1	VILLAGE OF ESTERO, FLORIDA
2	ZONING
3	ORDINANCE NO. 2025-07
4	AN ODDBIANCE OF THE VILLAGE COUNCIL OF THE
5	AN ORDINANCE OF THE VILLAGE COUNCIL OF THE
6 7	VILLAGE OF ESTERO, FLORIDA, APPROVING WITH CONDITIONS AN AMENDMENT TO THE RESIDENTIAL
8	PLANNED DEVELOPMENT ZONING FOR THE RIVER
9	CLUBAREA OF PELICAN SOUND LOCATED ALONG THE
10	ESTERO RIVER; PROVIDING FOR SEVERABILITY; AND
11	PROVIDING AN EFFECTIVE DATE.
12	TROVIDING AIN EITECHVE DATE.
13	
14	WHEREAS, Pelican Sound Golf and River Club, Inc., represented by Michael Pappas,
15	RWA, (the "Applicant"), filed an application to amend the Residential Planned Development
16	(RPD) zoning for a property located within <b>Pelican Sound</b> , (the "Property"); and
17	
18	WHEREAS, the Property is located at the north end of Pelican Sound, at the River Club
19	and adjacent to the Estero River, and
20	
21	WHEREAS, the zoning case number is DCI2025-E001; and
22	
23	WHEREAS, the Pelican Sound property was rezoned by Lee County in 1995 for the
24	547-acre site; and
25	
26	WHEREAS, the zoning was amended in 2013 by Resolution Z-13-003 to approve two
27	temporary moorings for shuttle boats at the River Club; and
28	XXIIIDE AC (1 A validation of the state of t
29	WHEREAS, the Applicant proposes to change the "temporary" mooring for two pontoon
30	shuttle boats to "permanent" mooring; and
31 32	WHEREAS, a duly noticed public hearing was held on May 13, 2025 at the Planning
33	Zoning and Design Board, and it recommended approval with additional conditions; and
34	Zonnig and Design Board, and it recommended approval with additional conditions, and
35	WHEREAS, a duly noticed first reading was held before the Village Council on July 2,
36	2025; and
37	
38	WHEREAS, a duly noticed second reading and public hearing was held before the Village
39	Council on November 19, 2025, at which time the Village Council gave consideration to the
40	evidence presented by the Applicant and the Village staff, the recommendations of the Planning
41	Zoning and Design Board, and the comments of the public.
42	
43	NOW, THEREFORE, be it ordained by the Village Council of the Village of Estero,
44	Florida;
45	

46

47 48	Sect	ion 1. Approval.
49	The	Village Council approves the amendment to the zoning to allow permanent mooring
50		wo boats with the following conditions.
51		
52	Sect	ion 2. Conditions.
53		
54	1. H	Prior Approvals
55	_	
56	7	The previous approvals contained in Resolution Z-13-003, including conditions and
57	Ċ	leviations, remain in effect except as modified by the conditions in this approval.
58		
59	2. <u>1</u>	Master Concept Plan
60		
61		Development of this project must be consistent with the Master Concept Plan (MCP)
62		itled "Pelican Sound Golf and River Club" dated March 2025 which is revised to
63	r	emove the word "temporary" from boat shuttle mooring #1 and #2.
64		
65	3. <u>N</u>	Modified Conditions
66		7 12 4 71 ) 60 1 4 7 12 002 1 1 6 11
67	(	Condition 4a (Uses) of Resolution Z-13-003 is revised as follows:
68	т	De te man and de deservices limited to
69	1	Boat ramps and dockage (not a marina) limited to:
70		(1)
71	•	1
72	•	two (2) temporary permanent moorings for pontoon boats not to exceed 35 feet
73	•	one (1) canoe/kayak launch
74	,	
75	(	Conditions 12.a. and h. (River Club) are revised as follows:
76		The solution the 50 for the side westerness buffer will be limited to two temporary
77	a	· · · · · · · · · · · · · · · · · · ·
78 70		permanent moorings on the floating dock, one boat ramp, one canoe/kayak launch,
79		one fishing platform/observation deck, one gazebo, two observation decks, a boardwalk, an outdoor waiting area and stormwater management structures as
80 81		limited below. These uses are subject to the dock shoreline permit requirements of
82		LDC Chapter 7–25. The natural waterway buffer located between the temporary
83		permanent mooring #1 and 2 must remain.
84		permanent moorning #1 and 2 mast remain.
85	h	. The mooring dock will be for the temporary permanent mooring of a two watercraft
86		35 feet or less in length. No overnight mooring of watercraft other than the 2
87		shuttles is permitted. Signs must be placed on the mooring dock and the
88		observation/fishing pier indicating no overnight mooring of watercraft except as
89		described above is permitted.
90		
91		

