
Land Development Code Amendments

Proposed by the Village of Estero
Draft, February 29, 2016

Language to be added is underlined.

Language to be removed is ~~struck through~~.

New language and language to be removed is also **highlighted**, except in divisions that contain only new language.

CHAPTER 33 - ~~PLANNING~~ ESTERO COMMUNITY REGULATIONS

~~ARTICLE I. - IN GENERAL~~

~~DIVISION 1. - IN GENERAL~~

Sec. 33-1. - Transitional nature of this chapter. ~~Purpose and intent.~~

The purpose of This chapter contains is to adopt the guidelines and provisions a planning community believes is necessary to achieve the goals, objectives and policies set forth in the Lee County Comprehensive Plan applicable to the Village of Estero until these provisions can be merged with the remainder of the transitional land development code adopted by the Village Charter. each recognized individual planning community located within unincorporated Lee County. These provisions are intended to enhance, not replace, the regulations contained in the balance of this Code, unless a particular planning community specifically provides otherwise.

Sec. 33-2. - Reserved. ~~Applicability.~~

The following articles apply to the planning communities in unincorporated Lee County that are specifically identified in the Lee Plan. Each article covers an individual planning community, or specifically identified portion of a planning community, that has chosen to pursue adoption of standards for the particular community.

Sec. 33-3. - Reserved. ~~Effect of LDC provisions.~~

Development within the planning communities affected by this chapter must comply with all Lee County regulations, including the provisions of this Code. The planning community regulations are intended to supplement regulations in this Code, unless a particular planning community specifically provides otherwise.

Sec. 33-4. - Conflict.

A conflict between the provisions of this chapter and the balance of this Code will be resolved in accordance with the following. The provisions of the Comprehensive Lee Plan in effect at the time of the conflict is discovered will control. If the Comprehensive Lee Plan is silent with respect to the issue, then the standards articulated in this chapter will control. If the Comprehensive Lee Plan and this chapter are silent with respect to an issue, then the provisions within the balance of this Code will control.

Sec. 33-5. - Deviations/variances.

Deviations and variances from these provisions set forth in each article may be achieved under the standards specifically set forth in this chapter by the particular planning community. If this chapter the article does not contain a specific provision related to variances and deviations, then the relevant provisions in chapters 10 and 34 will apply.

Sec. 33-6. - Appeal.

Appeal of the application or interpretation of this chapter must be filed and processed in accord with section 34-145(a).

Secs. 33-7—33-50. - Reserved.

ARTICLE II. - ESTERO PLANNING

COMMUNITY

DIVISION 1. - IN GENERAL

Sec. 33-51. - Purpose and intent.

The purpose of this chapter division is to create standards for growth in the Estero Planning Community (see map in Appendix I), described in Goal 19 of the Lee County Comprehensive Plan. Specific high growth corridors may be designated as overlay districts and/or contain special regulations, subject to the provisions of this subdivision. The policies contained within this chapter article are intended to encourage mixed-use developments, interconnectivity, pedestrian activity, and to achieve and maintain a unique, unified and pleasing aesthetic/visual quality in landscaping, architecture, signage. The standards in this chapter Article II apply to all commercial, religious, institutional, and mixed use buildings within the Estero Community, except where the authority of a separate political jurisdiction supersedes county authority.

Sec. 33-52. - Applicability.

- (a) **Reserved. Scope.** The provisions of article II apply to all development located in the Estero Planning Community, as defined in section 33-53(a) and Goal 19 of the Lee County Comprehensive Plan.
- (b) **Development orders.** The provisions of this chapter article II apply to all development orders and limited review development orders described in sections 10-174(1), 10-174(2) and 10-174(4)a. that are requested within the Estero Planning Community. Compliance with these provisions will be required in order to obtain development order approval.
- (c) **Demonstrating compliance.** Compliance with the standards set forth in this chapter article must be demonstrated on the drawings or site development plans submitted in conjunction with an application for development order approval or with a building permit application if a development order is not required. This will not prevent simultaneous applications for a development order and building permit on the same parcel, however, the development order approval must precede the building permit approval.

Sec. 33-53. - Reserved. Planning community boundaries.

- (a) **Estero Planning Community.** The boundaries of the Estero Planning Community are as depicted in the Lee County Comprehensive Plan on Lee Plan Communities Map 16.
- (b) **Corkscrew Road Overlay.** The boundaries of the Corkscrew Road overlay district are as depicted in Appendix I on Map 1.
- (c) **Sandy Lane Overlay.** The boundaries of the Sandy Lane overlay district are as depicted in Appendix I on Map 1.
- (d) **US 41 Overlay.** The boundaries of the US 41 overlay district are as depicted in Appendix I on Map 2.

Sec. 33-54. - Community review.

The owner or agent applying for Planned Developments, Rezoning, Variances, Special Exceptions, Plan Amendments, and Development Orders within the Village of Estero must participate in a public information meeting pursuant to adopted Village regulations and policies to provide a general overview of the project for any interested citizens before the application can be found sufficient. Prior to a finding of sufficiency, the applicant must provide the Village with a summary of the concerns or issues that were raised at the meeting and a proposal for how the applicant will respond to any issues that were raised.

- (a) **Applications requiring review.** The owner or agent applying for the following types of county approvals must conduct one public informational session in accord with section 33-54(b) within the Estero Planning Community prior to obtaining a finding of sufficiency.
- (1) **Development orders.** This includes all applications for development orders requested within the Estero Planning Community.
 - (2) **Planned development zoning actions.** This includes administrative deviations amending the approved master concept plan or other provisions of the applicable zoning resolution.
 - (3) **Special exception and variance requests.** This includes all requests that will be decided by the hearing examiner.
 - (4) **Conventional rezoning actions.**

(5) **Permanent monument style identification** sign permits requested from the Building Department.

(b) **Meeting requirements.** The owner or agent submitting the application requiring review under this section must conduct one public informational session within the boundaries of the Estero Planning Community where the agent will provide a general overview of the project for any interested citizens. 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 meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised.

Sec. 33-55. - Existing development.

Existing planned developments may voluntarily bring a master concept plan into compliance with the **Comprehensive Plan Estero Plan** or any regulation contained in this **chapter division** administratively. No public hearing will be required if the sole intention is for existing planned developments to comply with these regulations.

Sec. 33-56. - Definitions.

The following definitions are in addition to those set forth in other chapters of this Code and are applicable to the provisions set forth in this **chapter article** only. If, when construing the specific provisions contained in this **chapter article**, these definitions conflict with definitions found elsewhere in this Code, then the definitions set forth below will control. Otherwise the definitions contained elsewhere in this Code will control.

Articulation means shapes and surfaces having joints or segments that subdivide the area or elements; the joints or members add scale and rhythm to an otherwise plain surface.

Big box/large retail/large footprint means a single use retailer of more than 50,000 square feet of building footprint, or a multi-use development, with more than 100,000 square feet of building area, excluding out parcel development.

Building footprint means the total area of land covered or occupied by an individual building, including all roofed areas and outdoor sales area. Walkways and public spaces are excluded from the calculation.

Column/pillar means freestanding vertical supports that generate unique features through the composition of the base, shaft and capital arrangement of column parts.

Facade means the vertical exterior surfaces of a building.

Fully shielded light fixture means a light fixture constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal.

Human scale and proportion means the adequate positioning of building details and attributes that take into consideration the approximate eye level and average human height, in order to create a sense of its presence, or simply for it to be perceived and appreciated when encountered.

Interior access drive/street means any vehicular roadway, excluding alleys or driveways, located within the confines of the property.

Internal block means a building pad that does not front on a major road.

Liner building/structures means additional buildings located along a big box type structure to mask blank and unadorned walls. Liner buildings may also be used to help mass up or mass down the big box. Liner buildings may either be attached to the big box or be within 15 feet of the big box. (See Figure 11 in section 33-458) Liner buildings may either be an enclosed, partially enclosed, or a covered structure, including covered walkways.

Mall means a structure with multiple tenants with an internal public circulation spine (roofed or not roofed) with more than 450,000 square feet of retail space.

Monument sign or monument-style sign is a ground sign, the structural base of which is on the ground. The height of the base must be at least 24 but no more than 36 inches above the adjacent ground. The average width of the sign structure must exceed the total height of the sign structure. The width of the top of the sign structure must not exceed 120 percent of the width of the base. The sign copy area will be measured from the outside edges of the sign or the sign frame, whichever is greater, excluding the area of the supporting structures provided that the supporting structures are not used for advertising purposes.

Reflective pool means a geometric pool like structure with a minimum of six inches of water and a maximum of two feet of water in the structure. Reflective pools may not be connected to the water management system.

Open space square means an outdoor common space. Open space squares must have a minimum average dimension of 30 feet and a maximum average dimension of 65 feet. Open space squares may be interconnected to form a larger square or a series of squares and must be integrated into the pedestrian circulation pattern for the project. Open space squares must also be located in the front or middle of the center.

Out parcel buffer means building parcels that are placed along more than 75 percent of the public right-of-way, having no more than two rows of parking in the front, and a landscaped buffer (type “D,” minimum of six feet) provided at the front, back and the sides of the out parcel. Properties sharing common buffers may agree to install a joint buffer, at least eight feet in width, provided the buffer meets all type “D” buffer requirements, and includes three trees per 100 linear feet. When a building is located in the Corkscrew Road overlay area, a setback of no more than 20 feet from the Corkscrew Road right-of-way may satisfy the front landscaping requirements.

Parapet means a low protective wall at the edge of a terrace, balcony or roof.

Parking pods means a discrete parking lot with no more than four ingress/egress points, limited to a maximum of 120 parking spaces, and surrounded by a type “D” landscape buffer.

Pedestrian passageway means a pedestrian connection between buildings that allows safe access to other public spaces.

Pole sign is a freestanding sign composed of a single, double, or multiple pole or support structure, that is not a solid monument-style.

Storefront means the wood or metal armature of a window or door system, located within a ground-floor opening in the facade of a building.

Street furniture means objects that are constructed or placed above ground such as outdoor seating, kiosks, bus shelters, sculptures, tree grids, trash receptacles, fountains, and telephone booths, which have the potential for enlivening and giving variety to streets, sidewalks, plazas, and other outdoor spaces open to, and used by, the public.

