
THE LEE PLAN 2011 CODIFICATION

As amended through June 2011



Department of Community Development
Division of Planning
P.O. Box 398
Fort Myers, FL 33902-0398

Residents of this community will address current planning concerns in a comprehensive review of this area and future amendments to this plan will be made to address these concerns. This area is anticipated to grow substantially from today to 2030. (Added by Ordinance No. 99-15, Amended by Ordinance No. 07-12)

13. **San Carlos** - This Community is located in the southern portion of Lee County, east of Hendry Creek and, for the most part, south of Alico Road. It is north of the Estero River on the west side of US 41 then north of the new Brooks of Bonita development east of US41. The community does extend east of I-75 to include the approved developments along Corkscrew Road and all lands designated University Community. The majority of the land in this community is designated as Suburban and then Urban Community (both having a maximum standard density of 6 units per acre) with the remaining areas designated as Rural, Outlying Suburban, and Industrial Development. There are three distinct areas within this community: San Carlos Park, Island Park, and the new university area. All of these areas will be experiencing tremendous development pressures as this community continues to grow.

This community will be challenged with addressing the needs of the Lee County community that contains the newest major state university, a new semi-professional ice-hockey arena, and immediate access to the Southwest Florida International Airport. Most of the vacant property in this community (nearly 70%) has some type of development approval most of which were granted prior to the advent of many of these new development engines. The San Carlos/Estero will struggle with these conflict throughout the life of this plan but will emerge a vibrant urban core for Lee County's high-tech research and development employment base. (Added by Ordinance No. 99-15, Amended by Ordinance No. 07-12)

14. **Sanibel** - This community includes all land incorporated in the City of Sanibel as of this date. Sanibel does have a strong retail base for tourist needs and the daily needs of the residents. However, for more major needs residents do utilize businesses outside of this community. Conversely, Sanibel will remain a destination for residents and tourist looking for novelty tourist items. The community as a whole will look much as it does today, except that a new emphasis on public transportation will reduce gridlock during the tourist season. Nominal population growth is expected in Sanibel as the community is nearly built out today. (Added by Ordinance No. 99-15)

15. **South Fort Myers** - This Community is located in the center of Lee County. South of the City of Fort Myers, east of the Caloosahatchee River, west of the Six Mile Cypress Slough, and north of Gladiolus Drive. This community primarily has the higher intensity land use categories such as Intensive Development, Central Urban, Urban Community, Industrial Development, and Suburban. This community contains one of the county's major hospitals, a baseball spring training facility, and the local community college. This community will be nearly built out by the year 2020. The South Fort Myers Community will continue to be a core area of the county providing office area for professional services in areas such as financial and medical. There will also be an increased amount of commercial activity along the US 41 corridor and light industrial uses will continue to expand along the Metro Avenue corridor north of Daniels Parkway. The amounts of commercial and industrial uses in this community are expected to double and most of the suitable land for these uses will be developed by 2030.

The residential areas of this community will also continue to develop through the year 2030 however the popularity of the residential opportunities to the south in the San Carlos/Estero and Bonita communities will continue to dominate this segment of the market. (Added by Ordinance No. 99-15, Amended by Ordinance No. 07-12)

16. **Pine Island** - This community includes Greater Pine Island as described under Goal 14 along with surrounding smaller islands and some unincorporated enclaves near Cape Coral. Its future,

as seen by Pine Islanders, will be a matter of maintaining an equilibrium between modest growth, a fragile ecology, and a viable and productive agricultural community. Pine Island will continue to be a haven between urban sprawl approaching from the mainland and the wealth of the outer islands; a quiet place of family businesses, school children, farmers, and retirees enjoying the bounties of nature; a place devoid of high-rises, strip malls, and gated communities. Traffic constraints caused by the narrow road link to the mainland will limit future development, allowing the islands to evacuate from storms and protecting natural lands from unsustainable development. Wildlife and native vegetation will be protected; loss of wildlife habitat will be reversed; sidewalks and bike paths will connect neighborhoods for young and old alike. Architectural standards for commercial buildings will encourage “Old Florida” styles, and historic buildings will be treasured. Pine Island will continue to be a place where people, nature and agriculture exist in harmony, a place not very different from what it is today, an island as state-of-mind as much as a physical entity, its best features preserved and enhanced. Pine Islanders are historically vigilant about protecting their community and will work to ensure that their plans are carried out. (Added by Ordinance No. 99-15, Amended by Ordinance No. 03-03, 05-21)

17. Lehigh Acres - A “sustainable community of choice” is comprised of a collection of unique and inviting neighborhoods with involved citizens, a healthy environment, housing and employment opportunities, a full range of public services, and an efficient multi-modal transportation network connecting adjacent uses and neighboring communities. Residents will be encouraged to live a healthy and active lifestyle and will be provided opportunities to connect to the natural environment and their neighbors. This is the community vision of Lehigh Acres. Achieving the vision in the Lehigh Acres Planning Community will require improving the pattern of development to reduce dependence on neighboring communities for employment, recreation, and public services. Accomplishing this vision will reduce transportation impacts in neighboring communities and provide benefits to all of Lee County. (Added by Ordinance No. 99-15, Amended by Ordinance No. 07-12, 10-16)