92 93	4.	Effective Date
94 95 96 97 98		The permanent mooring approved by this Ordinance shall not become effective until the applicant receives written approval from the South Florida Water Management District and Army Corps of Engineers for the mooring activity and provides a copy of the written approval to the Community Development Director. No overnight mooring can take place until the applicant demonstrates approval from these agencies.
99 100	5.	Hours of Operation
101		
102		Hours of operation are 9:00 a.m. to 5:00 p.m. No shuttle service is allowed after dark.
103		This does not apply to sunset cruises.
104		
105	6.	Boat Schedule
106		
107		Approval is limited to the attached Boat Shuttle Service (Exhibit C) except sunset
108		cruises which must be completed before dark.
109		•
110	7.	Rules of Operation
111		
112		Pelican Sound Golf & River Club has established and will enforce a Boat Shuttle Safety
113 114		Protocol to ensure that the shuttle operators are properly trained to comply with safe boating rules and courteous navigation. The Protocol is attached as Exhibit D.
115		boating fules and courteous havigation. The Protocol is attached as Emilion E.
116	8.	Contact Information
117	0.	Contact information
118		Pelican Sound Golf & River Club has established and will enforce an Incident Protocol
119		to address complaints with the boat shuttle service. The Protocol is attached as Exhibit
120		E.
121		L.
122	9.	Safety Measures
123	٠.	Sulety Maddison
124		a. Boats will have camera with audio to record front area of boat and its surroundings.
125		a. Bouts will have connected with a second s
126		b. Boats will contain GPS tracking to monitor speed and location of boats at all times.
127		bouts will contain out a stateming to monitor op or a size is contained in the
128		c. The boat shuttle service shall operate at low speed within the area shown in Exhibit
129		A. The operating speed within the area shall be the average speed of 4.8 mph, not
130		to exceed a maximum of 5 miles per hour, except in extenuating circumstances
131		(safety and emergency situations) described in Exhibit A.
132		()

133

134 135	Seg	ction 4. F	indings and Conclusions.
136 137 138 139	De	-	analysis of the application and the standards for approval in the Land ode, and the conditions of approval, the Council finds and concludes as
140 141 142	1.		Development Amendment as conditioned will be consistent with the ives, and policies of the Comprehensive Plan.
142 143 144 145	2.		Development Amendment as conditioned will not conflict with any e Land Development Code.
146 147	3.	The Planned Sound.	Development Amendment will address a community need for Pelican
148 149 150	4.		Development Amendment as conditioned will be compatible with existing uses surrounding the subject land.
151 152 153	5.	The Planned is already est	Development Amendment will not affect the development pattern which ablished.
154 155 156	6.	The Planned the area.	Development Amendment will not adversely affect the property values in
157 158 159 160	7.	already exist	Development Amendment will not affect public facilities which are ing (roads, potable water, wastewater, solid waste, storm water, schools, and fire and emergency medical facilities).
161 162 163 164 165	8.	adverse impa noise, storm	Development Amendment as conditioned will not result in significantly acts on the natural environment including, but not limited to, water, air, water management, wildlife, vegetation, wetlands, and the natural of the environment.
166 167	Sec	<u>ction 5</u> . E	xhibits.
168 169			chibits are attached to this Ordinance and incorporated by reference:
170 171		Exhibit A	Boat Shuttle Operation Low Speed Zone
172 173 174		Exhibit B	Master Concept Plan titled "Pelican Sound Golf and River Club" dated March 2025
175 176		Exhibit C	Boat Shuttle Services Schedule
177 178 179		Exhibit D	Pelican Sound Golf & River Club Boat Shuttle – Estero River Boat Safety Protocol

