

***New Horizon***



**2035  
Lee Plan**

# **Lee Plan Update**

**Community Workshops  
April – May 2013**



# New Horizon 2035: EAR

Vision for the Future

# New Horizon 2035 Process

- EAR
  - Vision
  - Policy Review
    - Adopted March 1, 2012
- Comprehensive Plan
  - Planning Principles
  - Long term objectives
    - Current Underway
- Land Development Code
  - Development Practices
  - Implementation Procedures



# New Horizon 2035: Vision

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*Lee County will be a highly desirable place to live, work, and visit—recognized for its commitment to a sustainable future characterized by a healthy economy, environment, and community.*

*Because of its commitment, Lee County will be a community of choice—valued for its quality of life; varied natural environment; unique sense of history and place; distinct urban, suburban, and rural communities; diverse economy and workforce; and varied travel options.*



# EAR: Livable Places

Quality of Life  
Sense of Place  
Mixed-use



# EAR: Strong Connections

People  
Businesses  
Services  
Public Resources



# ***EAR: Community Character***

Diverse  
Distinct  
Local



# EAR: *Balanced Development*



Balanced  
Integrated  
Diverse  
Green



# New Horizon 2035 Process

- EAR
  - Vision
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    - Adopted March 1, 2012
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# Lee Plan Update

Central Themes

# Lee Plan Update: Central Themes

- **Urban** – Promote
- **Suburban** – Support
- **Rural** – Maintain
- **Mixed-Use** – Facilitate
- **Connections** – Expand
- **Approval Process** – Simplify



# Urban Development

## Features

- Higher Densities
- Mixed-Use Centers
- Multimodal
- Urban Service Level

## Practices

- Incentive Density
- TDR Receiving Areas
- Priority CIP
- No Allocation Tables



# Urban Development

- Increased Density
  - **Urban Core:**
    - 15-25 units Standard
    - 40 units Incentive
  - **Urban Place:**
    - 8-18 units Standard
    - 25 units Incentive
  - **Urban Neighborhood**
    - 4-8 units Standard
    - 16 units Incentive

## Urban Strategies

Fix-A-Block

Mall Chopper

Resi-Dense

Re-Center



# Suburban Development

## Form

- Moderate Density
- Residential Homes
- Economic & Commercial Centers

## Practices

- Support Local Character
- Density Reflect Development
  - Lehigh Acres
  - Whiskey Creek
  - The Villas
  - Veranda
  - Estero
  - San Carlos Park
- No Allocation Table



# Suburban Development

- Reflect Existing Density
  - **Suburban 6:**
    - 4-6 units Standard
    - 10 units Incentive
  - **Suburban 4:**
    - 2-4 units Standard
  - **Suburban 2**
    - Up to 2 units Standard
  - **Coastal Suburban**
    - Up to 3 units Standard



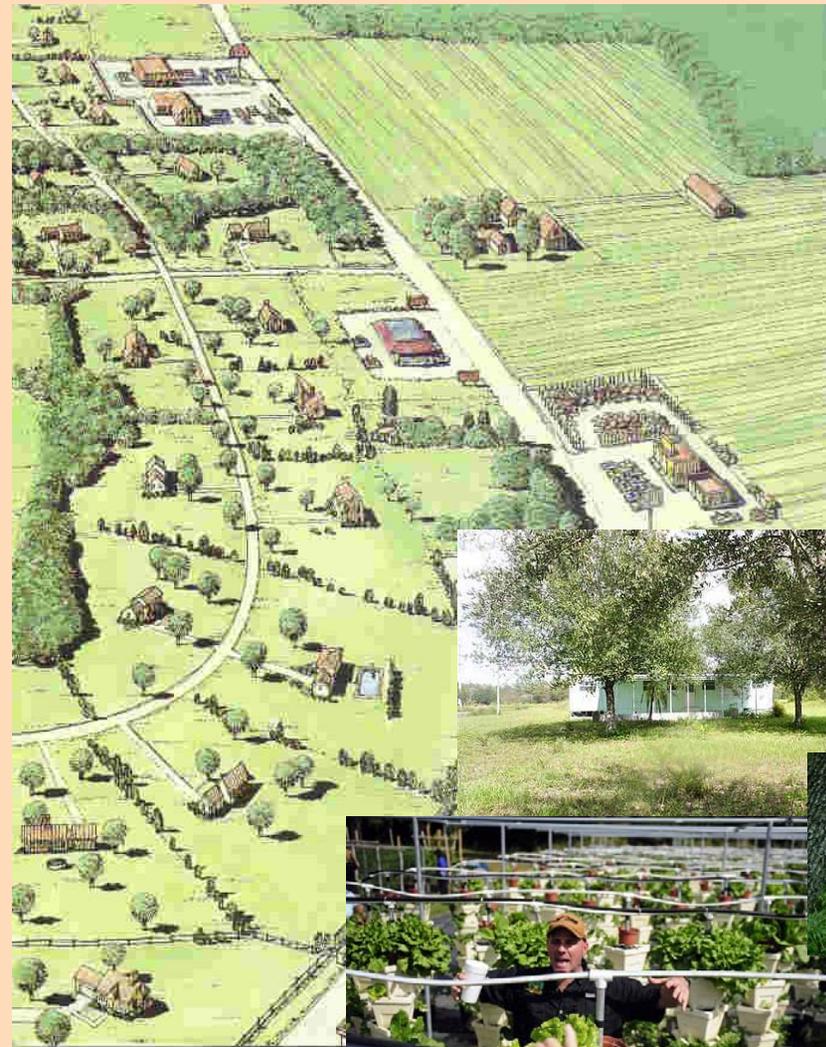
# Rural Areas

## Form

- Lowest Densities
- No Category Changes
- Agricultural Focus

## Practices

- TDR Sending Areas
- Allocation Table
- Rural Service Levels



# Rural Development

- Maintained Adopted Density
  - Rural:
    - Up to 1 unit Standard
  - Outer Islands:
    - Up to 1 unit Standard
  - Rural Community Preserve
    - Up to 1 unit Standard
  - Open Lands
    - Up to 1 unit per 10 acres Standard
    - Up to 1 unit per 5 acres Incentive
  - DR/GR
    - Up to 1 unit per 10 acres Standard
  - Wetlands
    - Up to 1 unit per 20 acres Standard



# DRAFT LAND USE MAP

**DRAFT**

## Land Use Map

### URBAN CATEGORIES

- Urban Core
- Urban Places
- Urban Neighborhood

### SUBURBAN CATEGORIES

- Suburban 6
- Suburban 4
- Suburban 2
- Coastal Suburban

### ECONOMIC DEVELOPMENT CATEGORIES

- Commercial
- Industrial Research Development
- Tradeport
- Airport Lands
- University Community
- Interchange

### RURAL CATEGORIES

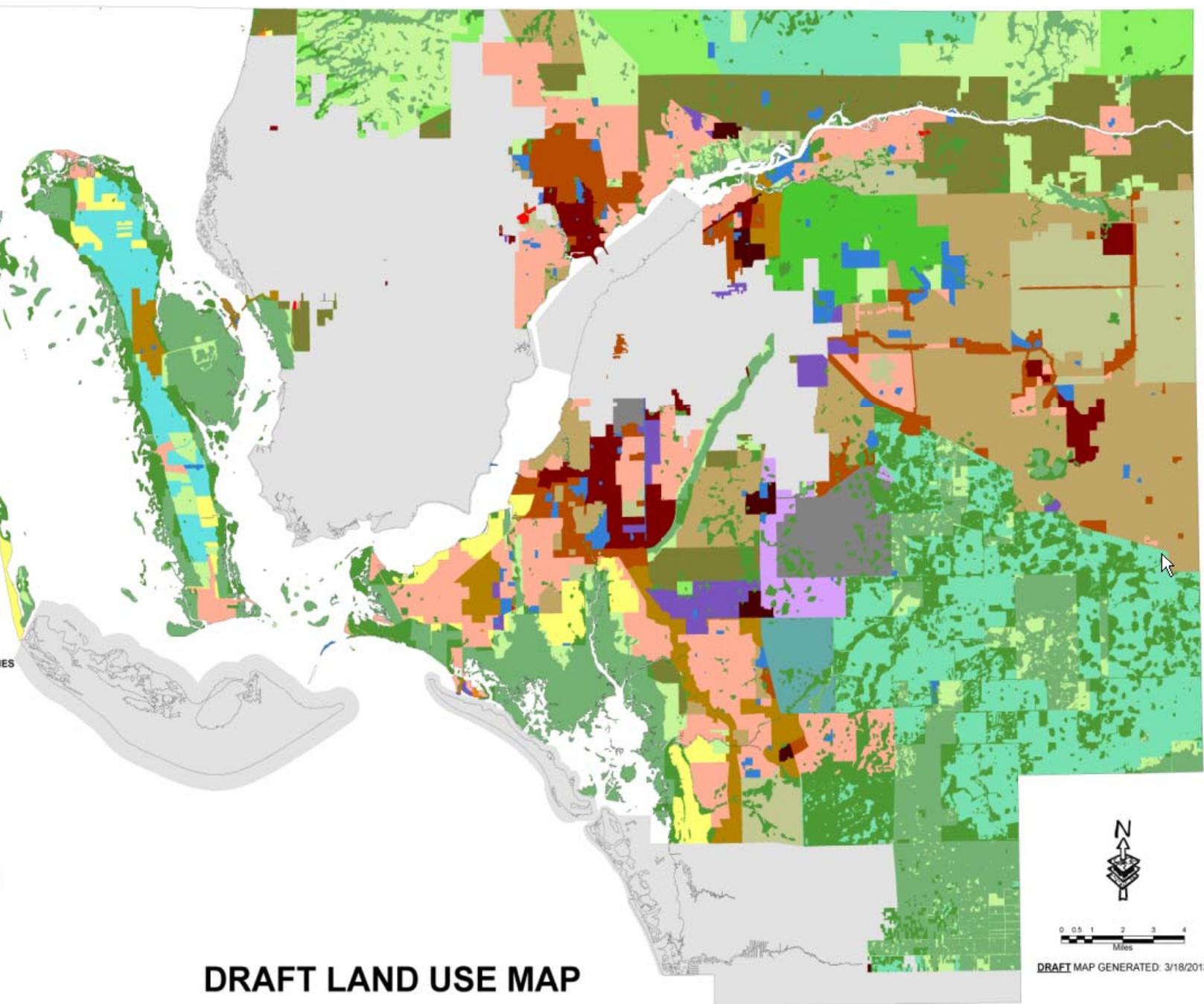
- Rural
- Rural Community Preserves
- Coastal Rural
- Outer Islands
- Open Lands
- Density Reduction / Groundwater Resource

### CONSERVATION LANDS CATEGORIES

- Conservation Lands - Upland
- Conservation Lands - Wetland

### COUNTY-WIDE CATEGORIES

- Public Facilities
- Wetlands
- Place-Based Categories
- Incorporated Areas



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# DRAFT LAND USE MAP

# Mixed-Use Centers

## Practices

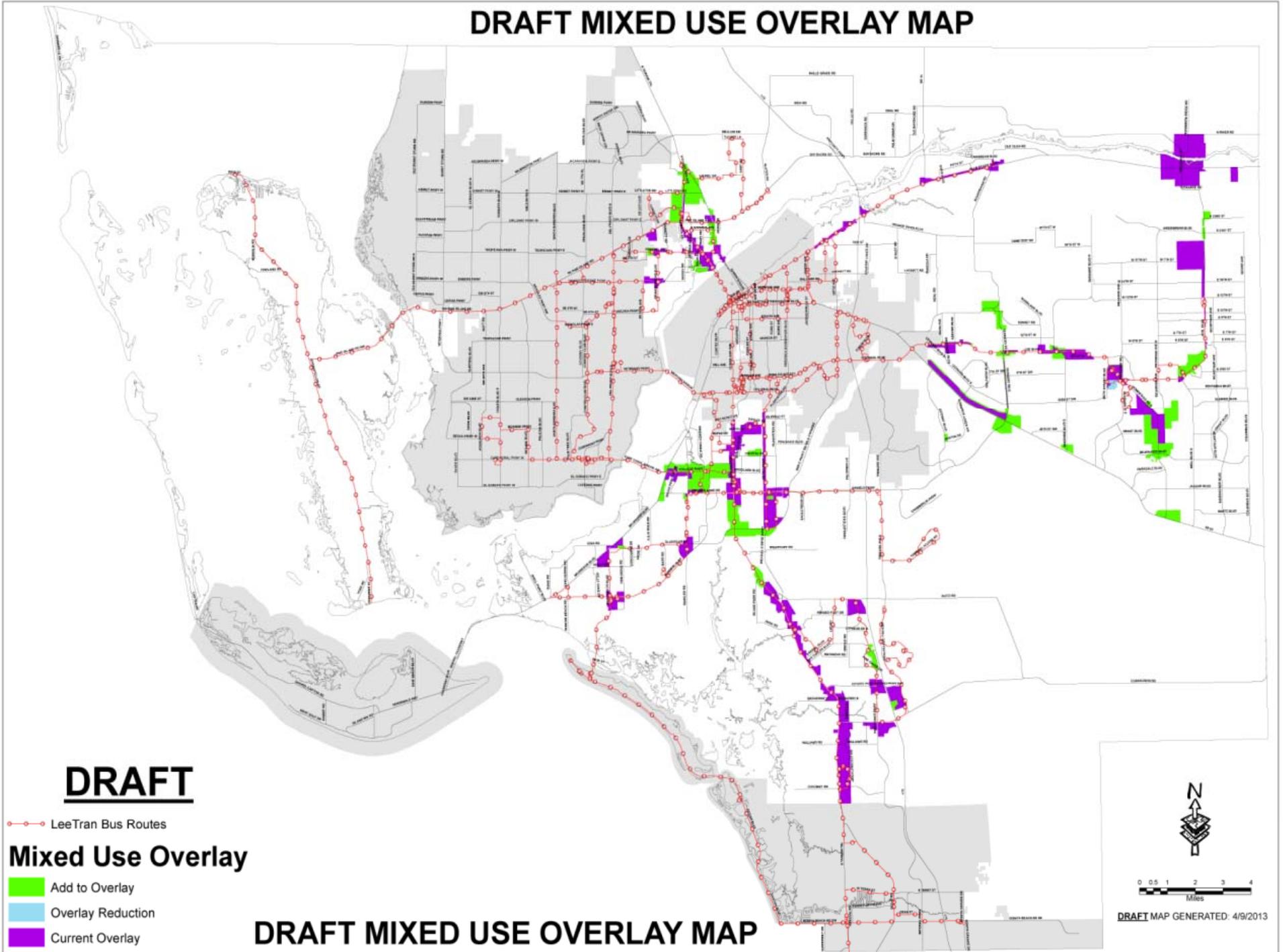
- Increased Density / Intensity
- Increased Building Envelope
- Multi-modal
- Public Spaces
- Shared Parking

## Incentives

- TDR Receiving Areas
- Capital Improvements
- Streamlined Reviews
- Planning Assistance
- Relaxed Parking Standards



# DRAFT MIXED USE OVERLAY MAP



**DRAFT**

LeeTran Bus Routes

## Mixed Use Overlay

- Add to Overlay
- Overlay Reduction
- Current Overlay

**DRAFT MIXED USE OVERLAY MAP**

North arrow pointing up with the letter 'N' above it.

Scale bar showing 0, 0.5, 1, 2, 3, 4 Miles.

DRAFT MAP GENERATED: 4/9/2013

# Connections Places

## Transportation Options

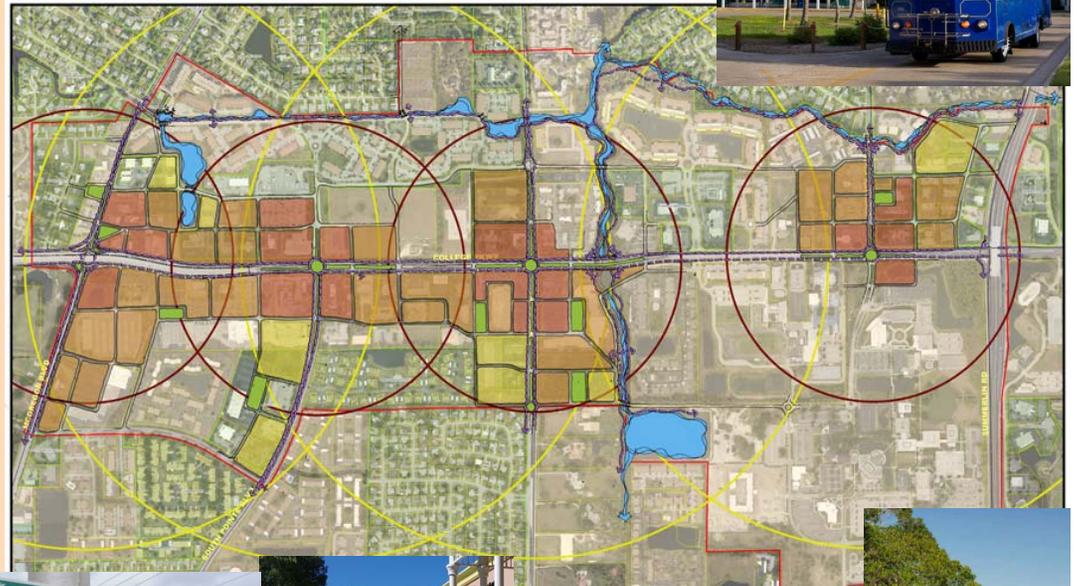
- Hub & Spoke Transit
- Safe Streets
- Trails & Sidewalks
- Blueways

## Diverse Communities

- Local Goals & Vision
- Unique Character

## Varied Public Spaces

- Neighborhood Parks & Spaces
- Community Center
- Regional Open Spaces







# Lee Plan Update

Next Steps

# Next Steps

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## Element Review

### LPA, CSAC, & Horizon Council

- Future Land Use Element
  - April – May
- Transportation & Land Use Maps
  - May – June

## Community Workshops

- Municipal LPAs
- Community Groups
  - April - June

## Entire Plan Review

- LPA
  - August – September
- Board of County Commission
  - October - November
- State Agencies
  - Fall – Winter

## Plan Adoption

- Board of County Commission
  - Early 2014

***New Horizon***



**2035  
Lee Plan**

**Questions and Thanks!**

**[www.leecountytownhall.com](http://www.leecountytownhall.com)**

**[KEbaugh@leegov.com](mailto:KEbaugh@leegov.com)**



**CPA2011-08  
LAND USE ELEMENT  
BOCC SPONSORED  
EAR BASED AMENDMENT  
TO THE**

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**LEE COUNTY COMPREHENSIVE PLAN**

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**THE LEE PLAN**

Publicly Sponsored Amendment and Staff Analysis

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**LPA Public Hearing Document  
For the  
March 25, 2013 Public Hearing**

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*Lee County Planning Division  
1500 Monroe Street  
P.O. Box 398  
Fort Myers, FL 33902-0398  
(239) 533-8585*

**March 18, 2013**

**STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2011-08**

**Text Amendment**

**Map Amendment**

	<b>This Document Contains the Following Reviews</b>
<input checked="" type="checkbox"/>	<b>Staff Review</b>
	<b>Local Planning Agency Review and Recommendation</b>
	<b>Board of County Commissioners Hearing for Transmittal</b>
	<b>Staff Response to the DEO Objections, Recommendations, and Comments (ORC) Report</b>
	<b>Board of County Commissioners Hearing for Adoption</b>

STAFF REPORT PREPARATION DATE: March 15, 2013

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. APPLICANT:**

Lee County Board of County Commissioners  
Represented by Lee County Division of Planning

**2. REQUEST:**

Re-title the Future Land Use Element to the Land Use Element and amend the goals, objectives, and policies to incorporate the recommendations of the March 1, 2011 Evaluation and Appraisal Report.

**B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY**

**1. RECOMMENDATION:**

Staff recommends that Local Planning Agency, Community Sustainability Committee, and Horizon Council review, evaluate, and recommend changes to the draft Land Use Element of the Lee Plan as identified in Attachment 1. Staff will utilize the recommended changes to the proposed element to revise the element prior to it being transmitted to the Board of County Commissioners for adoption as part of the Evaluation and Appraisal Report (EAR) based amendments to the comprehensive plan. These

changes will be brought back to the LPA as part of the review of the entire EAR-based plan amendments, which will occur prior to being transmitted to the BoCC. Proposed text revisions within this report have been depicted in strike through underline format.

## **2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

- The Board of County Commissioners initiated this plan amendment on March 1, 2011, with the adoption of the Evaluation and Appraisal Report.
- The adopted Evaluation and Appraisal Report found that the updated Lee Plan needed to address element clarity, effectiveness, and redundancies.
- The proposed updated Land Use Element is consistent with the recommendations in the Evaluation and Appraisal Report.
- The proposed amendment meets the statutory requirements of FS 163.3177 for required elements.

## **C. BACKGROUND INFORMATION**

The Evaluation and Appraisal Report recommended that the county amend the Land Use Element to restructure the element, which has been done as follows:

- Intent statement is included to explain the element's purpose and application.
- Goal 1: Land Use unifies the Land Use Map and land use category objectives, and policies into a single goal. Updates to the map and categories are proposed to better distinguish the county's urban, suburban, and rural areas and help encourage mixed-use development.
- Goal 2: Growth Management includes objectives and policies that ensure that development occurs in the appropriate location, and is timed with the provision of adequate public services and infrastructure.
- Goal 3: Development Standards establishes the county's land use and development practices to ensure that the county development pattern supports its adopted planning vision and quality of life.
- Goal 4: Activity Center and Corridors provides practices and incentives that will encourage pedestrian friendly mixed use areas within specific areas of Lee County.

Chapter 163.3177 of the Florida Statutes allows local government to prepare elements that they deem appropriate for their communities. Chapter 163.3177(a) of the Florida Statutes specifically states that:

*A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land. ... The element shall establish the long-term end toward which land use programs and activities are ultimately directed.*

*The amount of land designated for future planned uses shall provide a balance of uses that foster vibrant, viable communities and economic development opportunities and*

*address outdated development patterns, such as antiquated subdivisions. The amount of land designated for future land uses should allow the operation of real estate markets to provide adequate choice for permanent and seasonal residents and business.*

## **PART II - STAFF ANALYSIS**

### **A. STAFF DISCUSSION**

The creation of this new element is based on the recommendations contained in the Evaluation and Appraisal Report (EAR), New Horizon 2035, which was adopted by the Board of County Commissioners on March 1<sup>st</sup>, 2011. The EAR provided both general and specific recommendations for the Lee Plan and called for the amendment to the Land Use Element.

General recommendations for the Land Use Element include the following:

- Restructure element to provide a more coordinated presentation of issues and recommendations;
- Strengthen existing land use policies to promote mixed-use developments and foster the use of the Compact Communities Code;
- Clarify existing policies to provide clear expectations for new development and infill/redevelopment;
- Revise/update policies to reinforce distinctions between urban, suburban, and rural land use types; and
- Relocate specific community planning policies to a new Communities Element.

The EAR also included general organizational recommendations. One of these recommendations was to provide a clear overview section in each element that sets the context for the goals, objectives, and policies that follow, in addition to describing the relationships and linkages to other elements in the plan. As the primary element that describes how the county will be developed in the future, this recommendation is central to the development of the Land Use Element as it sets a foundation for how the entire plan will be developed.

#### **Land Use Element:**

As recommended in Chapter 4 of the EAR, the Land Use Element has been updated to align goals, objectives, and policies in the element to other elements within the plan, in particular those objectives and policies that address issues related to multi-modal transportation, mixed-use, and infill and redevelopment. In doing so the element clarifies the desired form of new development as well as infill and redevelopment in urban, suburban, and rural areas of the county to ensure the development is consistent with the county's development priorities and supportive of existing neighborhoods. Community goals have also been removed from the new Land Use Element and placed in the Communities Element. As a result of these changes, the Land Use element is more streamlined and easier to understand.

## **GOALS, OBJECTIVES, AND POLICIES TO BE ADDED**

As recommended by the Evaluation and Appraisal Report (EAR) the proposed amendments to the Land Use Element primarily include a reorganization of the existing element to provide a coordinated presentation of issues around specific topics. At the time the EAR was published these topics included Growth Management, Land Use Categories, Development Character and Form, Development Standards and Sustainable Land Use. As Staff has continued to work on the Lee Use Element with all interested parties, the topics evolved into the four goals that are proposed to make up the Land Use Element. These goals include Land Use, Growth Management, Development Standards, and Activity Centers and Corridors.

There are several goals, objectives, and policies that will be moved to the Communities Element, a newly proposed element, in order to provide the recommended coordinated presentation of land use goals. The goals, including subsequent objectives and policies that are proposed to be moved to the Communities Element are as follows:

- Goal 12: San Carlos Island;
- Goal 13: Captiva;
- Goal 14: Greater Pine Island;
- Goal 16: Private Recreational Facilities in the DR/GR;
- Goal 17: Buckingham;
- Goal 18: University Community;
- Goal 19: Estero;
- Goal 20: Bayshore Community;
- Goal 21: Caloosahatchee Shores;
- Goal 22: Boca Grande;
- Goal 23: The Palm Beach Boulevard Corridor;
- Goal 24: Community Planning;
- Goal 25: North Captiva (Upper Captiva);
- Goal 26: Alva;
- Goal 27: Page Park Community;
- Goal 28: North Fort Myers;
- Goal 29: Olga Community;
- Goal 30: Burnt Store Marina Village;
- Goal 31: Destination Resort Mixed Use Water Dependant (DRMUWD);
- Goal 32: Lehigh Acres;
- Goal 33: Southeast Lee County;
- Goal 34: Northeast Lee County Planning Community, and;
- Goal 35: North Olga Community;

In addition Objective 1.2 and Objective 1.9 in the current Lee Plan have been moved to the Transportation Element. These objectives address the Southwest Florida International Airport (Objective 1.2) and Page Field General Aviation Airport (Objective 1.9). There were also policies that addressed procedural requirements that are proposed to be moved to the Procedures

and Administration Element. These include provisions concerning the County's annexation policy, and procedures that are to be followed for EAR based amendments.

The Evaluation and Appraisal Report also included general organizational recommendations. One of these recommendations was to provide a clear overview section in each element that sets the context for the goals, objectives, and policies that follow, in addition to describing the relationships and linkages to other elements in the plan. Therefore, staff recommends that the following paragraph be incorporated as the preamble to the Land Use Element:

The Land Use Element intends to guide new development, infill, and redevelopment efforts through land use practices that support urban, suburban, and rural places; economic development; interconnected transportation and land use projects; land and wetland conservation; and existing neighborhoods. The element's growth management strategies are designed to coordinate the location and timing of development with the provision of infrastructure; public services, and public facilities needs.

Division of Planning staff reviewed the Land Use Element cooperatively with Division of Environmental Sciences, Development Services, the Department of Transportation, Lee County Utilities and the County Attorney's Office.

The goals, objectives and policies of the proposed element are listed in order below with an explanation of the change in Italics, where appropriate. The proposed amendments to the goals, objectives and policies are identified in strikethrough (for deletions) and underline (for additions) formatting. The element has been renumbered starting with Goal 1. The former goal, objective, or policy number is identified at the end of the policy where applicable.

Goal 1: Land Use. Goal 1 has been revised to include objectives and policies concerning the county's land use map, land use categories, and special treatment areas. The goal, objectives, and policies will help to ensure that future development is consistent with the county's vision. This goal helps to characterize and guide the type of development by defining Urban, Non-Urban, and General Land Use Areas. Within each of these Land Use Areas are more specific groupings of land use categories, such as Urban Land Use Categories, Suburban Land Use Categories, Economic Development Land Use Categories, and Rural Land Use Categories. Grouping land use categories further helps to define the form of development by relating similar land uses and requirements together as part of a single objective.

The most significant substantive changes to the land use categories is providing for increased density and intensity within the three Urban Land Use Categories (Urban Core, Urban Places, and Urban Neighborhood). The descriptor policies were revised to better support and articulate the intent for these areas to be developed into more active, integrated forms of development. Other revisions made to improve clarity include renaming the land use categories, editing the land use category description, merging similar land use categories together, and moving detailed land development standards to the county's LDC.

**GOAL 1: LAND USE.** Provide for a wide array of land uses that support mixed-use centers, economic development, defined urban and rural areas, natural resources, and provision of essential public services and facilities. (New Goal)

**OBJECTIVE 1.1: LAND USE MAP.** Maintain a land use map that defines a structure of urban and non-urban land use areas, establishes a pattern for future development and provides for appropriately located residential densities, and nonresidential intensities. (Map ## and Table 1(a)) (New Objective)

**POLICY 1.1.1:** Utilize the Land Use Map to identify and distinguish urban and non-urban land use areas within the county as identified in Table 1(b).

- a. Urban Land Use Areas include the county's major development areas and consist of the following land use categories:
  1. Urban Land Use Categories: Urban Core, Urban Places, Urban Neighborhoods;
  2. Suburban Land Use Categories: Suburban Six, Suburban Four, Suburban Two, Coastal Suburban
  3. Economic Development Land Use Categories: Commercial, Industrial/Research Development, Tradeport, Airport Lands, and University Community; and Interchange
- b. Non-Urban Land Use Areas include predominantly rural, agricultural, and conservation areas and consist of the following land use categories:
  1. Rural Land Use Categories: Rural, Rural Community Preserve, Coastal Rural, Outer Islands, Open Lands, and Density Reduction/Groundwater Recharge (DR/GR); and
  2. Conservation Land Use Categories: Conservation Lands Uplands and Conservation Lands Wetlands.
- c. General Land Use Areas may be found in areas throughout the county and consist of the following land use categories:
  1. County-wide Land Use Categories: Public Facilities and Wetlands; and
  2. Place-Based Land Use Categories: Burnt Store Marina and Destination Resort Mixed Use Water Dependent (DRMUWD).

(New Policy)

<b>Land Use Categories</b>	Densities and Intensities			
	Residential Densities and Intensities			Commercial Intensities (Maximum FAR)
	Base	Standard	Incentive	
Urban Core	15 DU/Ac.	25 DU/Ac.	40 DU/Ac.	4.00
Urban Places	8 DU/Ac.	18 DU/Ac.	25 DU/Ac.	2.00
Urban Neighborhood <sup>1,2</sup>	4 DU/Ac.	8 DU/Ac.	16 DU/Ac.	1.00
Suburban 6	4 DU/Ac.	6 DU/Ac.	10 DU/Ac.	0.50
Suburban 4	2 DU/Ac.	4 DU/Ac.		0.30
Suburban 2		2 DU/Ac.		0.25
Coastal Suburban		3 DU/Ac.		0.25
Commercial				1.00
Industrial Research Development				1.00
Tradeport				
Airport Lands				See Table ##
University Community	See Land Use Element Policy 1.4.5			
Interchange				
Rural <sup>3</sup>		1 DU/Ac.		
Rural Community Preserve		1 DU/Ac.		
Coastal Rural	See Land Use Element Policy 1.5.3			
Outer Islands		1 DU/Ac.		
Open Lands <sup>4</sup>		1 DU / 10 Ac.	1 DU / 5 Ac.	
Density Reduction/ Groundwater Resource <sup>5</sup>		1 DU / 10 Ac.		
Conservation Lands - Upland				
Conservation Lands - Wetland				
Public Facilities				
Wetlands		1 DU / 20 Ac.		
Burnt Store Marina Village	See Land Use Element Policy 1.8.2			
Destination Resort Mixed Use Water Dependent	See Land Use Element Policy 1.8.3			

Clarifications and Exceptions:

1. Within the ~~Future Urban Areas~~ ~~Urban Neighborhood~~ land use category in of Pine Island Center, rezonings that will allow in excess of 2-3 dwelling units per gross acre must “acquire” the density above 2-3 dwelling units per gross acre utilizing TDRs that were created from Greater Pine Island Coastal Rural or Greater Pine Island Urban Categories. TDRs that were created from receiving sites outside of Greater Pine Island are not permitted to be transferred into Greater Pine Island.
2. In all cases on Gasparilla Island, the maximum density must not exceed 3 DU/Ac. See also the Gasparilla Island Conservation District Act of 1980, as amended.

3. In the Rural category located in Section 24, Township 43 South, Range 23 East and south of Gator Slough, the maximum density is 1DU/2.25 Ac.
4. 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.
5. See Policies 33.3.2, 33.3.3, ~~and 33.3.4~~ and 33.3.5 for potential density adjustments resulting from concentration or transfer of development rights.
- ~~6. Overall number of residential dwelling units is limited to 271 units in the Destination Resort Mixed Use Water Dependent district. (MOVE TO COMMUNITIES ELEMENT)~~
- ~~7. 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. (MOVE TO BURNT STORE LAND USE CATEGORY POLICY)~~
- ~~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. (MOVE TO WETLANDS LAND USE CATEGORY POLICY)~~
- ~~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. (MOVE TO COMMUNITIES ELEMENT)~~
- ~~10. See the glossary in Chapter XII for the full definition of "density."~~
- ~~11. Adherence to minimum densities is not mandatory but is recommended to promote compact development.~~
- ~~12. 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).~~
- ~~13. Within the Buckingham area, new residential lots must have a minimum of 43,560 square feet.~~

**POLICY 1.1.2:** Promote the character of Urban Land Use Areas through planning and development practices that:

- a. Identify and enable incentive density and higher intensity within these Urban and Suburban Land Use Categories -- Urban Core, Central Urban Place, Urban Neighborhoods, and Suburban Six;
- b. Utilize higher range densities in the Urban Land Use categories to promote transit, walkability, complete streets and the integration of mixed uses;
- c. Employ good urban design to foster compatibility and diversity of uses between urban, suburban, and rural places;
- d. Support the development of mixed-use centers within Urban Areas that connect urban and suburban places and support redevelopment of commercial corridors;
- e. Establish a multi-modal transportation that connect Urban Areas with a variety of walk, bike, transit, and vehicular options;
- f. Provide for greater levels of public services, infrastructure, and park resources within Urban Areas; and
- g. Facilitate higher levels of employment and economic activity within the Urban Areas— particularly within mixed-use centers and Urban, Economic Development, and Interstate Highway Land Use Categories.

(New Policy)

**POLICY 1.1.3:** The existence of lower density developments in proximity to proposed projects within the Urban Areas will not be used as the sole reason to lower the proposed project's density and intensity of use. (New Policy)

**POLICY 1.1.4:** Retain the character of Non Urban Areas through planning and development practices that:

- a. Identify and evaluate opportunities to sell or transfer development rights from Non Urban Areas within Rural and Conservation Land Use Categories;
- b. Maintain existing low density standards within Non Urban Areas;
- c. Allow for ancillary businesses and uses that support and serve agriculture and farm operations; and
- d. Discourage the expansion of public services, public utilities, and transportation services into Non Urban Areas.

(New Policy)

**POLICY 1.1.5:** Facilitate the development of urban, suburban, and rural developments through the appropriate assignment of suggested base, standard, and incentive density provisions as follows:

- a. Base Density is the suggested minimum base-line density for a particular land use category based on the expected development form in that area;
- b. Standard Density is the most appropriate maximum density that can be achieved by right in a particular land use category;
- c. Incentive Density is additional density that may be provided in exchange for meeting specific land use and development goals within the following land use categories: Urban Core, Urban Places, Urban Neighborhoods, and Suburban Six; and
- d. Incentive density does not apply to any islands or to Greater Pine Island

(New Policy)

**POLICY 1.1.6:** Incentive Density Units are used to provide additional development rights within the Urban Core, Urban Places, Urban Neighborhoods, and Suburban 6 land use categories except for any islands or to Greater Pine Island. Incentive Density Unities may be obtained through participation in various county programs including:

- a. Transfer or purchase of development rights (TDR) (PDR);
- b. Provision of public infrastructure;
- c. Provision of affordable housing; or
- d. Provision of contribution towards:
  1. Infrastructure improvements; or
  2. Affordable housing. (New Policy)

**OBJECTIVE 1.2: URBAN LAND USE CATEGORIES.** Urban Land Use Categories are Urban Areas that strengthen the economic base, and provide a more diverse and better balanced tax base, and improve the quality of life. Urban land uses feature interconnected forms of development and provide for mixture of land uses, diverse economic opportunities, multi-modal transportation systems,

varied housing types, and an array of park and public spaces. Maximum densities and intensities within Urban Land Use Categories are encouraged and densities below the minimum density range are discouraged. There are three urban land use categories:

- a. Urban Core;
- b. Urban Places; and
- c. Urban Neighborhoods.

(New, addresses issues from Objective 1.2)

**POLICY 1.2.1: Urban Core.** ~~The Intensive Development Urban Core land use category areas are~~ is located along major arterial roads in Fort Myers, North Fort Myers, East Fort Myers west of I-75, and South Fort Myers. By virtue of Due to their locations, existing, the county's current development patterns, and the available and potential levels of public services, ~~they~~ Urban Core land uses are well suited to accommodate high densities and intensities. Planned mixed-use centers of high-density residential, commercial, limited light industrial (see Policy 7.1.6), and office uses are encouraged to be developed as described in Policy 2.12.3., where appropriate in Urban Core land uses. As Lee County develops as a metropolitan complex, these centrally located urban nodes can offer a diversity of lifestyles, cosmopolitan shopping opportunities, and specialized professional services that befit such a region. The standard density range is from seven dwelling units per acre (7 du/acre) to fourteen dwelling units per acre (14 du/acre). Maximum density is twenty two dwelling units per acre (22 du/acre). The development of mixed-use centers within Urban Core areas will enable the county to develop a better connected, more diverse land use pattern with a variety of economic, residential, and recreational opportunities. The Urban Core land use category has the following land use standards:

- a. Residential Density Range:
  1. Base Density: Fifteen units per acre (15 du/a)
  2. Standard Density: Twenty-five units per acre (25 du/a)
  3. Incentive Density Units: Forty units per acre (40 du/a)
- b. Non-Residential Intensity:
  1. Maximum Floor Area Ratio: 4.00

(Modified Policy 1.1.2)

**POLICY 1.2.2: Urban Places.** ~~The Central Urban Places land use category typically surrounds the Urban Core land uses and urban areas in Central Tice areas can best be characterized as the “urban core” of the county. These consist mainly of portions of the city of Fort Myers, the southerly portion of the city of Cape Coral, and other close in areas near these cities; and also the central portions of the city of Bonita Springs, Iona/McGregor near the gateway to Sanibel and Captiva, and the eastern gateway to Lehigh Acres, and North Fort Myers. This is the part of the county that is already~~ These urban communities are among the most heavily settled and which has or will have the greatest range and highest levels of urban service water, sewer, roads, schools, etc areas within Lee County and are intended to have the greatest range and highest level of urban infrastructure. Urban Places include an integrated variety of ~~R~~ residential, commercial, retail, office/professional, public and quasi-public, and limited light industrial land uses, civic spaces, and park and recreational resources. (see Policy 7.1.6) will continue to predominate in the

~~Central Urban area with f Future development in this category encouraged is encouraged in to be developed as a mixed-use forms or to be connected to central mixed-use developments via multi-modal transportation system, as described in Policy 2.12.3., where appropriate. This category has a standard density range from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre) and a maximum density of fifteen dwelling units per acre (15 du/acre). The Urban Places land use category has the following land use standards:~~

- a. Residential density range:
    1. Base Density: Eight units per acre (8 du/a)
    2. Standard Density: Eighteen units per acre (18 du/a)
    3. Incentive Density Units: Twenty-five units per acre (25 du/a)
  - b. Non-Residential Intensity:
    1. Maximum Floor Area Ratio: 2.00
- (Modified Policy 1.1.3)

**POLICY 1.2.3: Urban Neighborhoods.** ~~The Urban Community Neighborhoods Land Use Category includes areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, South Fort Myers, Iona/McGregor, Pine Island, and Gasparilla Island. Although the Urban Communities While these places have a distinctly urban character, they should be developed at slightly lower densities than the Urban Core or Urban Places land use categories due to the proximity to more suburban, mostly residential, communities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, p Predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6) with f Future development in this category is encouraged to be developed as a mixed-use, as described in Policy 2.12.3., where appropriate that are intended to support and connect to nearby residential suburban communities. Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum of ten dwelling units per acre (10 du/acre). Any bonus densities approved on the properties added to the Urban Community future land use category in conjunction with CPA2010-00002 must be achieved through use of the transfer of development rights program. The Urban Neighborhoods land use category has the following land use standards:~~

- a. Residential density range:
    1. Base Density: Four units per acre (4 du/a)
    2. Standard Density: Eight units per acre (8 du/a)
    3. Incentive Density Units: Sixteen units per acre (16 du/a)
  - b. Non-Residential Intensity:
    1. Maximum Floor Area ratio: 1.00
- (Modified Policy 1.1.4)

**OBJECTIVE 1.3: SUBURBAN LAND USE CATEGORIES.** Suburban Land Use Category includes Urban Areas that promote the development of suburban places including: residential communities; economic centers with commercial, office, and professional businesses; public facilities and resources; and, park and recreational opportunities. These categories are intended to be well connected communities with land uses that are linked via a system of roadways, pedestrian and bike connections, and open spaces. There are four suburban land use categories.

- a. Suburban Six;
- b. Suburban Four;
- c. Suburban Two; and
- d. Coastal Suburban.

(New)

**POLICY 1.3.1: Suburban Six.** The Suburban Six Land Use Category allows the development of moderate density suburban land use areas that are characterized by a mixture of residential neighborhoods, commercial shops and services, civic uses, and park and recreational facilities. Additional density is available through the use of Incentive Density Units. The Suburban Six land use category has the following land use standards:

- a. Residential density range:
  - 1. Base Density: Suggested Four units per acre (4 du/a)
  - 2. Standard Density: Six units per acre (6 du/a)
  - 3. Incentive Density Units: Ten units per acre (10 du/a)
- b. Non-Residential Intensity Range:
  - 1. Maximum Floor Area Ratio: 0.50

(New)

**POLICY 1.3.2: Suburban Four.** The Suburban Four Land Use Category allows the development of moderately low density suburban areas that provide diverse housing options in locations near the urbanized areas supported by a mix of land uses that support a residential lifestyle including commercial shops and entertainments uses, professional and office businesses and services, civic uses, and park and recreational resources. The Suburban Four land use category has the following land use standards:

- a. Residential Density Range:
  - 1. Base Density: Two units per acre (2 du/a)
  - 2. Standard Density: Four units per acre (4 du/a)
  - 3. Incentive Density Units: None
- b. Non-Residential Intensity Range:
  - 1. Maximum Floor Area Ratio: 0.30

(New)

**POLICY 1.3.3: Suburban Two.** The Suburban Two Land Use Category allows the development of low-density residential neighborhoods that do not have the public infrastructure resources needed for higher density development. Suburban two land use areas are located within low density communities where it is desirable to retain a low-density community character without

large commercial, office, or industrial developments. The Suburban Two areas have the following land use standards:

- a. Residential density range:
    - 1. Base Density: No Base units per acre
    - 2. Standard Density: Two units per acre (2 du/a)
    - 3. Incentive Density Units: None
  - b. Non-Residential Intensity Range:
    - 1. Maximum Floor Area Ratio: 0.25
- (New)

**POLICY 1.3.4: Coastal Suburban.** The Coastal Suburban Land Use Category allows the development of low-density residential neighborhoods in a coastal environment subject to storm events. These areas are mainly located adjacent to the Gulf of Mexico, the Caloosahatchee River, Estero Bay, and on Pine Island. The majority of the property within this category is located in the Coastal High Hazard zone and therefore increased or Incentive Density is not permitted. The Coastal Suburban land use category has the following land use standards

- a. Residential density range:
    - 1. Base Density: No base dwelling units per acre
    - 2. Standard Density: Three units per acre (3 du/a)
    - 3. Incentive Density Units: None
  - b. Non-Residential Intensity Range:
    - 1. Maximum Floor Area Ratio: 0.25
- (New)

**OBJECTIVE 1.4: ECONOMIC DEVELOPMENT LAND USE CATEGORIES.** Economic Development Land Use Categories are Urban Areas needed to establish a strong, vibrant local economy. Economic Development land use categories accommodate commercial, industrial, and research and development enterprises. This category provides opportunities for: expanded job and workforce opportunities; new and innovative investment, research, and production industries; and, a diversified economy base. Additionally, it protects and allows the expansion of major economic engines such as the Southwest Florida International Airport, Florida Gulf Coast University, and other commercial and industrial areas. There are five Economic Development land use categories:

- a. Commercial;
  - b. Industrial Research Development;
  - c. Tradeport;
  - d. Airport Lands;
  - e. University Community; and
  - f. Interstate.
- (New)

**POLICY 1.4.1: Commercial.** The Commercial Land Use Category ~~areas are~~ is located ~~in close proximity~~ proximate to existing commercial areas or along corridors accommodating employment centers, tourist oriented ~~areas~~ needs, and where commercial services are necessary to meet the

projected needs of residential areas lands of the county. ~~These areas are specifically designated for commercial uses.~~ Residential uses, other than bona fide caretaker residences, are not permitted in this ~~future~~ land use category except to the extent provided in ~~##Chapter XIII the Procedures and Administration Element. of the Plan.~~ The Commercial areas land uses are areas located where residential uses are not expected or compatible due to the nature of the surrounding land uses and their location. ~~along major travel corridors.~~ The ~~commercial designation is intended for use where residential development would increase densities in areas such as the Coastal High Hazard Areas of the County or areas such as Lehigh Acres where residential uses are abundant and existing commercial areas serving the residential needs are extremely limited.~~

The ~~requisite~~ infrastructure needed for commercial development is ~~generally~~ planned or in place. New developments ~~in this category~~ must connect to a potable water and sanitary sewer system. Commercial retail developments, hotels and motels, banks, all types of office development, research and development, public, and other similar development will predominate in the Commercial Land Use Category areas. Limited light industrial uses are also permitted, excluding outdoor storage type uses. ~~Any~~ Redesignation of land to the Commercial land use category should occur along major travel corridors and at road intersections. The planned development rezoning process must be used to prevent adverse impacts to ~~the~~ surrounding areas and to ensure ~~that appropriate~~ site development regulations are incorporated into ~~the~~ development plans ~~of each site~~. A maximum Floor Area Ratio (FAR) of 1 will be used as an index of intensity of development ~~in the commercial category~~. ~~However, Lee Plan policies 28.2.11 and 29.1.8 specify portions of the North Fort Myers and Fort Myers Shores Planning Communities, where the maximum permitted FAR is 0.26 and 0.25, respectively.~~ Development in this ~~future~~ land use the commercial category is not required to comply with the site location criteria provided in ~~Goal 6 the LDC.~~ ~~when appropriate site development regulations are incorporated into the planned development.~~ (Modified Policy 1.1.10)

**POLICY 1.4.2: The Industrial/Research Development.** Industrial/Research Development Land Use Category plays ~~areas~~ an important role in strengthening the county's economic base and will become increasingly important as the county grows in size and urban complexity. ~~To a great extent these are the areas to which Lee County must look for~~ Industrial/Research Development land uses provide expanded job opportunities, investments, and production opportunities, ~~and as well as~~ a balanced and sufficient tax base. These areas land uses have special locational requirements that are more stringent than those for residential areas land uses, including transportation needs (e.g., air, rail, and highway); industrial levels of water, sewer, fire protection, and other urban services; and locations that are ~~convenient for employees to reach~~ accessible to employees. ~~Whereas, the Other Future Urban Areas will include a broad combination of residential, commercial, public and limited industrial land uses.~~ The Industrial/Research Development land uses area is are to be reserved mainly for industrial activities ~~per se, as well as~~ and for selective land use mixtures such as the combined uses of industrial, manufacturing, research, properly buffered recreational uses (except where precluded by airport hazard zone regulations) and office complexes (if ~~specifically~~ related to ~~adjoining~~ industrial uses and research and development activities) that constitute a growing part of Florida's economic development

sector. ~~New limerock mining and fill dirt operations must be approved through the Mine Excavation Planned Development rezoning process in accordance with the Lee County LDC.~~

~~The 14± acre parcel redesignated by CPA2006-14 from the Suburban to the Industrial Development future land use category, located north of Bayshore road and south of ACL Railroad right of way in Section 20, Township 43 South, Range 25 East will have a maximum Floor Area Ratio of 0.3. The 138± acres redesignated by CPA2008-07 from the Central Urban and Urban Community categories to the Industrial Development future land use category, within the Lehigh Acres Planning Community, will have a maximum Floor Area Ratio of 1.0.~~

Retail and commercial service uses supporting ~~the neighboring industrial uses neighborhood~~ are allowed if the following criteria are met:

- a. Retailing and/or wholesaling of products manufactured or directly related to that manufactured on the premises;
- b. Commercial uses are integrated into the primary R&D/Industrial development; or,
- c. Commercial service and retail uses may not exceed 20% of the total acreage within the Industrial Development areas per each Planning ~~Community~~ District.

(Modified Policy 1.1.7)

**POLICY 1.4.3:** Tradeport. The Tradeport Land Use Category ~~areas~~ includes commercial and industrial lands adjacent to the airport needed to accommodate projected growth through the year 2030~~5~~. These ~~areas~~ land uses will include developments consisting of light manufacturing or assembly, warehousing, and distribution facilities; research and development activities; laboratories; ground transportation and airport-related terminals or transfer facilities; hotels/motels, meeting facilities; and office uses. Stand alone retail commercial uses intended to support and compliment the surrounding business and industrial land uses are permitted if ~~they are~~ approved as part of a Development of Regional Impact (DRI) or Planned Development ~~rezoning~~. Stand alone retail commercial uses are limited to 1 acre out of every 10 Tradeport and preserved wetland acres within the project. ~~Developments of Regional Impact DRI~~ or Planned Developments may also receive additional stand alone retail acres at the rate of 1 additional acre out of every 10 acres of preserved and enhanced uplands within the project that protect wetlands, flow ways or occupied listed species habitat to provide an incentive to preserve upland habitat.

Ancillary retail commercial uses, related directly to the sale of products manufactured or services provided in ~~the~~ Tradeport, are allowed if ~~they are part of~~ permitted in a Planned Development. Residential uses, other than bona fide caretaker residences, are not permitted ~~in this category~~ except to the extent provided in ~~Chapter XIII of the Plan~~ Procedures and Administration Element. Caretaker residences are ~~not permitted~~ prohibited in the Airport Noise Zone B. Limerock mining may be approved ~~through using~~ the Mine Excavation Planned Development ~~rezoning process for~~ the land designated Tradeport if the property is on the Future Limerock Mining map (Map 14.) ~~Because this area is Tradeport land is~~ located within the Six Mile Cypress Basin and is ~~also~~ a primary point of entry into Lee County. As a result, special environmental and design review guidelines will be applied to ~~its~~ development to maintain the appearance of this area as a primary

point of entry into Lee County. Property in Section 1 and the east ½ of Section 2, Township 46 South, Range 25 East, and in Section 6, Township 46 South, Range 26 East, must be rezoned to a planned development zoning category prior to any development other than the construction of essential public services. During the rezoning process, the best environmental management practices identified on pages 43 and 44 of the July 28, 1993 Henigar & Ray study entitled, “Groundwater Resource Protection Study” will be ~~rebuttably~~ presumed to be necessary to protect potential groundwater resources in the area. (Modified Policy 1.2.2)

**POLICY 1.4.4:** Airport Lands. The Airport Lands Land Use Category includes the existing facility and projected growth lands ~~for~~ of the Southwest Florida International Airport (RSW) and Page Field General Aviation Airport (Fort Myers (FMY)) through the year 2030~~5~~. The Airport Lands comprising the ~~Southwest Florida International Airport~~ RSW includes airport and airport-related development ~~as well as~~ and non-aviation land uses ~~as proposed in the~~ approved 2003 ~~in the~~ Airport Master Plan update and ~~as depicted on the~~ Airport Layout Plan sheet (Map 3F) and the ~~Southwest Florida International Airport~~ RSW Proposed Development Schedule (Table 5(a)). ~~This mix of~~ The uses is ~~are~~ intended to support the continued development of the ~~Southwest Florida International Airport~~ RSW. Future development at the ~~Southwest Florida International Airport~~ RSW will ~~also~~ include non-aviation related land uses such as hotels/motels, light industrial, service stations, retail/shopping, and office development. The Airport Lands comprising FMY includes airport and airport-related development and non-aviation land uses approved in the Airport Master Plan update and depicted on the Airport Layout Plan sheet (Map 3G) and FMY Proposed Development Schedule (Table 5(b)). The uses are intended to support the continued development of FMY. Future development at FMY will include non-aviation related land uses such as hotels/motels, light industrial, service stations, retail/shopping, and office development. Any future airport expansion or development of aviation-related and non-aviation uses at Southwest Florida International Airport will offset environmental impacts through the Airport Mitigation Lands Overlay (Map 3M) or other appropriate mitigation acceptable to the permitting agencies and to Lee County. The physical design of the airport expansion will minimize any degradation of the recharge capability of land being developed. Airport expansion beyond the present boundaries will be subject to necessary amendments to the Lee Plan.

