



# Land Development Code

## Council Workshop




October 2020




# Overview

- Background
- Code Organization
- Review of Zoning Chapters
- Next Steps
- Questions and Comments



Land Development Code  
REVIEW DRAFT – OCTOBER 13, 2020



**MODULE 1 IN BOLD**

- CHAPTER 1: General Provisions
- CHAPTER 2: **Administration**
- CHAPTER 3: **Zoning Districts**
- CHAPTER 4: **Use Specific Standards**
- CHAPTER 5: Site Development Standards
- CHAPTER 6: Signage
- CHAPTER 7: Natural Resources
- CHAPTER 8: Public Facility Funding and Coordination
- CHAPTER 9: Nonconformities
- CHAPTER 10: **(Only Use Definitions)**

The LDC Module and the Proposed Zoning Map discussed in this presentation are available to the public at:  
<https://estero-fl.gov/land-development-code/>

# Background

## Preparation of Land Development Code (LDC)



December 31, 2014  
**Village of Estero  
Incorporated**  
Lee County LDC adopted  
as transitional LDC

Comprehensive Plan  
prepared after much  
work and public input  
**Officially Approved  
by State**  
November 2019

Preparation of  
new LDC started  
as Plan approval  
is completed  
**Anticipated  
Adoption**  
January 2021



# Background

## What is a Land Development Code?

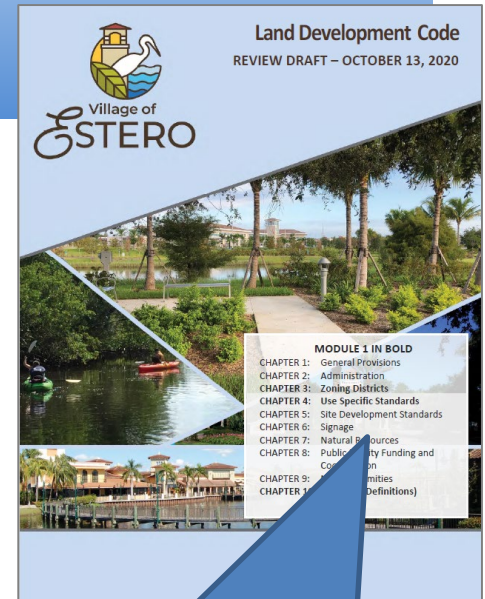
- The Land Development Code regulates development and sets standards for:
  - Landscaping
  - Architecture
  - Parking
  - Open space and similar items
  - Zoning rules
- How is the LDC different from the Comprehensive Plan?
  - The Comprehensive plan is a broad long range vision and policy document
  - The LDC is a technical document with detailed regulations



# Background

## Village objectives for new code

- New LDC is “right-sized” and tailored for the Village
  - 10 chapters versus 34 in transitional LDC
  - 8 appendices versus 15 in transitional LDC
  - 17 zoning districts versus 68 in transitional LDC
  - Reduced document length
- Presented in Simpler More User-Friendly Format
  - Increased use of explanatory tables, photos, and graphics
  - Revised structure



MODULE 1 IN BOLD	
CHAPTER 1:	General Provisions
CHAPTER 2:	Administration
CHAPTER 3:	Zoning Districts
CHAPTER 4:	Use Specific Standards
CHAPTER 5:	Site Development Standards
CHAPTER 6:	Signage
CHAPTER 7:	Natural Resources
CHAPTER 8:	Public Facility Funding and Coordination
CHAPTER 9:	Nonconformities
CHAPTER 10:	(Only Use Definitions)



# Chapter 3: Zoning Districts

- **Modernizes and simplifies the Zoning District structure and also implements the Comprehensive Plan policies**
  - Used transitional LDC as starting point
  - Based on Plan direction and current conditions:
    - Consolidates and simplifies some districts
    - Carries forward a few districts with refinements
    - Deletes some districts
    - Adds some new districts

## Chapter 3: Zoning Districts

**Section 3-1** General Provisions

**Section 3-2** Agricultural District

**Section 3-3** Residential Districts

**Section 3-4** Commercial Districts

**Section 3-5** Special Purpose Districts

**Section 3-6** Legacy Districts

**Section 3-7** Planned Development Districts

**Section 3-8** Overlay Districts



# Chapter 3: Zoning Districts

- Districts organized as:
  - Conventional districts
  - Legacy districts
  - Planned development districts
  - Overlay districts
- District standards presented with text and tables
- Photos used to further explain development concepts
- Use table included with each district in more readable form than in transitional LDC