180	Exhibit E	Pelican Soun	d Golf & R	iver Club Incident Complaint Protocol
181	Darbibit D	t agal Dagarie	.tion	
182 183	Exhibit F	Legal Descrip	otion	
184	Section 6. Se	everability.		
185	Section 6.	ever ability.		
186	Should any secti	on naragraph	sentence o	lause, phrase, or other part of this Ordinance
187				ed by a court of competent jurisdiction to be
188 189	invalid, such dec	cision shall not	affect the	validity of this Ordinance as a whole or any red to be invalid.
190				
191	Section 7. E	ffective Date.		
192	241 25 30			- 100 April 100
193	This Ordinance s	hall take effect	immediate	ly upon adoption.
194			4	
195	PASSED on firs	t reading the 2 <sup>n</sup>	day of Ju	ly, 2025.
196	PAGGED AND	, DODTED DY		I A CE COUNCIL - Sale Will SEnten
197				LLAGE COUNCIL of the Village of Estero,
198	Florida on second readin	ig this 19" day	of Novemb	er, 2025.
199				
200	20	()		AND A CE OF ESTERO EL ORIE A
201	Attest:			VILLAGE OF ESTERO, FLORIDA
202		Λ		
203	Paral	1		a Casas Dillel
204	By:	uec.	_	By: Joanne Kellele
205	Carol Sacco, Village	Clerk		Joanne Ribbie, Mayor
206				
207	5 1 10 1 1 00	r to Critical		
208	Reviewed for legal suffi-	ciency:		
209	44	4		
210	- Tolans	HAD. 0		
211	By: Mancy	Juloux	- A 3,000 105	
212	Nancy E. Stroud, V.	illage Land Use	e Attorney	
213				
214				
215	44.00	4.575	37.437	
216	Vote:	AYE	NAY	
217				
218	Mayor Ribble	_X_		
219	Vice Mayor Zaluki	X X X X	-	
220	Councilmember Fayee	_X_	-	
221	Councilmember Hunt	X		
222	Councilmember Lopez	_X_		
223	Councilmember McLain	_X_	-	
224	Councilmember Ward	X		

. . . . . . . . . .

# Proposed Zoning Ordinance Language – Boat Shuttle Operation – Mouth of the River

#### Purpose:

This policy aims to promote safe and efficient operation of the Pelican Sound Boat Shuttle service while protecting public safety and maintaining clear, navigable waterways.

#### Low-Speed Operation:

The boat shuttle service utilized by Pelican Sound shall operate at low speed within the designated mouth of the river area (as shown in Exhibit A). The operating speed within the designated mouth of the river shall be the average speed of 4.8 mph not to exceed a maximum of 5, except in the extenuating circumstances outlined below. This ensures safe boating conditions, minimizes wake, and reduces interference with other vessels.

#### **Navigational Safety:**

The shuttle shall maintain sufficient control and appropriate speed to prevent hazards to other boats, watercrafts, docks, and shoreline structures. **Exceptions:** 