Usable open space means a passive or active area set aside for the visitor enjoyment while adding to the diversity of the activities at the center.

Vernacular means building structure whose design is determined by an informal local tradition. A vernacular building is one that possess attributes common to other buildings in the region in terms of appearance, use of materials, dimensions, exterior decoration and approximate age. While there may be differences in attributes, it should “belong” and not seem out of place.

Sec. 33-57. - Deviations and variances.

If an applicant desires to deviate from any architectural, site design, landscaping or signage guidelines in article II, including all sections from 33-111 through 33-385, an applicant may do so at the time of zoning or development order if permitted under section 10-104(b). A rendered drawing to scale, showing the design, and clearly demonstrating the nature of the requested deviation must be submitted as part of the development order application. ~~Administrative deviations to a planned development may be allowed subject to a meeting within the Estero Planning Community in accord with section 33-54(b).~~

Secs. 33-58—33-99. - Reserved.

DIVISION 2. - DESIGN STANDARDS

Sec. 33-100. - Design standards.

The design standards included in this division are intended to help create a distinguished architectural style and appearance within ~~the Estero Planning Community and the specific overlay districts identified in section 33-53.~~ The standards provide design criteria intended to stimulate creative project designs, while fostering compatibility with surrounding developments.

These development provisions are intended to create an integral distinct community image, one that will enhance, unify, and harmonize properties throughout ~~the Estero Planning Community.~~

Secs. 33-101—33-110. - Reserved.

SUBDIVISION I. - BASIC ELEMENTS

[no changes to Subdivision I]

SUBDIVISION II. - ARCHITECTURAL

[no changes to Subdivision II]

SUBDIVISION III. - LANDSCAPING

[no changes to Subdivision III]

SUBDIVISION IV. - TRANSPORTATION

[no changes to Subdivision IV]

SUBDIVISION V. - SIGNS

[no changes to Subdivision V]

SUBDIVISION VI. - PATTERN BOOK

Sec 33-391. - Pattern books generally.

A pattern book describes the anticipated visual character and layout for a development project and can also illustrate proposed signage, landscaping, and other features. The pattern book then guides the design and construction of buildings and site improvements. Pattern books have become an Estero tradition, beginning in 2004 with the Coconut Point design review guidelines.

Sec 33-392. - Purpose and intent.

(a) An effective pattern book illustrates the design and character of a development project and provides details about design solutions to conditions that are specific to the site or to the target market. Pattern books assist village officials and the community during the rezoning process in visualizing how a development project would fit into the community, how its character would be unified internally, and to what extent it would implement policies in the Estero Community Plan and the standards in this chapter.

(b) The level of detail in a pattern book will vary based on the scale, scope, and timing of a development project and on the standards that apply.

(1) For larger developments and developments that will be phased over time, the pattern book identifies the placement of development features on a site, particularly those along the perimeter; defines the layout of proposed development in relationship to neighboring uses, adjacent streets, and public spaces; and depicts generalized architectural themes for buildings.

(2) For smaller developments, single-phased developments, and higher density and intensity projects such those in Tiers 2, 3 and 4 (see division 5 of this chapter), the pattern book incorporates more information such as general façade detailing, cross-sections of streets, and details on signage, landscaping, lighting, open space, and other features.

Sec 33-393. - Applicability.

(a) The Village of Estero encourages a pattern book to be submitted as part of applications for planned development zoning. Compliance with the pattern book may become a condition of rezoning.

(b) By itself, an approved pattern book does not overrule any Village regulations. However, where specific variances or deviations are requested as part of a zoning application, the details of those requests should be illustrated in the pattern book so that subsequent approval of those variances or deviations can be referenced to the pattern book.

Secs. 33-393—399. - Reserved.

DIVISION 3. - CORRIDOR STANDARDS OVERLAY DISTRICTS

Sec. 33-400. - Purpose and intent.

Overlay districts are Certain corridors within the Estero Planning Community that are of special concern and require special site design standards.

Sec. 33-401. - Applicability.

Whenever the requirements of Division 3 the overlay districts impose a different standard than the provisions of the remainder of this Code, the requirements of Division 3 the overlay district will govern. Except where specifically modified by the provisions of this subdivision, all other requirements of this Code apply.

SUBDIVISION I. - CORKSCREW ROAD OVERLAY AND SANDY LANE

Sec. 33-402. - Intent.

The Corkscrew Road and Sandy Lane overlay districts will be developed as the Estero Planning Community's Main Street, a corridor of architecturally appealing and attractively landscaped retail, office, residential and institutional developments that cater to the needs of the community. The boundaries of this district are depicted in Figure 8-b. These districts are depicted in Appendix I, Map 1.

Sec. 33-403. - Corner lots.

In addition to the requirements of section 10-620(c)(3), the development must create visually attractive street corners using distinctive building entryways in combination with landscaping or artwork. Buildings on corner lots must be designed with a maximum setback of 25 feet from each adjacent right-of-way and must provide pedestrian access from the street intersection (Refer to Figure 9).

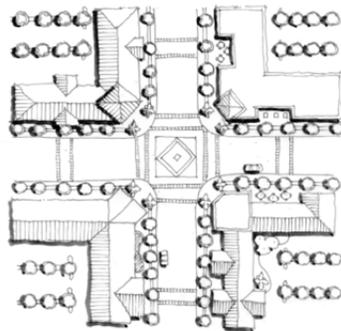


Figure 9. (s. 33-403)

Sec. 33-404. - Areas of public interest.

The development must be designed to create people-oriented spaces along the street that are visually attractive, take into consideration the human scale and proportion, and provide for pedestrian connections.

Sec. 33-405. - Street front activity.

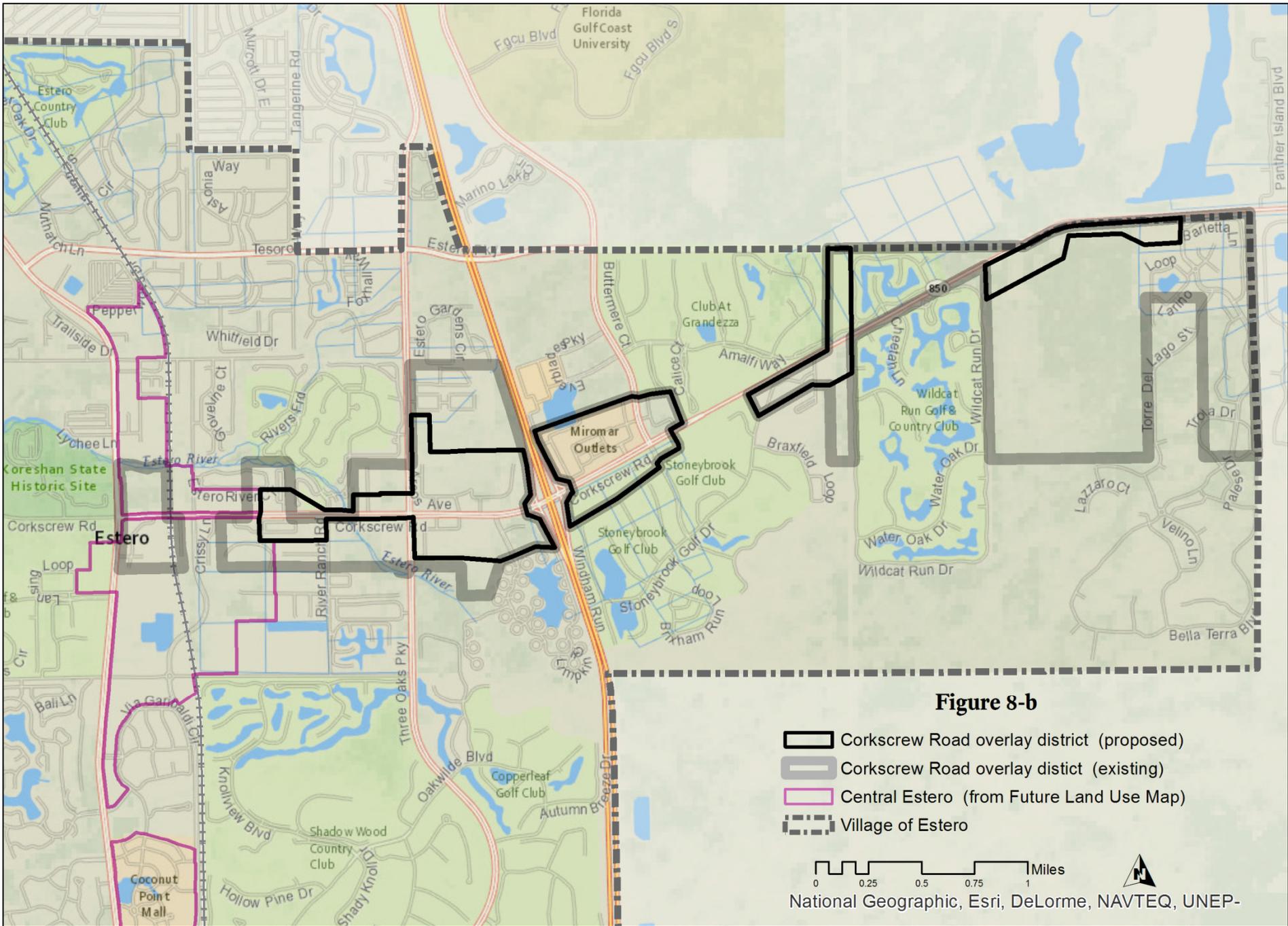
The development must be designed to create public spaces to allow for activity to take place along the street front, such as sidewalks and open areas.

Sec. 33-406. - Property development regulations.

Setbacks for the Corkscrew Road overlay district and Sandy Lane Overlay Districts are shown in the following Table 1. With the exception of setbacks set forth within Table 1, the property development regulations set forth in section 34-935 will apply. Table 1 specifically modifies and supersedes the provisions set forth in Section 34-935(b)(1).