## Chapter 3: Zoning Districts

**Section 3-1** General Provisions

**Section 3-2** Agricultural District

**Section 3-3** Residential Districts

**Section 3-4** Commercial Districts

**Section 3-5** Special Purpose Districts

**Section 3-6** Legacy Districts

**Section 3-7** Planned Development Districts

**Section 3-8** Overlay Districts

# Zoning Districts

- New Zoning District Lineup

TABLE 3-102: ESTABLISHMENT OF ZONING DISTRICTS
<b>CONVENTIONAL DISTRICTS</b>
<b>Agriculture District</b>
Agriculture (AG) District
<b>Residential Districts</b>
Residential Single Family (RSF) District
Residential Multiple Family (RM-2) District
Mobile Home (MH) District
Recreational Vehicle (RV) District
<b>Commercial Districts</b>
Commercial Special Office (CS) District
Urban Commercial Redevelopment (UCR) District
Community Commercial (CC) District
<b>Special Purpose Districts</b>
Parks and Community Facilities (P) District
Environmentally Critical (EC) District
<b>Legacy Districts</b>
PUDs and RPD-CPD
<b>PLANNED DEVELOPMENT DISTRICTS</b>
Residential Planned Development (RPD) District
Community Facilities Planned Development (CFPD) District
Commercial Planned Development (CPD) District
Mixed-use Planned Development (MPD) District
Estero Planned Development (EPD) District
Compact Communities Planned Development (CCPD) District
<b>OVERLAY DISTRICTS</b>
Corkscrew Road Overlay District
US 41 Overlay District
Airport Compatibility Overlay District



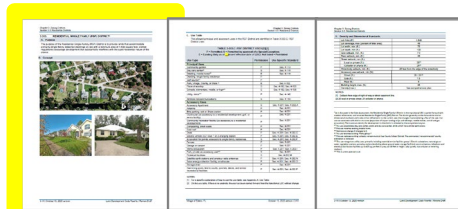
# Zoning Districts – Conventional District Structure (Example: Residential Single Family)

Four sections are in every conventional district

**A. Purpose;**  
describing the district

**B. Concept;** helpful aerial or streetside photos

## 3-303 RESIDENTIAL SINGLE FAMILY (RSF) DISTRICT



Chapter 3: Zoning Districts  
Section 3-3: Residential Districts

### 3-303. RESIDENTIAL SINGLE FAMILY (RSF) DISTRICT\*

#### A. Purpose

The purpose of the Residential Single-Family (RSF) District is to provide lands that accommodate primarily single-family detached dwellings on lots with a minimum area of 7,500 square feet. District regulations discourage development that substantially interferes with the quiet residential nature of the district.

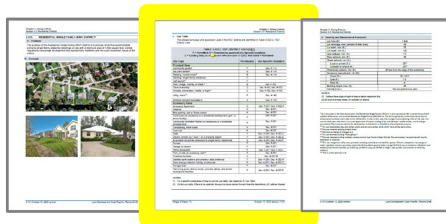
#### B. Concept



# Zoning Districts – Conventional District Structure (Example: Residential Single Family)

**C. Use Table:** Table shows permissions for principal uses and accessory uses, and cross references to standards in Ch. 4

## 3-303 RESIDENTIAL SINGLE FAMILY (RSF) DISTRICT



### C. Use Table

The allowed principal and accessory uses in the RSF District are identified in Table 3-303.C: RSF District Uses

**TABLE 3-303.C :RSF DISTRICT USES [1][2]**  
P = Permitted; S = Permitted by approval of a Special Exception;  
E = Existing Only as of [ ] (insert effective date of LDC); Not listed = Prohibited

