category does not exceed the density allowed in that future land use category. (Ord. No. 92-35, 00-22, 07-12, 23-12)~~

~~**POLICY 29.7.3 5.1.11:** 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.~~

- Updated for internal consistency. Proposed amendments accommodate density calculations used within the EEPKO (Proposed Conservation Community) and the New Community future land use category associated with Babcock Ranch in Northeast Lee County.
- Relocated from Policy 29.7.3

OBJECTIVE 5.2: REDEVELOPMENT OF EXISTING MULTI-FAMILY RESIDENTIAL DEVELOPMENT. To incentivize and promote cost effective and timely redevelopment of ~~multi-family~~ residential developments that were legally approved and developed prior to the adoption of the

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1984 Lee Plan, in excess of the standard density range for their current Future Land Use Category. (Ord. 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 or convert to a non-residential use.~~ 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. (Ord. 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.~~ (Ord. 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.~~ (Ord. No. [10-08](#))

POLICY 5.2.4-5.2.2: The site design of the proposed development must be compatible with surrounding land uses to the maximum extent possible. (Ord. 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.~~ (Ord. 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: utilizing fully~~

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~~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 Department of Community Development.~~

~~7. Up lighting is prohibited. Mercury vapor and metal halide lamps are also prohibited.~~

~~8. Glass windows and doors must be treated to achieve an industry approved, inside to outside light transmittance value of 45% or less.~~

~~(Ord. No. 10-08, 21-09)~~

- Allow additional over-density residential projects to redevelop without having to wait to be impacted by a natural disaster.
- Clarify that Lee County supports redevelopment to a nonresidential property when consistent with the Lee Plan.
- Remove language that is redundant with Building Code requirements.
- Proposed edits are meant to encourage redevelopment of older structures into modern code-compliant structures, improving the building stock of Lee County.

GOAL 6: COMMERCIAL LAND USES. To permit orderly and well-planned commercial development at appropriate locations within the County. (Ord. 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. **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.~~

- Delete existing objective language, which is redundant with the other provisions of the plan that are mentioned, and relocate language from Policy 6.1.4, which is more appropriate as an Objective.

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. **POLICY 21.2.3:** The Olga Mall property, 2319 S. Olga Drive, may continue to provide minor commercial retail services for the Olga community.~~

- Existing policy relocated to Objective 6.1.
- Proposed policy relocated from Policy 21.2.3.

~~**GOAL 13: PRIVATE RECREATIONAL FACILITIES IN THE DR/GR.** To **POLICY 6.1.12:** Maintain regulations to ensure that the development of Private Recreational Facilities in the DR/GR Future Land Use Category is compatible with the intent of this future land use category, including recharge to aquifers, development of future wellfields and the reduction of density.~~

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- Relocated from Goal 13.

OBJECTIVE 6.2: COMMERCIAL OVERLAY. Designate on the Commercial Overlay (Map 1-D) locations appropriate and necessary for commercial development based on the commercial demand of nearby residents.

POLICY 6.2.1: The Commercial Overlay depicts locations where commercial development will have a positive impact on transportation facilities through reducing vehicle miles traveled (VMT) necessary for projected residents of approved residential development to access commercial and employment opportunities.

POLICY 6.2.2: Requests to expand the Commercial Overlay will be evaluated based on all of the following criteria:

1. Located within a Future Urban Area.
2. Located at the intersection of two arterial roadways, or a collector and an arterial roadway.
3. Has a minimum lot size of two (2) acres.

POLICY 6.2.3: In addition to the uses already allowed in the current zoning district, properties within the Commercial Overlay are allowed, by-right, the uses permitted in the Commercial Corridor Use Regulations table located within the Land Development Code.

- The Lehigh Acres Commercial Overlay Zones will be converted to the Commercial Overlay, which will be shown on Map 1-D.
- Future applicants could request to add property to the Commercial Overlay based on criteria established in proposed Policy 6.2.2.
- Retaining the Commercial Overlay is necessary to avoid conflicts with SB 180.
- Providing for commercial uses, as proposed in LDC section 34-1127, within Lehigh Acres, a large pre-platted community, will reduce the average time required to access goods, services, and employment opportunities.

OBJECTIVE 6.3 30.2: LAND USE: CENTERS AND CORRIDORS. To encourage revitalization of designated Town Center Overlay districts, Road Corridor Overlay districts and redevelopment areas. (Ord. No. [09-11](#), [18-18](#))

POLICY 6.3.1 3.2.5: Certain areas along major road corridors outside designated Town Centers and Neighborhood Centers, are located within a Corridor Overlay District with provisions in the LDC 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 the LDC, Chapter 34.~~

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~~**POLICY 6.3.2 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. (Ord. No. 18-18)~~

- Relocated from Objective 30.2. and Policies 30.2.5 and 30.2.6.
- Retaining the North Fort Myers Corridor Overlay is necessary to avoid conflicts with SB 180.
- Recognize ongoing practice of allowing for additional uses within the Corridor Overlay district.
- Allowed incentives, including the additional allowable uses, will continue to support the revitalization of North Fort Myers.

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

~~**OBJECTIVE 7.1:** Industrial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities. 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.~~

- Delete existing Objective language, which is redundant with the other provisions of the plan that are mentioned, and replace with language more appropriate as an Objective.

POLICY 9.1.3: Protect bonafide agricultural activities in Future Non-Urban Areas (see Map 1-C) from the impacts of new natural resource extraction operations, recreational uses, and residential developments.

- Updated for internal consistency.

~~**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. (Ord. No. 00-22)~~

~~**POLICY 9.2.1 9.1.5:** Rezoning to agricultural districts is prohibited in future urban and suburban areas except for parcels five acres or larger within future suburban areas without access to central potable water or sanitary sewer service. designated Sub-Outlying Suburban or, if located within the Pine Island or Caloosahatchee Shores Community Plan area, designated Outlying Suburban or Suburban. Requests to rezone properties to an agricultural district within the Sub-Outlying Suburban, Outlying Suburban, or Suburban future land use categories will be reviewed on a case-by-case basis with consideration of the following: current and future availability of public services; compatibility with surrounding land uses; acreage of the request; cumulative effect on County tax~~

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~~base; and, protection or mitigation of environmental features, including but not limited to flow-ways, protected species, and habitat.~~

~~**POLICY 9.1.6: 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 agricultural uses. 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.~~

~~**POLICY 29.5.1 9.1.7:** Support compatible urban agriculture and the use of public and private lands for community gardens.~~

- Updated for internal consistency and clarity.
 - Relocated from Objective 29.5.
 - Relocated from Policy 29.5.1.
 - Modify to identify support for compatible urban agricultural uses.
-

~~**POLICY 10.2.9:** As part of the a new 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. (Ord. No. 19-13)~~

- Updated to maintain internal consistency.
-

~~**POLICY 23.2.1 11.1.3: Mixed Use Development.** Mixed use developments as defined in the Glossary, and mixed use developments structures containing both commercial and residential uses within the same structure, are appropriate permitted 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. (Ord. No. 03-02, 18-04, 18-18)~~

- Relocated from Policy 23.2.1.
- Retention of this policy is necessary to avoid conflicts with SB 180.

~~**GOAL 13: PRIVATE RECREATIONAL FACILITIES IN THE DR/GR.** To ensure that the development of Private Recreational Facilities in the DR/GR is compatible with the intent of this future land use category, including recharge to aquifers, development of future wellfields and the reduction of density. (Ord. No. 99-16, 18-18)~~

- Goal 13 has been relocated to Goal 6 (Commercial Uses), and the remaining Objectives and supporting Policies have been deleted because they are duplicative with LDC

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standards for PRFPDs (LDC Section 34-941). These types of regulations are more appropriately located in the Land Development Code.

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

POLICY 13.1.1: ~~The Private Recreation Facilities Overlay, Map 1 F, shows those locations that are appropriate for the development of Private Recreation Facilities in the DR/GR future land use category. The areas depicted on Map 1 F are consistent with the application of the following locational criteria:~~

- ~~1. Located outside of those areas designated for public acquisition through Florida Forever, the Corkscrew Regional Ecosystem Water Trust (CREW), the SFWMD'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 5-B as amended through June of 1990;~~
 - ~~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.~~
- ~~(Ord. No. 99-16, 18-18, 21-09)~~

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 the Private Recreational Facilities Overlay, Map 1 F., except for golf courses and ancillary uses in the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S.~~

POLICY 13.1.3: ~~Private Recreational Facilities are also allowed within the DR/GR land use category in the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. limited to golf courses and ancillary uses.~~

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

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~~POLICY 13.2.1: PRIVATE RECREATION FACILITY PLANNED DEVELOPMENT (PRFPD).~~ All Private Recreational Facilities proposed within the DR/GR future land use category must be reviewed as a PRFPD, except for golf courses and ancillary uses in the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. (Ord. No. ~~99-16, 18-18, 21-09~~)

~~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. (Ord. 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 PRFPD will be extinguished and cannot be transferred, clustered or otherwise assigned to any property. (Ord. 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. (Ord. 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. (Ord. No. ~~99-16, 10-21, 18-18~~)

~~POLICY 13.2.6:~~ Time share, fractional ownership units, and Bed and Breakfast establishments may be permitted if the property is designated as a Rural Golf Course Community (see Map 2-D). 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. (Ord. No. ~~10-43, 18-18, 21-09~~)

~~POLICY 13.2.7:~~ Time share, fractional ownership units, or bed and breakfast establishments 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 (see Map 2-D) can be redeemed for one timeshare unit, one fractional ownership unit, or two bed and breakfast bedrooms. (Ord. No. ~~10-43, 17-13, 18-18, 21-09~~)

~~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. (Ord. No. ~~99-16, 10-43, 18-18~~)

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~~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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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 LDC, Chapter 10. (Ord. 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. (Ord. No. ~~99-16, 18-18~~)

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

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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.~~

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

POLICY 13.3.8: ~~The following site requirements, regulating lot size, setbacks and open space must be equalled 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:~~

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- 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.~~
- (Ord. 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	• 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	• 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	• 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	• Limited to neighborhood commercial development with uses that are in compliance with the Wellfield Protection Ordinance without any exemptions⁶ • Total commercial gross floor area for the entire area of the PRFPD may not exceed 100,000 SF, not including clubhouse square footage

(Ord. No. ~~99-16, 02-02, 10-21, 18-18, 19-25~~)

POLICY 13.3.10: General development standards for golf courses and ancillary uses within the

⁶ No uses that would require the storage of any toxic, hazardous substances as identified in the Wellfield Protection Ordinance or sanitary hazards may be permitted.

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Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. will follow the development standards established for this MPD zoning district and are exempt from Policies 13.3.1 through 13.3.9.

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

~~**POLICY 13.4.1:** All applications and documentation for the PRFPD 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 PRFPD. 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 PRFPD 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. (Ord. 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. (Ord. 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). (Ord. 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 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. (Ord. 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. (Ord. No. [99-16](#), [03-04](#), [18-18](#))~~

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POLICY 13.4.6: ~~The surface water management system design must incorporate natural flow way corridors, cypress heads, natural lakes, and restore impacted natural flow way 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 SFWMD's South Lee County Watershed Plan.~~
- ~~3. The Historic Flow way Aerial Map depicts the general flow way 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 flow way is not well defined or discontinuous, flexibility will be given to allow different alignments within a site.~~

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

POLICY 13.4.7: ~~Any Private Recreational Facility proposed within the DR/GR future land use category must cooperate with Lee County and the SFWMD in implementing an overall surface water management plan as outlined in Objective 60.2 and 126.1. Compliance with these policies must be demonstrated during development order approval. (Ord. No. [99-16](#), [18-18](#), [21-09](#))~~

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

POLICY 13.4.9: ~~The protection of water quality, quantity, and surface water resources within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. was found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district, including the Surface Water Quality Monitoring Program within the Enhanced Lake Management Plan and the Hydrological Restoration Plan, and are exempt from Policies 13.4.1 through 13.4.8.~~

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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. (Ord. 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. (Ord. No. ~~99-16, 18-18~~)

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

POLICY 13.5.4: The protection of wildlife within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. was found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district, including the Protected Species Management and Human-Wildlife Coexistence Plan, and are exempt from Policies 13.5.1 through 13.5.3.

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. (Ord. 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. (Ord. 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 SFWMD Wetland Rapid Assessment Procedure (WRAP). (Ord. 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. (Ord. No. ~~99-16, 18-18~~)

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

~~**POLICY 13.6.5:** The protection of natural resources within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. was found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district, including The Indigenous Preservation, Restoration, and Management Plan and Hydrological Restoration Plan, and are exempt from Policies 13.6.1 through 13.6.4.~~

~~**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. (Ord. 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. (Ord. 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. (Ord. 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.~~

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- ~~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. (Ord. No. ~~99-16, 18-18~~)

~~**POLICY 13.7.4:** The monitoring program within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22 CA 002743 approved under Sec. 70.001 F.S. was found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district, including the Surface Water Quality Monitoring Program within the Enhanced Lake Management Plan, and are exempt from Policies 13.7.1 through 13.7.3.~~

~~**OBJECTIVE 13.8: GOLF COURSE PERFORMANCE STANDARDS.** The location, design and operation of golf courses located within the Private Recreational Facilities Overlay 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. (Ord. No. ~~99-16, 10-21, 18-18, 21-09~~)~~

~~**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. (Ord. 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. (Ord. 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~~

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bridges or culverts or a combination as approved by Lee County and SFWMD. (Ord. 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. (Ord. 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 SFWMD for regional water management objectives. (Ord. 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. (Ord. 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. (Ord. 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.

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(Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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 LDC. 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.~~

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- ~~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.~~
(Ord. No. ~~99-16, 02-02, 18-18~~)

~~**POLICY 13.8.13:** Performance standards within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22 CA 002743 approved under Sec. 70.001 F.S. were found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district and are exempt from Objective 13.8 and Policies 13.8.1 through 13.8.12.~~

GOAL 13-35: RESERVED

~~**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. (Ord. No. ~~09-16, 18-18~~)~~

- Removed unnecessary and outdated language. The level of detail for the Burnt Store Marina Village is not required by statute or appropriate for a legislative policy document. The Burnt Store Marina Village future land use category, as described in Policy 1.1.14, will continue to identify allowable densities and uses.

~~**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. (Ord. 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~~

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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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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 Map 5-A. (Ord. 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. (Ord. No. [92-47](#), [94-30](#), [00-22](#), [17-10](#), [18-18](#))~~

- Removed unnecessary and outdated language. The level of detail for the University Community is not required by statute or appropriate for a legislative policy document. The University Community future land use category, as proposed and described in Policy 1.1.9, will continue to identify allowable densities and uses.

~~**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. (Ord. No. [00-22](#), [18-18](#))~~

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~~**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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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 Transportation Element. (Ord. No. [94-30](#), [00-22](#), [18-18](#))~~

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

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~~**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. (Ord. 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 SFWMD 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 SFWMD. 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 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. [00-22](#), [07-12](#), [18-18](#))~~

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~~**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 (Ch. 190, Fla. Stat.). The cost for these types of improvements will not be borne by the County. (Ord. 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 (Ch. 190, Fla. Stat.). The cost for these types of improvements will not be borne by the County. (Ord. 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 LDC. 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~~

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- 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. ~~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.
- 9. ~~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.
- 10. ~~Florida Gulf Coast University Participation:~~** The owner or agent for DRI 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.

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~~**11. 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.
(Ord. No. [10-40](#), [14-03](#), [17-10](#), [18-18](#), [22-04](#))~~

~~**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. (Ord. 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 Economic Opportunity and the Board of Regents under the provisions of Ch. 380, Fla. Stat. and any other applicable state law. (Ord. 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. (Ord. 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.
(Ord. No. [00-22](#), [07-12](#), [10-40](#), [17-10](#), [18-18](#))~~

~~GOAL 16: RESERVED~~

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. (Ord. 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.

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.

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.

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.

OBJECTIVE 17.2: COMMUNITY PLAN AREAS. To depict the boundaries of community plan areas on the Future Land Use Map (Map 2 A). (Ord. No. 18-18)

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~~**POLICY 17.2.1:** Each community plan area boundary must be rationally related to the condition(s) identified in the individual community plan. (Ord. 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.~~

- Community Plans are not required by state statute.
- Goals, Objectives, or Policies that are necessary to protect public health, safety, and welfare, or are required by state law, have been relocated.
- Based on BoCC direction, Goals, Objectives, and Policies that are out of date, ineffective, or duplicative are being deleted.

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

~~**POLICY 17.3.1:** Educate the public regarding comprehensive planning and sound planning principles by requiring public information meetings. (Ord. 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. (Ord. 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.⁷ (Ord. No. 18-18)~~

⁷For 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.

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~~**POLICY 17.3.3:** Public information meetings required pursuant to the provisions of this subelement must be held within the established community plan area boundary that is affected by the amendment.⁷~~

~~**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.⁸~~
- ~~• 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.~~

~~(Ord. No. [18-18](#))~~

~~**POLICY 17.3.5:** Additional public information meetings may be required as provided in the LDC.
(Ord. No. [18-18](#))~~

- The public input currently required under Goal 17 exceeds public noticing requirements under state statute.

~~**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. (Ord. No. [93-02](#), [18-18](#))~~

- This Goal, Objectives, and supporting Policies are not required by state statute.
- Bayshore is an established community with existing acreage subdivisions as well as master planned communities. Based on typical lot size and current development patterns and future land use categories, the removal of Goal 18 and subsequent Objectives and Policies will not have a significant impact on land use or future development patterns.

~~**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,~~

⁸ See Policy 23.4.1 for specific public information meeting requirements for applications within the Captiva community plan area boundary.

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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. (Ord. 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 LDC. (Ord. 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. (Ord. No. 03-02, 17-13, 18-18)

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

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

- Removed unnecessary language.
 - o Commercial uses are addressed on a county-wide scale within Goal 6 of the Lee Plan.
 - o Industrial uses are addressed on a county-wide scale within Goal 7 of the Lee Plan.
 - o Commercial mining and excavations are addressed on a county-wide scale within Goal 10 of the Lee Plan.

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. (Ord. No. 03-02, 18-18)

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

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~~**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. (Ord. No. 03-02, 18-18)~~

- This Objective and related Policies are out of date and inconsistent with existing entitlements.
- The provisions were created prior to the removal of required transportation concurrency from Florida Statutes (2011) and the Lee Plan (2014).
- Lee County's transportation network should be coordinated across the entire county to effectively address local needs, rather than driven only by the preferences of individual communities.