18. Southeast Lee County - As the name implies, this Community is located in the southeast area of Lee County. South of SR 82, north of Bonita Beach Road, east of I-75 (excluding areas in the San Carlos Park/Island Park/Estero Corkscrew Road and Gateway/Southwest Florida International Airport Communities) and west of the county line. With the exception of a few Public Facilities, the entire community is designated as Density Reduction/Groundwater Resource, Conservation Lands (both upland and wetlands), and Wetlands on the Future Land Use Map. This “community” consists of mining operations, agricultural uses, and very large lot residential home sites. The one exception is the Citrus Park Community. This community is not expected to change in character through the year 2030. (Added by Ordinance No. 99-15, Amended by Ordinance No. 07-12)

19. North Fort Myers - Over the course of the current planning effort, a new vision for the future of North Fort Myers has emerged and come into sharper focus. The following phrases, describing a brighter future for the community, capture the essence of the vision and provide a foundation for the plan’s goals, objectives, and policies.

Town Center developments along the Caloosahatchee River and on Bayshore Road at I-75 offer new destinations for living, shopping, working, and socializing. Designed with walkable streets and streetscapes, ground level shops and restaurants, high quality housing, and connections to nearby parks, waterfronts, and natural areas, these new Centers are becoming signposts for positive changes throughout the community.

include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation, and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of the 2020 Program or the 2020 ordinances. (Added by Ordinance No. 98-09, Amended by Ordinance No. 02-02)

POLICY 1.4.7: The **Coastal Rural** areas will remain rural except for portions of properties where residential lots are permitted in exchange for permanent preservation or restoration of native upland habitats or a commitment, in the form of a perpetual easement, to preserve agricultural activity on existing farmland, on the remainder of the property. The standard maximum density is one dwelling unit per ten acres (1DU/10 acres). Maximum densities may increase as higher percentages of native habitat are permanently preserved or restored on the uplands portions of the site, or a commitment, in the form of a perpetual easement, to preserve agricultural activity on existing farmland, in accordance with the chart below. Permitted land uses include agriculture, fill-dirt extraction, conservation uses, minimal non-residential land uses, limited to minor commercial, that are necessary to provide basic commercial services to serve the island residents and visitors, and residential uses up to the following densities:

Percentage of the on site uplands that are preserved or restored native habitats or continued in agricultural use on existing farmland	Maximum density if undeveloped land will be permanently preserved or restored as native habitats	Maximum density if undeveloped land will be continued in agricultural use on existing farmland
0%	1 DU/ 10 acres	1 DU/ 10 acres
5%	1 DU/ 9 acres	
10%	1 DU/ 8 acres	1 DU/ 9 acres
15%	1 DU/ 7 acres	
20%	1 DU/ 6 acres	1 DU/ 8 acres
30%	1 DU/ 5 acres	1 DU/ 7 acres
40%	1 DU/ 4 acres	1 DU/ 6 acres
50%	1 DU/ 3 acres	1 DU/ 5 acres
60%	1 DU/ 2 acres	1 DU/ 3 acres
70%	1 DU/ 1 acres	1 DU/ 2 acres

Existing farmland is depicted on Map 21. Areas for buffers, lakes, and utilities may consist of up to 10% of the upland preserve areas. (Added by Ordinance No. 03-03, Amended by Ordinance No. 05-21, 10-17)

OBJECTIVE 1.5: WETLANDS. Designate on the Future Land Use Map those lands that are identified as Wetlands in accordance with F.S. 373.019(17) through the use of the unified state delineation methodology described in FAC Chapter 17-340, as ratified and amended in F.S. 373.4211. (Amended by Ordinance No. 94-30)

POLICY 1.5.1: Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 114 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan. (Amended by Ordinance No. 94-30)

access to basic goods and services without having to leave the island. Toward that end, Lee County will encourage mixed use developments in specific and appropriate areas of the Captiva planning community through its regulations, policies and discretionary actions. (Added by Ordinance No. 07-09).