Use Type	Permission	Use Specific Standard
<b>Principal Uses</b>		
Community garden	P	Sec. 4-113
Day care center <sup>vi</sup>	S	Sec. 4-118
Dwelling, mobile home <sup>vi</sup>	E	Sec. 4-118
Dwelling, single-family residence	P	
Golf course <sup>vi</sup>	P	
Park, Village, County, or State <sup>vi</sup>	E	Sec. 4-102;
Place of worship	S	Sec. 4-102; Sec. 4-128
Schools, elementary, middle, or high <sup>vi</sup>	S	Sec. 4-102; Sec. 4-135
Utility, minor <sup>vi</sup>	P	Sec. 4-140
Wireless telecommunications	S	Sec. 4-143
<b>Accessory Uses</b>		
Accessory Apartment	S	Sec. 4-201; Sec. 4-202.A
Antenna	P	Sec. 4-201
Bike parking rack or Share station	P	Sec. 4-201
Clubhouse (as accessory to a residential development, golf, or tennis facility)	P	Sec. 4-201
Community recreation facility (as accessory to a residential development)	P	Sec. 4-201
Composting, small-scale	P	Sec. 4-201
Cool roof	P	Sec. 4-201
Dock	P	Sec. 4-201; Sec. 4-202.C
Electric vehicle (EV) level 1 or 2 charging station	P	Sec. 4-201; Sec. 4-202.E
Excavation for ponds accessory to single-family residences	S	Sec. 4-201; Sec. 4-202.F
Fences	P	Sec. 4-201
Garage or carport	P	Sec. 4-201
Home occupation	P	Sec. 4-201; Sec. 4-202.I
Park, private as accessory use <sup>vii</sup>	S	Sec. 4-201
Pickleball facilities	S	Sec. 4-202.M
Satellite earth stations and amateur radio antennas	P	Sec. 4-201; Sec. 4-202.N
Solar energy collection facility, small-scale	P	Sec. 4-201; Sec. 4-202.O
Storage shed	P	Sec. 4-201
Swimming pools, tennis courts, porches, decks, and similar recreational facilities	P	Sec. 4-201; Sec. 4-202.P

#### NOTES:

[1] For a specific explanation of how to use the use table, see Appendix A: Use Table

[2] On this use table, if there is no endnote, the use has been carried forward from the transitional LDC without change.



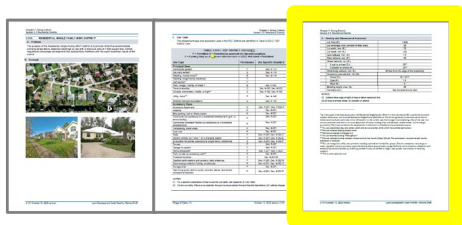
# Zoning Districts – Conventional District Structure (Example: Residential Single Family)

**D. Density and Dimensional Standards;** list standards specific to the district

Some districts also have **E. Other Standards;** which includes other district-specific standards as needed

**Footnotes:** help explain and track detailed changes or sources within the document. These will be deleted for the final adopted LDC

## 3-303 RESIDENTIAL SINGLE FAMILY (RSF) DISTRICT



### Chapter 3: Zoning Districts Section 3-3: Residential Districts

#### D. Density and Dimensional Standards

Lot Area (ft <sup>2</sup> )	7,500
Lot coverage, max (percent of total area)	40
Lot width, min. (ft.)	75
Lot depth, min (ft.)	100
Side setback, min. (ft.)	7.5
Rear setback, min. (ft.)	20
Street setback, min.(ft.)	
Local or private (ft.)	20 <sup>[1]</sup>
Collector or arterial (ft.)	25 <sup>[1]</sup>
Waterbody setback, min. (ft.)	25 feet from the edge of the waterbody
Accessory use setback, min (ft)	
Street (ft.)	20 / 25 <sup>[2]</sup>
Side (ft.)	7.5
Rear (ft.)	5
Building height, max. (ft.)	35
Density (max.)	See comprehensive plan

#### NOTES:

[1] Setback from edge of right-of-way or street easement line.

[2] 20 local or private street, 25 collector or arterial.

<sup>a</sup> As is discussed in the Code Assessment, the Residential Single Family-1 District in the transitional LDC is carried forward with modest refinements, and renamed Residential Single-Family (RSF) District. The district generally carries forward the district dimensional standards and makes minor refinements to the current uses (the changes involve deleting a few of the uses that are not consistent with district character (expansion of airport landing strips and helistops, mobile homes, and oil and gas excavation). The maximum density for development in the district is directed by the comprehensive plan.

<sup>b1</sup> This use consolidates day care center, adult; and day care center, child; which have similar permissions.

<sup>b2</sup> This use renames existing mobile home.

<sup>b3</sup> Permissions change: E changes to S.