~~**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 except to the areas identified by Lee Plan Table 6, "10-Year Sanitary Sewer Service Feasibility Plan". Central water service for enhanced fire protection will be encouraged where economically feasible. (Ord. No. 03-02, 18-18, 25-10)~~

~~**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. (Ord. No. 03-02, 18-18)~~

- Availability of utilities can directly impact water quality and quantity and should be coordinated across the entire county to effectively address local needs, rather than driven only by the preferences of individual communities.
- Policy 18.3.1 is duplicative and only reiterates Standards 4.1.1 and 4.1.2 as applied across unincorporated Lee County.
- Removing Policy 18.3.1 will avoid potential conflicts or inconsistencies with Standards 4.1.1, 4.1.2, and Chapter 10 of the Land Development Code (Chapter 10, Article III, Division 4. – Utilities)

~~**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. (Ord. 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. (Ord. No. 03-02, 18-18)~~

- This Objective and its related Policy are outdated and not enforceable.

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~~**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.⁹ (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. 05-19, 18-18)~~

~~**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. (Ord. 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~~

⁹ 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.

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~~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. (Ord. 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. (Ord. 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, ~~b~~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.~~

- Removed unnecessary and outdated language. These policies are duplicative and already covered by the LDC and the Gasparilla Act, which establish setback, height, and lot coverage standards.
- Relocated requirement to implement the Gasparilla Island Conservation District Act (GICDA) and uphold the Boca Grande Historic District to Policy 1.6.3.
- Duplicative marine facilities criteria currently exist in Objective 128.4.
- This is duplicative and addressed within LDC Section 34-2255.

~~**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~~

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~~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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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 the Historic Downtown Village 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. (Ord. 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. (Ord. 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. (Ord. No. 05-19, 18-18)~~

- Lee County is required to implement and enforce the provisions of GICDA. This Policy is not necessary.
- Goals, Objectives, or Policies that are necessary to protect public health, safety, and welfare, or are required by state law, have been relocated.
 - Relocated to Objective 40.3, within a new Goal 40 in the Transportation Element.

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- Based on BoCC direction, Goals, Objectives, and Policies that are out of date, ineffective, or duplicative are being deleted.
 - o The hurricane evacuation policy is duplicative of Goals 72 and 73.

~~OBJECTIVE 19.3: PARKING.~~ ~~To create safe and efficient parking for employees, patrons and visitors by implementing appropriate parking standards in the LDC which address the capacity and design needs of the commercial businesses in the Boca Grande Community Plan area. (Ord. 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: revised traffic count thresholds; maximum development intensities; revised minimum parking requirements; traffic congestion mitigation practices; vehicle and pedestrian safety programs; shared parking agreements; or, public/private partnerships to fund new or expanded parking facilities. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. 05-19, 18-18)~~

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- Goals, Objectives, or Policies that are necessary to protect public health, safety, and welfare, or are required by state law, have been relocated.
 - Relocated to Objective 40.3, within a new Goal 40 in the Transportation Element.
- Based on BoCC direction, Goals, Objectives, and Policies that are out of date, ineffective, or duplicative are being deleted.
 - The existing Objective 19.3 is duplicative of the proposed Objective 19.2, which is being relocated to the Transportation Element (Objective 40.3).

~~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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. ~~05-19, 18-18~~)

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~~**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. (Ord. No. [05-19](#), [18-18](#))~~

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

- The existing Objective 19.4 and supporting Policies are duplicative of the Conservation and Coastal Management Element of the Lee Plan. Specifically Objective 101.5, Policy 101.5.2 for beach renourishment, Objective 123.2, Policy 123.2.12 for mangrove protection, Objective 101.5 for beach and dune systems, Objective 123.7 for manatee protection, and Objective 101.1, Policy 101.1.2 for coastal area planning and protection of environmentally sensitive coastal areas.
- Duplicative language is also addressed in other areas of the LDC, or state statutes.

~~**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. (Ord. 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. (Ord. No. [05-19](#), [18-18](#))~~

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- The existing Objective 19.5 and supporting Policies are duplicative of the Conservation and Coastal Management Element of Lee Plan. Specifically Goal 113 for preservation of fish population and estuarine ecosystems.
- Duplicative language is also addressed in other parts of the LDC, or state statutes.

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

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

POLICY 19.6.10: Lee County will cooperate in the establishment of interlocal 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 Area 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. (Ord. 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 is determined by the Boca Grande Fire Control District. (Ord. 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

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~~Health Clinic will be informed relating to any public health issues or public County health problems. (Ord. 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 interlocal agreements, or other mechanisms as may be applicable, between Lee and Charlotte County will be supported if necessary. (Ord. 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. (Ord. No. [05-19](#), [18-18](#))~~

- The existing Objective 19.6 is duplicative of the Goals, Objectives and supporting Policies addressed in the Community Facilities and Services Element of the Lee Plan. Specifically Goal 53 for potable water, Goal 56 for sanitary sewer, Goal 62 for solid waste, Goal 64 for libraries, Goal 65 for fire protection, Goal 66 for EMS provision, Goal 67 for educational efforts, Goal 69 for handling of hazardous materials, and Goal 70 for police provision.
- Duplicative language is also addressed in other areas of the LDC or state statutes.

~~**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. (Ord. 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 (Ord. 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. (Ord. No. [05-19](#), [18-18](#))~~

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~~**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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. [05-19](#), [18-18](#))~~

- The existing Objective 19.7 and the supporting Policies are duplicative the Parks, Recreation, and Open Space Element of the Lee Plan. Specifically, Goal 77 for enhanced aesthetic appearance and preservation of native trees and Goal 83 for recreational facilities.
- Duplicative language is also addressed in other areas of the LDC, County Ordinances, or state statutes.

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

~~**POLICY 19.8.1:** Maintain a Boca Grande Historic Preservation Board. (Ord. 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~~

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historic features of the Island in order to sustain a legacy for future generations. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. Ordinance No. ~~05-19~~)~~

- Objectives and Policies that are necessary to protect public health, safety, and welfare, or are required by state law, have been relocated.
 - o Objective 19.8 has been relocated to Objective 143.5.
- Objectives and Policies that are out of date, ineffective, or duplicative of the Historic Preservation Element of the Lee Plan are being deleted.

~~**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. (Ord. 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. (Ord. No. ~~05-19, 18-18~~)~~

~~**POLICY 19.9.2:** Lee County will support efforts to preserve, maintain, and enhance the beaches of Gasparilla Island. (Ord. 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~~

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~~preservation grants and development regulations which will encourage mixed use buildings. The Gasparilla Inn is an example. (Ord. No. 05-19, 18-18)~~

- The existing Objective 19.9 and supporting Policies are duplicative of the Conservation and Coastal Management and Historic Preservation Elements of the Lee Plan. Specifically Objective 101.5 for preservation and maintenance of beaches and Goal 143 for supporting preservation of historic businesses and commercial structures.
- Duplicative language is also addressed in other areas of the LDC, County Ordinances, or state statutes.

~~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. (Ord. No. 91-19, 93-25, 94-30, 10-15, 18-18)

- Buckingham is an established community with existing acreage subdivisions as well as master planned communities. Based on typical lot sizes and current development patterns, land use or future development patterns would not be significantly impacted by the removal of Goal 20 and the subsequent Objectives and Policies.
- The Rural Community Preserves future land use category will continue to control the development in this area.

~~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. (Ord. 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. (Ord. 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. (Ord. No. 94-30, 98-09, 00-22, 10-15, 18-18)

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~~**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. (Ord. No. [00-22](#), [10-15](#), [18-18](#))~~

~~**POLICY 20.1.4:** Bonus density is prohibited in the Rural Community Preserve. (Ord. 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.~~
- ~~(Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. [18-18](#))~~

- Relocated and modified Policies 20.1.2, 20.1.3, and 20.1.5 to Policy 1.4.3 to incorporate into the Rural Community Preserves future land use category.
- Retention of Policy 20.1.2 is necessary to avoid conflicts with SB 180.

~~**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. (Ord. No. [94-30](#), [99-15](#), [00-22](#), [10-15](#), [18-18](#))~~

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~~**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. (Ord. 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.~~

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

- Lee County's transportation network should be coordinated across the entire county to effectively address local needs, rather than driven only by the preferences of individual communities.
- This Objective and related Policies are out of date and inconsistent with existing entitlements.
- The provisions were originally created prior to the removal of required transportation concurrency from Florida Statutes (2011) and the Lee Plan (2014).

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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. (Ord. 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 4-B as Future Sanitary Sewer Service Areas, areas identified by Lee Plan Table 6, “10-Year Sanitary Sewer Service Feasibility Plan”, 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. (Ord. No. ~~10-15, 18-18, 25-10~~)

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, unless required by state or federal regulations. 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. (Ord. No. ~~10-15, 18-18, 24-10~~)

POLICY 20.3.3: All new large developments (as defined in LDC, Chapter 10) must install utilities underground. Utilities include, but are not limited to, electricity, telephone, and cable lines. (Ord. 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. (Ord. 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. (Ord. No. ~~10-15, 18-18~~)

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

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- Removed. Public facilities provided by Lee County should be coordinated across the entire county to effectively address local needs, rather than driven only by the preferences of individual communities.

~~**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. (Ord. No. [10-15](#), [18-18](#))~~

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

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

~~**POLICY 20.4.4:** Outdoor lighting must be designed to reduce light pollution and light trespass. (Ord. 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 LDC, Chapter 34. (Ord. No. [10-15](#), [18-18](#))~~

- Redundant with requirements of Land Development Code and other areas of the Lee Plan.

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

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~~**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. (Ord. No. [10-15](#), [18-18](#))~~

- Objective 20.5 and supporting policies are duplicative of Goal 85 and the Land as applied to all areas of unincorporated Lee County.

~~**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. (Ord. 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. (Ord. No. [10-15](#), [18-18](#))~~

- Objective 20.6 and Policy 20.6.1 are not statutorily required and are not necessary. Agricultural uses are protected in Florida Statute, Chapter 823.14.

~~**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. (Ord. No. [03-21](#), [18-18](#))~~

- Goal 21 and supporting Objectives and Policies are out of date. Caloosahatchee Shores is not rural east of I-75.

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

~~**POLICY 21.1.1:** Maintain LDC 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. (Ord. 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 the LDC, Chapter 34. (Ord. 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. (Ord. No. 09-06, [18-14](#), [18-18](#))~~

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- Architectural and landscaping requirements are duplicative of requirements that apply to unincorporated Lee County and applied in the LDC.
- The stated desire to protect “rural character” is not supported by long existing areas of Suburban, Urban Community and Central Urban future land use categories and is inconsistent with the Future Land Use Map.

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. (Ord. 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.~~

~~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. (Ord. 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. (Ord. 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. (Ord. No. [03-21](#), [11-24](#))~~

- This objective and supporting policies are out of date and do not accurately depict current and anticipated development patterns in the area.
- West of Buckingham Road properties are in the Caloosahatchee Shores Community Plan area and are mostly developed with older commercial uses on relatively small, platted lots in the C-1 zoning district.
- East of Buckingham Road properties are in the Olga Community Plan area. These lands generally consist of developed and vacant agricultural lands on larger lots in Future Suburban and Future Non-Urban Areas. Current regulations favor residential uses over other non-residential uses, potentially creating a shortage of land available to serve existing and anticipated residents with non-residential uses.
- This is a fast-growing area of the county, and restrictions on commercial uses should be reduced in order to provide services to residents of the area and commuters that rely on SR 80.

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- Land within the Rural future land use category, between Buckingham Road and Hickey's Creek Mitigation Park, will continue to have limitations on commercial uses as it does elsewhere in unincorporated Lee County.
- Policy 21.2.2 is unnecessary based on current and established development patterns, which mainly include planned residential communities along Buckingham Road, outside of the Rural Community Preserves future land use category.
- Distribution and availability of commercial uses are determined by the Future Land Use Map.
- Policy 21.2.3 was relocated to Goal 6. Retention of this policy is necessary to avoid conflicts with SB 180.

~~**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. (Ord. No. 03-21, 18-18)~~

~~**POLICY 21.3.1:** Maintain LDC regulations that provide for greater buffering between adjacent commercial and residential uses except for in mixed-use developments. (Ord. No. 03-21, 07-12, 18-18)~~

- Objective 21.3 and Policy 21.3.1 redundant with Goals 5 and 77 of the Lee Plan.

~~**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. (Ord. 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. (Ord. No. 03-21)~~

~~Densities should be based on Future Land Use Category, consistent with treatment on other areas of unincorporated Lee County.~~

~~**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-C). 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. (Ord. No. 03-21, 18-18)~~

~~**POLICY 21.4.3:** Maintain LDC regulations that encourage mixed-use developments. (Ord. No. 03-21, 07-12, 18-18)~~

- This Objective and Policies concerning Mixed Use Development are unnecessary and duplicative of Goal 11, existing future land use categories, and the Mixed Use Overlay.

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

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

- Objective 21.5 and Policies 21.5.1, 21.5.2, and 21.5.3 are unnecessary and duplicative of Goals 83 – 86 and Policy 95.1.3.
- Creates potential inconsistency with the capital improvement schedule.

GOAL 22: OLGA COMMUNITY PLAN. Maintain Olga's heritage and rural character. (Ord. No. ~~09-10, 18-18~~)

OBJECTIVE 22.1: ~~To maintain the Future Land Use Map in a manner that reflects the Olga Community Plan. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. 09-10, 10-34, 18-18)~~

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~~**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. (Ord. No. [09-10](#), [18-18](#))~~

~~**POLICY 22.1.5:** Heritage trees 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. (Ord. No. [09-10](#), [18-18](#), [21-09](#))~~

~~**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. (Ord. No. [09-10](#), [18-18](#))~~

~~**POLICY 22.1.7:** Maintain LDC regulations that require natural habitats, such as tree canopies, be incorporated into project site designs. (Ord. 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. (Ord. No. [09-10](#), [18-18](#))~~

- Policy 22.1.1 is redundant with requirements in LDC 10-296 and Lee Plan Map 3-D.
- Policy 22.1.2 is duplicative with Policy 5.1.5, which addresses compatibility with adjacent residential development.
- Policy 22.1.4 is duplicative of Policy 6.1.5.
- Policy 22.1.5 is redundant with requirements in LDC 10-416, which incentivizes the protection of heritage trees.
- Policy 22.1.8 is unnecessary in the Lee Plan and may not be appropriate or feasible based on site-specific design requirements or needs of the specific utility provider.

~~**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 the historic low-density residential development pattern of Captiva. (Ord. No. [03-01](#), [18-04](#), [18-18](#), [23-33](#))~~

~~**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. (Ord. No. [03-01](#), [18-04](#), [18-18](#))~~

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~~**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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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 LDC. (Ord. 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. (Ord. No. 18-04, 18-18)~~

- Objectives and Policies that are out of date, ineffective, or duplicative are being deleted.
 - o Objective 23.1 is duplicative of Goal 23, generally.
 - o Policy 23.1.1 is duplicative of Objective 123.2 and Policy 123.2.12.
 - o Policy 23.1.2 is duplicative of Goal 114 and Policy 114.1.3.
 - o Policy 23.1.2 is duplicative of Goals 122, 123, and 124 114.
 - o Policy 23.1.4 is duplicative of Objectives 101.4 and 101.5.
 - o Policy 23.1.5 is duplicative of Objectives Goals 59, 60, and Objective 56.2.
 - o Policy 23.1.6 is duplicative of Objectives Goals 123.

~~**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. (Ord. No. 03-02, 18-04, 18-18)~~

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~~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. (Ord. 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 LDC for RSC 2-zoned lots in Captiva. (Ord. No. [03-01](#), [18-04](#), [18-18](#))~~

~~POLICY 23.2.3: Building Heights.~~ ~~Maintain building height regulations that account for barrier island conditions, such as mandatory flood elevation and mean high sea level, for measuring height of buildings and structures. (Ord. No. [18-04](#), [18-18](#), [23-33](#))~~

~~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 LDC, Chapter 10, minor commercial development and South Seas Island Resort. (Ord. 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. (Ord. 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 LDC. (Ord. 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. (Ord. No. [18-04](#), [18-18](#))~~

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

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- Objectives 23.2, and the supporting policies are duplicative of the Future Land Use Map and future land use categories, which include Outlying Suburban (3 dwelling units per acre), and Wetlands, or other provisions of the Lee Plan and:
 - o Do not establish densities or intensities
 - o Do not establish distribution or commercial, industrial, residential, or agricultural uses, and,
 - o Create ambiguities that decrease predictability of the Plan.
- Site development standards for utilities in the Lee Plan are unnecessary and may not be appropriate or feasible based on site-specific design requirements or needs of the specific utility provider.
- Policy 23.2.1 has been relocated to Policy 11.1.3 Retention of this policy is necessary to avoid conflicts with SB 180.
- Objectives and Policies that are out of date, ineffective, or duplicative are being deleted.
 - o Policy 23.2.3 is duplicative of Land Development Code, 34-2175, which limits height based on future land use category and a specific limitation for Captiva Island.
 - o Policy 23.2.9 is duplicative of Objective 123.5.

~~**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. (Ord. 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. (Ord. 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. (Ord. No. [18-04](#), [18-18](#))~~

- Removed unnecessary and outdated language.
- Policy 23.3.1 is not an appropriate policy. Development of single-family residential uses does not require the installation of trees.

~~**OBJECTIVE 23.4: PUBLIC PARTICIPATION.** Opportunities for public input will be provided during the comprehensive plan amendment and rezoning processes. (Ord. 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 LDC 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~~

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~~in writing to citizen groups and civic associations within the community that are registered with Lee County for notification of pending Lee Plan or LDC 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 the LDC. (Ord. 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. (Ord. No. [18-04](#), [18-18](#))~~

- This policy is out of date and not necessary. Zoning and Comprehensive Plan Amendments cases are maintained online for all areas of unincorporated Lee County. State law provides legal notice requirements.