- ~~a. All development on Airport Lands comprising Southwest Florida International Airport must be consistent with Map 3F and Table 5(a). Map 3F depicts the planned expansion of the Southwest Florida International Airport through 2020.~~
- ~~b. Future development on Airport Lands comprising Page Field General Aviation Airport must be consistent with Objective 1.9 and related policies as well as Map 3G and Table 5(b).~~
- ~~c. If the airport master planning process precipitates a substantive change to the Airport Layout Plan (Map 3F or Map 3G), then the Port Authority must amend Map 3F or Map 3G, as appropriate, prior to obtaining local development approval.~~
- ~~d. The non-aviation related development areas have been depicted on the approved Airport Layout Plan sheets (Maps 3F and 3G). These uses will be constructed upon Airport lands with long term leases. All development within the non-aviation land use areas will be subject to mitigation requirements for wetland impacts. Mitigation of wetland impacts will be in accordance with the~~

~~U.S. Army Corps of Engineers and South Florida Water Management District requirements. To the greatest extent reasonably possible, development of non aviation land use areas must avoid wetland impacts. All non aviation land use development will meet the indigenous vegetation requirements set forth in the Lee County LDC. (Modified Policy 1.2.1)~~

**POLICY 1.4.5:** University Community. The University Community Land Use Category provides for the development of the university campus and surrounding areas. The purpose of this land use category is to ensure that the land uses within the category (e.g.: residential, research/development, office/professional, commercial, retail, civic spaces, and park and recreational resources.) support and enhance a university environment. The location and timing of development, provision of infrastructure facilities, and demand for public services within this category must be coordinated with the associated university and applicable service providers. Specific details that define how this category is to be applied to a specific area are established within the Communities Element. (New)

**POLICY 1.4.6:** Interchange. Interchange Land Use Category lands are Urban Areas that provide for the unique development and land use needs of property adjacent to the interchanges of Interstate 75. Interchange uses permit a broad range of land uses that include tourist commercial, general commercial. Light industrial uses will only be permitted at the Alico Road and Lockett Road interchanges. (New)

**OBJECTIVE 1.5: RURAL LAND USE CATEGORIES.** Rural Land Use Categories are Non-Urban Areas that promote the unique character of the county's rural places and protect vital environmental lands. Rural communities convey a sense of rural lifestyle including: farm lands and ranches, large lot or clustered residential development, ample wooded areas, open spaces, river fronts, and environmentally sensitive lands. Rural land use categories consist of low population communities, existing and evolving commercial agricultural operations, open space and environmental lands preservation, and natural habitat protection. Rural land uses are not programmed to receive urban-type capital improvements, and can anticipate levels of public services below that of the urban areas. There are six Rural land use categories:

- a. Rural;
  - b. Rural Community Preserves;
  - c. Coastal Rural;
  - d. Outer Islands;
  - e. Open Lands; and
  - f. Density Reduction/Groundwater Resource (DR/GR).
- (New Objective)

**POLICY 1.5.1:** Rural. The Rural Land Use Category areas are to will remain predominantly rural—that is, with low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. Natural resource extraction may be permitted in accordance with Policy 10.1.4. These areas are not to be programmed to receive urban-type Urban Area capital improvements, and they can anticipate a continued level of public services

below that of the urban areas. ~~Maximum density in the Rural area is one dwelling unit per acre (1 du/acre).~~ Rural land uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per acre (1 du/a)
- c. Incentive Density Units: None  
(Modified Policy 1.4.1)

**POLICY 1.5.2: Rural Community Preserves.** The Rural Community Preserves Land Use Category ~~are~~ is established following special studies of the Lee county's intact rural communities. ~~Within these areas,~~ Special design approaches are to be used to ~~are necessary to maintain the~~ existing rural character. Such approaches include: for example: conservation easements, flexible ~~road~~ transportation design standards (including relocation of future arterials not serving the rural community), special fencing and sign standards, and retention of historic rural uses. ~~These areas~~ Rural Community Preserves are not ~~to be~~ programmed to receive urban-type capital improvements. Rural Community Preserves Lands within this category are not intended for conversion to ~~to be converted to any Future Urban Areas;~~ rather, they are to remain permanently rural in character and use. ~~These areas~~ Rural Community Preserves are restricted to low density residential uses (with minimum lot size requirements), agricultural uses, and minimal non-residential uses that are needed to serve the rural community. Property in this category may not be rezoned to any RV district. ~~Additional goals, objectives, policies, and standards for these areas may be included in this plan based on the special studies (see for example, Goal 17).~~ Rural Community Preserve land uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per acre (1 du/a)
- c. Incentive Density Units: None  
(Modified Policy 1.4.3)

**POLICY 1.5.3: Coastal Rural.** The Coastal Rural Land Use Category ~~areas~~ will remain rural except for ~~portions of properties~~ property 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 onsite 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 <sup>1</sup>	Maximum density if undeveloped land will be continued in agricultural use on existing farmland
0%	1 DU/ 10 ac	1 DU/ 10 ac
5%	1 DU/ 9 ac	
10%	1 DU/ 8 ac	1 DU/ 9 ac
15%	1 DU/ 7 ac	
20%	1 DU/ 6 ac	1 DU/ 8 ac
30%	1 DU/ 5 ac	1 DU/ 7 ac
40%	1 DU/ 4 ac	1 DU/ 6 ac
50%	1 DU/ 3 ac	1 DU/ 5 ac
60%	1 DU/ 2 ac	1 DU/ 3 ac
70%	1 DU/ 1 ac	1 DU/ 2 ac

Footnote 1: Existing farmland is depicted on Map 21. Areas for buffers, lakes, and utilities may consist of up to 10% of the upland preserve areas. (Edited Policy 1.4.7)

**POLICY 1.5.4:** Outer Islands. The Outer Islands Land Use Category ~~are~~ includes sparsely settled lands that have minimal existing or planned infrastructure, ~~and are very~~ distant from major shopping and employment centers. ~~Except for those services as provided in compliance with other sections of this plan~~ With minor exceptions, Outer Islands are not expected to be programmed to receive Urban ~~Area-type~~ capital improvements in the time frame of this plan. Outer Islands lands uses will and as such can anticipate a continued to experience levels of public services below that of other land use categories. The continuation of the Outer Islands ~~essentially~~ in their present character is intended to provide for a rural ~~character and~~ lifestyle, and conserve open space and important natural upland resources. ~~Maximum density is one dwelling unit per acre (1 du/acre).~~ Outer Islands uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per acre (1 du/a)
- c. Incentive Density Units: None

(Edited Policy 1.4.2)

**POLICY 1.5.5:** Open Lands. Open Lands Land Use Category consists of ~~are~~ upland areas land uses that are located north of Rural and/or sparsely developed areas in Township 43 South. These ~~areas~~ lands are extremely remote from public services and ~~are~~ characterized by agricultural and low-density residential uses. Commercial and industrial uses are permitted ~~in this category in accordance consistent~~ with the standards in the Rural category. ~~The maximum density in this category is one dwelling unit per ten acres (1 du/10 acres); except that a maximum density of one dwelling unit per five acres (1 du/5 acres) is permitted if the planned development process is used to prevent adverse impacts on environmentally sensitive lands (as defined in the Policy 107.1.1.4).~~ Open Lands land uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per 10 acres (1 du/ 10 acres)
  - 1. Standard Density Units: One dwelling per 5 acres (1 du/5 acres) is permitted utilizing LDC lot split limitations, any development above these limitations must follow the planned development process to prevent adverse impacts on environmentally sensitive lands, as defined in the Communities Element.

(Modified Policy 1.4.4)

**POLICY 1.5.6: Density Reduction/Groundwater Resource (DR/GR).** The DR/GR Land Use Category includes uplands that provide substantial recharge to aquifers most suitable for future wellfield development. These lands also are the most favorable locations for physical withdrawal of water from those aquifers. ~~Only~~ Minimal public facilities exist or are programmed.

- a. New land uses in these areas that require rezoning or a development order must demonstrate compatibility with maintaining surface and groundwater levels at their historic levels (except as provided elsewhere in the plan, particularly the Southeast Lee County goal and policies within the Communities Element. ~~(in Policies 33.1.3 and 33.3.3)~~ utilizing hydrologic modeling, the incorporation of increased storage capacity, and inclusion of green infrastructure. ~~The~~ Modeling must also show that no adverse impacts will result to properties located upstream, downstream, as well as adjacent to the site. Offsite mitigation can be utilized, and may be required, to demonstrate ~~this~~ compatibility. Evidence as to historic levels may be submitted during the rezoning or development review processes.
- b. Permitted land uses include agriculture, natural resource extraction and related facilities, conservation uses, public and private recreation facilities, and residential uses at a ~~maximum~~ standard density of one dwelling unit per ten acres (1 du/10 acres). See ~~Policies 33.3.2, 33.3.3 and 33.3.4~~ the DR/GR Policies within the Communities Element for potential density adjustments resulting from concentration or transfer of development rights.
  - 1. For residential development, also see Southeast Lee County goal and policies within the Communities Element. Objective 33.3 and following policies. Commercial and civic uses can be incorporated into Mixed-Use Communities to the extent specifically provided in those policies.
  - 2. Individual residential parcels may ~~contain~~ consist of up to two acres of Wetlands without losing the right to have a dwelling unit, provided that no alterations are made to ~~the~~ those wetland areas.
  - 3. The Future Limerock Mining overlay (Map ##) identifies sufficient land near the traditional Alico Road industrial corridor for continued limerock mining to meet regional demands through the 2035 Lee Plan's planning horizon. ~~(currently 2030). See Objective 33.1 and following policies.~~
- c. Private Recreational Facilities may be permitted in accordance with the site locational requirements and design standards, ~~as further defined in Goal 16.~~ No Private recreational facilities may occur within ~~the~~ DR/GR land use category without a rezoning to an appropriate planned development zoning category, and compliance with the Private Recreation Facilities performance standards. ~~, contained in Goal 16. of the Lee Plan.~~

(Modified Policy 1.4.5)

**OBJECTIVE 1.6: CONSERVATION LANDS LAND USE CATEGORIES.** Conservation Lands are Non-Urban Areas used for conservation purposes via a binding mechanism such as statutory requirements, funding or grant conditions, mitigation preserve areas required for land development approvals, or by agreement from the property owner. There are two Conservation Lands Categories:

- a. Conservation Lands Uplands and
- b. Conservation Lands Wetlands.

(New Objective)

**POLICY 1.6.1: Conservation Lands Uplands.** ~~The Conservation Lands Upland Land Use Category includes uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5## and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands Uplands may include such uses as wildlife preserves; wetland and upland mitigation areas land uses and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation, and natural resource based parks (including uses such as e.g.: signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as including aquifer recharge areas, flow ways, flood prone areas, and well fields. Conservation 2020 lands designated as Conservation Lands are also subject to the more stringent use provisions of the Conservation 2020 Program or the 2020 and its governing ordinances. (Modified Policy 1.4.6)~~

**POLICY 1.6.2: Conservation Lands Wetlands.** ~~The Conservation Lands Wetlands includes wetlands that are owned and used for long range conservation purposes. Conservation Wetlands will be are subject to the most stringent provisions of both the Wetlands land use category described in Objective 1.5 and the Wetlands and Conservation Lands land use categories category. described above in this policy. The most stringent provisions of either category will apply to wetland conservation lands. (Modified Policy 1.4.6)~~

**OBJECTIVE 1.7: COUNTY-WIDE LAND USE CATEGORIES.** County-Wide Land Use Categories are General Areas that are found throughout the county in Urban and Non-Urban areas. County-Wide Land Use categories include:

- a. Public Facilities; and
- b. Wetlands.

(New Objective)

**POLICY 1.7.1: Public Facilities.** ~~The Public Facilities areas Land Uses Category includes the publicly owned lands within the county such as public schools, parks, airports, public~~

transportation, and other governmental facilities. The allowable uses in within these areas are determined by the entity owning ~~each such~~ the parcel and the local government ~~having with~~ zoning and permitting jurisdiction. (Edited Policy 1.1.8)

**POLICY 1.7.2: Wetlands.** ~~Wetlands Land Use Category are Designate on the Future Land Use Map those lands that are~~ identified as Wetlands in accordance with Florida Statutes Chapter 373F.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.~~ 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 other plan goals, objectives, and policies Goal 11 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 the Procedures and Administration Element Chapter XIII. of this plan.~~

- a. ~~When the exact location of~~ Wetlands boundaries ~~are is~~ in question, the Procedures and Administration Element Chapter XIII of this plan provides an administrative process, ~~including a field check,~~ to precisely define the boundary.
- b. Wetlands that are conservation lands will be subject to the provisions of the most stringent provisions of the Conservation Lands and Wetlands land use categories. Policy 1.4.6 are as well as the provisions of Objective 1.5. ~~The most stringent provisions of either category will apply.~~ Conservation wetlands will be identified on the FLUM to distinguish them from non-conservation wetlands.
- c. ~~(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
- d. ~~(b)~~ Dwelling units may be relocated to developable contiguous uplands designated Intensive Development, Central Urban, Urban Community, Suburban, Outlying Suburban, or Sub-Outlying Suburban Urban Core, Urban Places, Urban Neighborhood, Suburban 6, Suburban 4, Suburban 2, or Coastal 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.

(Edited and merged Objective 1.5, and Policies 1.5.1, 1.5.2 and 1.5.3, Table 1(a))

**OBJECTIVE 1.8: PLACE-BASED LAND USE CATEGORIES.** Place-Based Land Use Categories address the unique needs and conditions of specific locations by establishing land use categories with specific development plans and requirements pertinent to the location. (New Objective)

**POLICY 1.8.1:** Discourage the adoption of additional placed-based land use categories. (New Policy)

**POLICY 1.8.2:** The Burnt Store Marina Village Land Use Category areas is located within Urban Land Areas. The category provides for ~~the~~ redevelopment that enhances the existing character of the Burnt Store Marina project, protects natural resources, and provides continuing

public access to the water via boat ramps and docks. ~~By establishing realistic aesthetic requirements designed to allow Burnt Store Marina Village the ability to develop as a community center, the category manages while managing~~ the location and intensity of future commercial, residential and commercial marina uses ~~by establishing realistic aesthetic requirements designed to allow Burnt Store Marina Village the ability to develop as a community center.~~ The following uses are permitted within the Burnt Store Marina Village category: a maximum of 55,000 square feet of retail uses; a maximum of 1,325 wet and dry spaces; a maximum of 15,000 square feet of office space; a maximum of 145 hotel units; and a maximum of 160 residential units. 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. (Edited Policy 1.7.12 and Table 1(a))

**POLICY 1.8.3:** Destination Resort Mixed Use Water Dependent (DRMUWD). The DRMUWM Land Use Category provides for attractive, functioning mixed use water dependent destination resorts. The land uses within this category are characterized by their proximity to water and need for redevelopment due to changes in the market and outdated development patterns. By virtue of their proximity to navigable water and availability of public services, these locations are suitable for a mixture of uses including residential, resort, commercial, and industrial type activities that benefit from access to the water front. These developments offer a diverse living, working and vacationing experience that benefit the entire county while being environmentally friendly and economically viable. The density ranges is up to ten dwelling units per acre (10 du/a). Residential densities in developments that include commercial and residential uses in the same project or same building may be developed as through mixed-use development practices.

Determine appropriate locations for Destination Resort Mixed Use Water Dependent areas by evaluating considerations such as location criteria:

- a. ~~Areas~~ Characterized by predominantly outdated RV type living facilities meant for temporary habitation without individual type land ownership and depressed/underutilized water dependent waterfronts;
- b. Located in ~~Areas characterized as~~ predominantly impacted by a declining water dependant industry like commercial fishing or other and with a minimum of 8 acres of contiguous lands under unified control;
- c. Areas within coastal wind zones depicted as 100 Year Flood Plains, as illustrated on Map## of the Lee Plan;
- d. Areas with direct access to existing roadways and navigable bodies of water;
- e. Areas with multiple zoning districts that may not be compatible with each other; and
- f. New dwelling units are limited to existing platted, recorded, or vested units.

(Modified Policy 31.1.2)

**OBJECTIVE 1.9: SPECIAL TREATMENT AREAS.** ~~Designate as overlays on the Future Land Use Map, as overlays,~~ special treatment areas that contain special restrictions or allowances in addition to ~~all of the requirements of their~~ the underlying land uses categories. (Formerly Objective 1.7)

**POLICY 1.9.1:** Airport Noise Zones. ~~The Airport Noise Zones cover areas~~ include lands subject to varying levels of airport-related noise. ~~By 2006 and every 5 years thereafter,~~ The Port Authority will update the aviation forecasts and associated noise contours for the Southwest Florida International Airport RSW, on an as needed basis as required by the FAA or as determined by the Lee County Port Authority; and initiate an amendment to the Airport Noise Zone Overlay Map to reflect the findings of this study. In addition to ~~meeting~~ the requirements of the underlying Future Land Use Map categories, properties within the Noise Zone Overlay must meet the following:

- a. Airport Noise Zone A is limited to uses ~~that are~~ compatible with airports and air commerce, including but not limited to ~~those~~ uses necessary to provide services and convenience goods to airline passengers, ~~those~~ uses generally associated with airport operation, and related development.
- b. Airport Noise Zone B prohibits ~~does not permit any~~ residential units, places of worship, libraries, schools, hospitals, correctional institutions or nursing homes. However, residential units, including mobile or manufactured homes, ~~that lawfully existed~~ lawfully existing as of June 27, 2000 will be treated as legally permitted uses and may be replaced with a new mobile or manufactured home or conventional single family construction as long as ~~such~~ the replacement would be ~~otherwise~~ allowed by the LDC. ~~LDC.~~ ~~However, An Existing conventional homes~~ may not be replaced with ~~a new mobile or manufactured homes.~~ One conventional single family home is permitted on each lot in a plat properly recorded before June 27, 2000 if ~~such~~ the use would have been permitted on the lot prior to June 27, 2000. Airport Noise Zone B requires formal notification to property owners through recording of the Airport Noise Zone in the official county records of potential noise and over flights. ~~and applies to all development, both existing and new, within the zone.~~
- c. Airport Noise Zones C and D allow ~~existing and new construction and land uses as would otherwise be~~ development permitted by the LDC. ~~LDC.~~ However, this zone requires formal notification through ~~by~~ recording of the Airport Noise Zone in the official county records of potential noise and over flights. ~~and applies to all development, both existing and new, within the zone.~~
- d. ~~Airport Noise Zone D allows existing and new construction and land uses as would otherwise be permitted by the LDC. However, this zone requires formal notification through recording of the Airport Noise Zone in the official county records of potential noise and aircraft over flights associated with future training activity and applies to all development, both existing and new, within the zone.~~

(Modified Policy 1.7.1)

**POLICY 1.9.2:** Urban Reserve. The Urban Reserve Overlay includes ~~indicates~~ areas ~~that are~~ suitable for annexation into the adjoining municipality. Urban Reserve areas are initially established by interlocal agreement pursuant to Florida Statute Chapter 163, Section 163.3171(1), F.S. (Edited Policy 1.7.3)

**POLICY 1.9.3: Water-Dependent.** The Water-Dependent Overlay zone includes designates shoreline areas where priority will be granted to water-dependent land uses. Specific requirements are detailed for ~~these such~~ zones are located within the Conservation and Coastal Management Element as well as the San Carlos Island and Greater Pine Island goals and policies within the Communities Element. ~~on San Carlos Island under Goal 12, in the Greater Pine Island area under Goal 14, and for other areas in Lee County in the Conservation and Coastal Management Element.~~ (Edited Policy 1.7.5)

**POLICY 1.9.4: Agricultural.** The Agricultural Overlay (Map ##) ~~shows~~ reflects existing active and passive agricultural operations in excess of 100 acres located outside ~~of the~~ Future Urban Areas. Since ~~these areas~~ agriculture plays a vital role in ~~Lee County's~~ the economy, ~~they~~ these lands should be protected from the impacts of new developments, and the county should not attempt to alter or curtail agricultural operations on them ~~merely~~ to satisfy the lifestyle expectations of ~~non-urban~~ residents. (Edited Policy 1.7.8)

**POLICY 1.9.5: Urban Infill and Redevelopment.** The Urban Infill and Redevelopment Overlay (Map ##) designates areas that have been targeted for economic development, job creation, housing, transportation, crime prevention, neighborhood revitalization and preservation, and land use incentives to encourage ~~urban~~-infill and redevelopment within the urban core, in accordance with ~~F.S. 163.2517~~ Florida Statute Chapter 163. These areas have the opportunity to receive additional funding to implement ~~the~~ planning programs through the Urban Infill and Redevelopment Assistance Grant Program. ~~through the Florida Department of Community Affairs.~~ (Edited Policy 1.7.9)

**POLICY 1.9.6: Irrigation Well.** The Irrigation Well Overlay (Map ##) ~~in Bonita Springs (as defined in this plan)~~ is ~~hereby declared~~ a critical area for future potable water supply, based on evidence that withdrawals from the main potable aquifer, the lower Tamiami aquifer, are approaching or exceeding the maximum safe yield. ~~In response to this designation, the county will maintain current~~ The county will maintain regulations to ~~provide that prohibit issuance of~~ new irrigation well permits in the Irrigation Well overlay ~~may not that~~ utilize the main potable water source. ~~For the purposes of this plan,~~ The boundaries of the Irrigation Well overlay are ~~indicated~~ reflected on Map ## of the Future Land Use Map series. Also see other plan elements including Conservation and Community Facilities and Services Elements, Policy 54.1.9 for new permit requirements for wells in Lehigh Acres, and Policy 2.4.2 for special requirements for amendments to the Future Land Use Map). (Edited Policy 1.7.10)

**POLICY 1.9.7: Future Limerock Mining.** The Future Limerock Mining Overlay (Map ##) identifies sufficient land near the traditional Alico Road industrial corridor for continued limerock mining to meet regional demands through the Lee Plan's planning horizon (currently 20350). See ~~Objective 33.1 and following policies~~ additional Southeast Lee County goal and policies within the Communities Element. (Edited Policy 1.7.13)

**POLICY 1.9.8: Southeast Residential DR/GR.** The Southeast Residential DR/GR Overlay (Map ##) is described in the other Southeast Lee County goal and policies within the Communities Element Policies 33.3.1 through 33.3.3. ~~This overlay affects only Southeast Lee County and identifies four~~ three types of land:

- a. “Existing Acreage Subdivisions”: existing rural residential subdivisions that should be protected from adverse external impacts such as natural resource extraction;
- b. “Rural Golf Course Communities” potential locations for the concentration of development rights on property zoned Private Recreational Facilities Planned Development and located in the ~~Density Reduction/Groundwater Resource area~~ DR/GR land use category;
- c. “Mixed-Use Communities” locations where this concentration of development rights from large contiguous tracts with the ~~Density Reduction/Groundwater Resource area~~ DR/GR that can be supplemented by transfer of development rights from non-contiguous tracts in the ~~Density Reduction/Groundwater Resource area~~ DR/GR. ~~See Objective 33.3 and following policies; and~~
- d. “Improved Residential Communities:” Property with existing residential approvals that are inconsistent with the Southeast Density Reduction/Groundwater Resource area that could be improved environmentally.

(Edited Policy 1.7.14)

**POLICY 1.9.9: Historic Surface and Groundwater Levels.** The Historic Surface and Groundwater Levels Overlay (Map ##) depicts the best available analysis of historic wet-season water depths and hydro-periods for Southeast Lee County as of March 2010. This depiction is based on detailed ecological analyses of 1953 aerial photography ~~as~~ described in the 2008 report, *Ecological Memorandum of the Density Reduction/Groundwater Resource Area*, by Kevin L. Erwin, Consulting Ecologist, Inc. For purposes of determining compliance with the DR/GR land use category Policy 1.4.5, additional evidence on ~~as to~~ historic water levels and hydro-periods may be submitted during the rezoning or development review processes as a basis for site-specific hydrological analysis for project design. (Edited Policy 1.7.15)

**POLICY 1.9.10: Hideaway Cove.** The Hideaway Cove Overlay (Map ##) depicts the development standards for Lots 6 -11, San Carlos Groves Tract, Section 20, Township 46 S, Range 25 E of the San Carlos/Estero area:

- a. The property may be developed at a gross density of one dwelling unit per acre; however, a gross density of up to two dwelling units per acre is permitted through the planned development zoning process, in which the residential development is clustered in a manner that provides for the protection of flow ways, high quality native vegetation, and endangered, threatened or species of special concern. Clustered development must also connect to a central water and sanitary sewer system.
- b. A maximum of one hundred and twenty (120) residential dwelling units, along with accessory, and accessory active recreation uses are permitted through the use of clustering and the planned development zoning process. The dwelling units and accessory uses must be clustered on an area not to exceed thirty two ( $\pm 32$ ) acres, which must be located on the northwestern portion of the property. No development may occur in the flow way, with the

exception of the improvement of the existing road access from the site to Pine Road. The remainder of the property will be designated as preserve/open space, which can be used for passive recreation, and environmental management and education. In addition, the developer will diligently pursue the sale or transfer of the preserve/open space area, along with development rights for thirty (30) of the maximum one hundred and twenty (120) residential dwelling units, to the State, County, or other conservation entity.

(Excerpted Policy 1.1.11)

**POLICY 1.9.11:** Research and Enterprise Diamond. The Research and Enterprise Diamond Overlay (Map ##) depicts an area targeted for the creation of a economically diverse center for businesses. Located within a 40-square-mile area of south Lee County, businesses in the Diamond will benefit from existing and planned infrastructure in transportation, education and recreation. Resources, such as the SWFIA, JetBlue Park, and FGCU, establish a prime location for creating synergies among research, renewable energy, enterprise opportunities, and economic growth. Infill development to create more walkable, transit-oriented communities that meet complete streets objectives will be encouraged. (New)

~~**GOAL 1: FUTURE LAND USE MAP.** To maintain and enforce a Future Land Use Map showing the proposed distribution, location, and extent of future land uses by type, density, and intensity in order to protect natural and man-made resources, provide essential services in a cost effective manner, and discourage urban sprawl.~~

~~**OBJECTIVE 1.1: FUTURE URBAN AREAS.** Designate on the Future Land Use Map (Map 1) categories of varying intensities to provide for a full range of urban activities. These designations are based upon soil conditions, historic and developing growth patterns, and existing or future availability of public facilities and services. (The Future Land Use Map series also contains Map 2 and additional maps located in the appendix. A colored wall-size reproduction of Map 1 is also available.) (New, Incorporates much of Objective 1.1) (Addressed by revised Objective 1.1)~~

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

~~**POLICY 1.1.5:** The Suburban areas are or will be predominantly residential areas that are either on the fringe of the Central Urban or Urban Community areas or in areas where it is appropriate to protect existing or emerging residential neighborhoods. These areas provide housing near the~~

~~more urban areas but do not provide the full mix of land uses typical of urban areas. The standard residential densities are the same as the Urban Community category. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. Bonus densities are not allowed. (Policy not needed.)~~

~~**POLICY 1.1.6:** The Outlying Suburban areas are characterized by their peripheral location in relation to established urban areas. In general, these areas are rural in nature or contain existing low density development. Some, but not all, of the requisite infrastructure needed for higher density development is generally planned or in place. It is intended that these areas will develop at lower residential densities than other Future Urban Areas. As in the Suburban areas, higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to three dwelling units per acre (3 du/acre). Bonus densities are not allowed. (Policy not needed.)~~

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

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

~~Within the University Community are two distinct sub-categories: University Campus and the University Village. The University Window overlay, although not a true sub-category, is a distinct component of the total university environment. Together these functions provide the opportunity for a diversity of viable mixed-use centers. Overall residential development within the University Village will not exceed 6,510 dwelling units. None of the 6,510 dwelling units may be used on or transferred to lands located outside of the University Community land use boundaries as they exist on (insert here the date of adoption of CPA 2009-01). Clustered densities within the area may reach fifteen units per acre to accommodate university housing. The overall average intensity of non-residential development within the University Village will be limited to 10,000 square feet of building area per non-residential acre allowed pursuant to Map 16 and Table 1(b). Specific policies related to the University Community are included within the Lee Plan under Goal 18. (Addressed by new policy 1.4.5)~~

~~**POLICY 1.1.11:** The Sub-Outlying Suburban areas are residential areas that are predominantly low density development. Generally the requisite infrastructure needed for higher density development is not planned or in place. It is intended that these areas will develop at lower~~

~~residential densities than other Future Urban Areas and are placed within communities where higher densities are incompatible with the surrounding area and where there is a desire to retain a low density community character. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to two dwelling units per acre (2 du/acre). Bonus densities are not allowed.~~

~~**OBJECTIVE 1.3: INTERSTATE HIGHWAY INTERCHANGE AREAS.** Designate on the Future Land Use Map specialized categories for land adjacent to the interchanges of Interstate 75. It is important to make maximum beneficial use of these critical access points and at the same time avoid irreconcilable conflicts between competing demands, such as through traffic vs. local traffic, conservation vs. development, commercial development vs. industrial development, and tourist commercial facilities vs. general shopping facilities. Development in these areas must minimize adverse traffic impacts and provide appropriate buffers, visual amenities, and safety measures. Each interchange area is designated for a specific primary role: General, General Commercial, Industrial Commercial, Industrial, University Village, and Mixed Use. Residential uses are only permitted in these categories in accordance with Chapter XIII or as provided in Policy 1.3.2. These areas are also considered Future Urban Areas.~~

~~**POLICY 1.3.1:** The Industrial Interchange areas allow combinations of light industry, research, and office uses. In addition, certain visitor serving commercial uses such as restaurants and hotels are appropriate.~~

~~**POLICY 1.3.2:** The General Interchange areas are intended primarily for land uses that serve the traveling public: service stations, hotel, motel, restaurants, and gift shops. But because of their location, market attractions, and desire for flexibility, these interchange uses permit a broad range of land uses that include tourist commercial, general commercial and light industrial/commercial.~~

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

~~**POLICY 1.3.4:** The Industrial Commercial Interchange areas are designated to permit a mixture of light industrial and/or commercial uses. This category does not permit heavy industrial uses. Within areas expanded beyond the existing Industrial Commercial Interchange boundaries (on January 1, 2007), retail commercial uses will be limited to 20% of the total floor area and light industrial uses will be a minimum of 50% of the total floor area.~~

~~**POLICY 1.3.5:** The University Village Interchange land use category is designed to accommodate both interchange land uses and non residential land uses related to the University. Development within this interchange area may or may not be related to, or justified by the land use needs of the University. Land uses allowed within this area include those allowed in the Industrial Commercial Interchange category and the associated support development allowed in~~

~~the University Village. The overall average intensity of non residential development will be limited to 10,000 square feet of building area per non residential acre allowed pursuant to Map 16 and Table 1(b). See the definition of Associated Support Development in the Glossary. Cooperative master planning and approval by the Florida Gulf Coast University Board of Trustees will be required prior to development within this land use category. Additionally, any development which meets or exceeds the Development of Regional Impact thresholds, either alone or through aggregation, must conform to the requirements of Chapter 380 F.S.~~

~~**POLICY 1.3.6:** Lee County recognizes that development immediately adjoining the I-75 ramps could render future interchange improvements extremely costly if not prohibitive. To assist the county in evaluating the impacts of specific rezoning proposals located within 1000 feet of I-75 ramps, county staff will estimate the possible right of way needs for interchange improvements in that quadrant and present this information during the rezoning process. Where possible, development approvals must be phased to protect land critical for future interchange improvements. (Policy moved to Transportation Element.)~~

~~**POLICY 1.3.7:** The following access control standards will apply to the interstate interchange areas of Luckett Road, Alico Road, Corkscrew Road, and Bonita Beach Road. The specified turning movements are not to be construed as conveying a property right or creating any expectation that they will be a permanent feature. The County reserves the right to modify or further restrict movements as it deems necessary to address operational and safety issues. Access control issues for Daniels Parkway west of I-75 are governed by the controlled access resolution adopted by the Board of County Commissioners on October 4, 1989, as may be amended from time to time. The other interchange areas are state roads where access is controlled by the Florida Department of Transportation under the provisions of Rule 14-97.003, FAC. The standard is a strict requirement during the rezoning and development order processes for cases after the effective date of this policy.~~

#### Access Control Standards for Luckett Road and Bonita Beach Road

- ~~1. The distance to the first connection will be at least 880 feet, provided such location is outside the federal limited access right of way line. A connection is generally defined as a driveway or roadway, limited to right in/right out movements, but can include a directional median opening. This distance will be measured from the end of the upstream interchange ramp or the beginning of the downstream interchange ramp, whichever is farther from the centerline of the interstate. A single connection per property not meeting this connection spacing standard may be provided, pursuant to the connection permit process, if no reasonable access to the property exists, and if permitting authority review of the connection permit application provided by the applicant determines that the connection does not create a safety, operational or weaving hazard.~~

2. ~~The minimum distance to the first full movement median opening will be at least 1760 feet as measured from the end of the upstream interchange ramp or the beginning of the downstream interchange ramp, whichever is farther from the centerline of the interstate.~~
3. ~~Connections and median openings consistent with the above spacing standards may still be denied in the location requested when the Lee County Traffic Engineer determines, based on the engineering and traffic information provided in the permit application, that the safety or operation of the interchange or the limited access highway would be adversely affected.~~
4. ~~Connections and median openings existing prior to 1998 that do not meet the standards are allowed to remain (unless they need to be closed for operational safety reasons), but cannot expand movements, except in the case of County roadway extensions.~~

Access Control Standards for Alico Road

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

<b>STATION</b>	<b>DISTANCE<sup>(1)</sup></b>	<b>MEDIAN OPENING?</b>	<b>MOVEMENT</b>	<b>CONNECTION</b>
160+59.33	n/a	Yes	All	Oriole Road
170+54.54	995.21 ft.	Yes <sup>(2)</sup>	All	Alico Int. Park DRI
177+74.54	720 ft.	Yes	All	Three Oaks Parkway
222+81	n/a	Yes	EB to NB Left in <sup>(3)</sup> Rt in/Rt out from N&S	Coca Cola Bottling Co. (N) University Plaza (S)
234+44	1163 ft.	Yes	All	Ben Hill Griffin Pkwy.

<sup>(1)</sup> Distance measured from next connection to the west.

<sup>(2)</sup> Unsignalized only. Subject to future restrictions if traffic signal warranted.

<sup>(3)</sup> A WB to SB left in may be allowed if sufficient right of way is provided and an analysis demonstrating acceptable operation is submitted to and approved by LCDOT.

Access Control Standards for Corkscrew Road

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

STATION	DISTANCE <sup>(4)</sup>	MEDIAN OPENING?		MOVEMENT	CONNECTION
		Yes	All		
172+84	n/a	Yes	All		Three Oaks Parkway
179+44	660 ft.	Yes		EB to NB Left in <sup>(2)</sup>  Rt in/Rt out — from N&S	Corkscrew Crossing (#1)
185+29	585 ft.	Yes	All		Corkscrew Crossing (#2)
187+83	254 ft.	No		Rt in/Rt out from N <sup>(3)</sup>	Pic N Run Entrance
190+34	253 ft.	Yes		EB to NB Left in	Estero Int. Com. Park (#3)
194+29	395 ft.	Yes		WB to SB Left in  NB to WB Left out	Corkscrew Woodlands
221+47	n/a	Yes		U-turns only	None
230+14	867 ft.	Yes		EB to NB Left in	Miromar Outlet Mall
236+73	660 ft.	Yes	All		Ben Hill Griffin Pkwy.

<sup>(1)</sup>—Distance measured from next connection to the west.

<sup>(2)</sup>—A WB to SB left in may be allowed at this location if necessary.

<sup>(3)</sup>—The previously approved driveway for the Pic N Run may remain provided there is not other access; however, if Pic N Run establishes a connection to the frontage road system and other access locations, the driveway must be removed.

<sup>(4)</sup>—The Right in/Right out from the south already exists at Station 230+65. This connection may be shifted west to any point between Stations 226+30 and 230+65 if proven not to be a traffic safety hazard. (Policy not needed, issue will be addressed by the LDC.)

**OBJECTIVE 1.4: NON-URBAN AREAS.** Designate on the Future Land Use Map categories for those areas not anticipated for urban development at this time. (Addressed by Revised Objective 1.4.)

**POLICY 1.4.5:** The Airport AOPD zoning resolution must be amended before any non-aviation related uses can be developed at the Southwest Florida International Airport. The intensity of the proposed aviation and non-aviation land uses at Southwest Florida International Airport must be consistent with Lee Plan Table 5(a). (Moved Policy 1.2.4)

**OBJECTIVE 1.6: NEW COMMUNITY.** Designate on the Future Land Use Map areas which are suitable for the development of large-scale multi-use communities developed pursuant to an overall master plan. This category is also considered a Future Urban Area.

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

~~New Communities will not exceed a residential density of six dwelling units per gross acre and must have at least the following characteristics:~~

- ~~1. The land will be developed under a well conceived overall master plan;~~
- ~~2. The land can be served with all necessary facilities and services at no expense to the county. Uniform Community Development Districts and special taxing districts may be utilized toward achieving this objective;~~
- ~~3. Population, recreation, open space, educational, office, and research facilities are distributed in an orderly and attractive manner;~~
- ~~4. The land must be developed in such a manner as to protect environmentally sensitive areas;~~
- ~~5. The land must be developed as a free standing community offering a complete range of land uses (e.g. a full mix of housing types for a range of household incomes, industrial and office employment centers, and community facilities such as fire departments, schools, law enforcement offices, public recreational areas, health care facilities, and community commercial areas);~~
- ~~6. Off site impacts must be mitigated; and,~~
- ~~7. On site levels of service must meet the county wide standards contained in this plan.~~

~~**POLICY 1.7.2:** The Development of Regional Impact overlay is an informational tool showing all of the Lee County property subject to Development Orders approved pursuant to Chapter 380 of the Florida Statutes. Development in these areas is regulated by the terms of the applicable development orders. (Policy not needed)~~

~~**POLICY 1.7.4:** Certain lands are designated as Future Urban Areas because of special needs for the provision of Privately Funded Infrastructure. Development in these areas may occur in accordance with the provisions of Goal 3 and its subsequent objectives and policies. (Policy not needed.)~~

~~**POLICY 1.7.7:** The Public Acquisition overlay zone designates areas that have been targeted for public acquisition by federal, state, regional, and/or local agencies. This overlay does not restrict the use of the land in and of itself. It will be utilized for informational purposes since this map will represent a composite of public acquisition activities in the county. (Policy not needed)~~

~~**POLICY 1.7.11:** The Airport Mitigation Lands overlay (Map 3M) depicts lands owned by Lee County that were acquired for the purpose of mitigating environmental impacts attributable to development of the Southwest Florida International Airport. Activities performed in these areas must be in accordance with~~

~~state and federal permitting agency requirements. This Overlay is intended solely as an informational tool designed to identify the location of the lands and the purpose for which the land was acquired. The Overlay does not restrict the use of the land in and of itself. Use of these lands will be determined by permit requirements. In all cases, the use of this land will be consistent with the underlying Future Land Use category. (Policy addressed by the Transportation Element.)~~

Goal 2: Growth Management. Improvements were made to the county's existing growth management provisions to address recommendations that resulted through the EAR process. These improvements primarily included removing language in the Lee Plan that hindered infill and redevelopment within the Urban Land Use Areas. Goal 2 continues to require coordination of the location and timing of future development with existing or planned public infrastructure and services. While most of the objectives and policies currently exist in the Lee Plan, there is a new objective and policies related to transfer of development rights. This new objective intends to support the development of urban, suburban, and rural places by generally allowing development rights to be moved from Rural Areas to Urban Areas. In doing so this new objective supports the intent of providing for well managed and appropriately located development.

**GOAL 2: GROWTH MANAGEMENT.** ~~To provide for an economically feasible plan which~~ Coordinates ~~Coordinate~~ the location and timing of new development with the provision of infrastructure by government agencies, private utilities, and other sources. (Edited Goal 2)

**OBJECTIVE 2.1: DEVELOPMENT LOCATION.** Promote ~~will be promoted~~ contiguous and compact growth patterns through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Edited Policy Objective 2.1)

**POLICY 2.1.1:** ~~Most~~ Encourage residential, commercial, industrial, and public development is ~~expected to occur within the designated Future Urban Areas on the Future Land Use Map through the assignment of very low densities to the non-urban categories.~~ (Edited Policy 2.1.1)

**POLICY 2.1.2:** Support infill and redevelopment in Urban Areas by encouraging the use of higher densities and intensities to offset higher per acre land costs of infill development. Infill and redevelopment may include new construction, reuse, or rehabilitation of uses within developed areas. (New Policy)

**POLICY 2.1.3:** The following uses may be considered in all land use categories ~~All land use categories and Planning Community Map areas permit the consideration of churches and schools (except in the Conservation Lands Categories, Wetlands, and Airport Noise Zones), public uses and buildings, public utilities and resource recovery facilities, public recreational uses (including franchised quasi-commercial uses in conjunction with a public use), and sites for compatible public facilities when consistent with the goals, objectives, policies, and standards in this plan and applicable zoning and development regulations.~~ (Edited from Policy 2.1.3)

**POLICY 2.1.4:** ~~In order to e~~Ensure that public school locations are proximate to urban residential areas and are consistent with county growth policies ~~proposals for new schools are subject to the objectives and policies contained under Goal 66.~~ (Edited Objective 2.10)

**POLICY 2.1.5:** Assisted living facilities, as defined ~~Any facility licensed under Chapter 4058A-5 F.A.C. (e.g. an adult congregate living facility)~~ will be deemed a residential use and limited to locations and densities appropriate for residences. (Modified Policy 2.1.4)

**OBJECTIVE 2.2: DEVELOPMENT TIMING.** Direct new growth to ~~those portions of the Future Urban Areas where adequate public facilities exist or are assured~~ planned and ~~where that create compact and contiguous development patterns. can be created.~~ Development orders and permits, (as defined in ~~Florida Statute, F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and this plan the county's Concurrency Management Ordinance.~~ (Edited Objective 2.2)

**POLICY 2.2.1:** Evaluate rezonings and DRI development of regional impact proposals in light of ~~will be evaluated as to~~ the availability and proximity ~~of the~~ of adequate public facilities, including: road transportation network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. (Edited Policy 2.2.1)

**POLICY 2.2.2:** Map 1 of the ~~Future~~ Land Use Map series indicates the uses and density ranges that ~~will~~ may ultimately be permitted on a given parcel. The future land use designation of a parcel ~~However, it is not a guarantee that the such~~ densities or uses are immediately appropriate. ~~as~~ The future land use map provides for the county's growth through 2035. beyond the Lee Plan's planning horizon of 2030. During the rezoning process the Board of County Commissioners (Board) ~~must~~ will balance the overall standards and policies of this plan with these additional considerations: three additional factors:

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

~~In all cases where rezoning is approved, such approval does not constitute a determination that the minimum acceptable levels of service (see Policy 95.1.3) will be available concurrent with the impacts of the proposed development. Such a determination must be made prior to the issuance of~~

~~additional development permits, based on conditions which exist at that time, as required by Lee County's concurrency management system. (Modified Policy 2.2.2)~~

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

**POLICY 2.2.4:** Consistent with ~~t~~The Capital Improvements Program Element, ~~will~~ give the highest priority to ~~the~~ planning, programming, and construction of urban services and facilities in the ~~existing~~ developed areas where facilities are inadequate. ~~Give the next priority will be given~~ to service expansions in ~~existing~~ developed areas, followed by further expansion into other portions of the ~~Future~~ Urban Areas. ~~Sufficient land will be Identified and protected~~ Identify and protect sufficient land for utility facilities ~~that will be~~ necessary to support the proposed levels of development. Detailed ~~Other~~ infrastructure planning priorities are contained in ~~Policy 38.2.4 and Policy 95.1.1~~ the Capital Improvements Element. (Edited Objective 2.3)

**POLICY 2.2.5:** The cost ~~for the provision and expansion~~ of services and facilities that benefit new development will be borne primarily by those who benefit. ~~Such~~ Funding may include (but is not limited to) impact fees, special taxing or benefit districts, community development districts, dedication of land and facilities, in-lieu-of fees, and capital construction, operation, and maintenance funds. (Edited Policy 2.3.2)

**POLICY 2.2.6:** The Planning District Community Map and Acreage Allocation Table (see Map 16 and Table 1(b) ~~and Policies 1.1.1 and 2.2.2~~) depicts the proposed distribution, extent, and location of generalized land uses for the year 2030~~5~~. Acreage totals are provided for land in each Planning District Community in unincorporated Lee County and used to reconcile the carrying capacity of the map with the adopted population projection for the time horizon of the this plan. ~~No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded. This policy will be implemented as follows: 1. For each Planning District, Community~~ The County will maintain an updated, parcel based database of existing land use for each Planning District. ~~The database will be periodically updated at least twice every year, in September and March, for each Planning Community.~~ (Modified from Policy 1.7.6)

**POLICY 2.2.7:** In urban areas, where infrastructure is anticipated to accommodate future development and redevelopment, the acreage totals in table 1(b) will be used as a planning tool to guide necessary infrastructure improvements. (New Policy)

**POLICY 2.2.8:** In non-urban areas, where minimal public infrastructure is anticipated, 2Pproject reviews for development orders must include a review of the capacity, in acres, that will be consumed by build out of the development order. No development order, ~~or extension of a development order,~~ will be issued ~~or approved,~~ for residential, commercial or industrial uses, if the project acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Table 1(b), Acreage Allocation Table ~~regardless of other project approvals in that Planning Community.~~ For limerock mining in the Southeast Lee County Planning District Community #18, see special requirements in Policy 33.1.4 regarding industrial acreages in Table 1(b). (Modified from Policy 1.7.6)

**POLICY 2.2.9:** At each regularly-scheduled date for submission of the Lee Plan Evaluation and Appraisal Report, the County must conduct a comprehensive evaluation of Planning District Community Map and the Acreage Allocation Table system, including but not limited to, a calculation of the estimated carrying capacity of the Land Use Map, the appropriateness of land use distribution, problems with administrative implementations, ~~if any,~~ and areas where the Planning District Community Map and the Acreage Allocation Table system might be improved. (Modified from Policy 1.7.6)

**OBJECTIVE 2.3: FUTURE LAND USE MAP AMENDMENTS.** Regularly examine the Future Land Use Map in light of new information and changed conditions, ~~and make necessary modifications.~~ (Edited from Objective 2.4)

**POLICY 2.3.1:** ~~The county will~~ Accept applications from private landowners or non-profit community organizations to modify the boundaries ~~as shown on the Future Land Use Map.~~ Adopt procedures, fees, and timetables for this procedure will be adopted by administrative code. (Edited from Policy 2.4.1)

**POLICY 2.3.2:** Proposed amendments must address:

- a. Availability of public facilities and services;
- b. Projected permanent and seasonal population of the area;
- c. Amount of land required to accommodate anticipated growth, including employment opportunities;
- d. Suitability of the proposed land use map designation considering the character of the land, soils, topography, natural resources, and historic resources; and
- e. Compatibility of uses in proximity to the proposed amendment.

(New Policy)

**POLICY 2.3.3:** No land use map amendments that increase density may be made to the Non-Urban Areas unless the density is acquired through transfer of development rights or three members of the Board make a finding of overriding public necessity. (New Policy)

**POLICY 2.3.4:** Discourage amendments to the Lee Plan that promote urban sprawl. (New Policy)

**POLICY 2.3.5:** All proposed changes to the ~~Future~~ Land Use Map in critical areas for future potable water supply (Lehigh Acres as described in the Conservation and Coastal Management Element Policy 54.1.9; and all land in the ~~DR/GR Density Reduction/ Groundwater Resource~~ land use category) will be subject to a special review ~~by the staff of Lee County. This review will~~ Analyze the proposed land uses to determine the short-term and long-term availability of irrigation and domestic water sources. ~~and will~~ Assess whether the proposed land uses ~~would~~ will cause ~~any~~ significant impacts to ~~on~~ present or future water resources. ~~If~~ The Board of County Commissioners wishes to approve any such changes to the Future Land Use Map, it must make a formal finding that no significant impacts on present or future water resources will result from the change. (Edited Policy 2.4.2)

**POLICY 2.3.6:** Except for areas identified as needed for airport expansion, discourage Future Land Use Map Amendments to the ~~existing~~ DR/GR areas south of SR 82 east of I-75, ~~excluding areas designated by the Port Authority as needed for airport expansion, which that~~ increase the current allowable density or intensity. ~~of land use will be discouraged by the county.~~ It is Lee County's ~~the county's~~ policy not to approve further urban designations in the DR/GR ~~there~~ for the same reasons that supported its 1990 decision to establish ~~this~~ the category. In addition to satisfying the requirements in 163 Part II Florida Statutes, ~~Rule 9J-5 of the Florida Administrative Code,~~ the Strategic Regional Policy Plan, the State Comprehensive Plan, and ~~all of the criteria in~~ the Lee Plan, applicants seeking such an amendment must also:

- ~~1a.~~ Analyze the proposed allowable land uses to determine the availability of irrigation and domestic water sources; ~~and,~~
- ~~2b.~~ Identify potential irrigation and domestic water sources, consistent with the Regional Water Supply Plan. Since regional water suppliers cannot obtain permits consistent with the planning time frame of the Lee Plan, water sources do not have to be currently permitted and available, but they must be reasonably capable of permitting; ~~being permitted;~~ and,
- ~~3c.~~ Present data and analysis that the proposed land uses will not cause ~~any~~ significant harm to present and future public water resources; and,
- ~~4d.~~ Supply data and analysis specifically addressing the urban sprawl criteria listed in Florida Statutes, F Rule 9J-5.006(5) (g), (h), (i) and (j), FAC Florida Statutes 163 Part II.

During the transmittal and adoption process, the Board of ~~County Commissioners~~ must review the application for all these analytical requirements and make a finding that the amendment complies with all of them. (Modified Policy 2.4.3)

**OBJECTIVE 2.4: DENSITY AND INTENSITY TRANSFER.** Support the development of distinct urban and suburban places by establishing innovative programs that allow the transfer of density and intensity to targeted areas. (New Objective)

**POLICY 2.4.1:** Promote increased density in the more intense urban land use categories by establishing procedures that enable the use of higher and incentive densities. (New Policy)

**POLICY 2.4.2:** Maintain existing and establish new programs that create opportunities to:

- a. Transfer density and intensity from designated “sending areas” to designated “receiving areas”.
- b. Increase density for developments that either promote or provide affordable housing.
- c. Increase density for developments that provide enhanced urban services and infrastructure such as; enhanced transit, pedestrian, bicycle, or other mobility alternatives; provision of civic or public spaces; or, other urban amenities.

(New Policy)

**POLICY 2.4.3:** Viable candidates for receiving sited for increased density and intensity include:

- a. Areas in the Mixed-Use Overlay;
- b. Urban Core, Urban Places, Urban Neighborhoods, and Suburban Six; and,
- c. Designated Mixed-Use Compact Communities;
- d. Incorporated areas where there are interlocal agreements between the city and county.

(New Policy)

**POLICY 2.4.4:** Viable candidates for sending sites include:

- a. Lands that maintain a rural or environmental character such as providing links to the regional open space system, listed species habitat, flow ways, or groundwater recharge.
- b. Non-conforming lots and other lots with rights to develop residential unit(s) that are not suited for development.

(New Policy)

**POLICY 2.4.5:** Programs created under this objective will be incorporated into the LDC and Administrative Code.

- a. Innovative techniques to assure successful programs will utilize incentives for both the sending and receiving sites.
- b. Appropriate density and intensity multipliers will be evaluated and established for sending sites. Streamlined approval processes will be evaluated and established for receiving sites.
- c. Areas that are proposed for, or that request, reduction of allowable density through land use map amendments will be compensated with additional density over and above the proposed reduction of density.

(New Policy)

**POLICY 2.4.6:** Facilitate the transfer of rights from property owners with sending sites to property owners with receiving sites through a publicly administered TDR bank. (New Policy)

**POLICY 2.4.7:** Allow TDR credits to be redeemed in incorporated municipalities where suitable interlocal agreements specify the terms of potential transfers. Interlocal agreements could also provide for reciprocity with municipalities that have a substantially equivalent TDR programs.

~~**POLICY 2.3.1:** Specific level of service standards and capital improvement priorities will be detailed in the relevant elements of this plan and carried out through a capital improvements program as described in the Capital Improvements element.~~

~~**POLICY 2.3.3:** All facility provision from the special funding sources in policy 2.3.2 must be consistent with this plan.~~

~~**OBJECTIVE 2.6: REDEVELOPMENT.** Future redevelopment activities will be directed in appropriate areas, consistent with sound planning principles, the goals, objectives, and policies contained within this plan, and the desired community character.~~

~~**POLICY 2.6.1:** Community redevelopment activities will be conducted by the Lee County Community Redevelopment Agency within approved redevelopment areas according to adopted redevelopment plans.~~

~~**POLICY 2.6.2:** Redevelopment activities will be comprehensive in approach and include the following components:~~

- ~~• Study of incompatible land uses;~~
- ~~• Correction of outdated zoning classifications;~~
- ~~• Elimination of substandard or unsafe buildings;~~
- ~~• Traffic circulation and parking;~~
- ~~• Economic revitalization;~~
- ~~• Protection of adjacent residential neighborhoods and historic and natural resources;~~
- ~~• Signage;~~
- ~~• Landscaping;~~
- ~~• Urban Design/Master Planning;~~
- ~~• Affordable Housing.~~

~~**POLICY 2.6.3:** Within the Charleston Park CRA residential, commercial and industrial uses which meet the needs of the low income residents and which are suitable to the scale and location of the community and will be compatible with the residential character of the community and consistent with the adopted CRA plan will be permitted.~~

~~**OBJECTIVE 2.7: HISTORIC RESOURCES.** Historic resources will be identified and protected pursuant to the Historic Preservation element and the county's Historic Preservation Ordinance.~~

~~**OBJECTIVE 2.8: COASTAL ISSUES.** Development in coastal areas is subject to the additional requirements found in the Conservation and Coastal Management element of this plan, particularly those found under Goals 105, 109, 110, 111, 112, and 113.~~

~~**OBJECTIVE 2.9: SCENIC CORRIDORS.** By 1995, formally consider the establishment of specialized design standards along specified arterial and collector roads.~~

~~**POLICY 2.9.1:** The county will identify key road segments which, with specialized design and landscaping standards, could become scenic landmarks. These segments may be relatively undeveloped arterial or collector roads or may be older roads along which revitalization or historic preservation efforts would be appropriate.~~

~~**POLICY 2.9.2:** A study will be conducted in cooperation with interested parties to identify and evaluate alternative design themes and land use patterns. The study will recommend specific incentives, development regulations, and funding sources to implement a scenic corridor program. (Policy addressed through the Transportation and Parks and Recreation Elements.)~~

~~**OBJECTIVE 2.10: SCHOOL LOCATION** In order to ensure that public school locations are proximate to urban residential areas and are consistent with county growth policies proposals for new schools are subject to the objectives and policies contained under Goal 66.~~

~~**OBJECTIVE 2.12: DIVERSIFIED CLUSTER DEVELOPMENT** The County in several future land use categories allows the potential for a mixture of different land uses including: residential, commercial/office, research and development, and light industrial.~~

~~**POLICY 2.12.1:** The County encourages and promotes clustered, mixed use development within certain Future Urban Area land use categories to spur cluster development and smart growth within those areas of Lee County where sufficient infrastructure exists to support development, as well as continue to improve the economic well being of the County; provide for diversified land development; and provide for cohesive, viable, well integrated, and pedestrian and transit oriented projects. This is intended to encourage development to be consistent with Smart Growth principles.~~

~~**POLICY 2.12.2:** Future development within the Tradeport and Industrial Development future land use categories is strongly encouraged to be designed to include a mixture of research and development, industrial, and related office uses, where appropriate.~~

~~**POLICY 2.12.3:** Future development within the Intensive Development, Central Urban, and Urban Community future land use categories is strongly encouraged to be development as a mixed use with two or more of the following uses: residential, commercial (including office), and light industrial (including research and development use). When residential use is one of three uses proposed, in a mixed use development, residential densities may be developed as provided for under the Glossary terms: "Mixed Use", "Mixed Use Building", and "Density."~~

~~**GOAL 3: PRIVATELY FUNDED INFRASTRUCTURE.** To assist in the provision of a full range of privately funded urban infrastructure in specified Future Urban areas which have existing or projected deficits in one or more essential services.~~

~~**OBJECTIVE 3.1: FUNDING MECHANISMS.** The Future Land Use Map will include overlays designating specific geographic areas which are permitted urban level densities and intensities because most necessary infrastructure will be provided through the creation of multifunction taxing~~

and/or benefit districts, community development districts, direct developer provision, or an effective combination of similar financing mechanisms.

~~**POLICY 3.1.1:** The county will establish taxing/benefit districts where appropriate for the designated areas in accordance with the provisions of general law. Such a district may be limited to specific types of infrastructure upon a formal finding by the Board of County Commissioners that more appropriate mechanisms have been identified to provide the remaining facilities and services; a district may also be limited to a geographic area smaller than the overlay zone upon a formal finding by the board that this reduction will not substantially increase infrastructure costs which must be paid by general county revenues.~~

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

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

~~**POLICY 3.1.4:** A committee of landowners in each designated area may be established to provide input into this process(Policy addressed through the Capital Improvements Element.)~~

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

~~**POLICY 3.1.6:** Rezoning to permit increased densities that are granted after the effective date of this policy (March 1, 1989) but before the district (or equivalent funding mechanism) has been established and an infrastructure plan has been prepared will be subject to a special requirement that further development orders will be granted only upon a clear showing that the development will not cause the mandatory levels of service in Policy 95.1.3 to be exceeded. The granting of a development order will not release the property owner from any obligations under the privately funded infrastructure overlay. This requirement will not apply if it would preclude the constitutionally mandated reasonable use of a parcel of land.~~

Goal 3: Development Standards. Goal 3 is also mostly existing language consisting of residential standards (formerly Goal 5), commercial standards (formerly Goal 6), industrial standards (formerly Goal 7), marine-oriented land use standards (formerly Goal 8), agricultural standards (formerly Goal 9), and natural resource extraction standards (formerly Goal 10). The goal continues to require development standards that assure the county's priorities for how land is to be developed in the future. While some new policies have been created and others have been redrafted, all of issues are addressed by existing policies within the current Future Land Use

Element. New language, as shown in underline, is based upon the direction provided through the EAR.