#### cycebuous

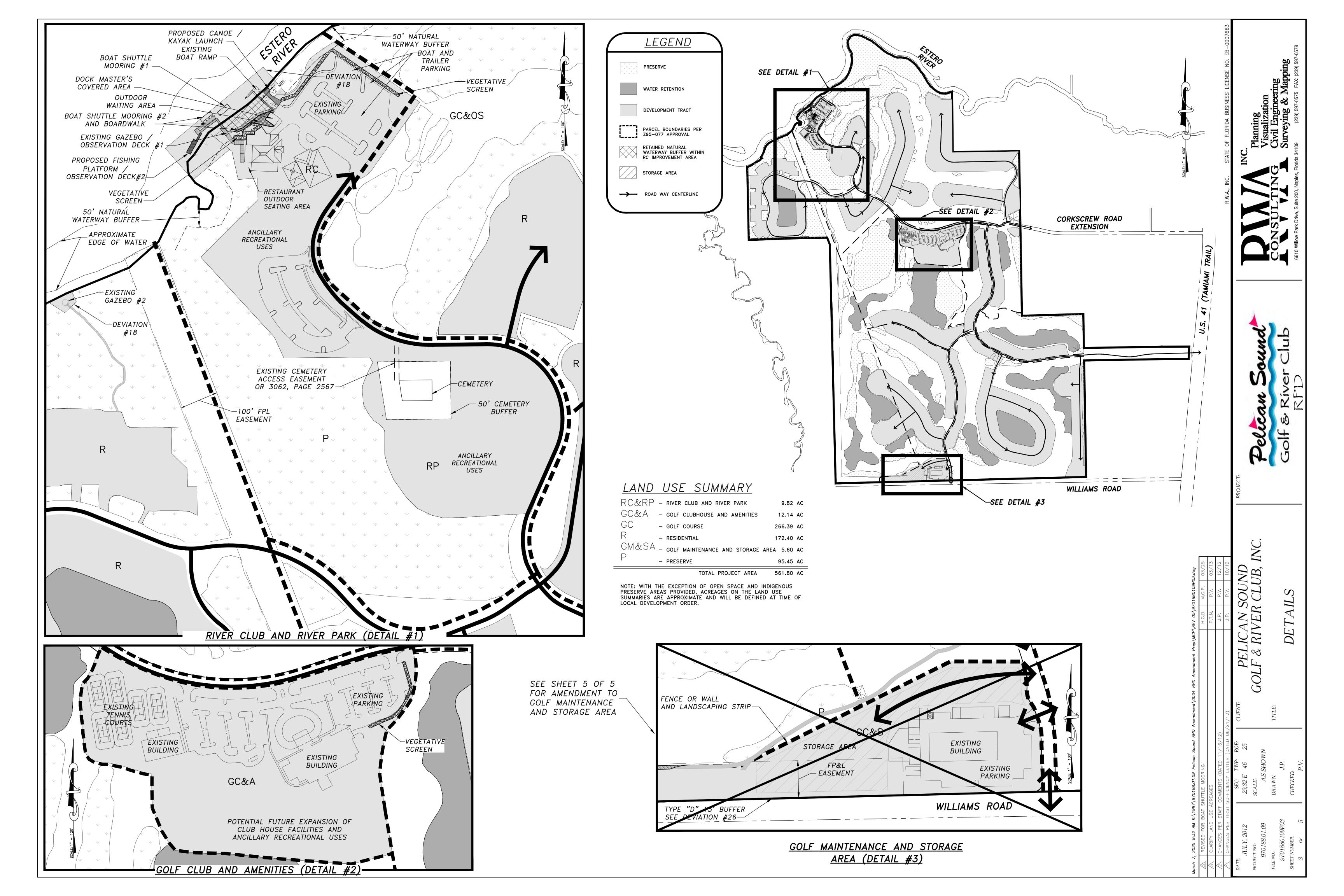
The low-speed policy may be temporarily suspended when increased speed is necessary for safety or emergency reasons but not limited to, avoiding collisions, responding to emergencies, or maintaining control in adverse conditions.

#### Applicability:

The boundaries and area of application for this policy shall be as identified in Exhibit A - Mouth of the River Low-Speed Zone Map.







# **EXHIBIT C**

### **Pelican Sound Shuttle Departure Schedule**

This schedule provides a month-by-month overview of the boat shuttle departures from Pelican Sound to Lovers Key State Park. All services are subject to suspension due to weather, tides, or other unfavorable conditions. Standard operating hours are from 9:00 a.m. to 5:00 p.m., with the exception of sunset cruises. Departures originate from the PSGRC dock on the Estero River and arrive at the Lovers Key State Park landing. Departure times may be adjusted based on weather conditions. This schedule reflects the typical annual operating pattern.

## **Monthly Schedule Overview**

Month	Operating Days	Boat One Departures	Boat Two Departures
January	Tue-Sun	10 a.m., 12 p.m., 2 p.m.	Not operating
February	Tue-Sun	10 a.m., 12 p.m., 2 p.m.	11 a.m., 1 p.m., 3 p.m.
March	Tue-Sun	10 a.m., 12 p.m., 2 p.m.	11 a.m., 1 p.m., 3 p.m.
April	Tue-Sun	10 a.m., 12 p.m., 2 p.m.	11 a.m., 1 p.m., 3 p.m.
May 1-15	Wed-Sun	10 a.m., 12 p.m., 2 p.m.	Not operating
May 16-31	Sat-Sun	10 a.m., 12 p.m., 2 p.m.	Not operating
June	Sat-Sun	10 a.m., 12 p.m., 2 p.m.	Not operating
July	Sat-Sun	10 a.m., 12 p.m., 2 p.m.	Not operating
August	Sat-Sun	10 a.m., 12 p.m., 2 p.m.	Not operating
September	Sat-Sun	10 a.m., 12 p.m., 2 p.m.	Not operating
October	Sat-Sun	10 a.m., 12 p.m., 2 p.m.	Not operating
November 1–23	Wed-Sun	10 a.m., 12 p.m., 2 p.m.	Not operating
November 24–30	Wed-Sun	10 a.m., 12 p.m., 2 p.m.	11 a.m., 1 p.m., 3 p.m.
December 1–24	Wed-Sun	10 a.m., 12 p.m., 2 p.m.	Not operating
December 25–31	Wed-Sun	10 a.m., 12 p.m., 2 p.m.	11 a.m., 1 p.m., 3 p.m.