~~**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. (Ord. 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. (Ord. 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. (Ord. 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." (Ord. No. [94-30](#), [00-22](#), [18-18](#))~~

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~~**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. (Ord. 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. (Ord. 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 the LDC, Chapter 14;~~
- ~~• 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.~~

~~(Ord. No. 00-22, 03-03, 11-30, 18-18)~~

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~~**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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. 16-07, 18-18)~~

- Lee County's Natural Resource Protection should be coordinated across the entire county to effectively address local needs, rather than driven only by the preferences of individual communities.
- Policy 24.1.2 is not required within the Lee Plan. Protection of seagrasses will continue to be protected by Policy 101.1.2, 114.2.1 and Florida Statutes.
- The Objectives and Policies are duplicative of Goals 123 and 141 of the Lee Plan and LDC requirements for waterway buffers.
- Objectives and Policies that are necessary to protect public health, safety, and welfare, or are required by state law, have been relocated.
 - o Policy 24.1.1 and Policy 24.1.4 have been relocated to Policy 114.1.5.

~~**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. (Ord. 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. (Ord. 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. (Ord. No. 16-07, 18-18)~~

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

- Lee County's Transportation needs should be coordinated across the entire county to effectively address local needs, rather than driven only by the preferences of individual communities.
- These Objectives and Policies are duplicative of those in Goal 73.

~~**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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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:~~

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- ~~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 24.6.1.~~
- Objectives and Policies that are necessary to protect public health, safety, and welfare, or are required by state law, have been relocated. Retention of these policies are necessary to avoid conflicts with SB 180.
 - o Policy 24.3.1 has been relocated to Policy 129.1.3 to maintain current implementation of Greater Pine Island TDU program.
 - o Policy 24.3.3 has been relocated to Policy 1.4.7 Coastal Rural future land use category

~~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. (Ord. No. ~~94-30, 00-22, 18-18~~)

~~POLICY 24.4.1:~~ The future urban areas 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. (Ord. No. ~~16-07, 18-18~~)

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~~**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. (Ord. 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 LDC. 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 the LDC, Chapter 34. (Ord. No. [03-03](#), [16-07](#), [18-18](#))~~

~~**POLICY 24.4.4:** In the Coastal Rural future land use category, commercial development is restricted to minor commercial development as set forth in Policy 6.1.2. 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.~~

~~(Ord. No. [10-17](#), [16-07](#), [18-18](#), [22-28](#))~~

- This objective and policies are generally duplicative of the requirements the various future land use categories that are located on Pine Island, which include Coastal Rural, Outlying Suburban, Suburban, Urban Community, Public Facilities, Wetlands, and Conservation Lands.
- Most commercial uses are expected in "Pine Island Center", where the Urban Community future land use category allows for non-residential uses based on the

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future land use category. The Urban Community future land use category is only found in Pine Island Center on Pine Island.

- In the Coastal Rural future land use category non-residential uses are to be limited as described in Policy 1.4.7 and 6.1.2, and is not necessary here.
- Areas within the Suburban and Outlying Suburban future land use category do allow for commercial uses, but these areas have primarily been subdivided into residential lots, with the exception of some large agricultural tracts near the north end of Pine Island that remain in active agricultural use.

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

- Objective 24.5 is duplicative of Goal 141

~~**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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. 03-03, 18-18)~~

- Policy 24.5.3 does not provide any specific protection and only says the county will evaluate the effects of county regulations. This is not necessary as a Lee Plan policy.
- Objectives and Policies that are out of date, ineffective, or duplicative are being deleted.
 - o Policy 24.5.1 is duplicative of Ordinance 92-34
 - o Policy 24.5.2 is duplicative of Policy 143.4.1.
 - o Policy 24.5.4 is duplicative of Goal 141.

~~**OBJECTIVE 24.6: GREATER PINE ISLAND TRANSFER OF DEVELOPMENT RIGHTS (Greater Pine Island TDR) PROGRAM.** To promote and preserve the rural character of Pine Island,~~

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Lee County will pursue the incorporation of Greater Pine Island's purchase and transfer of development rights programs into the LDC. (Ord. No. [05-21](#), [16-07](#), [18-18](#))

~~**POLICY 24.6.1:** Lee County will amend its LDC to implement transfer of development rights and purchase of development rights 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. (Ord. No. [16-07](#), [18-18](#))~~

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

- ~~a. Creation of Greater Pine Island Transferable Development Units (Greater Pine Island TDUs).
 - 1. Up to one Greater Pine Island TDU may be created per five acres of wetlands.
 - 2. Up to one Greater Pine Island TDU may be created per one acre of uplands located in non-urban future land use categories.
 - 3. Up to three Greater Pine Island TDUs may be created per one acre of uplands located in the Outlying Suburban future land use categories.
 - 4. Up to two Greater Pine Island 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 LDC 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.~~
- ~~(Ord. 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. (Ord. No. [16-07](#), [18-18](#))~~

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- Relocated to new Objective 129.2 within a separate goal for Lee County TDU programs, Goal 129.

~~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. (Ord. 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. (Ord. 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 and related evacuation planning documents. (Ord. 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. (Ord. 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. (Ord. 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 the LDC, Chapter 2, Article XI. (Ord. 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. (Ord. 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 Areas in order to reduce the expansion of new development within vulnerable areas. (Ord. No. ~~16-07, 18-18~~)

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

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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 the LDC, Chapter 34. (Ord. No. ~~16-07, 18-18~~)

- Objective 24.7 and the supporting policies are generally duplicative of Goal 73, with the exception of Policy 24.7.8 which is proposed to be added to Goal 73 as Policy 73.1.3.
- Lee County's evacuation requirements should be coordinated across the entire county to effectively and equitably address local needs. Policy 24.7.8 is duplicative of Goal 38, 72, and 73.

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. (Ord. 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 2-B. (Ord. 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. (Ord. 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). (Ord. 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. (Ord. 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. (Ord. 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.

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d. ~~Connections to adjacent developments will be provided.~~

e. ~~Vehicular connections between different uses will be provided to facilitate the internal capture of trips.~~

(Ord. 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: W 12th Street and Sunshine Boulevard; W 12th Street and Williams Avenue; W 12th Street and Richmond Avenue; and, W 12th Street and Joel Boulevard. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. 10-16, 18-18)~~

POLICY 25.2.3: ~~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. (Ord. 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. (Ord. No. 10-16, 18-18)~~

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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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. ~~10-16, 18-18~~)

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

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~~**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. (Ord. No. [10-16](#), [18-18](#))~~

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

- Deleted text related to Specialized Mixed Use Nodes, Downtown Lehigh Acres, Communality Mixed Use Activity Centers, Neighborhood Mixed Use Activity Centers, and Local Mixed Use Activity Centers. Areas previously identified on Map 2-B will be redesigned to be within the Mixed Use Overlay and identified on Map 1-C.

~~**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. (Ord. 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). (Ord. No. [98-09](#), [00-22](#), [10-16](#), [18-18](#))~~

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~~**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.~~
 - The Lehigh Acres Commercial Overlay Zones will be converted to the Commercial Overlay, which will be described in proposed Objective 6.2 and shown on Map 1-D.
 - Other appropriate areas could request to be added to the Commercial Overlay in the future based on criteria established in proposed Policy 6.2.2.
 - Retaining the Commercial Overlay is necessary to avoid conflicts with SB 180.
 - Providing for commercial uses within Lehigh Acres, a large preplatted community, will reduce average the time required access goods, services and employment opportunities.

~~**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. (Ord. No. [10-16](#), [18-18](#))~~

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

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~~**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. (Ord. 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. (Ord. 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. (Ord. No. [10-16](#), [18-18](#))~~

- Objective 25.7 is duplicative of Goals 83 through 86 in the Parks, Recreation and Open Space Element.

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

~~**POLICY 25.8.2:** All connections to SR 82 must be consistent with the FDOT Corridor Access Management Plan for SR 82. (Ord. No. [10-16](#), [18-18](#))~~

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

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

- Lee County's Transportation needs should be coordinated across the entire county to effectively address local needs, rather than driven only by the preferences of individual communities.
- Objective and policies are not required by state statute and do not protect public health, safety, or welfare.

~~**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. (Ord. 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. (Ord. 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 public services and infrastructure during the planning horizon. (Ord. No. [10-16](#), [18-18](#), [21-09](#))~~

~~**POLICY 25.9.3:** Lee County will support the expansion of water and sewer facilities throughout Lehigh Acres. (Ord. No. [10-16](#), [18-18](#), [24-10](#))~~

- Lee County's utilities needs should be coordinated across the entire county to effectively address local needs, rather than driven only by the preferences of individual communities.
- Objectives and Policies that are out of date, ineffective, or duplicative are being deleted. This is achieved through water and sewer development standards identified in Standards 4.1.1 and 4.1.2

~~**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. (Ord. 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~~

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provided, whenever possible, within the Lehigh Acres Community Plan area. Development must also be consistent with Goal 77 and Objective 77.3. (Ord. 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. (Ord. 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. (Ord. No. ~~10-16, 18-18~~)

POLICY 25.10.4: Where not inconsistent with SFWMD design criteria, natural habitat restoration is preferred to open water systems for treating stormwater. (Ord. No. ~~10-16, 18-18~~)

- The Objective and Policies above are duplicative of Goal 77, Goal 123, and Goal 124.

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. (Ord. 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. (Ord. 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 LDC.
- (Ord. No. ~~09-09, 18-18~~)

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- Objectives and Policies that are out of date, ineffective, or duplicative are being deleted.
- Duplicative of the Outer Islands future land use category, which addresses density, intensity, and use of property.
- Unnecessary and duplicative of variance criteria within the LDC Section 34-145.

~~**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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. 09-09, 18-18)~~

- Lee County's Transportation needs should be coordinated across the entire county to effectively address local needs, rather than driven only by the preferences of individual communities.

~~**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. (Ord. 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; and, rare and unique upland habitats. (Ord. 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. (Ord. 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. (Ord. No. 09-09, 18-18)~~

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- Policy 26.3.2 does not provide any specific protections. Lee County will continue to be in compliance with applicable laws.
- Duplicative of Goal 77, Objective 101.4, Goal 122, Goal 123, and Goal 124

~~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. (Ord. 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. (Ord. 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. (Ord. No. ~~09-09, 18-18~~)

- This Objective and Policy is not required by Florida Statutes and is not necessary in the Plan. The two actionable Policies say the “North Captiva community” may conduct feasibility studies. Removal of these Policies would not preclude feasibility studies from being conducted by the community or Lee County.

~~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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. ~~09-09, 18-18~~)

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- Objective 26.5 and the supporting policies is duplicative of Goals 82 through 86 in the Parks, Recreation and Open Space Element, and Goal 64 in the Community Facilities and Services Element.

~~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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. ~~09-09, 18-18~~)

- Policies that dictate the operations of the Lee County Sheriff's office are not appropriate for the Lee Plan.
- Objective 26.6 and supporting Policies do not provide any specific development requirements are not necessary in the Lee Plan.
- Objectives and Policies that are out of date, ineffective, or duplicative are being deleted.
 - o Objective 26.7 is duplicative of Objective 70.2.
 - o Policy 26.7.2 is duplicative of Goal 73.

~~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. (Ord. No. ~~11-14, 18-18~~)

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~~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. (Ord. 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. (Ord. 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 LDC. (Ord. No. ~~11-14, 18-18~~)

~~POLICY 27.1.3:~~ Work with residents and property owners of Alva and North Olga to amend the LDC to provide opportunities for rural mixed uses that are connected to and compatible with adjacent areas. (Ord. 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 LDC that will foster agricultural operations and support rural uses. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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

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~~meeting must be held within the Alva Community Plan area boundary and the other in the North Olga Community Plan area boundary. (Ord. No. [18-18](#))~~

- Objective 27.1 and the supporting policies do not establish densities or intensities, do not establish distribution or commercial, industrial, residential, or agricultural uses, and create ambiguities that decrease predictability of the Plan.

~~**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. (Ord. 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 and purchase of development rights programs, conservation and agricultural easements, farmland trusts, and LDC regulations. (Ord. 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. (Ord. No. [11-14](#), [18-18](#))~~

- Objective 27.2 and the supporting policies do not establish densities or intensities, do not establish distribution or commercial, industrial, residential, or agricultural uses, and create ambiguities that decrease predictability of the Plan.
- Lee County did not establish a TDU Program specific to Northeast Lee County.

~~**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: water basins; native vegetation; wildlife habitat and resources; and areas designated for long term conservation. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. [18-18](#))~~

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- Objective 27.3 and supporting policies are duplicative of Goals 82 – 86 as well as Goals 123.

~~**OBJECTIVE 27.4: CONNECTIVITY.** Enhance and maintain high levels of connectivity across the Northeast Lee County Planning Community. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. [11-14](#), [18-18](#))~~

- Lee County's transportation network should be coordinated on a County-wide scale to address county needs and not be only based on needs of individual communities.

~~**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. (Ord. No. [11-21](#), [18-18](#))~~

- Goal 28 as well as Objectives 28.1, 28.2, and 28.3 are out of date and do not adequately address the impacts of SR 80 and the growth along this corridor.
- The development pattern is controlled by the underlying future land use categories, which include DR/GR (1 unit per 10 acres), Rural (1 unit per acre), Outlying Suburban (3 units per acre), Urban Community (6 units per acre), Conservation Lands, and Public Facilities.
- Goal 28 as well as Objectives 28.1, 28.2, and 28.3 create inconsistencies between the Future Land Use Map and Future Urban and Suburban Areas that are outside of the area identified as the "Rural Village".
- Goal 28 as well as Objectives 28.1, 28.2, and 28.3, and the supporting policies:
 - o Do not establish densities or intensities
 - o Do not establish distribution or commercial, industrial, residential, or agricultural uses, and,

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- o Create ambiguities that decrease predictability of the Plan.

~~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.~~

(Ord. No. ~~11-21, 18-18~~)

~~POLICY 28.1.1:~~ Evaluate and identify appropriate commercial areas with a focus on the rural village area. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. ~~11-21, 18-18, 21-09~~)

~~POLICY 28.1.5:~~ New natural resource extraction mining activities are prohibited in Alva. (Ord. No. ~~11-21, 18-18, 21-09~~)

~~POLICY 28.1.6:~~ Outdoor display in excess of one acre and commercial uses that require outdoor display to such an extent are prohibited. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. ~~11-21, 18-18~~)

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~~**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. (Ord. 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 LDC standards that are compatible with Alva's vision and guiding principles. (Ord. 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. (Ord. 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.~~

~~(Ord. 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.~~

~~(Ord. 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.~~

~~(Ord. No. [11-21](#), [18-18](#))~~

~~**POLICY 28.2.6:** Establish design standards in the LDC 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.~~

~~(Ord. No. [11-21](#), [18-18](#))~~

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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.~~
- ~~(Ord. No. [11-21](#), [18-18](#))~~

POLICY 28.2.8: ~~Promote the historic character of the Alva Community Plan area by utilizing the LDC 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.~~
- ~~(Ord. 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.~~
- ~~(Ord. 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-C. (Ord. 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. (Ord. 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. (Ord. No. [11-21](#), [18-18](#))~~

POLICY 28.3.3: ~~Consider a maximum height standard in the LDC for the historic core, as depicted on Map 1-C that supports the Alva Methodist Church and the Alva School buildings position as dominant features and landmarks of the rural village. (Ord. 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. (Ord. No. [11-21](#), [18-18](#))~~

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~~**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). (Ord. 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. (Ord. 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. (Ord. No. [11-21](#), [18-18](#))~~

- Lee County's transportation network should be coordinated on a County-wide scale to address county needs and not be only based on needs of individual communities.

~~**POLICY 28.4.1:** Establish a walkable mixed use rural village center that provides for the needs of pedestrians, cyclists, equestrian riders, and drivers. (Ord. 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. (Ord. 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.~~
- ~~(Ord. 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. (Ord. 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. (Ord. 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.~~

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- ~~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 flow way corridors, cypress heads, natural lakes, and restore impacted natural surface waters.~~
 - ~~9. Evaluate the feasibility and opportunities for an overall surface water management plan.~~
- (Ord. 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. (Ord. 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. (Ord. 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.~~
- (Ord. 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. (Ord. No. ~~11-21, 18-18~~)

- Objective 28.5 and the supporting policies are duplicative of Goals 123 and 124, the Wellfield Protection Ordinance, and existing Basin Action Management Plan (BMAP) requirements.

~~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. (Ord. No. ~~11-21, 18-18~~)

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~~**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. (Ord. No. [11-21](#), [18-18](#))~~

~~**POLICY 28.6.2:** Identify potential public uses for significant historic structures and archaeological sites. (Ord. 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. (Ord. 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. (Ord. No. [11-21](#), [18-18](#))~~

- Objective 28.6 and the supporting policies are duplicative of Goals 82 – 86 as well as Goals 123 and 141.

~~**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. (Ord. No. [11-14](#), [18-06](#), [18-18](#))~~

- Community character as well as residential and commercial land uses are described by the underlying future land use categories, which include DR/GR (1 unit per 10 acres), New Community (1 unit per 1.9 acres), Rural (1 unit per acre) and Outlying Suburban (3 units per acre).
- Goal 29 as well as Objectives 29.1, 29.2, and 29.3, and the supporting policies are duplicative of the Future Land Use Map and future land use categories, or other provisions of the Lee Plan and:
 - o Do not establish densities or intensities
 - o Do not establish distribution or commercial, industrial, residential, or agricultural uses, and,
 - o Create ambiguities that decrease predictability of the Plan.

~~**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. (Ord. 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~~

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areas that maintain large, contiguous tracts of open space, while supporting commercial agricultural businesses. (Ord. 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. (Ord. 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. (Ord. 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 the LDC, Chapter 34. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. [11-14](#), [18-06](#), [18-18](#))

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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. (Ord. 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. (Ord. 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 the LDC, Chapter 33, as part of the development review process. (Ord. 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. (Ord. 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. (Ord. No. ~~11-14, 18-18~~)

- Lee County's transportation network should be coordinated on a County-wide scale to address county needs and not be only based on needs of individual communities.
- This objective and related Policies are out of date and inconsistent with state and local requirements.
 - o The provisions were originally created prior to the removal of required transportation concurrency from Florida Statutes (2011) and the Lee Plan (2014).

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. (Ord. No. ~~11-14, 18-18~~)

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~~**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. (Ord. 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. (Ord. 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. (Ord. No. [11-14](#), [18-18](#))~~

~~**POLICY 29.5.1:** Support the use of public and private lands for community gardens. (Ord. 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. (Ord. No. [11-14](#), [18-18](#))~~

- Objectives and Policies that are necessary to protect public health, safety, and welfare, or are required by state law, have been relocated.
 - o Objective 29.5 has been relocated to Policy 9.1.6.
 - o Policy 29.5.1 has been relocated to Policy 9.1.7.
- Objectives and Policies that are out of date, ineffective, or duplicative are being deleted.
 - o Policy 29.5.2 is duplicative of Goal 9.