<sup>b4</sup> This use renames existing "Parks group I"

<sup>b5</sup> This use replaces existing: schools, noncommercial: Lee County School District. The commercial/ noncommercial/ county distinction is removed.

<sup>b6</sup> This use reorganizes utility uses, primarily including essential service facilities group I (Electric substations; natural gas or water regulation stations; pumping stations (excluding above-ground water storage facilities); communications, telephone and electrical distribution facilities up to 425 square feet in area and 10 feet in height; solar panels; transmission or metering stations).

<sup>b7</sup> This is a new accessory use.





# Chapter 3: Zoning Districts Sec. 3-3 Residential

**TABLE 3.3.2: RESIDENTIAL ZONING DISTRICTS**

★ Residential Single Family (RSF) District
Residential Multiple Family (RM-2) District
Mobile Home (MH) District
Recreational Vehicle (RV) District





## ★ Residential Single Family (RSF)

- Four single family districts in transitional LDC consolidated into one district
- Minimum lot area 7500 sq. ft.
- Uses – single family



# Chapter 3: Zoning Districts Sec. 3-3 Residential

**TABLE 3.3.2: RESIDENTIAL ZONING DISTRICTS**

	Residential Single Family (RSF) District
	Residential Multiple Family (RM-2) District
	Mobile Home (MH) District
	Recreational Vehicle (RV) District

## Residential Multiple Family (RM-2)

- Carried forward from transitional LDC
- Allows variety of dwelling types (single family, two family, multiple-family, townhouse)
- Dimensional standards carried forward from the transitional LDC

## Mobile Home (MH) And Recreational Vehicle (RV)

- Consolidates the MH and RV districts from transitional LDC into one MH and one RV district
- Allows for dimensional standards approved in Lee County Ordinance 86-36 where parks approved under this ordinance still remain
- Allows for maintenance and replacement in existing footprint with certain upgrades to improve aesthetics

### Included in the Purpose of each of these districts:

“It is the intent of the Village Council in establishing this district, and applying it to the Official Zoning Map that upon the adoption of this LDC, the [RM-2, MH, or RV] district not be applied to any additional lands in the Village.”

# Chapter 3: Zoning Districts Sec. 3-4 Commercial

TABLE 3.4.2: COMMERCIAL ZONING DISTRICTS

Commercial Special Office (CS) District



Urban Commercial Redevelopment (UCR) District

Community Commercial (CC) District

- **Urban Commercial Redevelopment (UCR)**
- Creates a new district replacing C-1
- Encourages redevelopment along US41 in the north part of the Village
- Allows community and neighborhood-serving commercial uses
- Residential and vertical mixed use permitted, including live-work dwelling
- No industrial uses allowed
- Standards added to improve pedestrian circulation and connectivity



- **Example:**
- **Connectivity:** “To the maximum extent practicable, the vehicular and pedestrian circulation systems of the development should be designed to allow vehicular and pedestrian cross-access between the site and adjacent parcels of land...”



# Chapter 3: Zoning Districts

## Sec. 3-6 Legacy Districts

- **PUD and RPD-CPD Districts**  
Recognizes older designations approved by Lee County; placed on Official Zoning Map, but not allowed as new districts
- Existing PUDs and RPD-CPDs will be regulated by the ordinances adopted when they were established, or any amendments. The specific districts (and their ordinances) are listed in the section

**3-603:** incorporating Breckenridge, The Lakes of Estero, The Vines, and Wildcat Run PUDs

**3-604:** Incorporating Pelican Landing RPD/CPD

### SECTION 3-6. LEGACY DISTRICTS<sup>78</sup>

#### 3-601. GENERAL PURPOSE

The purpose and intent of the legacy districts is to identify specific lands with valid approvals from Lee County prior to the Village's incorporation, and allow development on these lands to continue in accordance with the terms and conditions of their original approval. The legacy districts are identified on the Official Zoning Map.

#### 3-602. LEGACY ZONING DISTRICTS

The legacy districts are identified in Table 3-602: Legacy Districts.

TABLE 3-602: LEGACY DISTRICTS
Planned Unit Development (PUD) Districts
RPD-CPD District

#### 3-603. PLANNED UNIT DEVELOPMENT (PUD) LEGACY DISTRICT

The Planned Unit Development (PUD) Legacy District shall consist of the following planned unit developments (PUDs), all approved by Lee County prior to the date of the Village's incorporation. Development in each PUD Legacy District shall comply with the terms and conditions included in their resolutions.