**GOAL 3: DEVELOPMENT STANDARDS.** Establish land use practices and standards that guide the review of future development projects and direct the development of residential, commercial, industrial, agricultural, marine-oriented, and natural resource extraction areas. (New goal)

**OBJECTIVE 3.1 REVIEW STANDARDS.** ~~To insure~~ Ensure that appropriate water, sewer, traffic, and environmental review standards are considered in reviewing rezoning applications and that those standards are met prior to issuance of a county development order. (Edited Goal 11)

**POLICY 3.1.1:** Evaluate development designs ~~will be evaluated~~ to ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site, and that the placement of uses or structures within the development minimizes the expansion and construction of street and utility improvements. (Former Policy 4.1.1)

**POLICY 3.1.2:** Evaluate development designs will be evaluated to ensure that the internal street system is designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development. (Former Policy 4.1.2)

**POLICY 3.1.3:** Incorporate Crime Prevention through Environmental Design (CPTED) guidelines ~~will be incorporated~~ to the maximum extent possible. (Modified Policy 4.3.3(1))

**POLICY 3.1.4:** Lee Plan amendment applications to expand the Lee Plan's employment centers, which include light industrial, commercial retail and office land uses, will be evaluated by the Board of ~~County Commissioners~~ in light of the locations and cumulative totals already designated for such uses, including the 1994 addition of 1,400 acres to the Tradeport category just south of the Southwest Florida International Airport. (Added by Ordinance No. 97-05, Amended by Ordinance No. 00-22, 04-16) (Former Policy 2.4.4)

**POLICY 3.1.5: Potable Water Standards.**

- a. ~~Any~~ New residential development exceeding ~~that exceeds~~ 2.5 dwelling units per gross acre, and ~~any~~ new single commercial or industrial development exceeding ~~in excess of~~ 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as ~~that is defined by Florida Statutes; Chapter 17-22, F.A.C.;~~
- b. If the proposed development lies within the boundaries of a water utility's certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 6), then the development must be connected to that utility;
- c. The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.

- d. All waterline extensions to new development will be designed to provide minimum fire flows, as well as adequate domestic services as required by Florida Statutes; Chapter 10D-4, F.A.C.;
- e. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map ##), and the utility cannot provide the service or cannot provide the service except at a clearly unreasonable cost to the developer, the developer is encouraged to petition the appropriate regulatory agency to contract the service area so that the development may establish its own community water system or invite another adjacent utility to expand its service area ~~in order~~ to provide the ~~required~~ service; and
- f. If a development lies outside ~~any a utility~~ service area ~~as described above~~, the developer may:
  1. Request that the service area of an adjacent water utility be extended to incorporate the property;
  2. Establish a community water system for the development; or
  3. Develop at an intensity that does not require a community water system.

(Edited Standard 11.1)

**POLICY 3.1.6: Sanitary Sewer Standards.**

- a. ~~Any~~ New residential development exceeding ~~that exceeds~~ 2.5 dwelling units per gross acre, and ~~any~~ new single commercial or industrial development ~~that generates~~ generating more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system;
- b. If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map ##), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within 1/4 mile from any part of the development;
- c. If there is not sufficient capacity ~~nor~~ or adequate infrastructure within 1/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service;
- d. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map ##), and the utility cannot provide the service, or cannot provide the service ~~except~~ but at a clearly unreasonable cost to the developer, the developer may establish, on a temporary basis, a self-provided sanitary sewer facility for the development, to be abated when the utility extends service to the site. The developer may also petition the appropriate regulatory agency to contract the service area of the utility ~~so in order~~ that another utility may be invited to provide the service; and
- e. If a development lies outside ~~any a~~ service area ~~as described above~~, the developer may:
  1. Request that the service area of an adjacent sewer utility be expanded to incorporate the property;
  2. Establish a self-provided sanitary sewer system for the development;
  3. Develop at an intensity that does not require sanitary sewer service; or

4. If no more than 5000 gallons of effluent per day per parcel is produced, the development may utilize an individual sewage disposal system per Chapter 10D-6 may be utilized in accordance with Florida Statute, contingent on approval by all relevant authorities.

(Edited Standard 11.2)

**POLICY 3.1.7: Multimodal Transportation Standards Traffic.**

- a. A multimodal transportation traffic impact statement must be submitted to and accepted by the county ~~DOT~~ for the following developments applications:
  1. Comprehensive Plan Amendment;
  2. Developments of Regional Impact (DRIs);
  3. Planned Developments (as specified in the Zoning Regulations); and
  4. Developments requiring a county development order, as specified in the LDC LDC.
- b. The form, content, and level of detail required in the multimodal transportation traffic impact statement will be established by Lee County by ordinance, administrative code, or other regulations. Lee County will establish criteria or thresholds to determine the scope of the multimodal transportation traffic impact statement required:
  1. In urban land use categories, the multimodal transportation impact statement will provide information regarding project impacts to multimodal facilities, safety and accessibility to the adjacent multimodal transportation infrastructure.
  2. In all other land use categories, if If the development does not meet or exceed these the established thresholds, the multimodal transportation traffic impact statement will provide information regarding multimodal traffic generation and impacts at the development's access points to the adjacent street system; and if the development meets or exceeds the established thresholds, the multimodal transportation traffic impact statement will provide a comprehensive assessment of the development's impacts on the surrounding multimodal transportation infrastructure road system

(Edited Standard 11.3)

**POLICY 3.1.8: Environmental Review Factors.** ~~In any case~~ Where there exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, South Florida Water Management District, or other applicable regulatory agency), ~~the developer/applicant must~~ require developers and/or applicants to prepare an environmental assessment that examines examining the existing conditions, ~~addresses~~ addressing the environmental problems, and ~~proposing~~ proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources. (Edited Standard 11.4)

**OBJECTIVE 3.2: RESIDENTIAL STANDARDS AND PRACTICES.** Support development of attractive and safe neighborhoods with a variety of price ranges and housing types to accommodate the population needs of the county. (New Objective)

**POLICY 3.2.1:** Ensure residential land uses support the urban, suburban, rural, or mixed-use context of the surrounding developments by implementing the following standards:

- a. Locate high-density urban and suburban residential developments near mixed-use centers; employment and commercial districts; parks and schools; and multi-modal transportation facilities;
- b. Provide a variety of multi-modal interconnections to adjoin developments and the local transportation system through various pedestrian, bicycle, transit, and auto opportunities;
- c. Ensure residential communities provide for open spaces and community facilities that are easily accessible via pedestrian and bicycle connections, and provide for the functional needs of the community (e.g.: urban courtyards, parks, and central public spaces; passive landscaping, buffering, and open spaces; and active playgrounds and recreation areas);
- d. Encourage interconnections within and between developments—particularly those located within Urban Areas;
- e. Require residential developments meeting Development of County Impact (DCI) thresholds to develop as planned residential developments; and
- f. Restrict residential development from areas with physical constraints or hazards (e.g.: flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; Airport Noise Zone B; industrial land use categories; or other characteristics that may endanger the residential community.).

(Modified to address issues from Policies 5.1.1 and 5.1.2)

**POLICY 3.2.2:** Protect existing and future residential areas from encroachment of uses potentially destructive to the character and integrity of the residential environment.

- a. Within Suburban and Rural Land Use Categories requests for conventional rezonings will be denied in the event that ~~the where~~ buffers measures to ensure compatibility provided in LDC Chapter 10 of the LDC are not adequate to address potentially incompatible uses in a satisfactory manner. ~~If such uses are proposed in the form of a~~
- b. Within Suburban and Rural Land Use Categories planned developments or special exceptions, ~~if and~~ generally applicable development regulations are ~~deemed~~ found to be inadequate, must include conditions will be attached to minimize or eliminate the potential impacts. ~~or~~ Where no adequate or enforceable conditions can be devised, the application will be denied altogether. ~~The LDC will continue to require appropriate buffers for new developments within suburban and rural land use areas.~~
- c. Within the three Urban Land Use Categories varied land uses are expected to be located in close proximity to one another. Compatibility will be addressed through zoning conditions and development design.

(Modified Policy 5.1.5)

**POLICY 3.2.3:** ~~In those instances~~ Where land under single ownership is divided into two or more land use categories by the adoption or revision of the Future Land Use Map, the allowable density under this plan will be the sum of the allowable densities for each land use category for each portion of the land. This Resulting density may ~~can~~ be allocated across the entire property provided that:

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

(Edited Policy 5.1.10)

**OBJECTIVE 3.3:** ~~Redevelopment of~~ **EXISTING MULTI-FAMILY RESIDENTIAL REDEVELOPMENT:** ~~To~~ Incentivize and promote cost effective and timely redevelopment of multi-family developments ~~that were approved and developed prior to the adoption of the 1984 Lee Plan, in excess of the standard density range for their current Future Land Use Category.~~ (Edited Objective 5.2)

**POLICY 3.3.1:** Permit over-density multi-family residential developments that lawfully achieved their density prior to the effective date of the Lee Plan (December 21, 1984), ~~may be permitted to~~ redevelop at their existing density. Over-density multi-family redevelopments will be considered on a case by case basis to determine the approval process to be followed to achieve redevelopment. (Edited Policy 5.2.1)

**POLICY 3.3.2:** ~~When rezoning is required,~~ Require the planned development zoning process ~~must~~ to be utilized when rezoning is required in order to prevent and mitigate adverse impacts to the surrounding areas and to ensure that appropriate site development regulations are incorporated into the development plans. (Edited 5.2.2)

**POLICY 3.3.3:** ~~In order to~~ Document existing conditions as part of a redevelopment plan ~~structures including:~~

- a. Number of dwelling units;
- b. Floor area; ~~existing~~
- c. Water management systems and outfalls;
- d. Impervious area on the subject property; and ~~all proposals for over density multi family redevelopment must provide the county with full documentation verifying this information and establishing development was lawful when initially constructed.~~

The documentation must be provided at a pre-application meeting and include two site plans: one depicting existing development and another depicting the proposed plan of redevelopment. ~~This information must be provided at a pre-application meeting with county staff.~~

(Modified 5.2.3)

**POLICY 3.3.4:** Require the site design of the proposed development ~~must to~~ be compatible with surrounding land uses ~~to the maximum extent possible~~. (Edited 5.2.4)

**POLICY 3.3.5:** Require ~~all~~ wet retention and dry retention areas ~~must to~~ be planted with ~~appropriate~~ native trees and herbaceous plant species. (Edited 5.2.5)

**POLICY 3.3.6:** ~~For sites located within the Coastal High Hazard Area, proposed redevelopment must~~ Ensure redevelopment projects located within the Coastal High Hazard Area incorporate the following features:

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

(Edited Policy 5.2.6)

**OBJECTIVE 3.4 COMMERCIAL STANDARDS AND PRACTICES.** Provide for the county's commercial needs through development standards and planning practices that direct the design, location, and makeup of mixed-use and commercial centers. (New objective)

**POLICY 3.4.1:** Ensure commercial development supports the surrounding development and provides for the economic and commercial needs of the people who live, work, and visit the area through the following practices:

- a. Prioritize redevelopment and infill in areas where existing commercial development exist;
- b. Permit when properly zoned within the Urban Areas;
- c. Expand multi-modal transportation options through the development areas and protect the traffic-carrying capacity of arterial roads between the commercial and mixed-use centers;
- d. Provide appropriate public space, civic areas, landscaping, open space, and buffering.
- e. Incorporate architectural features that enhance the appearance of structures, screen parking areas, and blend with the character of existing or planned surrounding land uses.

- f. Allow limited commercial marinas (not including heavy marine commercial, such as extensive storage and hull, engine, and electronic repairs) in non-urban areas.  
(Redrafted to address issues in Policies 6.1.6, 6.1.7, 6.1.8)

**POLICY 3.4.2:** Ensure commercial developments are designed consistent with the context of the surrounding area and support the needs of the surrounding area by reviewing applications for commercial developments according to the following issues:

- a. Adjacent land uses and surrounding neighborhoods (rezoning);
- b. Proximity to other similar uses (rezoning); and
- c. Connectivity and access to multi-modal transportation (rezoning and development orders);
- d. Adequate levels of services and facilities (rezoning and development orders);
- e. Landscaping and detailed site planning (development orders);
- f. Environmental features (rezoning and development orders); and
- g. Development transitions, facility screening, and landscape buffering (planned development rezoning and development orders).

(Redrafted to address issues from Policies 6.1.1, 6.1.6)

**POLICY 3.4.3:** Require commercial planned developments ~~meeting requiring rezoning and meeting Development of County Impact DCI thresholds must be developed as planned developments, if rezoning is required and designed to~~ incorporate the following features: - designed to arrange uses in an integrated and cohesive unit in order to:

- a. ~~Provide~~ Visual harmony and landscaping;
- b. Interconnectivity to reduce dependence on the automobile;
- c. ~~Promote~~ Promotion of pedestrian movement within the development and to adjacent developments;
- d. ~~Utilize~~ Joint parking, access, and loading facilities;
- e. ~~Avoid~~ Avoidance of negative impacts and support of surrounding land uses, development forms, and travel circulation;
- f. ~~Protect~~ Protection of natural resources; and
- g. ~~Provide~~ Provision of necessary services and facilities ~~where they are inadequate to serve the proposed use.~~

(Revised Policy 6.1.3)

**POLICY 3.4.4:** Prohibit commercial developments from ~~locating in such a way as to open opening~~ new areas to premature, scattered, or strip development. ~~but~~ Encourage permit commercial development ~~to~~ in infill, redevelopment, and previously established development locations on small parcels in areas where existing commercial development would make a residential use clearly unreasonable.

(Revised Policy 6.1.7)

**POLICY 3.4.5:** Define locations and standards for the size, location, and access of commercial retail facilities in the LDC. (Addressed Policy 6.1.2)

**POLICY 3.4.6:** ~~The approval or existence of Commercial development approved or existing on one corner of an intersection is not an indication on its own does not mean, that all corners of the intersection are appropriate for commercial or mixed use development. nor does Further,~~ the existence of commercial development on an arterial or collector road does not dictate that all frontages must be used in a similar manner similarly used. (Modified Policy 6.1.10)

**POLICY 3.4.7:** Permit limited commercial uses, agriculturally related services, and other needs of the rural area which serve rural areas and agriculturally related needs may be permitted in non-urban areas as follows: unless more restrictive provisions exist within this plan.

- a. Location: The ~~entire~~ retail use, including buildings and outdoor sales area, must be located as follows except where this plan provides specific exceptions:
  1. At the intersection of an arterial and collector or two arterials ~~so that~~ with direct access is ~~provided~~ to both intersecting roads. ~~Such~~ Direct access may be ~~provided via~~ achieved with an internal access road to either intersecting road. On ~~Lee County's~~ islands ~~where there is no~~ with intersecting network of collectors and arterials, ~~neighborhood commercial centers development~~ may be located ~~using the standards for minor commercial centers at or near the intersection of local and collector, or local and arterial, or collector and collector roads;~~ and
  2. ~~As identified within the~~ Consistent with the Communities ~~Community Planning Element;~~
- b. Site Area: Two acres or less; and
- c. Range of Gross Floor Area: Less than 30,000 square feet.

(Modified Policy 6.1.2:1 )

**OBJECTIVE 3.5: INDUSTRIAL STANDARDS AND PRACTICES.** Provide for the economic needs of the county through land use standards that direct the planning and design of industrial and economic land uses in appropriate locations. (New objective)

**POLICY 3.5.1:** Provide for the land use and transportation needs of industrial and economic land uses through locations that provide for the special needs of such uses, such as: ~~Industrial land uses must be located in areas appropriate to their special needs and constraints, including, but not limited to, considerations of:~~

- a. Commuter access from home-to-work trips;
- b. Intermodal access by truck, air, deep water, and rail; air and water quality considerations;
- c. Proximity to supportive and related land uses and utilities;
- d. Topography;
- e. Choice and flexibility in site selection;
- f. Greenbelt and other amenities; and
- g. Compatibility with neighboring uses.

(Edited Policy 7.1.3)

**POLICY 3.5.2:** Permit agriculturally-related industrial uses ~~that~~ directly ~~serve~~ serve the rural and agricultural community in ~~areas indicated on the Future Land Use Map as Rural or Open Lands,~~ the Rural Communities, Open Lands, DR/GR Land Use Categories provided there is ~~they~~

~~have~~ adequate fire protection, transportation, and wastewater treatment and water supply, and ~~provided the uses~~ have no adverse effect on surrounding land uses and natural resources. These determinations will be made during the rezoning process. (Edited Policy 7.1.7)

**POLICY 3.5.3:** Land located outside of the Industrial/~~Research~~ Development, Tradeport, and Interstate ~~Highway~~ Interchange Land Use Categories but within the designated urban land uses may be developed for light industrial purposes ~~so long as~~ when adequate services and facilities are available; the use will not adversely impact surrounding land uses, and natural resources are protected, if one of the following conditions is met:

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

(Modified Policy 7.1.6)

**POLICY 3.5.4:** Support development of industrial areas in appropriate urban and suburban land use categories by reviewing and evaluating proposed industrial development according to the following conditions during the zoning and development order process:

- a. Permit the timing and location of industrial development with the availability and adequacy of services and facilities;
- b. Air emissions;
- c. Impact and effect on environmental and natural resources;
- d. Effect on surrounding land use;
- e. Impacts on water quality and water needs;
- f. Drainage system ;
- g. Employment characteristics;
- h. Fire and safety;
- i. Noise and odor;
- j. Buffering and screening;
- k. Industrial traffic is directed away from local residential streets;
- l. Impacts on transportation facilities and access points;
- m. Access to rail, major thoroughfares, air, and, if applicable, water;
- n. Utility needs; and
- o. Sewage collection and treatment.

(Redrafted to address issues from Policies 7.1.1, 7.1.4, and 7.1.5)

**POLICY 3.5.5:** ~~Industrial planned developments requiring rezoning and meeting Development of County Impact DCI thresholds must be developed as Planned Developments designed to~~ arrange uses as an integrated and cohesive unit in order to:

- a. Promote compatibility and screening;
  - b. Reduce dependence on the automobile;
  - c. Promote pedestrian movement within the development;
  - d. Utilize joint parking, access and loading facilities;
  - e. avoid negative impacts on surrounding land uses and traffic circulation;
  - f. Protect natural resources; and
  - g. Provide ~~necessary~~ facilities and services ~~where they are~~ when inadequate to serve the proposed use.
- (Formerly Policy 7.1.2)

**POLICY 3.5.6:** ~~Land development regulations will~~ Require that industrial uses to be adequately buffered and screened from adjacent existing or proposed residential areas so as to prevent visual blight and noise pollution. (Formerly Policy 7.1.8)

**POLICY 3.5.7:** Provide for the safety and health of the county’s residents and natural resources by prohibiting bulk storage or production of toxic, explosive, or hazardous materials near residential areas and prohibiting the storage of these materials in areas that have the potential to contaminate ground or surface water. (Policy addresses issues from Policy 7.1.1 (3))

**OBJECTIVE 3.6: AGRICULTURAL STANDARDS AND PRACTICES.** Support a diverse and robust agricultural economy by protecting agricultural lands from the encroachment of incompatible land uses and discouraging the introduction or expansion of agricultural uses in the Urban Areas.

**POLICY 3.6.1:** Identify rural agriculture lands on the land use map and establish policies and practices that support a diverse agricultural economy including:

- a. Utilize an Agricultural Overlay to identify, inventory, and promote agricultural uses;
- b. Evaluate applications for conversion of agricultural land uses in Non-Urban areas to other land uses;
- c. Encourage agricultural operations to meet water quality and surface water management standards by providing advisory water management plans through the Lee Soil and Water Conservation District;
- d. Promote energy, water, and soil conservation management practices; and
- e. Continue to update and analyze agricultural land use data.

(Redrafted to address issues from Objective 9.1, Policies 9.1.2, 9.1.3, and 9.1.5)

**POLICY 3.6.2:** Protect agricultural activities on lands ~~within the designated as agricultural on~~ the agricultural overlay (see Map X) from the impacts of new natural resource extraction operations, recreational uses, and residential development. ~~However,~~ In future limerock mining areas (see Map X), agricultural activities may be limited to the interim period prior to mining or may ~~need to~~ coexist with adjoining mining activities and mining pits. (Formerly Policy 9.1.4)

**POLICY 3.6.3:** ~~Lee County will work with a private agricultural advisory committee, agricultural operators, and landowners to~~ Establish and implement incentives to encourage the continuation of existing agricultural operations and improvements to existing agricultural operations as needed to store and treat water and improve ecological values. ~~The county will Investigate the feasibility of a Transfer of Development Rights (TDR) bank for agricultural property by 2012.~~ (Edited Policy 9.1.6)

**POLICY 3.6.4:** Existing agricultural lands within the DR/GR land use category provide important surface and subsurface connections for water and wildlife resources. ~~The county Support the integration of agriculture as part of a within a comprehensive and coordinated effort of county and regional agencies to manage the water resources in a manner that includes including the protection and restoration of natural systems within Southeast Lee County.~~ (Edited Policy 9.1.7)

**POLICY 3.6.5:** ~~Prevent the location of~~ Discourage agricultural uses proximate to incompatible urban uses and ~~to~~ promote the efficient use of existing and programmed urban infrastructure. , ~~new Direct new~~ agricultural uses ~~should be directed~~ away from ~~future~~ urban areas. (Edited Objective 9.2)

**POLICY 3.6.6:** Rezoning of land to agricultural zoning districts is prohibited in the in those areas designated by the Lee Plan as Future Urban Areas, Land Use Categories. (Modified Policy 9.2.1)

**POLICY 3.6.7:** ~~with the exception of those areas designated as Outlying Suburban, Review~~ Allow rezoning proposals of parcels of five acres or more to an agricultural zoning district within Suburban Categories to be reviewed on a case by case basis. ~~requests will be reviewed on a case by case basis, and Base recommendations will be made based on:~~

- a. Current and future availability of urban infrastructure; ~~and~~
- b. Compatibility with existing and future land uses;
- c. Acreage of rezoning request; and
- d. Consideration of applicable community plans. (Modified Policy 9.2.1)

**POLICY 3.6.8:** Planned development rezonings ~~within the future in~~ urban areas must not establish new, or expand existing, agricultural uses. Bona fide agricultural uses ~~that exist~~ existing at the time of rezoning may ~~be approved and the use allowed to continue until development commences.~~ ~~The approved~~ Existing agricultural uses ~~must~~ may not expand beyond the boundaries ~~that existed~~ existing at the time of rezoning. Existing agricultural uses within any tract or phase must be discontinued upon local development order approval including that tract or phase. (Edited Policy 9.2.2)

**OBJECTIVE 3.7: MARINE-ORIENTED LAND USES STANDARDS AND PRACTICES.** Designate prime locations for marine-oriented land uses and protect ~~them~~ those locations from incompatible or pre-emptive land uses. (Previously Goal 8)

**POLICY 3.7.1:** Encourage existing marinas, fish houses, and port facilities located within ~~indicated on the Future Land Use Map as having~~ water-dependent overlay zones on the Future Land Use Map ~~will be reclassified by the county~~ to commercial and industrial marine zoning categories to protect ~~their~~ the right to rebuild and expand and to prevent ~~their~~ conversion to non-water-dependent uses without a public hearing (See Map ##). (Edited Objective 8.1)

**POLICY 3.7.2:** ~~All~~ Development approvals for marine-oriented land uses must ~~also~~ comply with requirements set forth in the ~~Ports, Aviation and Related Facilities sub-element~~ Coastal and Conservation Management, Objective ~~428.5:~~ Marine Facilities Siting Criteria, and Objective ~~428.6:~~ Marina Design Criteria. (Edited Objective 8.2)

**OBJECTIVE 3.8: NATURAL RESOURCE EXTRACTION STANDARDS AND PRACTICES.** Protect areas containing identified natural resources from incompatible urban development, while ~~insuring~~ that natural resource extraction operations minimize or eliminate adverse effects on surrounding land uses and ~~on~~ other natural resources. (Edited Goal 10)

**POLICY 3.8.1:** Designate through the rezoning process, sufficient lands suitable for providing fill material, limerock, and other commercially valuable natural resources to meet the county's needs and to export to other communities, while providing adequate protection for ~~the county's~~ other natural resources. (Formerly Objective 10.1)

**POLICY 3.8.2:** The sale of overburden from approved limerock mines is encouraged because converting overburden into fill material avoids additional mining at other locations. However, shallow mines that produce primarily fill dirt should be sited as close as possible to locations of high demand to minimize the distance fill material must be trucked to likely destinations (~~see also Policy 33.1.5~~). (Formerly Policy 10.1.1)

**POLICY 3.8.3:** The future uses of any new or existing natural resource extraction operations must be evaluated at the time the property undergoes planned development zoning review. Site plans should be designed to incorporate proposed future uses, including open space, and to ensure the protection of surface and ground water resources, wildlife, and native plant communities. (Formerly Policy 10.1.2)

**POLICY 3.8.4:** Reclamation is intended to replace or offset ecological benefits lost during extraction, including the creation of conditions that will support a healthy water body to the extent practicable. Applications for natural resource extraction permits for new or expanding sites, or for future use of such sites, must include a reclamation plan that provides assurance of implementation. Reclamation ~~This~~ plans must address the reclamation and sustainable management of ~~all~~ existing and future mining pits, preserves, and buffer areas ~~that are or may in the future be~~ related to the mining operation. Reclamation plans in Future Limerock Mining areas (see Map 14) must include littoral shelves suitable for native wetland plants, re-vegetation of disturbed land, allowance for wildlife movement, and minimization of long-term effects on

surrounding surface and groundwater levels. Reclamation plans for mines providing primarily fill material should provide more extensive littoral shelves and describe how shorelines will be configured and managed and how disturbed uplands will be restored or converted to other acceptable land uses. Reclamation plans in or near important surface and groundwater resource areas must also be designed to minimize the possibility of contamination of the surface and groundwater during mining and after completion of the reclamation. (Formerly Policy 10.1.3)

**POLICY 3.8.5:** Limerock mining may be permitted only in accordance with goals, objective, and policies for Southeast Lee County, Objective 33.1 and its policies contained in the Communities Element. Other natural resource extraction activities such as fill dirt operations and ancillary industrial uses may be permitted as follows:

- a. In areas indicated on the ~~Future~~ Land Use Map as Rural, Open Lands, and DR/GR Density Reduction/Groundwater Resource, provided there is they have adequate fire protection, transportation facilities, wastewater treatment and water supply, and provided further ~~that they have~~ there are no significant adverse effects such as dust and noise on surrounding land uses and natural resources. In the DR/GR Density Reduction/Groundwater Resource category, fill dirt operations are further restricted in accordance with ~~Policy 33.1.5~~ other policies in the Lee Plan.
- b. In order to reduce transport costs and minimize wear on the county's roadways, the extraction and transport of fill material may also be permitted as an interim use in the ~~Future~~ Urban Areas provided that the above requirements are met; however, special restrictions may also be applied to protect other land uses. These determinations will be made during the rezoning process. Ancillary crushing of limerock strata embedded within fill material may be permitted for use on-site. (Edited Policy 10.1.4)

**POLICY 3.8.6:** Lee County will support efforts by government, community leaders, and the extractive industry owners and businesses to incorporate reclaimed mining pits into a comprehensive and coordinated effort of ~~county and regional~~ governmental agencies to enhance wildlife habitat values, minimize or repair the long-term impacts to adjoining natural systems, provide for human recreation, education, and other appropriate uses, and/or strengthen community environmental benefits. (Formerly Policy 10.1.5)

**POLICY 3.8.7:** Coordinate mining activities, including evaluation, monitoring, reclamation, and redevelopment, with water supply planning, surface and groundwater management activities, wetland protection, wildlife conservation, and future residential activities. Consider ~~the~~ cumulative and watershed-wide impacts of mining activities, ~~not just~~ in addition to the direct impacts of each individual mine ~~in isolation~~. (Previously Objective 10.2)

**POLICY 3.8.8:** Natural resource extraction operations must provide a monitoring system to measure surface and groundwater levels and quality to assess any degradation of surface and groundwater resources. Particular attention will be given to potential travel time to wellfields and residential wells. Mining applications are strongly encouraged to include a minimum of three years baseline monitoring and assessments of the likely change in flow, timing of travel, and

direction of surface and groundwater systems on-site and in the impacted area. (Formerly Policy 10.2.1)

**POLICY 3.8.9:** Applications for natural resource extraction permits for new or expanding areas must include an environmental assessment. The assessment ~~will~~ must include (but not be limited to) consideration of air emissions, impact on environmental and natural resources, effect on nearby land uses, degradation of water quality, depletion of water quantity, drainage, fire and safety, noise, odor, visual impacts, transportation including access roads, sewage disposal, and solid waste disposal. Assessments ~~will~~ must also include:

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

(Formerly Policy 10.2.2)

**POLICY 3.8.10:** The depth of mining for a proposed excavation will be limited as necessary to prevent any breach of an aquaclude or confining layer. (Formerly Policy 10.2.3)

**POLICY 3.8.11:** Other limitations on mining pit size, setbacks, and depths will be determined on a case-by-case basis depending on existing neighboring uses, specific hydrogeologic conditions, wetlands and watershed protection, wildlife conservation, and transportation routes including anticipated traffic to and from the mine. (Formerly Policy 10.2.4)

**POLICY 3.8.12:** Areas that are designated as preserve areas (e.g., buffers, indigenous preservation, and reclaimed littoral shelves) during the mining rezoning process must be protected by the execution of perpetual conservation easements so that these areas will be maintained during mine operation and in perpetuity regardless of future land uses. A timetable for all environmental remediation including the construction of buffers and reclamation of littoral shelves must be included as part of the mine rezoning application. Lee County must be named in the easement as a grantee with the power and authority, but not obligation, to enforce the terms of the easement. An entity, other than Lee County, ~~should~~ must be identified and obligated to maintain the easement in perpetuity. However, Lee County may agree to be primarily responsible for maintenance. (Edited Policy 10.2.5)

**POLICY 3.8.13:** The LDC-will establish the contents and frequency of monitoring reports from authorized mines. These reports may include surface and groundwater monitoring of water quality and quantity, the areas under active mining, the depths being mined, the quantity and type of mined materials, estimated reserves left for mining, and the annual volume, direction, and destination of the material being transported. Reporting will include the active mining and processing area; the areas where reclamation has been completed; and the areas where invasive exotic removal is underway or completed. (Edited Policy 10.2.6)

**POLICY 3.8.14:** Zoning or development order approvals may require that significant adverse impacts identified during mining or post-mining will be subject to adaptive resource management acceptable to Natural Resources whereby corrective measures can be guaranteed through conditions on the next phase's approval. (Edited Policy 10.2.7)

**POLICY 3.8.15:** Determine and maintain a balance between the County's petroleum resources and the health, safety and welfare of the residents of its ~~Future~~ Urban Areas. (Formerly Objective 10.3)

~~**OBJECTIVE 4.1: PLANNED DEVELOPMENT PROCESS.** Maintain the current planned development rezoning process which combines site planning flexibility with rigorous review. (Objective Not Needed.)~~

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

~~**OBJECTIVE 5.1:** All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 11, and other provisions of this plan. (Amended by Ordinance No. 94-30, 00-22)~~

~~**POLICY 5.1.1:** Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as planned residential developments. (Amended by Ordinance No. 00-22) (Addressed as part of Policy 4.1.1)~~

~~**POLICY 5.1.2:** Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community. (Addressed as part of Policy 4.1.1)~~

~~**POLICY 5.1.3:** During the rezoning process, direct high density residential developments to locations that are near employment and shopping centers; are close to parks and schools; and are accessible to mass transit and bicycle facilities. (Amended by Ordinance No. 94-30) (Redrafted as part of Policy 3.2.1)~~

~~**POLICY 5.1.4:** Prohibit residential development in all Industrial Development areas and Airport Noise Zone B as indicated on the Future Land Use Map, except for residences in the Industrial Development area for a caretaker or security guard, and except as provided in Chapter XIII. (Amended by Ordinance No. 94-30, 07-09) (Addressed by Goal 1 and airport policies in Transportation Element)~~

~~**POLICY 5.1.6:** Maintain development regulations that require high density, multi family, cluster, and mixed-use developments to have open space, buffering, landscaping, and recreation areas appropriate to their density and design. (Amended by Ordinance No. 94-30) (Addressed as part of Policy 3.2.1)~~

~~**POLICY 5.1.7:** Maintain development regulations that require that community facilities (such as park, recreational, and open space areas) in residential developments are functionally related to all dwelling units and easily accessible via pedestrian and bicycle pathways. These pathways must be interconnected with adjoining developments and public pathways whenever possible. Townhouses, condominiums, apartments, and other types of multi family residential development must have directly accessible common open space. (Amended by Ordinance No. 94-30, 00-22) (Addressed as part of Policy 3.2.1)~~

~~**POLICY 5.1.8:** Provide for adequate locations of low and moderate income housing through the rezoning process, the provision of public facilities and services, and the elimination of unnecessary administrative and legal barriers. (Addressed by Housing Element)~~

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

~~**OBJECTIVE 5.2:** Redevelopment of Existing Multi Family Residential Development: To incentivize and promote cost effective and timely redevelopment of multi family developments that were approved and developed prior to the adoption of the 1984 Lee Plan, in excess of the standard density range for their current Future Land Use Category. (Added by Ordinance No. 10-08) (Objective and Policies replaced by Policies 3.2.3)~~

~~**POLICY 5.2.1:** Over density multi family residential developments that lawfully achieved their density prior to the effective date of the Lee Plan (December 21, 1984), may be permitted to redevelop at their existing density. Over density multi family redevelopments will be considered on a case by case basis to determine the approval process to be followed to achieve redevelopment. (Added by Ordinance No. 10-08) (Objective and Policies replaced by Policies 3.2.3)~~

~~**POLICY 5.2.2:** When rezoning is required, the Planned Development zoning process must be utilized to prevent and mitigate adverse impacts to the surrounding areas and to ensure that appropriate site development regulations are incorporated into the development plans. (Added by Ordinance No. 10-08) (Objective and Policies replaced by Policies 3.2.3)~~

~~**POLICY 5.2.3:** In order to establish the: existing structures; number of dwelling units; floor area; existing water management systems and outfalls; and, impervious area on the subject property, all~~

~~proposals for over density multi family redevelopment must provide the county with full documentation verifying this information and establishing development was lawful when initially constructed. The documentation must include two site plans. One depicting existing development and another depicting the proposed plan of redevelopment. This information must be provided at a pre-application meeting with County staff. (Added by Ordinance No. 10-08) (Objective and Policies replaced by Policies 3.2.3)~~

~~**POLICY 5.2.4:** The site design of the proposed development must be compatible with surrounding land uses to the maximum extent possible. (Added by Ordinance No. 10-08) (Objective and Policies replaced by Policies 3.2.3)~~

~~**POLICY 5.2.5:** All wet retention and dry retention areas must be planted with appropriate native trees and herbaceous plant species. (Added by Ordinance No. 10-08) (Objective and Policies replaced by Policies 3.2.3)~~

~~**GOAL 6: COMMERCIAL LAND USES.** To permit orderly and well planned commercial development at appropriate locations within the county (Goal is unified for all land use form issues and no longer a goal just for mixed-use.)~~

~~**OBJECTIVE 6.1:** Development approvals for commercial land uses must be consistent with the following policies, the general standards under Goal 11 and other provisions of this plan. (Objective not needed)~~

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

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

~~(Redrafted through Policies 3.3.1 and 3.3.2)~~

~~**POLICY 6.1.2:** Commercial development must be consistent with the location criteria in this policy except where specifically excepted by this policy or by Policy 6.1.7, or in Lehigh Acres by Policy 32.2.4 or located in the Mixed Use Overlay utilizing Chapter 32 Compact Communities of the LDC.~~

~~1. Minor Commercial~~

~~a. Major function: Provides for the sale of convenience goods and services.~~

~~b. Location: The entire retail use, including buildings and outdoor sales area, must be located as follows except where this plan provides specific exceptions (e.g., Policy 6.1.7):~~

~~(1) — On or near the intersection (within 330 feet of the adjoining rights of way of the intersection roads) of local and collector, local and arterial, or collector and collector roads. In Commercial Planned Developments where future road improvements that are included in the Capital Improvement Program will enable the property to qualify for the higher level of commercial development specified in Subsection 2 below, and which are conditioned to allow the increased commercial intensity when the roadway actually functions at the higher level of a collector road, the Minor Commercial use may extend beyond 330 feet of such intersections provided the Master Concept plan specifically indicates the phasing of the development from Minor to Neighborhood Commercial use. Proposed interconnections of future internal access roads or driveways servicing only the subject parcel with an arterial or collector will not comply with the requirements of this section;~~

~~(2) — At the intersection (as defined below) of collector and arterial or arterial and arterial roads; or~~

~~(3) — Within a residential planned development provided it is located and designed primarily to meet the commercial needs of the residents of the development.~~

~~e. — Site Area: Two acres or less.~~

~~d. — Range of Gross Floor Area: Less than 30,000 square feet.~~

~~e. — When developed as part of a mixed use planned development, and meeting the use limitations, modified setback standards, signage limitations and landscaping provisions, retail uses may deviate from the locational requirements and maximum square footage limitations, subject to conformance with the Estero Community Plan as outlined in Policies 19.2.3 and 19.2.4, and through approval by the Board of County Commissioners.~~

~~2. — Neighborhood Commercial~~

~~a. — Major function: Provide for the sale of convenience goods and personal services such as food, drugs, sundries, and hardware items.~~

~~b. — Typical leading tenants: Supermarket and drug store.~~

~~e. — Location: Must be located as follows (except where this plan provides specific exceptions):~~

~~At the intersection of an arterial and a collector or two arterials so that direct access is provided to both intersecting roads. Such direct access may be provided via an internal access road to either intersecting road. On Lee County's islands where there is no intersecting network of collectors and arterials, neighborhood commercial centers may be located using the standards for minor commercial centers.~~

~~d. — Site Area: 2 to 10 acres~~

~~e. — Range of Gross Floor Area: 30,000 to 100,000 square feet~~

~~f. — In that portion of North Fort Myers lying between the Cape Coral city limits and the old S.A.L. railroad grade and north of the junction of the 41s, an exception to the strict adherence to the location standards in subsection (e) may be granted upon the approval of an application for Commercial Planned Development rezoning if the Board of County Commissioners makes a formal finding that the proposed project:~~

~~(1) — is located on an existing arterial road;~~

~~(2) — is located at the intersection of that arterial with a future collector or arterial that is indicated on the Official Trafficways Map; and~~

~~(3) — will provide (or at least not interfere with) an acceptable alignment for the future roadway which is the justification for the approval, relative to both extensions from the point of intersection with the existing road.~~

~~3. — Community Commercial~~

~~a. — Major function: Some functions of neighborhood commercial, in addition to providing for the sale of retail goods such as clothing, variety items, appliances, and furniture.~~

~~b. — Typical leading tenants: Supermarket, drug store, minor department store, variety store, or discount center.~~

~~c. — Location: Must be located as follows (except where this plan provides specific exceptions):~~

~~At the intersection of two arterials so that direct access is provided to both intersecting roads. Such direct access may be provided by an internal access road to either intersecting road.~~

~~d. — Site Area: 10 to 35 acres~~

~~e. — Range of Gross Floor Area: 100,000 to 400,000 square feet~~

~~f. — Notwithstanding prohibitions contained elsewhere in this plan, community commercial development may be granted in a portion of the Suburban land use category in North Fort Myers lying between the Cape Coral city limits and the old S.A.L. railroad grade and north of the junction of the 41s upon the approval of an application for Commercial Planned Development rezoning if the Board of County Commissioners makes a formal finding that the proposed project:~~

~~(1) — is located on an existing arterial road;~~

~~(2) — is located at the intersection of that arterial with a future arterial road that is indicated on the Official Trafficways Map; and~~

~~(3) — will provide (or at least not interfere with) an acceptable alignment for the future roadway which is the justification for the approval, relative to both extensions of that future roadway from the point of intersection with the existing road.~~

~~4. — Regional Commercial~~

~~a. — Major Function: Some functions of community commercial, in addition to providing a full range and variety of shopping goods for comparative shopping (such as general merchandise, apparel, furniture, and home furnishings).~~

~~b. — Typical leading tenants: One or more full line department stores.~~

~~c. — Location: Must be located in such a manner as to provide direct access to two and preferably three arterial roads. Such direct access may be via an internal access road to one or more arterials.~~

~~d. — Site Area: 35 to 100 acres~~

~~e. — Range of Gross Floor Area: 400,000 to 1 million square feet or more.~~

~~f. — The Commercial Site location standards described in this policy do not apply to Regional Commercial development approved as a single mixed use Development of Regional Impact containing regional shopping opportunities on a 483 acre portion of Section 9, Township 47~~

~~South, Range 25 East, that is bounded on the west by U.S. 41, on the east by the Seminole Gulf Railroad tracks, on the south by Coconut Road, and on the north by a line located one half mile north of Coconut Road designated Urban Community, provided that the DRI specifically addresses:~~

- ~~1) Impacts to flow ways;~~
- ~~2) Community and Regional Park levels of service;~~
- ~~3) Roadway levels of service;~~
- ~~4) Public Schools;~~
- ~~5) Fire protection services; and~~
- ~~6) Affordable housing.~~

~~5. Commercial development “at the intersection” will extend no more than one quarter mile from the centerline of the intersection and must include proper spacing of access points, with the following exception: in a commercial development approved under the planned development rezoning process, “at the intersection” may extend beyond one quarter mile from the intersection, provided that:~~

- ~~a. direct access is provided to the development within one quarter mile of the intersection;~~
- ~~b. an internal access road or frontage road provides access to the intersecting street prior to occupancy of the development; and~~
- ~~c. all access points meet LDC requirements for safety and spacing.~~
- ~~d. the retail commercial use, including any outdoor sales, does not extend beyond one half mile from the centerline of the intersection.~~

~~6. Any contiguous property under one ownership may, at the discretion of the Board of County Commissioners, be developed as part of the interstate interchange, except in the Mixed Use Interchange district, provided the property under contiguous ownership to be developed as part of the interstate interchange does not extend beyond three quarters of a mile from the interchange centerpoint. Applications seeking interstate uses outside of the interstate highway interchange area will be evaluated by the Board considering the following factors: percentage of the property within the interstate interchange; compatibility with existing adjacent land uses; and, compatibility with surrounding Future Land Use Categories. This is intended to promote planned developments under unified ownership and control, and to insure proper spacing of access points.~~

~~7. The location standards specified in Subsections 1-4 will apply to the following commercial developments: shopping centers; free standing retail or service establishments; restaurants; convenience food stores; automobile dealerships; gas stations; car washes; and other commercial development generating large volumes of traffic. These location standards will not apply to the following: banks and savings and loan establishments without drive-in facilities; hotels or motels; marinas; general, medical, or professional offices; industrial, warehouse, or wholesale development; clubs, as defined in Chapter 34 of the LDC (commercial clubs excepted); and other similar development. The distinction in this subsection between these two major types of commercial uses does not apply in Lehigh Acres, where commercial uses are permitted in~~

~~accordance with Policy 32.2.4. These location standards will not apply to property in the Mixed Use Overlay when Chapter 32—Compact Communities of the LDC is applied.~~

~~8. The standards specified in Subsections 1-4 for location, floor area and site area will serve as guidelines during the rezoning process (allowing limited discretion by the Board of County Commissioners in special cases in which retail uses are the only reasonable use of the parcel in light of its size, its proximity to arterials and collectors, and the nature of the existing and projected surrounding uses, including but not limited to environmental factors) but are strict requirements during the development order process in the case of zoning that existed prior to the effective date of the Lee Plan (December 21, 1984). The other standards specified in Subsections 1-4 will serve generally to indicate the types of development which are likely to fall within each commercial category. Proposed rezonings to commercial zoning districts that include both uses that are subject to the standards in Subsections 1-4 and uses that are not (see Subsection 7) may be found consistent with the Lee Plan by the Board of County Commissioners even if the subject parcel does not comply with the applicable location standard; provided, however, that no development orders will be issued on any such parcel for any use to which the standards in Subsection 1-4 is applicable, and all such development orders must be consistent with the level of service requirements in Policy 95.1.3.~~

~~9. The location standards in this policy are not applicable in the following areas:~~

~~a. In the Interchange land use category~~

~~b. In Lehigh Acres where commercial uses are permitted in accordance with Goal 32~~

~~c. Within the Captiva community in the areas identified by Policy 13.2.1, in Area 9 of the University Community Conceptual Master Plan, or within the Mixed Use Overlay when utilizing Chapter 32—Compact Communities of the LDC~~

~~d. In the Density Reduction/Groundwater Resource land use category where some commercial development is permitted under Objective 33.3.~~

~~10. The Board of County Commissioners may approve applications for minor commercial centers that do not comply with the location standards for such centers but which are consistent with duly adopted CRA and Community plans.~~

~~11. Uses that must comply with Subsections 1-4 may occur at the outside of a T intersection so long as direct access is provided from at least two points on the adjacent intersecting road, one of which must be an extension of the other intersecting road.~~

~~12. Map 19 illustrates the existing Lee County intersections that are deemed to be consistent with the standards in subsections 2 and 3. Neighborhood and community commercial centers must be located at one of the designated intersections, at another intersection utilizing the list of Functional Classification for Arterial and Collector Roads, or in accordance with one of the exceptions under Goal 6, or in Lehigh Acres in accordance with Policies 1.8.1 through 1.8.3.~~

~~The map shows some intersections with half circles and others with full circles. Half circles indicate that only the two intersection quadrants shown on the map are deemed to be consistent with the standards. All of the quadrants of intersections designated with full circles are deemed to be consistent with the standards. Proposed neighborhood and community commercial centers that are located at the designated intersections are subject to all of the other Goals, Objectives and Policies of this Plan.~~

~~Functional classifications of new or improved streets will be established in accordance with the definitions of “arterial” and “collector” roads in Rule 9J 5.003. A list of Functional Classification for Arterial and Collector Roads, consisting of roads that meet this criteria, will be maintained by the Department of Transportation, for county maintained roads, and the Division of Development Services, for privately maintained roads. These functional classification lists will be adopted by Administrative Code. For the purpose of determining compliance with the locational standards of Policy 6.1.2, only those roads identified as Major Collector roads will be considered collector roads. Roads identified as Minor Collector or not included on the list will be considered local roads. The map will be revised annually during the county's regular plan amendment cycle.~~

~~13. Freestanding single use commercial retail development of five (5) acres or more does not qualify as a Neighborhood Center as that term is used in the Suburban and Outlying Suburban Future Land Use Categories. (Addressed through LDC, Redrafted Policies 3.3.5 and 3.3.7)~~

~~**POLICY 6.1.4:** Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities. (Addressed through Policy 3.3.1)~~

~~**POLICY 6.1.5:** The land development regulations will require that commercial development be designed to protect the traffic carrying capacity of roads and streets. Methods to achieve this include, but are not limited to:~~

- ~~• frontage roads;~~
- ~~• clustering of activities;~~
- ~~• limiting access;~~
- ~~• sharing access;~~
- ~~• setbacks from existing rights of way;~~
- ~~• acceleration, deceleration and right turn only lanes; and~~
- ~~• signalization and intersection improvements (Addressed by Transportation Element)~~

~~**POLICY 6.1.6:** The land development regulations will require that commercial development provide adequate and appropriate landscaping, open space, and buffering. Such development is encouraged to be architecturally designed so as to enhance the appearance of structures and parking areas and blend with the character of existing or planned surrounding land uses. (Addressed by Policy 3.3.2 and 3.3.1)~~

~~**POLICY 6.1.8:** Commercial development may take place, when properly zoned and when meeting the standards in Policy 6.1.2, within the Future Urban Areas. Minor or rural commercial uses which serve rural residents or marine traffic, neighborhood commercial uses which serve major non-commercial public attractions (e.g. Lee County Civic Center), limited agricultural-commercial uses which serve rural areas and agriculturally related needs, and limited commercial marinas (not including heavy marine commercial, such as extensive storage and hull, engine, and electronic repairs) may be permitted in non-urban areas. (Addressed by Policy 3.3.1)~~

~~**POLICY 6.1.9:** Prohibit commercial development from locating near existing or planned school areas in such a way as to jeopardize the safety of students. (Addressed by Policy 3.3.1)~~

~~**POLICY 6.1.11:** Provide appropriate requirements and incentives for the conversion of strip commercial development into series of discrete, concentrated commercial areas. (Addressed by Policy 3.3.4)~~

~~**POLICY 6.1.12:** Encourage the upgrading or revitalization of deteriorating commercial areas (consistent with approved CRA plans, where applicable), but prohibit the expansion or replacement of commercial uses which are inappropriately located or that have an adverse impact on surrounding residential and non-residential uses. Such revitalization includes, but is not limited to: store front renewal, sign control, and the provision of common parking areas and consolidated access. (Policy not necessary)~~

~~**GOAL 7: INDUSTRIAL LAND USES.** To promote opportunities for well-planned industrial development at suitable locations within the county. (Goal is unified for all land use form issues and no longer a goal just for mixed-use.)~~

~~**OBJECTIVE 7.1:** All development approvals for industrial land uses must be consistent with the following policies, the general standards under Goal 11, and other provisions of this plan. (Objective not needed)~~

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

- ~~1. The development must comply with local, state, and federal air, water, and noise pollution standards.~~
- ~~2. When located next to residential areas, industry must not generate noise levels incompatible with the residential development.~~
- ~~3. Bulk storage or production of toxic, explosive, or hazardous materials will not be permitted near residential areas.~~
- ~~4. Contamination of ground or surface water will not be permitted.~~
- ~~5. Applications for industrial development will be reviewed and evaluated as to:
  - ~~a. air emissions (rezoning and development orders);~~
  - ~~b. impact and effect on environmental and natural resources (rezoning and development orders);~~~~

- ~~e. effect on neighbors and surrounding land use (rezoning);~~
- ~~d. impacts on water quality and water needs (rezoning and development orders);~~
- ~~e. drainage system (development orders);~~
- ~~f. employment characteristics (rezoning);~~
- ~~g. fire and safety (rezoning and development orders);~~
- ~~h. noise and odor (rezoning and development orders);~~
- ~~i. buffering and screening (planned development rezoning and development orders);~~
- ~~j. impacts on transportation facilities and access points (rezoning and development orders);~~
- ~~k. access to rail, major thoroughfares, air, and, if applicable, water (rezoning and development orders);~~
- ~~l. utility needs (rezoning and development orders); and~~
- ~~m. sewage collection and treatment (rezoning and development orders).~~

~~**POLICY 7.1.4:** The Future Land Use Map must designate a sufficient quantity of land to accommodate the minimum allocated land area found in Policy 1.7.6 and related Table 1(b), where appropriate. Lee County will monitor the progress of development and the number of acres converted to industrial use as part of every Evaluation and Appraisal Report (EAR). This acreage may be adjusted to accommodate increases in the allocations.~~

~~**POLICY 7.1.5:** The timing and location of industrial development will be permitted only with the availability and adequacy of existing or planned services and facilities.~~

~~**POLICY 7.1.9:** Industrial development will not be permitted if it allows industrial traffic to travel through predominantly residential areas.~~

~~**POLICY 7.1.10:** All county actions relating to industrial land uses must be consistent with the goals, objectives, and policies of the Economic element of this Plan.~~

~~**GOAL 9: AGRICULTURAL LAND USES.** To protect existing and potential agricultural lands from the encroachment of incompatible land uses and to discourage the introduction or expansion of agricultural uses in the Future Urban Areas.~~

~~**OBJECTIVE 9.1:** Place existing active and passive agricultural uses, that are zoned AG, have an agricultural exemption from the property appraiser's office, and are located outside of areas anticipated for urban use during the life of the plan on an agricultural overlay. Non contiguous parcels less than 100 acres in size will not be included on this Overlay. A bi-annual review of this map will be conducted to track changes in the inventory of agriculturally used land in the non-urban areas of Lee County.~~

~~**POLICY 9.1.1:** In accordance with F.S. 187.201(23)(b)1, nothing in this plan will be construed to permanently prohibit the conversion of agricultural uses to other land uses.~~

~~**POLICY 9.1.2:** Encourage the utilization of energy, water, and soil conservation management practices in agricultural activities.~~

~~**POLICY 9.1.3:** Continue to encourage agricultural operations to meet adopted water quality and surface water management standards by providing advisory water management plans through the Lee Soil and Water Conservation District.~~

~~**POLICY 9.1.5:** Continue to update and analyze agricultural land use data.~~

Goal 4: Activity Centers and Corridors. Goal 4 promotes the development of centrally located, interconnected mixed-use activity centers in targeted areas of Lee County. The goal directs the development of future activity centers by incorporating Evaluation and Appraisal Report Chapter 2 recommendations into existing Future Land Use Element Goal 4 objectives and policies. New objectives and policies address how to incentivize the development of mixed-use activity centers. Existing policies have been maintained that address development standards that mixed-use centers are expected to meet. The new and existing policies work together to support the form and design of mixed-use centers while providing guidance to both public and private development efforts.

**GOAL 4: ACTIVITY CENTERS AND CORRIDORS.** Support the development of compact, mixed-use activity centers and corridors in targeted locations through the public-private partnerships to provide diverse economic, social, and residential opportunities. Promote creative urban design forms that allow for integrated mixed-use buildings, interconnected stand alone buildings within mixed-use centers and corridors. (New goal)

**OBJECTIVE 4.1: MIXED-USE PRACTICES.** Facilitate the development of mixed-use places that feature a complimentary mix of uses, promote livability, walkability, and multi-modal transportation services, and provide a variety of economic, housing, and recreational opportunities in targeted locations as designated on the Land Use Map. (New objective)

**POLICY 4.1.1:** Foster a balance of residential, economic, and public space areas by utilizing the Future Land Use Map to designate the location of mixed-use centers and corridors in areas where the densities and intensities of mixed-use places are compatible with surrounding neighborhoods. (New Policy)

**POLICY 4.1.2:** Encourage mixed-use centers and corridors through development practices that support a diverse housing, economic, transportation, and social connections including:

- a. Multi-generational residential developments with an array of housing types, and live/work options;
- b. Interdependent, 24-7 economy with daytime and evening businesses, activities, and events;

- c. Interconnected land uses and transportation systems that decrease the number and length of vehicular trips, facilitate transportation options, and provide opportunities for walking, biking, riding transit, and driving; and
  - d. Centrally located, accessible, and diverse public places and open spaces.
- (New Policy)

**POLICY 4.1.3:** Establish and implement a Mixed-Use Overlay as part of the Future Land Use Element to target locations and promote the development of activity centers and corridors. Prioritize mixed-use overlay locations according to the following considerations:

- a. Opportunity to improve connections to surrounding neighborhoods, economic centers, parks and public spaces, and civic areas;
  - b. Redevelopment opportunities for established development areas—particularly on grayfield or brownfield sites;
  - c. Close proximity to: multi-modal transportation facilities; schools; recreation opportunities; and residential, shopping and employment centers;
  - d. Ability to improve the transportation system—e.g.: increased pedestrian, bicycle, and bus service; reduced travel distances; internal trip capture; and improved transit accessibility;
  - e. Location of large amounts of underutilized commercial space with suburban-oriented parking lots; or
  - f. Sites identified through community planning efforts, MPO plans, or Lee Tran transit plans.
- (Addresses issues from Objectives 4.2, Policies 4.2.1 and 4.2.5)

**POLICY 4.1.4:** Facilitate the planning and development of mixed-use centers by working with community members, property owners, and other interested stakeholders. Emphasize building consensus on locations for the Mixed-Use Overlay, education regarding the benefits and concerns related to mixed-use/higher density developments; and adoption of a mixed-use regulating plan in targeted locations. (Redrafted Policy 4.2.6)

**POLICY 4.1.5:** Support private mixed-use developments by streamlining the review of mixed-use developments within communities with regulating plans, prioritizing capital improvement projects needed to support mixed-use developments, encouraging creative urban mixed-use design and development practices, and identifying innovative mixed-use incentives. (New Policy)

**POLICY 4.1.6:** Promote the development of urban communities by prioritizing the planning, development, and funding of mixed-use centers in urban locations. Projects within urban land use categories, particularly those located within areas that have adopted mixed-use regulating plans, are a priority for public resources and programs to spur development through a variety of development practices including:

- a. Planning and adoption of mixed-use regulating plans located in target locations;
- b. Planning, funding, and construction of public services and infrastructure systems (e.g.: transportation systems; utility –potable water, sanitary sewer, and stormwater—systems; parks and public spaces; civic resources, and other);

- c. Funding capital improvement projects and other county infrastructure and transportation funding;
  - d. Identifying additional grant and public resources and programs;
  - e. Utilizing the county's historic resource, housing, park development, and other programs;
  - f. Coordinating with the Economic Development Office and Fort Myers Regional Partnership to promote economic development activities; and
  - g. Utilizing local community funding resources.
- (New policy)

**POLICY 4.1.7:** Properties in a Mixed Use Overlay Zone, ~~not within the Coastal High Hazard Area, and with adopted regulating plans will be considered as~~ preferred receiving areas for Transferable Development Rights (TDRs) and will allow these TDRs to serve as a method for ~~obtaining allowable bonus densities~~ incentive density.  
(Modified Policy 4.3.8)

**POLICY 4.1.8:** The Mixed-Use Overlay may include areas within the Coastal High Hazard Area when unique public benefits exist. ~~Such Benefits may include: providing workforce housing options for employees of businesses located on barrier islands when transit is provided between the workforce housing and the employment areas~~

- a. Development of workforce housing alternatives;
- b. Provision of transportation options;
- c. Creation of evacuation shelters; and
- d. Others benefits as determined through the zoning process.