POLICY 13.2.1: Mixed use developments as defined in the Lee Plan, and mixed use developments containing both commercial and residential uses within the same structure, are strongly encouraged on Captiva properties that were zoned C-1 or CT as of Jan. 1, 2006. Such properties may be allowed one residential unit in addition to commercial uses. Such developments will only be permitted if approved as a Commercial Planned Development. (Added by Ordinance No. 07-09)

GOAL 14: GREATER PINE ISLAND. To manage future growth on and around Greater Pine Island so as to maintain the island's unique natural resources, character and its viable and productive agricultural community and to insure that island residents and visitors have a reasonable opportunity to evacuate when a hurricane strike is imminent. For the purposes of this plan, the boundaries of Greater Pine Island are indicated on the Future Land Use Map. (Amended by Ordinance No. 94-30, 05-21)

OBJECTIVE 14.1: NATURAL RESOURCES. County regulations, policies, and discretionary actions affecting Greater Pine Island will permit no further degradation of estuarine and wetland resources and no unnecessary loss of native upland vegetation and wildlife habitat. (Amended by Ordinance No. 94-30, 00-22)

POLICY 14.1.1: 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. (Amended by Ordinance No. 94-30, 00-22)

POLICY 14.1.2: Lee County will map 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." (Added by Ordinance No. 94-30, Amended by Ordinance No. 00-22)

POLICY 14.1.3: Lee County will, by 1996, 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. (Added by Ordinance No. 94-30, Amended by Ordinance No. 00-22)

POLICY 14.1.4: 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.

POLICY 14.1.5: New development, including "planned development" rezoning approvals, new subdivisions, and agriculture, that adjoin state-designated aquatic preserves and associated wetlands and natural tributaries must preserve or create a 50-foot-wide native vegetated buffer area between the development and the waterbody or associated wetlands. This requirement will not apply to existing subdivided lots. For agriculture, this requirement:

- will be implemented through the notice-of-clearing process in chapter 14 of the Land Development Code;

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

(Amended by Ordinance No. 00-22, 03-03)

POLICY 14.1.6: The county will continue to purchase 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. (Amended by Ordinance No. 94-30, 00-22)

POLICY 14.1.7: Lee County will design a program within one year to 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. (Amended by Ordinance No. 94-30, 00-22, 03-03)

POLICY 14.1.8: The county reclassified all uplands on Pine Island previously designated as Rural to a new Coastal Rural designation on the Future Land Use Map. The purposes of this redesignation was to provide a clearer separation between rural and urban uses on Pine Island, to discourage the unnecessary destruction of native upland habitats, and to avoid placing more dwelling units on Pine Island that can be served by the limited road capacity to the mainland. The Coastal Rural designation is designed to provide land owners with maximum flexibility while accomplishing these public purposes. (Added by Ordinance No. 03-03)

OBJECTIVE 14.2: ROAD IMPROVEMENTS. The county will continually monitor traffic levels on Pine Island Road to insure that the sum of the current population plus development on previously approved land plus new development approvals will not exceed the capacity of existing and committed roadways between Pine Island and mainland Lee County. (Amended by Ordinance No. 00-22)

POLICY 14.2.1: The minimum acceptable level-of-service standard for Pine Island Road between Burnt Store Road and Stringfellow Boulevard is hereby established as LOS "D" on an annual average peak hour basis and LOS "E" on a peak season, peak hour basis. This standard will be measured at the county's permanent count station on Little Pine Island and using the methodology described in the 1985 Highway Capacity Manual, Special Report 209. (Amended by Ordinance No. 00-22)

POLICY 14.2.2: In order to recognize and give priority to the property rights previously granted by Lee County for about 6,675 additional dwelling units, the county will keep in force effective development regulations which address growth on Pine Island and which implement measures to gradually limit future development approvals. These regulations will reduce certain types of approvals at established thresholds prior to the capacity of Pine Island Road being reached, measured as follows at the permanent count station on Little Pine Island at the western edge of Matlacha:

- When traffic on Pine Island Road reaches 810 peak hour, annual average two-way trips, the regulations will restrict further rezonings which would increase traffic on Pine Island Road

through Matlacha. These regulations shall provide reasonable exceptions for minor rezonings on infill properties surrounded by development at similar intensities and those with inconsequential or positive effects on peak traffic flows through Matlacha, and may give preference to rezonings for small enterprises that promote the nature and heritage of Greater Pine Island.

- When traffic on Pine Island Road reaches 910 peak hour, annual average two-way trips, the regulations will provide restrictions on the further issuance of residential development orders (pursuant to chapter 10 of the Land Development Code), or other measures to maintain the adopted level of service, until improvements can be made in accordance with this plan. The effect of these restrictions on residential densities must not be more severe than restricting densities to one-third of the maximum density otherwise allowed on that property.

The 810 and 910 thresholds were based on 80% and 90% of level-of-service “D” capacity calculated using the 1965 Highway Capacity Manual, as documented in the 2001 Greater Pine Island Community Plan Update. These development regulations may provide exceptions for legitimate ongoing developments to protect previously approved densities for final phases that have a Chapter 177 plat or site-plan approval under Ordinance 86-36.
(Amended by Ordinance No. 00-22, 03-03)

POLICY 14.2.3: In addition to enforcing the restrictions in Policy 14.2.2, the county will take whatever additional actions are feasible to increase the capacity of Pine Island Road. The following measures will be evaluated:

- The construction of left-turn lanes at intersections with local roads in Matlacha.
- Improvements to Burnt Store Road and Pine Island Road to the east of Burnt Store that will prevent premature closure of those roads during an evacuation, closures which now limit the number of Greater Pine Island and Cape Coral residents able to evacuate.