~~**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. (Ord. 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. (Ord. 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. (Ord. No. [11-14](#), [18-18](#))~~

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~~**POLICY 29.6.3:** Proposed planned developments adjacent to the Caloosahatchee River will be encouraged to provide public access to the river. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. [11-14](#), [18-18](#))~~

- Objective 29.6 and the supporting policies are duplicative of Goals 82 – 86 as well as Goal 161.

~~**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. (Ord. 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. (Ord. No. [11-14](#), [18-18](#))~~

~~**POLICY 29.7.2:** Encourage future development to maintain on site native vegetation communities. (Ord. 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. (Ord. No. [11-14](#), [18-18](#))~~

- Objectives and Policies that are necessary to protect public health, safety, and welfare, or are required by state law, have been relocated.
 - o Policy 29.7.3 has been relocated to Policy 5.1.11.
- Objectives and Policies that are out of date, ineffective, or duplicative are being deleted

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- o Objective 29.7 and Policies 29.7.1 and 29.7.2 are duplicative of Goals 122 and 123.

~~**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 1 H. (Ord. 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. (Ord. No. 11-14, 18-18)~~

- Duplicative of requirements for all properties located within Archaeological Sensitivity Zone 1.

~~**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. (Ord. 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/1.9 acres. In no case shall the unit count in the New Community future land use category in North Olga exceed 2,078 dwelling units. (Ord. No. 18-06, 18-18, 25-02)~~

~~**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 250 hotel rooms. (Ord. No. 18-06, 18-18, 25-02)~~

~~**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;~~

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- ~~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 LDC.~~
-
- ~~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. _____~~

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- ~~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 SFWMD. 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.~~

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~~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 LDC requirements.~~
- ~~3. Locate access points onto adjacent arterial roadways to minimize impact to the surrounding rural community.~~

~~(Ord. No. [18-06](#), [18-18](#))~~

- Relocated to Policy 1.1.15 New Community future land use category.
- Policy 29.9.3 is more appropriately located within the Land Development Code, and is being moved to LDC Section 34-1145.

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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. [09-11](#), [18-18](#))

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~~**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. (Ord. No. [09-11](#), [18-18](#))~~

- Objectives 30.1, and the supporting policies are duplicative of the Future Land Use Map, existing future land use categories, and the Mixed Use Overlay and:
 - o Do not establish densities or intensities;
 - o Do not establish distribution or commercial, industrial, residential, or agricultural uses; and,
 - o Create ambiguities that decrease predictability of the Plan.

~~**OBJECTIVE 30.2: LAND USE: CENTERS AND CORRIDORS.** To encourage revitalization of designated Town Center Overlay districts, Road Corridor Overlay districts and redevelopment areas. (Ord. 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~~

~~(Ord. 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.~~

~~(Ord. 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. (Ord. 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~~

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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. (Ord. 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 LDC 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 the LDC, Chapter 34. (Ord. 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. (Ord. No. ~~18-18~~)~~

~~**POLICY 30.2.7:** Maintain land development incentives for bringing older development into compliance with current regulations. (Ord. 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 LDC. (Ord. 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. (Ord. No. ~~10-34, 18-18~~)~~

- Areas currently identified in Policy 30.2.1 as Town Centers will be added to the Mixed Use Overlay, where not already included.
- Areas currently identified in Policy 30.2.4 as Neighborhood Centers will be added to the Mixed Use Overlay, where not already included.
- Relocate Objective 30.2 and Policies 30.2.5 and 30.2.6 to a new objective in Goal 6: Commercial Land Use. Retention of this policy is necessary to avoid conflicts with SB 180.
- The property described in Policy 30.2.9 has been annexed into the City of Cape Coral and this policy no longer applicable.

~~**OBJECTIVE 30.3: TRANSPORTATION.** The North Fort Myers Community Plan area will have neighborhood, corridors and community interface improvements identified. (Ord. 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~~

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Island Roads, North Cleveland Avenue, North Tamiami Trail, Pondella Road, Hancock Bridge Parkway, and Del Prado Boulevard. (Ord. 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 3-B). 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. (Ord. 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. (Ord. 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. (Ord. No. ~~09-11, 18-18~~)~~

- Objective 30.3 and supporting policies are not required by state statute, are out of date. Transportation is addressed in the Transportation Element as well as Policy 95.1.3, and should be coordinated county-wide.

~~**OBJECTIVE 30.4: COMMUNITY FACILITIES & SERVICES.** To provide community facilities and services within the Town Centers, Neighborhood Centers and Corridor Overlay Districts. (Ord. 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. (Ord. 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. (Ord. No. ~~09-11, 18-18~~)~~

- Policy 30.4.1 is unnecessary and duplicative of the Future Land Use Map, which supports the location of medical services and facilities in appropriate locations.
- Where appropriate, Policy 30.4.2 is duplicative of Goal 56.

~~**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. (Ord. 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. (Ord. No. ~~09-11, 18-18~~)~~

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~~**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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. [09-11](#), [18-18](#))~~

- Objective 30.5 and supporting policies are duplicative of Goals 83 through 86 in the Parks, Recreation and Open Space Element.

~~**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. (Ord. 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. (Ord. 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. (Ord. No. [09-11](#), [18-18](#))~~

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~~**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. (Ord. No. 09-11, 18-18)~~

- Objective 30.6 is not required by state statute and is not necessary in the Lee Plan.

~~**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. (Ord. No. 09-08, 18-18)~~

~~**OBJECTIVE 31.1:** Enhance the existing physical appearance of Page Park while maintaining the historic character of the community. (Ord. 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 the LDC, Chapter 34. (Ord. 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 C). (Ord. 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). (Ord. No. 09-08, 18-18)~~

- Objectives 31.1, and the supporting policies are duplicative of the Future Land Use Map and the Mixed Use Overlay and:
 - o Do not establish densities or intensities
 - o Do not establish distribution or commercial, industrial, residential, or agricultural uses, and,
 - o Create ambiguities that decrease predictability of the Plan.

~~**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. (Ord. 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 C). Commercial uses will be permitted elsewhere within the community, but only as part of a mixed~~

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use development or as a mixed use building. This policy does not apply to existing commercial uses and property currently zoned for commercial uses. (Ord. 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 LDC); nightclubs or bar and cocktail lounges not associated with a Group III Restaurant; and retail uses that require outdoor display over one acre. (Ord. 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). (Ord. No. ~~09-08, 18-18~~)

- This objective is generally duplicative of the future land use categories and the Mixed Use Overlay, which allow for and commercial and mixed use development in appropriate locations.

OBJECTIVE 31.3: HOUSING. Explore opportunities to provide workforce housing. (Ord. 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 C). (Ord. 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. (Ord. No. ~~09-08, 17-13, 18-18~~)

- This objective is generally duplicative of the future land use categories and the Mixed Use Overlay, which allow for and support workforce housing in appropriate locations.

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. (Ord. 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. (Ord. 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. (Ord. No. ~~09-08, 18-18~~)

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~~**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. (Ord. No. 09-08, 18-18)~~

- Objective 31.4 and supporting policies are not required by state statute and are not necessary in the Lee Plan.

~~**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. (Ord. 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. (Ord. No. 09-08, 18-18)~~

- Objective 31.5 and Policy 31.5.1 is duplicative of Standard 4.1.2, Goal 56, and Objective 56.1

~~**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. (Ord. 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. (Ord. No. 99-15, 18-18)~~

- Areas on San Carlos Island located within the Water-Dependent Overlay will remain on the Water-Dependent Overlay, however the specific development requirements currently in Policy 32.1.1 and 32.1.2 of the Lee Plan are not necessary and are redundant with the underlying future land use categories, including the Industrial Development future land use category at the foot of the Matanzas Pass Bridge and south of Main Street, and Central Urban future land use category north of Main Street.

~~**POLICY 32.1.1:** New development and substantial redevelopment within the Industrial Development and the DRMUWD land use categories on San Carlos Island will be permitted only in accordance with the following criteria (See glossary for definitions and Maps 1-A and 1-H for boundaries). However, in no event will Lee County permit new or expanded petroleum facilities which would serve uses other than marine related uses.~~

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- ~~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 5% of the site, unless located within the DRMUWD 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.~~

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~~6. **DRMUWD Future Land Use Category** Development within this land use category must be consistent with the requirements of Goal 12. (Ord. 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 1-H 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. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. 98-09, 00-22, 18-18)~~

~~**POLICY 32.2.3:** Recreation areas must have a minimum of impervious surfaces. (Ord. 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. (Ord. No. 98-09, 00-22, 18-18)~~

- Policy 32.2.1 is duplicative of Goal 43.
- Policy 32.2.2 is outdated and redundant. Development of public facilities must be consistent with applicable portions of the Lee Plan or other county requirements, regardless if they are reiterated in this Policy or not.
- Policy 32.2.3 is duplicative of State ERP process, which incentivizes reduction of impervious surfaces through design requirements.

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~~**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. (Ord. No. 18-18)~~

- The Tice Goal generally reiterates and is redundant with existing development requirements supported by the Lee Plan's Future Land Use Map and Mixed Use Overlay, as implemented through the Land Development Code.

~~**OBJECTIVE 34.1: REDEVELOPMENT.** Promote redevelopment activities that: enhance appearance, form, use, and interconnectivity of private and public buildings; expand multimodal transportation facilities; extend the community's road and street grid; improve public facilities and infrastructure systems; preserve historic resources; and create mixed use centers. (Ord. No. 18-18)~~

- Development patterns are established by the underlying future land use categories, which include Intensive Development immediately adjacent to SR 80 and Suburban or Central Urban in the neighborhoods to the north and south of SR80. Additionally, the areas in the Intensive Development future land use category are within the Mixed Use Overlay, which allows for more compact development patterns and facilitates redevelopment.
- Objectives 34.1, and the supporting policies are generally reiterative of the Future Land Use Map and future land use categories, or other provisions of the Lee Plan and:
 - o Do not establish densities or intensities
 - o Do not establish distribution or commercial, industrial, residential, or agricultural uses, and,
 - o Create ambiguities that decrease predictability of the Plan.

~~**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. (Ord. 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. (Ord. 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~~

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~~the incorporation of: connector roads and neighborhood streets; courtyards, public plazas and gathering places; greenway trails and sidewalks; parks and recreational facilities; blueways; and natural open spaces. (Ord. 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. (Ord. 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. (Ord. No. [18-18](#))~~

~~**POLICY 34.1.6:** Explore funding sources and options for signage to identify key community entrances, neighborhoods, and historic structures. (Ord. 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. (Ord. 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. (Ord. 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.~~

~~(Ord. 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;~~

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- 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.~~
(Ord. No. ~~18-18~~)

- This objective and Policy are redundant with existing development requirements supported by the Lee Plan's Future Land Use Map and Mixed Use Overlay, as implemented through the Land Development Code.

~~**OBJECTIVE 34.3: TRANSITIONAL USES.** Establish transitional use areas between commercial corridors and single-family residential neighborhoods. (Ord. 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. (Ord. 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. (Ord. 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. (Ord. No. ~~18-18~~)~~

- The uses supported by this policy are also supported by the underlying future land use categories, which include Intensive Development immediately adjacent to SR 80 and Suburban or Central Urban as you move further away from the road. Additionally, the areas in the Intensive Development future land use category are within the Mixed Use Overlay, which allows for more compact development patterns.
- Objectives 34.3, and the supporting policies are generally reiterative of the Future Land Use Map and future land use categories, or other provisions of the Lee Plan and:
 - o Do not establish densities or intensities
 - o Do not establish distribution or commercial, industrial, residential, or agricultural uses, and,
 - o Create ambiguities that decrease predictability of the Plan.

~~**OBJECTIVE 34.4: COMMUNITY FACILITIES.** Coordinate the provision of a broad mix of community facilities including parks, utilities and infrastructure, and transportation. (Ord. 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. (Ord. No. ~~18-18~~)~~

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~~**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. (Ord. No. [18-18](#))~~

~~**POLICY 34.4.3:** Maintain the existing waterfront County parks and explore maintenance options for Russell Park. (Ord. No. [18-18](#))~~

- Policy 34.4.1 does not provide specific direction and is unnecessary. County facilities are designed to meet the needs of the community that is being served.
- This Objective and it's supporting Policies are duplicative of Goals 76, 77, 78, 82, and 83-86.

~~**OBJECTIVE 34.5: COORDINATION.** Coordinate with the City of Fort Myers and FDOT to enable and promote effective redevelopment activities within the Community Plan area. (Ord. 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 FDOT. 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.~~

~~(Ord. No. [18-18](#))~~

- Not necessary as a Lee Plan Policy. Lee County DCD, DOT and Florida DOT meet quarterly to coordinate improvements of state roads and the development that is taking place or is anticipated to take place along those facilities.

~~**GOAL 35: RESERVED** (Ord. No. [18-18](#))~~

III Transportation Element

~~**OBJECTIVE 36.2:** 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. (Ord. No. [17-13](#), [99-18](#), [00-22](#), [21-09](#))~~

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POLICY 36.2.1: ~~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 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 FDOT 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 ⁴	MEDIAN OPENING?	MOVEMENT	CONNECTION
160+59.33	n/a	Yes	All	Oriole Road

⁴ Distance measured from next connection to the west.

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170+54.54	995.21 ft.	Yes ⁵	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 ⁶ 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 Parkway

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 ⁷	MEDIAN OPENING?	MOVEMENT	CONNECTION
172+84	n/a	Yes	All	Three Oaks Parkway
179+44	660 ft.	Yes	EB to NB Left In ⁸ 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 ⁹	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 &	Miromar Outlet Mall
236+73	660 ft.	Yes	All	Ben Hill Griffin Parkway

(Ord. No. [17-13](#), [00-22](#), [03-05](#), [21-09](#))

- Modified and relocated to proposed Objective 40.4. as the Objective does not make sense in a Lee Plan Goal that addresses Maps.

~~OBJECTIVE 36.3: BABCOCK RANCH COMMUNITY (BRC).~~ To minimize the development impacts of the 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 BRC approved in Charlotte County, are funded entirely by the BRC ISD or other BRC-related funding mechanism. In addition, to provide a process by which these identified improvements are added to the Transportation Map Series and the Capital Improvement Program (CIP).
(Ord. No. [10-03](#))

⁵ Unsignalized only; subject to future restrictions if traffic signal warranted.

⁶ A 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.

⁷ Distance measured from next connection to the west.

⁸ A WB to SB left-in may be allowed at this location if necessary.

⁹ The 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.

¹⁰ The 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.

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~~**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). (Ord. 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 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 BRC 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 ISD or other BRC related funding mechanism ("the Developer"). (Ord. No. [10-03](#))~~

~~**POLICY 36.3.3:** Analysis of the development of the BRC in Charlotte County identified potential transportation/mobility improvements beyond the financially feasible improvements currently reflected in the Transportation Map Series; therefore any future amendments to the 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 Transportation Map Series, as well as future amendments to the CIP.~~
- ~~b. Prior to Lee County amending the 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~~

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~~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 Transportation Map Series and the transportation/mobility improvements will be included in the 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 Transportation Map Series and the CIP.~~

~~(Ord. 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: SFWMD, Florida Fish and Wildlife Conservation Commission, U.S. Fish and Wildlife Service, Charlotte County, and Lee County. (Ord. No. [10-03](#))~~

- Relocated to proposed Objective 40.1. as the Objective does not make sense in a Lee Plan Goal that addresses Maps.

GOAL 40: AREAS FOR TRANSPORTATION PLANNING. Certain areas may necessitate requirements to mitigate transportation impacts.

OBJECTIVE 40.1 36.3: BABCOCK RANCH COMMUNITY (BRC). To minimize the development impacts of the 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 BRC approved in Charlotte County, are funded entirely by the BRC ISD or other BRC related funding mechanism. In addition, to provide a process by which these identified improvements are added to the Transportation Map Series and the Capital Improvement Program (CIP). (Ord. No. [10-03](#))

POLICY 40.1.1 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). (Ord. No. [10-03](#))

POLICY 40.1.2 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

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address the impacts of the development of the BRC in Charlotte County, additions to the 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 BRC 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 ISD or other BRC related funding mechanism (“the Developer”).
(Ord. No. [10-03](#))

POLICY 40.1.3 36.3.3: Analysis of the development of the BRC in Charlotte County identified potential transportation/mobility improvements beyond the financially feasible improvements currently reflected in the Transportation Map Series; therefore any future amendments to the 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 Transportation Map Series, as well as future amendments to the CIP.
- b. Prior to Lee County amending the 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 Transportation Map Series and the transportation/mobility improvements will be included in the 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 Transportation Map Series and the CIP.
(Ord. No. [10-03](#))

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POLICY 40.1.4 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: SFWMD, Florida Fish and Wildlife Conservation Commission, U.S. Fish and Wildlife Service, Charlotte County, and Lee County. (Ord. No. 10-03)

- Relocate Objective 36.3 through Policy 36.3.4 to new Objective 40.1 within the Transportation Element.

OBJECTIVE 40.2 25.8: TRANSPORTATION, PARKING, AND TRAFFIC CIRCULATION WITHIN LEHIGH ACRES. To improve transportation, parking, and circulation within the Lehigh Acres Community Plan area.

POLICY 40.2.1 28.8.1: To minimize driveway connections to arterial and major collector roadways, all ~~All~~ new commercial development must provide parking lot interconnections, with accompanying cross-access easement rights, to adjacent properties unless physical constraints prevent the interconnection, and must not prevent pedestrian or vehicular access from adjacent residential areas.¹¹

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.

POLICY 40.2.2 25.8.5: Lee County will identify possible locations of new bridges to improve the continuity of the street network and connect neighborhoods.

POLICY 40.2.3 25.8.7: New single-family model homes with direct access to collector or arterial roadways are prohibited within 300 feet of arterial and collector roads.

- Relocate Objective 25.8 and Policies 25.8.1, 25.8.5 and 25.8.7 to new Objective 40.2 within the Transportation Element.

OBJECTIVE 40.3 19.2: TRANSPORTATION, PARKING AND TRAFFIC CIRCULATION ON BOCA GRANDE. 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.

¹¹ Amendments to this Policy were transmitted by the BoCC on June 3, 2026.

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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. (Ord. No. 05-19, 18-18)

- Relocated from Objective 19.2.

POLICY 40.3.1 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. (Ord. No. 05-19, 18-18)

- Relocated from Policy 19.2.2.