(Modified Policy 4.2.4)

**POLICY 4.1.9:** ~~Any~~ Planned Development projects adhering to the Mixed-Use Overlay standards, at the discretion of the Board of County Commissioners, may extend a reasonable distance beyond the Mixed-Use Overlay zone ~~up to one quarter mile~~. (Modified Policy 4.2.3)

**OBJECTIVE 4.2: MIXED-USE STANDARDS.** ~~To~~ Pursue or maintain land development standards and regulations ~~which that~~ encourage creative site designs and mixed use developments. ~~Using an overlay to locate appropriate areas for Mixed Use, Traditional Neighborhood Development, and Transit Oriented Development.~~ (Modified Goal 4)

**POLICY 4.2.1:** Mixed Uses: Provide a balanced mixture of uses ~~will be provided~~ to reduce overall trip lengths, to support pedestrian, bicycle and transit opportunities and create pedestrian friendly streetscapes. Mixed use form and design considerations include:

- a. Mixed uses will be encouraged ~~developments may take the form of either vertical or linear integration of uses.~~ Vertical integration occurs when uses are mixed within individual buildings (e.g. residential above retail or office space). Linear distribution occurs when uses are connected to other uses as part of a larger mixed-use center or corridor; and
- b. Mixed Use Overlay areas will provide civic uses, such as green spaces or community centers;

- c. Mixed uses will be integrated within an overall design framework to create a pedestrian friendly, human scale environment, through objective, measurable criteria including size, scale, proportion, and materials detailed in the land development regulations. Flexibility in design will allow for choice and variety in architectural style. ~~and~~
  - d. ~~Primary and secondary uses will be determined based upon the needs of the community, character of the surrounding area, and characteristics of the transportation network.~~
- (Modified Policy 4.3.2)

**POLICY 4.2.2:** Site and Building Design: Integrate commercial, residential, civic, and open spaces to create multipurpose developments that feature unique style and ambiance through design, encouraging civic involvement and events to promote community interaction. Site and Building Design development practices include:

- a. Provisions for outdoor livability, including interconnected pedestrian and bike facilities, walkways, public plazas, ample seating, and walkable block size;
- b. Well defined centers and edges with public or civic space creating an element around which other development is located;
- c. Development plans will create focal points of signature buildings, civic spaces, natural amenities, and other prominent features through placement or street layout;
- d. Link pedestrian routes and bikeways with the street system or other public space such as parks or squares avoiding routes through parking lots and other locations out of the public realm;
- e. When necessary, development density and intensity will gradient from the center to the edge suitable to integrated surrounding land uses;
- f. The designs will include a pedestrian circulation system to connect the nonresidential uses with residential uses and areas;
- g. Local climate and history will dictate the architectural and landscape design and natural methods of cooling and heating will be encouraged. Evaluate Green Building techniques as an alternative way to provide open space;
- h. Streets and roads will be fronted by design features including sidewalks which define and contribute to a pedestrian street character. Building design, placement, and entrances will be at a pedestrian scale and oriented towards streets or other public space such as parks or squares;
- i. The street system will equally serve automobile and non-automobile modes of transportation. Development will provide pedestrian and bicycle- friendly access, and will provide transit facilities to the development and the surrounding community;
- j. Large scale nonresidential establishments will incorporate development design techniques to integrate the establishment into the surrounding community. Such design techniques will include:
  1. Creation of a series of smaller, well defined customer entrances to break up long facades and provide pedestrian scale and variety, that may be achieved through the use of liner buildings;
  2. Limited number and size of signs; and

3. Landscaping and use of pocket parks and courtyards adequate to soften large building masses.
- k. ~~An “A/B” street grid system may be utilized where “A” streets meet all pedestrian oriented standards and create a continuous uninterrupted pedestrian friendly streetscape, while “B” streets may include a limited amount of properly designed non-pedestrian oriented uses; and~~
- l. ~~Crime Prevention Through Environmental Design (CPTED) guidelines will be incorporated to the maximum extent possible.~~

(Edited Policy 4.3.3)

**POLICY 4.2.3: Streetscape Design: Provide for an active mixed-use plan by ensuring the streetscape design supports the form and function of the center and surrounding community. Streetscape Design development practices include:**

- a. Location of active uses in relationship to neighborhood-oriented commercial uses (e.g.: small markets, retail shops, and cafes), public spaces and parks, and civic spaces;
- b. Design and sidewalks connections, public areas, and signage as it relates to the design found elsewhere within the community;
- c. Type, size, function, and location of public spaces and parks such as courtyards, plazas, fountains, center parks, natural areas, and civic places;
- d. Placement of streetscape features including: lighting fixtures, benches, bike racks, bus stop shelters; and
- e. Size and location of the center’s buildings relate to the sidewalk, street, public spaces, and surrounding neighborhoods.

(New Policy)

**POLICY 4.2.4: Walkable Centers: Locate stores, offices, residences, public services, public spaces, parks and recreational resources within walking distance of each other to promote independence of movement; enable people to conveniently walk, cycle, or ride transit; reduce use of independent vehicles; and provide options to live, work, and play. A walkable distance is typically measured at ¼ to ½ mile with minimal physical and perceived barriers such as dangerous intersections, isolated or unsafe areas, heavy and fast vehicular traffic, vacant lands and parking lots, narrow sidewalks, and poor lighting.** (New Policy)

**POLICY 4.2.5: Automobile Access and Mobility: ~~Automobile~~ Ensure the transportation facilities within mixed use places are ~~will be~~ designed to provide safe access to and within the development, opportunities for multiple transportation alternatives (walk, bike, transit, and vehicular), and connectivity to all areas within the center. Access and Mobility Design development practices include:**

- a. Internal traffic circulation system design will include:
  1. Clearly defined, well lit, and shaded pedestrian connections, sidewalks, and pedestrian crossings;
  2. Traffic calming techniques to maintain safe multi-modal transportation;
  3. An interconnected street grid system extended to adjacent sites at the least intrusive locations;

4. Block sizes will be small enough to create an easily dispersed traffic flow;
  5. Maximum use of common access drives;
  6. A system of alleyways for service vehicles and access to parking; and
  7. Convenient access to transit facilities.
- b. Points of ingress to and egress from arterial roads carrying through traffic will be located at the allowed intersection spacing and connect to the internal traffic circulation system;
  - c. A connector street system will provide multiple vehicular, bicycle, and pedestrian linkages to adjacent local destinations, including residential neighborhoods, as an alternative to arterial and collector roads, except where such connections are precluded by physical layout of natural environmental features;
  - d. Bicycle facilities include bike racks, bike lanes and signage; and bikeways;
  - e. Transit facilities include shaded bus shelters, transfer locations, and bus signage;
  - f. Pedestrian connections located within the center and to adjacent neighborhoods; and
  - g. Automobile-oriented uses will have a limited number of driveways, and drive-in or drive-up windows will be located to avoid conflict with pedestrian and bicycle traffic.

(Modified Policy 4.3.5)

**POLICY 4.2.6:** Parking: Design parking areas within mixed-use places will be designed to minimize intrusiveness and impacts on the pedestrian character, through the following techniques:

- a. On-street parking with landscaping and design features, such as corner and mid-street bump outs, that afford traffic calming and produce a comfortable and safe pedestrian environment will be promoted;
- b. Parking lot locations will not separate pedestrian areas including sidewalks, squares, and plazas from the front of buildings containing the primary entrance;
- c. Parking lots will be screened from streets, sidewalks, and open spaces, and will be designed to maintain or enhance the street edge;
- d. Parking lots will be designed with safe pedestrian connections to business entrances and public space to create a park-once environment;
- e. Reduction of paved parking areas will be evaluated wherever practicable through measures such as provision of shared parking and parking structures to serve multiple uses and alternative paving materials. Large expanses of pavement will be discouraged; and
- f. Reduced ratios of required parking for non-residential uses will be provided in the land development regulations.

(Formerly Policy 4.3.4)

**POLICY 4.2.7:** ~~Community Green Space Parks, Public Spaces, and Open Space:~~ Use public space and landscaping will be provided that includes to create an active mixed-use center and corridor through design that focuses on:

- a. ~~Public areas will provide~~ Providing adequate urban landscaping that includes street trees, planted areas, and street furniture;
- b. Promoting the visual and physical connections to the street;

- c. Use landscaping, hardscaping, and public spaces to demarcate different areas within the center and help screen empty spaces (e.g.: open parking lots, vacant building lots, and undefined open space areas);
- d. ~~Required~~ Requiring surface and storm water management facilities will be designed as an integral physical or visual amenity that provides usable open space or an aesthetic feature that resembles natural areas; and
- e. Requiring paved areas (including parking) ~~will require to have~~ overhead shading from tree canopy or building features based on factors such as scale of development and performance standards;
- f. Linking adjoining areas together with urban greenways and trails; and
- g. Connecting different land uses and amenities, unifying the entire community, and transitioning mixed-use communities to the surrounding neighborhoods and business districts.

(Revised Policy 4.3.6)

**POLICY 4.2.8:** Connectivity and Buffering: Mixed use developments will be well integrated both internally and externally.

- a. Automotive, pedestrian and/or bicycle connections to adjacent commercial development will be provided;
- b. Connections to adjacent residential neighborhoods will not be precluded by the Mixed-Use Development's design;
- c. Buffering of uses internal to a Mixed Uses development are not required; and
- d. Buffering from adjacent developments, when deemed absolutely necessary, will not preclude future interconnectivity.

(Formerly Policy 4.3.7)

**POLICY 4.2.9:** Developments within the Mixed Use Overlay conforming to Chapter 32 Compact Communities of the LDC, ~~will be deemed as meeting~~ achieve the principles listed in this objective. (Formerly Policy 4.3.1)

**OBJECTIVE 4.3 MIXED-USE INCENTIVES** Prioritize the development of mixed-use places through incentives that facilitate the development and improve the marketability of mixed-use centers and the Mixed-Use Overlay. (New Objective)

**POLICY 4.3.1:** Incentivize mixed-use developments located within the Mixed-Use Overlay utilizing the Compact Communities Code (CCPD) or the applying the principles of the CCPD as outlined in this goal by allowing non-residential areas to be included in density calculations. (Redrafted Objective 4.3)

**POLICY 4.3.2:** Promote continued use and redevelopment of mixed-use centers and the Mixed Use Overlay by facilitating the adaptive reuse of existing buildings, enabling existing structures to change or expand the mixture of allowed uses and permitting limited site redevelopment

administratively. Evaluate and incorporate specific incentives and standards in the LDC to further the adaptive reuse of existing structures. (New policy)

**POLICY 4.3.3:** Promote the development of urban land use categories by encouraging private developers to develop in a mixed-use and urban form through the use of incentives such as:

- a. Density and intensity incentives for the implementation of mixed-use character and form principles;
- b. Transfer and purchase of development rights programs that allow for additional density and intensity in Urban Areas;
- c. Administrative approvals for projects that utilize mixed-use regulating plans adopted as part of the Compact Communities Code; and
- d. Reduced parking standards for projects in mixed-use locations.

(New policy)

**POLICY 4.3.4:** Utilize the community planning program to facilitate the development of mixed-use centers in targeted locations by establishing a county initiated planning process; publically funded infrastructure systems; administrative permitting and streamlined reviews process; and expanded building rights. Provide for a variety of mixed-use incentives such as:

- a. Increasing the allowable building space (FAR), density, permitted uses, and height standards for mixed-use projects;
- b. Enabling increased density within mixed-use places through transfer and purchase development rights that enable density to be bought or transferred into mixed-use development areas; and
- c. Decreasing the required amounts of parking, on-site stormwater retention, transportation roadway connections needed within mixed-use development areas;
- d. Adopting mixed-use regulating plans in target places that are able to be implemented through administrative processes;
- e. Enabling mixed-use projects to purchase additional density or transfer density into the area from identified rural places; and
- f. Giving mixed-use places priorities in grant applications for historic preservation, community planning, transportation and public service infrastructure; and neighborhood development programs.

(New policy)

**POLICY 4.3.5:** Support the development of mixed-use places by giving projects located within mixed-use places high priority when reviewing and determining future budgetary, grant, capital improvement, and service projects. (New policy)

**POLICY 4.3.6:** Promote the development of innovative financing and planning tools for mixed-use centers in targeted locations that have established regulating plans such as community redevelopment agency (CRA), municipal service benefit unit (MSBU); municipal service taxing unit (MSTU), tax increment financing (TIF), community development district (CDD), historic preservation trust funds, grants, tax increment financing, and other programs to help spur and finance the development of mixed-use communities. (New policy)

~~POLICY 4.2.7: Development located in the Mixed Use Overlay applying Chapter 32 Compact Communities of the Lee County LDC will not be subject to the site location standards listed in Policy 6.1.2 and 6.1.2.7. (Added by Ordinance No. 11-18)~~

~~POLICY 4.3.1: Developments within the Mixed Use Overlay conforming to Chapter 32 Compact Communities of the LDC, will be deemed as meeting the principles listed in this objective. (Added by Ordinance No. 07-15, Amended by Ordinance No. 11-18)~~

~~POLICY 4.3.9: The owner or agent for a rezoning request utilizing the Mixed Use Overlay must conduct one publicly noticed informational session, before sufficiency, where the agent will, at a minimum, present an overview of the project's consistency with this objective. 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.~~

~~POLICY 4.4.1: The permitting measures developed should aim towards rehydrating the region and attaining minimum flows and levels for County waterbodies. (Added by Ordinance No. 07-16)~~

~~POLICY 4.4.2: The permitting measures developed should improve the storage within existing natural and manmade flow ways. (Added by Ordinance No. 07-16)~~

~~POLICY 4.4.3: The permitting measures should reevaluate the relationship of volume/area to stormwater management and storage. (Added by Ordinance No. 07-16)~~

~~POLICY 4.4.4: The permitting measures should link Best Management Practices (BMPs) to impervious cover of the impacted sub-watershed and to runoff from various land use types. (Added by Ordinance No. 07-16)~~

**PART III - LOCAL PLANNING AGENCY  
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: March 25, 2013

- A. LOCAL PLANNING AGENCY REVIEW**
- B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY**

- 1. RECOMMENDATION:**
- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

<b>NOEL ANDRESS</b>	_____
<b>STEVE BRODKIN</b>	_____
<b>WAYNE DALTRY</b>	_____
<b>JIM GREEN</b>	_____
<b>MITCH HUTCHCRAFT</b>	_____
<b>ANN PIERCE</b>	_____
<b>ROGER STRELOW</b>	_____

**TEXT AMENDMENTS:****Land Use Element****INTENT**

The Land Use Element intends to guide new development, infill, and redevelopment efforts through land use practices that support urban, suburban, and rural places; economic development; interconnected transportation and land use projects; land and wetland conservation; and existing neighborhoods. The element's growth management strategies are designed to coordinate the location and timing of development with the availability of infrastructure; public services, and needed public facilities. (New)

**GOAL 1: LAND USE.** Provide for a wide array of land uses that support mixed-use centers, economic development, defined urban and rural areas, natural resources, and provision of essential public services and facilities. (New Goal)

**OBJECTIVE 1.1: LAND USE MAP.** Maintain a land use map that defines a structure of urban and non-urban land use areas, establishes a pattern for future development and provides for appropriately located residential densities, and nonresidential intensities. (Map ## and Table 1(a)) (New Objective)

**POLICY 1.1.1:** Utilize the Land Use Map to identify and distinguish urban and non-urban land use areas within the county as identified in Table 1(b).

- a. Urban Land Use Areas include the county's major development areas and consist of the following land use categories:
  1. Urban Land Use Categories: Urban Core, Urban Places, Urban Neighborhoods;
  2. Suburban Land Use Categories: Suburban Six, Suburban Four, Suburban Two, Coastal Suburban
  3. Economic Development Land Use Categories: Commercial, Industrial/Research Development, Tradeport, Airport Lands, and University Community; and Interchange
- b. Non-Urban Land Use Areas include predominantly rural, agricultural, and conservation areas and consist of the following land use categories:
  1. Rural Land Use Categories: Rural, Rural Community Preserve, Coastal Rural, Outer Islands, Open Lands, and Density Reduction/Groundwater Recharge (DR/GR); and
  2. Conservation Land Use Categories: Conservation Lands Uplands and Conservation Lands Wetlands.
- c. General Land Use Areas may be found in areas throughout the county and consist of the following land use categories:
  1. County-wide Land Use Categories: Public Facilities and Wetlands; and
  2. Place-Based Land Use Categories: Burnt Store Marina and Destination Resort Mixed Use Water Dependent (DRMUWD).

(New Policy)

<b>Land Use Categories</b>	<b>Densities and Intensities</b>			
	<b>Residential Densities and Intensities</b>			<b>Commercial Intensities (Maximum FAR)</b>
	<b>Base</b>	<b>Standard</b>	<b>Incentive</b>	
Urban Core	15 DU/Ac.	25 DU/Ac.	40 DU/Ac.	4.00
Urban Places	8 DU/Ac.	18 DU/Ac.	25 DU/Ac.	2.00
Urban Neighborhood <sup>1,2</sup>	4 DU/Ac.	8 DU/Ac.	16 DU/Ac.	1.00
Suburban 6	4 DU/Ac.	6 DU/Ac.	10 DU/Ac.	0.50
Suburban 4	2 DU/Ac.	4 DU/Ac.		0.30
Suburban 2		2 DU/Ac.		0.25
Coastal Suburban		3 DU/Ac.		0.25
Commercial				1.00
Industrial Research Development				1.00
Tradeport				
Airport Lands				See Table ##
University Community	See Land Use Element Policy 1.4.5			
Interchange				
Rural <sup>3</sup>		1 DU/Ac.		
Rural Community Preserve		1 DU/Ac.		
Coastal Rural	See Land Use Element Policy 1.5.3			
Outer Islands		1 DU/Ac.		
Open Lands <sup>4</sup>		1 DU / 10 Ac.	1 DU / 5 Ac.	
Density Reduction/ Groundwater Resource <sup>5</sup>		1 DU / 10 Ac.		
Conservation Lands - Upland				
Conservation Lands - Wetland				
Public Facilities				
Wetlands		1 DU / 20 Ac.		
Burnt Store Marina Village	See Land Use Element Policy 1.8.2			
Destination Resort Mixed Use Water Dependent	See Land Use Element Policy 1.8.3			

**Clarifications and Exceptions:**

1. Within the Urban Neighborhood land use category in Pine Island Center, rezonings that will allow in excess of 2 dwelling units per gross acre must "acquire" the density above 2 dwelling units per gross acre utilizing TDRs that were created from Greater Pine Island Coastal Rural or Greater Pine Island Urban Categories. TDRs that were created from receiving sites outside of Greater Pine Island are not permitted to be transferred into Greater Pine Island.
2. In all cases on Gasparilla Island, the maximum density must not exceed 3 DU/Ac. See also the Gasparilla Island Conservation District Act of 1980, as amended.
3. In the Rural category located in Section 24, Township 43 South, Range 23 East and south of Gator Slough, the maximum density is 1DU/2.25 Ac.
4. 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.

5. See Policies 33.3.2, 33.3.3, 33.3.4 and 33.3.5 for potential density adjustments resulting from concentration or transfer of development rights.

**POLICY 1.1.2:** Promote the character of Urban Land Use Areas through planning and development practices that:

- a. Identify and enable incentive density and higher intensity within these Urban and Suburban Land Use Categories -- Urban Core, Central Urban Place, Urban Neighborhoods, and Suburban Six;
- b. Utilize higher range densities in the Urban Land Use categories to promote transit, walkability, complete streets and the integration of mixed uses;
- c. Employ good urban design to foster compatibility and diversity of uses between urban, suburban, and rural places;
- d. Support the development of mixed-use centers within Urban Areas that connect urban and suburban places and support redevelopment of commercial corridors;
- e. Establish a multi-modal transportation that connect Urban Areas with a variety of walk, bike, transit, and vehicular options;
- f. Provide for greater levels of public services, infrastructure, and park resources within Urban Areas; and
- g. Facilitate higher levels of employment and economic activity within the Urban Areas—particularly within mixed-use centers and Urban, Economic Development, and Interstate Highway Land Use Categories.

(New Policy)

**POLICY 1.1.3:** The existence of lower density developments in proximity to proposed projects within the Urban Areas will not be used as the sole reason to lower the proposed project's density and intensity of use. (New Policy)

**POLICY 1.1.4:** Retain the character of Non Urban Areas through planning and development practices that:

- a. Identify and evaluate opportunities to sell or transfer development rights from Non Urban Areas within Rural and Conservation Land Use Categories;
- b. Maintain existing low density standards within Non Urban Areas;
- c. Allow for ancillary businesses and uses that support and serve agriculture and farm operations; and
- d. Discourage the expansion of public services, public utilities, and transportation services into Non Urban Areas.

(New Policy)

**POLICY 1.1.5:** Facilitate the development of urban, suburban, and rural developments through the appropriate assignment of suggested base, standard, and incentive density provisions as follows:

- a. Base Density is the suggested minimum base-line density for a particular land use category based on the expected development form in that area;

- b. Standard Density is the most appropriate maximum density that can be achieved by right in a particular land use category;
- c. Incentive Density is additional density that may be provided in exchange for meeting specific land use and development goals within the following land use categories: Urban Core, Urban Places, Urban Neighborhoods, and Suburban Six; and
- d. Incentive density does not apply to any islands or to Greater Pine Island  
(New Policy)

**POLICY 1.1.6:** Incentive Density Units are used to provide additional development rights within the Urban Core, Urban Places, Urban Neighborhoods, and Suburban 6 land use categories except for any islands or to Greater Pine Island. Incentive Density Unities may be obtained through participation in various county programs including:

- a. Transfer or purchase of development rights (TDR) (PDR);
- b. Provision of public infrastructure;
- c. Provision of affordable housing; or
- d. Provision of contribution towards:
  - 1. Infrastructure improvements; or
  - 1. Affordable housing.

(New Policy)

**OBJECTIVE 1.2: URBAN LAND USE CATEGORIES.** Urban Land Use Categories are Urban Areas that strengthen the economic base, and provide a more diverse and better balanced tax base, and improve the quality of life. Urban land uses feature interconnected forms of development and provide for mixture of land uses, diverse economic opportunities, multi-modal transportation systems, varied housing types, and an array of park and public spaces. Maximum densities and intensities within Urban Land Use Categories are encouraged and densities below the minimum density range are discouraged. There are three urban land use categories:

- a. Urban Core;
- b. Urban Places; and
- c. Urban Neighborhoods.

(New, addresses issues from Objective 1.2)

**POLICY 1.2.1:** Urban Core. The Urban Core land use category is located along major arterial roads in Fort Myers, North Fort Myers, East Fort Myers west of I-75, and South Fort Myers. Due to their locations, existing, development patterns, and the available and potential levels of public services, Urban Core land uses are well suited to accommodate high densities and intensities. Planned mixed-use centers of high-density residential, commercial, limited light industrial, and office uses are encouraged to be developed in Urban Core land uses. The development of mixed-use centers within Urban Core areas will enable the county to develop a better connected, more diverse land use pattern with a variety of economic, residential, and recreational opportunities. The Urban Core land use category has the following land use standards:

- a. Residential Density Range:
  - 1. Base Density: Fifteen units per acre (15 du/a)
  - 2. Standard Density: Twenty-five units per acre (25 du/a)

3. Incentive Density Units: Forty units per acre (40 du/a)
- b. Non-Residential Intensity:
  1. Maximum Floor Area Ratio: 4.00  
(Modified Policy 1.1.2)

**POLICY 1.2.2:** Urban Places. The Urban Places land use category typically surrounds the Urban Core land uses and urban areas in Central Tice Iona/McGregor near the gateway to Sanibel and Captiva, and the eastern gateway to Lehigh Acres, and North Fort Myers. These urban communities are among the most heavily settled areas within Lee County and are intended to have the greatest range and highest level of urban infrastructure. Urban Places include an integrated variety of residential, commercial, retail, office/professional, limited light industrial land uses, civic spaces, and park and recreational resources. Future development is encouraged in mixed-use forms or to be connected to central mixed-use developments via multi-modal transportation system. The Urban Places land use category has the following land use standards:

- a. Residential density range:
  1. Base Density: Eight units per acre (8 du/a)
  2. Standard Density: Eighteen units per acre (18 du/a)
  3. Incentive Density Units: Twenty-five units per acre (25 du/a)
- b. Non-Residential Intensity:
  1. Maximum Floor Area Ratio: 2.00  
(Modified Policy 1.1.3)

**POLICY 1.2.3:** Urban Neighborhoods. The Urban Neighborhoods Land Use Category includes mixture of relatively intense commercial and residential uses. While these places have a distinctly urban character, they should be developed at slightly lower densities than the Urban Core or Urban Places land use categories due to the proximity to more suburban, mostly residential, communities. Predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry Future development in this category is encouraged to be developed as a mixed-use, that are intended to support and connect to nearby residential suburban communities. The Urban Neighborhoods land use category has the following land use standards:

- a. Residential density range:
  1. Base Density: Four units per acre (4 du/a)
  2. Standard Density: Eight units per acre (8 du/a)
  3. Incentive Density Units: Sixteen units per acre (16 du/a)
- b. Non-Residential Intensity:
  1. Maximum Floor Area ratio: 1.00  
(Modified Policy 1.1.4)

**OBJECTIVE 1.3: SUBURBAN LAND USE CATEGORIES.** Suburban Land Use Category includes Urban Areas that promote the development of suburban places including: residential communities; economic centers with commercial, office, and professional businesses; public facilities and resources; and, park and recreational opportunities. These categories are intended to be well

connected communities with land uses that are linked via a system of roadways, pedestrian and bike connections, and open spaces. There are four suburban land use categories.

- a. Suburban Six;
- b. Suburban Four;
- c. Suburban Two; and
- d. Coastal Suburban.

(New)

**POLICY 1.3.1:** Suburban Six. The Suburban Six Land Use Category allows the development of moderate density suburban land use areas that are characterized by a mixture of residential neighborhoods, commercial shops and services, civic uses, and park and recreational facilities. Additional density is available through the use of Incentive Density Units. The Suburban Six land use category has the following land use standards:

- a. Residential density range:
  1. Base Density: Suggested Four units per acre (4 du/a)
  2. Standard Density: Six units per acre (6 du/a)
  3. Incentive Density Units: Ten units per acre (10 du/a)
- b. Non-Residential Intensity Range:
  1. Maximum Floor Area Ratio: 0.50

(New)

**POLICY 1.3.2:** Suburban Four. The Suburban Four Land Use Category allows the development of moderately low density suburban areas that provide diverse housing options in locations near the urbanized areas supported by a mix of land uses that support a residential lifestyle including commercial shops and entertainments uses, professional and office businesses and services, civic uses, and park and recreational resources. The Suburban Four land use category has the following land use standards:

- a. Residential Density Range:
  1. Base Density: Two units per acre (2 du/a)
  2. Standard Density: Four units per acre (4 du/a)
  3. Incentive Density Units: None
- b. Non-Residential Intensity Range:
  1. Maximum Floor Area Ratio: 0.30

(New)

**POLICY 1.3.3:** Suburban Two. The Suburban Two Land Use Category allows the development of low-density residential neighborhoods that do not have the public infrastructure resources needed for higher density development. Suburban two land use areas are located within low density communities where it is desirable to retain a low-density community character without large commercial, office, or industrial developments. The Suburban Two areas have the following land use standards:

- a. Residential density range:
  1. Base Density: No Base units per acre
  2. Standard Density: Two units per acre (2 du/a)
  3. Incentive Density Units: None

- b. Non-Residential Intensity Range:
    - 1. Maximum Floor Area Ratio: 0.25
- (New)

**POLICY 1.3.4:** Coastal Suburban. The Coastal Suburban Land Use Category allows the development of low-density residential neighborhoods in a coastal environment subject to storm events. These areas are mainly located adjacent to the Gulf of Mexico, the Caloosahatchee River, Estero Bay, and on Pine Island. The majority of the property within this category is located in the Coastal High Hazard zone and therefore increased or Incentive Density is not permitted. The Coastal Suburban land use category has the following land use standards

- a. Residential density range:
    - 1. Base Density: No base dwelling units per acre
    - 2. Standard Density: Three units per acre (3 du/a)
    - 3. Incentive Density Units: None
  - b. Non-Residential Intensity Range:
    - 1. Maximum Floor Area Ratio: 0.25
- (New)

**OBJECTIVE 1.4: ECONOMIC DEVELOPMENT LAND USE CATEGORIES.** Economic Development Land Use Categories are Urban Areas needed to establish a strong, vibrant local economy. Economic Development land use categories accommodate commercial, industrial, and research and development enterprises. This category provides opportunities for: expanded job and workforce opportunities; new and innovative investment, research, and production industries; and, a diversified economy base. Additionally, it protects and allows the expansion of major economic engines such as the Southwest Florida International Airport, Florida Gulf Coast University, and other commercial and industrial areas. There are five Economic Development land use categories:

- a. Commercial;
  - b. Industrial Research Development;
  - c. Tradeport;
  - d. Airport Lands;
  - e. University Community; and
  - f. Interstate.
- (New)

**POLICY 1.4.1:** Commercial. The Commercial Land Use Category is located proximate to existing commercial areas or along corridors accommodating employment centers, tourist oriented needs, and where commercial services are necessary to meet the projected needs of residential-lands of the county. Residential uses, other than bona fide caretaker residences, are not permitted in this land use category except to the extent provided in the Procedures and Administration Element. The Commercial land uses are located where residential uses are not expected or compatible due to the nature of the surrounding land uses and their location.

The infrastructure needed for commercial development is planned or in place. New developments must connect to a potable water and sanitary sewer system. Commercial retail developments, hotels and motels, banks, all types of office development, research and

development, public, and other similar development will predominate in the Commercial Land Use Category. Limited light industrial uses are also permitted, excluding outdoor storage type uses. Redesignation of land to the Commercial land use category should occur along major travel corridors and at road intersections. The planned development rezoning process must be used to prevent adverse impacts to the surrounding areas and to ensure site development regulations are incorporated into the development plans. A maximum Floor Area Ratio (FAR) of 1 will be used as an index of intensity of development. Development in the commercial category is not required to comply with the site location criteria provided in the LDC. (Modified Policy 1.1.10)

**POLICY 1.4.2:** Industrial/Research Development. Industrial/Research Development Land Use Category plays an important role in strengthening the county's economic base and will become increasingly important as the county grows in size and urban complexity. Industrial/Research Development land uses provide expanded job opportunities, investments, and production opportunities, as well as a balanced and sufficient tax base. These land uses have special location requirements that are more stringent than those for residential land uses, including transportation needs (e.g., air, rail, and highway); industrial levels of water, sewer, fire protection, and other urban services; and locations that are accessible to employees. Other Urban Areas will include a broad combination of residential, commercial, public and limited industrial land uses. The Industrial/Research Development land uses are reserved mainly for industrial activities and for selective land use mixtures such as the combined uses of industrial, manufacturing, research, properly buffered recreational uses (except where precluded by airport hazard zone regulations) and office complexes (if related to industrial uses and research and development activities) that constitute a growing part of Florida's economic development sector.

Retail and commercial service uses supporting the industrial neighborhood are allowed if the following criteria are met:

- a. Retailing and/or wholesaling of products manufactured or directly related to that manufactured on the premises;
- b. Commercial uses are integrated into the primary R&D/Industrial development; or,
- c. Commercial service and retail uses may not exceed 20% of the total acreage within the Industrial Development areas per each Planning District.

(Modified Policy 1.1.7)

**POLICY 1.4.3:** Tradeport. The Tradeport Land Use Category includes commercial and industrial lands adjacent to the airport needed to accommodate projected growth through the year 2030. These land uses will include developments consisting of light manufacturing or assembly, warehousing, and distribution facilities; research and development activities; laboratories; ground transportation and airport-related terminals or transfer facilities; hotels/motels, meeting facilities; and office uses. Stand alone retail commercial uses intended to support and compliment the surrounding business and industrial land uses are permitted if approved as part of a Development of Regional Impact (DRI) or Planned Development zoning. Stand alone retail commercial uses are limited to 1 acre out of every 10 Tradeport and preserved wetland acres within the project. DRI or Planned Developments may also receive additional stand alone retail acres at the rate of 1 additional acre out of every 10 acres of preserved and enhanced uplands within the project that

protect wetlands, flow ways or occupied listed species habitat to provide an incentive to preserve upland habitat.

Ancillary retail commercial uses, related directly to the sale of products manufactured or services provided in Tradeport, are allowed if permitted in a Planned Development. Residential uses, other than bona fide caretaker residences, are not permitted except to the extent provided in Procedures and Administration Element. Caretaker residences are prohibited in the Airport Noise Zone B. Limerock mining may be approved using the Mine Excavation Planned Development zoning process if the property is on the Future Limerock Mining map (Map 14.) Tradeport land is located within the Six Mile Cypress Basin and is a primary point of entry into Lee County. As a result, special environmental and design review guidelines will be applied to development to maintain the appearance of this area as a primary point of entry into Lee County. Property in Section 1 and the east ½ of Section 2, Township 46 South, Range 25 East, and in Section 6, Township 46 South, Range 26 East, must be rezoned to a planned development zoning category prior to any development other than the construction of essential public services. During the rezoning process, the best environmental management practices identified on pages 43 and 44 of the July 28, 1993 Henigar & Ray study entitled, "Groundwater Resource Protection Study" will be presumed necessary to protect potential groundwater resources in the area. (Modified Policy 1.2.2)

**POLICY 1.4.4:** Airport Lands. The Airport Lands Land Use Category includes the existing facility and projected growth lands of the Southwest Florida International Airport (RSW) and Page Field General Aviation Airport (Fort Myers (FMY)) through the year 2035. The Airport Lands comprising the RSW includes airport and airport-related development and non-aviation land uses approved in the Airport Master Plan update and as depicted on the Airport Layout Plan sheet (Map 3F) and the RSW Proposed Development Schedule (Table 5(a)). The uses are intended to support the continued development of the RSW. Future development at the RSW will include non-aviation related land uses such as hotels/motels, light industrial, service stations, retail/shopping, and office development. The Airport Lands comprising FMY includes airport and airport-related development and non-aviation land uses approved in the Airport Master Plan update and depicted on the Airport Layout Plan sheet (Map 3G) and FMY Proposed Development Schedule (Table 5(b)). The uses are intended to support the continued development of FMY. Future development at FMY will include non-aviation related land uses such as hotels/motels, light industrial, service stations, retail/shopping, and office development (Modified Policy 1.2.1)

**POLICY 1.4.5:** University Community. The University Community Land Use Category provides for the development of the university campus and surrounding areas. The purpose of this land use category is to ensure that the land uses within the category (e.g.: residential, research/development, office/professional, commercial, retail, civic spaces, and park and recreational resources.) support and enhance a university environment. The location and timing of development, provision of infrastructure facilities, and demand for public services within this category must be coordinated with the associated university and applicable service providers.

Specific details that define how this category is to be applied to a specific area are established within the Communities Element. (New)

**POLICY 1.4.6:** Interchange. Interchange Land Use Category lands are Urban Areas that provide for the unique development and land use needs of property adjacent to the interchanges of Interstate 75. Interchange uses permit a broad range of land uses that include tourist commercial, general commercial. Light industrial uses will only be permitted at the Alico Road and Lockett Road interchanges. (New)

**OBJECTIVE 1.5: RURAL LAND USE CATEGORIES.** Rural Land Use Categories are Non-Urban Areas that promote the unique character of the county's rural places and protect vital environmental lands. Rural communities convey a sense of rural lifestyle including: farm lands and ranches, large lot or clustered residential development, ample wooded areas, open spaces, river fronts, and environmentally sensitive lands. Rural land use categories consist of low population communities, existing and evolving commercial agricultural operations, open space and environmental lands preservation, and natural habitat protection. Rural land uses are not programmed to receive urban-type capital improvements, and can anticipate levels of public services below that of the urban areas. There are six Rural land use categories:

- a. Rural;
- b. Rural Community Preserves;
- c. Coastal Rural;
- d. Outer Islands;
- e. Open Lands; and
- f. Density Reduction/Groundwater Resource (DR/GR).

(New Objective)

**POLICY 1.5.1:** Rural. The Rural Land Use Category will remain predominantly rural with low density residential, agricultural uses, and minimal non-residential land uses needed to serve the rural community. These areas are not to be programmed to receive Urban Area capital improvements, and can anticipate a continued level of public services below that of the urban areas. Rural land uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per acre (1 du/a)
- c. Incentive Density Units: None

(Modified Policy 1.4.1)

**POLICY 1.5.2:** Rural Community Preserves. The Rural Community Preserves Land Use Category is established following special studies of the county's intact rural communities. Special design approaches are necessary to maintain existing rural character. Such approaches include: conservation easements, flexible transportation design standards (including relocation of future arterials not serving the rural community), special fencing and sign standards, and retention of historic rural uses. Rural Community Preserves are not programmed to receive urban-type capital improvements. Rural Community Preserves are not intended for conversion to Urban Areas; rather, they are to remain rural in character and use. These Rural Community Preserves

are restricted to low density residential uses (with minimum lot size requirements), agricultural uses, and minimal non-residential uses that are needed to serve the rural community. Property in this category may not be rezoned to any RV district. Rural Community Preserve land uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per acre (1 du/a)
- c. Incentive Density Units: None  
(Modified Policy 1.4.3)

**POLICY 1.5.3:** Coastal Rural. The Coastal Rural Land Use Category will remain rural except for property 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 <sup>1</sup>	Maximum density if undeveloped land will be continued in agricultural use on existing farmland
0%	1 DU/ 10 ac	1 DU/ 10 ac
5%	1 DU/ 9 ac	
10%	1 DU/ 8 ac	1 DU/ 9 ac
15%	1 DU/ 7 ac	
20%	1 DU/ 6 ac	1 DU/ 8 ac
30%	1 DU/ 5 ac	1 DU/ 7 ac
40%	1 DU/ 4 ac	1 DU/ 6 ac
50%	1 DU/ 3 ac	1 DU/ 5 ac
60%	1 DU/ 2 ac	1 DU/ 3 ac
70%	1 DU/ 1 ac	1 DU/ 2 ac

Footnote 1: Existing farmland is depicted on Map 21. Areas for buffers, lakes, and utilities may consist of up to 10% of the upland preserve areas. (Edited Policy 1.4.7)

**POLICY 1.5.4:** Outer Islands. The Outer Islands Land Use Category includes sparsely settled lands that have minimal existing or planned infrastructure, distant from major shopping and employment centers. With minor exceptions, Outer Islands are not expected to be programmed to receive Urban Area capital improvements in the time frame of this plan. Outer Islands lands uses will continue to experience levels of public services below that of other land use categories. The

continuation of the Outer Islands in their present character is intended to provide for rural lifestyle, and conserve open space and important natural upland resources. Outer Islands uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per acre (1 du/a)
- c. Incentive Density Units: None

(Edited Policy 1.4.2)

**POLICY 1.5.5:** Open Lands. Open Lands Land Use Category consists of upland land uses located north of Rural and sparsely developed areas in Township 43 South. These lands are remote from public services and characterized by agricultural and low-density residential uses. Commercial and industrial uses are permitted consistent with the standards in the Rural category. Open Lands land uses must adhere to the following land use standards:

Open Lands land uses must adhere to the following land use standards:

- a. Base Density: None
- b. Standard Density: One dwelling unit per 10 acres (1 du/ 10 acres)
  1. Standard Density Units: One dwelling per 5 acres (1 du/5 acres) is permitted utilizing LDC lot split limitations, any development above these limitations must follow the planned development process to prevent adverse impacts on environmentally sensitive lands, as defined in the Communities Element.

(Modified Policy 1.4.4)

**POLICY 1.5.6:** Density Reduction/Groundwater Resource (DR/GR). The DR/GR Land Use Category includes uplands that provide substantial recharge to aquifers most suitable for future wellfield development. These lands also are the most favorable locations for physical withdrawal of water from those aquifers. Minimal public facilities exist or are programmed.

- a. New land uses in these areas that require rezoning or a development order must demonstrate compatibility with maintaining surface and groundwater levels at their historic levels (except as provided elsewhere in the plan, particularly the Southeast Lee County goal and policies within the Communities Element utilizing hydrologic modeling, the incorporation of increased storage capacity, and inclusion of green infrastructure. Modeling must also show that no adverse impacts will result to properties located upstream, downstream, as well as adjacent to the site. Offsite mitigation can be utilized, and may be required, to demonstrate compatibility. Evidence as to historic levels may be submitted during the rezoning or development review processes.
- b. Permitted land uses include agriculture, natural resource extraction and related facilities, conservation uses, public and private recreation facilities, and residential uses at a ~~maximum~~ standard density of one dwelling unit per ten acres (1 du/10 acres). See the DR/GR Policies within the Communities Element for potential density adjustments resulting from concentration or transfer of development rights.
  1. For residential development, also see Southeast Lee County goal and policies within the Communities Element. Commercial and civic uses can be incorporated into Mixed-Use Communities to the extent specifically provided in those policies.

2. Individual residential parcels may consist of up to two acres of Wetlands without losing the right to have a dwelling unit, provided that no alterations are made to the wetland areas.
  3. The Future Limerock Mining overlay (Map ##) identifies sufficient land near the traditional Alico Road industrial corridor for continued limerock mining to meet regional demands through the 2035 planning horizon.
- c. Private Recreational Facilities may be permitted in accordance with the site location requirements and design standards. No Private recreational facilities may occur within DR/GR land use category without zoning to an appropriate planned development zoning category, and compliance with the Private Recreation Facilities performance standards.  
(Modified Policy 1.4.5)

**OBJECTIVE 1.6: CONSERVATION LANDS LAND USE CATEGORIES.** Conservation Lands are Non-Urban Areas used for conservation purposes via a binding mechanism such as statutory requirements, funding or grant conditions, mitigation preserve areas required for land development approvals, or by agreement from the property owner. There are two Conservation Lands Categories:

- a. Conservation Lands Uplands and
- b. Conservation Lands Wetlands.

(New Objective)

**POLICY 1.6.1:** Conservation Lands Uplands. The Conservation Lands Upland Land Use Category includes uplands owned and used for long range conservation purposes. Conservation Lands Uplands may include wildlife preserves; wetland and upland mitigation land uses and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation, and natural resource based parks (e.g.: signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands including aquifer recharge areas, flow ways, flood prone areas, and well fields. Conservation 2020 lands designated as Conservation Lands are also subject to the more stringent use provisions of the Conservation 2020 Program and its governing ordinances. (Modified Policy 1.4.6)

**POLICY 1.6.2:** Conservation Lands Wetlands. The Conservation Lands Wetlands includes wetlands owned and used for long range conservation purposes. Conservation Wetlands are subject to the most stringent provisions of the Wetlands land use category described in the Wetlands and Conservation Lands land use categories. (Modified Policy 1.4.6)

**OBJECTIVE 1.7: COUNTY-WIDE LAND USE CATEGORIES.** County-Wide Land Use Categories are General Areas that are found throughout the county in Urban and Non-Urban areas. County-Wide Land Use categories include:

- a. Public Facilities; and
- b. Wetlands.

(New Objective)

**POLICY 1.7.1:** Public Facilities. The Public Facilities ~~areas~~ Land Uses Category includes the publicly owned lands such as public schools, parks, public transportation, and governmental

facilities. The allowable uses in these areas are determined by the entity owning the parcel and the local government with zoning and permitting jurisdiction. (Edited Policy 1.1.8)

**POLICY 1.7.2:** Wetlands. Wetlands Land Use Category lands identified as Wetlands in accordance with Florida Statutes Chapter 373 through the use of the unified state delineation methodology described in FAC Chapter 17-340. 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. Development in Wetlands must be consistent with other plan goals, objectives, and policies. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as provided in the Procedures and Administration Element

- a. When Wetlands boundaries are in question, the Procedures and Administration Element provides an administrative process to define the boundary.
- b. Wetlands that are conservation lands will be subject to the provisions of the most stringent provisions of the Conservation Lands and Wetlands land use categories. Conservation wetlands will be identified on the LUM to distinguish them from non-conservation wetlands. (Edited and merged Objective 1.5, and Policies 1.5.1, 1.5.2 and 1.5.3)

**OBJECTIVE 1.8: PLACE-BASED LAND USE CATEGORIES.** Place-Based Land Use Categories address the unique needs and conditions of specific locations by establishing land use categories with specific development plans and requirements pertinent to the location. (New Objective)

**POLICY 1.8.1:** Discourage the adoption of additional placed-based land use categories. (New Policy)

**POLICY 1.8.2:** The Burnt Store Marina Village Land Use Category is located within Urban Land Areas. The category provides for the redevelopment that enhances the existing character of the Burnt Store Marina project, protects natural resources, and provides continuing public access to the water via boat ramps and docks. By establishing realistic aesthetic requirements designed to allow Burnt Store Marina Village the ability to develop as a community center, the category manages the location and intensity of future commercial, residential and commercial marina uses. The following uses are permitted within the Burnt Store Marina Village category: a maximum of 55,000 square feet of retail uses; a maximum of 1,325 wet and dry spaces; a maximum of 15,000 square feet of office space; a maximum of 145 hotel units; and a maximum of 160 residential units. (Edited Policy 1.7.12)

**POLICY 1.8.3:** Destination Resort Mixed Use Water Dependent (DRMUWD). The DRMUWD Land Use Category provides for attractive, functioning mixed use water dependent destination resorts. The land uses within this category are characterized by their proximity to water and need for redevelopment due to changes in the market and outdated development patterns. By virtue of their proximity to navigable water and availability of public services, these locations are suitable for a mixture of uses including residential, resort, commercial, and industrial type activities that benefit from access to the water front. These developments offer a diverse living, working and vacationing experience that benefit the entire county while being environmentally friendly and economically viable. The density ranges is up to ten dwelling units per acre (10 du/a).

Residential densities in developments that include commercial and residential uses in the same project or same building may be developed as through mixed-use development practices.

Determine appropriate locations for Destination Resort Mixed Use Water Dependent areas by evaluating considerations such as:

- a. Characterized by predominantly outdated RV type living facilities meant for temporary habitation without individual type land ownership and depressed/underutilized water dependent waterfronts;
- b. Located in Areas predominantly impacted by a declining water dependant industry like commercial fishing or other and with a minimum of 8 acres of contiguous lands under unified control;
- c. Areas within coastal wind zones depicted as 100 Year Flood Plains, as illustrated on Map## of the Lee Plan;
- d. Areas with direct access to existing roadways and navigable bodies of water;
- e. Areas with multiple zoning districts that may not be compatible with each other; and
- f. New dwelling units are limited to existing platted, recorded, or vested units.

(Modified Policy 31.1.2)

**OBJECTIVE 1.9: SPECIAL TREATMENT AREAS.** Designate as overlays on the Future Land Use Map special treatment areas that contain special restrictions or allowances in addition to the requirements of the underlying land uses categories. (Formerly Objective 1.7)

**POLICY 1.9.1:** Airport Noise Zones. Airport Noise Zones include lands subject to varying levels of airport-related noise. The Port Authority will update the aviation forecasts and associated noise contours for RSW, on an as needed basis as required by the FAA or as determined by the Lee County Port Authority; and initiate an amendment to the Airport Noise Zone Overlay Map to reflect the findings of this study. In addition to the requirements of the underlying Future Land Use Map categories, properties within the Noise Zone Overlay must meet the following:

- a. Airport Noise Zone A is limited to uses compatible with airports and air commerce, including but not limited to uses necessary to provide services and convenience goods to airline passengers, uses generally associated with airport operation, and related development.
- b. Airport Noise Zone B prohibits residential units, places of worship, libraries, schools, hospitals, correctional institutions or nursing homes. However, residential units, including mobile or manufactured homes, lawfully existing as of June 27, 2000 will be treated as legally permitted uses and may be replaced with a new mobile or manufactured home or conventional single family construction as long as the replacement would be allowed by the LDC. Existing conventional homes may not be replaced with new mobile or manufactured homes. One conventional single family home is permitted on each lot in a plat properly recorded before June 27, 2000 if the use would have been permitted on the lot prior to June 27, 2000. Airport Noise Zone B requires formal notification to property owners through recording of the Airport Noise Zone in the official county records of potential noise and over flights.

- c. Airport Noise Zones C and D allow development permitted by the LDC. However, this zone requires notification by recording of the Airport Noise Zone in the official county records of potential noise and over flights.

(Modified Policy 1.7.1)

**POLICY 1.9.2:** Urban Reserve. The Urban Reserve Overlay includes areas suitable for annexation into the adjoining municipality. Urban Reserve areas are established by interlocal agreement pursuant to Florida Statute Chapter 163. (Edited Policy 1.7.3)

**POLICY 1.9.3:** Water-Dependent. The Water-Dependent Overlay zone includes shoreline areas where priority will be granted to water-dependent land uses. Specific requirements are detailed for these zones are located within the Conservation and Coastal Management Element as well as the San Carlos Island and Greater Pine Island goals and policies within the Communities Element. (Edited Policy 1.7.5)

**POLICY 1.9.4:** Agricultural. The Agricultural Overlay (Map ##) reflects existing active and passive agricultural operations in excess of 100 acres located outside Future Urban Areas. Since agriculture plays a vital role in the economy, these lands should be protected from the impacts of new developments, and the county should not attempt to alter or curtail agricultural operations on them to satisfy the lifestyle expectations of residents. (Edited Policy 1.7.8)

**POLICY 1.9.5:** Urban Infill and Redevelopment. The Urban Infill and Redevelopment Overlay (Map ##) designates areas that have been targeted for economic development, job creation, housing, transportation, crime prevention, neighborhood revitalization and preservation, and land use incentives to encourage infill and redevelopment within the urban core, in accordance with Florida Statute Chapter 163. These areas have the opportunity to receive additional funding to implement the planning programs through the Urban Infill and Redevelopment Assistance Grant Program. (Edited Policy 1.7.9)

**POLICY 1.9.6:** Irrigation Well. The Irrigation Well Overlay (Map ##) is a critical area for future potable water supply, based on evidence that withdrawals from the main potable aquifer, the lower Tamiami aquifer, are approaching or exceeding the maximum safe yield. The county will maintain regulations to prohibit issuance of new irrigation well permits in the Irrigation Well overlay that utilize the main potable water source. The boundaries of the Irrigation Well overlay are reflected on Map ## of the Future Land Use Map series. Also see other plan elements including Conservation and Community Facilities and Services Elements. (Edited Policy 1.7.10)

**POLICY 1.9.7:** Future Limerock Mining. The Future Limerock Mining Overlay (Map ##) identifies sufficient land near the traditional Alico Road industrial corridor for continued limerock mining to meet regional demands through the Lee Plan's planning horizon (currently 2035). See additional Southeast Lee County goal and policies within the Communities Element. (Edited Policy 1.7.13)

**POLICY 1.9.8:** Southeast Residential DR/GR. The Southeast Residential DR/GR Overlay (Map ##) is described in the other Southeast Lee County goal and policies within the Communities Element and identifies four types of land:

- a. "Existing Acreage Subdivisions": existing rural residential subdivisions that should be protected from adverse external impacts such as natural resource extraction;
- b. "Rural Golf Course Communities" potential locations for the concentration of development rights on property zoned Private Recreational Facilities Planned Development and located in the DR/GR land use category;
- c. "Mixed-Use Communities" locations where this concentration of development rights from large contiguous tracts with the DR/GR that can be supplemented by transfer of development rights from non-contiguous tracts in the DR/GR; and
- d. "Improved Residential Communities:" Property with existing residential approvals that are inconsistent with the Southeast Density Reduction/Groundwater Resource area that could be improved environmentally.

(Edited Policy 1.7.14)

**POLICY 1.9.9:** Historic Surface and Groundwater Levels. The Historic Surface and Groundwater Levels Overlay (Map ##) depicts the best available analysis of historic wet-season water depths and hydro-periods for Southeast Lee County as of March 2010. This depiction is based on detailed ecological analyses of 1953 aerial photography described in the 2008 report, *Ecological Memorandum of the Density Reduction/Groundwater Resource Area*, by Kevin L. Erwin, Consulting Ecologist, Inc. For purposes of determining compliance with the DR/GR land use category, additional evidence on historic water levels and hydro-periods may be submitted during the rezoning or development review processes as a basis for site-specific hydrological analysis for project design. (Edited Policy 1.7.15)

**POLICY 1.9.10:** Hideaway Cove. The Hideaway Cove Overlay (Map ##) depicts the development standards for Lots 6 -11, San Carlos Groves Tract, Section 20, Township 46 S, Range 25 E of the San Carlos/Estero area:

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

development rights for thirty (30) of the maximum one hundred and twenty (120) residential dwelling units, to the State, County, or other conservation entity.  
(Excerpted Policy 1.1.11)

**POLICY 1.9.11:** Research and Enterprise Diamond. The Research and Enterprise Diamond Overlay (Map ##) depicts an area targeted for the creation of a economically diverse center for businesses. Located within a 40-square-mile area of south Lee County, businesses in the Diamond will benefit from existing and planned infrastructure in transportation, education and recreation. Resources, such as the SWFIA, JetBlue Park, and FGCU, establish a prime location for creating synergies among research, renewable energy, enterprise opportunities, and economic growth. Infill development to create more walkable, transit-oriented communities that meet complete streets objectives will be encouraged. (New)

**GOAL 2: GROWTH MANAGEMENT.** Coordinate the location and timing of new development with the provision of infrastructure by government agencies, private utilities, and other sources. (Edited Policy Goal 2)

**OBJECTIVE 2.1: DEVELOPMENT LOCATION.** Promote contiguous and compact growth patterns through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Edited Policy Objective 2.1)

**POLICY 2.1.1:** Encourage residential, commercial, industrial, and public development within the designated Urban Areas on the Land Use Map. Edited Policy 2.1.1)

**POLICY 2.1.2:** Support infill and redevelopment in Urban Areas by encouraging the use of higher densities and intensities to offset higher per acre land costs of infill development. Infill and redevelopment may include new construction, reuse, or rehabilitation of uses within developed areas. (New Policy)

**POLICY 2.1.3:** The following uses may be considered in all land use categories churches and schools (except in the Conservation Lands Categories, Wetlands, and Airport Noise Zones), public uses and buildings, public utilities and resource recovery facilities, public recreational uses (including franchised quasi-commercial uses in conjunction with a public use), and sites for compatible public facilities when consistent with the goals, objectives, policies, and applicable zoning and development regulations. (Edited from Policy 2.1.3)

**POLICY 2.1.4:** Ensure that public school locations are proximate to urban residential areas and are consistent with county growth policies. (Edited Objective 2.10)

**POLICY 2.1.5:** Assisted living facilities, as defined under Chapter 58A-5 F.A.C. will be deemed a residential use and limited to locations and densities appropriate for residences. (Modified Policy 2.1.4)

**OBJECTIVE 2.2: DEVELOPMENT TIMING.** Direct new growth to Urban Areas where adequate public facilities exist or are planned and that create compact and contiguous development patterns. (Edited Objective 2.2)

**POLICY 2.2.1:** Evaluate rezonings and DRI proposals in light of the availability and proximity ~~of the~~ of adequate public facilities, including: transportation network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and ~~any~~ other relevant facts affecting the public health, safety, and welfare. (Edited Policy 2.2.1)

**POLICY 2.2.2:** Map 1 of the Land Use Map series indicates the uses and density ranges that may ultimately be permitted on a given parcel. The future land use designation of a parcel is not a guarantee that the densities or uses are immediately appropriate. The future land use map provides for the county's growth through 2035. During the rezoning process the Board of County Commissioners (Board) must balance the overall standards and policies of this plan with these additional considerations:

- a. Whether the proposed development in a Non-Urban Area is remote from existing development, or if there are not adequate public facilities to serve the proposed development, approval should be delayed to encourage compact and efficient growth patterns; and
- b. Whether a proposal in a Non-Urban Area would result in unreasonable development expectations that may not be achievable because of the acreage limitations in the Acreage Allocation Table (see Map ## and Table ##).