(Amended by Ordinance No. 94-30, 00-22, 03-03)

POLICY 14.2.4: The county will make every effort to continue extending the bicycle path to run the entire length of Stringfellow Road. Wherever possible, this path should be designed as a major public amenity similar to the high-quality design used for the bicycle path north of Pineland that was completed in 2001. (Added by Ordinance No. 03-03)

POLICY 14.2.5: Lee County will investigate the merits of creating a concurrency exception area for a portion of Pine Island Center. The concurrency exception area will promote the expansion of public transportation to and from the Greater Pine Island area. (Added by Ordinance No. 05-21)

OBJECTIVE 14.3: 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. (Amended by Ordinance No. 94-30, 00-22)

POLICY 14.3.1: Due to the constraints on future development posed by the limited road connections to mainland Lee County, bonus densities of any kind are not permitted in Greater Pine Island. This prohibition includes housing density bonuses, off-site transfers from environmentally critical areas, and transfer from on-site wetlands at rates above the standard density rates for environmentally critical areas.

POLICY 14.3.2: 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.

POLICY 14.3.3: The county's Land Development Code will continue to state that no building or structure on Greater Pine Island will be erected or altered so that the peak of the roof exceeds thirty-eight (38) feet above the average grade of the lot in question, or forty-five (45) feet above mean sea level, whichever is the lower. No deviations from these height restrictions may be granted through the planned development process. These height restrictions will not be measured from minimum flood elevations nor will increases in building height be allowed in exchange for increased setbacks. Industrial buildings must also comply with these height restrictions. (Amended by Ordinance No. 94-30, 00-22, 03-03)

POLICY 14.3.4: The county Zoning Regulations will continue to allow storage of commercial fishing equipment at a fisherman's private residence as a permitted use in residential districts on Pine Island. Reasonable restrictions not having the effect of prohibiting such storage may be developed. (Amended by Ordinance No. 94-30, 00-22)

POLICY 14.3.5: The county will amend its land development code to provide specific regulations for neighborhood connectivity and walls and gates on Greater Pine Island if an acceptable proposal is submitted by the Greater Pine Island community. These regulations would require interconnections between adjoining neighborhoods wherever feasible and would no longer allow perimeter walls around larger developments. (Added by Ordinance No. 03-03)

OBJECTIVE 14.4: 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. (Amended by Ordinance No. 94-30, 00-22)

POLICY 14.4.1: The designated Future Urban Area at Pine Island Center is targeted for most future commercial and industrial uses, as permitted by other portions of this plan.

POLICY 14.4.2: Commercial development at other locations on Greater Pine Island (such as Bokeelia, Pineland, Matlacha, and St. James City) should be limited to marinas, fish houses, and commercial uses to serve the day to day needs of local residents and island visitors. Such development must be sited and designed to minimize disruptive influences to the greatest degree possible. (Amended by Ordinance No. 94-30, 00-22, 10-17)

POLICY 14.4.3: The county will expand the commercial design standards in its land development code to provide specific architectural and site design standards for Greater Pine Island if an acceptable proposal is submitted by the Greater Pine Island community. These standards would promote but not mandate rehabilitation over demolition; require smaller rather than larger buildings; avoid standardized franchise buildings; preserve mature trees wherever possible; place most parking to the side and rear; 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. (Added by Ordinance No. 03-03)

POLICY 14.4.4: The county will expand its current sign regulations to include specific standards for Greater Pine Island if an acceptable proposal is submitted by the Greater Pine Island community. These standards would reduce the size of ground-mounted signs, discourage or disallow internally

lit box signs, allow wall signs on buildings near the right-of-way, and allow small directional signs on Stringfellow Road for businesses not visible from the road. (Added by Ordinance No. 03-03)

POLICY 14.4.5: The county will establish a prioritized schedule for an effort to rezone land to zoning districts that properly reflect its development potential under the Lee Plan. (Added by Ordinance No. 03-03)

POLICY 14.4.6: In the Coastal Rural future land use category, non-residential development is limited to minor commercial development. New commercial zoning requests must utilize the Planned Development rezoning process. All commercial development in this category must be consistent with the following limitations:

- Total building floor area is limited to 5,000 square feet.
- 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, speciality 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.