- Breckenridge PUD (Laguna Woods): Z-82-038, Z-82-111, ZAB-84-129, ZAB-84-194, PUD-89-001, PUD-89-002, PUD-89-003, PUD-90-001, PUD-90-002, PUD-90-003, PUD-91-017, PUD-92-001, PUD-92-010, PUD-92-018, PUD-95-016, Z-95-073, PUD-96-006, Z-96-014, Z-99-053
- The Lakes of Estero PUD (Corkscrew Hammocks): Z-82-111, ZAB-82-111, Z-89-059, ADD2002-00002, ADD2006-00125, ADD2007-00025, ADD2008-00108
- The Vines PUD: ZAB-84-018, Z-88-292, Z-89-097, PUD-90-023, Z-92-070, ADD2006-00036
- Wildcat Run PUD: Z-80-441, Z-82-060, ZAB-84-171, ZAB-84-171A, PUD-94-030

#### 3-604. RPD-CPD LEGACY DISTRICT

The RPD-CPD Legacy District shall consist of the following developments, all approved by Lee County prior to the date of the Village's incorporation. Development in each RPD-CPD Legacy District shall comply with the terms and conditions included in their resolutions.

- Pelican Landing RPD/CPD: Z-94-014

<sup>78</sup> Certain Planned Unit Development Districts and the hybrid "RPD-CPD" district that have already been approved may continue to be governed by their existing ordinances. This section lists those ordinances for reference.

# Chapter 3: Zoning Districts Sec. 3-7 Planned Development

**TABLE 3-701: PLANNED DEVELOPMENT ZONING DISTRICTS**

Residential Planned Development (RPD) District
Community Facilities Planned Development (CFPD) District
Commercial Planned Development (CPD) District
Mixed-use Planned Development (MPD) District
Estero Planned Development (EPD) District
Compact Community Planned Development (CCPD) District

- Carried forward from transitional LDC, with refinements to implement Comprehensive Plan
- All PD Districts must have a Master Concept Plan, a PD Phasing Plan (if phasing proposed) and a Pattern Book.
- Underground utilities for new development

**PLANNED DEVELOPMENT DISTRICTS USES [1]**

Approved as part of a PD Master Concept Plan  
Blank cell = prohibited

	RPD	CFPD	CPD	MPD	EPD	Use Specific Standards
	A			A	A	
		A	A	A		
		A	A	A	A	
			A	A		Sec. 4-120
	A			A		Sec. 4-112
		A				

# Chapter 3: Zoning Districts Sec. 3-7 Planned Development

**TABLE 3-701: PLANNED DEVELOPMENT ZONING DISTRICTS**

Residential Planned Development (RPD) District

Community Facilities Planned Development (CFPD) District

Commercial Planned Development (CPD) District

Mixed-use Planned Development (MPD) District

Estero Planned Development (EPD) District

Compact Community Planned Development (CCPD) District



## **Mixed Use Planned Development (MPD)**

- Encourages use mixing and pedestrian friendly development
- Refined to allow development option for Transitional Mixed-Use future land use map designation from the Comprehensive Plan
- Includes Bonus Density standards for lands designated Transitional Mixed Use in Plan

## **Estero Planned Development (EPD)**

- Carries forward and refines the planned development created for the Village Center
- Four “tiers” of development