(Modified Policy 2.2.2)

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

**POLICY 2.2.4:** Consistent with the Capital Improvements Element, give the highest priority to planning, programming, and construction of urban services and facilities in the developed areas where facilities are inadequate. Give the next priority to service expansions in developed areas, followed by further expansion into other portions of the Urban Areas. Identify and protect sufficient land for utility facilities necessary to support the proposed levels of development. Detailed infrastructure planning priorities are contained in the Capital Improvements Element. (Edited Objective 2.3)

**POLICY 2.2.5:** The cost of services and facilities that benefit new development will be borne primarily by those who benefit. Funding may include (but is not limited to) impact fees, special taxing or benefit districts, community development districts, dedication of land and facilities, in-lieu-of fees, and capital construction, operation, and maintenance funds. (Edited Policy 2.3.2)

**POLICY 2.2.6:** The Planning District Map and Acreage Allocation Table (see Map 16 and Table 1(b) depicts the proposed distribution, extent, and location of generalized land uses for the year 2035. Acreage totals are provided for land in each Planning District in unincorporated Lee County and used to reconcile the carrying capacity of the map with the adopted population projection for the time horizon of the this plan. The County will maintain an updated, parcel based database of existing land use for each Planning District. (Modified from Policy 1.7.6)

**POLICY 2.2.7:** In urban areas, where infrastructure is anticipated to accommodate future development and redevelopment, the acreage totals in table 1(b) will be used as a planning tool to guide necessary infrastructure improvements. (New Policy)

**POLICY 2.2.8:** In non-urban areas, where minimal public infrastructure is anticipated, project reviews for development orders must include a review of the capacity, in acres, that will be consumed by build out of the development order. No development order will be issued for residential, commercial or industrial uses, if the project acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Table 1(b), Acreage Allocation Table. For limerock mining in the Southeast Lee County Planning District see special requirements in Policy 33.1.4 regarding industrial acreages in Table 1(b). (Modified from Policy 1.7.6)

**POLICY 2.2.9:** At each regularly-scheduled date for submission of the Lee Plan Evaluation and Appraisal Report, the County must conduct a comprehensive evaluation of Planning District Map and the Acreage Allocation Table system, including but not limited to, a calculation of the estimated carrying capacity of the Land Use Map, the appropriateness of land use distribution, problems with administrative implementations, and areas where the Planning District Map and the Acreage Allocation Table system might be improved. (Modified from Policy 1.7.6)

**OBJECTIVE 2.3: LAND USE MAP AMENDMENTS.** Regularly examine the Land Use Map in light of new information and changed conditions. (Edited from Objective 2.4)

**POLICY 2.3.1:** Accept applications from private landowners or non-profit community organizations to modify the boundaries shown on the Land Use Map. Adopt procedures, fees, and timetables for this procedure by administrative code. (Edited from Policy 2.4.1)

**POLICY 2.3.2:** Proposed amendments must address:

- a. Availability of public facilities and services;
- b. Projected permanent and seasonal population of the area;
- c. Amount of land required to accommodate anticipated growth, including employment opportunities;
- d. Suitability of the proposed land use map designation considering the character of the land, soils, topography, natural resources, and historic resources; and
- e. Compatibility of uses in proximity to the proposed amendment.

(New Policy)

**POLICY 2.3.3:** No land use map amendments that increase density may be made to the Non-Urban Areas unless the density is acquired through transfer of development rights or three members of the Board make a finding of overriding public necessity. (New Policy)

**POLICY 2.3.4:** Discourage amendments to the Lee Plan that promote urban sprawl. (New Policy)

**POLICY 2.3.5:** All proposed changes to the Land Use Map in critical areas for future potable water supply (Lehigh Acres as described in the Conservation and Coastal Management Element; and all land in the DR/GR land use category) will be subject to a special review. Analyze the proposed land uses to determine the short-term and long-term availability of irrigation and domestic water sources. Assess whether the proposed land uses will cause significant impacts to ~~on~~ present or future water resources. The Board must make a formal finding that no significant impacts on present or future water resources will result from the change. (Edited Policy 2.4.2)

**POLICY 2.3.6:** Except for areas identified as needed for airport expansion, discourage Land Use Map Amendments to the DR/GR areas south of SR 82 east of I-75 that increase the current allowable density or intensity. It is the county's policy not to approve further urban designations in the DR/GR for the same reasons that supported its 1990 decision to establish the category. In addition to satisfying the requirements in 163 Part II Florida Statutes, the Strategic Regional Policy Plan, the State Comprehensive Plan, and the Lee Plan, applicants seeking such an amendment must also:

- a. Analyze the proposed allowable land uses to determine the availability of irrigation and domestic water sources;
- b. Identify potential irrigation and domestic water sources, consistent with the Regional Water Supply Plan. Since regional water suppliers cannot obtain permits consistent with the planning time frame of the Lee Plan, water sources do not have to be currently permitted and available, but they must be reasonably capable of permitting;
- c. Present data and analysis that the proposed land uses will not cause significant harm to present and future public water resources; and,
- d. Supply data and analysis specifically addressing the urban sprawl criteria listed in Florida Statutes.

During the transmittal and adoption process, the Board must review the application for all these analytical requirements and make a finding that the amendment complies with all of them. (Modified Policy 2.4.3)

**OBJECTIVE 2.4: DENSITY AND INTENSITY TRANSFER.** Support the development of distinct urban and suburban places by establishing innovative programs that allow the transfer of density and intensity to targeted areas. (New Objective)

**POLICY 2.4.1:** Promote increased density in the more intense urban land use categories by establishing procedures that enable the use of higher and incentive densities. (New Policy)

**POLICY 2.4.2:** Maintain existing and establish new programs that create opportunities to:

- a. Transfer density and intensity from designated “sending areas” to designated “receiving areas”.
- b. Increase density for developments that either promote or provide affordable housing.
- c. Increase density for developments that provide enhanced urban services and infrastructure such as; enhanced transit, pedestrian, bicycle, or other mobility alternatives; provision of civic or public spaces; or, other urban amenities.

(New Policy)

**POLICY 2.4.3:** Viable candidates for receiving sited for increased density and intensity include:

- a. Areas in the Mixed-Use Overlay;
- b. Urban Core, Urban Places, Urban Neighborhoods, and Suburban Six; and,
- c. Designated Mixed-Use Compact Communities;
- d. Incorporated areas where there are interlocal agreements between the city and county.

(New Policy)

**POLICY 2.4.4:** Viable candidates for sending sites include:

- a. Lands that maintain a rural or environmental character such as providing links to the regional open space system, listed species habitat, flow ways, or groundwater recharge.
- b. Non-conforming lots and other lots with rights to develop residential unit(s) that are not suited for development.

(New Policy)

**POLICY 2.4.5:** Programs created under this objective will be incorporated into the LDC and Administrative Code.

- a. Innovative techniques to assure successful programs will utilize incentives for both the sending and receiving sites.
- b. Appropriate density and intensity multipliers will be evaluated and established for sending sites. Streamlined approval processes will be evaluated and established for receiving sites.
- c. Areas that are proposed for, or that request, reduction of allowable density through land use map amendments will be compensated with additional density over and above the proposed reduction of density.

(New Policy)

**POLICY 2.4.6:** Facilitate the transfer of rights from property owners with sending sites to property owners with receiving sites through a publicly administered TDR bank. (New Policy)

**POLICY 2.4.7:** Allow TDR credits to be redeemed in incorporated municipalities where suitable interlocal agreements specify the terms of potential transfers. Interlocal agreements could also provide for reciprocity with municipalities that have a substantially equivalent TDR programs. (New Policy)

**GOAL 3: DEVELOPMENT STANDARDS.** Establish land use practices and standards that guide the review of future development projects and direct the development of residential, commercial, industrial, agricultural, marine-oriented, and natural resource extraction areas. (New goal)

**OBJECTIVE 3.1 REVIEW STANDARDS.** Ensure appropriate water, sewer, traffic, and environmental review standards are considered in reviewing rezoning applications and that those standards are met prior to issuance of a county development order. (Edited Goal 11)

**POLICY 3.1.1:** Evaluate development designs to ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site, and that the placement of uses or structures within the development minimizes the expansion and construction of street and utility improvements. (Former Policy 4.1.1)

**POLICY 3.1.2:** Evaluate development designs will be evaluated to ensure that the internal street system is designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development. (Former Policy 4.1.2)

**POLICY 3.1.3:** Incorporate Crime Prevention through Environmental Design (CPTED) guidelines to the maximum extent possible. (Modified Policy 4.3.3(l))

**POLICY 3.1.4:** Lee Plan amendment applications to expand the Lee Plan's employment centers, which include light industrial, commercial retail and office land uses, will be evaluated by the Board in light of the locations and cumulative totals already designated for such uses, including the 1994 addition of 1,400 acres to the Tradeport category just south of the Southwest Florida International Airport. (Added by Ordinance No. 97-05, Amended by Ordinance No. 00-22, 04-16) (Former Policy 2.4.4)

**POLICY 3.1.5:** Potable Water Standards.

- a. New residential development exceeding 2.5 dwelling units per gross acre, and new single commercial or industrial development exceeding 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a “community” water system as defined by Florida Statutes;
- b. If the proposed development lies within the boundaries of a water utility's certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 6), then the development must be connected to that utility;
- c. The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.
- d. All waterline extensions to new development will be designed to provide minimum fire flows, as well as adequate domestic services required by Florida Statutes;
- e. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map ##), and the utility cannot provide the service or can provide the service except at a clearly unreasonable cost to the developer, the developer is encouraged to petition the appropriate regulatory agency to contract the service

area so that the development may establish its own community water system or invite another adjacent utility to expand its service area to provide the service; and

- f. If a development lies outside a utility service area, the developer may:
  1. Request that the service area of an adjacent water utility be extended to incorporate the property;
  2. Establish a community water system for the development; or
  3. Develop at an intensity that does not require a community water system.

(Edited Standard 11.1)

**POLICY 3.1.6: Sanitary Sewer Standards.**

- a. New residential development exceeding 2.5 dwelling units per gross acre, and ~~any~~ new single commercial or industrial development generating more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system;
- b. If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map ##), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within 1/4 mile from any part of the development;
- c. If there is not sufficient capacity or adequate infrastructure within 1/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service;
- d. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map ##), and the utility cannot provide the service, or can provide the service but at a clearly unreasonable cost to the developer, the developer may establish, on a temporary basis, a self-provided sanitary sewer facility for the development, to be abated when the utility extends service to the site. The developer may also petition the appropriate regulatory agency to contract the service area of the utility so that another utility may be invited to provide the service; and
- e. If a development lies outside a service area, the developer may:
  1. Request that the service area of an adjacent sewer utility be expanded to incorporate the property;
  2. Establish a self-provided sanitary sewer system for the development;
  3. Develop at an intensity that does not require sanitary sewer service; or
  4. If no more than 5000 gallons of effluent per day per parcel is produced, the development may utilize an individual sewage disposal system in accordance with Florida Statute, contingent on approval by all relevant authorities.

(Edited Standard 11.2)

**POLICY 3.1.7: Multimodal Transportation Standards.**

- a. A multimodal transportation impact statement must be submitted to and accepted by the county for the following development applications:
  1. Comprehensive Plan Amendment;
  2. Developments of Regional Impact (DRIs);

3. Planned Developments (as specified in the Zoning Regulations); and
  4. Developments requiring a county development order, as specified in the LDC.
- b. The form, content, and level of detail required in the multimodal transportation impact statement will be established by Lee County by ordinance, administrative code, or other regulations. Lee County will establish criteria or thresholds to determine the scope of the multimodal transportation impact statement required:
1. In urban land use categories, the multimodal transportation impact statement will provide information regarding project impacts to multimodal facilities, safety and accessibility to the adjacent multimodal transportation infrastructure.
  2. In all other land use categories, if the development does not meet the established thresholds, the multimodal transportation impact statement will provide information regarding multimodal traffic generation and impacts at the development's access points to the adjacent street system; and if the development meets or exceeds the established thresholds, the multimodal transportation impact statement will provide a comprehensive assessment of the development's impacts on the surrounding multimodal transportation infrastructure.

(Edited Standard 11.3)

**POLICY 3.1.8:** Environmental Review Factors. Where there exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, South Florida Water Management District, or other applicable regulatory agency), require developers and/or applicants to prepare an environmental assessment examining the existing conditions, addressing the environmental problems, and proposing ~~proposes~~ means and mechanisms to protect, conserve, or preserve the environmental and natural resources. (Edited Standard 11.4)

**OBJECTIVE 3.2: RESIDENTIAL STANDARDS AND PRACTICES.** Support development of attractive and safe neighborhoods with a variety of price ranges and housing types to accommodate the population needs of the county. (New Objective)

**POLICY 3.2.1:** Ensure residential land uses support the urban, suburban, rural, or mixed-use context of the surrounding developments by implementing the following standards:

- a. Locate high-density urban and suburban residential developments near mixed-use centers; employment and commercial districts; parks and schools; and multi-modal transportation facilities;
- b. Provide a variety of multi-modal interconnections to adjoin developments and the local transportation system through various pedestrian, bicycle, transit, and auto opportunities;
- c. Ensure residential communities provide for open spaces and community facilities that are easily accessible via pedestrian and bicycle connections, and provide for the functional needs of the community (e.g.: urban courtyards, parks, and central public spaces; passive landscaping, buffering, and open spaces; and active playgrounds and recreation areas);
- d. Encourage interconnections within and between developments—particularly those located within Urban Areas;

- e. Require residential developments meeting Development of County Impact (DCI) thresholds to develop as planned residential developments; and
  - f. Restrict residential development from areas with physical constraints or hazards (e.g.: flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; Airport Noise Zone B; industrial land use categories; or other characteristics that may endanger the residential community.).
- (Modified to address issues from Policies 5.1.1 and 5.1.2)

**POLICY 3.2.2:** Protect existing and future residential areas from encroachment of uses potentially destructive to the character and integrity of the residential environment.

- a. Within Suburban and Rural Land Use Categories requests for conventional rezonings will be denied in the event that measures to ensure compatibility provided in LDC not adequate to address potentially incompatible uses in a satisfactory manner.
- b. Within Suburban and Rural Land Use Categories planned developments or special exceptions, if generally applicable development regulations are found to be inadequate, must include conditions to minimize or eliminate the potential impacts. Where no adequate or enforceable conditions can be devised, the application will be denied altogether.
- c. Within the three Urban Land Use Categories varied land uses are expected to be located in close proximity to one another. Compatibility will be addressed through zoning conditions and development design. (Modified Policy 5.1.5)

**POLICY 3.2.3:** Where land under single ownership is divided into two or more land use categories the allowable density will be the sum of the densities for each land use category for each portion of the land. Resulting density may be allocated across the entire property provided that:

- a. Planned development zoning is utilized;
  - b. No density is allocated to lands designated; and
  - c. The Planned Development protects environmentally sensitive lands on the property.
- (Edited Policy 5.1.10)

**OBJECTIVE 3.3: EXISTING MULTI-FAMILY RESIDENTIAL REDEVELOPMENT:** Incentivize and promote cost effective and timely redevelopment of multi-family developments approved and developed prior to the adoption of the 1984 Lee Plan. (Edited Objective 5.2)

**POLICY 3.3.1:** Permit over-density multi-family residential developments that lawfully achieved their density prior to the effective date of the Lee Plan (December 21, 1984), to redevelop at existing density. Over-density multi-family redevelopments will be considered on a case by case basis to determine the approval process to be followed to achieve redevelopment. (Edited Policy 5.2.1)

**POLICY 3.3.2:** Require the planned development zoning process to be utilized when rezoning is required in order to prevent and mitigate adverse impacts to the surrounding areas and to ensure that appropriate site development regulations are incorporated into the development plans. (Edited 5.2.2)

**POLICY 3.3.3:** Document existing conditions as part of a redevelopment plan including:

- a. Number of dwelling units;
- b. Floor area;
- c. Water management systems and outfalls; and
- d. Impervious area on the subject property.

The documentation must be provided at a pre-application meeting and include two site plans: one depicting existing development and another depicting the proposed plan of redevelopment.

(Modified 5.2.3)

**POLICY 3.3.4:** Require the site design of the proposed development to be compatible with surrounding land uses. (Edited 5.2.4)

**POLICY 3.3.5:** Require wet retention and dry retention areas to be planted with native trees and herbaceous plant species. (Edited 5.2.5)

**POLICY 3.3.6:** Ensure redevelopment projects located within the Coastal High Hazard Area incorporate the following features:

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

(Edited Policy 5.2.6)

**OBJECTIVE 3.4 COMMERCIAL STANDARDS AND PRACTICES.** Provide for the county's commercial needs through development standards and planning practices that direct the design, location, and makeup of mixed-use and commercial centers. (New objective)

**POLICY 3.4.1:** Ensure commercial development supports the surrounding development and provides for the economic and commercial needs of the people who live, work, and visit the area through the following practices:

- a. Prioritize redevelopment and infill in areas where existing commercial development exist;
- b. Permit when properly zoned within the Urban Areas;

- c. Expand multi-modal transportation options through the development areas and protect the traffic-carrying capacity of arterial roads between the commercial and mixed-use centers;
  - d. Provide appropriate public space, civic areas, landscaping, open space, and buffering.
  - e. Incorporate architectural features that enhance the appearance of structures, screen parking areas, and blend with the character of existing or planned surrounding land uses.
  - f. Allow limited commercial marinas (not including heavy marine commercial, such as extensive storage and hull, engine, and electronic repairs) in non-urban areas.
- (Redrafted to address issues in Policies 6.1.6, 6.1.7, 6.1.8)

**POLICY 3.4.2:** Ensure commercial developments are designed consistent with the context of the surrounding area and support the needs of the surrounding area by reviewing applications for commercial developments according to the following issues:

- a. Adjacent land uses and surrounding neighborhoods (rezoning);
- b. Proximity to other similar uses (rezoning); and
- c. Connectivity and access to multi-modal transportation (rezoning and development orders);
- d. Adequate levels of services and facilities (rezoning and development orders);
- e. Landscaping and detailed site planning (development orders);
- f. Environmental features (rezoning and development orders); and
- g. Development transitions, facility screening, and landscape buffering (planned development rezoning and development orders).

(Redrafted to address issues from Policies 6.1.1, 6.1.6)

**POLICY 3.4.3:** Require commercial planned developments to incorporate the following features:

- a. Visual harmony and landscaping;
- b. Interconnectivity to reduce dependence on the automobile;
- c. Promotion of pedestrian movement within the development and to adjacent developments;
- d. Joint parking, access, and loading facilities;
- e. Avoidance of negative impacts and support of surrounding land uses, development forms, and travel circulation;
- f. Protection of natural resources; and
- g. Provision of necessary services and facilities.

(Revised Policy 6.1.3)

**POLICY 3.4.4:** Prohibit commercial developments from opening new areas to premature, scattered, or strip development. Encourage commercial development in infill, redevelopment, and previously established development locations.

(Revised Policy 6.1.7)

**POLICY 3.4.5:** Define locations and standards for the size, location, and access of commercial retail facilities in the LDC. (Addressed Policy 6.1.2)

**POLICY 3.4.6:** Commercial development approved or existing on one corner of an intersection does not mean, all corners are appropriate for commercial or mixed use development. Further,

the existence of commercial development on an arterial or collector road does not dictate that all frontages must be used in a similar manner. (Modified Policy 6.1.10)

**POLICY 3.4.7:** Permit limited commercial uses, agriculturally related services, and other needs of the rural area in non-urban areas as follows:

- a. Location: The retail use, including buildings and outdoor sales area, must be located as follows except where this plan provides specific exceptions:
  1. At the intersection of an arterial and collector or two arterials with direct access to both intersecting roads. Direct access may be achieved with an internal access road to either intersecting road. On islands with intersecting network of collectors and arterials, commercial development may be located at or near the intersection of local and collector, or local and arterial, or collector and collector roads; and
  2. Consistent with the Communities Element;
- b. Site Area: Two acres or less; and
- c. Range of Gross Floor Area: Less than 30,000 square feet.

(Modified Policy 6.1.2:1)

**OBJECTIVE 3.5: INDUSTRIAL STANDARDS AND PRACTICES.** Provide for the economic needs of the county through land use standards that direct the planning and design of industrial and economic land uses in appropriate locations. (New objective)

**POLICY 3.5.1:** Provide for the land use and transportation needs of industrial and economic land uses through locations that provide for the special needs of such uses, such as:

- a. Commuter access from home-to-work trips;
- b. Intermodal access by truck, air, deep water, and rail; air and water quality considerations;
- c. Proximity to supportive and related land uses and utilities;
- d. Topography;
- e. Choice and flexibility in site selection;
- f. Greenbelt and other amenities; and
- g. Compatibility with neighboring uses.

(Edited Policy 7.1.3)

**POLICY 3.5.2:** Permit agriculturally-related industrial uses directly serving the rural and agricultural community in the Rural Communities, Open Lands, DR/GR Land Use Categories provided there is adequate fire protection, transportation, and wastewater treatment and water supply, and provided the uses have no adverse effect on surrounding land uses and natural resources. These determinations will be made during the rezoning process. (Edited Policy 7.1.7)

**POLICY 3.5.3:** Land located outside of the Industrial/Research Development, Tradeport, and Interstate Interchange Land Use Categories but within the designated urban land uses may be developed for light industrial purposes when adequate services and facilities are available; the use will not adversely impact surrounding land uses, and natural resources are protected, if one of the following conditions is met:

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

(Modified Policy 7.1.6)

**POLICY 3.5.4:** Support development of industrial areas in appropriate urban and suburban land use categories by reviewing and evaluating proposed industrial development according to the following conditions during the zoning and development order process:

- a. Permit the timing and location of industrial development with the availability and adequacy of services and facilities;
- b. Air emissions;
- c. Impact and effect on environmental and natural resources;
- d. Effect on surrounding land use;
- e. Impacts on water quality and water needs;
- f. Drainage system ;
- g. Employment characteristics;
- h. Fire and safety;
- i. Noise and odor;
- j. Buffering and screening;
- k. Industrial traffic is directed away from local residential streets;
- l. Impacts on transportation facilities and access points;
- m. Access to rail, major thoroughfares, air, and, if applicable, water;
- n. Utility needs; and
- o. Sewage collection and treatment.

(Redrafted to address issues from Policies 7.1.1, 7.1.4, and 7.1.5)

**POLICY 3.5.5:** Industrial planned developments to arrange uses as an integrated and cohesive unit in order to:

- a. Promote compatibility and screening;
- b. Reduce dependence on the automobile;
- c. Promote pedestrian movement within the development;
- d. Utilize joint parking, access and loading facilities;
- e. avoid negative impacts on surrounding land uses and traffic circulation;
- f. Protect natural resources; and
- g. Provide facilities and services when inadequate to serve the proposed use.

(Formerly Policy 7.1.2)

**POLICY 3.5.6:** Require industrial uses to be buffered and screened from adjacent existing or proposed residential areas to prevent visual blight and noise pollution. (Formerly Policy 7.1.8)

**POLICY 3.5.7:** Provide for the safety and health of the county's residents and natural resources by prohibiting bulk storage or production of toxic, explosive, or hazardous materials near residential areas and prohibiting the storage of these materials in areas that have the potential to contaminate ground or surface water. (Policy addresses issues from Policy 7.1.1 (3))

**OBJECTIVE 3.6: AGRICULTURAL STANDARDS AND PRACTICES.** Support a diverse and robust agricultural economy by protecting agricultural lands from the encroachment of incompatible land uses and discouraging the introduction or expansion of agricultural uses in the Urban Areas.

**POLICY 3.6.1:** Identify rural agriculture lands on the land use map and establish policies and practices that support a diverse agricultural economy including:

- a. Utilize an Agricultural Overlay to identify, inventory, and promote agricultural uses;
- b. Evaluate applications for conversion of agricultural land uses in Non-Urban areas to other land uses;
- c. Encourage agricultural operations to meet water quality and surface water management standards by providing advisory water management plans through the Lee Soil and Water Conservation District;
- d. Promote energy, water, and soil conservation management practices; and
- e. Continue to update and analyze agricultural land use data.

(Redrafted to address issues from Objective 9.1, Policies 9.1.2, 9.1.3, and 9.1.5)

**POLICY 3.6.2:** Protect agricultural activities on lands within the agricultural overlay (see Map X) from the impacts of new natural resource extraction operations, recreational uses, and residential development. In future limerock mining areas (see Map X), agricultural activities may be limited to the interim period prior to mining or may coexist with adjoining mining activities and mining pits. (Formerly Policy 9.1.4)

**POLICY 3.6.3:** Establish and implement incentives to encourage the continuation of existing agricultural operations and improvements to existing agricultural operations as needed to store and treat water and improve ecological values. Investigate the feasibility of a Transfer of Development Rights (TDR) bank for agricultural property. (Edited Policy 9.1.6)

**POLICY 3.6.4:** Existing agricultural lands within the DR/GR land use category provide important surface and subsurface connections for water and wildlife resources. Support the integration of agriculture as part of a coordinated effort of county and regional agencies to manage water resources including the protection and restoration of natural systems within Southeast Lee County. (Edited Policy 9.1.7)

**POLICY 3.6.5:** Discourage agricultural uses proximate to incompatible urban uses and to promote the efficient use of existing and programmed urban infrastructure. Direct new agricultural uses away from urban areas. (Edited Objective 9.2)

**POLICY 3.6.6:** Rezoning of land to agricultural zoning districts is prohibited in the Urban Land Use Categories. (Modified Policy 9.2.1)

**POLICY 3.6.7:** Allow rezoning proposals of parcels of five acres or more to an agricultural zoning district within Suburban Categories to be reviewed on a case by case basis. Base recommendations on:

- a. Current and future availability of urban infrastructure;
- b. Compatibility with existing and future land uses;
- c. Acreage of rezoning request; and
- d. Consideration of applicable community plans. (Modified Policy 9.2.1)

**POLICY 3.6.8:** Planned development rezonings in urban areas must not establish new, or expand existing, agricultural uses. Bona fide agricultural uses existing at the time of rezoning may continue until development commences. Existing agricultural uses may not expand beyond the boundaries existing at the time of rezoning. Existing agricultural uses within any tract or phase must be discontinued upon local development order approval including that tract or phase. (Edited Policy 9.2.2)

**OBJECTIVE 3.7: MARINE-ORIENTED STANDARDS AND PRACTICES.** Designate prime locations for marine-oriented land uses and protect those locations from incompatible or pre-emptive land uses. (Previously Goal 8)

**POLICY 3.7.1:** Encourage existing marinas, fish houses, and port facilities located within water-dependent overlay zones on the Future Land Use Map to commercial and industrial marine zoning categories to protect the right to rebuild and expand and to prevent conversion to non-water-dependent uses without a public hearing (See Map ##). (Edited Objective 8.1)

**POLICY 3.7.2:** Development approvals for marine-oriented land uses must ~~also~~ comply with requirements set forth in the Coastal and Conservation Management, Objective: Marine Facilities Siting Criteria, and Objective: Marina Design Criteria. (Edited Objective 8.2)

**OBJECTIVE 3.8: NATURAL RESOURCE EXTRACTION STANDARDS AND PRACTICES.** Protect areas containing identified natural resources from incompatible urban development, while ensuring that natural resource extraction operations minimize or eliminate adverse effects on surrounding land uses and other natural resources. (Edited Goal 10)

**POLICY 3.8.1:** Designate through the rezoning process, sufficient lands suitable for providing fill material, limerock, and other commercially valuable natural resources to meet the county's needs and to export to other communities, while providing adequate protection for other natural resources. (Formerly Objective 10.1)

**POLICY 3.8.2:** The sale of overburden from approved limerock mines is encouraged because converting overburden into fill material avoids additional mining at other locations. However, shallow mines that produce primarily fill dirt should be sited as close as possible to locations of high demand to minimize the distance fill material must be trucked to likely destinations. (Formerly Policy 10.1.1)

**POLICY 3.8.3:** The future uses of any new or existing natural resource extraction operations must be evaluated at the time the property undergoes planned development zoning review. Site plans should be designed to incorporate proposed future uses, including open space, and to ensure the protection of surface and ground water resources, wildlife, and native plant communities. (Formerly Policy 10.1.2)

**POLICY 3.8.4:** Reclamation is intended to replace or offset ecological benefits lost during extraction, including the creation of conditions that will support a healthy water body to the extent practicable. Applications for natural resource extraction permits for new or expanding sites, or for future use of such sites, must include a reclamation plan that provides assurance of implementation. Reclamation plans must address the reclamation and sustainable management of existing and future mining pits, preserves, and buffer areas related to the mining operation. Reclamation plans in Future Limerock Mining areas (see Map 14) must include littoral shelves suitable for native wetland plants, re-vegetation of disturbed land, allowance for wildlife movement, and minimization of long-term effects on surrounding surface and groundwater levels. Reclamation plans for mines providing primarily fill material should provide more extensive littoral shelves and describe how shorelines will be configured and managed and how disturbed uplands will be restored or converted to other acceptable land uses. Reclamation plans in or near important surface and groundwater resource areas must be designed to minimize the possibility of contamination of the surface and groundwater during mining and after completion of the reclamation. (Formerly Policy 10.1.3)

**POLICY 3.8.5:** Limerock mining may be permitted only in accordance with goals, objective, and policies for Southeast Lee County, contained in the Communities Element. Other natural resource extraction activities such as fill dirt operations and ancillary industrial uses may be permitted as follows:

- a. In areas indicated on the Land Use Map as Rural, Open Lands, and DR/GR, provided there is adequate fire protection, transportation facilities, wastewater treatment and water supply, and provided further there are no significant adverse effects such as dust and noise on surrounding land uses and natural resources. In the DR/GR Density Reduction/Groundwater Resource category, fill dirt operations are further restricted in accordance with other policies in the Lee Plan.
- b. In order to reduce transport costs and minimize wear on the county's roadways, the extraction and transport of fill material may also be permitted as an interim use in the Urban Areas provided that the above requirements are met; however, special restrictions may also be applied to protect other land uses. These determinations will be made during the rezoning process. Ancillary crushing of limerock strata embedded within fill material may be permitted for use on-site. (Edited Policy 10.1.4)

**POLICY 3.8.6:** Lee County will support efforts by government, community leaders, and the extractive industry owners and businesses to incorporate reclaimed mining pits into a comprehensive and coordinated effort of governmental agencies to enhance wildlife habitat values, minimize or repair the long-term impacts to adjoining natural systems, provide for human

recreation, education, and other appropriate uses, and/or strengthen community environmental benefits. (Formerly Policy 10.1.5)

**POLICY 3.8.7:** Coordinate mining activities, including evaluation, monitoring, reclamation, and redevelopment, with water supply planning, surface and groundwater management activities, wetland protection, wildlife conservation, and future residential activities. Consider ~~the~~ cumulative and watershed-wide impacts of mining activities, in addition to the direct impacts of each individual mine. (Previously Objective 10.2)

**POLICY 3.8.8:** Natural resource extraction operations must provide a monitoring system to measure surface and groundwater levels and quality to assess any degradation of surface and groundwater resources. Particular attention will be given to potential travel time to wellfields and residential wells. Mining applications are strongly encouraged to include a minimum of three years baseline monitoring and assessments of the likely change in flow, timing of travel, and direction of surface and groundwater systems on-site and in the impacted area. (Formerly Policy 10.2.1)

**POLICY 3.8.9:** Applications for natural resource extraction permits for new or expanding areas must include an environmental assessment. The assessment must include (but not be limited to) consideration of air emissions, impact on environmental and natural resources, effect on nearby land uses, degradation of water quality, depletion of water quantity, drainage, fire and safety, noise, odor, visual impacts, transportation including access roads, sewage disposal, and solid waste disposal. Assessments must also include:

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

(Formerly Policy 10.2.2)

**POLICY 3.8.10:** The depth of mining for a proposed excavation will be limited as necessary to prevent any breach of an aquaclude or confining layer. (Formerly Policy 10.2.3)

**POLICY 3.8.11:** Other limitations on mining pit size, setbacks, and depths will be determined on a case-by-case basis depending on existing neighboring uses, specific hydrogeologic conditions, wetlands and watershed protection, wildlife conservation, and transportation routes including anticipated traffic to and from the mine. (Formerly Policy 10.2.4)

**POLICY 3.8.12:** Areas that are designated as preserve areas (e.g., buffers, indigenous preservation, and reclaimed littoral shelves) during the mining rezoning process must be protected by the execution of perpetual conservation easements so that these areas will be maintained during mine operation and in perpetuity regardless of future land uses. A timetable for all environmental remediation including the construction of buffers and reclamation of littoral shelves must be included as part of the mine rezoning application. Lee County must be named in

the easement as a grantee with the power and authority, but not obligation, to enforce the terms of the easement. An entity, other than Lee County, must be identified and obligated to maintain the easement in perpetuity. However, Lee County may agree to be primarily responsible for maintenance. (Edited Policy 10.2.5)

**POLICY 3.8.13:** The LDC-will establish the contents and frequency of monitoring reports from authorized mines. These reports may include surface and groundwater monitoring of water quality and quantity, the areas under active mining, the depths being mined, the quantity and type of mined materials, estimated reserves left for mining, and the annual volume, direction, and destination of the material being transported. Reporting will include the active mining and processing area; the areas where reclamation has been completed; and the areas where invasive exotic removal is underway or completed. (Edited Policy 10.2.6)

**POLICY 3.8.14:** Zoning or development order approvals may require that significant adverse impacts identified during mining or post-mining will be subject to adaptive resource management acceptable to Natural Resources whereby corrective measures can be guaranteed through conditions on the next phase's approval. (Edited Policy 10.2.7)

**POLICY 3.8.15:** Determine and maintain a balance between the County's petroleum resources and the health, safety and welfare of the residents of its Urban Areas. (Formerly Objective 10.3)

**GOAL 4: ACTIVITY CENTERS AND CORRIDORS.** Support the development of compact, mixed-use activity centers and corridors in targeted locations through the public-private partnerships to provide diverse economic, social, and residential opportunities. Promote creative urban design forms that allow for integrated mixed-use buildings, interconnected stand alone buildings within mixed-use centers and corridors. (New goal)

**OBJECTIVE 4.1: MIXED-USE PRACTICES.** Facilitate the development of mixed-use places that feature a complimentary mix of uses, promote livability, walkability, and multi-modal transportation services, and provide a variety of economic, housing, and recreational opportunities in targeted locations as designated on the Land Use Map. (New objective)

**POLICY 4.1.1:** Foster a balance of residential, economic, and public space areas by utilizing the Future Land Use Map to designate the location of mixed-use centers and corridors in areas where the densities and intensities of mixed-use places are compatible with surrounding neighborhoods. (New Policy)

**POLICY 4.1.2:** Encourage mixed-use centers and corridors through development practices that support a diverse housing, economic, transportation, and social connections including:

- a. Multi-generational residential developments with an array of housing types, and live/work options;
- b. Interdependent, 24-7 economy with daytime and evening businesses, activities, and events;

- c. Interconnected land uses and transportation systems that decrease the number and length of vehicular trips, facilitate transportation options, and provide opportunities for walking, biking, riding transit, and driving; and
  - d. Centrally located, accessible, and diverse public places and open spaces.
- (New Policy)

**POLICY 4.1.3:** Establish and implement a Mixed-Use Overlay as part of the Future Land Use Element to target locations and promote the development of activity centers and corridors. Prioritize mixed-use overlay locations according to the following considerations:

- a. Opportunity to improve connections to surrounding neighborhoods, economic centers, parks and public spaces, and civic areas;
- b. Redevelopment opportunities for established development areas—particularly on grayfield or brownfield sites;
- c. Close proximity to: multi-modal transportation facilities; schools; recreation opportunities; and residential, shopping and employment centers;
- d. Ability to improve the transportation system—e.g.: increased pedestrian, bicycle, and bus service; reduced travel distances; internal trip capture; and improved transit accessibility;
- e. Location of large amounts of underutilized commercial space with suburban-oriented parking lots; or
- f. Sites identified through community planning efforts, MPO plans, or Lee Tran transit plans. (Addresses issues from Objectives 4.2, Policies 4.2.1 and 4.2.5)

**POLICY 4.1.4:** Facilitate the planning and development of mixed-use centers by working with community members, property owners, and other interested stakeholders. Emphasize building consensus on locations for the Mixed-Use Overlay, education regarding the benefits and concerns related to mixed-use/higher density developments; and adoption of a mixed-use regulating plan in targeted locations. (Redrafted Policy 4.2.6)

**POLICY 4.1.5:** Support private mixed-use developments by streamlining the review of mixed-use developments within communities with regulating plans, prioritizing capital improvement projects needed to support mixed-use developments, encouraging creative urban mixed-use design and development practices, and identifying innovative mixed-use incentives. (New Policy)

**POLICY 4.1.6:** Promote the development of urban communities by prioritizing the planning, development, and funding of mixed-use centers in urban locations. Projects within urban land use categories, particularly those located within areas that have adopted mixed-use regulating plans, are a priority for public resources and programs to spur development through a variety of development practices including:

- a. Planning and adoption of mixed-use regulating plans located in target locations;
- b. Planning, funding, and construction of public services and infrastructure systems (e.g.: transportation systems; utility—potable water, sanitary sewer, and stormwater—systems; parks and public spaces; civic resources, and other);
- c. Funding capital improvement projects and other county infrastructure and transportation funding;

- d. Identifying additional grant and public resources and programs;
- e. Utilizing the county's historic resource, housing, park development, and other programs;
- f. Coordinating with the Economic Development Office and Fort Myers Regional Partnership to promote economic development activities; and
- g. Utilizing local community funding resources.

(New policy)

**POLICY 4.1.7:** Properties in a Mixed Use Overlay Zone, and with adopted regulating plans are preferred receiving areas for incentive density.

(Modified Policy 4.3.8)

**POLICY 4.1.8:** The Mixed-Use Overlay may include areas within the Coastal High Hazard Area when unique public benefits exist. Benefits may include:

- a. Development of workforce housing alternatives;
- b. Provision of transportation options;
- c. Creation of evacuation shelters; and
- d. Others benefits as determined through the zoning process.

(Modified Policy 4.2.4)

**POLICY 4.1.9:** Planned Development projects adhering to the Mixed-Use Overlay standards, at the discretion of the Board, may extend a reasonable distance beyond the Mixed-Use Overlay zone. (Modified Policy 4.2.3)

**OBJECTIVE 4.2: MIXED-USE STANDARDS.** Pursue or maintain land development standards and regulations that encourage creative site designs and mixed use developments. (Modified Goal 4)

**POLICY 4.2.1:** Mixed Uses: Provide a balanced mixture of uses to reduce overall trip lengths, to support pedestrian, bicycle and transit opportunities and create pedestrian friendly streetscapes. Mixed use form and design considerations include:

- a. Mixed uses developments may take the form of either vertical or linear integration of uses. Vertical integration occurs when uses are mixed within individual buildings (e.g. residential above retail or office space). Linear distribution occurs when uses are connected to other uses as part of a larger mixed-use center or corridor; and
- b. Mixed Use Overlay areas will provide civic uses, such as green spaces or community centers;
- c. Mixed uses will be integrated within an overall design framework to create a pedestrian friendly, human scale environment, through objective, measurable criteria including size, scale, proportion, and materials detailed in the land development regulations. Flexibility in design will allow for choice and variety in architectural style.

(Modified Policy 4.3.2)

**POLICY 4.2.2:** Site and Building Design: Integrate commercial, residential, civic, and open spaces to create multipurpose developments that feature unique style and ambiance through design, encouraging civic involvement and events to promote community interaction. Site and Building Design development practices include:

- a. Provisions for outdoor livability, including interconnected pedestrian and bike facilities, walkways, public plazas, ample seating, and walkable block size;
- b. Well defined centers and edges with public or civic space creating an element around which other development is located;
- c. Development plans will create focal points of signature buildings, civic spaces, natural amenities, and other prominent features through placement or street layout;
- d. Link pedestrian routes and bikeways with the street system or other public space such as parks or squares avoiding routes through parking lots and other locations out of the public realm;
- e. When necessary, development density and intensity will gradient from the center to the edge suitable to integrated surrounding land uses;
- f. The designs will include a pedestrian circulation system to connect the nonresidential uses with residential uses and areas;
- g. Local climate and history will dictate the architectural and landscape design and natural methods of cooling and heating will be encouraged. Evaluate Green Building techniques as an alternative way to provide open space;
- h. Streets and roads will be fronted by design features including sidewalks which define and contribute to a pedestrian street character. Building design, placement, and entrances will be at a pedestrian scale and oriented towards streets or other public space such as parks or squares;
- i. The street system will equally serve automobile and non-automobile modes of transportation. Development will provide pedestrian and bicycle- friendly access, and will provide transit facilities to the development and the surrounding community;
- j. Large scale nonresidential establishments will incorporate development design techniques to integrate the establishment into the surrounding community. Such design techniques will include:
  1. Creation of a series of smaller, well defined customer entrances to break up long facades and provide pedestrian scale and variety, that may be achieved through the use of liner buildings;
  2. Limited number and size of signs; and
  3. Landscaping and use of pocket parks and courtyards adequate to soften large building masses.

(Edited Policy 4.3.3)

**POLICY 4.2.3:** Streetscape Design: Provide for an active mixed-use plan by ensuring the streetscape design supports the form and function of the center and surrounding community. Streetscape Design development practices include:

- a. Location of active uses in relationship to neighborhood-oriented commercial uses (e.g.: small markets, retail shops, and cafes), public spaces and parks, and civic spaces;
- b. Design and sidewalks connections, public areas, and signage as it relates to the design found elsewhere within the community;
- c. Type, size, function, and location of public spaces and parks such as courtyards, plazas, fountains, center parks, natural areas, and civic places;

- d. Placement of streetscape features including: lighting fixtures, benches, bike racks, bus stop shelters; and
- e. Size and location of the center's buildings relate to the sidewalk, street, public spaces, and surrounding neighborhoods.

(New Policy)

**POLICY 4.2.4:** Walkable Centers: Locate stores, offices, residences, public services, public spaces, parks and recreational resources within walking distance of each other to promote independence of movement; enable people to conveniently walk, cycle, or ride transit; reduce use of independent vehicles; and provide options to live, work, and play. A walkable distance is typically measured at ¼ to ½ mile with minimal physical and perceived barriers such as dangerous intersections, isolated or unsafe areas, heavy and fast vehicular traffic, vacant lands and parking lots, narrow sidewalks, and poor lighting. (New Policy)

**POLICY 4.2.5:** Access and Mobility: Ensure the transportation facilities within mixed use places are designed to provide safe access to and within the development, opportunities for multiple transportation alternatives (walk, bike, transit, and vehicular), and connectivity to all areas within the center. Access and Mobility Design development practices include:

- a. Internal traffic circulation system design will include:
  - 1. Clearly defined, well lit, and shaded pedestrian connections, sidewalks, and pedestrian crossings;
  - 2. Traffic calming techniques to maintain safe multi-modal transportation;
  - 3. An interconnected street grid system extended to adjacent sites at the least intrusive locations;
  - 4. Block sizes will be small enough to create an easily dispersed traffic flow;
  - 5. Maximum use of common access drives;
  - 6. A system of alleyways for service vehicles and access to parking; and
  - 7. Convenient access to transit facilities.
- b. Points of ingress to and egress from arterial roads carrying through traffic will be located at the allowed intersection spacing and connect to the internal traffic circulation system;
- c. A connector street system will provide multiple vehicular, bicycle, and pedestrian linkages to adjacent local destinations, including residential neighborhoods, as an alternative to arterial and collector roads, except where such connections are precluded by physical layout of natural environmental features;
- d. Bicycle facilities include bike racks, bike lanes and signage; and bikeways;
- e. Transit facilities include shaded bus shelters, transfer locations, and bus signage;
- f. Pedestrian connections located within the center and to adjacent neighborhoods; and
- g. Automobile-oriented uses will have a limited number of driveways, and drive-in or drive-up windows will be located to avoid conflict with pedestrian and bicycle traffic.

(Modified Policy 4.3.5)

**POLICY 4.2.6:** Parking: Design parking areas within mixed-use places to minimize intrusiveness and impacts on the pedestrian character, through the following techniques:

- a. On-street parking with landscaping and design features, such as corner and mid-street bump outs, that afford traffic calming and produce a comfortable and safe pedestrian environment will be promoted;
- b. Parking lot locations will not separate pedestrian areas including sidewalks, squares, and plazas from the front of buildings containing the primary entrance;
- c. Parking lots will be screened from streets, sidewalks, and open spaces, and will be designed to maintain or enhance the street edge;
- d. Parking lots will be designed with safe pedestrian connections to business entrances and public space to create a park-once environment;
- e. Reduction of paved parking areas will be evaluated wherever practicable through measures such as provision of shared parking and parking structures to serve multiple uses and alternative paving materials. Large expanses of pavement will be discouraged; and
- f. Reduced ratios of required parking for non-residential uses will be provided in the land development regulations.

(Formerly Policy 4.3.4)

**POLICY 4.2.7:** Parks, Public Spaces, and Open Space: Use public space and landscaping to create an active mixed-use center and corridor through design that focuses on:

- a. Providing adequate urban landscaping that includes street trees, planted areas, and street furniture;
- b. Promoting the visual and physical connections to the street;
- c. Use landscaping, hardscaping, and public spaces to demarcate different areas within the center and help screen empty spaces (e.g.: open parking lots, vacant building lots, and undefined open space areas);
- d. Requiring surface and storm water management facilities will be designed as an integral physical or visual amenity that provides usable open space or an aesthetic feature that resembles natural areas; and
- e. Requiring paved areas (including parking) to have overhead shading from tree canopy or building features based on factors such as scale of development and performance standards;
- f. Linking adjoining areas together with urban greenways and trails; and
- g. Connecting different land uses and amenities, unifying the entire community, and transitioning mixed-use communities to the surrounding neighborhoods and business districts.

(Revised Policy 4.3.6)

**POLICY 4.2.8:** Connectivity and Buffering: Mixed use developments will be well integrated both internally and externally.

- a. Automotive, pedestrian and/or bicycle connections to adjacent commercial development will be provided;
- b. Connections to adjacent residential neighborhoods will not be precluded by the Mixed-Use Development's design;
- c. Buffering of uses internal to a Mixed Uses development are not required; and
- d. Buffering from adjacent developments, when deemed absolutely necessary, will not preclude future interconnectivity.

(Formerly Policy 4.3.7)

**POLICY 4.2.9:** Developments within the Mixed Use Overlay conforming to Chapter 32 Compact Communities of the LDC, achieve the principles listed in this objective. (Formerly Policy 4.3.1)

**OBJECTIVE 4.3 MIXED-USE INCENTIVES** Prioritize the development of mixed-use places through incentives that facilitate the development and improve the marketability of mixed-use centers and the Mixed-Use Overlay. (New Objective)

**POLICY 4.3.1:** Incentivize mixed-use developments located within the Mixed-Use Overlay utilizing the Compact Communities Code (CCPD) or the applying the principles of the CCPD as outlined in this goal by allowing non-residential areas to be included in density calculations. (Redrafted Objective 4.3)

**POLICY 4.3.2:** Promote continued use and redevelopment of mixed-use centers and the Mixed Use Overlay by facilitating the adaptive reuse of existing buildings, enabling existing structures to change or expand the mixture of allowed uses and permitting limited site redevelopment administratively. Evaluate and incorporate specific incentives and standards in the LDC to further the adaptive reuse of existing structures. (New policy)

**POLICY 4.3.3:** Promote the development of urban land use categories by encouraging private developers to develop in a mixed-use and urban form through the use of incentives such as:

- a. Density and intensity incentives for the implementation of mixed-use character and form principles;
- b. Transfer and purchase of development rights programs that allow for additional density and intensity in Urban Areas;
- c. Administrative approvals for projects that utilize mixed-use regulating plans adopted as part of the Compact Communities Code; and
- d. Reduced parking standards for projects in mixed-use locations.

(New policy)

**POLICY 4.3.4:** Utilize the community planning program to facilitate the development of mixed-use centers in targeted locations by establishing a county initiated planning process; publically funded infrastructure systems; administrative permitting and streamlined reviews process; and expanded building rights. Provide for a variety of mixed-use incentives such as:

- a. Increasing the allowable building space (FAR), density, permitted uses, and height standards for mixed-use projects;
- b. Enabling increased density within mixed-use places through transfer and purchase development rights that enable density to be bought or transferred into mixed-use development areas; and
- c. Decreasing the required amounts of parking, on-site stormwater retention, transportation roadway connections needed within mixed-use development areas;

- d. Adopting mixed-use regulating plans in target places that are able to be implemented through administrative processes;
- e. Enabling mixed-use projects to purchase additional density or transfer density into the area from identified rural places; and
- f. Giving mixed-use places priorities in grant applications for historic preservation, community planning, transportation and public service infrastructure; and neighborhood development programs.

(New policy)

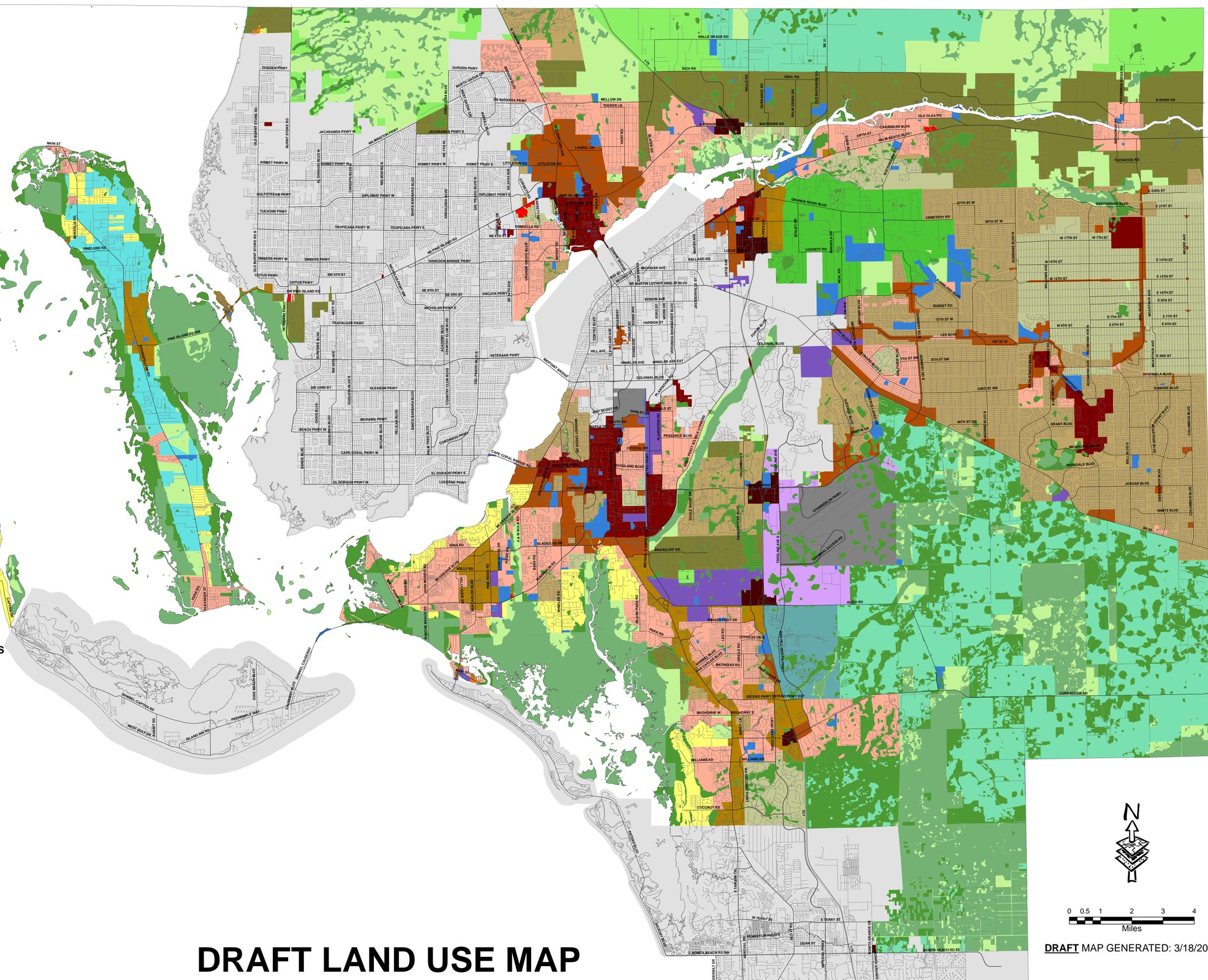
**POLICY 4.3.5:** Support the development of mixed-use places by giving projects located within mixed-use places high priority when reviewing and determining future budgetary, grant, capital improvement, and service projects. (New policy)

**POLICY 4.3.6:** Promote the development of innovative financing and planning tools for mixed-use centers in targeted locations that have established regulating plans such as community redevelopment agency (CRA), municipal service benefit unit (MSBU); municipal service taxing unit (MSTU), tax increment financing (TIF), community development district (CDD), historic preservation trust funds, grants, tax increment financing, and other programs to help spur and finance the development of mixed-use communities. (New policy)

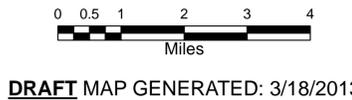
# DRAFT LAND USE MAP

**DRAFT**

- Land Use Map**
- URBAN CATEGORIES**
- Urban Core
  - Urban Places
  - Urban Neighborhood
- SUBURBAN CATEGORIES**
- Suburban 6
  - Suburban 4
  - Suburban 2
  - Coastal Suburban
- ECONOMIC DEVELOPMENT CATEGORIES**
- Commercial
  - Industrial Research Development
  - Tradeport
  - Airport Lands
  - University Community
  - Interchange
- RURAL CATEGORIES**
- Rural
  - Rural Community Preserves
  - Coastal Rural
  - Outer Islands
  - Open Lands
  - Density Reduction / Groundwater Resource
- CONSERVATION LANDS CATEGORIES**
- Conservation Lands - Upland
  - Conservation Lands - Wetland
- COUNTY-WIDE CATEGORIES**
- Public Facilities
  - Wetlands
  - Place-Based Categories
  - Incorporated Areas



**DRAFT LAND USE MAP**



DRAFT MAP GENERATED: 3/18/2013

# CURRENT FUTURE LAND USE MAP

## Future Land Use

### FUTURE URBAN AREAS

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Sub-Outlying Suburban
- Commercial
- Industrial
- Public Facilities
- University Community
- Burnt Store Marina Village
- Destination Resort Mixed Use Water Dependent

### INTERCHANGE AREAS

- General Interchange
- University Village Interchange
- Industrial Commercial Interchange
- Industrial Interchange
- General Commercial Interchange

### NEW COMMUNITY

- New Community

### AIRPORT AREAS

- Tradeport
- Airport

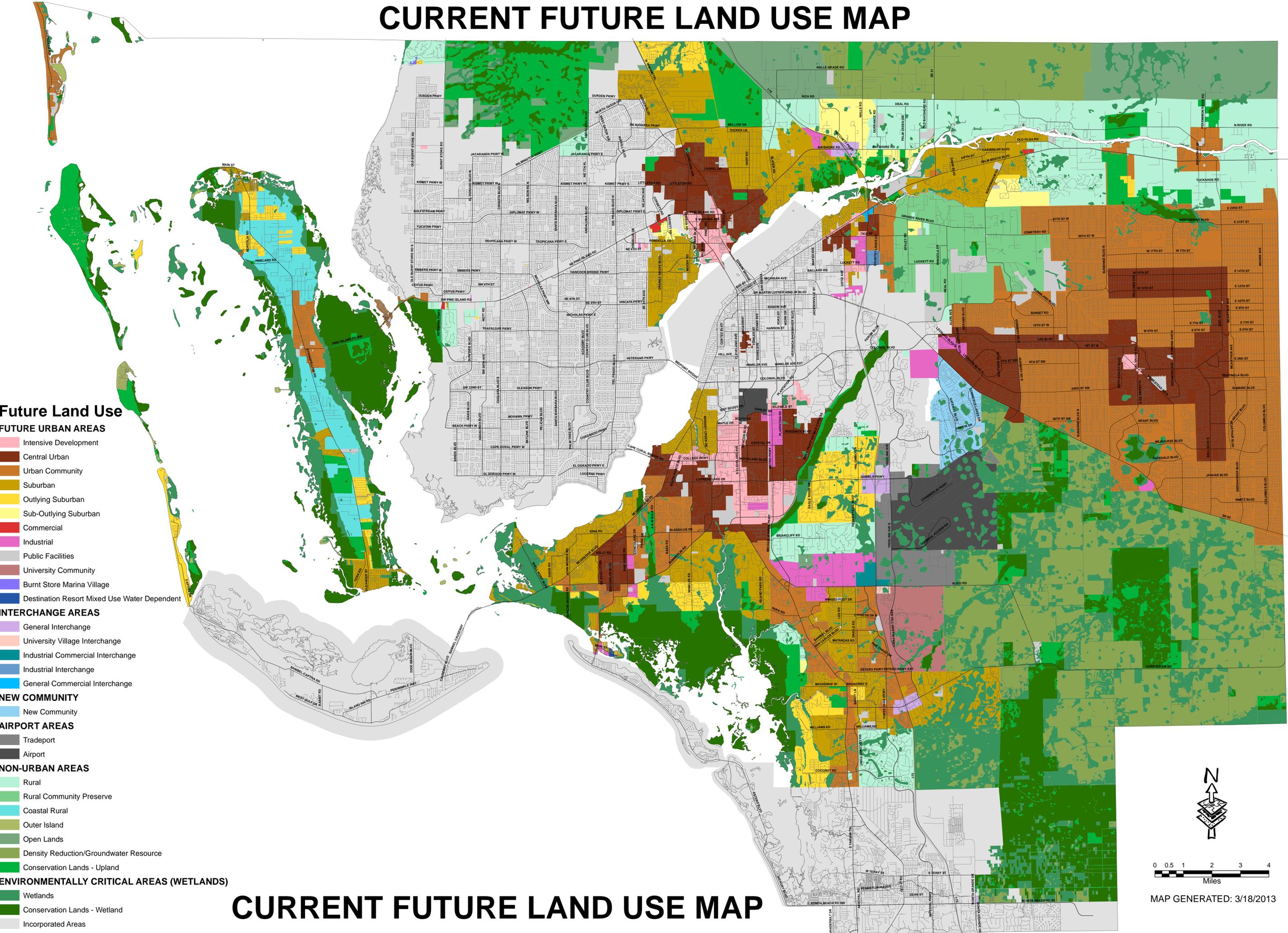
### NON-URBAN AREAS

- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Upland

### ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)

- Wetlands
- Conservation Lands - Wetland
- Incorporated Areas

# CURRENT FUTURE LAND USE MAP



MAP GENERATED: 3/18/2013

**CPA2011-13  
LEE PLAN  
TRANSPORTATION ELEMENT  
BOCC SPONSORED  
EAR BASED AMENDMENT  
TO THE**

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**LEE COUNTY COMPREHENSIVE PLAN**

---

**THE LEE PLAN**

Publically Sponsored Amendment and Staff Analysis

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**LPA Public Hearing Document  
For the  
November 26<sup>th</sup>, 2012 Public Hearing**

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*Lee County Planning Division  
1500 Monroe Street  
P.O. Box 398  
Fort Myers, FL 33902-0398  
(239) 533-8585*

October 26, 2012

**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2011-11**

**Text Amendment**

**Map Amendment**

<b>This Document Contains the Following Reviews</b>	
<input checked="" type="checkbox"/>	<b>Staff Review</b>
	<b>Local Planning Agency Review and Recommendation</b>
	<b>BOCC Hearing for Transmittal</b>
	<b>Staff Response to the Department of Economic Opportunity Objections, Recommendations, and Comments (ORC) Report</b>
	<b>BOCC Hearing for Adoption</b>

STAFF REPORT PREPARATION DATE: October 12, 2012

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. APPLICANT/REPRESENTATIVE:**

Lee County BOCC, represented by Lee County Division of Planning, Department of Transportation, Department of Transit, Department of Parks & Recreation, Development Services Division and the Lee County Port Authority.