(Added by Ordinance No. 10-17)

POLICY 14.4.7: During the Comprehensive Plan Evaluation and Appraisal Report process the County will analyze commercial rezoning and commercial development in the Coastal Rural areas and assess their impacts to the Greater Pine Island Community and identify any needed policy modifications. (Added by Ordinance No. 10-17)

OBJECTIVE 14.5: HISTORIC RESOURCES. Lee County will continue to formally designate historic resources and archaeological sites on and around Greater Pine Island. (Amended by Ordinance No. 94-30, 00-22)

POLICY 14.5.1: 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. (Amended by Ordinance No. 94-30, 00-22)

POLICY 14.5.2: 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. (Amended by Ordinance No. 00-22)

POLICY 14.5.3: 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. (Amended by Ordinance No. 94-30, 00-22)

POLICY 14.5.4: 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. (Added by Ordinance No. 03-03)

OBJECTIVE 14.6: AGRICULTURAL USES. To promote and preserve the rural character of Pine Island, Lee County will strive to foster a viable and productive agricultural community on the island. Lee County will incorporate several land use “tools” such as purchase and transfer of development rights programs into the Lee County Land Development Code to preserve agricultural uses on Pine Island. (Added by Ordinance No. 05-21)

POLICY 14.6.1: Lee County will maintain a map (Map 21) of all existing farmland on Pine Island. These mapped existing farmlands and Pine Island lands containing indigenous vegetation are the primary targeted sending areas for the creation of transfer of development rights (TDR) on Pine Island. (Added by Ordinance No. 05-21)

POLICY 14.6.2: Lee County, by 2009, will evaluate creating a Purchase of Development Rights Program with the objective of preserving Pine Island agricultural uses. (Added by Ordinance No. 05-21)

POLICY 14.6.3: By 2007 Lee County will amend the Lee County Land Development Code to establish a Pine Island Transfer of Development Rights (TDR) program to supplement the existing wetland TDR program. The program will be encouraged for properties depicted on Map 21 as well as other Pine Island lands as promoting reduced densities in the Coastal High Hazard Area. (Added by Ordinance No. 05-21)

POLICY 14.6.4: The property owners of lands designated Intensive Development, Central Urban, or Urban Community are eligible to receive Pine Island TDRs. The property owners of lands designated Suburban and Outlying Suburban are eligible to receive Pine Island TDRs consistent with the Lee Plan's definition of Density and if approved through the planned development rezoning process. The land development code will maintain several approval processes such as by right, administrative and planned development approval. Developments receiving TDR units will be evaluated for the following criteria: compact site design, innovative open space design, well designed pedestrian/bicycle connections to commercial and employment areas, locations on or a walkable distance to mass transit service, and mixed use buildings. Utilization of in-fill and brownfield sites are encouraged. Land Development Code incentives will be given to projects that incorporate concepts from traditional neighborhood design, transit oriented development, and new urbanism principles. (Added by Ordinance No. 05-21)

POLICY 14.6.5: Participation in the Pine Island TDR by right and administrative approval processes for receiving sites requires that the subject property be already conventionally zoned in a zoning district that would permit the proposed development consistent with allowable densities and with the zoning district's lot size, setback, open space and height requirements. The by right process will be limited to adding one additional dwelling unit to a receiving parcel that is one acre or less in size. If the receiving parcel is larger than one acre, TDR units may be used to add one dwelling unit per acre by right. The resulting density may not exceed the maximum total density range for the land use category of the subject site. (Added by Ordinance No. 05-21)

POLICY 14.6.6: Adding Pine Island TDR units in excess of one dwelling unit per acre in conventional zoning districts requires administrative approval. The Lee County Department of Community Development director may administratively approve the use of TDR units to increase the density of a proposed development provided that the proposed development is: in compliance with the Lee Plan; zoned for the type and number of dwelling units proposed to be constructed; designed so that the resulting development does not have substantially increased intensities of land

uses along its perimeter, unless adjacent to existing or approved development of a similar intensity; in a location where the additional traffic will not be required to travel through areas with significantly lower densities before reaching the nearest collector or arterial road; in a location outside of the Category 1 Storm Surge Zone for a land-falling storm as defined by the October 1991 Hurricane Storm Tide Atlas for Lee County prepared by the Southwest Florida Regional Planning Council; not in a location where existing and committed public facilities are so overwhelmed that a density increase would be contrary to the overall public interest, and; will not decrease required open space, buffering, landscaping and preservation areas or cause adverse impacts on surrounding land uses. (Added by Ordinance No. 05-21)

POLICY 14.6.7: The Land Development Code will be amended to specify that Pine Island TDRs may be utilized through the Planned Development approval and amendment rezoning processes for land owners seeking to add additional dwelling units utilizing TDR units. The Code will specify that the application for the rezoning and the request to utilize TDR units may be submitted at the same time for concurrent review. (Added by Ordinance No. 05-21)

POLICY 14.6.8: The generation rate for Pine Island TDRs will be limited by the Land Development Code to two Transfer of Development Rights per acre for the Coastal Rural land use category, to six Transfer of Development Rights per acre for the Future Urban land use categories, and one Transfer of Development Right per five acres of wetland. The Land Development Code will be amended to establish a creation of development rights process as well as a receiving process. (Added by Ordinance No. 05-21)