To ensure conformity and development consistent with the goals and requirements of this section, developments that were approved prior to June 25, 2002, as part of a planned development, must also comply with the setback requirements contained in Table 1 to the extent the setback requirement was not specifically addressed as part of the planned development. Specific property development regulations that were approved as part of a planned development prior to June 25, 2002, are exempt from this section.

Table 1			
Dimensional Regulations	Special Notes	Corkscrew Road & Sandy Lane Overlay Districts	
Setbacks ¹	34-2191 et seq.	Minimum	Maximum
Street (feet) ²		0'	25'
Side yard (feet) ³		0'	N/A
Rear yard (feet)		25'	N/A
Water body (feet)		25'	N/A



Notes:

- (1) Building setback requirements must follow these General Requirements (See Figure 2):
 - a. Setbacks will be established to facilitate the creation of uniform streetscape.
 - b. Maximum right-of-way setbacks will be zero feet to 25 feet. This must allow for buildings to front directly onto the adjacent sidewalks, while providing for slight undulation (variety) in the definition and character of the corridor. The flexibility in this setback will also allow for the creation of small use areas (i.e. limited outdoor seating for restaurants and coffee shops, display of goods being sold, and small landscaped entrances) and enhance opportunities for activity. Automobile service stations and convenience food and beverage uses with fuel pumps may deviate from the maximum setback requirement per landscape requirements in section 33-435. Interior lots are permitted for developments provided that there is a minimum 75-foot setback for all parking lots.
 - c. Minimum of 40 percent of the building frontage will be required at the setback.
 - d. These setback requirements do not apply to properties fronting Corkscrew Road east of I-75.
- (2) The provisions of section 34-3131(a) “Vehicle Visibility at Intersections” is amended for the purposes of the Corkscrew Road and Sandy Lane overlay districts to read as follows:

Corner lots. On a corner lot, no obstruction may be planted or erected that materially obstructs traffic visibility within the triangular space bounded by the two intersecting right-of-way lines and a straight line connecting the two points on the street right-of-way lines 50 feet from their intersection. No structural and planting masses will be permitted between one and one-half feet and eight feet above the average grade of each street.
- (3) Developments are encouraged to provide side setbacks of five feet or less to create a continuous “street wall” of building frontage where possible. Where side setbacks are less than five feet, evidence must be presented that the land owner will be able to maintain the exterior wall. The exterior walls of buildings must meet fire protection standards.

Secs. 33-407—33-420. - Reserved.

SUBDIVISION II. - US 41

Sec. 33-421. - Intent and scope.

The US 41 overlay district will continue to grow as a commercial and residential corridor over the next decade, providing for the regional and local shopping needs of Estero and South Lee residents. The Village wishes purpose of the overlay district is to create a corridor that is well landscaped and aesthetically pleasing while providing for a free flow of traffic through South Lee County. The following regulations aim to create a roadway corridor that enhances the drive through experience of traveling through Estero; these regulations apply to all new development and redevelopment that abuts US 41, the Estero Planning Community. The US 41 Overlay is depicted on Appendix I, Map 2.

Sec. 33-422. - Parking lots.

- (a) Freestanding buildings or shopping center developments containing 7,500 gross square feet of space or less may provide no more than 20 percent of parking areas in the front of buildings and/or be limited to no more than one double row of parking. No more than 20 percent of the parking area may be located to the side of building, with the balance of parking located to the rear of the building.
- (b) For buildings exceeding 7,500 square feet, and fronting US 41, parking is encouraged to the sides or rear of the building.
- (c) Where parking is located adjacent to US 41, adequate screening, consisting of a minimum type “E” buffer, as specified in section 33-351, containing a two to three foot undulating landscaped berm, without a wall, is required. The intent is to screen parking areas but not buildings.

Secs. 33-423—33-430. - Reserved.

DIVISION 4. - SPECIFIC USES

SUBDIVISION I. - AUTOMOBILE SERVICE STATIONS AND CONVENIENCE FOOD AND BEVERAGE STORES

[no changes to Subdivision I]

SUBDIVISION II. - BIG BOX COMMERCIAL

[no changes to Subdivision II]

DIVISION 5. - ESTERO PD ZONING DISTRICT

Sec. 33-501. - Estero Planned Development zoning district.

(a) This land development code contains two zoning districts that encourage land in Central Estero to be developed or redeveloped with a greater mix of uses and higher densities when placed in walkable mixed-use patterns. One district is Compact Planned Development as described in Chapter 32 of this code. The other is Estero Planned Development as described in this division.

(b) The Estero Planned Development zoning district contains tiered standards that apply to three parts of Central Estero: the Village Center area immediately south of Corkscrew Road; the Health District on both sides of Coconut Road; and the River District immediately north of Corkscrew Road. Landowners may apply for rezoning to have these new standards and densities applied to specific tracts of land.

Sec. 33-502. - Applicability and designation on zoning maps.

The Estero Planned Development district may be requested only for land designated Central Estero on the comprehensive plan's future land use map. If rezoning is approved, the zoning map will indicate that the land has been assigned one of the following designations:

- (1) **Estero—Village Center**
- (2) **Estero—Health District**
- (3) **Estero—River District**

Sec. 33-503. - Applications and procedures.

Application requirements and approval procedures for this zoning district will be the same as for other planned development rezonings except that the master concept plan will be replaced by a tiered development plan as follows:

- (1) In place of designating "individual development areas" as required by section 34-373(a)(6)d, the development plan must indicate the connecting street network and proposed tier designations:
 - a. The development plan must show the proposed configuration and location of the connecting street network, including the connection points along the perimeter and the routes between those points (see section 33-506(a)).
 - b. The development plan must indicate that all land will be in Tier 1 and may indicate that certain portions of the land will also be in Tier 2 or Tier 3.
 - c. The development plan must show additional streets behind and between pad sites where these streets are required by section 33-506(g).
 - d. For land in Tier 1 only, the development plan must show any additional streets that _____
 - e. For land in Tiers 2 or 3, the development plan must show the location of all proposed streets and indicate the classification of streets as described in section 33-510.
- (2) Mixes of complementary uses of land are encouraged within the Estero Planned Development district. The development plan must indicate the proposed uses of land in each tier using the terminology in section 33-518 in place of the requirements in section 34-373(a)(8). If the

development plan includes pad sites along major roads, the proposed uses on those sites must also be indicated.

- (3) The development plan must demonstrate compliance with the additional standards in sections 33-505 through 33-508.

Sec. 33-504. – Tiers.

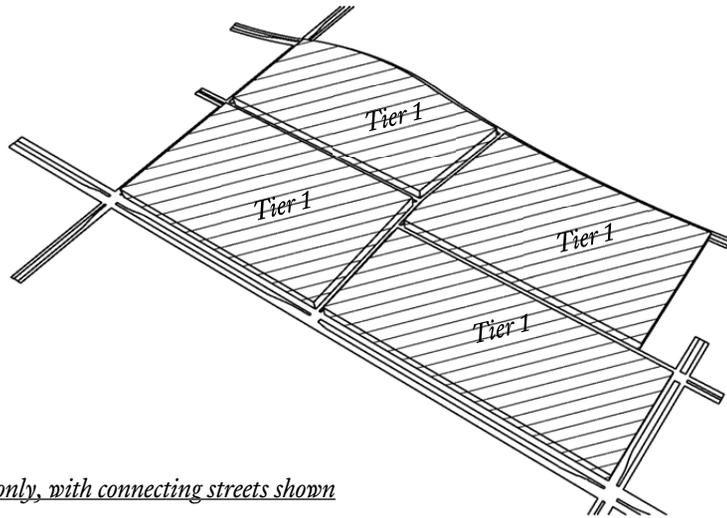
(a) This chapter provides standards for four levels of walkable mixed-use development in Central Estero:

- (1) *Tier 1* provides a minimum network of connecting streets that will allow the public to move by car, bike, or on foot within and through development tracts.
- (2) *Tier 2* accommodates primarily residential neighborhoods with higher densities, a variety of housing types, and greater connectivity than Tier 1.
- (3) *Tier 3* accommodates mixed-use neighborhoods with similar attributes as Tier 2 but with significant non-residential uses as well.
- (4) *Tier 4* allows an entire development tract to be planned as a compact community, as provided in Chapter 32.

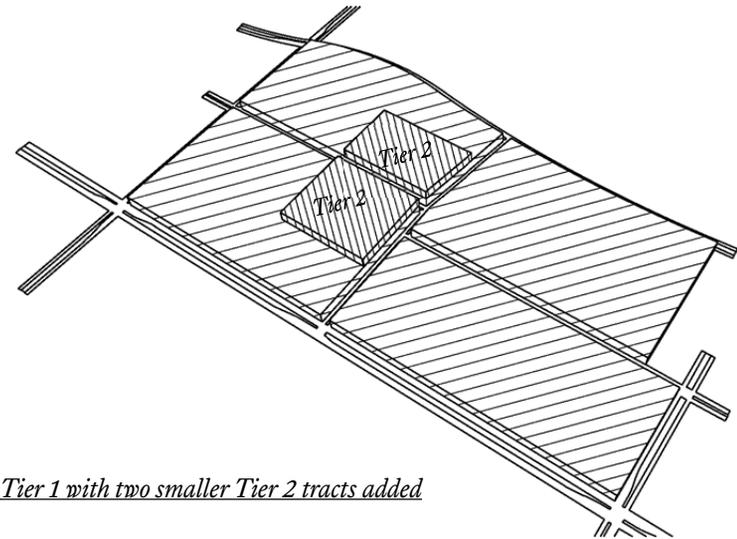
(b) Applications for the Estero Planned Development district must request at least Tier 1 for the entire property being rezoned. Applications may also request Tier 2 and/or Tier 3 on top of Tier 1 for portions of the property specified on the development plan. Tiers 2 and 3 can comprise entire compact neighborhoods or can be applied in increments down to a half block as parts of other neighborhoods. See examples of potential tier arrangements in Figure 16.

(c) Rezoning approvals for the Estero Planned Development district will not force the reduction in the overall number of dwelling units allowed by an unexpired master concept plan for the same tract and will not nullify any conditions of the original density grant. Approvals may require the reconfiguration of streets, individual development areas, access points, preserve areas, and other site planning details.