POLICY 40.3.2 19.2.4: Lee County will support efforts of the Boca Grande community to beautify road rights-of-ways and enhance the public realm of Boca Grande by including provisions for streetscaping in the Historic Downtown Village 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. (Ord. No. 05-19, 18-18)

- Relocated from Policy 19.2.4.

POLICY 40.3.3 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. (Ord. No. 05-19, 18-18)

- Relocated from Policy 19.2.6.

POLICY 40.3.4 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: revised traffic count thresholds; maximum development intensities; revised minimum parking requirements; traffic congestion mitigation practices; vehicle and pedestrian safety programs; shared parking agreements; or, public/private partnerships to fund new or expanded parking facilities. (Ord. No. 05-19, 18-18)

- Relocated from Policy 19.3.1.

POLICY 40.3.5 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

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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. (Ord. No. 05-19, 18-18)

- Relocated from Policy 19.3.2.

POLICY 40.3.6 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. (Ord. No. 05-19, 18-18)

- Relocated from Policy 19.3.3.

POLICY 40.3.7 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. (Ord. No. 05-19, 18-18)

- Relocated from Policy 19.3.4.

POLICY 40.3.8 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. (Ord. No. 05-19, 18-18)

- Relocated from Policy 19.3.5.

POLICY 40.3.9 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. (Ord. No. 05-19, 18-18)

- Relocated from Policy 19.3.6.

OBJECTIVE 40.1POLICY 36.2.1: 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 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 FDOT under the provisions of Rule 14-

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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.

POLICY 40.1.1: Access Control Standards for Luckett 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.

POLICY 40.1.2: 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:

<u>STATION</u>	<u>DISTANCE</u> ¹²	<u>MEDIAN OPENING?</u>	<u>MOVEMENT</u>	<u>CONNECTION</u>
<u>160+59.33</u>	<u>n/a</u>	<u>Yes</u>	<u>All</u>	<u>Oriole Road</u>
<u>170+54.54</u>	<u>995.21 ft.</u>	<u>Yes</u> ¹³	<u>All</u>	<u>Alico Int. Park DRI</u>
<u>177+74.54</u>	<u>720 ft.</u>	<u>Yes</u>	<u>All</u>	<u>Three Oaks Parkway</u>
<u>222+81</u>	<u>n/a</u>	<u>Yes</u>	<u>EB to NB Left-In</u> ¹⁴ <u>Rt-In/Rt-Out from N & S</u>	<u>Coca-Cola Bottling Co. (N)</u> <u>University Plaza (S)</u>
<u>234+44</u>	<u>1,163 ft.</u>	<u>Yes</u>	<u>All</u>	<u>Ben Hill Griffin Parkway</u>

¹² Distance measured from next connection to the west.

¹³ Unsignalized only; subject to future restrictions if traffic signal warranted.

¹⁴ A 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.

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- Relocate Objective 36.2 and Policy 36.2.1 to new Objective 40.4 within the Transportation Element.

POLICY 40.1.3: 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:

<u>STATION</u>	<u>DISTANCE</u> ¹⁵	<u>MEDIAN OPENING?</u>	<u>MOVEMENT</u>	<u>CONNECTION</u>
<u>172+84</u>	<u>n/a</u>	<u>Yes</u>	<u>All</u>	<u>Three Oaks Parkway</u>
<u>179+44</u>	<u>660 ft.</u>	<u>Yes</u>	<u>EB to NB Left-In</u> ¹⁶ <u>Rt-In/Rt-Out from N & S</u>	<u>Corkscrew Crossing (#1)</u>
<u>185+29</u>	<u>585 ft.</u>	<u>Yes</u>	<u>All</u>	<u>Corkscrew Crossing (#2)</u>
<u>187+83</u>	<u>254 ft.</u>	<u>No</u>	<u>Rt-In/Rt-Out from N</u> ¹⁷	<u>Pic-N-Run Entrance</u>
<u>190+34</u>	<u>253 ft.</u>	<u>Yes</u>	<u>EB to NB Left-In</u> <u>Rt-In/Rt-Out from N</u>	<u>Estero Int. Com. Park (#3)</u>
<u>194+29</u>	<u>395 ft.</u>	<u>Yes</u>	<u>WB to SB Left-In</u> <u>NB to WB Left-out</u> <u>Rt-In/Rt-Out from S</u>	<u>Corkscrew Woodlands</u>
<u>221+47</u>	<u>n/a</u>	<u>Yes</u>	<u>U-turns only</u>	<u>None</u>
<u>230+14</u>	<u>867 ft.</u>	<u>Yes</u>	<u>EB to NB Left-In</u> <u>Rt-In/Rt-Out from N &</u>	<u>Miromar Outlet Mall</u>
<u>236+73</u>	<u>660 ft.</u>	<u>Yes</u>	<u>All</u>	<u>Ben Hill Griffin Parkway</u>

(Ord. No. 17-13, 00-22, 03-05, 21-09)

- Relocated from Objective 36.2
- Necessary to maintain public safety and welfare at Lee County's interchange areas.

GOAL 40 – GOAL 41: RESERVED (Ord. No. 17-13)

¹⁵ Distance measured from next connection to the west.

¹⁶ A WB to SB left-in may be allowed at this location if necessary.

¹⁷ The 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.

¹⁸ The 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.

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VII Conservation and Coastal Management Element

~~**POLICY 114.1.5 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. **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.~~

- Relocated from Policies 24.1.1 and 24.1.4.
-

~~**OBJECTIVE 124.2: WETLANDS TRANSFER OF DEVELOPMENT RIGHTS (Wetlands TDR) PROGRAM.** To incorporate purchase and transfer of development rights programs for the protection and preservation of wetlands into the LDC. (Ord. 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. (Ord. No. [19-26](#))~~

~~**POLICY 124.2.2:** The Wetlands TDR program will have the following characteristics:~~

- ~~1. Creation of Wetland Transferable Development Units (Wetland TDUs).
 - Up to one TDU may be created per five acres of wetlands.
 - 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.
 - TDUs allowed by 1.a. or 1.b. above, and created from wetlands located within the Coastal High Hazard Area may be doubled.~~
- ~~2. Receiving area density and intensity equivalents of Wetland TDUs.
 - 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.
 - Lee County may establish non-residential incentives for the use of Wetland TDUs within Future Urban Areas of the unincorporated Lee County.~~
- ~~3. The LDC 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.
(Ord. 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~~

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ownership information; and, TDU clearinghouse for individuals that request to be included within the TDU clearinghouse program. (Ord. No. ~~19-26~~)

- Relocated to new Objective 129.1 within a separate goal for Lee County TDU programs, Goal 129.

GOAL 129: LEE COUNTY TRANSFERABLE DEVELOPMENT RIGHTS PROGRAMS. Lee County will administer Transferable Development Rights programs to incentivize the protection of community resources.

- Create new Goal 129 to provide a location for Lee County TDU Programs.

OBJECTIVE 129.1 24.6: GREATER PINE ISLAND TRANSFER OF DEVELOPMENT RIGHTS (Greater Pine Island TDR) 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 LDC.

POLICY 129.1.1 24.6.1: Lee County will amend its LDC to implement Maintain in the Land Development Code transfer of development rights and purchase of development rights 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. (Ord. No. ~~16-07, 18-18~~)

POLICY 129.1.2 24.6.2: The Greater Pine Island TDR program will have the following characteristics:

- c. Creation of Greater Pine Island Transferable Development Units (Greater Pine Island TDUs).
 5. Up to one Greater Pine Island TDU may be created per five acres of wetlands.
 6. Up to one Greater Pine Island TDU may be created per one acre of uplands located in non-urban future land use categories.
 7. Up to three Greater Pine Island TDUs may be created per one acre of uplands located in the Outlying Suburban future land use categories.
 8. Up to two Greater Pine Island 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.
- d. Receiving area density and intensity equivalents of Greater Pine Island TDUs.
 4. 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.

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5. One Greater Pine Island TDU will be equal up to one dwelling unit when transferred to receiving lands in Pine Island Center.
 6. 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 LDC 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.
(Ord. No. 16-07, 18-18)

POLICY 129.1.3 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. (Ord. No. 16-07, 18-18)

POLICY 129.1.4 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. (Ord. No. 16-07, 18-18)

- Relocated from Objective 24.6 and Policies 24.3.1, 24.6.4, 24.6.2, and 24.6.3.

OBJECTIVE 129.2 124.2: WETLANDS TRANSFER OF DEVELOPMENT RIGHTS (Wetlands TDR) PROGRAM. To incorporate purchase and transfer of development rights programs for the protection and preservation of wetlands into the LDC. (Ord. No. 19-26)

POLICY 129.2.1 124.2.1: 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. (Ord. No. 19-26)

POLICY 129.2.2 124.2.2: The Wetlands TDR program will have the following characteristics:

4. Creation of Wetland Transferable Development Units (Wetland 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 may be doubled.
5. Receiving area density and intensity equivalents of Wetland TDUs.

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- c. 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.
 - d. Lee County may establish non-residential incentives for the use of Wetland TDUs within Future Urban Areas of the unincorporated Lee County.
6. The LDC 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.
(Ord. No. 19-26)

POLICY 129.2.3 ~~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. (Ord. No. 19-26)

- Relocated from Objective 124.2 and Policies 124.2.1, 124.2.2, and 124.2.3.

GOAL ~~129~~130 - GOAL 134: RESERVED

IX Historic Preservation

OBJECTIVE 143.5 ~~POLICY 19.8.1~~: Maintain a Boca Grande Historic Preservation Board.

POLICY 143.5.1 ~~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.

POLICY 143.5.2 ~~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.~~

- Relocated and renumbered from Policies 19.8.1, 19.8.3, and 19.8.5.
 - Deleted sections are no longer consistent with federal law.
-

ATTACHMENT 1: Proposed Lee Plan Amendments

XIII Administration b. Administrative Interpretations of the Plan

2. Standards for Administrative Interpretations

a. through e.(4)(a) remains unchanged.

- (b) The lot/parcel is located on Captiva Island in an area identified by Policy 23.2.1 11.1.3 and is approved as a Commercial or Mixed-Use planned development.

- Amended to maintain internal consistency.
-

XIV Glossary

~~**ACTIVITY CENTER**—Those areas of such economic, recreational, cultural, or unique locational significance that the community has unusual difficulty in providing transportation facilities consistent with adopted service levels (see Objective 37.3).~~

- Deleted to maintain internal consistency.
-

~~**ASSOCIATED SUPPORT DEVELOPMENT**—Within the University Community land use category is that development which is related to and justified by the University, including but not limited to support facilities, university housing, and development, such as research and development parks, which would not have come to the University Community except for the synergy created by the University. (Ord. No. 92-47)~~

- Deleted to maintain internal consistency
-

~~**COMMUNITY PLAN**—A Goal in the Lee Plan specific to a defined area of the County with long term community objectives and policies that complement and remain consistent with the County's overall goals, objectives, and policies. (Ord. No. 18-18)~~

- Deleted to maintain internal consistency
-

COUNTY FACILITIES – means property owned or leased by Lee County and all uses and improvements thereon, including but not limited to public utilities and resource recovery facilities, public recreational uses, public safety facilities, communication towers, and other public facilities. The term does not include property owned, leased, or controlled exclusively by a constitutional officer, independent authority,

ATTACHMENT 1: Proposed Lee Plan Amendments

dependent or independent special district, municipality, school board, state agency, federal agency, or other governmental entity.

- Added definition to clarify what constitutes a county facility.

FUTURE NON-URBAN AREAS – Those categories on the Future Land Use Map that are designated primarily for single use developments with a density equal to or less than 1 unit per acre ~~unless otherwise allowed within a special treatment area identified in Objective 1.7:~~ Rural, Rural Community Preserve, Coastal Rural, Outer Island, Open Lands, ~~Wetlands,~~ Conservation Lands (upland and wetland), New Community within the ~~North-Olga-Northeast Lee County Planning District-Community~~ and Density Reduction/Groundwater Resource.

- Amended to maintain internal consistency.

FUTURE SUBURBAN AREAS – Those future urban categories on the Future Land Use Map that are designated primarily for single use developments: Suburban, Outlying Suburban, Sub Outlying Suburban, Industrial Development, Airport, Tradeport, Commercial, Industrial Interchange, General Commercial Interchange, Industrial Commercial Interchange, University Village Interchange, University Community, ~~Public Facilities,~~ and the New Community within the Gateway/Airport Planning ~~District-Community~~.

- Amended to maintain internal consistency.

PINE ISLAND CENTER – Urban Community-designated lands that are generally located at the arterial intersection of Pine Island Road and Stringfellow Road ~~within the Greater Pine Island Planning Community.~~

- Amended to maintain internal consistency.

MAP AMENDMENTS

Map 1-C: Mixed Use Overlay

- Add lands from the Lehigh Acres Specialized Mixed Use Nodes and North Fort Myers Neighborhood Centers to the Mixed Use Overlay.

Map 1-D: Special Treatment Areas

- Add lands from Lehigh Acres Commercial Overlay.
- Add lands showing the Babcock Ranch portion of the New Community.
- Delete Privately Funded Infrastructure layer

Map 1-G: Agriculture Overlay

- Delete. Outdated and not required by State Statute, as distribution of agricultural uses are addressed through the allowable uses based on the Future Land Use Map.

Map 2-A: Community Planning Area

- Delete to maintain internal consistency

Map 2-B: Lehigh Acres Community Plan Overlay

- Delete to maintain internal consistency.
- The Specialized Mixed Use Nodes will be relocated to Map 1-C.
- The Lehigh Acres Commercial Overlay will be moved to Map 1-D.

Map 2-C: Existing Pine Island Farmland

- Relocate to Map 5-E for implantation of the Greater Pine Island TDU Program.

Map 2-E: Historic Surface and Groundwater Levels

- Relocate data and delete.

Map 3-G: Alico Road Access Plan

- Delete. Not appropriate in the Lee Plan. To protect roadway capacity at interchange areas, corresponding text is being relocated to Goal 40 in the Transportation Element.

Map 3-H: Corkscrew Road Access Plan

- Delete. Not appropriate in the Lee Plan. To protect roadway capacity at interchange areas, corresponding text is being relocated to Goal 40 in the Transportation Element.

Map 5-E: Existing Pine Island Farmland

- Relocated from Map 2-C.

Map 5-F: Historic Surface and Groundwater Levels

- Relocated from Map 2-E.

TABLE AMENDMENTS

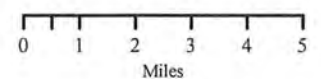
Table 1(a): Summary of Residential Densities

- Update to maintain internal consistency.

PROPOSED

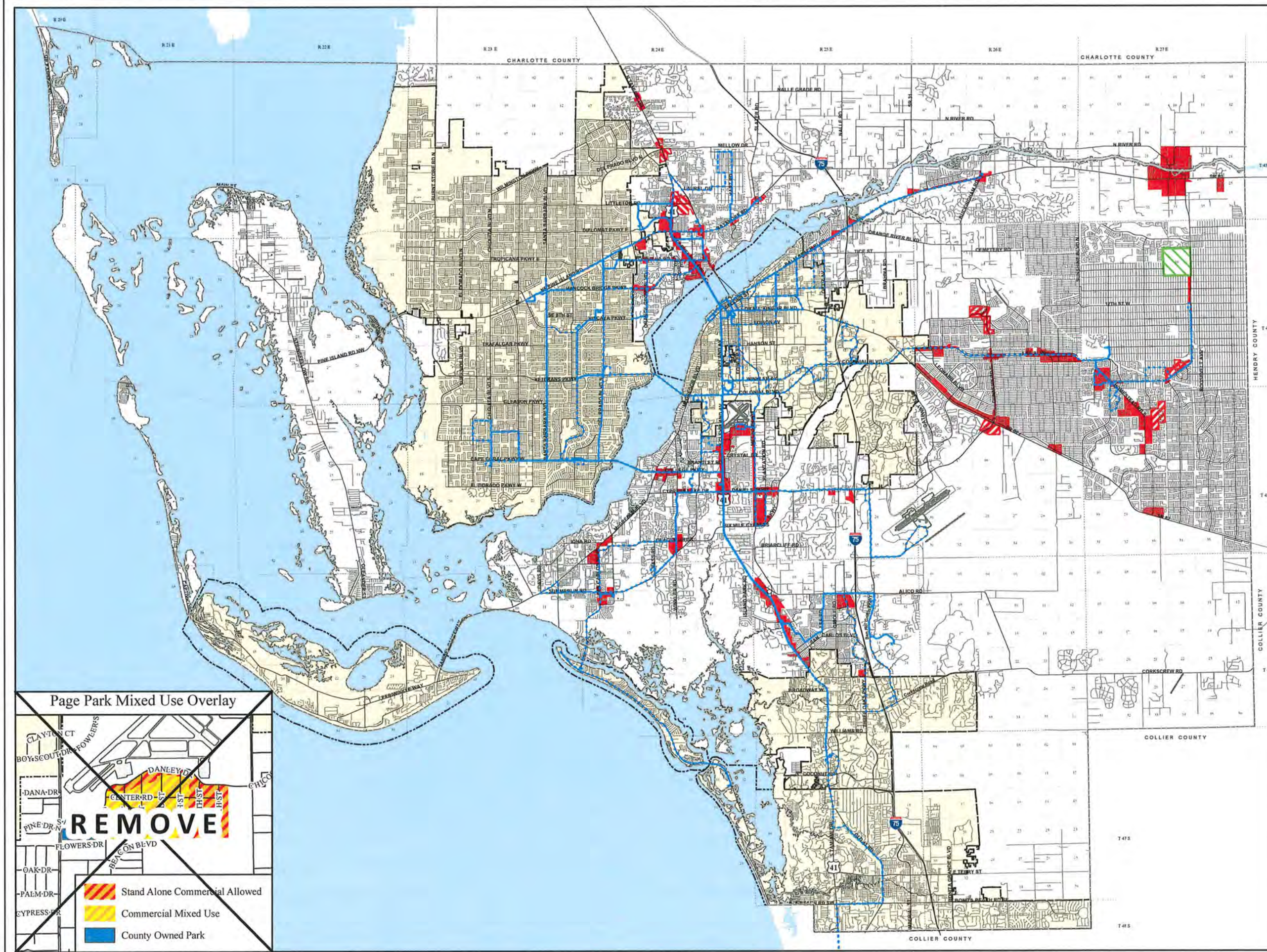
- Ord. No. 07-15, 09-07, 09-08, 10-33, 11-18, 11-21, 17-20, 18-18,
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CPA2026-00005