OBJECTIVE 14.7: PUBLIC PARTICIPATION. Lee County will encourage and solicit public input and participation prior to and during the review and adoption of county regulations, Land Development Code provisions, Lee Plan provisions, and zoning approvals. (Added by Ordinance No. 10-17)

POLICY 14.7.1: The owner or agent of a requested zoning action (planned development, conventional rezoning, special exception, or variance requests) within the Greater Pine Island community must conduct one public informational meeting within the community where the agent will provide a general overview of the project for any interested citizens. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for advertising, providing the meeting space, and security measures as needed. Subsequent to this meeting, the applicant must provide staff with a summary 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. (Added by Ordinance No. 10-17)

GOAL 15: GASPARILLA ISLAND. To provide the necessary facilities and regulations so that the remaining unbuilt portions of the island can be developed consistent with its unique character and hurricane vulnerability. For the purposes of this plan, the boundaries of Gasparilla Island are indicated on the Future Land Use Map.

OBJECTIVE 15.1: COMMUNITY FACILITIES. Lee County will continue to ensure the provision of solid waste and ambulance service to the Lee County portion of Gasparilla Island through the ongoing enforcement of interlocal agreements with Charlotte County. (Amended by Ordinance No. 94-30, 00-22)

OBJECTIVE 15.2: HISTORIC RESOURCES. Lee County will continue to recognize Boca Grande as an historic district pursuant to the Historic Preservation Ordinance. (Amended by Ordinance No. 94-30, 00-22)

POLICY 135.1.14: Encourage development regulations and incentives that provide a better mix of high income and low income housing. (Added by Ordinance No. 07-16)

OBJECTIVE 135.2: RURAL AND FARMWORKER HOUSING. By the year 2025, Lee County will provide affordable housing that is suitable and affordable for rural and farm worker housing by increasing the stock of standard affordable housing and the removal of substandard conditions. (Amended by Ordinance No. 94-30, 98-09, 07-17)

POLICY 135.2.1: Assist private agricultural businesses to develop and manage housing for rural and farm workers through information, technical assistance, and financial incentives programs. (Amended by Ordinance No. 07-17)

POLICY 135.2.2: Assist non-profit agencies and other support groups to plan and coordinate arrangements for low-cost rental housing and other non-housing support services for rural and farm workers and their families through the Lee County Housing Authority. (Amended by Ordinance No. 07-17)

POLICY 135.2.3: Housing for farm workers, as defined by ss 420.503 Florida Statutes, may be permitted in the Rural, Coastal Rural, Open Lands, and Density Reduction/Groundwater Resource land use categories without respect to the density limitations that apply to conventional residential districts. The density of such housing is limited to 50 occupants per acre of actual housing area and will be reviewed on a case-by-case basis during the planned development or Special Exception zoning process. The applicant must demonstrate that impacts of the farm worker housing will be mitigated. (Amended by Ordinance No. 94-30, 00-22, 03-19, 05-21)

POLICY 135.2.4: Lee County will set aside 10% of its SHIP housing subsidy for funding the development of special needs housing, which will include rural and farm worker housing. (Added by Ordinance No. 98-09, Amended by Ordinance No. 00-22, 07-17)

POLICY 135.2.5: Lee County will promote the location of rural and farm worker housing close to needed services such as transportation to and from employment, medical facilities, social services, schools and shopping. Lee County will evaluate proximity to these services when county funds are requested for farmworker housing and during any rezoning process. (Added by Ordinance No. 98-09, Amended by Ordinance No. 07-17)

OBJECTIVE 135.3: REHABILITATION, CONSERVATION, AND IMPROVEMENT. Continue efforts to reduce substandard housing by five percent annually. (Amended by Ordinance No. 94-30)

POLICY 135.3.1: The county will increase code enforcement activities in neighborhoods where code violations are more prevalent and concentrate code enforcement activities where warranted. (Amended by Ordinance No. 00-22)

POLICY 135.3.2: Lee County will continue to identify homes eligible for various housing rehabilitation programs. (Amended by Ordinance No. 94-30, 98-09, 00-22, 07-17)

POLICY 135.3.3: The county will conserve existing residential areas by enforcing codes, providing appropriate capital improvements providing funding for the Neighborhood Districts Program and disseminating information on the availability of housing programs. (Amended by Ordinance No. 94-30, 98-09, 00-22)

COASTAL HIGH HAZARD AREA - The area below the elevation of the category 1 storm surge line as delineated by Map 5 of the Future Land Use Map Series. (Added by Ordinance No. 94-30, Amended by Ordinance No. 99-17, 09-17)

COASTAL PLANNING AREA - The coastal study area of the 1988 Lee County Coastal Study which is defined as all sections of unincorporated Lee County containing any portion of the 1988 A Zone (the 100-year floodplain as mapped in 1988 by FEMA), lying westward of the municipal boundaries of Fort Myers and Cape Coral. (Added by Ordinance No. 94-30)

COMMUNITY PARK - A tract of land designated and used by the public primarily for active recreation but also for educational and social purposes and passive recreation. A community park generally serves a specific community comprised of at least several neighborhoods. The Lee Plan's community park standards are based upon several sub-classifications of community parks: standard community parks; community recreation centers; community pools; and school parks.