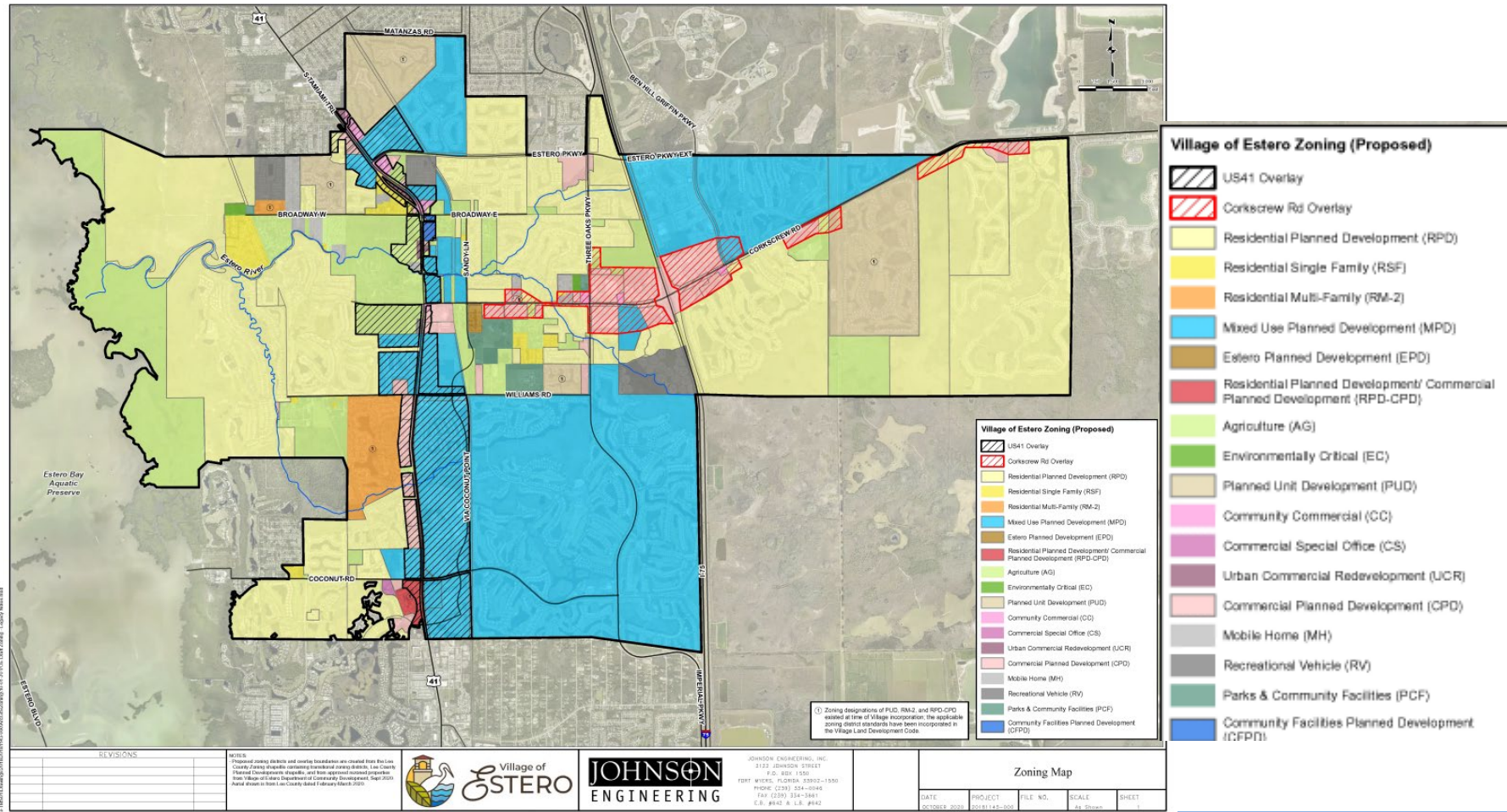
## **Compact Communities Planned Development (CCPD)**

- Chapter 32 of the transitional LDC Incorporated by reference to allow its use in Tier 4 of EPD



# Zoning Districts – Proposed Official Zoning Map

- Zoning Map applies the new district lineup to the Village.



# Chapter 4: Use Specific Standards

- **Consolidates all use specific standards in one location in the LDC. When a use is listed in a use table in Chapter 3, there is often a cross reference to a specific standard in Chapter 4**
  - Organizes standards by principal, accessory, and temporary use
  - Contains use specific standards that apply to all uses
  - Provides for temporary uses
  - Carries forward necessary alcoholic beverages language

## Chapter 4: Use Specific Standards

**Section 4-1** General Provisions

**Section 4-2** Use Specific Standards for Principal Uses

**Section 4-3** Use Specific Standards for Accessory Uses

**Section 4-4** Temporary Uses and Structures

**Section 4-5** Alcoholic Beverages



## Chapter 4: Use Specific Standards - Sec. 4-1 General Provisions

- **Standards Applicable for All Uses**

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### 4-102. USES FIVE ACRES OR LARGER