Map Generated: August 2026
City limits and LeeTran Routes current to date of map generation

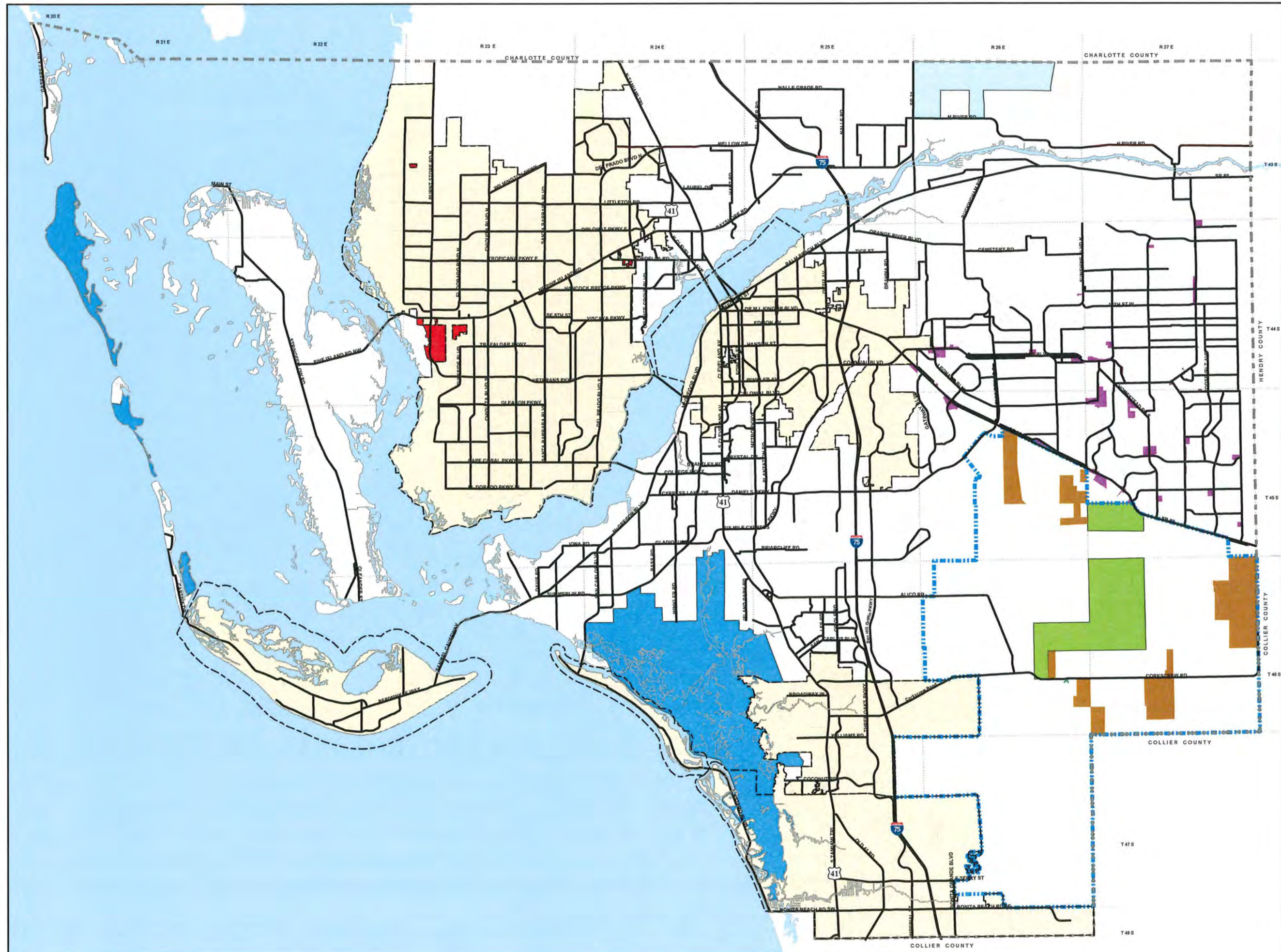
Lee Plan Map 1-C



Page Park Mixed Use Overlay

REMOVE

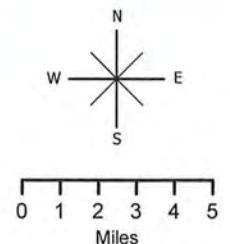
-  Stand Alone Commercial Allowed
 Commercial Mixed Use
 County Owned Park



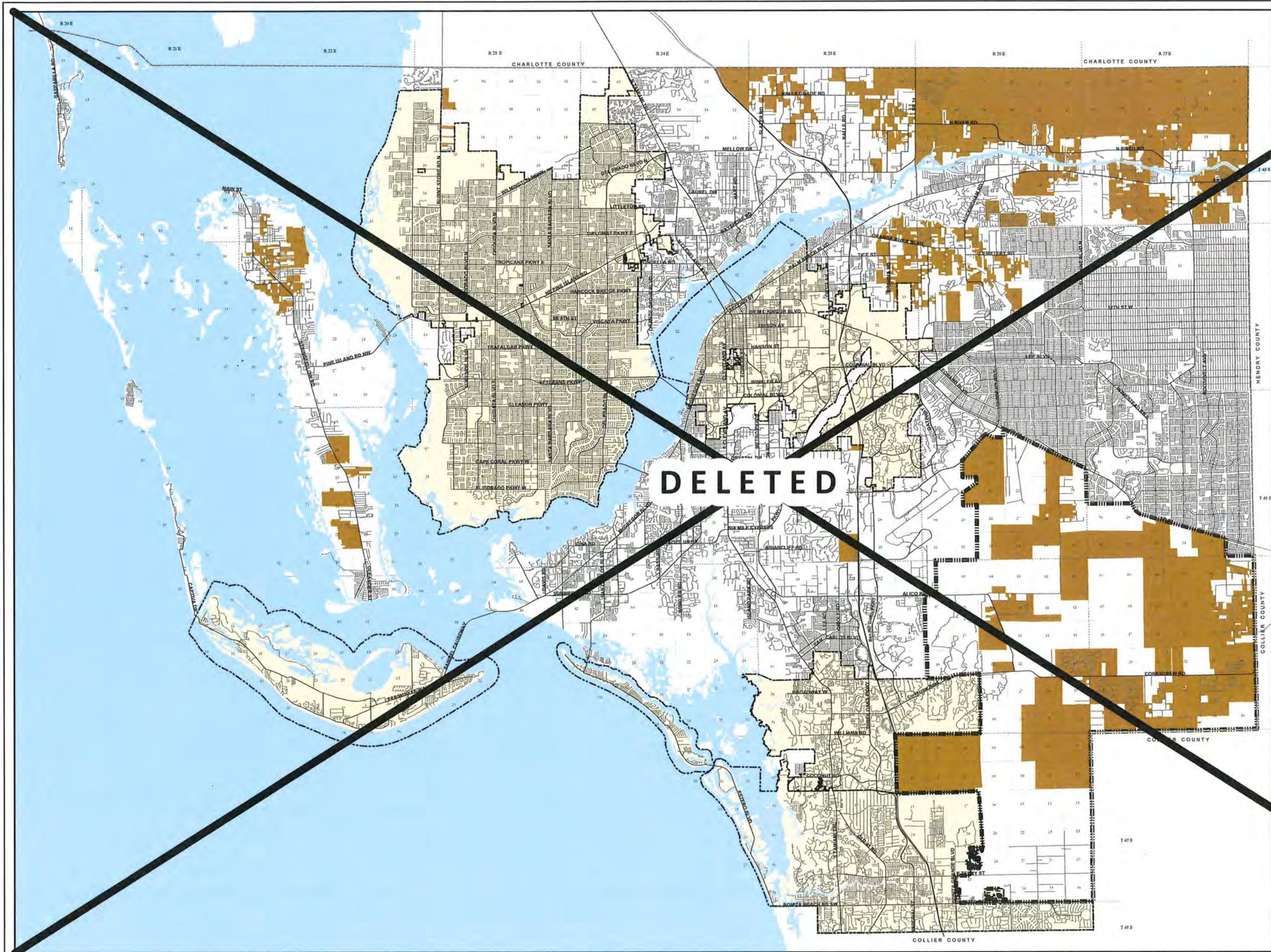
SPECIAL TREATMENT AREAS PROPOSED

- Urban Reserve
Ord. No. 89-02, 93-25, 18-18
- Privately Funded Infrastructure (Deleted)
Ord. No. 89-02, 93-25, 18-18
- Public Acquisition
Ord. No. 89-02, 93-25, 18-18
- Airport Mitigation Overlay
Ord. No. 04-16, 19-05
- Rural Residential Overlay**
 - Existing Acreage Subd.
 - Rural Golf Course Community
Ord. No. 10-19, 10-21, 10-43, 12-24, 14-21, 15-13, 15-14, 17-06, 17-23, 17-24, 19-24
- New Community (Babcock)
- Commercial Overlay
- City Limits
- Southeast Lee County

CPA2026-00005



Map Generated: August 2026
City limits current to date of map generation



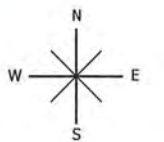
AGRICULTURAL OVERLAY

 Agricultural Operations
See Policy 1.6.7

 Southeast Lee County

 City Limits

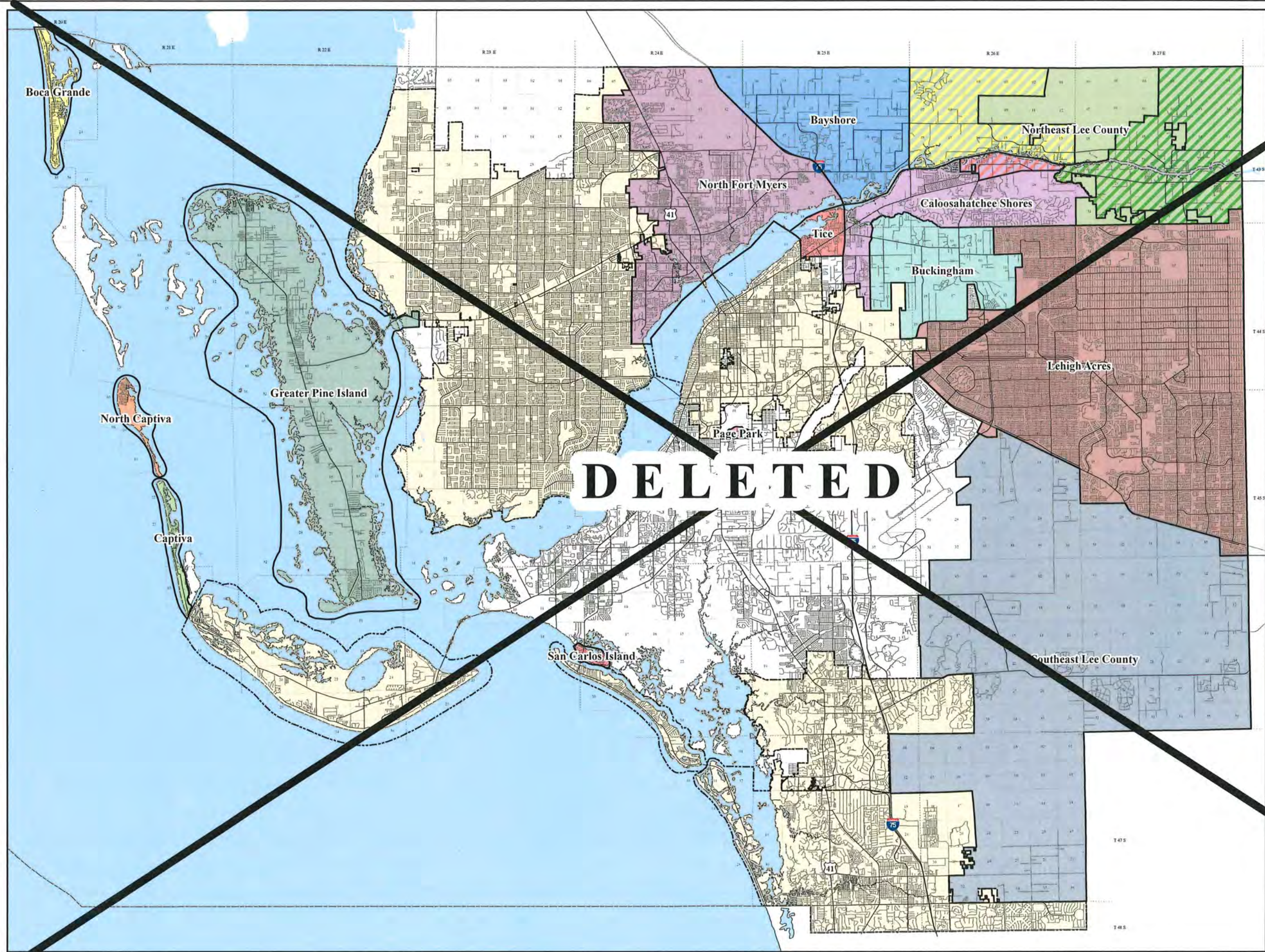
Ord. No. 94-03, 03-04, 10-20, 10-43, 17-23



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Miles

Map Generated August 2026
City limits current to date of map generation

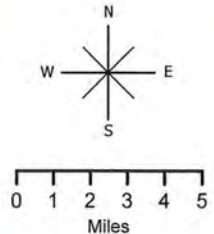
Lee Plan Map 1-G



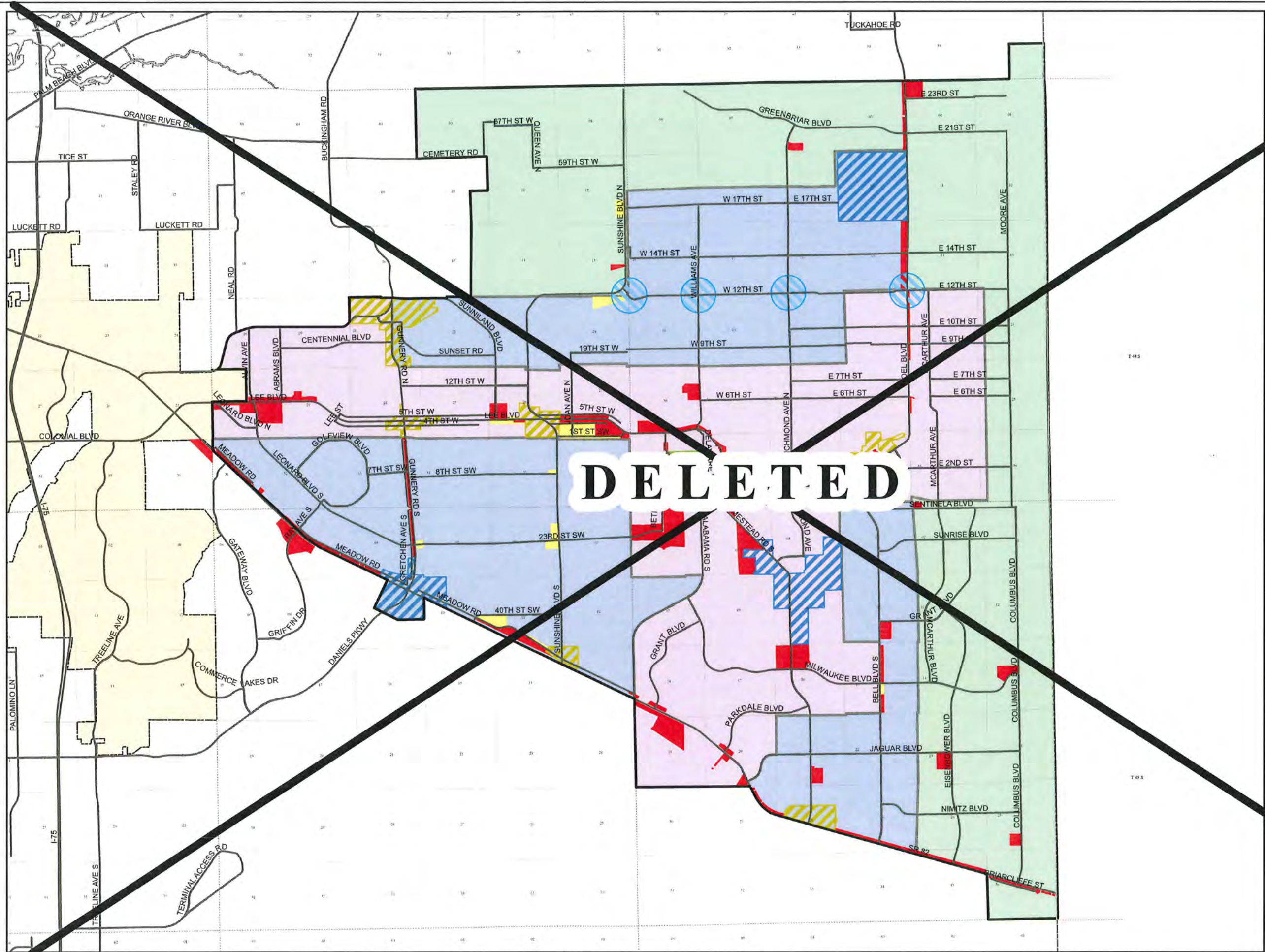
COMMUNITY PLANNING AREAS

- Boca Grande
- Bayshore
- Buckingham
- Caloosahatchee Shores
- Captiva
- Greater Pine Island
- Lehigh Acres
- North Captiva
- North Fort Myers
- Northeast Lee County
- Page Park
- San Carlos Island
- Southeast Lee County
- Tice
- Alva
- North Olga
- Olga
- City Limits

Ord. No. 89-02, 02-02, 03-01, 03-02, 03-04, 03-21, 07-09, 08-05, 09-07, 09-08, 09-09, 09-10, 09-11, 10-16, 11-14, 11-21, 11-24, 17-10, 17-23, 18-18



Map Generated: August 2026
City limits current to date of map generation



LEHIGH ACRES COMMUNITY PLAN OVERLAY

Specialized Mixed Use Nodes

- Downtown
- Community Mixed Use Activity Center
- Neighborhood Mixed Use Activity Center
- Potential Mixed Use Activity Center

Commercial Overlay Zones

- Commercial
- Lot Assembly

Lehigh Acres Tiers

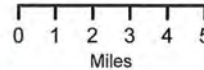
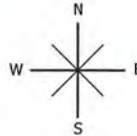
- Tier 1
- Tier 2
- Tier 3