**2. REQUEST:**

Amend the Transportation Element of the Lee Plan to incorporate the recommendations of the March 1, 2011 Evaluation and Appraisal Report.

**B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY**

**1. RECOMMENDATION:**

Staff recommends that the BOCC *transmit* the proposed amendment to the Transportation Element of the Lee Plan as shown on Attachment 1. The attachment shows the proposed Element in clean codified language.

## **2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

- The BOCC initiated this plan amendment on March 1, 2011, with the adoption of the Evaluation and Appraisal Report.
- The BOCC adopted Resolution 09-11-13 on November 10, 2009 to establish complete streets, to integrate bicycling, walking and public transit with the county's transportation program goals, objectives and policies.
- The Lee County Metropolitan Planning Organization (MPO) has developed the 2035 Long Range Transportation Plan (LRTP) based on planning factors to: 1) support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity and efficiency; 2) increase the safety of the transportation system for motorized and non-motorized users; 3) increase the security of the transportation system for motorized and non-motorized users; 4) increase the accessibility and mobility options available to people and for freight; 5) protect and enhance the environment, promote energy conservation, improve quality of life, and promote consistency between transportation improvements and state and local planned growth and economic development patterns; 6) enhance the integration and connectivity of the transportation system, across and between modes, for people and freight; 7) promote efficient system management and operation; and 8) emphasize the preservation of the existing transportation system. (NOTE: LRTP page 1-4)
- A diverse group of organizations and interests such as Lee County, the MPO, United States Department of Transportation (USDOT), United States Environmental Protection Agency (EPA), United States Housing and Urban Development (HUD), Institute of Transportation Engineers (ITE), American Planning Association (APA), American Public Health Association, and Smart Growth America have made better integration of transportation and land use coordination a priority to further the concepts of health, compact development, livability, sustainability, and complete streets.
- The LRTP identifies a deficit of over \$2 billion for unincorporated Lee County highway, transit, bicycle, and pedestrian facilities identified as capital improvement needs for the planned transportation system. There is a projected long term maintenance cost deficit for existing and funded facilities if the county relies only on existing funding sources. The Transportation Element provides options to address the deficit and prioritize capital and maintenance costs.
- The Transportation Element of the Lee Plan is intended to introduce a tiered street network structure (streets for vehicles, streets for people) based on urban, suburban and rural characteristics that recognize the tenets of complete streets as guiding principles for all transportation and land use decisions as well as capital expenditures

and decisions. The element also serves as a mobility plan to integrate all aspects of transportation form and function. (NOTE: EAR Executive Summary page iii)

- The adopted New Horizon 2035 Evaluation and Appraisal Report (EAR) found that the updated Lee Plan should include the following features: (1) focus on multi-modal systems that will support a more compact and sustainable development pattern, (2) strengthen linkages between land and transportation decision-making and investments, (3) establish complete streets policies that address retrofitting existing roads and include in new street projects mobility features for transit, bicycles, pedestrians and automobiles development, (4) strengthen connections within and between neighborhoods and activity centers, (5) revise roadway infrastructure standards to reduce energy use, costs and heat island effects, and green the county's transportation corridors. (NOTE: EAR Vision Framework page 2-44, 2-45)
- The proposed amendments to the Transportation Element are consistent with the EAR recommendations and are coordinated with the 2035 LRTP.
- The proposed amendments meet the statutory requirements of FS 163.3177(6)(b) for a transportation element.

## **C. BACKGROUND INFORMATION**

The Transportation Element of the Comprehensive Plan addresses the planning and development of airports, rail, roads, transit, pedestrian, and bicycle facilities within Lee County. The purpose of the element is to promote mobility through a transportation system that meets the varied needs of the residents and visitors. The Transportation Element was part of the original Lee Plan in 1984. Since that time the transportation element has contained the design features, LOS criteria, and transportation facility policies. This element also helps to ensure that public and private development efforts support the design and character of the county's different communities.

The Transportation Element is a required element as defined by Chapter 163.3177(6)(b), Florida Statutes (F.S.). In general the statute requires a transportation element that addresses "*mobility issues in relationship to the size and character of the local government.*" The statute also states that "*the purpose of the transportation element shall be to plan for a multimodal transportation system that places emphasis on public transportation systems, where feasible.*"

## **PART II - STAFF ANALYSIS**

### **A. STAFF DISCUSSION**

The 2011 EAR assessment and analysis of the Transportation Element identified a need for major changes and a reorganization of the element. The EAR identified four critical community issues (1) Livability, (2) Strong Connections, (3) Community Character, and (4) Sustainability. In response, significant policy changes are recommended relating to each of the four critical community issues and the existing 12 goals are consolidated into four goals.

The recommended element changes by community issue include:

- Livability (EAR page 3-5)
  - Alternative modes
  - Context-sensitive street design
  - Local connections
  - Land use and transportation integration
- Strong Connections (EAR pages 3-13, 3-14)
  - Balanced transportation modes
  - Land use and transportation integration
  - Local connectivity
  - Level of service (LOS) standards
- Community Character (EAR page 3-23)
  - Traffic Calming
  - Context-sensitive street design
  - Facility Types
- Sustainability (EAR page 3-30)
  - Transportation infrastructure
  - Multimodal options
  - Connectivity
  - Integrated land use and transportation
  - New technologies

Policy decisions which are discussed in greater detail below must be made concerning the following issues:

- Transportation concurrency;
- Funding priorities and options;
- Core los in mixed-use, urban, suburban, and rural areas;
- A shift from automobile movement priority to a more balanced multimodal transportation system emphasizing transit;
- Design for context, walkability, livability and complete streets;
- Parking; and
- Reducing pollution and energy use, new technologies.

The 2011 EAR (page 4-17) recommended that the existing twelve goals be consolidated into seven goals. Staff recommends reorganization into four goals as summarized in the tables below.

Current Transportation Element Goals	Recommended Goal Location	
	EAR	Staff
36 – Maps	None	2
37 – LOS Standards	3	2
38 – Capital Improvements Programming	7	3
39 – Development Regulations	2	3
40 – Safety, Energy Efficiency, Acquisition, Preservation,	1	1 and 3

and Protection Measures for a Multi-modal Transportation System		
41 – Community and Environmental Impacts	7	3
42 – Intergovernmental Coordination	1	3
43 – Mass Transit Service	1	1 and 3
44 – Transit Development Plan	1	3
45 – Marine Navigation Management	5	1
46 – Rail	6 and 7	1
47 – Aviation	4	4

Staff Recommended Goals
1 - Effective, Comprehensive Multimodal Transportation System
2 - Transportation Standards & Regulatory Framework
3 - Implementation Issues
4 - Airports

The EAR discussion highlighted the need for better integration of the Transportation Element with the Capital Improvements; Future Land Use; Character & Form; Community Safety and Wellbeing; Housing; Parks, Recreation and Open Space; and Economic elements.

The 2011 EAR (page 4-18) established that the targeted amendments to the Transportation Element needed to address the following findings and recommendations:

- Draft new goals to reflect the county’s shifting emphasis towards multi-modal transportation and livability. In some cases language can be drawn from existing goal statements as modified and/or carried over into the updated Lee Plan.
- Expand the element to include a multi-modal transportation section to address critical community issues through direct policy references to livability, connectivity, community character, and sustainability in the planning and implementation of transportation improvements.
- Establish policy linkages to the Future Land Use and Character and Form Elements of the New Horizon 2035 update of the Lee Plan.
- Establish context-sensitive roadway design and complete streets provisions that integrate with urban, suburban, and rural development forms, and that provide safe, convenient facilities for all users.
- Include policies that address the ongoing evaluation of existing transportation practices for consistency with complete streets provisions.
- Include a design component to address context-sensitive design and transportation-related urban design policies. This section should be cross-referenced to the new Character and Form Element.

- Expand policies that address transportation-related development regulations specific to site design and connectivity to include appropriate standards for urban, suburban and rural areas.
- Include policies addressing pedestrian-oriented design principles and standards.
- Include policies to address alternate concurrency systems for mixed-use centers which include a specific plan for mobility for these areas which establishes transportation alternatives, necessary capital improvement, and equitable financing options.
- Expand policies that emphasize Transportation Systems Management (TSM) to improve the efficiency of the existing transportation system.
- Include policies to address parking, such as shared parking reductions in mixed-use areas, potential parking reductions in areas served by transit, and parking facilities for bicycles.
- Include policies addressing the use of transportation-related stormwater facilities (e.g., green streets or trail corridors) as a community resource integrated into the design of neighborhoods.
- Add a sustainability goal and associated objectives and policies to address energy conservation linkages with transportation, including alternative fuels and vehicles.
- Add/modify policies to reinforce the role of compact development in supporting a stronger relationship between land use and transportation, recognizing the tenets of complete streets as guiding principles for all transportation and land use decisions.
- Expand policies that address the need to consider the safety of wildlife in the development of new roads, particularly roads in conservation or rural areas.

Since the EAR was adopted, the Community Planning Act effectively rendered transportation concurrency a planning rather than a regulatory tool.

### **LOS**

Transportation LOS is a quantitative measure of the quality of conditions in terms of service measures such as speed and travel time, freedom to maneuver, traffic interruptions and comfort and convenience. The concept that infrastructure must meet LOS standards concurrent with approval of development is generally referred to as concurrency. Proposed Goal 2 contains Lee County transportation LOS criteria. Regardless of whether Lee County opts to continue with transportation concurrency, Florida Statute 163.3177(3)(a), requires the county to establish levels of service criteria and provide adequate facilities to achieve the established LOS standards for transportation.

Transportation concurrency is no longer a statewide requirement since the adoption of HB 7207. Transportation concurrency is now an option for local governments. If the local government exercises the option, it must be consistent with the statute.

Policy language is presented in Attachment 1, under the heading “Transportation Concurrency Option, should the county opt to continue with transportation concurrency. This presents an opportunity to reexamine and reevaluate existing transportation LOS standards to consider transit, bicycle and pedestrian quality of conditions as levels of service standards. There is an opportunity to base the LOS standards on different modes in different areas. There also is an opportunity to identify different operational and maintenance levels of service. The element has

been reorganized with policies to address the EAR's findings regarding community character, connections, and services. All goals have been redrafted.

### **FUNDING PRIORITIES**

Funding priorities will require BoCC policy consideration in several aspects. The first aspect is in funding priorities between modes of transportation. The current Lee Plan LOS standards are for motor vehicles on highways. The existing capital improvements policies indicate that projects with a deficient LOS (highways) are funded with a higher priority. Until recently, the state did not support LOS standards for transit, bicycle or pedestrian modes of traffic. The Florida Department of Transportation (FDOT) now has established a multimodal LOS calculation methodology that may be utilized to determine LOS standards for all four modes of travel on transportation facilities. The existing Lee Plan policies do not emphasize the funding and prioritization of local transit, bicycle and pedestrian improvements.

The second aspect is in funding relative to the area context as mixed-use, urban, suburban or rural locations. The EAR recommends a higher investment in mixed-use and urban infill areas. Changes to the comprehensive plan requirements in FS 163.3177 recommend supporting compact development patterns and discouraging urban sprawl. The draft Transportation Element includes specific policies to prioritize infrastructure to direct new development to urban and mixed-use areas using incentives. Part of the incentives recommend prioritizing infrastructure, both capital and maintenance expenditures, to urban and mixed-use areas. Urban and mixed-use area streets have a higher level of usage and more features such as wider sidewalks, streetlights, streetscaping, on-street parking and closed drainage that require greater infrastructure investment and more frequent maintenance. Walkability in commercial and residential urban areas has been shown to be an economic benefit. There are fewer facilities and less frequent usage on suburban streets. Rural area streets have the fewest features and lower frequencies of use. This will mean that core LOS maintenance frequency in mixed-use and urban areas will be highest, while the rural area would be lowest.

The third aspect is the funding sources themselves. Current policy allows for exploring a variety of funding sources. The primary funding of transportation infrastructure is currently user fees such as federal, state, and local gas taxes, roads impact fees, and tolls. Ad valorem revenues are used only for roadway landscaping, and in a few instances for a revolving loan program. The MPO LRTP identifies over \$2 billion of needed, but unfunded highway, transit, bicycle and pedestrian facilities.

Gas taxes, roads impact fees, and toll revenues have limitations at the statutory or policy level.

There are a variety of gas taxes with limitations on capital and maintenance expenditures. Gas tax collections are based on a fixed amount per gallon sold at the gas pump. Gas tax collections have recently declined likely due to a combination of factors. These could include improved miles per gallon in newer cars, changes in driving habits due to reduced construction activity and rising fuel prices, an increase in the use of alternative modes of travel, and recent reductions in countywide traffic volumes. If Lee County is successful in reducing gasoline powered motor vehicle miles traveled and as motor vehicles become more efficient, then gas tax collections will be lower. Most gas tax revenues are spent on maintenance projects such as road resurfacing and

intersection improvements. Gas taxes are also used to partially fund multimodal improvements for transit, bicycle, and pedestrian facilities. In the long term, gas taxes will be inadequate to fund major maintenance and multimodal improvements.

Roads impact fees may only be spent on capacity increasing improvements related to roads. The existing methodology does not incorporate transit or maintenance costs into the fee structure. Accordingly, roads impact fees may not be spent on capital improvements for transit or any maintenance of transportation facilities. Transit, bicycle, and pedestrian facility expenditures are a major component in a mobility fee study.

Transit revenues and expenditures were evaluated by the Lee County Transit Task Force. The Task Force recommended developing the concept of a Transit Authority, funding sources, governances, and responsibilities. Task Force members supported the creation of a Transit Authority, but did not want to short-circuit the work of a Transit Authority by making funding recommendations. Aside from maintaining current LOS or better, Task Force members could not support or recommend funding options to immediately address the transit funding need.

The current Lee Plan policies prioritize and emphasize funding of highway improvements for the purpose of moving motor vehicles with no priority to capital improvements or maintenance of other modes of traffic. The recommended policies allow for a shift in funding options in order to provide infrastructure investment and incentives.

Current policies indicate that there may be a higher core LOS in urban areas. The current future land use map shows approximately 140 square miles of future urban/suburban areas in unincorporated Lee County. There is no distinction in services between types of urban areas. The revised policies propose to distinguish services provided to urban, suburban and rural with an emphasis on services to mixed-use and urban areas. These policies reflect changes being proposed in the updated Future Land Use Map.

Based on Census and local data, the prevailing mode of travel in Lee County is the motor vehicle. The majority of home-based work trips are made in motor vehicles with a single occupant. The draft policies recommend establishing levels of service and funding sources for transit, park-and-ride lots, bicycle, and pedestrian travel. Recommended policies reflect a shift from capacity for single-occupancy vehicles to emphasize transit and preserve roadway capacity for movement of goods and freight. A reduction in single-occupancy motor vehicle use optimizes and maximizes the current transportation infrastructure.

The recommended policies support priorities for transit. They include policies to implement changes in development and street design standards for context, walkability, livability and complete streets. This will include establishing Lee County design standards for public roadways in place of some Florida Greenbook standards.

The recommended policies will reduce the amount of parking spaces in three ways: 1) reduce the parking demand by reducing the amount of single-occupancy vehicle travel; 2) reduce the on-site parking requirement by provision of on-street and public parking in urban and mixed-use areas; 3) promoting shared parking for multiple uses and reduction of required parking spaces.

Below are the proposed amendments to the Lee County Transportation Element with an analysis of the proposed changes.

## **B. GOALS TO BE DELETED**

Staff recommends deleting the existing Transportation Element and replacing it with new goals, objectives and policies in order to address the EAR's findings regarding the element's organizational structure and policy content. Additionally, staff found that the policy language needed to be redrafted in order to address issues related to community character, connections, and services.

## **C. GOALS TO BE ADDED**

### **ELEMENT INTENT:**

It is the intent of the updated Lee Plan Transportation Element to: (1) address travel modes throughout the county by providing for the needs of all users and modes including pedestrians, bicyclists, transit riders, and drivers; (2) address principles and standards for complete streets and context-sensitive design and form of roadways and multi-modal facilities; (3) support a strong economy through an intermodal system that allows for the effective movement of goods via roadway, air, rail, or water; (4) connects transportation needs and demands to other plan elements in order to promote more compact patterns of development and increased connectivity; and (5) conserve energy through efficient transportation practices.

Staff recommends adding the above intent statement in order to outline key principles and address the EAR's finding regarding the need to better define and articulate the purpose of each element.

### **GOAL 1: MULTIMODAL TRANSPORTATION**

Provide for a comprehensive multimodal transportation system that efficiently transports people and goods through and within the county via a variety of interconnected transportation options.

Staff recommends that the above goal be added to the Lee Plan. This element will create a transportation system consistent with the directives in FS 163.3177(6):

- Is coordinated with the future land use map series;
- Supports all elements of the comprehensive plan;
- Addresses mobility issues;
- Emphasizes public transportation systems;
- Creates a safe and convenient multimodal transportation system; and
- Is coordinated with, supports and implements the MPO LRTP multimodal transportation system.

In addition, the goal supports creating a system that will enhance livability, connectivity, community character and sustainability while being aesthetically pleasing by:

- Including stakeholders in the development of the transportation system; and
- Defining the transportation system based on the community.

Land use and transportation are interdependent. A transportation system may have transit, bicycle, and pedestrian facilities for all uses however if the land uses are separated beyond typical walking or comfortable bicycle distances then the facilities will be underutilized. Conversely, the land use adjacent to roadways may have a full range of uses within walking distance however if the roadways have inadequate transit/bicycle/pedestrian facilities, high operating speeds or high traffic volumes, then the roadway acts as a barrier to transit, bicycling, or walking. This goal addresses transportation side and also supports the Character and Form and Future Land Use elements.

**GOAL 1: MULTIMODAL TRANSPORTATION.** Provide for a comprehensive multimodal transportation system that efficiently transports people and goods through and within the county via a variety of interconnected transportation options.

**OBJECTIVE 1.1: Land Use - Transportation Connections.** Develop a system that provides pedestrian pathways, bikeways, transit routes and facilities, and roadways to connect a variety of places and meet the diverse needs of all community members, business people, and visitors.

**POLICY 1.1.1:** By the year 2035, establish a multimodal transportation infrastructure system in support of the development of mixed-use places and urban, suburban, and rural communities.

**POLICY 1.1.2:** Encourage development practices that promote walkable communities, transit-oriented development, and active living, improve access to amenities and vital services, and connect people to activity centers.

**POLICY 1.1.3:** Create safe, affordable, accessible mobility and physical activity opportunities for all people by promoting the integration of land uses that encourage people to walk, ride bikes, and use transit as part of their daily routines by:

- Prioritizing the needs of pedestrians, bicyclists, and transit riders in areas where the county desires to promote walkable communities;
- Implementing pedestrian, bicycle, and transit facilities where shops, services, employment centers, parks, public facilities, and civic areas are within a ¼ mile of residential neighborhoods; and
- Reducing the size and operating speeds of streets in urban and mixed-use areas.

**POLICY 1.1.4:** Improve access and use of transit services to increase the annual unlinked passenger trips from 3,000,000 recorded in FY 2011 to 5,000,000 by 2025 through:

- Transit service accessibility for all—particularly youth, elderly, persons with disabilities, disadvantaged populations, and residents with special needs;
- Improved transit services that decrease headways on designated routes, improve connections within the system, and promote intermodal opportunities;

- c. Bus rapid transit routes to link higher density and intensity mixed-use, transit oriented developments;
- d. Strategically located park-and-ride facilities;
- e. Passenger incentives through local businesses, discount coupons, and employer funded programs;
- f. Technology, internet service, and mobile internet tools that disseminate information about transit scheduling and service;
- g. Education and advertising campaigns targeted to community members and businesses that promote transit as a cost-effective and efficient transportation alternative; and
- h. Provision of inter-county transit services, in collaboration with adjacent counties.

Staff recommends the above objective and set of policies in order to ensure the county provides for the mass-transit methods showing alternative modes of travel and proposed methods for the moving of people consistent with FS 163.3177(6)(b). This objective strengthens connectivity by allowing more choices for transit, bicycling and walking. It identifies transit goals for system ridership and headways, to help make transit more convenient and attractive.

**OBJECTIVE 1.2: Safe Travel System.** Protect the health, safety, and welfare of all users of the transportation system. Provide an efficient system through best practices, effective traffic regulations, public education, and other methods to create a culture of safe travel. The target is to have zero crash related fatalities.

**POLICY 1.2.1:** Consider the diverse needs, demands, and safety concerns of system users when conducting transportation planning and engineering studies. Balance concerns and conflicts to achieve an effective and efficient multimodal transportation system through:

- a. Facilities based on location and needs in mixed-use, urban, suburban, and rural areas;
- b. Safe bicycle, pedestrian, and transit facilities which may include lighting, landscaping, and shade, preferred or exclusive use lanes, and traffic calming;
- c. Block size and connectivity; and
- d. Meeting the needs of a multi-generational community and persons with disabilities.

**POLICY 1.2.2:** Maximize safety, capacity, and operational ability of all modes of travel along county-maintained roadways through the enforcement of traffic control; motor vehicle access control to private property; and reallocation of right-of-way to increase transit, bicycle, and pedestrian use.

**POLICY 1.2.3:** Maintain a Transportation System Management (TSM) program to identify high-hazard crash locations as well as structural and non-structural improvements that would mitigate hazards.

**POLICY 1.2.4:** Utilize TSM and transportation demand management (TDM) strategies that promote better utilization of the county's transportation resources (roadways, pedestrian pathways, bikeways, transit services, air facilities, railways, and ports) and allow for better movement of people and goods. Strategies include:

- a. Traffic signal progression programs (including synchronization);

- b. Improved transit premium service facilities such as exclusive bus lanes, high occupancy vehicle lanes, or signal priority for transit vehicles;
- c. Implement automated vehicle location systems on transit vehicles, including real-time arrival signage, and information kiosks at transfer facilities and human service agencies;
- d. Monitoring and improving signals, signs, street lighting, and lane markings for all users on all roadways;
- e. Restricting median cuts and driveways;
- f. Adequately funding maintenance programs;
- g. Maintaining existing highway facilities or reconstruction of existing intersections including the use of roundabouts;
- h. Development of a traffic signal system that improves transit route efficiency;
- i. Signing, marking, and other design improvements to increase awareness that roadways operate as shared bicycle and/or pedestrian facilities;
- j. Automatic detection and bike boxes at traffic signals that improve pedestrian and bicycle crossing;
- k. Pedestrian facility improvements in urban areas such as mid-block crossings;
- l. Ride sharing programs such as carpooling, vanpooling, multiple occupancy vehicle lanes, designated parking spaces, and other techniques;
- m. Employer-based incentives and programs to increase the use of TDM strategies in place of single-occupant motor vehicle travel;
- n. Park-and-ride or commuter lots;
- o. Variable work hours and teleworking; and
- p. Parking and road pricing.

**POLICY 1.2.5:** Ensure the county's transportation system is able to efficiently respond to the evacuation and emergency transportation needs of the community during an emergency event through:

- a. Development and maintenance of special roadway signalization, direction, and clearing plan;
- b. Establishment of alternative emergency routes;
- c. Coordination of evacuation planning and response with the county's emergency management, policy, and fire services; and
- d. Designated transit stop and shelters to ensure efficient evacuation of the transit dependent population.

Staff recommends the above objective and set of policies to ensure that the element provides for a safe multimodal transportation system, the county provides for the mass-transit methods with measurable objectives, showing alternative modes of travel and proposed methods for the moving of people.

The objective includes a goal of zero fatalities. Compared to other states, the State of Florida in 2011 had one of the higher highway traffic fatality rates (USDOT Bureau of Transportation Statistics 2011 State Transportation Statistics). Amongst states, Florida has had the highest rates of fatalities in automobile crashes with pedestrians and automobile crashes with bicycles (comparison of FHSMV Traffic Crash Facts to NHTSA data). Lee County has typically fared no

better than the rest of the state and sometimes worse (FHSMV Traffic Crash Facts). This objective shifts the emphasis from maintaining capacity and motor vehicle movement to the safety of transportation system users.

This policy also sets targets for transit ridership and mode split. Due to natural and man-made barriers limiting expansion as discussed in the transportation issue paper, the ultimate roadway system capacity for use by motor vehicles is limited. This objective supports a more efficient utilization of right-of-way by transit.

**OBJECTIVE 1.3: Intermodal Transportation System.** Promote a diverse regional economy by developing and maintaining a coordinated system of intermodal roadways, railways, aviation facilities, and ports to facilitate the safe and efficient movement of commerce.

**POLICY 1.3.1:** Facilitate the development of economic and employment centers by locating industrial, research, and logistic based land uses (e.g.: warehouses, cargo handling facilities, and transfer/break of bulk points) in close proximity to railways, roadway interchanges, sea ports, and aviation facilities.

**POLICY 1.3.2:** Ensure access routes to roadways, railways, aviation facilities, and ports are properly integrated with other means of transportation by working to make certain that those facilities are managed in close cooperation with one another as well as other public transportation related service providers such as the Lee County Metropolitan Planning Organization (MPO), Florida Department of Transportation (FDOT), Federal Aviation Administration (FAA), West Coast Inland Navigation District, Army Corps of Engineers, and others.

**POLICY 1.3.3:** Foster the development of a strong logistic, freight, and transportation business sector through:

- a. Location of intermodal facilities close to major transportation facilities—e.g.: rail lines, airport facilities, and ports;
- b. Encouragement of private investors to develop and use rail, roadway, aviation, and port freight facilities by promoting expansion and maintenance of existing facilities;
- c. Maintain and improve Lee County's rail link, interstate connectors, aviation facilities, and ports; and
- d. Coordinated intermodal transportation management programs for surface water, rail, roadway, and air transportation.

**POLICY 1.3.4:** Support economic land uses by requiring development proposals to demonstrate compatibility with existing or proposed ports, aviation, rail and other commodity movement facilities and suggest mitigation measures for potential adverse impacts during the rezoning and DRI process.

**POLICY 1.3.5:** Encourage discussions between the Florida High Speed Rail Commission and local groups on the location of high speed rail facilities in the county.

**POLICY 1.3.6:** Maximize through capacity of principal arterials (limited access facilities, expressways, controlled access facilities, and designated truck routes) outside of designated mixed-use centers using the following measures:

- a. Design limited access facilities, expressways, controlled access facilities, State Highways, and designated truck routes with heavy trucks (as defined in by Florida statute) as the design vehicle;
- b. Promote terminal transfer points at Lockett Road, Daniels Parkway, and Alico Road;
- c. Regulate access to the extent permitted by state law;
- d. Provide sufficient distance between land access and expressway/freeway interchanges;
- e. Synchronize and space signalized intersections on arterials and collectors for efficient traffic signal operation;
- f. Prohibit on-street parking;
- g. Develop a connected transportation network of streets, access or frontage roads with wayfinding signage, transit, and dedicated and separated bicycle and pedestrian facilities to provide system capacity and a preferred route for shorter trips; and
- h. Require access to meet forecasted use needs, including turn lanes, acceleration and deceleration lanes, and funding for future signalization.

**POLICY 1.3.7:** Monitor the maintenance of support facility and service systems of existing ports through:

- a. Coordination with the U.S. Army Corps of Engineers on the timing of maintenance dredging on federally maintained channels;
- b. Assessment of the possibility of instituting a private channel maintenance assessment on properties benefiting from the channels; and
- c. Examination of dredging needs on a rotating five year cycle beginning in 2013.

**POLICY 1.3.8:** Private ports, in cooperation with the U.S. Coast Guard and the state, will be prepared to contain spills of petroleum and other toxic materials. Petroleum ports will have containment devices on site. Evaluate the adequacy of proposed containment measures during the rezoning or DRI process.

Staff recommends that this objective to coordinate a balanced multimodal transportation system. This objective supports the Future Land Use and Economic Elements.

## **GOAL 2: TRANSPORTATION STANDARDS AND REGULATORY FRAMEWORK**

Establish and maintain specified transportation multimodal level of service (LOS) standards and regulatory framework, including LOS standards, land development regulations, and transportation maps, to optimize quality of life and to ensure that transportation infrastructure will be available for the existing and planned population.

Staff recommends that the above goal, moved and modified from existing Goals 36 and 37, be added to the Lee Plan. This element will create LOS standards for the transportation system that as required by FS 163.3177(6)(b).

**OBJECTIVE 2.1: General Standards.** Establish multimodal LOS standards on county and state transportation facilities within Lee County. Cooperate with municipalities on the facilities maintained by Lee County within the municipalities and with FDOT on state transportation facilities.

**POLICY 2.1.1:** LOS “E” is the minimum acceptable LOS for arterials and collectors. Meeting the standard will be determined through an assessment of all transportation modes including transit, pedestrian, bicycle, and motor vehicle. The minimum acceptable LOS on Pine Island Road between Burnt Store Road and Stringfellow Road is “D” on annual average peak hour and “E” on a peak season, peak hour basis.

**POLICY 2.1.2:** The measurement of LOS will be based on the modes indicated in Table 1 based on the transportation facility functional classification and whether the street segment or intersection is identified on Future Land Use Map 1 as a mixed-use, urban, suburban, or rural area. By 2015, evaluate an alternative multimodal level of service methodology that relies primarily on non-vehicular modes of transportation in designated areas in cooperation with the MPO.

Table 1: Transportation Modes for LOS Determination and Priorities

	<u>Mixed-Use</u>	<u>Urban</u>	<u>Suburban</u>	<u>Rural</u>
<u>Principal Arterials (Interstate, Limited Access, Expressway)</u>	<u>Transit</u> <u>Motor Vehicle</u>	<u>Transit</u> <u>Motor Vehicle</u>	<u>Transit</u> <u>Motor Vehicle</u>	<u>Motor Vehicle</u>
<u>Principal Arterials (State Roads, BoCC Controlled Access)</u>	<u>Transit</u> <u>Motor Vehicle</u> <u>Pedestrian</u> <u>Bicycle</u>	<u>Transit</u> <u>Motor Vehicle</u>	<u>Transit</u> <u>Motor Vehicle</u>	<u>Motor Vehicle</u>
<u>Minor Arterials</u>	<u>Transit</u> <u>Pedestrian</u> <u>Bicycle</u> <u>Motor Vehicle</u>	<u>Transit</u> <u>Pedestrian</u> <u>Bicycle</u> <u>Motor Vehicle</u>	<u>Transit</u> <u>Motor Vehicle</u> <u>Bicycle</u> <u>Pedestrian</u>	<u>Motor Vehicle</u>
<u>Major Collector</u>	<u>Transit</u> <u>Pedestrian</u> <u>Bicycle</u> <u>Motor Vehicle</u>	<u>Transit</u> <u>Pedestrian</u> <u>Bicycle</u> <u>Motor Vehicle</u>	<u>Bicycle</u> <u>Transit</u> <u>Motor Vehicle</u> <u>Pedestrian</u>	<u>Motor Vehicle</u>
<u>Minor Collector</u>	<u>Transit</u> <u>Pedestrian</u> <u>Bicycle</u> <u>Motor Vehicle</u>	<u>Pedestrian</u> <u>Bicycle</u> <u>Motor Vehicle</u>	<u>Bicycle</u> <u>Pedestrian</u> <u>Motor Vehicle</u>	<u>Motor Vehicle</u>
<u>Local Street</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

**POLICY 2.1.3:** The measurement of LOS For the motor vehicle mode will be determined by motor vehicle traffic volumes on the transportation facility. Motor vehicle traffic volumes will be measured based on the peak season, peak hour, peak direction condition of the transportation facility. The peak season, peak hour, peak direction condition will be defined as the 100th highest volume hour of the year in the predominant traffic flow direction. The 100th highest hour approximates the typical peak hour during the peak season. Peak season, peak hour, peak direction conditions will be calculated using K-100 factors and “D” factors from the county permanent traffic count station identified by Lee County Department of Transportation (LCDOT).

**POLICY 2.1.4:** Develop multimodal link-specific service volumes (capacities) for arterials and major collector roadways based on specific conditions, for determination of the motor vehicle, bicycle and pedestrian LOS of transportation facilities. These link-specific service volumes are only for short-term analyses (five years or less, as measured from the date of the last update of those service volumes). Develop generalized service volumes for future year analyses. LCDOT will be responsible for maintaining up to date service volumes. Preparers of Traffic Impact Statements for DRIs, rezonings, development orders, and other transportation analyses must use the service volumes, recommended by LCDOT.

**POLICY 2.1.5:** Maintain permanent and periodic traffic count program, and collection of transit, bicycle and pedestrian data, on county arterials and collectors in Lee County. Use data developed by FDOT for state highways, as the basis for determining existing transportation facility conditions.

**POLICY 2.1.6:** Use the current Highway Capacity Manual and FDOT Quality LOS Handbook to calculate levels of service, service volumes, and volume-to-capacity ratios. Based on the Handbook, transit mode LOS will be determined based on the average time between scheduled weekday bus stops (headway) and presence of pedestrian facilities. Bicycle mode LOS will be determined based on the characteristics of bicycle facilities and the motor vehicle traffic characteristics. Pedestrian modes LOS will be determined based on the characteristics of pedestrian facilities and the motor vehicle traffic characteristics.

**POLICY 2.1.7:** Base connection separation standards on the functional classification of the transportation facility, mode of transportation, the community context and the land uses abutting the transportation facility. Outline the standards for connection separation in the LDC. Designate by Board action, certain roadways in the LDC as “controlled access,” to which permanent access points are restricted to locations established and set by a specific access plan adopted by the Board by resolution.

**POLICY 2.1.8:** Maintain motor vehicle connection separation standards, using a combination of the following: through streets, access roads, multimodal interconnections between developments, cross-access easements, reverse access, access from a lower functional classification/rear or side street and other methods. Specify these methods and exceptions hereto in the Land Development Code (LDC). Maintain an Access Road

Location Map to identify where access streets are the preferred method of maintaining the connection separation standards. Public and through street connections will be given preference over private driveways in order to develop networks with a block size of 660 feet or less in Mixed-Use and Urban areas.

Staff recommends the above objective and set of policies to provide multimodal transportation system LOS standards. Florida Statute 163.3180 FAC 14-94 was the basis for establishing LOS for roads on the State Highway System and county roads funded using TRIP funds. Florida Statute 163.3180 was amended as part of the Community Planning Act to remove the state from determining roadway level of service standards. FAC 14-94 is in the process of being repealed. This objective adds multimodal LOS standards, specifically for transit, bicycle and pedestrian modes of travel. The LOS standards will need detailed development in Land Development Code (LDC) and Administrative Code amendments. Implementation will include tracking and reporting of LOS for transit, bicycle and pedestrian modes of traffic. The county already collects this data and has the FDOT software to perform the calculations. This objective also supports the Capital Improvements element.

## **TRANSPORTATION CONCURRENCY OPTION**

The Board of County Commissioners will need to make a policy decision concerning transportation concurrency. Recent revisions to the Florida Statutes allow local governments to either eliminate transportation concurrency or to continue it with modifications. If the county elects to continue with transportation concurrency it must be done in accordance with Chapter 163.3180(5), provided below:

*(5)(a) If concurrency is applied to transportation facilities, the local government comprehensive plan must provide the principles, guidelines, standards, and strategies, including adopted levels of service to guide its application.*

*(b) Local governments shall use professionally accepted studies to evaluate the appropriate levels of service. Local governments should consider the number of facilities that will be necessary to meet level-of-service demands when determining the appropriate levels of service. The schedule of facilities that are necessary to meet the adopted level of service shall be reflected in the capital improvement element.*

*(c) Local governments shall use professionally accepted techniques for measuring levels of service when evaluating potential impacts of a proposed development.*

*(d) The premise of concurrency is that the public facilities will be provided in order to achieve and maintain the adopted level of service standard. A comprehensive plan that imposes transportation concurrency shall contain appropriate amendments to the capital improvements element of the comprehensive plan, consistent with the requirements of s. 163.3177(3). The capital improvements element shall identify facilities necessary to meet adopted levels of service during a 5-year period.*

*(e) If a local government applies transportation concurrency in its jurisdiction, it is encouraged to develop policy guidelines and techniques to address potential negative impacts on future development:*

- 1. In urban infill and redevelopment, and urban service areas.*
- 2. With special part-time demands on the transportation system.*
- 3. With de minimis impacts.*
- 4. On community desired types of development, such as redevelopment, or job creation projects.*

*(f) Local governments are encouraged to develop tools and techniques to complement the application of transportation concurrency such as:*

- 1. Adoption of long-term strategies to facilitate development patterns that support multimodal solutions, including urban design, and appropriate land use mixes, including intensity and density.*
- 2. Adoption of an areawide level of service not dependent on any single road segment function.*
- 3. Exempting or discounting impacts of locally desired development, such as development in urban areas, redevelopment, job creation, and mixed use on the transportation system.*
- 4. Assigning secondary priority to vehicle mobility and primary priority to ensuring a safe, comfortable, and attractive pedestrian environment, with convenient interconnection to transit.*
- 5. Establishing multimodal level of service standards that rely primarily on nonvehicular modes of transportation where existing or planned community design will provide adequate level of mobility.*
- 6. Reducing impact fees or local access fees to promote development within urban areas, multimodal transportation districts, and a balance of mixed-use development in certain areas or districts, or for affordable or workforce housing.*

*(g) Local governments are encouraged to coordinate with adjacent local governments for the purpose of using common methodologies for measuring impacts on transportation facilities.*

*(h) Local governments that implement transportation concurrency must:*

- 1. Consult with the Department of Transportation when proposed plan amendments affect facilities on the strategic intermodal system.*
- 2. Exempt public transit facilities from concurrency. For the purposes of this subparagraph, public transit facilities include transit stations and terminals; transit station parking; park-and-ride lots; intermodal public transit connection or transfer facilities; fixed bus, guideway, and rail stations; and airport passenger terminals and concourses, air cargo facilities, and hangars for the assembly, manufacture, maintenance, or storage of aircraft. As used in this subparagraph, the terms “terminals” and “transit facilities” do not include seaports or commercial or residential development constructed in conjunction with a public transit facility.*
- 3. Allow an applicant for a development-of-regional-impact development order, a rezoning, or other land use development permit to satisfy the transportation concurrency requirements*

*of the local comprehensive plan, the local government's concurrency management system, and s. 380.06, when applicable, if:*

*a. The applicant enters into a binding agreement to pay for or construct its proportionate share of required improvements.*

*b. The proportionate-share contribution or construction is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility.*

*c.(I) The local government has provided a means by which the landowner will be assessed a proportionate share of the cost of providing the transportation facilities necessary to serve the proposed development. An applicant shall not be held responsible for the additional cost of reducing or eliminating deficiencies.*

*(II) When an applicant contributes or constructs its proportionate share pursuant to this subparagraph, a local government may not require payment or construction of transportation facilities whose costs would be greater than a development's proportionate share of the improvements necessary to mitigate the development's impacts.*

*(A) The proportionate-share contribution shall be calculated based upon the number of trips from the proposed development expected to reach roadways during the peak hour from the stage or phase being approved, divided by the change in the peak hour maximum service volume of roadways resulting from construction of an improvement necessary to maintain or achieve the adopted level of service, multiplied by the construction cost, at the time of development payment, of the improvement necessary to maintain or achieve the adopted level of service.*

*(B) In using the proportionate-share formula provided in this subparagraph, the applicant, in its traffic analysis, shall identify those roads or facilities that have a transportation deficiency in accordance with the transportation deficiency as defined in sub-subparagraph e. The proportionate-share formula provided in this subparagraph shall be applied only to those facilities that are determined to be significantly impacted by the project traffic under review. If any road is determined to be transportation deficient without the project traffic under review, the costs of correcting that deficiency shall be removed from the project's proportionate-share calculation and the necessary transportation improvements to correct that deficiency shall be considered to be in place for purposes of the proportionate-share calculation. The improvement necessary to correct the transportation deficiency is the funding responsibility of the entity that has maintenance responsibility for the facility. The development's proportionate share shall be calculated only for the needed transportation improvements that are greater than the identified deficiency.*

*(C) When the provisions of this subparagraph have been satisfied for a particular stage or phase of development, all transportation impacts from that stage or phase for which mitigation was required and provided shall be deemed fully mitigated in any transportation analysis for a subsequent stage or phase of development. Trips from a previous stage or phase that did not result in impacts for which mitigation was required or provided may be cumulatively analyzed with trips from a subsequent stage or phase to determine whether an impact requires mitigation for the subsequent stage or phase.*

*(D) In projecting the number of trips to be generated by the development under review, any trips assigned to a toll-financed facility shall be eliminated from the analysis.*

*(E) The applicant shall receive a credit on a dollar-for-dollar basis for impact fees, mobility fees, and other transportation concurrency mitigation requirements paid or payable in the future for the project. The credit shall be reduced up to 20 percent by the percentage*

*share that the project's traffic represents of the added capacity of the selected improvement, or by the amount specified by local ordinance, whichever yields the greater credit.*

*d. This subsection does not require a local government to approve a development that is not otherwise qualified for approval pursuant to the applicable local comprehensive plan and land development regulations.*

*e. As used in this subsection, the term "transportation deficiency" means a facility or facilities on which the adopted level-of-service standard is exceeded by the existing, committed, and vested trips, plus additional projected background trips from any source other than the development project under review, and trips that are forecast by established traffic standards, including traffic modeling, consistent with the University of Florida's Bureau of Economic and Business Research medium population projections. Additional projected background trips are to be coincident with the particular stage or phase of development under review.*

Staff does not recommend the continuation of transportation concurrency. Transportation concurrency was initially required by the legislature to place the responsibility on local government to provide infrastructure meeting LOS standards concurrent with new development. For transportation infrastructure this typically referred to roadway facilities. In Lee County the LOS is based on the operation of roadway facilities during the peak season daily peak hour and peak direction. If roadway infrastructure were not available on a facility, the county had the ability to deny applications for new development on that facility.

The 2011 legislation removed the ability of local government to deny applications for new development based on deficient transportation infrastructure and allows that development to go forward with payment of a proportionate share (usually less than impact fees). The legislation also places the full responsibility for deficient roadways on the jurisdiction. This now includes existing or projected deficiencies based on projected population and development approvals. This means that the county can no longer deny development approval solely based on concurrency. In addition, the county, not the developer, would be responsible for making improvements to the facility if there is an application for development on

- Roadways identified in the Concurrency report with an existing volume exceeding capacity (current practice);
- Roadways identified in the Concurrency Report with a forecast future volume (includes all projects with concurrency certificates) exceeding capacity; and
- Roadways shown to exceed capacity on future traffic analyses (with population increase and other approved development) without the proposed project for development order, zoning or DRI analyses.

Therefore concurrency no longer applies on any facilities meeting the criteria of being deficient based on existing conditions, existing conditions with approved development, or future conditions for additional population with approved development.

As an example: AAAA Road operates at an acceptable LOS. Based on the concurrency report (including all approved development) AAAA Road operates just above the adopted LOS standard in the future condition. Development 1 applies for an approval. The added traffic for the proposed Development 1 project puts the total traffic volume at a level that no longer meets the

adopted LOS standard. Development 1 cannot be denied approval solely on the basis of deficient transportation infrastructure and may pay (or construct) its fair share of the improvement and proceed. Development 1 uses 10 percent of the additional capacity of the needed improvement. Therefore Development 1 pays 10 percent of the improvement cost, receives impact fee credits for the 10 percent payment, and is able to go forward. The county is responsible for the full cost of making the improvement.

Then after Development 1 receives approval along AAAA Road, Development 2 makes an application. Under the legislation AAAA Road is now a deficient roadway. The county may not deny the application for Development 2 or require additional mitigation. The county is still responsible for making the improvement to improve AAAA Road to operate at an acceptable level or service.

If the county elects to continue with optional transportation concurrency the responsibility of improving the capacity on state roadways would continue with the county. Without concurrency staff has the understanding that the responsibility for improving state roadways goes back to the state. If AAAA Road in the example above were a state highway, with transportation concurrency in place, the county would be responsible for the cost of the improvement. Without transportation concurrency the state becomes responsible. Most of the existing deficiencies identified in the 2011 Concurrency Report are on the State Highway System.

However, should the Board elect to continue with concurrency staff has included the appropriate objectives and policies in Attachment 1, under the heading “Transportation Concurrency Option.” These objectives and policies are consistent with the requirements of Chapter 163.3180(5), F.S. (above), and are modified from Objectives 37.3(policy 37.3.1, 37.3.2, 37.3.3), 37.4(policy 37.4.1, 37.4.2, 37.4.3) and 37.5(37.5.1, 37.5.2, 37.5.3, and 37.5.4) of the existing Lee Plan.

**If transportation concurrency is not retained, as recommended by staff, the objectives and policies under the heading “Transportation Concurrency Option,” in Attachment 1, should not be transmitted. If transportation concurrency is retained the objectives and policies under the heading “Transportation Concurrency Option,” in Attachment 1, should be transmitted and the remaining objectives and policies in Goal 2 will be renumbered accordingly.**

**OBJECTIVE 2.2: Constrained Roads.** Certain roadway segments will be deemed “constrained” due to scenic, historic, environmental, aesthetic, and right-of-way characteristics and considerations and will not be widened to increase motor vehicle capacity. Reduced motor vehicle peak hour LOS will be accepted on those constrained roads as a trade-off for the preservation of the scenic, historic, environmental, and aesthetic character of the community. Constrained roads are identified in Table 2(a).

**POLICY 2.2.1: An Operational Improvement Program is established for the constrained roads identified in Table 2(a). The program identifies operational and capacity enhancing improvements capable of implementation within the context of a constrained system. Operational and capacity enhancing improvements may include adding transit facilities,**

bicycle lanes, paved shoulders, sidewalks, and motor vehicle turn lanes. The Operational Improvement Program for constrained roads is identified in Table 2(b).

**POLICY 2.2.2:** Develop a list of deficient roadways identifying roadway segments (transportation facilities) existing or projected to operate below the adopted LOS.

Staff recommends the above objective and set of policies be modified from Objective 37.2(policy 37.2.1, 37.2.3) in order to provide multimodal transportation system LOS standards required by FS 163.3177(6)(b)(1)(e). Constrained road improvements have been further refined to include multimodal improvements.

**OBJECTIVE 2.3: Transportation Maps.** Maintain and implement an integrated series of maps that provide a graphical depiction of the policies and programs for transportation facilities in this plan.

**POLICY 2.3.1:** Review the adopted Transportation Map Series every two years, and amend maps as necessary.

**POLICY 2.3.2:** Construction of new and improved transportation facilities will be based on a prioritized list of the improvements needed to create the network depicted in the Transportation Map series. Develop and update the list annually consistent with the policies in Capital Improvements Program.

**POLICY 2.3.3:** Incorporate the MPO's Long Range Transportation Plan Map (LRTP), and Bicycle and Pedestrian Master Plan (BPMP) series, as most recently amended, into the Lee Plan. The current adopted version of the following LRTP and BPMP Maps are included in this plan:

- a. The Transit Needs Network (LRTP Figure 8-1);
- b. The Cost Feasible Transit Network (LRTP Figure 12-4);
- c. Lee County Highway Needs Plan (LRTP Figure 10-1);
- d. The Cost Feasible Needs Network (LRTP Figure 12-3, most recently amended);
- e. The Feasible Pathways Network (LRTP Figure 12-5);
- f. Primary Network Needs Map (BPMP Exhibit WW);
- g. Secondary Network Needs Map (BPMP Exhibit WW);
- h. Pedestrian Priority Needs Map (BPMP Exhibit ZZ);
- i. Bicycle Priority Needs Map (BPMP Exhibit AAA); and
- j. Prioritized Needs Plan Table (BPMP Exhibit BBB).

**POLICY 2.3.4:** Include a Future Functional Classification Map in the Transportation Map series to identify the future functional classification of transportation facilities in county land development regulations. Identify the existing classification of transportation facilities further in an Administrative Code.

**POLICY 2.3.5:** Incorporate the Cost Feasible Transit Plan Map from the Transit Development Plan and the future mass transit facilities from the Transit Vision Plan in the Future Transportation Map series.

**POLICY 2.3.6:** Develop an interconnected pedestrian and bicycle system through the development of facilities consistent with the Pedestrian and Bicycle Facilities map series and the Greenways Multi-Purpose Recreational Trails Master Plan. Implementation of the system reflected in the transportation map series will include the incorporation of bicycle/pedestrian facilities into: 1) projects identified in the transportation and transit capital improvements plan (CIP); 2) requirements for new development to install facilities; 3) federal and state grant applications; and 4) annual county funding of improvements.

Staff recommends the above objective and set of policies to provide a map series showing the general location of the existing and proposed transportation system features and coordinated with the future land use map series as required by FS 163.3177(6)(b)1.

**OBJECTIVE 2.4: Planning and Development Tools.** Establish a set of planning and development tools—including the LDC, plans and studies, and development practices—to achieve the county’s goal of establishing a comprehensive, multimodal transportation network.

**POLICY 2.4.1:** Implement planning and development strategies and practices to address concerns related to mixed-use form, multimodal transportation design, and walkable communities through:

- a. Long-term strategies regarding multimodal alternatives, traffic calming, safe streets, urban design, land use mixes, and appropriate intensity and density standards;
- b. Area wide LOS standards not dependent on any single road segment function;
- c. Reduced transportation-related development fees to promote development within infill, redevelopment, mixed-use, and urban areas; multimodal transportation districts; or for affordable or workforce housing;
- d. Prioritization of pedestrian, bicycle, and transit facilities in areas designed for walkability, mixed-use, and community connectivity;
- e. Multimodal connections to existing and planned transit facilities; and
- f. Context-oriented transportation requirements based on specific geographic locations and community character place types.

**POLICY 2.4.2:** Require the interconnection of adjacent developments in the LDC. Where a developer proposes private local streets with access control, an alternate means of interconnection may be proposed provided the means does not require all local traffic to use the arterial network. Design interconnections to implement traffic calming.

**POLICY 2.4.3:** Establish and implement parking regulations that consider the context of the community when determining parking needs. Motor vehicle and bicycle parking will be specified in the LDC for:

- a. Urban and mixed-use centers: options including on-street parking, shared parking, off-site public parking, and on-site parking up to a maximum;

- b. Suburban areas: on-site parking standards with minimum and maximum parking amounts with reductions for shared and bicycle parking, transit connections, and pedestrian access;
- c. Rural areas: on-site parking meeting minimum standards.

**POLICY 2.4.4:** Implement land development regulations that require developers to provide and maintain the following multimodal features, as needed:

- a. Safe and accessible pedestrian facility connections;
- b. Bicycle storage areas and facilities;
- c. Bus shelters with route information displays; and
- d. Bus accommodations such as dedicated transfer/loading areas, adequate lane widths and turnarounds.

**POLICY 2.4.5:** Implement LDC regulations that ensure adequate fire and rescue access. New development with greater than ten residential parcels will provide a minimum of two access points to the development.

**POLICY 2.4.6:** By 2013, develop a pedestrian and bicycle safety action plan to identify and evaluate road segments and intersections with recurring pedestrian and bicycle accident patterns. Identify contributing factors, safety improvements, and transportation practices that would reduce the number and severity of crashes. The target is to reduce bicycle and pedestrian crashes by 20 percent in successive five-year periods.

**POLICY 2.4.7:** Incorporate innovative safety-oriented transportation measures and design features into planning documents, the LDC, and facility designs to improve safety conditions on all travel modes for all users. Development regulations for design will focus on safety.