CONSERVATION EASEMENT - A right or interest in real property that is appropriate to retaining the land or water areas predominately in the natural scenic, open, agricultural, or wooded condition. See F.S. 704.06. (Added by Ordinance No. 10-19)

CORNER-STORE COMMERCIAL - A small store servicing a range of daily needs within a neighborhood and accessible by pedestrian friendly streets and/or plazas, having a building footprint of less than 5,000 square feet. (Added by Ordinance No. 07-14)

COST-EFFECTIVE - An action or technique is "cost-effective" when it offers more benefit per unit cost or lower cost per unit benefit than an alternative.

DENSITY - The number of residential dwelling or housing units per gross acre (du/acre). Densities specified in this plan are gross residential densities. For the purpose of calculating gross residential density, the total acreage of a development includes those lands to be used for residential uses, and includes land within the development proposed to be used for streets and street rights of way, utility rights-of-way, public and private parks, recreation and open space, schools, community centers, and facilities such as police, fire and emergency services, sewage and water, drainage, and existing man-made waterbodies contained within the residential development. Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included, except within areas identified on the Mixed Use Overlay Map (Future Land Use Map Series Map 1 page 6 of 8) that have elected to use the process described in Objective 4.2. Within the Captiva community in the areas identified by Policy 13.2.1, commercial development that includes commercial and residential uses within the same project or the same building do not have to exclude the commercial lands from the density calculation. For true mixed use developments located on the mainland areas of the County, the density lost to commercial, office and industrial acreage can be regained through the utilization of TDRs that are either created from **Greater Pine Island Coastal Rural** future land use category or previously created TDRs. True mixed use developments must be primarily multi-use structures as defined in this Glossary as a mixed use building. If development is proposed in accordance with Policy 2.12.3, residential densities are calculated using the total land area included in the mixed use portion of the development. (Amended by Ordinance No. 98-09, 00-22, 03-21, 05-21, 07-09, 07-14, 09-06)

DEVELOPMENT - Has the meaning given in Chapter 380, Florida Statutes.

DEVELOPMENT OF COUNTY IMPACT (DCI) - A development which, because of its character, magnitude, location, size, timing, density, or intensity would have a substantial effect upon the health, safety,

TABLE 1(a)
SUMMARY OF RESIDENTIAL DENSITIES ¹

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	8	14	22
Central Urban	4	10	15
Urban Community ^{4,5}	1	6	10
Suburban	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/5 acres	No Bonus
Resource	No Minimum	1 du/10 acres	No Bonus
Wetlands ⁸	No Minimum	1 du/20 acres	No Bonus
New Community	1	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

CLARIFICATIONS AND EXCEPTIONS

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

² Adherence to minimum densities is not mandatory but is recommended to promote compact development.

³ These maximum densities may be permitted by transferring density from non-contiguous land through the provisions of the Housing Density Bonus Ordinance (No. 89-45, as amended or replaced) and the Transfer of Development Rights Ordinance (No. 86-18, as amended or replaced).

⁴ Within the Future Urban Areas of Pine Island Center, rezonings that will allow in excess of 3 dwelling units per gross acre must "acquire" the density above 3 dwelling units per gross acre utilizing TDRs that were created from Greater Pine Island Coastal Rural or Greater Pine Island Urban Categories. (Amended by Ordinance No. 05-21)

⁵ In 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.

⁷ The maximum density of 1 unit per 5 acres can only be approved through the planned development process (see Policy 1.4.4), except in the approximately 135 acres of land lying east of US41 and north of Alico Road in the northwest corner of Section 5, Township 46, Range 25. (Amended by Ordinance No. 99-15)

⁸ Higher densities may be allowed under the following circumstances where wetlands are preserved on the subject site:

(a) If the dwelling units are relocated off-site through the provisions of the Transfer of Development Rights Ordinance (No. 86-18, as amended or replaced); or

(b) Dwelling units may be relocated to developable contiguous uplands designated Intensive Development, Central Urban, Urban Community, Suburban, Outlying Suburban, or Sub-Outlying Suburban from preserved freshwater wetlands at the same underlying density as is permitted for those uplands. Impacted wetlands will be calculated at the standard Wetlands density of 1 dwelling unit per 20 acres. Planned Developments or Development Orders approved prior to October 20, 2010 are permitted the density approved prior to the adoption of CPA2008-18.