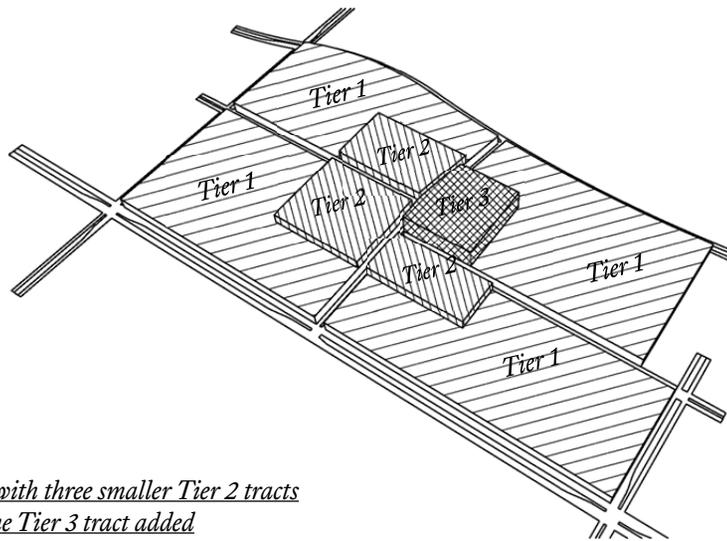
Figure 16



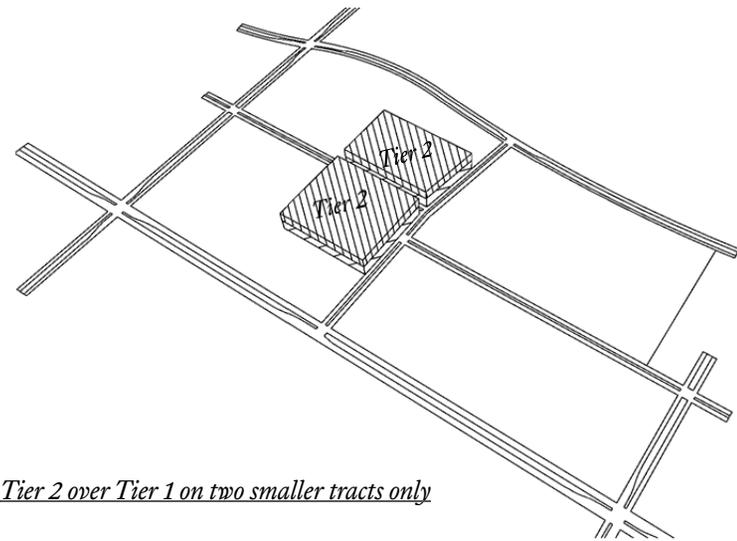
Tier 1 only, with connecting streets shown



Tier 1 with two smaller Tier 2 tracts added



*Tier 1 with three smaller Tier 2 tracts
and one Tier 3 tract added*



Tier 2 over Tier 1 on two smaller tracts only

Sec. 33-505. – Standards for specific tiers.

(a) Section 33-393 of this code encourages certain rezoning applications to include a pattern book that illustrates the anticipated visual character of new development including its architecture and landscaping.

- (1) All applications for the Estero Planned Development district must include a pattern book that meets the requirements listed below for the respective tier.
- (2) A pattern book is optional but recommended for Tier 4 applications.

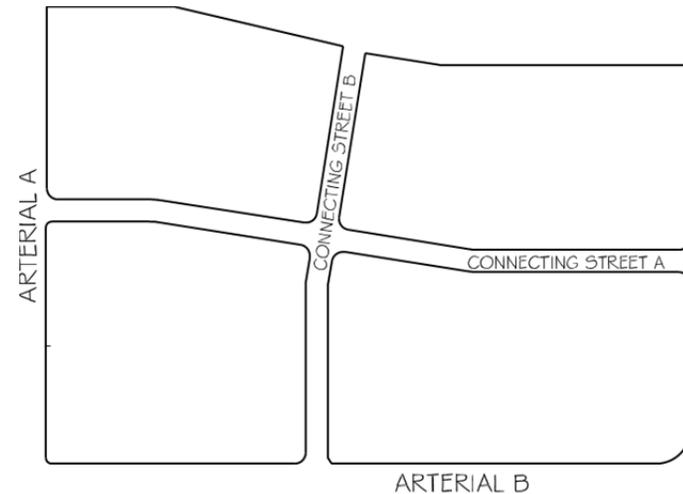
(b) The following additional standards apply to specific tiers. Where there are direct conflicts with another provision of this code, these standards will apply.

Sec. 33-506. – Tier 1 standards.

The following additional standards apply to land approved for Tier 1:

(a) Connecting streets.

- (1) If a Tier 1 application is approved, the applicant is formally committed to designing and constructing the network of connecting streets on the property. The connecting streets are local streets, most of which will not carry significant traffic volumes. Sidewalks and regularly spaced street trees are required on both sides of connecting streets.
- (2) The framework plan in division 6 (Figure 17) identifies the approximate points where connecting streets must will connect with surrounding streets (existing and future). The proposed internal alignment of connecting streets must be shown on the development plan and must provide reasonably direct routes, in no case more than 10% longer than the schematic length shown on the framework plan.
- (3) For development sites smaller than 10 acres, the connecting street must be constructed during the initial development phase.
- (4) For development sites larger than 10 acres, construction of the connecting streets may be phased provided the development plans propose a phasing plan acceptable to the Village that includes guarantees that the connecting street network will be fully constructed.
- (5) See section 33-506(i) for additional standards for connecting streets.



(b) Pattern books.

Pattern books for land proposed only for Tier 1 are less detailed than higher tiers but must include at least the following to demonstrate consistency with (or identify deviations from) the standards outlined in this section.

- (1) Illustrative colored site plan on an aerial photo that depicts:
 - a. Configuration and phasing of connecting streets, streets behind/between pad sites, and other access points as shown on the development plan, with cross-sections for each.
 - b. Bicycle/pedestrian circulation including connections to adjoining property.
 - c. Landscaped areas, preserved areas, open spaces, civic spaces, gathering places, natural and cultural resources, and community facilities.
 - d. Water management areas (conceptual).
 - e. Development areas, labeled with approximate acreages and with proposed uses using terminology in section 33-518.
- (2) Conceptual architectural elevations that depict generalized architectural themes for primary façades of buildings.

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- (3) Where pad sites are to be developed separately, provide a plan that indicates what unifying themes will be common to those sites (architecture, signage, landscaping, etc.).
 - (4) For land adjoining the Estero River, provide a map showing the top of the riverbank, the regulatory floodway designated on the official flood maps adopted into Chapter 6 of this code, and the location of buildings and land alterations within 200 feet of the river.
 - (5) For tracts, blocks, or parcels where access would be controlled, provide a plan diagram that shows what land would have controlled access, the proposed method and extent of access control, and architectural elevations that depict the appearance of the controlled area from outside.

(d) Estero River buffer.

- (1) For land adjoining the Estero River, buildings and land alterations must maintain a separation area from the river. The minimum separation area is the larger of the following:
 - a. The full width of the regulatory floodway designated on the official flood maps adopted into Chapter 6 of this code
 - b. From the top of the river bank, 75 feet on the north side and 100 feet on the south side
- (2) Indigenous plant communities may not be cleared within the separation area except for the minimal removal necessary to allow the placement of recreational structures such as docks, boat launches, benches, trails, and pedestrian bridges, or for the minimal removal necessary to construct a required connecting street.

(e) Surface water management.

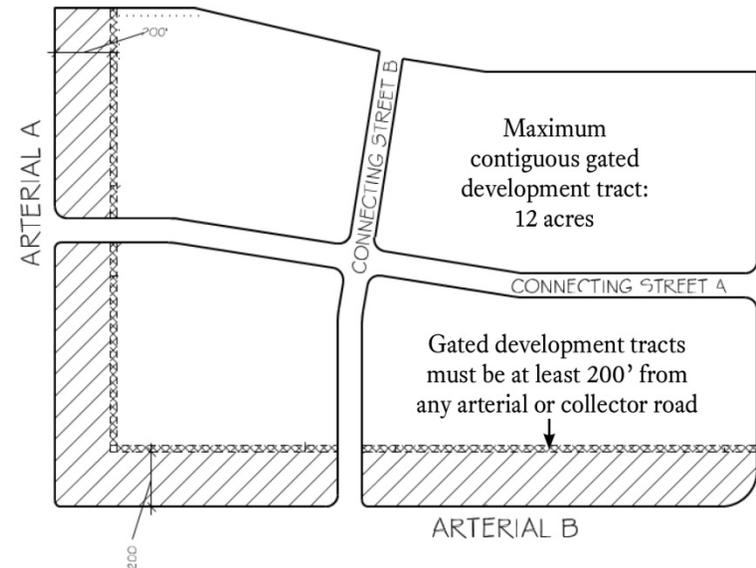
- (1) Development plans must arrange surface water management facilities to minimize impacts on connectivity and walkability. This can be accomplished by having a connecting street or pedestrian way cross larger lakes, by reducing the size of individual lakes, by placing lakes where passage is already constrained by adjoining uses such as the rail corridor, or similar arrangements.
- (2) Development plans must provide a unified surface water management system for at least the entire tract and should anticipate water management needs for future intensification of parts of the tract.

(c) Indigenous plant communities.

- (1) Chapter 10 of this code requires large developments to preserve a portion of the indigenous plant communities that exist on their sites. Developments requesting the Estero Planned Development district that will be required to meet those rules must indicate on their Tier 1 development plans how at least 80% of the indigenous cypress, oak, and cabbage palm plant communities that were on the site when the Village of Estero incorporated will be preserved. Primary preservation areas are those with the densest indigenous plant communities and the closest association with the historic Koreshan Unity settlement and its National Register Historic District.
- (2) These preserved plant communities may be counted toward the 50 percent preservation requirement in section 10-415(b).