**POLICY 2.4.8:** Through the zoning process, direct high-intensity land uses to parcels that abut designated future transit corridors identified in the transportation map series.

**POLICY 2.4.9:** Utilize the Lee County Transit Development Plan to enhance and improve the county's transit system so that it becomes a highly valued transit system that attracts a variety of users through the following practices:

- a. Evaluate enhancements to existing fixed route services;
- b. Develop fixed route service alternatives such as Flex Routes, Circulator Routes, High Occupancy Vehicle Lanes, Dedicated Transit Lanes, and Bus Rapid Transit;
- c. Transit ridership surveys that assess and identify changes in ridership profiles preferences and needs;
- d. Conduct a route and stop by stop analysis to determine functionality and adequacy of meeting transit customer needs; and
- e. Assess existing problems and needs.

**POLICY 2.4.10:** Complete a Comprehensive Operations Analysis every ten years to provide a complete understanding of existing transit service, its customers, and their needs.

**POLICY 2.4.11:** Enhance the multimodal transportation system and consider both roadside and median plantings through landscape practice and procedures adopted as part of the LeeScape Master Plan and LDC. The county’s landscape practices and procedure will provide for:

- a. Median plantings that emphasize tree canopy, high visibility, shade, and an overall foundation for site design;
- b. Roadside plantings with a primary purpose of providing a fifty percent tree canopy in urban and mixed-use areas by 2035, to provide shade for transit riders, bicyclists and pedestrians;
- c. Increased emphasis of roadside landscape development and maintenance in urban, suburban, and mixed-use areas;
- d. Landscaping levels that will include a “core level” and enhanced options that may be added to projects over time; and
- e. Road cross-sections that consider safety, beauty, and Florida-Friendly design that minimizes maintenance burdens.

Staff recommends the above objective and set of policies. The objective includes measurable goals for crash reduction and to support a balanced multimodal transportation system.

**OBJECTIVE 2.5: Babcock Ranch Community.** Minimize the development impacts of the Babcock Ranch Community (BRC) in Charlotte County on the Lee County transportation system, with the goal of protecting the rural nature of northeastern Lee County, and to assure the transportation impacts in Lee County, generated by the Babcock Ranch Community (BRC) approved in Charlotte County, are funded entirely by the BRC Independent Service District (ISD) or other BRC related funding mechanism. In addition, to provide a process by which these identified improvements are added to the Lee Plan Transportation Map Series and the Capital Improvement Program (CIP).

**POLICY 2.5.1:** Lee County views as a priority the proposed East-West Connector roadway and related interstate interchange and any other transportation/mobility improvements that will minimize the impacts in Lee County from the development of the BRC in Charlotte County. Support the use of the Lee County and Charlotte County MPO plan update processes in a comprehensive, coordinated, cooperative fashion to consider the need for, and location of, an East-West Connector roadway and related interstate interchange, as well as evaluation of transportation alternatives that might serve the projected need related to development of the BRC while minimizing the impacts to the rural nature of northeast Lee County. Upon inclusion in the MPO plan(s), funding for the East-West Connector roadway or transportation/mobility alternatives will be allocated in accordance with Policy 2.5.3(c) below.

**POLICY 2.5.2:** The comprehensive transportation analysis of the BRC has identified the potential need for numerous transportation/mobility improvements in Lee County. In

order to address the impacts of the development of the BRC in Charlotte County, additions to the Lee Plan Transportation Map Series and the CIP may be necessary.

- a. Lee County does not have the responsibility to fund the capital transportation/mobility improvements required by the development of the BRC in Charlotte County; and
- b. As contemplated in the Interlocal Planning Agreement dated March 13, 2006, and the Babcock Ranch Community Road Planning Agreement dated May 23, 2006, the capital transportation/mobility improvements required by the development of the BRC will be funded entirely by the BRC Independent Service District (ISD) or other BRC related funding mechanism (hereinafter the Developer).

**POLICY 2.5.3:** Analysis of the development of the Babcock Ranch Community in Charlotte County identified potential transportation/mobility improvements beyond the financially feasible improvements currently reflected in the Lee Plan Transportation Map Series; therefore future amendments to the Lee Plan Transportation Map Series related to the BRC will be consistent with the procedures set forth below:

- a. The funding necessary to construct the transportation/mobility improvements resulting from BRC development may exceed the proportionate share contribution anticipated from the BRC DRI increments. Developer contributions exceeding the DRI proportionate share assessment for a given increment may be necessary to satisfy the financially feasible standard required to support an amendment to the Lee Plan Transportation Map Series, as well as future amendments to the CIP.
- b. Prior to Lee County amending the Lee Plan Transportation Map Series and the CIP to include specific BRC-related transportation/mobility improvements, the ISD, or other BRC-related funding mechanism, will have to commit to fully funding these improvements if the proportionate share assessment does not fully fund these identified improvements.
- c. Developer contributions in excess of its DRI proportionate share assessment may be applied directly toward identified improvements through pipelining. The funding necessary to justify inclusion in the Lee Plan will be delivered via development agreements, interlocal agreements, or other mechanisms acceptable to Lee County, which mechanisms will coincide with each increment of the BRC. Upon execution of a development agreement, interlocal agreement, or other mechanism acceptable to Lee County providing for full funding of the identified transportation/mobility improvement, the County will include the transportation/mobility improvement on the Lee Plan Transportation Map Series and the transportation/mobility improvements will be included in the Capital Improvements Program (CIP) as funded by developer contributions.
- d. Failure of the developer of the BRC to fully fund the transportation/mobility improvements necessary to serve the BRC will prevent the inclusion of those transportation/mobility improvements as amendments to the Lee Plan Transportation Map Series and the CIP.

**POLICY 2.5.4:** In recognition of the environmentally sensitive nature of the area, any transportation/mobility improvements in Lee County or within two miles of the Lee County border must include an analysis of the location and design of wildlife crossings.

The wildlife crossings must be coordinated with federal, state and local agencies including: South Florida Water Management District (SFWMD), Florida Fish and Wildlife Conservation Commission (FWC), Charlotte County, U.S. Fish and Wildlife Service (USFWS), and Lee County Division of Environmental Sciences.

Staff recommends the above objective and set of policies be moved and edited from Objective 36.3(policy 36.3.1, 36.3.2, 36.3.3, 36.3.4) in order to minimize the Babcock Ranch Community future development impacts. This objective supports the Capital Improvements and Intergovernmental Coordination elements.

**GOAL 3: TRANSPORTATION INFRASTRUCTURE SYSTEM.** Establish a comprehensive multimodal transportation system that is well-managed, funded, and planned.

Staff recommends that the above goal be added to the Lee Plan. This element will create LOS standards for the transportation system as required by FS 163.3177(6)(b).

**OBJECTIVE 3.1: Infrastructure Demands and Priorities.** Ensure that site location, functional design, and services of future infrastructure projects address environmental, financial, and community development concerns of all users and all modes.

**POLICY 3.1.1:** Provide for the infrastructure and service needs and demands of pedestrians, bicyclists, transit users, and motor vehicle users by addressing the demands and priorities regarding the use, function, and operations of the county's transportation system. Consistent with the transportation map series, future transportation infrastructure will focus on:

- a. Improved connectivity and integration of transportation facilities;
- b. Development of diverse and interconnected public spaces that improve access and connectivity within local neighborhoods, economic centers, and civic areas;
- c. Improvements to the right-of-way for transit, bicycling and walking;
- d. Equitable distribution of transportation infrastructure, amenities and services to ensure local community needs are met and county-wide connectivity is improved;
- e. Infill and redevelopment of established transportation corridors and public resources;
- f. Improved roadways by directing vehicular access to interconnections, shared driveways and adjacent streets, and minimizing direct arterial connections;
- g. Traffic calming measures that improve roadway conditions, safety, and accessibility;
- h. Increased use of transit, bicycle, and walking for all trip types as well as reduced dependency upon vehicles for local commutes, errands, and social trips based upon estimates of latent demand for facilities; and
- i. Providing alternative transportation services within existing right-of-ways.

**POLICY 3.1.2:** Evaluate future infrastructure improvements including the following considerations:

- a. Need and demand for expansion of existing facilities;
- b. Expansion of other transportation alternatives and available system capacity;
- c. Allowance of peak period congestion; and
- d. Alternative improvements as part of a “no build option”.

**POLICY 3.1.3:** Improve the county’s character, facilitate the development of mixed-use areas, and promote the redevelopment of older development areas through transportation projects that:

- a. Support the character and improve the connectivity of the surrounding community;
- b. Better link land uses between arterials and major collectors;
- c. Expand multimodal system alternatives and improve existing transportation facilities;
- d. Improve safety for pedestrians and bicyclists and accessibility needs of all people consistent with the Public Right-of-Way Accessibility Guidelines;
- e. Improve the grid network by improving connections and bridging gaps within transportation infrastructure systems;
- f. Minimize the number of displaced businesses and residences;
- g. Incorporate stormwater facilities into community amenities; and
- h. Avoid the alignment of new arterials or expressways that penetrate or divide established residential neighborhoods with high bicycle and pedestrian use except where no feasible alternative exists.

**POLICY 3.1.4:** Promote increased transportation connections throughout the county by implementing a system of parallel reliever transportation facilities for use by local traffic in order to protect the inter-regional and intrastate travel functions of I-75.

**POLICY 3.1.5:** Construction of a new road or street may only be implemented by the county in suburban or rural areas when:

- a. Providing improved connectivity to or between designated future urban areas and it is specifically identified in the transportation map series;
- b. Specifically identified in a LDC Chapter 32 regulating plan street network; or
- c. Total project costs are fully reimbursed by MSTU/MSBUs or a similar funding mechanism initiated by property owners.

**POLICY 3.1.6:** Implement a landscaping program for county maintained roadways utilizing the guidelines for design implementation and long term maintenance set forth in the Roadway Landscape (LeeScape) Master Plan and Lee County LDC.

**POLICY 3.1.7:** Prioritize bicycle and pedestrian improvements by improving connectivity to transit stops. Encourage the construction of pedestrian facilities within ½ mile walking distance of a transit stop and bicycle facilities within 1 mile of a transit

stop. Prioritize connections to premium transit service such as intermodal transfer stations, BRT, and fixed routes utilized as transfer locations between routes.

**POLICY 3.1.8:** By the year 2025, expand fixed-route service and frequencies to develop and maintain headways of 15 minutes or less for public transit for regional mixed-use centers, 20 minutes or less for urban areas such as central Fort Myers and Cape Coral, and 40 minutes or less for other major centers of employment, airports, shopping, medical, educational, and recreation centers.

**POLICY 3.1.9:** Promote the use of transit by improving services and linkages between outlying suburban communities and large employment and economic centers through the development and expansion of:

- a. Park and ride lots;
- b. Multimodal transfer facilities;
- c. Various ridesharing techniques;
- d. Inter-county transit services;
- e. Convenient transit schedule; and
- f. Para-transit service.

**POLICY 3.1.10:** Increase transit services through scheduled service improvements that accommodate high-use populations including college students, elderly, persons with disabilities, and others. Coordinate transit services with local, regional, and state public and private agencies that serve such persons in order to ensure the appropriate services are put in place to serve targeted populations.

Staff recommends the above objective and set of policies to ensure a balanced multimodal transportation system as required by Chapter 163.3177(6)(b)F.S.. This objective supports the Character and Form and Future Land Use elements.

**OBJECTIVE 3.2: Fiscally Sound Transportation Infrastructure System.** Establish a well-managed and operated multimodal transportation system by establishing objective, predictable, and fiscally sound transportation budgeting, planning, and development practices.

**POLICY 3.2.1:** Develop and implement a transportation funding strategy that uses a variety of new and existing funding resources, options, and programs (e.g.: Capital Improvement Program, user fees and tolls, private financing and developer contributions, grants, and other transportation funding mechanisms) to construct and maintain current and future transportation infrastructure components.

**POLICY 3.2.2:** Ensure that transportation revenue sources are economically stable by developing and maintaining a long-term transportation funding strategy to implement the following transportation priorities:

- a. Provision of complete streets that include a variety of pedestrian, bicycle, transit, and vehicular facilities;
- b. Protection of community and neighborhood integrity through context-oriented transportation services, functions, and design;
- c. Increased connections and improved linkages between different community areas;
- d. Promotion of physical activity, healthy lifestyles, and safe streets;
- e. Development of better integrated mixed-use and urban areas; and
- f. Implementation of the transit development plan.

**POLICY 3.2.3:** Provide the transit, bicycle, and pedestrian facilities identified on the transportation map series through capital and privately initiated improvements including street and road extensions, additional lanes and turn lanes, new connections, street reconstruction, and resurfacing.

**POLICY 3.2.4:** Support the development of a well-functioning and funded intra-state transportation system, to connect people and goods to other people, places, and markets within the county, region, and state by participating in the funding and planning of improvements to state roads.

**POLICY 3.2.5:** Establish a capital improvements program (CIP) that assists in the budgeting and implementation of transit, pedestrian, bicycle, and motor vehicle improvement projects. CIP priorities will be determined based upon input received from advisory committees, stakeholders, and interdepartmental staff based upon the project ability to improve the overall function of the county's transportation system and to:

- a. Provide a variety of transportation options and improve connectivity throughout the county;
- b. Implement established local community planning priorities and community identified projects. Community funded projects (e.g.: grants, private contributions, MSTU/MSBU, and other sources) may be assigned a higher priority;
- c. Improve high-hazard crash locations and structural and non-structural improvements to mitigate hazards that reduce the number and severity of all crashes;
- d. Fund the Traffic Signal/Intersection Improvement program to make the transportation system safer and more efficient; and
- e. Fund transportation improvements related to traffic calming, transit stops, trails and greenways, pedestrian facilities, bicycle facilities, complete street initiatives, roadway access, and other transportation needs.

**POLICY 3.2.6:** Further direct transportation infrastructure improvements and maintenance with priorities based on CIP policy and the following hierarchy of evacuation routes and the future land use map:

- a. Hurricane evacuation routes on Map 3 (old 3H);
- b. Regional mixed-use centers;
- c. Urban areas;
- d. Suburban mixed-use areas;
- e. Rural mixed-use areas;
- f. Suburban areas; and
- g. Rural areas.

**POLICY 3.2.7:** Ensure that private development contributes to a comprehensive multimodal system that meets the travel needs of the entire county and mitigates the impacts their development has on the county's transportation infrastructure system.

**POLICY 3.2.8:** Develop and maintain standards, criteria, and fees to equitably define developers' obligations and costs associated with the development for necessary site-related and off-site improvements. Lee County policy guidelines and techniques to address potential impacts of development will address:

- a. Site-related impacts on the public road system must be funded by new development. The site-related improvements are not eligible for credit against the proportionate share payment of transportation impacts;
- b. Provisions that allow development agreements with developers and landowners who commit to provide improvements to public facilities beyond those required by the Lee Plan and other county regulations;
- c. Protection of existing and planned transportation corridors to meet state standards for future multimodal improvements consistent with the Transportation Map series;
- d. Requirements to provide access to existing or planned public transportation facilities and connections to adjacent existing or planned pedestrian and bicycle facilities; and
- e. Need to ensure proposed development within municipalities construct or pay for improvements to access county maintained transportation facilities as a condition of permit approval. Improvements may also include transit, bicycle, and pedestrian facilities along their frontage.

**POLICY 3.2.9:** Implement an effective and fair system of mobility fees, impact fees, or similar mechanisms to ensure that development creating impacts on transportation facilities pays a fair share of the costs to mitigate its (off-site) impacts. Issue credits against future fees consistent with county development practices and procedures.

**POLICY 3.2.10:** Roadway and intersection improvements mandated by development orders will be determined on the basis of demonstrated need resulting in part or in total from the impacts of that development. These improvements will be based on roadway and intersection improvement needs resulting from new development and will not be limited by jurisdictional responsibility for specific road segments. The use of Road Impact Fee revenues to improve state roads is an acceptable application of those funds.

**POLICY 3.2.11:** In order to acquire rights-of-way and complete the construction of the transportation facilities designated on the Transportation Map series, adopt regulations to encourage voluntary dedications of land and construction by developers as described below:

- a. Encourage voluntary dedication of rights-of-way necessary for streets, transit facilities, bicycle facilities, pedestrian facilities, and landscaping installations that are proposed to be county maintained;
- b. Encourage voluntary construction of transportation facilities that lie within or abut the development; and
- c. Grant Mobility, Park, or Roads Impact Fee credits consistent with the provisions of the Lee County LDC.

**POLICY 3.2.12:** Establish MSTUs/MSBUs to implement and maintain transportation facilities through innovative means to fund complete streets improvements for transit, bicycle, and pedestrian facilities, or maintain transportation facilities above the established LOS. Establish MSTUs/MSBUs to correct deficiencies in specific areas or neighborhoods. Regularly review MSTUs/MSBUs to determine whether existing units can be eliminated or new units should be created.

**POLICY 3.2.13:** Review on a regular basis and update all user fee revenue sources, such as tolls, mobility fees, and roads impact fees. Adopt the programs that reflect travel characteristics, construction and right-of-way costs. Determine if capital impacts and maintenance costs are met by the fees and if the fees are economically sustainable and applied fairly.

**POLICY 3.2.14:** Designate various transportation facilities (e.g.: causeways, expressways, bridges, arterials, and major collectors) as toll facilities and utilize toll revenues for operation and construction of those facilities. Employ efficiency measures such as the institution of automated toll collection and the Variable Pricing Program to encourage reduced-peak usage of toll facilities.

**POLICY 3.2.15:** Seek out new and innovative funding to supplement public funding for transit operations and cooperate with the private sector to increase privately funded transit service, especially in areas with large seasonal populations.

**POLICY 3.2.16:** Promote street connectivity by discouraging the use of dead-end streets that create inefficiencies in the transportation network by preventing the development of a connected, grid street network. Utilize the following practices to discourage the development of dead-end streets:

- a. Include connectivity criteria as a requirement for acceptance of private roads for county maintenance;
- b. Place a low priority on resurfacing and maintenance of dead-end local streets and encourage adjacent property owners to take on the maintenance responsibility;
- c. Implement reduced design standards, such as reduced width, for very low volume dead-end local streets; and
- d. Resurface and repair dead-end local streets to the reduced design standard or where feasible, connect to other transportation facilities.

**POLICY 3.2.17:** Explore joint funding mechanisms (such as an MSTU/MSBU) to pay for the widening of Alico Road east of Ben Hill Griffin Parkway to encourage economic development in the Alico Road area. Require properties that generate traffic on the segment of Alico Road east of Ben Hill Griffin Parkway that have not already fully mitigated traffic impacts to participate in the funding mechanism. Participation will be creditable against future road impact fees or DRI proportionate share obligations consistent with County regulations. Property that was subject to CPA2009-01 agreed to donate 75 feet of right-of-way along the entire frontage of Alico Road without compensation. The donation of right-of-way along Alico Road from that property will not be creditable against road impact fees or DRI proportionate share obligations. To facilitate large truck movement and volumes, consider designation of Alico Road east of I-75 as a controlled access facility.

Staff recommends the above objective and set of policies to ensure that there is adequate public funding and that future development efforts provides adequate mitigation and provides their fair share of infrastructure. This objective supports the Capital Improvement, Character and Form, and Future Land Use elements.

**OBJECTIVE 3.3: Environmental Impacts.** Diminish the negative impacts transportation facilities and systems have on natural environments by maximizing existing transportation facilities, promoting clean transportation alternatives, and utilizing TDM strategies to effectively manage transportation systems and resources.

**POLICY 3.3.1:** Develop and maintain an environmentally sensitive transportation system including consideration of the following practices:

- a. Alternative transportation modes that diminish the need for increased road capacity and vehicular trips. Coordinate the development of such facilities with the Lee County Bikeways/Walkways Facilities Plan, The Transit Development Plan, and Lee County Greenways Master Plan.
- b. Promotion of alternative fuel vehicles, mixed-use developments, walkable and bikeable communities, and transit to conserve energy, reduce air pollution, and manage natural resources;
- c. Transportation infrastructure that utilizes sustainable or recycled materials, uses innovative design techniques and technologies, stormwater areas as community amenities; and energy efficient components such as street lighting, traffic signals, and roundabouts;
- d. Reduce heat island effects by minimizing paved surface areas and maximizing planting areas with native canopy trees and other vegetation;
- e. TDM strategies to effectively manage transportation systems and resources, minimize system delays, reduce vehicle miles-traveled, and contain greenhouse gas emissions;
- f. Conversion of transit vehicles from diesel propulsion systems to alternative fuels or hybrid propulsion systems;
- g. Location of archaeological sites, which will not be destroyed unless full recovery of data and artifacts is included in the process; and
- h. Protection of natural habitats and protected or listed species.

**POLICY 3.3.2:** New roads or expansion of existing facilities will not be extended through environmentally critical areas except in instances of overriding public interest and unless:

- a. It is the only feasible route within mixed-use and urban areas;
- b. The crossing is culverted or bridged to the greatest degree possible, maintaining predevelopment volume, direction, distribution, and surface water hydroperiod consistent with county standards and providing adequate wildlife corridors; and
- c. Equivalent mitigation is provided in basin and in jurisdiction as the first preferred option.

**POLICY 3.3.3:** Include an environmental impact assessment (EIA) in the design phase of new or improved arterial and collector roads that affect protected or listed species habitat, wetland systems, or estuarine water bodies. Ensure an EIA addresses impacts on historic structures, archaeological resources, and environmentally critical areas.

**POLICY 3.3.4:** Consider the safe passage of wildlife across new or reconstructed county roads.

**POLICY 3.3.5:** Support low-carbon and high resource-efficiency transportation options through the development of supporting infrastructure, fuel purchasing, and local fuel production.

Staff recommends the above objective and set of policies to ensure consideration of environmental impacts. This objective supports the Conservation and Coastal Management element.

**OBJECTIVE 3.4: Intergovernmental Coordination.** Utilize intergovernmental partnerships to provide well-coordinated transportation services that meet the needs of all users and all modes. In particular, the county will work with the Lee County Port Authority, Lee County Metropolitan Planning Organization (MPO), Southwest Florida Regional Planning Council (SWFRPC), Florida Department of Transportation (FDOT), Federal Highway Administration (FHA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA), United States Department of Transportation (USDOT), surrounding counties, and the cities of Sanibel, Cape Coral, Fort Myers Beach, Bonita Springs, and Fort Myers.

**POLICY 3.4.1:** Coordinate land use decisions and permitting processes affecting county and state transportation facilities with municipalities and FDOT.

**POLICY 3.4.2:** Promote non-motorized transportation greenway and blueway projects throughout the county. Coordinate multi-use trail projects whenever feasible with LCDOT and other agencies with jurisdiction over facilities identified in the transportation map series and the Greenways Master Plan (Map 22).

**POLICY 3.4.3:** Work with the MPO to plan, manage, and fund the development of a multimodal transportation system. Implement the efforts that result for this collaborative effort through the:

- a. Consideration of improvements identified through the MPO's Congestion Management System (CMS); and
- b. Amendment of the Lee Plan map series are incorporated into the MPO Plan so that the two plans remain consistent.

**POLICY 3.4.4:** Encourage municipalities to maintain a roads impact fee, mobility fee or similar program or to participate in the county's program.

**POLICY 3.4.5:** Improve transit services and provide for the needs of specific, targeted transit rider populations by coordinating transit services with the Lee County Port Authority, School District of Lee County, Florida Gulf Coast University, Edison College, Lee County Government, MPO, FDOT, Federal Transit Administration, and local employers, public service entities, and local governments.

Staff recommends the above objective and set of policies to provide coordination with state and local municipalities, trails and greenways, public transportation and multimodal systems. This objective supports the Intergovernmental Coordination and Parks Elements of the Lee Plan.

**GOAL 4: AVIATION.** Develop and maintain a coordinated system of aviation facilities to facilitate the safe, cost-effective, and efficient movement of commerce consistent with community values and economic objectives.

Staff recommends the above goal be added as modified from Goal 47. There is an application from the Lee County Port Authority for a parallel comprehensive plan amendment to Goal 47. The application is currently under review by staff. It is likely to be presented for consideration for transmittal during the time frame of review of the proposed EAR-based amendments.

**Objective 4.1. Southwest Florida International Airport.** SWFIA is the only commercial Service Airport in Lee County and is a major economic driver in the region. Given the valuable role the airport plays it is imperative to provide protections for the development and expansion of aviation and non-aviation related uses at SWFIA while ensuring surrounding development is compatible with growing demand of aviation in Lee County.

**POLICY 4.1.1:** SWFIA includes airport and airport-related development as well as non-aviation land uses. This mix of uses is intended to support the continued development of the SWFIA. The intensity of the proposed aviation and non-aviation land uses at SWFIA must be consistent with the Airport Layout Plan (Map 3F) and Lee Plan Table 5(a). Map 3F depicts the planned expansion of the SWFIA through 2020.

**POLICY 4.1.2:** Future airport expansion or development of aviation-related and non-aviation uses at SWFIA will offset environmental impacts through the Airport Mitigation Lands Overlay (Map 3M) or other mitigation.

**POLICY 4.1.3:** The SWFIA Master Plan and Airport Layout Plan will be updated as required by the FAA, or as determined by the Lee County Port Authority. If the airport master planning process precipitates a substantive change to the Airport Layout Plan (Map 3F), then the Port Authority must amend Map 3F, prior to obtaining local development approval. The non-aviation related development areas have been depicted on the approved Airport Layout Plan sheets (Maps 3F). These uses will be constructed upon Airport lands with long term leases.

**POLICY 4.1.4:** Development within the non-aviation area, as designated on Map 3F, is limited to a maximum of 300 acres north of runway 6-24 and approximately 52 acres within the midfield terminal area. All development must be in compliance with Map 3F and the intensities outlined in Table 5(a). Development of additional acreage will require prior Lee Plan amendment approval.

**POLICY 4.1.5:** Future airport expansion or development of aviation-related or non-aviation related uses will provide buffer areas, as determined by Lee County, for the

protection of groundwater resources in the Southeast and Northeast quadrants of the airport property.

**POLICY 4.1.6:** Design wetland mitigation for future expansion of aviation or non-aviation uses on Airport Lands so that it does not create wildlife hazards. Development and land management practices on airport property will be in accordance with FAA directives and other agency approvals.

Staff recommends the above objective and set of policies be modified from Objective 1.2 as required by FS 163.3177(6)(b), FS 333.06 and FS 380.06.

**OBJECTIVE 4.2: Page Field General Aviation Airport.** Page Field General Aviation Airport plays a vital role as a reliever airport facility to SWFIA. In its role as a reliever airport, Page Field reduces general aviation traffic from SWFIA, thereby increasing the capacity and efficiency of SWFIA This designation should include adequate land to accommodate the projected growth needs of Page Field General Aviation Airport in its continued role as an airport reliever, including the industrial, commercial and office uses necessary to continue viable aviation activity through 2025.

**POLICY 4.2.1:** In order to create the revenue source necessary to maintain Page Field General Aviation Airport as a viable aviation operation and reliever to SWFIA, the Port Authority seeks to establish non-aviation uses on the Page Field General Aviation Airport property. Suitable locations for these non-aviation uses are designated on the Page Field Airport Layout Plan adopted as Lee Plan Map 3G. The Page Field Airport Layout Plan sheet (Map 3G) was adopted by the FAA as part of the 2002 Page Field Airport Master Plan Update. This update and documents comprising the 2002 Master Plan approval are incorporated into the Lee Plan by reference as support for adoption of Map 3G and Table 5(b).

**POLICY 4.2.2:** Page Field General Aviation Airport includes airport and airport-related development as well as non-aviation land uses. This mix of uses is intended to support the continued development of Page Field General Aviation Airport. The intensity of the proposed aviation and non-aviation land uses must be consistent with the Airport Layout Plan (Map 3G) and Lee Plan Table 5(b) and will be required to comply with the Lee County LDC regulations, including, but not limited to, the impact fee regulations. Map 3G depicts the planned expansion of the SWFIA through 2020.

**POLICY 4.2.3:** If the Port Authority determines expansion of the Page Field General Aviation Airport boundaries is necessary in order to provide continued viability to Page Field as a reliever to SWFIA, then the Port Authority will submit to the BOCC the application and support documentation to amend Map 3G Table 5(b) and the Future Land Use Map to reflect the land added to Page Field General Aviation Airport.

**POLICY 4.2.4:** Environmental mitigation deemed necessary to support development of Page Field General Aviation Airport property will be addressed separately by each

development project and is not entitled to claim a benefit from the Airport Mitigation Lands Overlay area (Map 3M).

**POLICY 4.2.5:** The Page Field Airport Master Plan and Airport Layout Plan will be updated as required by the FAA, or as determined by the Lee County Port Authority. A comprehensive plan amendment will be submitted by the Port Authority to update Map 3G and Table 5(b) to reflect the updated Page Field Master Plan as approved. The planning horizon used for the master plan update should be consistent with the Lee Plan Horizon, which can be verified by Lee County as part of the Master Plan Update process. Lee County staff will be included in the Master plan update process as required under the terms of the existing memorandum of understanding regarding airport development.

**POLICY 4.2.6:** If the airport master planning process precipitates a substantive change to the Airport Layout Plan (Map 3G), then the Port Authority must amend Map 3G prior to obtaining local development approval. The non-aviation related development areas have been depicted on the approved Airport Layout Plan sheets (Map 3G). These uses will be constructed upon Airport lands with long term leases.

Staff recommends the above objective and set of policies be added or modified from Objectives 1.2 and 1.9 as required by FS 163.3177(6)(b), FS 333.06 and FS 380.06.

**OBJECTIVE 4.3: Economic Growth.** To aid in the diversification of the county's economic growth the capacity and long term development of the SWFIA and Page Field General Aviation Airport will be expanded in compliance with Maps 3F and 3G, and Table 5(a) and 5(b). Specific project implementation and approval of the proposed development will be coordinated through the annual Capital Improvement Program process and be consistent with the Airport Layout Plans (Map 3F and 3G). These expansions will be funded through user fees, airline contributions, and other funding sources not involving general county tax dollars. The Port Authority will strive to minimize impacts to surrounding land uses while maintaining a safe and efficient facility for airport operations.

**POLICY 4.3.1:** The Port Authority will coordinate the implementation of scheduled infrastructure and facility improvements for the SWFIA and Page Field General Aviation Airport consistent with the approved Airport Layout Plan sheets (Map 3F and Map 3G, respectively) and the Development Schedules (Table 5(a) and (b), respectively).

**POLICY 4.3.2:** The development potential of SWFIA will continue to be protected by the acquisition of additional land for runway and taxiway, road access, storm water management, and environmental mitigation use, consistent with the adopted Airport Master Plan and the Port Authority's Capital Improvement Program.

**POLICY 4.3.3:** The Port Authority will continue to expand existing and proposed aviation facilities such as the terminal building, airport aprons, cargo facilities, roadways and parking in order to meet the forecasted demand.

**POLICY 4.3.4:** The Port Authority will continue to investigate commercial and industrial potentials at Page Field General Aviation Airport and at SWFIA through market surveys and the solicitation and receipt of acceptable proposals for land lease at fair market value as well as efforts to cultivate public/private partnerships in pursuing this potential.

**POLICY 4.3.5:** The Port Authority will capitalize on its Port of Entry and Foreign Trade Zone status to encourage economic diversification. This will be accomplished by actively: (1) seeking to increase international commerce movement; (2) implementing an international marketing program designed to increase tourist activity; (3) continuing planning efforts to ensure availability of adequate airport facilities to accommodate increases in international air traffic; and, (4) pursuing development of international corporate activity.

Staff recommends the above objective and set of policies be added or modified from Objective 47.1 as required by FS 163.3177(6)(b), FS 333.06 and FS 380.06.

**OBJECTIVE 4.4: Development Compatibility.** Together with the Port Authority, evaluate development proposals for property located within the vicinity of existing aviation facilities to ensure land use compatibility, to preclude obstructions to aircraft operations, and to protect airport capacities.

**POLICY 4.4.1:** The safety of aircraft operators, aircraft passengers, and persons on the ground will guide the Port Authority in the operation of county airports, and hazardous wildlife attractants on or near the airports will be avoided.

**POLICY 4.4.2:** Coordinate with the Port Authority to ensure that regulations in the Lee County LDC restrict land uses in areas covered by the Airport Noise Zones (ANZ) to those uses that are compatible with the operation of the airport.

**POLICY 4.4.3:** Future updates of the Page Field General Aviation Airport and SWFIA Master Plans will monitor and incorporate development of non-aviation uses at the airports and suggest aviation-related uses.

**POLICY 4.4.4:** To the greatest extent possible, future airport master plans will retain the long term aviation expansion capability and capacity at both Page Field General Aviation Airport and the SWFIA.

**POLICY 4.4.5:** Future aviation and non-aviation development at Page Field General Aviation Airport must comply with the provisions of the Educational Restriction Zone established under Florida Statutes, section 333.03 and the School Zone Map adopted as part of the Lee County LDC.

**POLICY 4.4.6:** The Port Authority will seek to eliminate or modify existing uses on the Page Field property deemed incompatible with existing aviation activity or causing a diminution in the Page Field Airport capacity. In order to protect Page Field as a SWFIA

reliever, the Port Authority will use its capacity/authority as a reviewing entity to influence land-use decisions and approvals with respect to development of the lands surrounding Page Field in order to promote development that is compatible with the aviation activity at Page Field General Aviation Airport.

**POLICY 4.4.7:** Utilize the approved Airport Master Plans and FAR Part 150 Study, including updates, as a basis to amend the comprehensive land use plan and the LDC to prohibit development that is incompatible with the SWFIA or Page Field General Aviation Airport; and, to ensure future economic enhancement consistent with Objective 46.2.

**POLICY 4.4.8:** Maintain the tall structure permitting process to ensure that proponents of potential structural hazards to aviation coordinate with the Port Authority and the FAA to properly place, mark and light potential obstructions as necessary.

**POLICY 4.4.9:** Through an interlocal agreement, the Port Authority and the City of Fort Myers will continue to coordinate the review of new land uses that have the potential to create tall structure obstructions to aviation and to ensure compatibility with aviation within the City of Fort Myers.

**POLICY 4.4.10:** In the interest of the safety of air commerce, the county will not approve a temporary or permanent structure that exceeds the height limitation standards, or does not comply with placement, lighting and marking standards, established by the Port Authority, Florida Statutes, or the FAA rules and regulations.

**POLICY 4.4.11:** Consider land use compatibility when reviewing development proposals within the vicinity of existing or proposed aviation facilities.

**POLICY 4.4.12:** Coordinate with private investors by reviewing plans and otherwise providing technical assistance in the development of aviation facilities to ensure land use, airspace, and environmental compatibility.

**POLICY 4.4.13:** Protect existing and proposed aviation facilities from the encroachment of incompatible land uses by updating the Future Land Use Map as needed to achieve consistency with revisions to the respective FAR Part 150 Studies (if applicable), and Airport Layout Plans for SWFIA and Page Field General Aviation, as proposed by the Port Authority.

**POLICY 4.4.14:** In cooperation with local, state and federal regulatory agencies, the Port Authority will work to minimize and correct any wildlife hazards arising from existing wetlands located on or near airport property. Site improvements on airport property will be designed to minimize attractiveness to wildlife of natural areas and man-made features on airport property such as detention and retention ponds, landscaping, and wetlands, which can provide wildlife with the ideal locations for feeding, loafing, reproduction and escape.

Staff recommends the above objective and set of policies be added or modified from Objectives 1.2, 1.9, 47.2, 47.5, and 47.6 as required by FS 163.3177(6)(b), FS 333.06 and FS 380.06.

**OBJECTIVE 4.5: Future Demands.** The Lee County Port Authority will continually evaluate the projected demands for public aviation facilities and ensure their adequate provision.

**POLICY 4.5.1:** Efficient use of airport facilities should be ensured before expanding or developing new facilities.

**POLICY 4.5.2:** If the FAA/FDOT mandate navigational improvements (NAVAIDS) or require improvements related to Airport security or safety at SWFIA or Page Field General Aviation Airport, then the Port Authority may pursue installation of the improvement even though the improvement is not specifically identified on Table 5(a) or Table 5(b). However, the Port Authority must obtain all appropriate approvals and permits prior to installation, including approval from Lee County. If these improvements precipitate a substantive change to Table 5(a), Table 5(b), Map 3F, or Map 3G, then the Port Authority must pursue a Lee Plan amendment incorporating the changes in the next available amendment cycle.

**POLICY 4.5.3:** The Port Authority will plan to accommodate growth at the existing facilities and provide for the development of future aviation facilities as warranted.

Staff recommends the above objective and set of policies be modified from Objectives 47.1, 47.3 and 47.4 as required by FS 163.3177(6)(b), FS 333.06 and FS 380.06.

**OBJECTIVE 4.6: Access.** The SWFIA is an intermodal facility of significant value to the regional, state and federal transportation systems. Protecting this resource requires the provision of adequate landside and airside capacity.

**POLICY 4.6.1:** Access from Interstate 75 to the SWFIA is designated as a priority intermodal connector in the National Highway Plan and Florida Intrastate Highway System Plan. Together with the Port Authority, the county will work with the MPO, FDOT and the Federal Highway Administration to ensure that this access receives funding and is developed compatibly with the intermodal access needs of the region.

**POLICY 4.6.2:** Map 3F, as currently incorporated into the Lee Plan, includes transportation improvements that exceed those shown on the balance of the Transportation Map Series maps. The direct access improvements to I-75 depicted on Map 3F, which are being pursued by the Port Authority to benefit the midfield terminal, include an interchange at I-75 and grade separation at Treeline Avenue/Ben Hill Griffin Parkway. These future improvements are the Port Authority's desired access to the airport. The Port Authority will be responsible for achieving consistency between Map 3F and the balance of the Transportation Map Series concerning access to I-75. The Port Authority will serve as the lead agency for achieving direct access to I-75.

**POLICY 4.6.3:** The County and Port Authority recognize the significance and value of the SWFIA. The Lee County Port Authority will aggressively pursue Federal and State funding for access roadway improvements as identified on the Airport Layout Plan.

**POLICY 4.6.4:** Development of non-aviation related uses on airport property will be required to meet concurrency standards set forth in the Lee County LDC.

Staff recommends the above objective and set of policies be modified from Objectives 1.2 and 47.4 as required by FS 163.3177(6)(b), FS 333.06 and FS 380.06.

**OBJECTIVE 4.7: Coordinated Commerce Movement.** The Port Authority will provide facilities that are economically feasible and compatible with adjacent land uses, environmental standards and public safety, and that also meet the needs of commerce movement enterprises and facilities.

**POLICY 4.7.1:** The Port Authority will continue to coordinate plans for existing and proposed aviation facilities with transportation agencies such as the FAA, the Transportation Security Administration, the Lee County MPO, the FDOT, Lee Tran and the Lee County Department of Transportation.

**POLICY 4.7.2:** The county will monitor roads leading to Page Field General Aviation Airport and the SWFIA in order to facilitate efficient and convenient access for airport users.

**POLICY 4.7.3:** Locations adjacent to or near aviation facilities are identified in the Future Land Use Map as suitable for commerce movement support facilities such as warehouses, cargo handling facilities, and other transfer points, and will be periodically reviewed and updated.

**POLICY 4.7.4:** The Port Authority will encourage cargo and freight development at the SWFIA by implementing domestic and international cargo marketing programs and by expanding airport facilities, as needed, in order to accommodate large domestic and international cargo carriers.

**POLICY 4.7.5:** The county will encourage the provision of warehouses, cargo handling facilities, and freight transfer points at aviation facilities needed for the movement of commerce by local industries, trade, and commercial enterprises.

Staff recommends the above objective and set of policies be modified from Objective 47.5 as required by FS 163.3177(6)(b), FS 333.06 and FS 380.06.

**OBJECTIVE 4.8: Aviation Coordination.** Ensure that existing and future air system needs can be met safely and with a minimum of land use conflict by coordinating aviation facility plans with federal, state, regional, and local review and permitting agencies.

**POLICY 4.8.1:** The Port Authority will coordinate and obtain approval for airport development from the County through the annual capital improvement planning and programming process; local permitting process; Airport Master Plan Update process; and, the Lee Plan amendment process to ensure compatibility with other County programs. The Port Authority will provide Lee County copies of the annual Capital Improvement Plan or other similar document for the SWFIA and Page Field General Aviation Airport. Airport development will remain consistent with the MPO LRTP and will support the provision of regional transportation facilities for the efficient use and operation of the transportation system and airports. Additional specific coordination requirements are contained in Objective 151.4 and subsequent policies.

**POLICY 4.8.2:** While airport facilities will be operated in conformance with applicable state and federal regulations, the Port Authority will strive to ensure that Lee County environmental and other regulations are also implemented to the greatest extent possible.

**POLICY 4.8.3:** The Port Authority will develop plans for aviation in the county that are consistent with the Continuing Florida Aviation System Planning Process and the National Plan of Integrated Airport Systems.

**POLICY 4.8.4:** The Port Authority will coordinate efforts with aviation and other transportation interests at the SWFIA to establish multimodal transfer facilities.

**POLICY 4.8.5:** The Port Authority Executive Director will coordinate all expansion plans contained in approved airport master plans with the FAA and the FDOT to ensure that projects of interest to the Port Authority are included in the federal and state funding programs.

**POLICY 4.8.6:** The County and Port Authority will coordinate aviation facility expansion costs and demand, consistent with the Airport Layout Plan and approved Port Authority Capital Improvement Program, through the County's annual Capital Improvement Program in conjunction with regular briefings by Port Authority staff to County staff.

**POLICY 4.8.7:** Ensure that adverse structural and non-structural impacts of aviation facilities upon natural resources and wildlife are mitigated consistent with FAA policies and procedures and in coordination with federal, state, regional and local environmental agencies.

**POLICY 4.8.8:** The Port Authority will abide by all other relevant parts of this comprehensive plan in the construction and operation of Page Field General Aviation Airport and the SWFIA.

**POLICY 4.8.9:** The Port Authority will coordinate surface transportation planning for Page Field and the SWFIA with the Lee County MPO, the county Department of Transportation, Lee Tran, and the FDOT to ensure adequate access to the airports.

Staff recommends the above objective and set of policies be added or modified from Objectives 47.1, 47.2, 47.3, 47.4, 47.6 and 47.7 as required by FS 163.3177(6)(b), FS 333.06 and FS 380.06.

#### **D. CONCLUSIONS**

The Transportation Element, as proposed, directly relates to the critical community issues identified through the EAR process (livability, strong connections, community character, and sustainability). The proposed Transportation Element achieves the following key goals of the EAR:

- Addresses the balance of travel modes within areas of the county, as well as potential conflicts between roadway policies and the movement of pedestrians, bicyclists and transit users.
- Addresses principles and standards for complete streets and context-sensitive design and form of roadways and multi-modal facilities.
- Provides stronger linkages between the Transportation Element and the Future Land Use Element.
- Provides stronger linkages between the Transportation Element and the Parks, Recreation, and Open Space Element; the Conservation and Coastal Management Element; and the Capital Improvements Element.
- Establishes a more clear and concise organizational structure.

#### **E. STAFF RECOMMENDATION**

County staff recommends that the BOCC *transmit* the proposed amendments to the Lee County Transportation Element as provided in Part I(B)(1) on page 1 of this report.

**PART III - LOCAL PLANNING AGENCY  
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: \_\_\_\_\_

**A. LOCAL PLANNING AGENCY REVIEW**

**B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF  
FACT SUMMARY**

**1. RECOMMENDATION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

<b>NOEL ANDRESS</b>	_____
<b>WAYNE DALTRY</b>	_____
<b>JIM GREEN</b>	_____
<b>MITCH HUTCHCRAFT</b>	_____
<b>RONALD INGE</b>	_____
<b>ANN PIERCE</b>	_____
<b>ROGER STRELOW</b>	_____

## Transportation

It is the intent of the updated Lee Plan Transportation Element to: (1) address travel modes throughout the county by providing for the needs of all users and modes including pedestrians, bicyclists, transit riders, and drivers; (2) address principles and standards for complete streets and context-sensitive design and form of roadways and multi-modal facilities; (3) support a strong economy through an intermodal system that allows for the effective movement of goods via roadway, air, rail, or water; (4) connects transportation needs and demands to other plan elements in order to promote more compact patterns of development and increased connectivity; and (5) conserve energy through efficient transportation practices.

**GOAL 1: MULTIMODAL TRANSPORTATION.** Provide for a comprehensive multimodal transportation system that efficiently transports people and goods through and within the county via a variety of interconnected transportation options.

**OBJECTIVE 1.1: Land Use - Transportation Connections.** Develop a system that provides pedestrian pathways, bikeways, transit routes and facilities, and roadways to connect a variety of places and meet the diverse needs of all community members, business people, and visitors.

**POLICY 1.1.1:** By the year 2035, establish a multimodal transportation infrastructure system in support of the development of mixed-use places and urban, suburban, and rural communities.

**POLICY 1.1.2:** Encourage development practices that promote walkable communities, transit-oriented development, and active living, improve access to amenities and vital services, and connect people to activity centers.

**POLICY 1.1.3:** Create safe, affordable, accessible mobility and physical activity opportunities for all people by promoting the integration of land uses that encourage people to walk, ride bikes, and use transit as part of their daily routines by:

- a. Prioritizing the needs of pedestrians, bicyclists, and transit riders in areas where the county desires to promote walkable communities;
- b. Implementing pedestrian, bicycle, and transit facilities where shops, services, employment centers, parks, public facilities, and civic areas are within a ¼ mile of residential neighborhoods; and
- c. Reducing the size and operating speeds of streets in urban and mixed-use areas.

**POLICY 1.1.4:** Improve access and use of transit services to increase the annual unlinked passenger trips from 3,000,000 recorded in FY 2011 to 5,000,000 by 2025 through:

- a. Transit service accessibility for all—particularly youth, elderly, persons with disabilities, disadvantaged populations, and residents with special needs;
- b. Improved transit services that decrease headways on designated routes, improve connections within the system, and promote intermodal opportunities;
- c. Bus rapid transit routes to link higher density and intensity mixed-use, transit oriented developments;
- d. Strategically located park-and-ride facilities;
- e. Passenger incentives through local businesses, discount coupons, and employer funded programs;
- f. Technology, internet service, and mobile internet tools that disseminate information about transit scheduling and service;
- g. Education and advertising campaigns targeted to community members and businesses that promote transit as a cost-effective and efficient transportation alternative; and
- h. Provision of inter-county transit services, in collaboration with adjacent counties.

**OBJECTIVE 1.2: Safe Travel System.** Protect the health, safety, and welfare of all users of the transportation system. Provide an efficient system through best practices, effective traffic regulations, public education, and other methods to create a culture of safe travel. The target is to have zero crash related fatalities.

**POLICY 1.2.1:** Consider the diverse needs, demands, and safety concerns of system users when conducting transportation planning and engineering studies. Balance concerns and conflicts to achieve an effective and efficient multimodal transportation system through:

- a. Facilities based on location and needs in mixed-use, urban, suburban, and rural areas;
- b. Safe bicycle, pedestrian, and transit facilities which may include lighting, landscaping, and shade, preferred or exclusive use lanes, and traffic calming;
- c. Block size and connectivity; and
- d. Meeting the needs of a multi-generational community and persons with disabilities.

**POLICY 1.2.2:** Maximize safety, capacity, and operational ability of all modes of travel along county-maintained roadways through the enforcement of traffic control; motor vehicle access control to private property; and reallocation of right-of-way to increase transit, bicycle, and pedestrian use.

**POLICY 1.2.3:** Maintain a Transportation System Management (TSM) program to identify high-hazard crash locations as well as structural and non-structural improvements that would mitigate hazards.

**POLICY 1.2.4:** Utilize TSM and transportation demand management (TDM) strategies that promote better utilization of the county's transportation resources (roadways, pedestrian pathways, bikeways, transit services, air facilities, railways, and ports) and allow for better movement of people and goods. Strategies include:

- a. Traffic signal progression programs (including synchronization);

- b. Improved transit premium service facilities such as exclusive bus lanes, high occupancy vehicle lanes, or signal priority for transit vehicles;
- c. Implement automated vehicle location systems on transit vehicles, including real-time arrival signage, and information kiosks at transfer facilities and human service agencies;
- d. Monitoring and improving signals, signs, street lighting, and lane markings for all users on all roadways;
- e. Restricting median cuts and driveways;
- f. Adequately funding maintenance programs;
- g. Maintaining existing highway facilities or reconstruction of existing intersections including the use of roundabouts;
- h. Development of a traffic signal system that improves transit route efficiency;
- i. Signing, marking, and other design improvements to increase awareness that roadways operate as shared bicycle and/or pedestrian facilities;
- j. Automatic detection and bike boxes at traffic signals that improve pedestrian and bicycle crossing;
- k. Pedestrian facility improvements in urban areas such as mid-block crossings;
- l. Ride sharing programs such as carpooling, vanpooling, multiple occupancy vehicle lanes, designated parking spaces, and other techniques;
- m. Employer-based incentives and programs to increase the use of TDM strategies in place of single-occupant motor vehicle travel;
- n. Park-and-ride or commuter lots;
- o. Variable work hours and teleworking; and
- p. Parking and road pricing.

**POLICY 1.2.5:** Ensure the county's transportation system is able to efficiently respond to the evacuation and emergency transportation needs of the community during an emergency event through:

- a. Development and maintenance of special roadway signalization, direction, and clearing plan;
- b. Establishment of alternative emergency routes;
- c. Coordination of evacuation planning and response with the county's emergency management, policy, and fire services; and
- d. Designated transit stop and shelters to ensure efficient evacuation of the transit dependent population.

**OBJECTIVE 1.3: Intermodal Transportation System.** Promote a diverse regional economy by developing and maintaining a coordinated system of intermodal roadways, railways, aviation facilities, and ports to facilitate the safe and efficient movement of commerce.

**POLICY 1.3.1:** Facilitate the development of economic and employment centers by locating industrial, research, and logistic based land uses (e.g.: warehouses, cargo handling facilities, and transfer/break of bulk points) in close proximity to railways, roadway interchanges, sea ports, and aviation facilities.

**POLICY 1.3.2:** Ensure access routes to roadways, railways, aviation facilities, and ports are properly integrated with other means of transportation by working to make certain that those facilities are managed in close cooperation with one another as well as other public transportation related service providers such as the Lee County Metropolitan Planning Organization (MPO), Florida Department of Transportation (FDOT), Federal Aviation Administration (FAA), West Coast Inland Navigation District, Army Corps of Engineers, and others.

**POLICY 1.3.3:** Foster the development of a strong logistic, freight, and transportation business sector through:

- a. Location of intermodal facilities close to major transportation facilities—e.g.: rail lines, airport facilities, and ports;
- b. Encouragement of private investors to develop and use rail, roadway, aviation, and port freight facilities by promoting expansion and maintenance of existing facilities;
- c. Maintain and improve Lee County's rail link, interstate connectors, aviation facilities, and ports; and
- d. Coordinated intermodal transportation management programs for surface water, rail, roadway, and air transportation.

**POLICY 1.3.4:** Support economic land uses by requiring development proposals to demonstrate compatibility with existing or proposed ports, aviation, rail and other commodity movement facilities and suggest mitigation measures for potential adverse impacts during the rezoning and DRI process.

**POLICY 1.3.5:** Encourage discussions between the Florida High Speed Rail Commission and local groups on the location of high speed rail facilities in the county.

**POLICY 1.3.6:** Maximize through capacity of principal arterials (limited access facilities, expressways, controlled access facilities, and designated truck routes) outside of designated mixed-use centers using the following measures:

- a. Design limited access facilities, expressways, controlled access facilities, State Highways, and designated truck routes with heavy trucks (as defined in by Florida statute) as the design vehicle;
- b. Promote terminal transfer points at Lockett Road, Daniels Parkway, and Alico Road;
- c. Regulate access to the extent permitted by state law;
- d. Provide sufficient distance between land access and expressway/freeway interchanges;
- e. Synchronize and space signalized intersections on arterials and collectors for efficient traffic signal operation;
- f. Prohibit on-street parking;
- g. Develop a connected transportation network of streets, access or frontage roads with wayfinding signage, transit, and dedicated and separated bicycle and pedestrian facilities to provide system capacity and a preferred route for shorter trips; and

- h. Require access to meet forecasted use needs, including turn lanes, acceleration and deceleration lanes, and funding for future signalization.

**POLICY 1.3.7:** Monitor the maintenance of support facility and service systems of existing ports through:

- a. Coordination with the U.S. Army Corps of Engineers on the timing of maintenance dredging on federally maintained channels;
- b. Assessment of the possibility of instituting a private channel maintenance assessment on properties benefiting from the channels; and
- c. Examination of dredging needs on a rotating five year cycle beginning in 2013.

**POLICY 1.3.8:** Private ports, in cooperation with the U.S. Coast Guard and the state, will be prepared to contain spills of petroleum and other toxic materials. Petroleum ports will have containment devices on site. Evaluate the adequacy of proposed containment measures during the rezoning or DRI process.

## **GOAL 2: TRANSPORTATION STANDARDS AND REGULATORY FRAMEWORK**

Establish and maintain specified transportation multimodal level of service (LOS) standards and regulatory framework, including LOS standards, land development regulations, and transportation maps, to optimize quality of life and to ensure that transportation infrastructure will be available for the existing and planned population.

**OBJECTIVE 2.1: General Standards.** Establish multimodal LOS standards on county and state transportation facilities within Lee County. Cooperate with municipalities on the facilities maintained by Lee County within the municipalities and with FDOT on state transportation facilities.

**POLICY 2.1.1:** LOS “E” is the minimum acceptable LOS for arterials and collectors. Meeting the standard will be determined through an assessment of all transportation modes including transit, pedestrian, bicycle, and motor vehicle. The minimum acceptable LOS on Pine Island Road between Burnt Store Road and Stringfellow Road is “D” on annual average peak hour and “E” on a peak season, peak hour basis.

**POLICY 2.1.2:** The measurement of LOS will be based on the modes indicated in Table 1 based on the transportation facility functional classification and whether the street segment or intersection is identified on Future Land Use Map 1 as a mixed-use, urban, suburban, or rural area. By 2015, evaluate an alternative multimodal level of service methodology that relies primarily on non-vehicular modes of transportation in designated areas in cooperation with the MPO.

Table 1: Transportation Modes for LOS Determination and Priorities

	Mixed-Use	Urban	Suburban	Rural
Principal Arterials (Interstate, Limited Access, Expressway)	Transit Motor Vehicle	Transit Motor Vehicle	Transit Motor Vehicle	Motor Vehicle
Principal Arterials (State Roads, BoCC Controlled Access)	Transit Motor Vehicle Pedestrian Bicycle	Transit Motor Vehicle	Transit Motor Vehicle	Motor Vehicle
Minor Arterials	Transit Pedestrian Bicycle Motor Vehicle	Transit Pedestrian Bicycle Motor Vehicle	Transit Motor Vehicle Bicycle Pedestrian	Motor Vehicle
Major Collector	Transit Pedestrian Bicycle Motor Vehicle	Transit Pedestrian Bicycle Motor Vehicle	Bicycle Transit Motor Vehicle Pedestrian	Motor Vehicle
Minor Collector	Transit Pedestrian Bicycle Motor Vehicle	Pedestrian Bicycle Motor Vehicle	Bicycle Pedestrian Motor Vehicle	Motor Vehicle
Local Street	N/A	N/A	N/A	N/A

**POLICY 2.1.3:** The measurement of LOS For the motor vehicle mode will be determined by motor vehicle traffic volumes on the transportation facility. Motor vehicle traffic volumes will be measured based on the peak season, peak hour, peak direction condition of the transportation facility. The peak season, peak hour, peak direction condition will be defined as the 100th highest volume hour of the year in the predominant traffic flow direction. The 100th highest hour approximates the typical peak hour during the peak season. Peak season, peak hour, peak direction conditions will be calculated using K-100 factors and “D” factors from the county permanent traffic count station identified by Lee County Department of Transportation (LCDOT).