⁹ Overall average density for the University Village sub-district must not exceed 2.5 du/acre. Clustered densities within the area may reach 15 du/acre to accommodate university housing.

¹⁰ In the Rural category located in Section 24, Township 43 South, Range 23 East and south of Gator Slough, the maximum density is 1 du/2.25 acres. (Added by Ordinance No. 02-02)

¹¹ Overall number of residential dwelling units is limited to 271 units in the Destination Resort Mixed Use Water Dependent district.

¹² The residential dwelling units and hotel development portions of this redevelopment project must be located outside of the designated Coastal High Hazard Area in accordance with Lee Plan, Map 5. (Added by Ordinance No. 09-16)

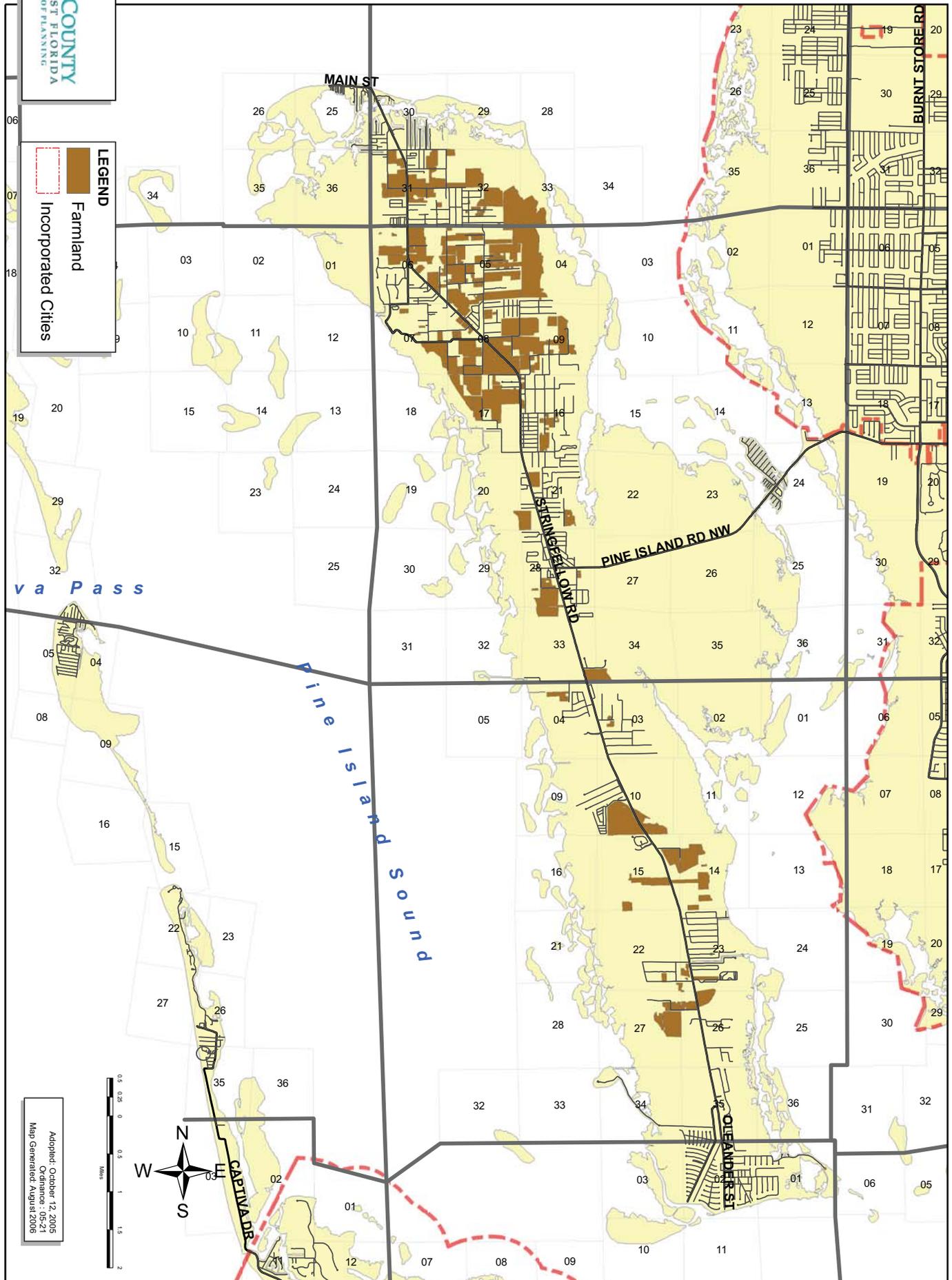
EXISTING PINE ISLAND FARMLAND

(Lee Plan Map 21)



LEGEND

- Farmland
- Incorporated Cities



Adopted: October 12, 2005
Ordinance: 05-21
Map Generated: August 2006