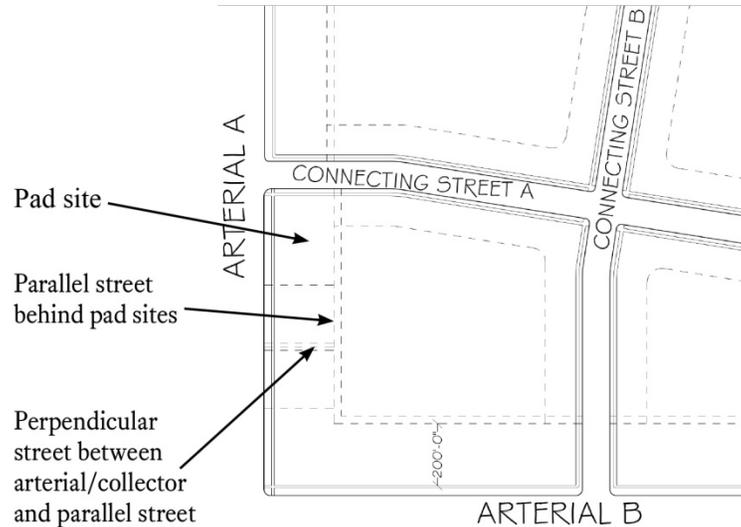
(f) Development tracts on Tier 1 land.

- (1) Development plans may propose any type of development in Tier 1 that is allowed in the Central Estero category and otherwise permissible by this land development code. The development plan must specify the type of development using the terminology in section 33-518.
- (2) The following rules will apply to all Tier 1 land except where Tier 2 or 3 has been designated on top of Tier 1:
 - a. The total number of dwelling units approved for Tier 1-only land may be constructed only on other Tier 1 land and must meet the following requirements:
 - i. These units must be concentrated on no more than 25% of the Tier 1 land.
 - ii. The remaining Tier 1 land may be used for non-residential uses, open space, surface water management, or held for potential future development.
 - iii. Land used for non-residential purposes will not be included in the acreage of Tier 1 land when determining density.
 - b. Any development tract with a perimeter secured by gates must meet these additional standards:
 - ii. The tract may not exceed 12 acres in size.
 - i. The tract must be located beyond 200 feet from an arterial or collector road to preserve future redevelopment potential.
 - c. Where development tracts abut an arterial or collector road, an additional access point must be provided wherever the spacing between two connecting streets or a connecting street and an arterial or collector exceeds 750 feet (where allowable by county/state DOT).



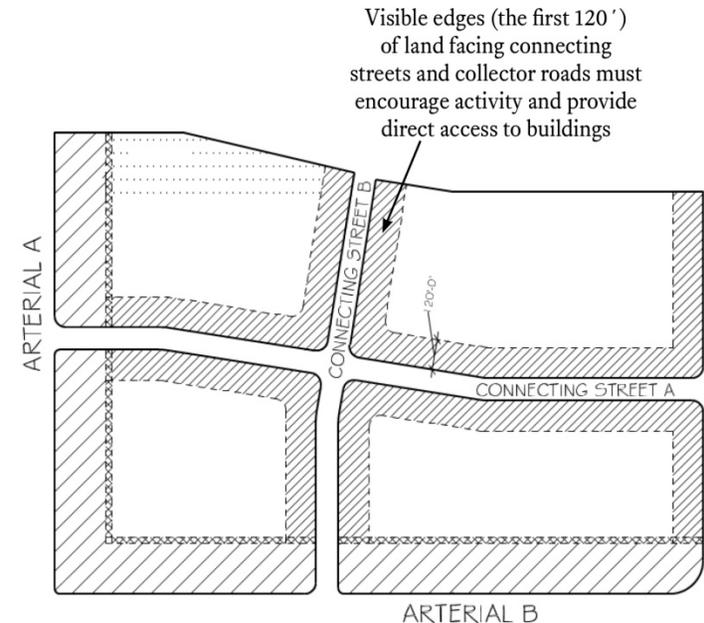
(g) Pad sites.

- (1) Development plans may propose pad sites (outparcels) along arterials and collectors for free-standing buildings, including commercial and mixed-use buildings. Pad sites accommodate individual highway-oriented uses in the immediate future without precluding future redevelopment at higher intensities in a compact walkable form.
- (2) The following street requirements apply when these sites are proposed.
 - a. A parallel street must be provided immediately behind these sites to provide access to and from connecting streets and to integrate these sites with their surroundings.
 - b. A short perpendicular street must be provided between the arterial or collector and the parallel street wherever the spacing between connecting streets exceeds 750 feet (where allowable by county/state DOT).
- (3) See section 33-506(h)(3) provides visible edge standards for pad sites.



(h) Visible edges.

- (1) The edges of development tracts can be critical transitions between private and public space. Where these edges adjoin streets accessible to the general public, buildings must present an attractive public face that contributes to public life and activity in the heart of Estero.
- (2) The following standards apply to the visible edges of development tracts that are within 120 feet of a connecting street or a collector road:
 - a. Buildings must have at least 80% of their principal street facade within the designated build-to zone. The maximum uninterrupted building length (or combined attached group) cannot exceed 200'.
 - b. Private parking spaces and lots must be located behind the building and may be accessed by a street, driveway, alley, or lane; these accesses may be secured with a operable metal gate if the gate's overall opacity does not exceed 50%.



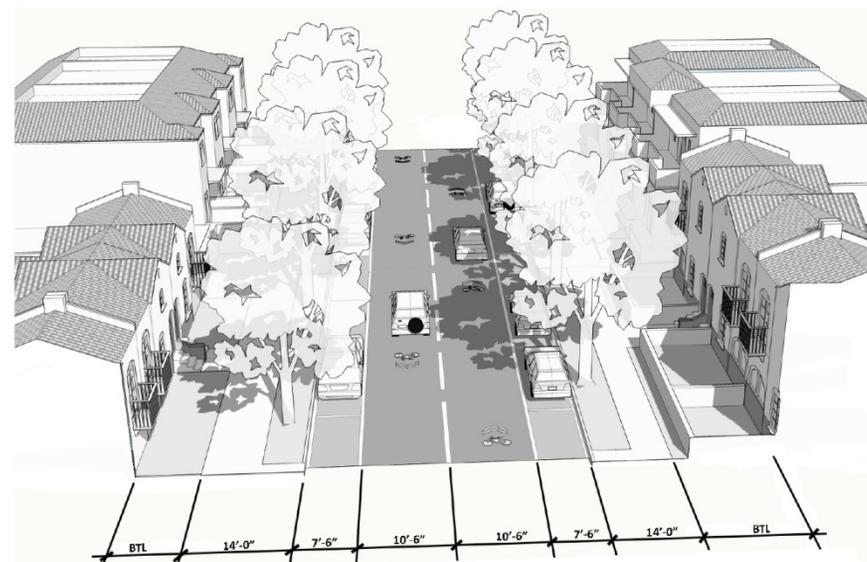
- c. Building entrances must be clearly visible from and directly accessible from the connecting street.
 - i. One entrance must be provided for each single-family detached and attached dwelling.
 - ii. At least one common entrance must be provided for each multifamily and non-residential building unless units have individual entrances.
 - d. Building entrances may open directly to the sidewalk or indirectly through a secure raised dooryard or exterior courtyard that is separated from the sidewalk by a solid wall up to 42" tall. The wall may include a metal fence up to an additional 24" if the fence's opacity does not exceed 30%.
 - e. Solid walls or fences up to 42" tall may secure space between buildings but must be contiguous with, and not project beyond, any adjacent building's front façade unless part of an exterior courtyard entrance.
- (3) The following standards apply to the visible edges of development tracts that are designated as pad sites (see section 33-506(g):
- a. Buildings must be oriented to the parallel street and have at least one entrance in each building clearly visible from and directly accessible from the parallel street.
 - b. Service and/or back-of-house functions may not be located between the building and the parallel street.
 - c. *[add aesthetic, screening & signage standards for highway frontage of pad sites here]*

(i) Street standards.

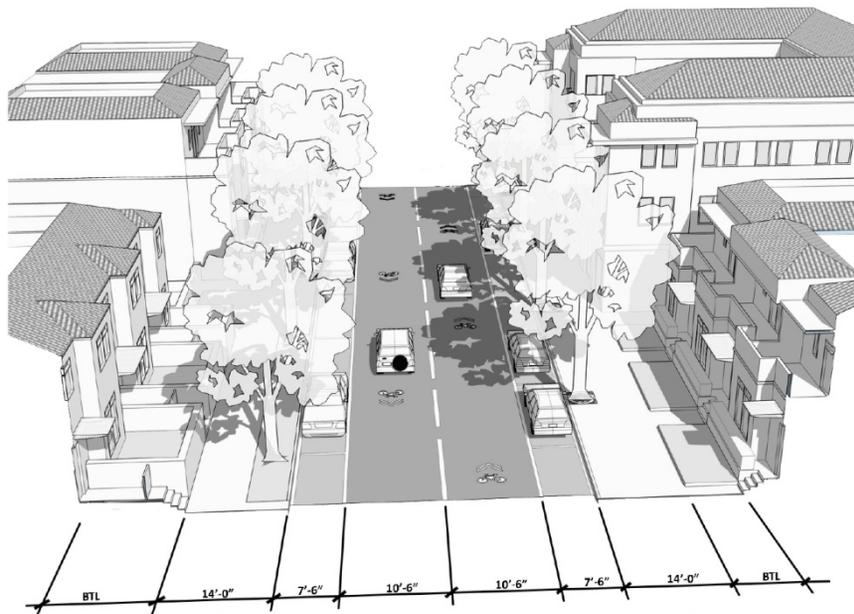
- (1) Streets on Tier 1 land may be any of the types checked below; see section 33-510 for descriptions.

Tier 1	Public (Type A)	Semi-public (Type B)	Private (Type C)
<u>Connecting streets</u>	✓		
<u>Streets behind/between pad sites</u>	✓		
<u>Other streets</u>		✓	✓

- (2) Typical cross-sections of connecting streets are shown below (except where four lanes might be required due to heavy traffic volumes).