- A. Unless exempted in B and C, below, all rezonings that are five acres or greater in area shall only be approved and developed as a planned development district in accordance with the procedures and standards of this LDC.
  - B. Village, County, or State Parks are exempt from A, above.
  - C. Public schools; places of worship; and religious facilities are exempt from A, above. Permitting for these exempt uses is according to the use tables in Chapter 3: Zoning Districts.
  - D. See also Sec. 4-112.A (all commercial development requiring a rezoning only developed as a planned development).
-



# Chapter 4: Use Specific Standards - Sec. 4-1 Principal Uses

## Notable Changes

- **Bar (4-107)**
- Only allowed with Council Review on lands designated Transitional Mixed-Use and Village Center in Plan
- **Brewpub or Micro-brewery, -winery, or – distillery (4-109)**
- New use
- Limits on non-production (restaurant, tours, etc) area of the use
- Requirement for 50% visibility or outdoor active space along primary facade
- Prohibition of spill-over effects from production and distribution
- **Medical Marijuana Dispensaries (4-124)**
- Listed and specifically prohibited as per existing Village ordinances
- **Golf Course Conversion (4-121)**
- Conversion of a golf courses in or adjacent to planned development must be by planned development
- Requires no adverse impacts and a master plan that includes “Preserve Areas”
- **Wireless Facilities (4-143)**
- Updated to reflect the changes to State law in 2017 that allow for small wireless facilities in the public right-of-way
- Applicable to Village-controlled right-of-way (County and Utilities control their own)



# Chapter 4: Use Specific Standards Sec. 4-2 Accessory Uses

## Notable Changes

- **Electric Vehicles Charging Stations (4-202.E)**
  - Establishes three “levels” and where they are allowed
  - Reserves EV charging-equipped spaces for EV vehicles
  - Limits interference with circulation or landscaping
- **Outdoor Storage (4-202.L)**
  - For UCR, CC, and PDs-- prohibition of outdoor storage in front of the principal structure
- **Pickleball (4-202.M)**
  - In conventional districts, only allowed by special exception, which requires public hearing
  - Standards limit outdoor lighting and noise so as not to create adverse impacts to adjacent properties.
  - Director may require mitigation measures to ensure adverse offsite impacts addressed.



# Chapter 4: Use Specific Standards Sec. 4-3 Temporary Uses

- **Farmers Market (4-303.B)**
  - Replaces Oct. through April restriction. Markets may be open a max. of 60 days a year.
  - Markets must have established rules and an authorized manager.
- **Special Event(4-303.G)**
  - Certain temporary uses not allowed
    - Automobile sales
    - Mobile home sales
    - RV sales
    - Boat sales

TABLE 4-301.C: TEMPORARY USES AND STRUCTURES TABLE															
P= Permitted temporary use or structure, no Temporary Use Permit required T= Permitted temporary use or structure, Temporary Use Permit required Blank cell= Temporary use or structure is prohibited															
Temporary Uses and Structures	Zoning District													Use Specific Standards	
	AG	RSF	RM-2	MH / RV	CS	UCR	CC	P	RPD	CFPD	CPD	MPD	EPD		EC
Construction-related building or use		T	T	T	T	T	T		T	T	T	T	T		4-303.A
Farmers; market, temporary			T			T	T				T	T	T		4-303.B
Garage sale	P	P	P	P					P			T	T		4-303.C
Model dwelling/unit		T	T	T					T			T	T		4-303.D
Portable shipping container		P	P	P	T		T		P		T	T			4-303.E
Seasonal sales	T				T	T	T		T		T	T	T		4-303.F
Special event		T	T	T	T	T	T		T	T	T	T	T		4-303.G

NOTE:  
[1] Automobile sales, mobile home sales, RV sales, and boat sales are not permitted as temporary uses.



# Use Type Definitions: Included in Chapter 10

- **Uses identified in the use tables are defined in Chapter 10.**
- **Definitions will be included alphabetically with other definitions from the entire LDC in Chapter 10**
- **The complete Chapter 10 will be a part of another module**



Village of  
**ESTERO**

**CLARION**

**JOHNSON**  
ENGINEERING

NANCY E.  
STROUD, PA

# Next Steps

- Feedback from Council
- October meetings at PZB and DRB
- Completion of remaining chapters
- November workshops at Council, PZB and DRB
- Public Hearings in December/January

eComments can be submitted via the following webpage link for public comments:  
<https://estero-fl.gov/land-development-code/>



CLARION

JOHNSON  
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STROUD, PA



# Questions and Discussion