#### **Boat Return Times to Pelican Sound**

- Boat One: 11 a.m., 1 p.m., 3 p.m.

- Boat Two (when operating): 12 p.m., 2 p.m., 4 p.m.

### **Sunset Cruise Schedule**

– Sunset Cruise is offered on Wednesdays and Fridays during peak season (February through April), contingent on demand and scheduling availability. The boat departs an hour and a half before sunset and returns after sunset.

**Note:** Schedule is subject to change based on calendar year and operating conditions.

# **EXHIBIT D**

# Pelican Sound Golf & River Club Boat Shuttle - Estero River Boating Safety Protocol

### **Purpose**

To ensure safe and courteous navigation on narrow tidal waterways shared with kayaks, paddleboards, and other non-motorized watercraft.

### 1. Safe and Courteous Operation

- Operate at safe speed at all times. Narrow river width requires extra caution and maneuverability.
- Remain vigilant for paddlers, wildlife, and boat traffic, especially near bends and overhanging vegetation.

# 2. Horn Use at Sharp Turns

- Sound one prolonged horn blast (4–6 seconds) before entering any blind or sharp turn.
- Reduce speed to idle when approaching turns with obstructed views.
- Be prepared to stop or yield to avoid conflicts around blind corners.

## 3. Yielding to Non-Motorized Watercraft

- Always yield to kayaks, paddleboards, and canoes. These craft are slower and more vulnerable.
- When passing in narrow channel areas, slow to safe speed and pass cautiously on the widest side of the river if possible.
- Communicate clearly with small craft users through signals, verbal communication, or gestures when needed.

# 4. Speed Management

- Maintain idle or no-wake speed in any designated areas, in compliance with what regulations are posted.
- Adhere to the policy in the Low-Speed Zone at Mouth of River.

# **EXHIBIT D**

### 5. Visibility and Signaling

- Use your horn proactively when visibility is compromised or when approaching intersections or crossing paths.
- Ensure your boat's navigation lights are functional if operating near dusk, dawn, or in poor weather.
- Equip your vessel with a handheld spotlight if needed for increased visibility in low-light conditions.

### 6. Emergency and Awareness

**Captain Signature:** 

- Carry a whistle, life jackets, and a waterproof communication device.
- In the event of a collision risk or emergency, slow immediately and communicate intentions clearly.
- Render assistance when safe and notify appropriate authorities if needed.

# 7. Compliance and Boater Responsibility

- All operators must be familiar with these protocols, any local navigation regulations and possess USCG certification.
- To ensure compliance, the on-board cameras on the front of the vessel and rear will be reviewed as needed.
- Boat Shuttles are equipped with GPS tracking with Speed Monitoring Device to ensure compliance.
- Respect all posted signs, speed limits, and marine markers.

By signing below, I acknowledge that I have read, understood, and agreed to follow the
Pelican Sound Golf & River Club safety protocol. I also recognize that failure to comply
with these guidelines may lead to disciplinary action, up to and including termination.

Captain Name:			

# **EXHIBIT E**

Pelican Sound Golf & River Club

### **Boat Shuttle Service – Incident Complaint Protocol**

If you experience an issue with the Boat Shuttle Service, please follow this simple two-step process:

### Step 1: Report the Issue Immediately

### **Call or Email Either Contact Below:**

Eric Long

GM/COO 239-948-5232 elong@psgrc.org

Ivo Nedelchev

Assistant GM 239-948-5230 inedelchev@psgrc.org

### Please provide:

- Your name and contact info
- Date, time, and location of the incident
- A brief description of the issue
- Photos or other evidence (if available)

### **Step 2: We'll Take It from There**

- Your report will be logged and investigated promptly.
- This includes the review of the onboard cameras on the front of the vessel and rear.
- Review of the shuttle GPS tracking with Speed Monitoring Device.
- If requested, you'll receive a follow-up with updates or resolution.
- Serious concerns will be escalated immediately.

Thank you for helping us keep the Boat Shuttle Service safe and reliable!