(typical sidewalk and planting strip for blocks designated as Tier 1 or 2)



Typical sidewalk and planting strip for blocks designated as Tier 2

Typical sidewalk and street tree wells for blocks designated as Tier 2 or 3

- (5) Development plans should indicate the general location of utility lines so that utility easements can be coordinated in a manner that minimizes the impact of utility lines on landscaping. Deviations can be requested at the same time from general standards for utility easements if needed to allow the proposed placement of utilities.
- (6) When alleys or rear lanes are provided, they are the preferred location for “dry” utility lines such as electricity, telephone, cable television, and fiber optic cables. The rights-of-way of local streets are the preferred location for “wet” utility lines such as water and wastewater.

(j) Building placement on Tier 1 land.

- (1)
- (2)

- (3) Where required connecting streets or other local streets terminate at the rail corridor or other places where through passage cannot be provided at this time, right-of-way for the street must be provided to the edge of the development tract and the street must be temporarily terminated with a cul-de-sac or hammerhead turnaround in accordance with Chapter 19 of the *Florida Greenbook* (latest edition as published by Florida DOT). The developer is not obligated to obtain permission to cross the rail corridor or to extend a street across property owned by other parties but the developer and successor owners must allow these streets to be connected at such time as connections become feasible.

(4) For other streets, _____

Sec. 33-507. – Tier 2 standards.

In addition to the underlying Tier 1 standards, the following standards apply to land within this zoning district that is also approved for Tier 2.

(a) Primarily residential neighborhoods.

- (1) Tier 2 accommodates primarily residential neighborhoods that provide a variety of housing types in a walkable mixed-use pattern with higher densities and greater connectivity than Tier 1.
 - a. Tier 2 can comprise a small compact neighborhood or can be applied in increments down to a half block as parts of other neighborhoods.
 - b. Development plans may include non-residential uses in Tier 2 provided they do not exceed 10% of the floor area of Tier 2 residential uses. This allowance can accommodate gathering places (see section 33-508) which are desirable in Tier 2. Land used for non-residential purposes will be included in the acreage of Tier 2 land area when determining density; land used for private streets will not be included.
- (2) Development plans must indicate where Tier 2 will be located on the development tract being rezoned. Priority areas for Tier 2 are those that carry out the policies in the Estero Community Plan and which provide higher-intensity development in locations near the primary activity centers for neighborhoods.

(b) Variety of housing types.

- (1) Table 33-518 defines a variety of housing types that may be constructed in Tiers 2 and 3. These include detached houses (including cottages and sideyard houses), duplexes, apartment houses, rowhouses, live-work buildings, courtyard buildings, mixed-use buildings, pedestal buildings, and towers. All housing types may be occupied by owners or renters and may be sold through fee-simple or condominium deeds.
- (2) The Village’s goal is to have a significant variety of housing types in each neighborhood. To encourage flexibility, development plans are not required to identify specific housing types at the time of rezoning except that the location of buildings taller than 45 feet must be identified.

(c) Pattern books.

In addition to the underlying Tier 1 standards for pattern books, the following standards apply to Tier 2 land:

- (1) On the illustrative site plan, provide the following additional information:
 - a. Location, shape and size of proposed detention and retention areas.
 - b. Location and size of development tracts.
 - c. Location and cross-sections of streets, sidewalks, and off-street facilities for walking or biking.
 - d. A three dimensional diagram or rendering that shows the scale and massing of buildings proposed in each development tract.
 - e. Location and size of common parking areas.
 - f. Location and approximate size of lots.
- (2) Provide typical façade detailing for buildings that will be visible from streets.

(d) Compact surface water management.

- (1) Development plans are encouraged to include deviations from the surface water management standards in Chapter 10 in order to minimize the amount of land devoted to lakes and channels.
- (2) Best practices for compact surface water management include pervious or permeable paving to reduce stormwater runoff and steeper slopes or a higher percentage of bulkheads along lake banks.

(e) Public Civic Spaces.

- (1) The provision of publicly accessible civic spaces is optional in Tier 1 and is mandatory in Tiers 2 and 3. Civic spaces must be strategically placed to encourage activity. Development plans must indicate the proposed type and location of civic spaces.
- (2) Publicly accessible civic spaces may include greens, squares, plazas, neighborhood parks, playgrounds, community gardens, trails, nature preserves, etc. (see subsections 32-262(a) and (b)).

(f) Block standards.

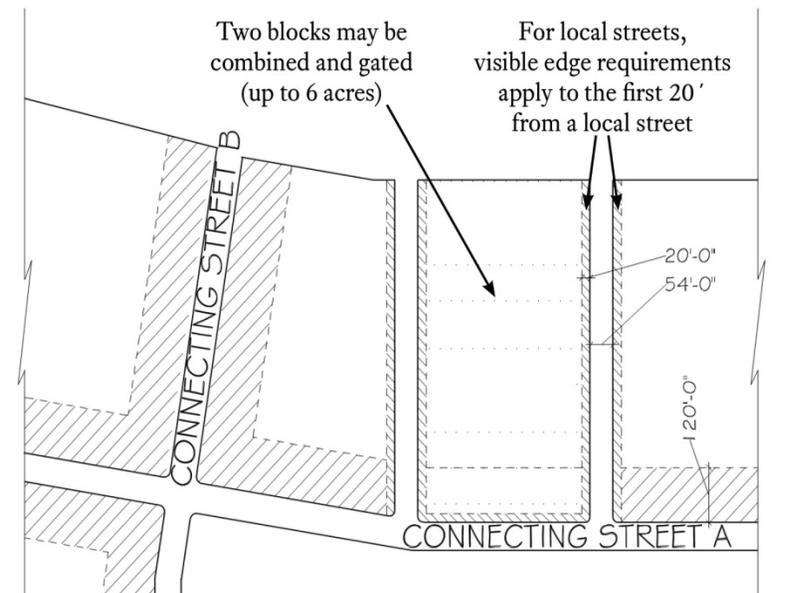
- (1) Developable land must be divided into blocks. Each block is surrounded by a public street or a private street or trail that is permanently accessible to the public. The streets or trails surrounding blocks may be straight, curved, or bent.
- (2) Block perimeters may not exceed 2,000 linear feet as measured along the inner edges of each surrounding street or trail right-of-way.
- (3) Block perimeters may be as large as 2,400 linear feet under the following conditions:
 - a. One side of the block faces an arterial or collector street or a railroad; or
 - b. The block contains or is bordered by a river, natural flowway, wetlands, or indigenous plant community that is being preserved; or
 - c. The block contains a lake or shared amenities for residents of that block.
- (4) In Tiers 2 and 3, blocks are encouraged to be subdivided with rear lanes or alleys to provide access to parking, service areas, and utilities. Block perimeter measurements are not affected by the presence of rear lanes or alleys in a block.

(g) Visible edges.

Edges along local streets in more intense areas take on increasing importance because more activity takes place outside vehicles. In addition to any applicable Tier 1 standards, the following visible edge standards apply in Tier 2 to the first 20 feet from the edge of local streets:

- (1) Buildings must have at least 80% of their principal street facade within the designated build-to zone. There is no designated maximum building length; appropriate articulation of the mass and form of buildings is encouraged.
- (2) Private parking spaces and lots must be located behind the building and be visually buffered from the street. Parking may be accessed by a street, driveway, alley, or lane; these accesses may be secured with a operable metal gate if the gate's overall opacity does not exceed 50%.

- (3) Building entrances must be clearly visible from and directly accessible from the street.
 - a. One entrance must be provided for each single-family detached and attached dwelling.
 - b. At least one common entrance must be provided for each multifamily and non-residential building unless units have individual entrances.
- (4) Building entrances may open directly to the sidewalk or indirectly through a secure raised dooryard or exterior courtyard that is separated from the sidewalk by a solid wall up to 42" tall. The wall may include a metal fence up to an additional 24" if the fence's opacity does not exceed 30%.
- (5) Solid walls or fences up to 42" tall may secure space between buildings but must be contiguous with, and not project beyond, any adjacent building's front façade unless part of an exterior courtyard entrance. In Tier 2, up to two blocks as defined in subsection (f) may be combined and secured by this solid wall or fence provided the density does not exceed 8 dwelling units per acre; the Tier 2 visible edge requirements will apply only to the perimeter of the combined blocks.



(h) Street standards.

(1) Streets on Tier 2 land may be any of the types checked below; see section 33-510 for descriptions.

<u>Tier 2</u>	<u>Public</u> (Type A)	<u>Semi-public</u> (Type B)	<u>Private</u> (Type C)
<u>Connecting streets</u>	<u>✓</u>		
<u>Streets behind/between pad sites</u>	<u>✓</u>		
<u>Other streets</u>		<u>✓</u>	<u>✓</u>

(2)

(3)

(4)

(i) Building placement.

(1)

Sec. 33-508. – Tier 3 standards.

In addition to the underlying Tier 1 standards, the following standards apply to land within this zoning district that is also approved for Tier 3.

(a) Greater mix of uses.

- (1) Tier 3 accommodates mixed-use neighborhoods with similar attributes as Tier 2 but with significant non-residential uses. Development plans must include non-residential uses in Tier 3 and they may range from 10% to 70% of the floor area of residential uses.
- (2) Development plans must indicate where Tier 3 will be located on the site being rezoned. Priority areas for Tier 3 are those that carry out the policies in the Estero Community Plan and which provide the primary center of activity for neighborhoods. Tier 3 land is often surrounded by or a central part of Tier 2 neighborhoods.
- (3) Land used for non-residential purposes will be included in the acreage of Tier 3 land area when determining density; land used for private streets will not be included.

(b) Gathering places.

- (1) The provision of publicly accessible gathering places is strongly encouraged in Tiers 1 and 2 and is mandatory in Tier 3.
- (2) Development plans must indicate the proposed type and location of gathering places, which should be strategically placed to encourage activity.
- (3) Gathering places allow the general public to congregate; examples include:
 - a. Outdoor spaces such as parks, plazas, and farmers markets.
 - b. Cultural venues such as theaters and museums.
 - c. Civic spaces that include meeting rooms.
 - d. Businesses such as restaurants, coffee shops, and fitness centers.
 - e. Religious and social institutions.
 - f. Amenities adjoining sidewalks and trails such as benches, exercise stations, and gazebos.

(c) Pattern books.

The pattern book requirements for Tier 3 are the same as for Tier 2.