**POLICY 2.1.4:** Develop multimodal link-specific service volumes (capacities) for arterials and major collector roadways based on specific conditions, for determination of the motor vehicle, bicycle and pedestrian LOS of transportation facilities. These link-specific service volumes are only for short-term analyses (five years or less, as measured from the date of the last update of those service volumes). Develop generalized service volumes for future year analyses. LCDOT will be responsible for maintaining up to date service volumes. Preparers of Traffic Impact Statements for DRIs, rezonings,

development orders, and other transportation analyses must use the service volumes, recommended by LCDOT.

**POLICY 2.1.5:** Maintain permanent and periodic traffic count program, and collection of transit, bicycle and pedestrian data, on county arterials and collectors in Lee County. Use data developed by FDOT for state highways, as the basis for determining existing transportation facility conditions.

**POLICY 2.1.6:** Use the current Highway Capacity Manual and FDOT Quality LOS Handbook to calculate levels of service, service volumes, and volume-to-capacity ratios. Based on the Handbook, transit mode LOS will be determined based on the average time between scheduled weekday bus stops (headway) and presence of pedestrian facilities. Bicycle mode LOS will be determined based on the characteristics of bicycle facilities and the motor vehicle traffic characteristics. Pedestrian modes LOS will be determined based on the characteristics of pedestrian facilities and the motor vehicle traffic characteristics.

**POLICY 2.1.7:** Base connection separation standards on the functional classification of the transportation facility, mode of transportation, the community context and the land uses abutting the transportation facility. Outline the standards for connection separation in the LDC. Designate by Board action, certain roadways in the LDC as “controlled access,” to which permanent access points are restricted to locations established and set by a specific access plan adopted by the Board by resolution.

**POLICY 2.1.8:** Maintain motor vehicle connection separation standards, using a combination of the following: through streets, access roads, multimodal interconnections between developments, cross-access easements, reverse access, access from a lower functional classification/rear or side street and other methods. Specify these methods and exceptions hereto in the Land Development Code (LDC). Maintain an Access Road Location Map to identify where access streets are the preferred method of maintaining the connection separation standards. Public and through street connections will be given preference over private driveways in order to develop networks with a block size of 660 feet or less in Mixed-Use and Urban areas.

## **TRANSPORTATION CONCURRENCY OPTION**

**If transportation concurrency is not retained, as recommended by staff, the following objectives and policies in *italics* should not be transmitted. If transportation concurrency is retained the objectives and policies in *italics* below should be transmitted and the remaining objectives and policies in Goal 2 will be renumbered accordingly.**

***OBJECTIVE 2.2: Transportation Concurrency Management System. Utilize a transportation concurrency management system consistent with the requirements of Chapter 163.3180(5), F.S.***

***POLICY 2.2.1:*** Identify facilities in the Capital Improvements Element that are necessary to meet adopted levels of service during a five year period.

***POLICY 2.2.2:*** Consult with FDOT when proposed plan amendments affect facilities on the strategic intermodal system.

***POLICY 2.2.3:*** Exempt public transit facilities from concurrency. For the purposes of this subparagraph, public transit facilities include transit stations and terminals; transit station parking; park-and-ride lots; intermodal public transit connection or transfer facilities; fixed bus, guideway, and rail stations; and airport passenger terminals and concourses, air cargo facilities, and hangars for the assembly, manufacture, maintenance, or storage of aircraft. The terms “terminals” and “transit facilities” do not include seaports or commercial or residential development constructed in conjunction with a public transit facility.

***POLICY 2.2.4:*** Allow developments-of-regional-impact development orders, rezonings, or other land use development permits to satisfy the transportation concurrency when applicable, if it a proportionate share contribution is provided consistent with Objective 3.5.

***POLICY 2.2.5:*** Lee County will measure concurrency on all roads on a roadway segment-by-segment basis, except for constrained roads or where alternatives are established pursuant to this Objective and Chapter 163.3180, F.S. Transportation concurrency for Pine Island will be governed by the policies under Objective 14.2 of this comprehensive plan.

***POLICY 2.2.6:*** Identify roadway conditions and available capacity on major roadways as part of an annual concurrency management report. The report will identify existing and projected LOS. Existing LOS will be determined based on the most recent available data. Projected levels of service will include estimated increases in motor vehicle traffic volume, changes in transit service, programmed transit, pedestrian, bicycle, and motor vehicle transportation facility improvements and approved, but unbuilt, development during a five year period.

***POLICY 2.2.7:*** All proposed development activity (local development order requests), except activity that affects constrained transportation facilities and transportation facilities subject to concurrency alternatives, will be reviewed against the available capacity identified in the annual concurrency report based on existing conditions and for a five year period. If capacity is available no further analysis is required, otherwise a proportionate share contribution must be calculated based consistent with the formula in 163.3180(5)(h)(3).c(II)(A) in order for a concurrency certificate to be issued.

***OBJECTIVE 2.3: Transportation Concurrency Alternatives.*** Pursue the adoption of an areawide LOS not dependent on any single road segment function consistent with the requirements of Chapter 163.3180, F.S..

**POLICY 2.3.1:** Explore the development of policy guidelines and techniques to address potential negative impacts on future development:

1. In urban infill and redevelopment, and urban service areas.
2. With special part-time demands on the transportation system.
3. With de minimis impacts.
4. On community desired types of development, such as redevelopment, or job creation projects.

**POLICY 2.3.2:** Explore the use of tools and techniques to complement the application of transportation concurrency such as:

1. Adoption of long-term strategies to facilitate development patterns that support multimodal solutions, including urban design, land use mixes, intensity and density.
2. Adoption of an areawide LOS not dependent on the function of a single road segment.
3. Exempting or discounting impacts of locally desired development, such as development in urban areas, redevelopment, job creation, and mixed-use.
4. Assigning secondary priority to vehicle mobility and primary priority to ensuring a safe, comfortable, and attractive pedestrian environment, with convenient interconnection to transit.
5. Establishing multimodal LOS standards that rely primarily on non-vehicular modes of transportation where existing or planned community design will provide adequate levels of mobility.
6. Reducing impact fees or local access fees to promote development within urban areas, multimodal transportation districts, and a balance of mixed-use development in certain areas or districts.

**POLICY 2.3.3:** Coordinate with adjacent local governments for the purpose of using common methodologies for measuring impacts for transportation facilities.

**POLICY 2.3.4:** Based on the Mixed Use Places and Urban Core, Central Places and Village Centers identified on Map \_\_, investigate the creation of areawide LOS or multimodal transportation districts by 2017.

**POLICY 2.3.5:** Grant concurrency vesting (i.e., a long-term concurrency certificate) to DRIs under limited circumstances, including up to a 10-year time limitation, a limitation on changes to the DRI development parameters over time, and the execution of a local government development agreement where developers agree to pay the proportionate share/impact fee obligation up front.

**POLICY 2.3.6:** Lee County will continue to explore an area-wide LOS transportation concurrency approach for areas identified on Map 1 as Mixed-Use, Urban and along existing or planned transit routes identified on Map 3C.

**OBJECTIVE 2.4: Proportionate Fair Share Program.** Implement a Transportation Proportionate Fair Share Program by 2013, consistent with the requirements of Subsection

163.3180(5)(h)(3), F.S., that provides a method by which the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors.

**POLICY 2.4.1:** Allow applicants of DRI development orders, rezonings, or other land use development permits to satisfy the transportation concurrency requirements of the local comprehensive plan, the local government's concurrency management system, and F.S. 380.06, when applicable, if:

- a. The applicant enters into a binding agreement to pay for or construct the proportionate share of required improvements.
- b. The proportionate-share contribution or construction is sufficient to accomplish one or more mobility improvements that benefits a regionally significant transportation facility.
- c. (I) The landowner will be assessed a proportionate share of the cost of providing the transportation facilities necessary to serve the proposed development. Applicant's are not responsible for the additional cost of reducing or eliminating deficiencies.  
(II) An applicant will not be required to pay or construct transportation facilities whose costs are greater than a development's proportionate share of the improvements necessary to mitigate the development's impacts.
  - (A) The proportionate-share contribution will be calculated based upon the number of trips from the proposed development expected to reach roadways during the peak hour from the stage or phase to be approved, divided by the change in the peak hour maximum service volume of roadways resulting from construction of an improvement necessary to maintain or achieve the adopted LOS, multiplied by the construction cost, at the time of development payment, of the improvement necessary to maintain or achieve the adopted LOS.
  - (B) In using the proportionate-share formula provided in this subparagraph, the traffic analysis must identify the roads or facilities that have a transportation deficiency as defined in the glossary. The proportionate-share formula in this subparagraph will be applied only to those facilities determined to be significantly impacted by the project traffic under review. If any road is determined to be deficient without the project traffic under review, the costs of correcting that deficiency will be removed from the proportionate-share calculation and the necessary transportation improvements to correct the deficiency will be considered in place for purposes of the proportionate-share calculation. The improvement necessary to correct the transportation deficiency will be the funding responsibility of the entity that has maintenance responsibility for the facility. The development's proportionate share will be calculated only for the needed transportation improvements that are greater than the identified deficiency.
  - (C) When the provisions of this subparagraph have been satisfied for a particular stage or phase of development, all transportation impacts from

*that stage or phase for which mitigation was required and provided will be deemed fully mitigated in the transportation analysis for a subsequent stages or phases of development. Trips from previous stages or phases that did not result in impacts for which mitigation was required or provided may be cumulatively analyzed with trips from a subsequent stages or phases to determine whether an impact requires mitigation for the subsequent stage or phase.*

*(D) In projecting the number of trips to be generated by the development under review, any trips assigned to a toll-financed facility will be eliminated from the analysis.*

*(E) The applicant will receive a credit on a dollar-for-dollar basis for impact fees, mobility fees, and other transportation concurrency mitigation requirements paid or payable in the future for the project. The credit shall be reduced up to 20 percent by the percentage share that the project's traffic represents of the added capacity of the selected improvement, or by the amount specified by the LDC, whichever yields the greater credit.*

***POLICY 2.4.2:*** *The Proportionate Fair Share Program does not apply until a deficiency has been identified through the County's Concurrency Report.*

***POLICY 2.4.3:*** *Amend the LDC to include methodologies for the calculation of proportionate fair share contributions to enable developers to satisfy transportation concurrency requirements.*

***POLICY 2.4.4:*** *Annually review and update, as necessary, the Capital Improvement Element to reflect proportionate fair share contributions received pursuant to the program.*

#### ***TRANSPORTATION CONCURRENCY OPTION - END***

**OBJECTIVE 2.2: Constrained Roads.** Certain roadway segments will be deemed "constrained" due to scenic, historic, environmental, aesthetic, and right-of-way characteristics and considerations and will not be widened to increase motor vehicle capacity. Reduced motor vehicle peak hour LOS will be accepted on those constrained roads as a trade-off for the preservation of the scenic, historic, environmental, and aesthetic character of the community. Constrained roads are identified in Table 2(a).

**POLICY 2.2.1:** An Operational Improvement Program is established for the constrained roads identified in Table 2(a). The program identifies operational and capacity enhancing improvements capable of implementation within the context of a constrained system. Operational and capacity enhancing improvements may include adding transit facilities, bicycle lanes, paved shoulders, sidewalks, and motor vehicle turn lanes. The Operational Improvement Program for constrained roads is identified in Table 2(b).

**POLICY 2.2.2:** Develop a list of deficient roadways identifying roadway segments (transportation facilities) existing or projected to operate below the adopted LOS.

**OBJECTIVE 2.3: Transportation Maps.** Maintain and implement an integrated series of maps that provide a graphical depiction of the policies and programs for transportation facilities in this plan.

**POLICY 2.3.1:** Review the adopted Transportation Map Series every two years, and amend maps as necessary.

**POLICY 2.3.2:** Construction of new and improved transportation facilities will be based on a prioritized list of the improvements needed to create the network depicted in the Transportation Map series. Develop and update the list annually consistent with the policies in Capital Improvements Program.

**POLICY 2.3.3:** Incorporate the MPO's Long Range Transportation Plan Map (LRTP), and Bicycle and Pedestrian Master Plan (BPMP) series, as most recently amended, into the Lee Plan. The current adopted version of the following LRTP and BPMP Maps are included in this plan:

- a. The Transit Needs Network (LRTP Figure 8-1);
- b. The Cost Feasible Transit Network (LRTP Figure 12-4);
- c. Lee County Highway Needs Plan (LRTP Figure 10-1);
- d. The Cost Feasible Needs Network (LRTP Figure 12-3, most recently amended);
- e. The Feasible Pathways Network (LRTP Figure 12-5);
- f. Primary Network Needs Map (BPMP Exhibit WW);
- g. Secondary Network Needs Map (BPMP Exhibit WW);
- h. Pedestrian Priority Needs Map (BPMP Exhibit ZZ);
- i. Bicycle Priority Needs Map (BPMP Exhibit AAA); and
- j. Prioritized Needs Plan Table (BPMP Exhibit BBB).

**POLICY 2.3.4:** Include a Future Functional Classification Map in the Transportation Map series to identify the future functional classification of transportation facilities in county land development regulations. Identify the existing classification of transportation facilities further in an Administrative Code.

**POLICY 2.3.5:** Incorporate the Cost Feasible Transit Plan Map from the Transit Development Plan and the future mass transit facilities from the Transit Vision Plan in the Future Transportation Map series.

**POLICY 2.3.6:** Develop an interconnected pedestrian and bicycle system through the development of facilities consistent with the Pedestrian and Bicycle Facilities map series and the Greenways Multi-Purpose Recreational Trails Master Plan. Implementation of the system reflected in the transportation map series will include the incorporation of bicycle/pedestrian facilities into: 1) projects identified in the transportation and transit capital improvements plan (CIP); 2) requirements for new development to install

facilities; 3) federal and state grant applications; and 4) annual county funding of improvements.

**OBJECTIVE 2.4: Planning and Development Tools.** Establish a set of planning and development tools—including the LDC, plans and studies, and development practices—to achieve the county’s goal of establishing a comprehensive, multimodal transportation network.

**POLICY 2.4.1:** Implement planning and development strategies and practices to address concerns related to mixed-use form, multimodal transportation design, and walkable communities through:

- a. Long-term strategies regarding multimodal alternatives, traffic calming, safe streets, urban design, land use mixes, and appropriate intensity and density standards;
- b. Area wide LOS standards not dependent on any single road segment function;
- c. Reduced transportation-related development fees to promote development within infill, redevelopment, mixed-use, and urban areas; multimodal transportation districts; or for affordable or workforce housing;
- d. Prioritization of pedestrian, bicycle, and transit facilities in areas designed for walkability, mixed-use, and community connectivity;
- e. Multimodal connections to existing and planned transit facilities; and
- f. Context-oriented transportation requirements based on specific geographic locations and community character place types.

**POLICY 2.4.2:** Require the interconnection of adjacent developments in the LDC. Where a developer proposes private local streets with access control, an alternate means of interconnection may be proposed provided the means does not require all local traffic to use the arterial network. Design interconnections to implement traffic calming.

**POLICY 2.4.3:** Establish and implement parking regulations that consider the context of the community when determining parking needs. Motor vehicle and bicycle parking will be specified in the LDC for:

- a. Urban and mixed-use centers: options including on-street parking, shared parking, off-site public parking, and on-site parking up to a maximum;
- b. Suburban areas: on-site parking standards with minimum and maximum parking amounts with reductions for shared and bicycle parking, transit connections, and pedestrian access;
- c. Rural areas: on-site parking meeting minimum standards.

**POLICY 2.4.4:** Implement land development regulations that require developers to provide and maintain the following multimodal features, as needed:

- a. Safe and accessible pedestrian facility connections;
- b. Bicycle storage areas and facilities;
- c. Bus shelters with route information displays; and
- d. Bus accommodations such as dedicated transfer/loading areas, adequate lane widths and turnarounds.

**POLICY 2.4.5:** Implement LDC regulations that ensure adequate fire and rescue access. New development with greater than ten residential parcels will provide a minimum of two access points to the development.

**POLICY 2.4.6:** By 2013, develop a pedestrian and bicycle safety action plan to identify and evaluate road segments and intersections with recurring pedestrian and bicycle accident patterns. Identify contributing factors, safety improvements, and transportation practices that would reduce the number and severity of crashes. The target is to reduce bicycle and pedestrian crashes by 20 percent in successive five-year periods.

**POLICY 2.4.7:** Incorporate innovative safety-oriented transportation measures and design features into planning documents, the LDC, and facility designs to improve safety conditions on all travel modes for all users. Development regulations for design will focus on safety.

**POLICY 2.4.8:** Through the zoning process, direct high-intensity land uses to parcels that abut designated future transit corridors identified in the transportation map series.

**POLICY 2.4.9:** Utilize the Lee County Transit Development Plan to enhance and improve the county's transit system so that it becomes a highly valued transit system that attracts a variety of users through the following practices:

- a. Evaluate enhancements to existing fixed route services;
- b. Develop fixed route service alternatives such as Flex Routes, Circulator Routes, High Occupancy Vehicle Lanes, Dedicated Transit Lanes, and Bus Rapid Transit;
- c. Transit ridership surveys that assess and identify changes in ridership profiles preferences and needs;
- d. Conduct a route and stop by stop analysis to determine functionality and adequacy of meeting transit customer needs; and
- e. Assess existing problems and needs.

**POLICY 2.4.10:** Complete a Comprehensive Operations Analysis every ten years to provide a complete understanding of existing transit service, its customers, and their needs.

**POLICY 2.4.11:** Enhance the multimodal transportation system and consider both roadside and median plantings through landscape practice and procedures adopted as part of the LeeScape Master Plan and LDC. The county's landscape practices and procedure will provide for:

- a. Median plantings that emphasize tree canopy, high visibility, shade, and an overall foundation for site design;
- b. Roadside plantings with a primary purpose of providing a fifty percent tree canopy in urban and mixed-use areas by 2035, to provide shade for transit riders, bicyclists and pedestrians;

- c. Increased emphasis of roadside landscape development and maintenance in urban, suburban, and mixed-use areas;
- d. Landscaping levels that will include a “core level” and enhanced options that may be added to projects over time; and
- e. Road cross-sections that consider safety, beauty, and Florida-Friendly design that minimizes maintenance burdens.

**OBJECTIVE 2.5: Babcock Ranch Community.** Minimize the development impacts of the Babcock Ranch Community (BRC) in Charlotte County on the Lee County transportation system, with the goal of protecting the rural nature of northeastern Lee County, and to assure the transportation impacts in Lee County, generated by the Babcock Ranch Community (BRC) approved in Charlotte County, are funded entirely by the BRC Independent Service District (ISD) or other BRC related funding mechanism. In addition, to provide a process by which these identified improvements are added to the Lee Plan Transportation Map Series and the Capital Improvement Program (CIP).

**POLICY 2.5.1:** Lee County views as a priority the proposed East-West Connector roadway and related interstate interchange and any other transportation/mobility improvements that will minimize the impacts in Lee County from the development of the BRC in Charlotte County. Support the use of the Lee County and Charlotte County MPO plan update processes in a comprehensive, coordinated, cooperative fashion to consider the need for, and location of, an East-West Connector roadway and related interstate interchange, as well as evaluation of transportation alternatives that might serve the projected need related to development of the BRC while minimizing the impacts to the rural nature of northeast Lee County. Upon inclusion in the MPO plan(s), funding for the East-West Connector roadway or transportation/mobility alternatives will be allocated in accordance with Policy 2.5.3(c) below.

**POLICY 2.5.2:** The comprehensive transportation analysis of the BRC has identified the potential need for numerous transportation/mobility improvements in Lee County. In order to address the impacts of the development of the BRC in Charlotte County, additions to the Lee Plan Transportation Map Series and the CIP may be necessary.

- a. Lee County does not have the responsibility to fund the capital transportation/mobility improvements required by the development of the BRC in Charlotte County; and
- b. As contemplated in the Interlocal Planning Agreement dated March 13, 2006, and the Babcock Ranch Community Road Planning Agreement dated May 23, 2006, the capital transportation/mobility improvements required by the development of the BRC will be funded entirely by the BRC Independent Service District (ISD) or other BRC related funding mechanism (hereinafter the Developer).

**POLICY 2.5.3:** Analysis of the development of the Babcock Ranch Community in Charlotte County identified potential transportation/mobility improvements beyond the financially feasible improvements currently reflected in the Lee Plan Transportation Map

Series; therefore future amendments to the Lee Plan Transportation Map Series related to the BRC will be consistent with the procedures set forth below:

- a. The funding necessary to construct the transportation/mobility improvements resulting from BRC development may exceed the proportionate share contribution anticipated from the BRC DRI increments. Developer contributions exceeding the DRI proportionate share assessment for a given increment may be necessary to satisfy the financially feasible standard required to support an amendment to the Lee Plan Transportation Map Series, as well as future amendments to the CIP.
- b. Prior to Lee County amending the Lee Plan Transportation Map Series and the CIP to include specific BRC-related transportation/mobility improvements, the ISD, or other BRC-related funding mechanism, will have to commit to fully funding these improvements if the proportionate share assessment does not fully fund these identified improvements.
- c. Developer contributions in excess of its DRI proportionate share assessment may be applied directly toward identified improvements through pipelining. The funding necessary to justify inclusion in the Lee Plan will be delivered via development agreements, interlocal agreements, or other mechanisms acceptable to Lee County, which mechanisms will coincide with each increment of the BRC. Upon execution of a development agreement, interlocal agreement, or other mechanism acceptable to Lee County providing for full funding of the identified transportation/mobility improvement, the County will include the transportation/mobility improvement on the Lee Plan Transportation Map Series and the transportation/mobility improvements will be included in the Capital Improvements Program (CIP) as funded by developer contributions.
- d. Failure of the developer of the BRC to fully fund the transportation/mobility improvements necessary to serve the BRC will prevent the inclusion of those transportation/mobility improvements as amendments to the Lee Plan Transportation Map Series and the CIP.

**POLICY 2.5.4:** In recognition of the environmentally sensitive nature of the area, any transportation/mobility improvements in Lee County or within two miles of the Lee County border must include an analysis of the location and design of wildlife crossings. The wildlife crossings must be coordinated with federal, state and local agencies including: South Florida Water Management District (SFWMD), Florida Fish and Wildlife Conservation Commission (FWC), Charlotte County, U.S. Fish and Wildlife Service (USFWS), and Lee County Division of Environmental Sciences.

**GOAL 3: TRANSPORTATION INFRASTRUCTURE SYSTEM.** Establish a comprehensive multimodal transportation system that is well-managed, funded, and planned.

**OBJECTIVE 3.1: Infrastructure Demands and Priorities.** Ensure that site location, functional design, and services of future infrastructure projects address environmental, financial, and community development concerns of all users and all modes.

**POLICY 3.1.1:** Provide for the infrastructure and service needs and demands of pedestrians, bicyclists, transit users, and motor vehicle users by addressing the demands and priorities regarding the use, function, and operations of the county’s transportation system. Consistent with the transportation map series, future transportation infrastructure will focus on:

- a. Improved connectivity and integration of transportation facilities;
- b. Development of diverse and interconnected public spaces that improve access and connectivity within local neighborhoods, economic centers, and civic areas;
- c. Improvements to the right-of-way for transit, bicycling and walking;
- d. Equitable distribution of transportation infrastructure, amenities and services to ensure local community needs are met and county-wide connectivity is improved;
- e. Infill and redevelopment of established transportation corridors and public resources;
- f. Improved roadways by directing vehicular access to interconnections, shared driveways and adjacent streets, and minimizing direct arterial connections;
- g. Traffic calming measures that improve roadway conditions, safety, and accessibility;
- h. Increased use of transit, bicycle, and walking for all trip types as well as reduced dependency upon vehicles for local commutes, errands, and social trips based upon estimates of latent demand for facilities; and
- i. Providing alternative transportation services within existing right-of-ways.

**POLICY 3.1.2:** Evaluate future infrastructure improvements including the following considerations:

- a. Need and demand for expansion of existing facilities;
- b. Expansion of other transportation alternatives and available system capacity;
- c. Allowance of peak period congestion; and
- d. Alternative improvements as part of a “no build option”.

**POLICY 3.1.3:** Improve the county’s character, facilitate the development of mixed-use areas, and promote the redevelopment of older development areas through transportation projects that:

- a. Support the character and improve the connectivity of the surrounding community;
- b. Better link land uses between arterials and major collectors;
- c. Expand multimodal system alternatives and improve existing transportation facilities;
- d. Improve safety for pedestrians and bicyclists and accessibility needs of all people consistent with the Public Right-of-Way Accessibility Guidelines;
- e. Improve the grid network by improving connections and bridging gaps within transportation infrastructure systems;
- f. Minimize the number of displaced businesses and residences;
- g. Incorporate stormwater facilities into community amenities; and

- h. Avoid the alignment of new arterials or expressways that penetrate or divide established residential neighborhoods with high bicycle and pedestrian use except where no feasible alternative exists.

**POLICY 3.1.4:** Promote increased transportation connections throughout the county by implementing a system of parallel reliever transportation facilities for use by local traffic in order to protect the inter-regional and intrastate travel functions of I-75.

**POLICY 3.1.5:** Construction of a new road or street may only be implemented by the county in suburban or rural areas when:

- a. Providing improved connectivity to or between designated future urban areas and it is specifically identified in the transportation map series;
- b. Specifically identified in a LDC Chapter 32 regulating plan street network; or
- c. Total project costs are fully reimbursed by MSTU/MSBUs or a similar funding mechanism initiated by property owners.

**POLICY 3.1.6:** Implement a landscaping program for county maintained roadways utilizing the guidelines for design implementation and long term maintenance set forth in the Roadway Landscape (LeeScape) Master Plan and Lee County LDC.

**POLICY 3.1.7:** Prioritize bicycle and pedestrian improvements by improving connectivity to transit stops. Encourage the construction of pedestrian facilities within ½ mile walking distance of a transit stop and bicycle facilities within 1 mile of a transit stop. Prioritize connections to premium transit service such as intermodal transfer stations, BRT, and fixed routes utilized as transfer locations between routes.

**POLICY 3.1.8:** By the year 2025, expand fixed-route service and frequencies to develop and maintain headways of 15 minutes or less for public transit for regional mixed-use centers, 20 minutes or less for urban areas such as central Fort Myers and Cape Coral, and 40 minutes or less for other major centers of employment, airports, shopping, medical, educational, and recreation centers.

**POLICY 3.1.9:** Promote the use of transit by improving services and linkages between outlying suburban communities and large employment and economic centers through the development and expansion of:

- a. Park and ride lots;
- b. Multimodal transfer facilities;
- c. Various ridesharing techniques;
- d. Inter-county transit services;

- e. Convenient transit schedule; and
- f. Para-transit service.

**POLICY 3.1.10:** Increase transit services through scheduled service improvements that accommodate high-use populations including college students, elderly, persons with disabilities, and others. Coordinate transit services with local, regional, and state public and private agencies that serve such persons in order to ensure the appropriate services are put in place to serve targeted populations.

**OBJECTIVE 3.2: Fiscally Sound Transportation Infrastructure System.** Establish a well-managed and operated multimodal transportation system by establishing objective, predictable, and fiscally sound transportation budgeting, planning, and development practices.

**POLICY 3.2.1:** Develop and implement a transportation funding strategy that uses a variety of new and existing funding resources, options, and programs (e.g.: Capital Improvement Program, user fees and tolls, private financing and developer contributions, grants, and other transportation funding mechanisms) to construct and maintain current and future transportation infrastructure components.

**POLICY 3.2.2:** Ensure that transportation revenue sources are economically stable by developing and maintaining a long-term transportation funding strategy to implement the following transportation priorities:

- a. Provision of complete streets that include a variety of pedestrian, bicycle, transit, and vehicular facilities;
- b. Protection of community and neighborhood integrity through context-oriented transportation services, functions, and design;
- c. Increased connections and improved linkages between different community areas;
- d. Promotion of physical activity, healthy lifestyles, and safe streets;
- e. Development of better integrated mixed-use and urban areas; and
- f. Implementation of the transit development plan.

**POLICY 3.2.3:** Provide the transit, bicycle, and pedestrian facilities identified on the transportation map series through capital and privately initiated improvements including street and road extensions, additional lanes and turn lanes, new connections, street reconstruction, and resurfacing.

**POLICY 3.2.4:** Support the development of a well-functioning and funded intra-state transportation system, to connect people and goods to other people, places, and markets

within the county, region, and state by participating in the funding and planning of improvements to state roads.

**POLICY 3.2.5:** Establish a capital improvements program (CIP) that assists in the budgeting and implementation of transit, pedestrian, bicycle, and motor vehicle improvement projects. CIP priorities will be determined based upon input received from advisory committees, stakeholders, and interdepartmental staff based upon the project ability to improve the overall function of the county's transportation system and to:

- a. Provide a variety of transportation options and improve connectivity throughout the county;
- b. Implement established local community planning priorities and community identified projects. Community funded projects (e.g.: grants, private contributions, MSTU/MSBU, and other sources) may be assigned a higher priority;
- c. Improve high-hazard crash locations and structural and non-structural improvements to mitigate hazards that reduce the number and severity of all crashes;
- d. Fund the Traffic Signal/Intersection Improvement program to make the transportation system safer and more efficient; and
- e. Fund transportation improvements related to traffic calming, transit stops, trails and greenways, pedestrian facilities, bicycle facilities, complete street initiatives, roadway access, and other transportation needs.

**POLICY 3.2.6:** Further direct transportation infrastructure improvements and maintenance with priorities based on CIP policy and the following hierarchy of evacuation routes and the future land use map:

- a. Hurricane evacuation routes on Map 3\_(old 3H);
- b. Regional mixed-use centers;
- c. Urban areas;
- d. Suburban mixed-use areas;
- e. Rural mixed-use areas;
- f. Suburban areas; and
- g. Rural areas.

**POLICY 3.2.7:** Ensure that private development contributes to a comprehensive multimodal system that meets the travel needs of the entire county and mitigates the impacts their development has on the county's transportation infrastructure system.

**POLICY 3.2.8:** Develop and maintain standards, criteria, and fees to equitably define developers' obligations and costs associated with the development for necessary site-

related and off-site improvements. Lee County policy guidelines and techniques to address potential impacts of development will address:

- a. Site-related impacts on the public road system must be funded by new development. The site-related improvements are not eligible for credit against the proportionate share payment of transportation impacts;
- b. Provisions that allow development agreements with developers and landowners who commit to provide improvements to public facilities beyond those required by the Lee Plan and other county regulations;
- c. Protection of existing and planned transportation corridors to meet state standards for future multimodal improvements consistent with the Transportation Map series;
- d. Requirements to provide access to existing or planned public transportation facilities and connections to adjacent existing or planned pedestrian and bicycle facilities; and
- e. Need to ensure proposed development within municipalities construct or pay for improvements to access county maintained transportation facilities as a condition of permit approval. Improvements may also include transit, bicycle, and pedestrian facilities along their frontage.

**POLICY 3.2.9:** Implement an effective and fair system of mobility fees, impact fees, or similar mechanisms to ensure that development creating impacts on transportation facilities pays a fair share of the costs to mitigate its (off-site) impacts. Issue credits against future fees consistent with county development practices and procedures.

**POLICY 3.2.10:** Roadway and intersection improvements mandated by development orders will be determined on the basis of demonstrated need resulting in part or in total from the impacts of that development. These improvements will be based on roadway and intersection improvement needs resulting from new development and will not be limited by jurisdictional responsibility for specific road segments. The use of Road Impact Fee revenues to improve state roads is an acceptable application of those funds.

**POLICY 3.2.11:** In order to acquire rights-of-way and complete the construction of the transportation facilities designated on the Transportation Map series, adopt regulations to encourage voluntary dedications of land and construction by developers as described below:

- a. Encourage voluntary dedication of rights-of-way necessary for streets, transit facilities, bicycle facilities, pedestrian facilities, and landscaping installations that are proposed to be county maintained;
- b. Encourage voluntary construction of transportation facilities that lie within or abut the development; and

- c. Grant Mobility, Park, or Roads Impact Fee credits consistent with the provisions of the Lee County LDC.

**POLICY 3.2.12:** Establish MSTUs/MSBUs to implement and maintain transportation facilities through innovative means to fund complete streets improvements for transit, bicycle, and pedestrian facilities, or maintain transportation facilities above the established LOS. Establish MSTUs/MSBUs to correct deficiencies in specific areas or neighborhoods. Regularly review MSTUs/MSBUs to determine whether existing units can be eliminated or new units should be created.

**POLICY 3.2.13:** Review on a regular basis and update all user fee revenue sources, such as tolls, mobility fees, and roads impact fees. Adopt the programs that reflect travel characteristics, construction and right-of-way costs. Determine if capital impacts and maintenance costs are met by the fees and if the fees are economically sustainable and applied fairly.

**POLICY 3.2.14:** Designate various transportation facilities (e.g.: causeways, expressways, bridges, arterials, and major collectors) as toll facilities and utilize toll revenues for operation and construction of those facilities. Employ efficiency measures such as the institution of automated toll collection and the Variable Pricing Program to encourage reduced-peak usage of toll facilities.

**POLICY 3.2.15:** Seek out new and innovative funding to supplement public funding for transit operations and cooperate with the private sector to increase privately funded transit service, especially in areas with large seasonal populations.

**POLICY 3.2.16:** Promote street connectivity by discouraging the use of dead-end streets that create inefficiencies in the transportation network by preventing the development of a connected, grid street network. Utilize the following practices to discourage the development of dead-end streets:

- a. Include connectivity criteria as a requirement for acceptance of private roads for county maintenance;
- b. Place a low priority on resurfacing and maintenance of dead-end local streets and encourage adjacent property owners to take on the maintenance responsibility;
- c. Implement reduced design standards, such as reduced width, for very low volume dead-end local streets; and
- d. Resurface and repair dead-end local streets to the reduced design standard or where feasible, connect to other transportation facilities.

**POLICY 3.2.17:** Explore joint funding mechanisms (such as an MSTU/MSBU) to pay for the widening of Alico Road east of Ben Hill Griffin Parkway to encourage economic development in the Alico Road area. Require properties that generate traffic on the segment of Alico Road east of Ben Hill Griffin Parkway that have not already fully mitigated traffic impacts to participate in the funding mechanism. Participation will be creditable against future road impact fees or DRI proportionate share obligations consistent with County regulations. Property that was subject to CPA2009-01 agreed to donate 75 feet of right-of-way along the entire frontage of Alico Road without compensation. The donation of right-of-way along Alico Road from that property will not be creditable against road impact fees or DRI proportionate share obligations. To facilitate large truck movement and volumes, consider designation of Alico Road east of I-75 as a controlled access facility.

**OBJECTIVE 3.3: Environmental Impacts.** Diminish the negative impacts transportation facilities and systems have on natural environments by maximizing existing transportation facilities, promoting clean transportation alternatives, and utilizing TDM strategies to effectively manage transportation systems and resources.

**POLICY 3.3.1:** Develop and maintain an environmentally sensitive transportation system including consideration of the following practices:

- a. Alternative transportation modes that diminish the need for increased road capacity and vehicular trips. Coordinate the development of such facilities with the Lee County Bikeways/Walkways Facilities Plan, The Transit Development Plan, and Lee County Greenways Master Plan.
- b. Promotion of alternative fuel vehicles, mixed-use developments, walkable and bikeable communities, and transit to conserve energy, reduce air pollution, and manage natural resources;
- c. Transportation infrastructure that utilizes sustainable or recycled materials, uses innovative design techniques and technologies, stormwater areas as community amenities; and energy efficient components such as street lighting, traffic signals, and roundabouts;
- d. Reduce heat island effects by minimizing paved surface areas and maximizing planting areas with native canopy trees and other vegetation;
- e. TDM strategies to effectively manage transportation systems and resources, minimize system delays, reduce vehicle miles-traveled, and contain greenhouse gas emissions;
- f. Conversion of transit vehicles from diesel propulsion systems to alternative fuels or hybrid propulsion systems;
- g. Location of archaeological sites, which will not be destroyed unless full recovery of data and artifacts is included in the process; and
- h. Protection of natural habitats and protected or listed species.

**POLICY 3.3.2:** New roads or expansion of existing facilities will not be extended through environmentally critical areas except in instances of overriding public interest and unless:

- a. It is the only feasible route within mixed-use and urban areas;
- b. The crossing is culverted or bridged to the greatest degree possible, maintaining predevelopment volume, direction, distribution, and surface water hydroperiod consistent with county standards and providing adequate wildlife corridors; and
- c. Equivalent mitigation is provided in basin and in jurisdiction as the first preferred option.

**POLICY 3.3.3:** Include an environmental impact assessment (EIA) in the design phase of new or improved arterial and collector roads that affect protected or listed species habitat, wetland systems, or estuarine water bodies. Ensure an EIA addresses impacts on historic structures, archaeological resources, and environmentally critical areas.

**POLICY 3.3.4:** Consider the safe passage of wildlife across new or reconstructed county roads.

**POLICY 3.3.5:** Support low-carbon and high resource-efficiency transportation options through the development of supporting infrastructure, fuel purchasing, and local fuel production.

**OBJECTIVE 3.4: Intergovernmental Coordination.** Utilize intergovernmental partnerships to provide well-coordinated transportation services that meet the needs of all users and all modes. In particular, the county will work with the Lee County Port Authority, Lee County Metropolitan Planning Organization (MPO), Southwest Florida Regional Planning Council (SWFRPC), Florida Department of Transportation (FDOT), Federal Highway Administration (FHA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA), United States Department of Transportation (USDOT), surrounding counties, and the cities of Sanibel, Cape Coral, Fort Myers Beach, Bonita Springs, and Fort Myers.

**POLICY 3.4.1:** Coordinate land use decisions and permitting processes affecting county and state transportation facilities with municipalities and FDOT.

**POLICY 3.4.2:** Promote non-motorized transportation greenway and blueway projects throughout the county. Coordinate multi-use trail projects whenever feasible with LCDOT and other agencies with jurisdiction over facilities identified in the transportation map series and the Greenways Master Plan (Map 22).

**POLICY 3.4.3:** Work with the MPO to plan, manage, and fund the development of a multimodal transportation system. Implement the efforts that result for this collaborative effort through the:

- a. Consideration of improvements identified through the MPO's Congestion Management System (CMS); and
- b. Amendment of the Lee Plan map series are incorporated into the MPO Plan so that the two plans remain consistent.

**POLICY 3.4.4:** Encourage municipalities to maintain a roads impact fee, mobility fee or similar program or to participate in the county's program.

**POLICY 3.4.5:** Improve transit services and provide for the needs of specific, targeted transit rider populations by coordinating transit services with the Lee County Port Authority, School District of Lee County, Florida Gulf Coast University, Edison College, Lee County Government, MPO, FDOT, Federal Transit Administration, and local employers, public service entities, and local governments.

**Portions of Goal 4: Aviation, are also being reviewed as a separate Comprehensive Plan Amendment (CPA2011-00022, Hazardous Wildlife Attractant Update). Any revisions to goals, objectives, and policies will be reflected in this document following transmittal of CPA2011-00022.**

**GOAL 4: AVIATION.** Develop and maintain a coordinated system of aviation facilities to facilitate the safe, cost-effective, and efficient movement of commerce consistent with community values and economic objectives.

**Objective 4.1. Southwest Florida International Airport.** SWFIA is the only commercial Service Airport in Lee County and is a major economic driver in the region. Given the valuable role the airport plays it is imperative to provide protections for the development and expansion of aviation and non-aviation related uses at SWFIA while ensuring surrounding development is compatible with growing demand of aviation in Lee County.

**POLICY 4.1.1:** SWFIA includes airport and airport-related development as well as non-aviation land uses. This mix of uses is intended to support the continued development of the SWFIA. The intensity of the proposed aviation and non-aviation land uses at SWFIA must be consistent with the Airport Layout Plan (Map 3F) and Lee Plan Table 5(a). Map 3F depicts the planned expansion of the SWFIA through 2020.

**POLICY 4.1.2:** Future airport expansion or development of aviation-related and non-aviation uses at SWFIA will offset environmental impacts through the Airport Mitigation Lands Overlay (Map 3M) or other mitigation.

**POLICY 4.1.3:** The SWFIA Master Plan and Airport Layout Plan will be updated as required by the FAA, or as determined by the Lee County Port Authority. If the airport master planning process precipitates a substantive change to the Airport Layout Plan (Map 3F), then the Port Authority must amend Map 3F, prior to obtaining local development approval. The non-aviation related development areas have been depicted on the approved Airport Layout Plan sheets (Maps 3F). These uses will be constructed upon Airport lands with long term leases.

**POLICY 4.1.4:** Development within the non-aviation area, as designated on Map 3F, is limited to a maximum of 300 acres north of runway 6-24 and approximately 52 acres within the midfield terminal area. All development must be in compliance with Map 3F and the intensities outlined in Table 5(a). Development of additional acreage will require prior Lee Plan amendment approval.

**POLICY 4.1.5:** Future airport expansion or development of aviation-related or non-aviation related uses will provide buffer areas, as determined by Lee County, for the protection of groundwater resources in the Southeast and Northeast quadrants of the airport property.

**POLICY 4.1.6:** Design wetland mitigation for future expansion of aviation or non-aviation uses on Airport Lands so that it does not create wildlife hazards. Development and land management practices on airport property will be in accordance with FAA directives and other agency approvals.

**OBJECTIVE 4.2: Page Field General Aviation Airport.** Page Field General Aviation Airport plays a vital role as a reliever airport facility to SWFIA. In its role as a reliever airport, Page Field reduces general aviation traffic from SWFIA, thereby increasing the capacity and efficiency of SWFIA. This designation should include adequate land to accommodate the projected growth needs of Page Field General Aviation Airport in its continued role as an airport reliever, including the industrial, commercial and office uses necessary to continue viable aviation activity through 2025.

**POLICY 4.2.1:** In order to create the revenue source necessary to maintain Page Field General Aviation Airport as a viable aviation operation and reliever to SWFIA, the Port Authority seeks to establish non-aviation uses on the Page Field General Aviation Airport property. Suitable locations for these non-aviation uses are designated on the Page Field Airport Layout Plan adopted as Lee Plan Map 3G. The Page Field Airport Layout Plan sheet (Map 3G) was adopted by the FAA as part of the 2002 Page Field Airport Master Plan Update. This update and documents comprising the 2002 Master Plan approval are incorporated into the Lee Plan by reference as support for adoption of Map 3G and Table 5(b).

**POLICY 4.2.2:** Page Field General Aviation Airport includes airport and airport-related development as well as non-aviation land uses. This mix of uses is intended to support the continued development of Page Field General Aviation Airport. The intensity of the

proposed aviation and non-aviation land uses must be consistent with the Airport Layout Plan (Map 3G) and Lee Plan Table 5(b) and will be required to comply with the Lee County LDC regulations, including, but not limited to, the impact fee regulations. Map 3G depicts the planned expansion of the SWFIA through 2020.

**POLICY 4.2.3:** If the Port Authority determines expansion of the Page Field General Aviation Airport boundaries is necessary in order to provide continued viability to Page Field as a reliever to SWFIA, then the Port Authority will submit to the BOCC the application and support documentation to amend Map 3G Table 5(b) and the Future Land Use Map to reflect the land added to Page Field General Aviation Airport.

**POLICY 4.2.4:** Environmental mitigation deemed necessary to support development of Page Field General Aviation Airport property will be addressed separately by each development project and is not entitled to claim a benefit from the Airport Mitigation Lands Overlay area (Map 3M).

**POLICY 4.2.5:** The Page Field Airport Master Plan and Airport Layout Plan will be updated as required by the FAA, or as determined by the Lee County Port Authority. A comprehensive plan amendment will be submitted by the Port Authority to update Map 3G and Table 5(b) to reflect the updated Page Field Master Plan as approved. The planning horizon used for the master plan update should be consistent with the Lee Plan Horizon, which can be verified by Lee County as part of the Master Plan Update process. Lee County staff will be included in the Master plan update process as required under the terms of the existing memorandum of understanding regarding airport development.

**POLICY 4.2.6:** If the airport master planning process precipitates a substantive change to the Airport Layout Plan (Map 3G), then the Port Authority must amend Map 3G prior to obtaining local development approval. The non-aviation related development areas have been depicted on the approved Airport Layout Plan sheets (Map 3G). These uses will be constructed upon Airport lands with long term leases.

**OBJECTIVE 4.3: Economic Growth.** To aid in the diversification of the county's economic growth the capacity and long term development of the SWFIA and Page Field General Aviation Airport will be expanded in compliance with Maps 3F and 3G, and Table 5(a) and 5(b). Specific project implementation and approval of the proposed development will be coordinated through the annual Capital Improvement Program process and be consistent with the Airport Layout Plans (Map 3F and 3G). These expansions will be funded through user fees, airline contributions, and other funding sources not involving general county tax dollars. The Port Authority will strive to minimize impacts to surrounding land uses while maintaining a safe and efficient facility for airport operations.

**POLICY 4.3.1:** The Port Authority will coordinate the implementation of scheduled infrastructure and facility improvements for the SWFIA and Page Field General Aviation Airport consistent with the approved Airport Layout Plan sheets (Map 3F and Map 3G, respectively) and the Development Schedules (Table 5(a) and (b), respectively).

**POLICY 4.3.2:** The development potential of SWFIA will continue to be protected by the acquisition of additional land for runway and taxiway, road access, storm water management, and environmental mitigation use, consistent with the adopted Airport Master Plan and the Port Authority's Capital Improvement Program.

**POLICY 4.3.3:** The Port Authority will continue to expand existing and proposed aviation facilities such as the terminal building, airport aprons, cargo facilities, roadways and parking in order to meet the forecasted demand.

**POLICY 4.3.4:** The Port Authority will continue to investigate commercial and industrial potentials at Page Field General Aviation Airport and at SWFIA through market surveys and the solicitation and receipt of acceptable proposals for land lease at fair market value as well as efforts to cultivate public/private partnerships in pursuing this potential.

**POLICY 4.3.5:** The Port Authority will capitalize on its Port of Entry and Foreign Trade Zone status to encourage economic diversification. This will be accomplished by actively: (1) seeking to increase international commerce movement; (2) implementing an international marketing program designed to increase tourist activity; (3) continuing planning efforts to ensure availability of adequate airport facilities to accommodate increases in international air traffic; and, (4) pursuing development of international corporate activity.

**OBJECTIVE 4.4: Development Compatibility.** Together with the Port Authority, evaluate development proposals for property located within the vicinity of existing aviation facilities to ensure land use compatibility, to preclude obstructions to aircraft operations, and to protect airport capacities.

**POLICY 4.4.1:** The safety of aircraft operators, aircraft passengers, and persons on the ground will guide the Port Authority in the operation of county airports, and hazardous wildlife attractants on or near the airports will be avoided.

**POLICY 4.4.2:** Coordinate with the Port Authority to ensure that regulations in the Lee County LDC restrict land uses in areas covered by the Airport Noise Zones (ANZ) to those uses that are compatible with the operation of the airport.

**POLICY 4.4.3:** Future updates of the Page Field General Aviation Airport and SWFIA Master Plans will monitor and incorporate development of non-aviation uses at the airports and suggest aviation-related uses.

**POLICY 4.4.4:** To the greatest extent possible, future airport master plans will retain the long term aviation expansion capability and capacity at both Page Field General Aviation Airport and the SWFIA.

**POLICY 4.4.5:** Future aviation and non-aviation development at Page Field General Aviation Airport must comply with the provisions of the Educational Restriction Zone established under Florida Statutes, section 333.03 and the School Zone Map adopted as part of the Lee County LDC.

**POLICY 4.4.6:** The Port Authority will seek to eliminate or modify existing uses on the Page Field property deemed incompatible with existing aviation activity or causing a diminution in the Page Field Airport capacity. In order to protect Page Field as a SWFIA reliever, the Port Authority will use its capacity/authority as a reviewing entity to influence land-use decisions and approvals with respect to development of the lands surrounding Page Field in order to promote development that is compatible with the aviation activity at Page Field General Aviation Airport.

**POLICY 4.4.7:** Utilize the approved Airport Master Plans and FAR Part 150 Study, including updates, as a basis to amend the comprehensive land use plan and the LDC to prohibit development that is incompatible with the SWFIA or Page Field General Aviation Airport; and, to ensure future economic enhancement consistent with Objective 46.2.

**POLICY 4.4.8:** Maintain the tall structure permitting process to ensure that proponents of potential structural hazards to aviation coordinate with the Port Authority and the FAA to properly place, mark and light potential obstructions as necessary.

**POLICY 4.4.9:** Through an interlocal agreement, the Port Authority and the City of Fort Myers will continue to coordinate the review of new land uses that have the potential to create tall structure obstructions to aviation and to ensure compatibility with aviation within the City of Fort Myers.

**POLICY 4.4.10:** In the interest of the safety of air commerce, the county will not approve a temporary or permanent structure that exceeds the height limitation standards, or does not comply with placement, lighting and marking standards, established by the Port Authority, Florida Statutes, or the FAA rules and regulations.

**POLICY 4.4.11:** Consider land use compatibility when reviewing development proposals within the vicinity of existing or proposed aviation facilities.

**POLICY 4.4.12:** Coordinate with private investors by reviewing plans and otherwise providing technical assistance in the development of aviation facilities to ensure land use, airspace, and environmental compatibility.

**POLICY 4.4.13:** Protect existing and proposed aviation facilities from the encroachment of incompatible land uses by updating the Future Land Use Map as needed to achieve consistency with revisions to the respective FAR Part 150 Studies (if applicable), and Airport Layout Plans for SWFIA and Page Field General Aviation, as proposed by the Port Authority.

**POLICY 4.4.14:** In cooperation with local, state and federal regulatory agencies, the Port Authority will work to minimize and correct any wildlife hazards arising from existing wetlands located on or near airport property. Site improvements on airport property will be designed to minimize attractiveness to wildlife of natural areas and man-made features on airport property such as detention and retention ponds, landscaping, and wetlands, which can provide wildlife with the ideal locations for feeding, loafing, reproduction and escape.

**OBJECTIVE 4.5: Future Demands.** The Lee County Port Authority will continually evaluate the projected demands for public aviation facilities and ensure their adequate provision.

**POLICY 4.5.1:** Efficient use of airport facilities should be ensured before expanding or developing new facilities.

**POLICY 4.5.2:** If the FAA/FDOT mandate navigational improvements (NAVAIDS) or require improvements related to Airport security or safety at SWFIA or Page Field General Aviation Airport, then the Port Authority may pursue installation of the improvement even though the improvement is not specifically identified on Table 5(a) or Table 5(b). However, the Port Authority must obtain all appropriate approvals and permits prior to installation, including approval from Lee County. If these improvements precipitate a substantive change to Table 5(a), Table 5(b), Map 3F, or Map 3G, then the Port Authority must pursue a Lee Plan amendment incorporating the changes in the next available amendment cycle.

**POLICY 4.5.3:** The Port Authority will plan to accommodate growth at the existing facilities and provide for the development of future aviation facilities as warranted.

**OBJECTIVE 4.6: Access.** The SWFIA is an intermodal facility of significant value to the regional, state and federal transportation systems. Protecting this resource requires the provision of adequate landside and airside capacity.

**POLICY 4.6.1:** Access from Interstate 75 to the SWFIA is designated as a priority intermodal connector in the National Highway Plan and Florida Intrastate Highway System Plan. Together with the Port Authority, the county will work with the MPO, FDOT and the Federal Highway Administration to ensure that this access receives funding and is developed compatibly with the intermodal access needs of the region.

**POLICY 4.6.2:** Map 3F, as currently incorporated into the Lee Plan, includes transportation improvements that exceed those shown on the balance of the Transportation Map Series maps. The direct access improvements to I-75 depicted on Map 3F, which are being pursued by the Port Authority to benefit the midfield terminal, include an interchange at I-75 and grade separation at Treeline Avenue/Ben Hill Griffin Parkway. These future improvements are the Port Authority's desired access to the

airport. The Port Authority will be responsible for achieving consistency between Map 3F and the balance of the Transportation Map Series concerning access to I-75. The Port Authority will serve as the lead agency for achieving direct access to I-75.

**POLICY 4.6.3:** The County and Port Authority recognize the significance and value of the SWFIA. The Lee County Port Authority will aggressively pursue Federal and State funding for access roadway improvements as identified on the Airport Layout Plan.

**POLICY 4.6.4:** Development of non-aviation related uses on airport property will be required to meet concurrency standards set forth in the Lee County LDC.

**OBJECTIVE 4.7: Coordinated Commerce Movement.** The Port Authority will provide facilities that are economically feasible and compatible with adjacent land uses, environmental standards and public safety, and that also meet the needs of commerce movement enterprises and facilities.

**POLICY 4.7.1:** The Port Authority will continue to coordinate plans for existing and proposed aviation facilities with transportation agencies such as the FAA, the Transportation Security Administration, the Lee County MPO, the FDOT, Lee Tran and the Lee County Department of Transportation.

**POLICY 4.7.2:** The county will monitor roads leading to Page Field General Aviation Airport and the SWFIA in order to facilitate efficient and convenient access for airport users.

**POLICY 4.7.3:** Locations adjacent to or near aviation facilities are identified in the Future Land Use Map as suitable for commerce movement support facilities such as warehouses, cargo handling facilities, and other transfer points, and will be periodically reviewed and updated.

**POLICY 4.7.4:** The Port Authority will encourage cargo and freight development at the SWFIA by implementing domestic and international cargo marketing programs and by expanding airport facilities, as needed, in order to accommodate large domestic and international cargo carriers.

**POLICY 4.7.5:** The county will encourage the provision of warehouses, cargo handling facilities, and freight transfer points at aviation facilities needed for the movement of commerce by local industries, trade, and commercial enterprises.

**OBJECTIVE 4.8: Aviation Coordination.** Ensure that existing and future air system needs can be met safely and with a minimum of land use conflict by coordinating aviation facility plans with federal, state, regional, and local review and permitting agencies.

**POLICY 4.8.1:** The Port Authority will coordinate and obtain approval for airport development from the County through the annual capital improvement planning and

programming process; local permitting process; Airport Master Plan Update process; and, the Lee Plan amendment process to ensure compatibility with other County programs. The Port Authority will provide Lee County copies of the annual Capital Improvement Plan or other similar document for the SWFIA and Page Field General Aviation Airport. Airport development will remain consistent with the MPO LRTP and will support the provision of regional transportation facilities for the efficient use and operation of the transportation system and airports. Additional specific coordination requirements are contained in Objective 151.4 and subsequent policies.

**POLICY 4.8.2:** While airport facilities will be operated in conformance with applicable state and federal regulations, the Port Authority will strive to ensure that Lee County environmental and other regulations are also implemented to the greatest extent possible.

**POLICY 4.8.3:** The Port Authority will develop plans for aviation in the county that are consistent with the Continuing Florida Aviation System Planning Process and the National Plan of Integrated Airport Systems.

**POLICY 4.8.4:** The Port Authority will coordinate efforts with aviation and other transportation interests at the SWFIA to establish multimodal transfer facilities.

**POLICY 4.8.5:** The Port Authority Executive Director will coordinate all expansion plans contained in approved airport master plans with the FAA and the FDOT to ensure that projects of interest to the Port Authority are included in the federal and state funding programs.

**POLICY 4.8.6:** The County and Port Authority will coordinate aviation facility expansion costs and demand, consistent with the Airport Layout Plan and approved Port Authority Capital Improvement Program, through the County's annual Capital Improvement Program in conjunction with regular briefings by Port Authority staff to County staff.

**POLICY 4.8.7:** Ensure that adverse structural and non-structural impacts of aviation facilities upon natural resources and wildlife are mitigated consistent with FAA policies and procedures and in coordination with federal, state, regional and local environmental agencies.

**POLICY 4.8.8:** The Port Authority will abide by all other relevant parts of this comprehensive plan in the construction and operation of Page Field General Aviation Airport and the SWFIA.

**POLICY 4.8.9:** The Port Authority will coordinate surface transportation planning for Page Field and the SWFIA with the Lee County MPO, the county Department of Transportation, Lee Tran, and the FDOT to ensure adequate access to the airports.