Lehigh Acres Planning Community

12th Street/Lockett Road Connection

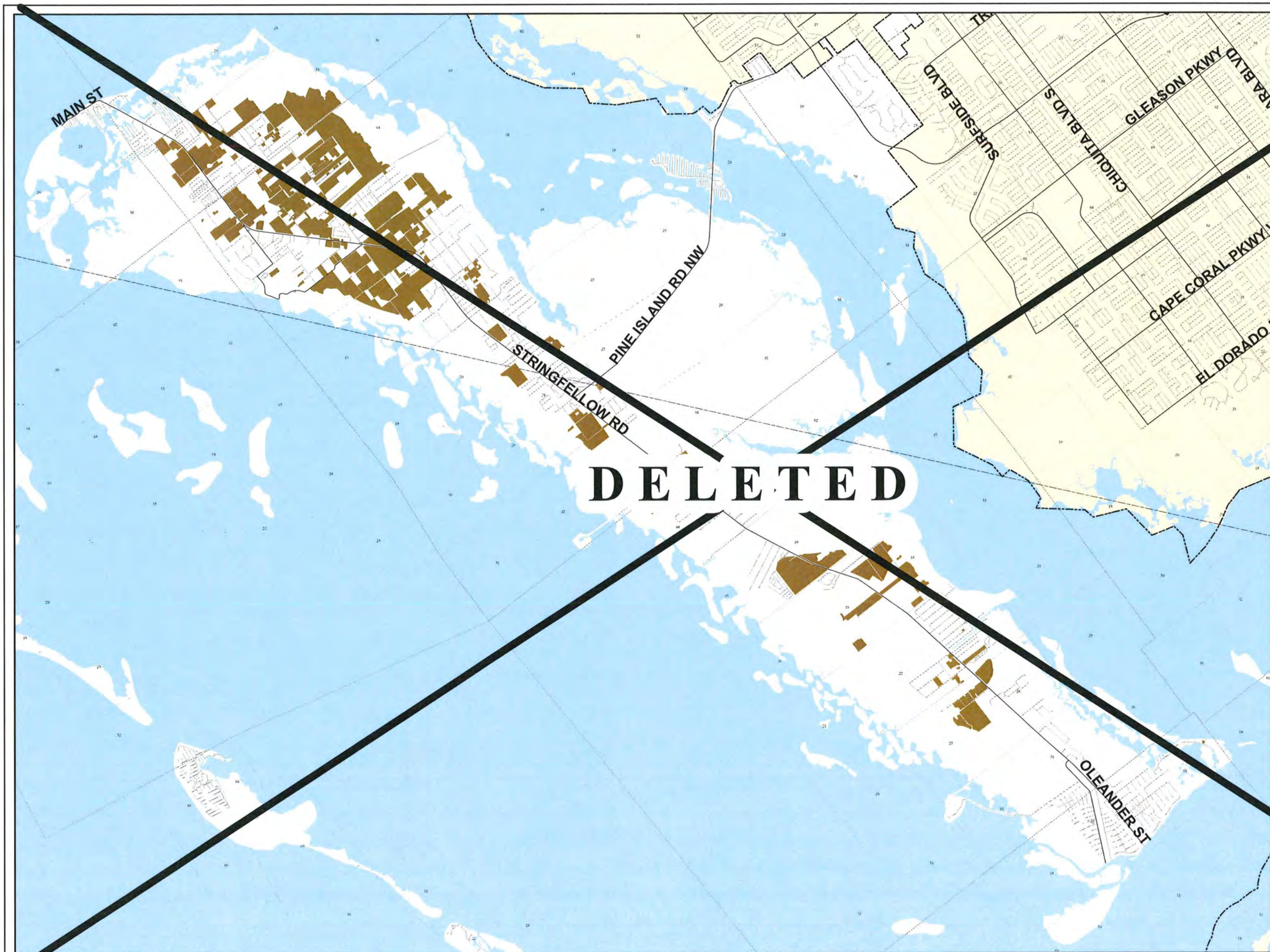
City Limits

Ord. No. 10-16



Map Generated: August 2026
City limits current to date of map generation

Lee Plan Map 2-B

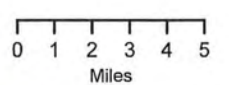


EXISTING PINE ISLAND FARMLAND

 Farmland

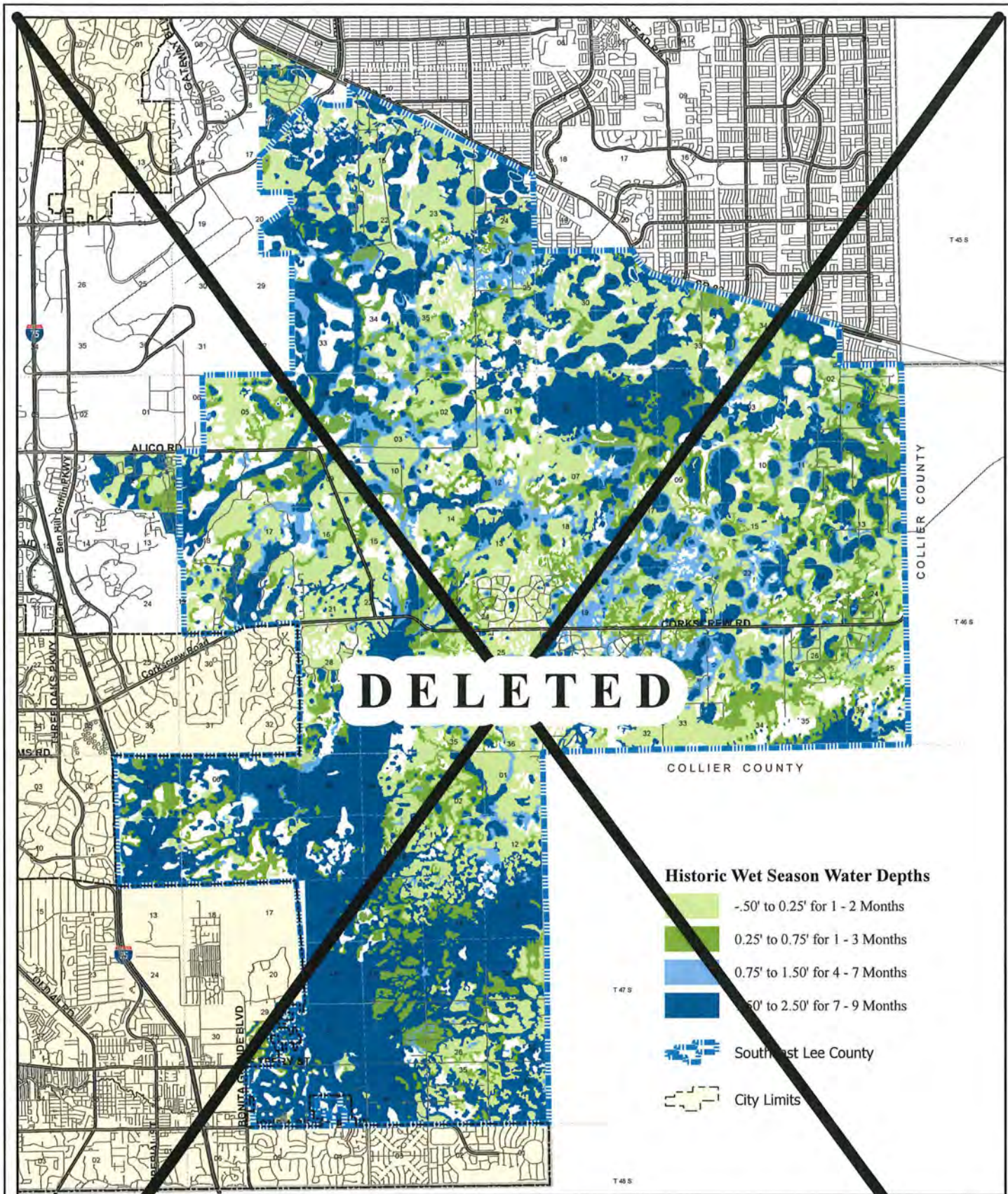
 City Limits

Ord. No. 05-21



Map Generated: August 2026
City limits current to date of map generation

Lee Plan Map 2-C



DELETED

Historic Wet Season Water Depths

- .50' to 0.25' for 1 - 2 Months
- 0.25' to 0.75' for 1 - 3 Months
- 0.75' to 1.50' for 4 - 7 Months
- 1.50' to 2.50' for 7 - 9 Months

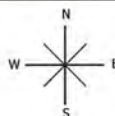
South East Lee County

City Limits



Map Generated: August 2026
City Limits current to date of map generation

Ord. No. 10-43, 17-23

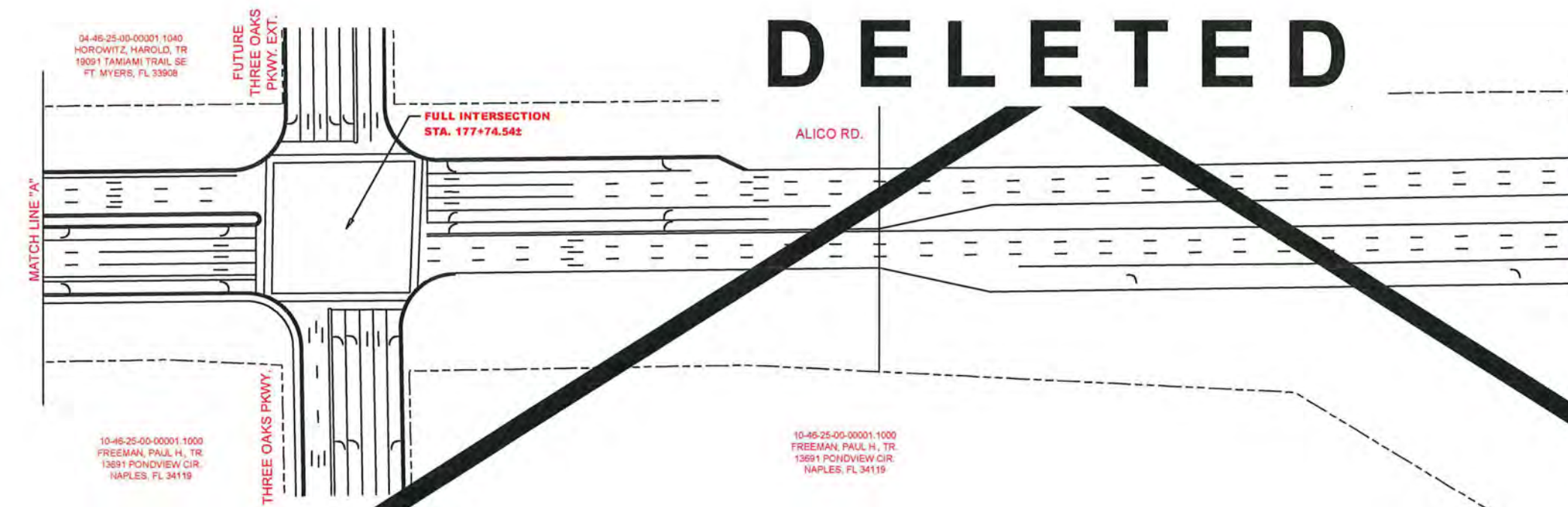


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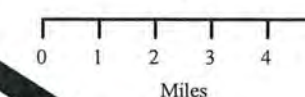
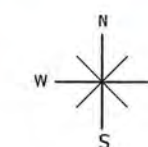
**HISTORIC SURFACE AND
GROUNDWATER LEVELS**

Lee Plan Map 2-3

**ORVILLE ROAD TO
HEN HILL GRIFFIN
PARKWAY**



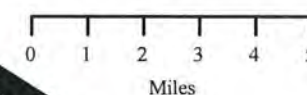
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Map generated: November 2021
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ALICO ROAD ACCESS PLAN

ORVILLE ROAD TO HEN HILL GRIFFIN PARKWAY



Map generated: November 2021
Drawing No. 03-05

DELETED

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205 CHARLES ST.
OCONTO, WI 54153

ALICO RD.

I-75

03-46-25-00-00001.0000
AGRI-INSURANCE COMPANY, LTD.
BARCLAYS BANK INTNL. BLDG.
44 CHURCH ST.
P.O. BOX HM2064
HAMILTON HM-HX, BERMUDA

03-46-25-00-00001.0000
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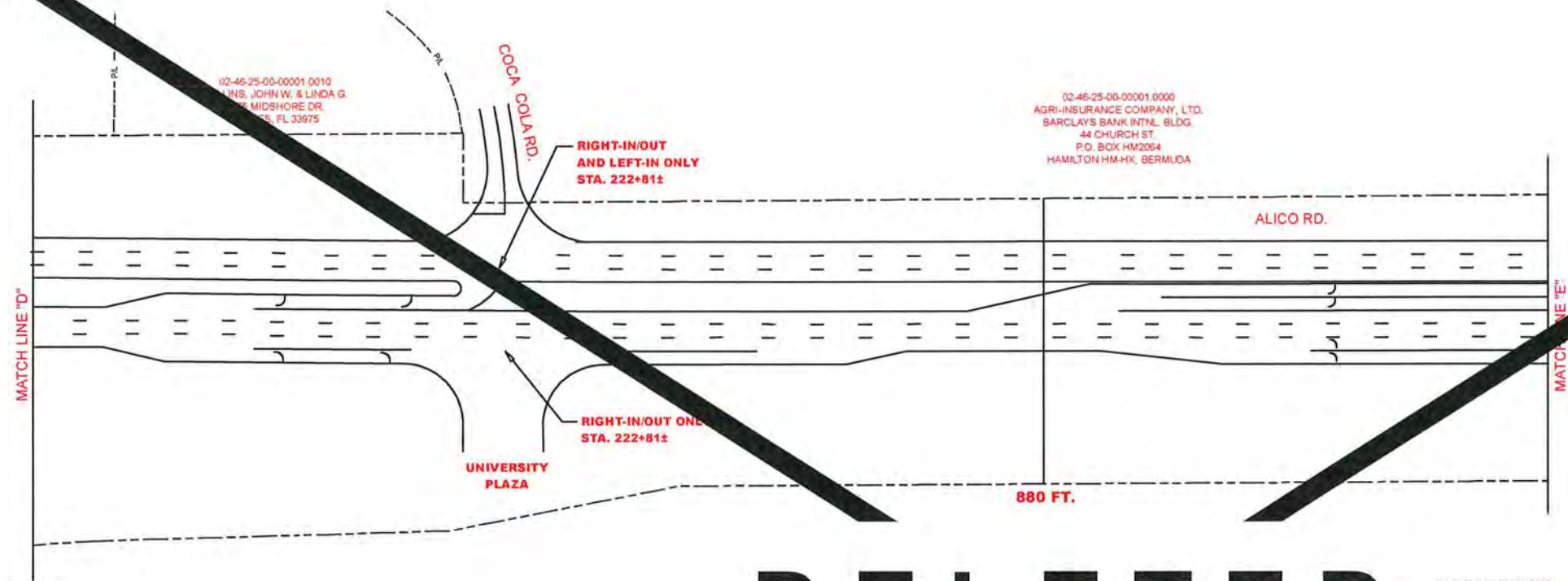
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P.O. BOX HM2064
HAMILTON HM-HX, BERMUDA

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MCMALE, GERARD A., JR., TR.
1601 JACKSON ST., STE. 200
FT. MYERS, FL 33901

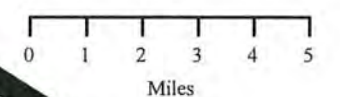
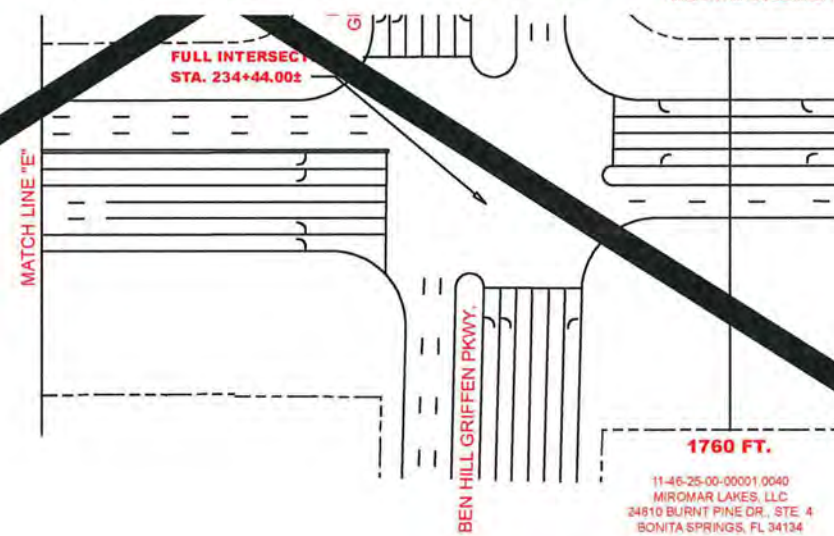
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MCMALE, GERARD A., JR., TR.
1601 JACKSON ST., STE. 200
FT. MYERS, FL 33901