(d) Compact surface water management.

- (1) Development plans are encouraged to include deviations from the surface water management standards in Chapter 10 in order to minimize the amount of land devoted to lakes and channels.
- (2) Best practices for compact surface water management include pervious or permeable paving to reduce stormwater runoff; steeper slopes or a higher percentage of bulkheads along lake banks; stormwater detained underground, etc.

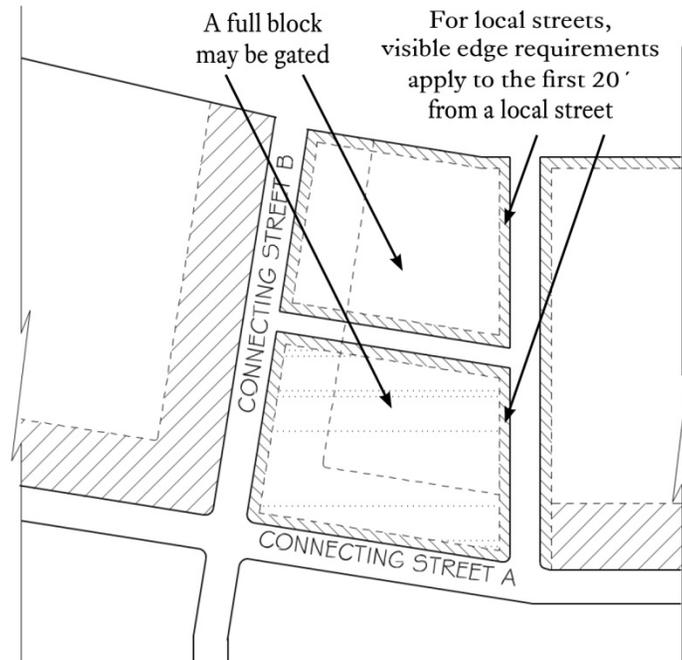
(e) Block standards.

- (1) Developable land must be divided into blocks. Each block is surrounded by a public street or a private street that is permanently accessible to the public. The streets surrounding blocks may be straight, curved, or bent.
- (2) Block perimeters may not exceed 1,600 linear feet as measured along the inner edges of each surrounding street or trail right-of-way.
- (3) Block perimeters may be as large as 2,000 linear feet under the following conditions:
 - a. One side of the block faces an arterial or collector street or a railroad; or
 - b. The block contains a lake or shared amenities for residents of that block.
- (4) Blocks are encouraged to be subdivided with rear lanes or alleys to provide access to parking, service areas, and utilities. Block perimeter measurements are not affected by the presence of rear lanes or alleys in a block.

(f) Visible edges.

Edges along local streets in more intense areas take on increasing importance because more activity takes place outside vehicles. In addition to any applicable Tier 1 standards, the following visible edge standards apply in Tier 3 to the first 20 feet from the edge of local streets:

- (1) Buildings must have at least 80% of their principal street facade within the designated build-to zone. There is no designated maximum building length; appropriate articulation of the mass and form of buildings is encouraged.
- (2) Private parking spaces and lots must be located behind the building and be visually buffered from the street. Parking may be accessed by a street, driveway, alley, or lane; these accesses may be secured with a operable metal gate if the gate's overall opacity does not exceed 50%.
- (3) Building entrances must be clearly visible from and directly accessible from the street.
 - a. One entrance must be provided for each single-family detached and attached dwelling.
 - b. At least one common entrance must be provided for each multifamily and non-residential building unless units have individual entrances.
- (4) Building entrances may open directly to the sidewalk or indirectly through a secure raised dooryard or exterior courtyard that is separated from the sidewalk by a solid wall up to 42" tall. The wall may include a metal fence up to an additional 24" if the fence's opacity does not exceed 30%.
- (5) Solid walls or fences up to 42" tall may secure space between buildings but must be contiguous with, and not project beyond, any adjacent building's front façade unless part of an exterior courtyard entrance. In Tier 2, up to two blocks as defined in subsection (f) may be combined and secured by this solid wall or fence, with the Tier 2 visible edge requirements applying only to the perimeter of the combined blocks.



(g) Street standards.

- (1) Streets or adjoining Tier 3 land may be any of the types checked below; see section 33-510 for descriptions.

Tier 3	Public (Type A)	Semi-public (Type B)	Private (Type C)
Connecting streets	✓		
Streets behind/between pad sites	✓		
Other streets	✓	✓	

- (2)
- (3)

(h) Building placement.

- (1)

Sec. 33-509. – Tier 4 standards.

The additional standards described above apply to Tiers 1, 2, and 3 only. Land approved for Tier 4 must meet the standards in Chapter 32 of this code and the remainder of this land development code.

Sec. 33-510. – Public and private streets.

(a) The public versus private nature of a street can vary. The following street classification is used in the Estero Planned Development district:

- (1) **TYPE A:** a *public street* that will be owned and maintained by the Village of Estero.
- (2) **TYPE B:** a *semi-public street* that will be privately owned and maintained but through a recorded easement is a street on which the general public has the right to travel by motor vehicle.
- (3) **TYPE C:** a *private street* that may or may not be accessible to the public; an easement for public use is not required.

(b) All streets must be designed and constructed to standards established by the Village of Estero.

- (1) **Type A** (public streets) must be dedicated to and accepted by the Village of Estero.
- (2) **Type B** (semi-public streets) will be privately maintained and will not be dedicated to the Village of Estero. The semi-public nature of these streets must be indicated on the plat and memorialized through a recorded easement that grants the general public the right to travel on them by motor vehicle.
- (3) **Type C** (private streets) will be privately maintained. The private nature of these streets must be indicated on the plat.

Sec. 33-511. – Public benefits and incentive offers.

Developers requesting Estero Planned Development or Compact Planned Development zoning may choose to offer _____ and may qualify for _____.
[description & details forthcoming]

Sec. 33-512. – Tier 1 incentive offers. *[description & details forthcoming]*

- (a) *Interconnectivity bonus/deduction.*
- (b) *Preserve additional indigenous vegetation.*
- (c) *Off-site public improvements.*
- (d) *Enhanced landscaping.*
- (e) *Enhanced streetscape.*
- (f) *Public civic spaces.*

Sec. 33-513. – Tier 2 incentive offers. *[description & details forthcoming]*

- (a) *Public hike/bike trails.*
- (b) *Gathering places.*
- (c) *River trail easement.*
- (d) *Site for civic building.*
- (e) *Innovation project.*

Sec. 33-514. – Tier 3 incentive offers. *[description & details forthcoming]*

- (a) *On-street parking.*
- (b) *Reduced off-street parking.*
- (c) *Construct civic improvements.*
- (d) *Off-site civic spaces.*
- (e) *Innovation project.*

Sec. 33-515. – Tier 4 incentive offers. *[description & details forthcoming]*

- (a) *Vertical mixed use.*
- (b) *Other offers.* Developers seeking Tier 4 may also choose any of the incentive offers listed for Tiers 1, 2, or 3.

Sec. 33-516. – Maximum residential density.

(a) Residential densities are established for each tier by the Village Council during the rezoning process. These density levels must be within the density ranges in the comprehensive plan (see Policy 19.8.4).

- (1) For land in Tier 1 only, densities are measured in dwelling units per gross residential acre of Tier 1-only land, as density is defined in the glossary of the comprehensive plan.
- (2) For land also in Tiers 2 or 3, or entirely in Tier 4, densities are measured in dwelling units per gross acre for each entire tier, including non-residential land in that tier but not including land used for private streets.

(b) Maximum residential densities for land in each tier are as follows:

TABLE 33-515

	<i>If all requirements are met:</i>	<i>If all requirements are met and incentive offers are accepted as providing significant public benefits:</i>
Tier 1	6	6.1 to 8
Tier 2	up to 9 ¹	9.1 to 12 ¹
Tier 3	up to 14	14.1 to 18
Tier 4	up to 20	20.1 to 25

¹ See special density limitation for certain Tier 2 blocks in section 33-507(e)

(c) During the rezoning process, the Village Council may reduce the residential densities listed above if deviations are granted from essential requirements upon which the allowable density increases in this zoning district were authorized.

Sec. 33-517. – Maximum building height.

- (a) Building heights in this zoning district are measured the same as for all other development in Estero.
- (b) Maximum building heights for land in each tier are as follows:

TABLE 33-516

	<i>If all requirements are met:</i>	<i>If all requirements are met and incentive offers are accepted as providing significant public benefits:</i>
Tier 1	45 feet	45 feet
Tier 2	50 feet	55 feet
Tier 3	60 feet	65 feet
Tier 4	70 feet	75 feet

Sec. 33-518. - Uses.

In lieu of the methods for assigning land uses set forth in sections 34-_____, requests for rezoning to the Estero Planned Development district will _____

TABLE 33-517

Tier 1 Tier 2 Tier 3

RESIDENTIAL

LODGING

BUSINESS

CIVIC & EDUCATION

Secs. 33-519—33-600. - Reserved.

DIVISION 6. - FRAMEWORK PLAN

Sec. 33-601. - Connecting network.

A framework plan is a schematic diagram for a network of interconnected streets, corridors, trails, and waterways that traverse development tracts. Constructing and maintaining this network is vital for creating a series of interconnected neighborhoods and mixed use areas instead of isolated development projects. Figure 17 is the framework plan for Central Estero.

Sec. 33-602. - Applicability.

Development plans prepared for Compact Planned Development and Estero Planned Development zoning requests must demonstrate their compliance with all required aspects of the framework plan.

Secs. 33-603—33-1000. - Reserved.

~~ARTICLE III. - GREATER PINE ISLAND~~

~~ARTICLE IV. - PAGE PARK PLANNING COMMUNITY^[2]~~

~~ARTICLE V. - LEHIGH ACRES PLANNING COMMUNITY~~

~~ARTICLE VI. - MATLACHA RESIDENTIAL OVERLAY~~

~~ARTICLE VII. - CALOOSAHATCHEE SHORES PLANNING COMMUNITY~~

~~ARTICLE VIII. - NORTH FORT MYERS PLANNING COMMUNITY~~

~~ARTICLE IX. - CAPTIVA~~

~~ARTICLE X. - NORTH OLGA~~

~~ARTICLE XI. - UPPER CAPTIVA~~

CHAPTER 34 - ZONING

ARTICLE IV. - SUPPLEMENTARY DISTRICT REGULATIONS

DIVISION 12. - DENSITY

SUBDIVISION II. - RESIDENTIAL DEVELOPMENT

Sec. 34-1494. - Density equivalents.