# PELICAN SOUND GOLF AND RIVER CLUB LEGAL DESCRIPTION:

IN SECTIONS 29, 32 AND 33, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA: BEGIN AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE1/4) OF SAID SECTION 32: THENCE RUN NOO'55'53"W ALONG THE WEST LINE OF SAID NORTHEAST QUARTER (NE1/4) FOR 1,226.64 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF A FLORIDA POWER AND LIGHT TRANSMISSION LINE (100 FEET WIDE); THENCE RUN. N20'51'33"W ALONG SAID SOUTHWESTERLY LINE FOR 125.36 FEET TO A POINT ON THE SOUTH LINE OF LOT A56 OF "FLORIDA GULF LAND COMPANY'S SUBDIVISION," AS RECORDED IN PLAT BOOK 1 AT PAGE 59 OF THE PUBLIC RECORDS OF LEE COUNTY; THENCE RUN \$88'27'02"W ALONG THE SOUTH LINES OF LOTS A56, A55, A54 AND A53, SAID SUBDIVISION, FOR 1257.39 FEET TO THE SOUTHWEST CORNER OF SAID LOT A53, OF SAID SUBDIVISION; THENCE RUN NOO'43'04"W ALONG THE WEST LINE OF SAID LOT A53 FOR 1,180 THENCE OR LESS TO THE WATERS OF THE ESTERO RIVER;
THENCE RUN NORTHEASTERLY, NORTHERLY, NORTHEASTERLY, EASTERLY,
SOUTHEASTERLY AND EASTERLY ALONG SAID WATERS FOR 5,396 FEET MORE
OR LESS TO AN INTERSECTION WITH THE WEST LINE OF THE EAST HALF (E1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SAID SECTION 29; THENCE RUN S00'11'00'E ALONG SAID WEST LINE FOR 990 FEET MORE OR LESS TO THE NORTH LINE OF SAID SECTION 32; THENCE RUN N89'49'47'E ALONG SAID NORTH LINE OF SAID SECTION 32 FOR 671.22 FEET TO THE NORTHEAST COMER OF SAID SECTION 32; THENCE RUN N89'15'27'E ALONG THE NORTH LINE OF SAID SECTION 33 FOR 395.00 FEET: THENCE RUN \$00'30'33'E FOR 2,647.83 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 33; THENCE RUN N88'52'56"E ALONG SAID NORTH LINE FOR 987.18 FEET: THENCE RUN \$00°31'21\*E FOR 578.29 FEET; THENCE RUN N88'50'29"E FOR 1,739.60 FEET TO THE WEST RIGHT-OF-WAY LINE OF TAMIAMI TRAIL [US 41/SR 45 (200 FEET WIDE)]; THENCE RUN ALONG SAID WESTERLY RIGHT-OF-WAY LINE SO5'19'58'W FOR 201.29 FEET; THENCE RUN S88'50'29'W FOR 1,719.07 FEET; THENCE RUN S00°31'21"E FOR 1,840.23 FEET TO THE NORTH RIGHT-OF-WAY LINE OF WILLIAMS ROAD (60 FEET WIDE); THENCE RUN SB9'00'54'W ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 1,382.17 FEET TO THE WEST LINE OF SAID SECTION 33; THENCE RUN S89°00'18"W ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 2.644.88 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER (SE %) OF SAID SECTION 32: THENCE RUN NO'56'02"W ALONG SAID WEST LINE FOR 2,614.20 FEET TO

THIS LEGAL DESCRIPTION IS INCLUSIVE OF THE FORMERLY LESSED OUT CEMETERY PARCEL, AND THE FORMERLY EXCLUDED TRIANGLE PARCEL.

MICHAEL A. WARD, PROFESSIONAL LAND SURVEYOR LS#5301
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DATE

CONTAINING 561.8 ACRES OF LAND, MORE OR LESS.

POINT OF BEGINNING.

R.W.A., INC. STATE OF FLORIDA BUSINESS LICENSE NO. EB-0007663

DIAM INC.

Planning
Visualization
Civil Engineering
Surveying & Mapping

6810 Willow Park Drive, Suite 200 Naplee, Florida 34109 (239) 597-0575 FAX: (239) 597-0578 www.consuit-rwa.com Florida Certificates of Authorization EB 7683 LB 6952

JUNE, 2012	PELICAN SOUND
scale: 1" = 1200'	GOLF & RIVER CLUB
DRAWN BY: J.P.	TITLE:
CHECKED BY: M.A.W.	LEGAL DESCRIPTION
SEC: TWP: RGE: 29,32,33 46 25E	PROJECT 970188.01.09 SHEET NUMBER: 1 OF 2 FILE NUMBER: 9701880109SK01

6/15/12