ALICO ROAD ACCESS PLAN

ORACLE ROAD TO BEN HILL GRIFFIN PARKWAY



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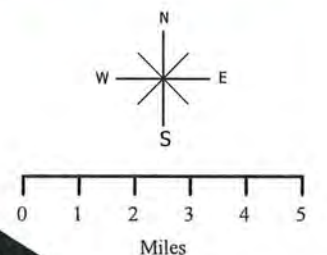
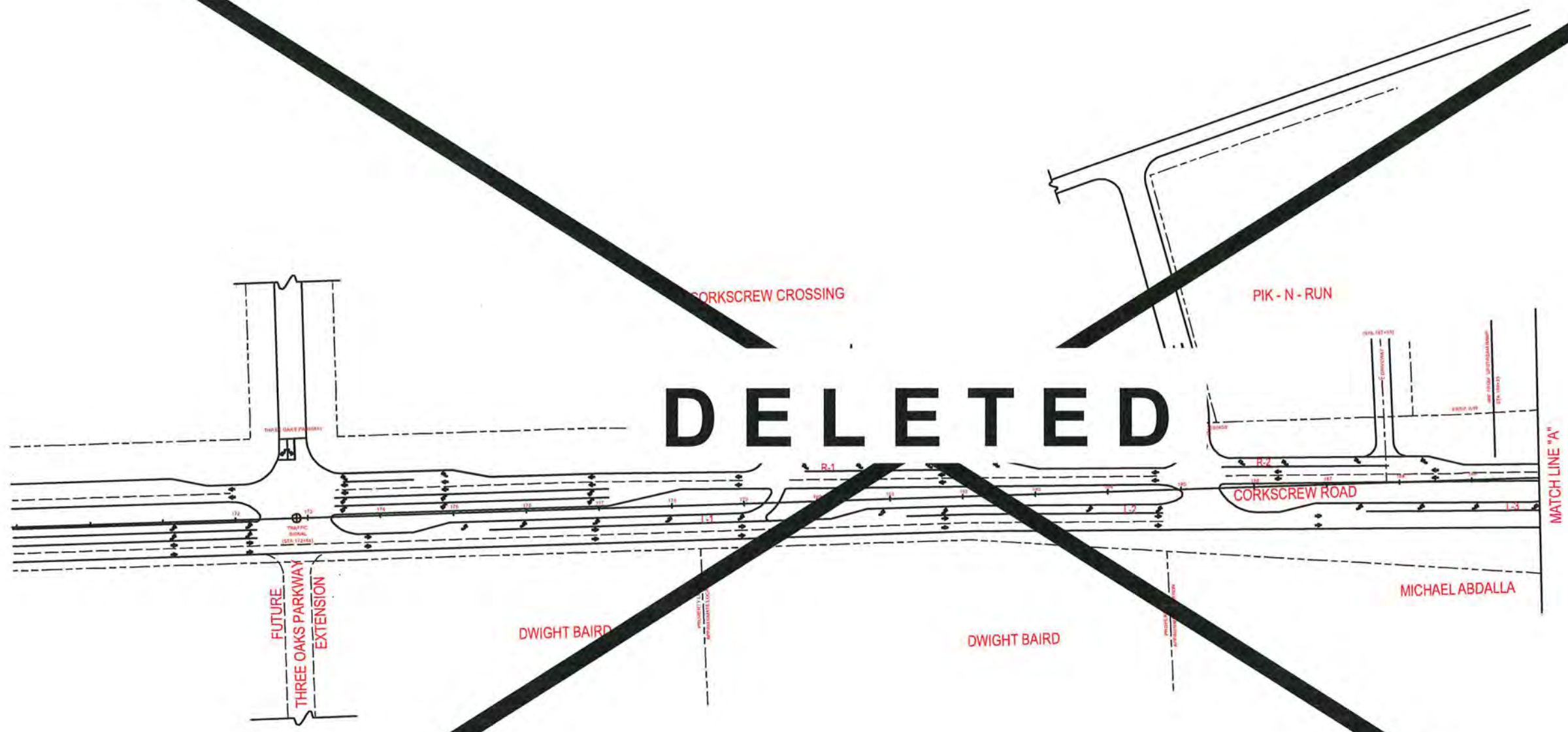


Map generated: November 2021
Version: 03-05

**CORKSCREW ROAD
ACCESS PLAN**

**THREE OAKS
PARKWAY
TO
BEN HILL GRIFFIN
PARKWAY**

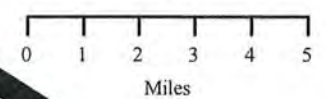
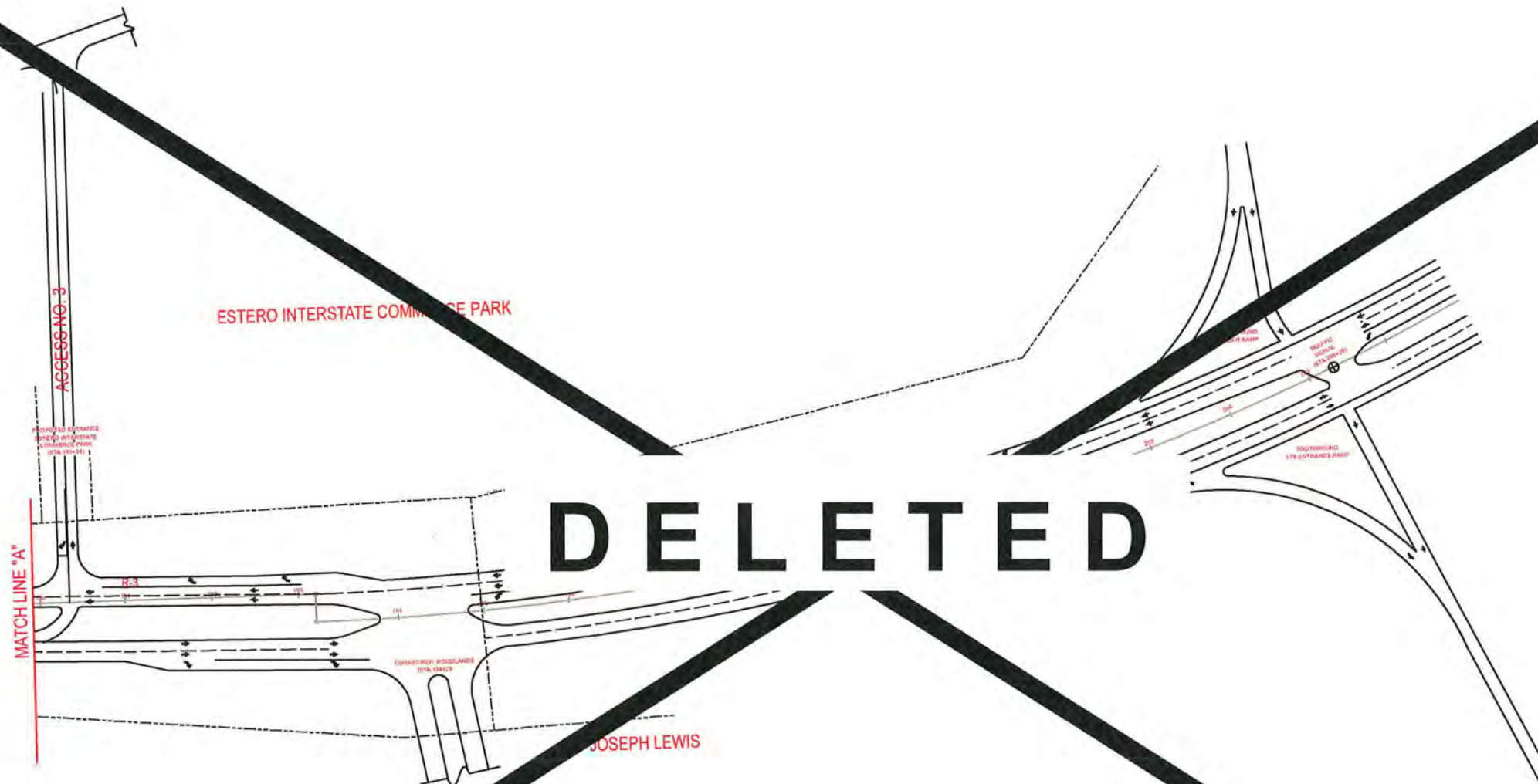
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**CORKSCREW ROAD
ACCESS PLAN**

**THREE OAKS
PARKWAY
TO
BEN HILL GRIFFIN
PARKWAY**

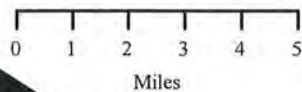


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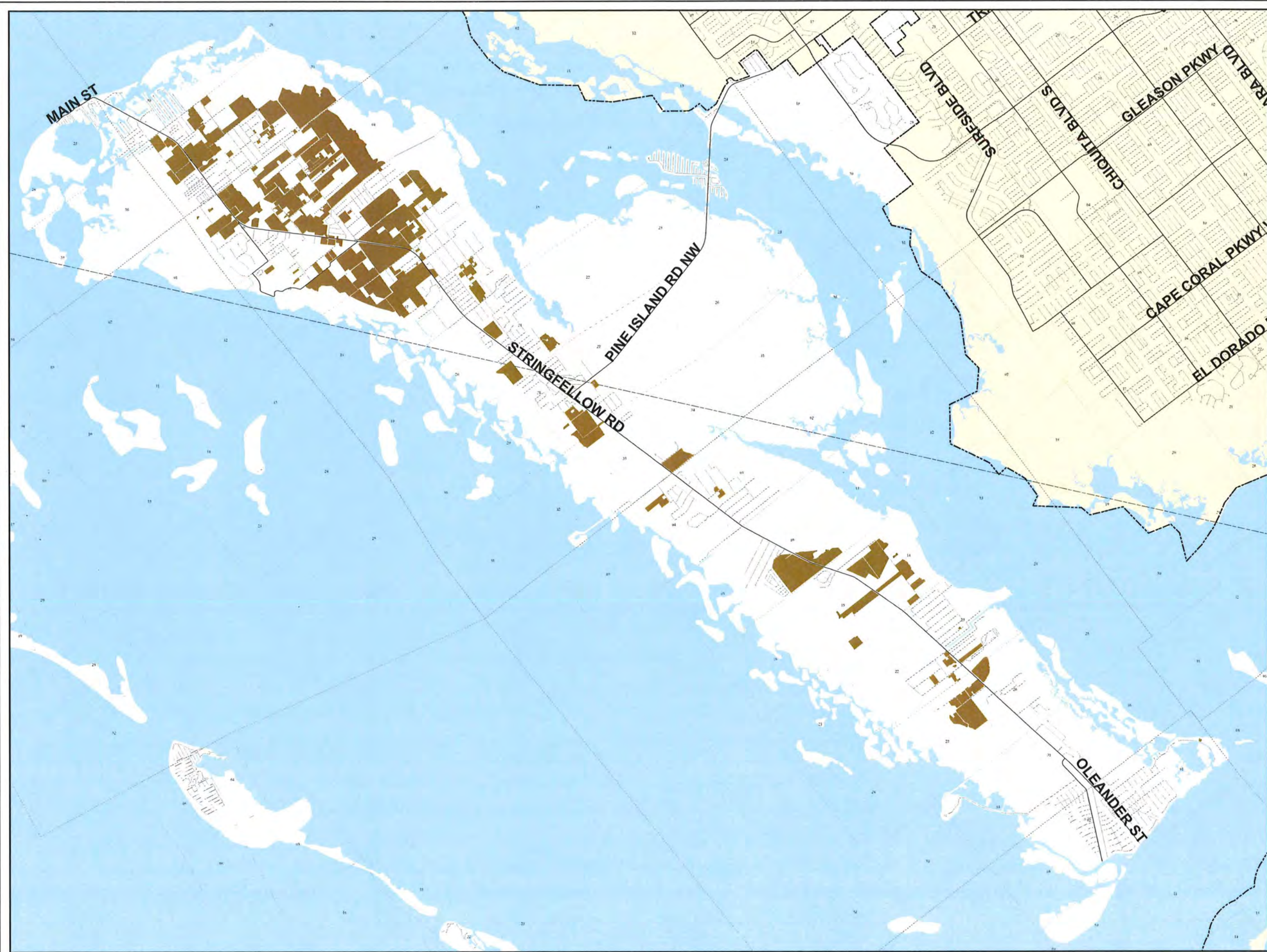
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ACCESS PLAN**

**THREE OAKS
PARKWAY
TO
BEN HILL GRIFFIN
PARKWAY**

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Map created: November 2021
Sheet No. 03-05



**EXISTING
PINE ISLAND
FARMLAND**

 Farmland

 City Limits

Ord. No. 05-21

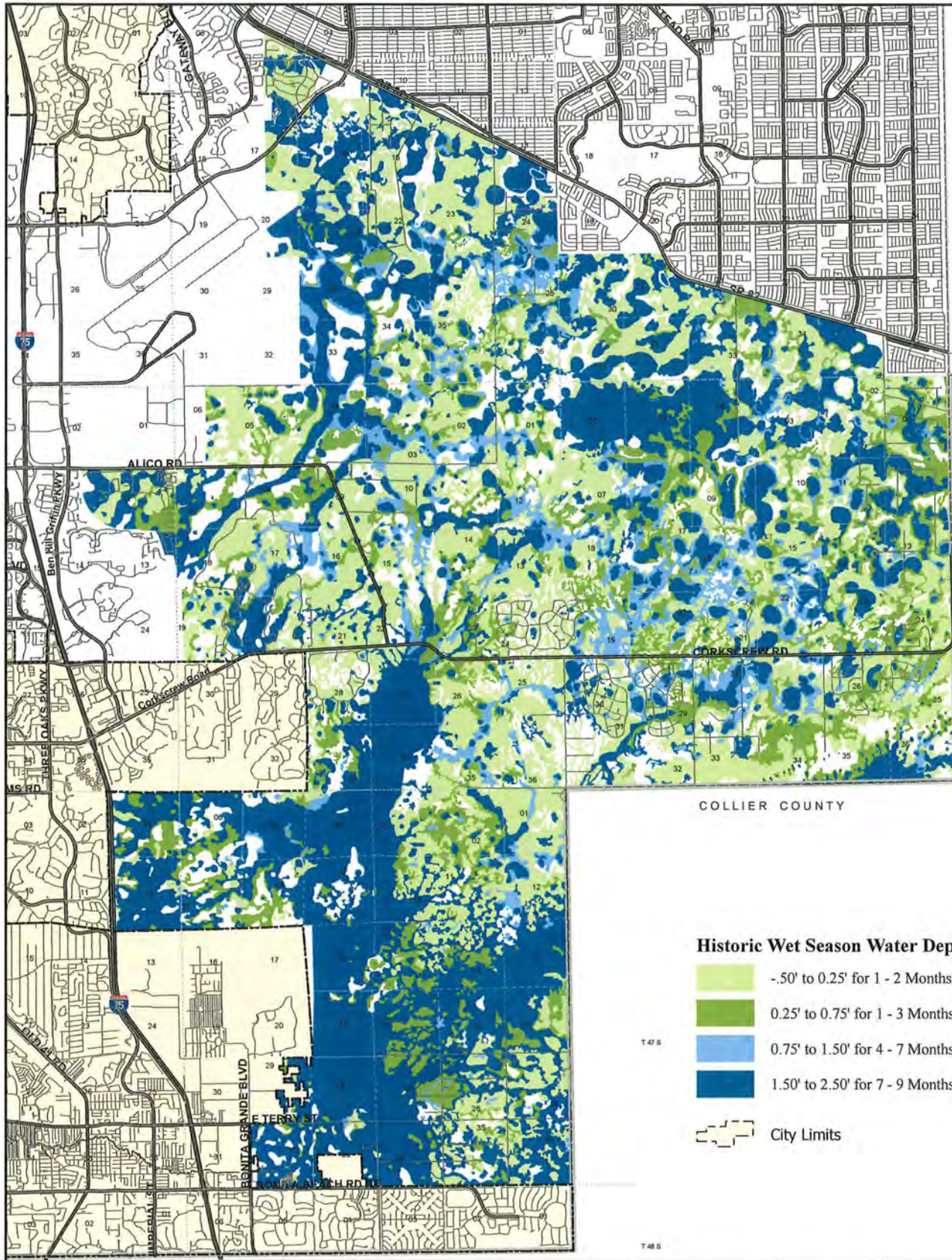


0 1 2 3 4 5
Miles

PROPOSED

Map Generated: August 2026
City limits current to date of map generation

Lee Plan Map 5-E



Historic Wet Season Water Depths

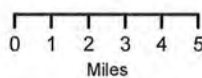
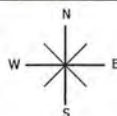
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- 0.25' to 0.75' for 1 - 3 Months
- 0.75' to 1.50' for 4 - 7 Months
- 1.50' to 2.50' for 7 - 9 Months

City Limits



Map Generated: August 2026
City limits current to date of map generation

ORD. No. 10-43, 17-23



HISTORIC SURFACE AND GROUNDWATER LEVELS

PROPOSED

Lee Plan Map 5-F

TABLE 1(a)
SUMMARY OF RESIDENTIAL DENSITIES¹

FUTURE LAND USE CATEGORY	STANDARD OR BASE DENSITY RANGE		BONUS DENSITY
	MINIMUM ² (Dwelling Units per Gross Acre)	MAXIMUM (Dwelling Units per Gross Acre)	MAXIMUM TOTAL DENSITY ³ (Dwelling Units per Gross Acre)
Intensive Development ¹⁴	8	14	22
General Interchange ²	8	14	22
Central Urban ¹⁵	4	10	15
Urban Community ^{4,5,16}	1	6	10
Suburban ¹⁷	1	6	No Bonus
Outlying Suburban	1	3	No Bonus
Sub-Outlying Suburban	1	2	No Bonus
Rural ¹⁰	No Minimum	1	No Bonus
Outer Islands	No Minimum	1	No Bonus
Rural Community Preserve ⁶	No Minimum	1	No Bonus
Open Lands ⁷	No Minimum	1 du/10 acres	No Bonus
Density Reduction/Groundwater Resource ¹³	No Minimum	1 du/10 acres	No Bonus
Wetlands ⁸	No Minimum	1 du/20 acres	No Bonus
New Community ¹⁹	No Minimum	6	No Bonus
University Community ⁹	1	2.5	No Bonus
Destination Resort Mixed Use Water Dependent ¹¹	6	9.36	No Bonus
Burnt Store Marina Village ¹²	No Minimum	160 Dwelling Units; 145 Hotel Units	No Bonus
Coastal Rural ¹⁸	No Minimum	1 du/2.7 acres	No Bonus

CLARIFICATIONS AND EXCEPTIONS

¹See the glossary in Chapter XII for the full definition of “density”.

²Except in the General Interchange future land use category adherence to minimum densities is not mandatory but is recommended to promote compact development.

³These maximum densities may be permitted by transferring density from non-contiguous land through the provisions of the Bonus Density Program identified in the LDC, Chapter 2.

⁴Within the Future Urban Areas of Pine Island Center, rezonings that will allow in excess of 3 du/acre must “acquire” the density above 3 du/acre utilizing Greater Pine Island TDUs ~~(see Objective 24.6), or transfer dwelling units in accordance with Policy 24.3.4.~~

⁵In all cases on Gasparilla Island, the maximum density must not exceed 3 du/acre.

⁶~~Within the Buckingham area, new residential lots must have a minimum of 43,560 square feet.~~

no changes proposed to notes 7 through 18

¹⁹The maximum density in the New Community future land use category is limited to 1 du/1.9 acres in the ~~North Olga Community Plan area~~ Northeast Lee County Planning District (see Policy 1.1.15).