(a) **Applicability.** The density equivalents set forth in this subsection will be used in situations where it is necessary to convert permissible uses to residential dwelling unit equivalents. When permitted by the use regulations in a zoning district that permits dwelling units, the permissible density equivalents may not exceed the density limitations set forth in the zoning district or land use category (whichever is less) in which the property is located. In situations where the Lee Plan does not specify a standard density range, such as the interchange areas, the permissible density equivalents may not exceed ten dwelling units per acre.

(b) **Equivalency factors:**

- (1) Where health care, social service, adult living facilities (ALF), continuing care facilities, or other “group quarters” (df) are provided in dwelling units, wherein each unit has its own cooking facilities, density equivalents will be calculated on a 1:1 ratio.
- (2) Except as may be specifically set forth elsewhere in this chapter, where health care, social service, adult living facilities (ALF), continuing care facilities (CCF), or other “group quarters” (df) are provided in dwelling units or other facilities wherein each unit does not have individual cooking facilities and where meals are served at a central dining facility or are brought to the occupants from a central kitchen, density equivalents will be calculated at the ratio of four people equals one dwelling unit.

A planned development, for which the master concept plan states the number of persons that may occupy an approved adult living facility (ALF) or Continuing Care Facility (CCF), may request an amendment

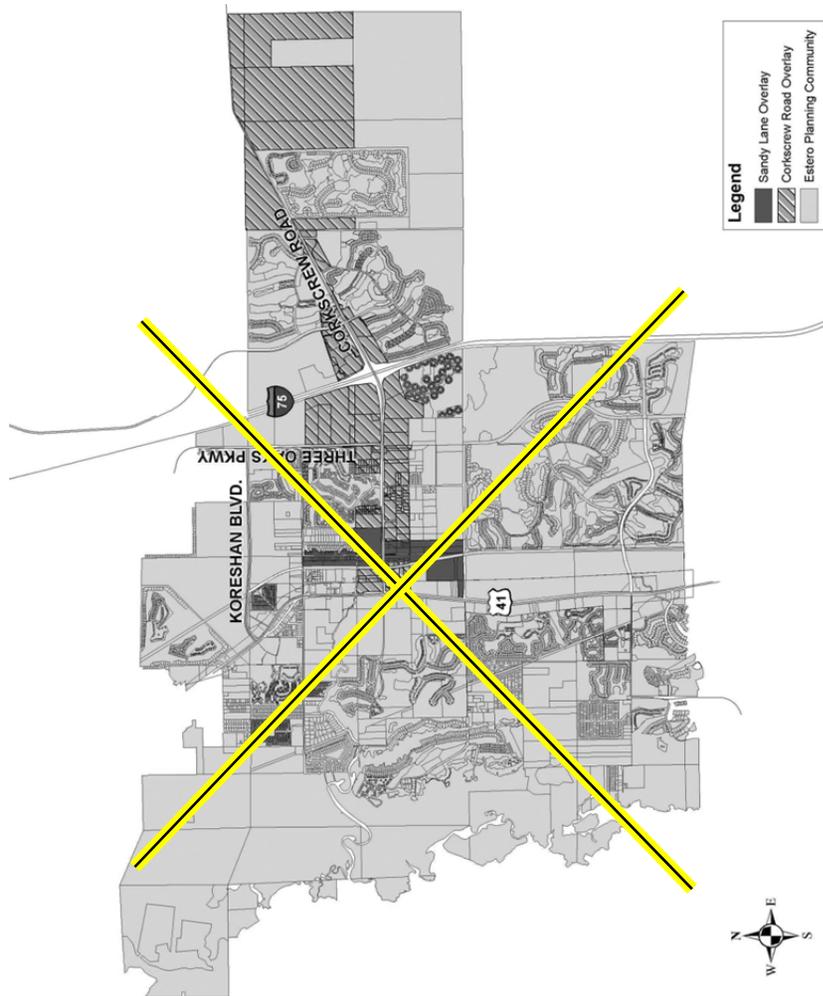
to the approved master concept plan to reflect the increased number of occupants based upon the equivalency factor set forth in this section (if applicable). Such amendment will be considered a minor administrative amendment that will be deemed to not increase density and may be approved pursuant to section 34-380(b) as long as existing floor space is not increased to accommodate the increased number of occupants. If increased floor space is required, then a public hearing will be required.

- (3) Notwithstanding subsection (b)(2) above, no density equivalency calculation is required for a bed and breakfast (df) in an owner-occupied conventional single-family residence (df) accommodating four or less lodgers. If the bed and breakfast will accommodate more than four lodgers, then the equivalency will be calculated as four lodgers equals one dwelling unit.
- (4) Notwithstanding subsection (b)(2) above, no density calculation is required for hospital, prison, jail, boot camp, detention center, or other similar type facility owned or operated by a County, state or federal agency.
- (5) Where dwelling or living units have “lock-off accommodations,” density will be calculated as follows:
 - a. Hotels/motels: “Lock-off units” will be counted as separate rental units regardless of size.
 - b. Timeshare units: Lock-off units will be counted as separate dwelling units whether or not they contain cooking facilities, as follows:
 - i. Studio units will be counted as 0.1 dwelling units;
 - ii. One bedroom units will be counted as 0.25 dwelling units;
 - iii. Two bedroom units will be counted as 0.5 dwelling units;
 - iv. Three or more bedrooms will be counted as a full dwelling unit.

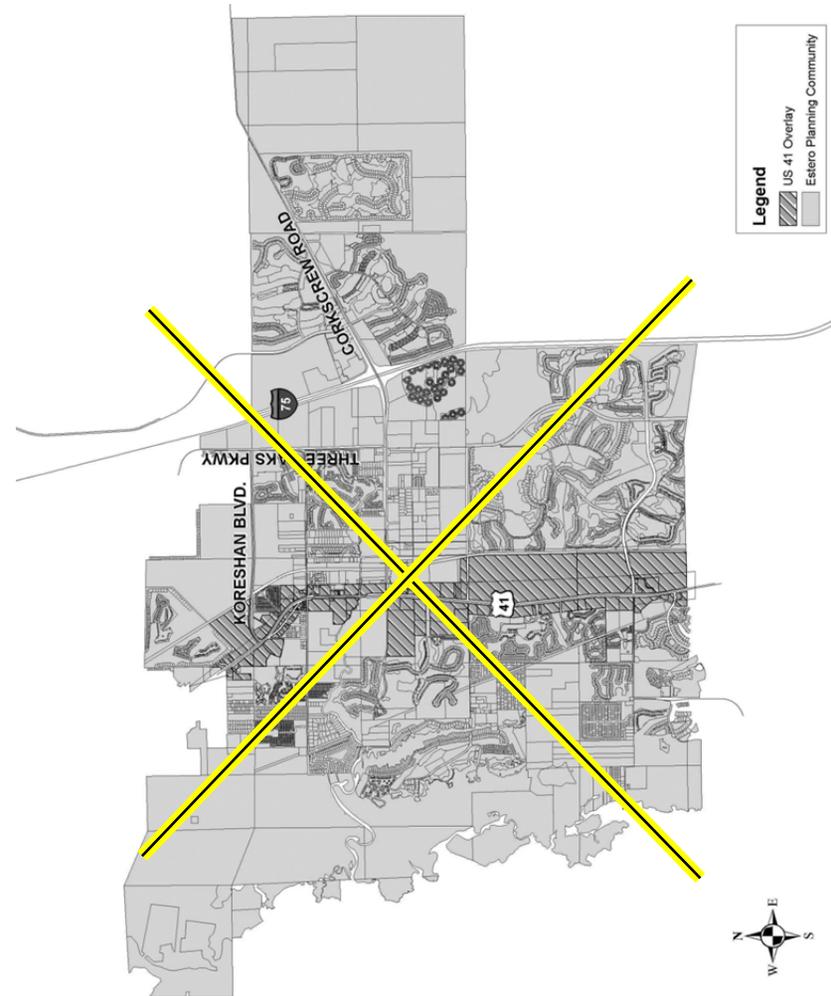
(6) Where dwelling or living units are smaller than 750 square feet, density will be calculated by counting each unit as 0.5 dwelling units.

(c) **Determination of permitted density.** The maximum permitted density shall be determined by multiplying the number of dwelling units permitted (see subsection (a) of this section) by the appropriate equivalency factor.

**APPENDIX I - PLANNING COMMUNITY AND
REDEVELOPMENT OVERLAY DISTRICT
BOUNDARIES AND LEGAL DESCRIPTIONS**



Map 1 - Estero Planning Community, Corkscrew/Sandy Lane Overlay



Map 2 - Estero Planning Community, US 41 Overlay

~~Map 3 – San Carlos Island Overlay District~~

~~Map 4 – San Carlos Island Zoning Overlay~~

~~Map 5 – Greater Pine Island Community Plan~~

~~Map 6 – Page Park Community Overlay Map~~

~~Map 7 – North Fort Myers Planning Community, Neighborhood Center #1~~

~~Map 8 – North Fort Myers Planning Community, Neighborhood Center #2~~

~~Map 9 – North Fort Myers Planning Community, Neighborhood Center #3~~

~~Map 10 – North Fort Myers Planning Community, Neighborhood Center #4~~

~~Map 11 – North Fort Myers Planning Community, Neighborhood Center #5~~

~~Map 12 – North Fort Myers Planning Community, Neighborhood Center #6~~

~~Map 13 – North Fort Myers Planning Community, Neighborhood Center #7~~

~~Map 14 – Caloosahatchee Shores Planning Community~~

~~Map 15 – Caloosahatchee Shores Planning Community: State Route 80 Corridor Overlay~~

~~Map 16 – Matlacha Residential Overlay~~

~~Map 17 – Upper Captiva LDC Boundary~~