

IMPLEMENTING POLICY 14.3.5

NEW LEE PLAN POLICY 14.3.5:

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

SUMMARY OF CODE CHANGES NEEDED TO IMPLEMENT POLICY 14.3.5:

- a. "These regulations would require interconnections between adjoining neighborhoods wherever feasible..." ADD NEW PROVISIONS TO 10-294(b), 34-411(d) & (r), AND 34-1748(1)(e).
- b. "These regulations would ... no longer allow perimeter walls around larger developments." DELETE GREATER PINE ISLAND FROM 34-1743(c)

COMPOSITE CODE CHANGES TO IMPLEMENT POLICY 14.3.5:

CHAPTER 10
Development Standards
ARTICLE III, DESIGN STANDARDS
AND REQUIREMENTS
Division 2, Transportation,
Roadways, Streets and Bridges

Sec. 10-294. Continuation of existing street pattern.

(a) The proposed street layout shall be coordinated with the street system of the surrounding area. Streets in a proposed development shall be connected to streets in the adjacent area where required by the director of development review to provide for proper traffic circulation.

(b) For all new development on Greater Pine Island, the proposed street layout must be fully integrated into the street system of the surrounding area. These requirements apply equally to public and private streets.

- (1) Streets in a proposed development must be connected to existing streets in the

adjacent area, and to likely extensions of existing streets, unless physical barriers such as canals or wetlands preclude such connections.

- (2) Gates or guardhouses may not be used to block the movement of cars except as provided in section 34-1748(1)e. However, traffic calming measures acceptable to the director of transportation may be employed to slow vehicles and to deter excessive cut-through traffic.
- (3) "Greater Pine Island" means the area that is affected by Lee Plan Goal 14 as depicted on the Future Land Use Map and as described in section 34-2 of this code.

CHAPTER 34
Zoning
ARTICLE IV, PLANNED DEVELOPMENTS
Division 3, Design Standards

Sec. 34-411. General standards.

(a) All planned developments shall be consistent with the provisions of the Lee Plan.

(b) All planned developments, unless otherwise excepted, shall be designed and constructed in accordance with the provisions of all applicable county development regulations in force at that time.

(c) The tract or parcel proposed for development under this article must be located so as to minimize the negative effects of the resulting land uses on surrounding properties and the public interest generally, and must be of such size, configuration and dimension as to adequately accommodate the proposed structures, all required open space, including private recreational facilities and parkland, bikeways, pedestrian ways, buffers, parking, access, on-site utilities, including wet or dry runoff retention, and reservations of environmentally sensitive land or water.

(1) In large residential or commercial planned developments, the site planner is encouraged to create subunits, neighborhoods or internal communities which promote pedestrian and cyclist activity and community interaction.

(d) The tract or parcel shall have access to existing or proposed roads:

(1) In accordance with chapter 10 and as specified in the Lee Plan traffic circulation element or the official trafficways map of the county;

(2) That have either sufficient existing capacity or the potential for expanded capacity to accommodate both the traffic generated by the proposed land use and that traffic expected from the background (through traffic plus that generated by surrounding land uses) at a level of service D or better on an annual average basis and level of service E or better during the peak season, except where higher levels of

service on specific roads have been established in the Lee Plan; and
(3) That provide ingress and egress without requiring site-related industrial traffic to move through predominantly residential areas.

(4) Planned developments on Greater Pine Island must also connect to existing streets in the adjacent area and to likely extensions of existing streets, as provided in section 10-294(b). “Greater Pine Island” means the area that is affected by Lee Plan Goal 14 as depicted on the Future Land Use Map and as described in section 34-2 of this code.

(e) – (q) *[no changes required]*

(r) Planned developments on Greater Pine Island must meet all of the special standards contained in this code and in the Lee Plan for Greater Pine Island. “Greater Pine Island” means the area that is affected by Lee Plan Goal 14 as depicted on the Future Land Use Map and as described in section 34-2 of this code.

CHAPTER 34
Zoning
ARTICLE VII, SUPPLEMENTARY
DISTRICT REGULATIONS
Division 17, Fences, Walls,
Gates and Gatehouses

Sec. 34-1743. Residential project walls.

(a) Definition: For purposes of this section, a residential project fence means a wall or fence erected around a residential subdivision (but not individual lots) or development of ten or more dwelling units.

(b) A residential project fence or wall:

(1) May be a maximum height of eight feet around the perimeter of the project upon a finding by the development services director that the fence does not interfere with vehicle visibility requirements (see section 34-3131) at traffic access points.

(2) May include architectural features such as columns, cupolas, fountains, parapets, etc.,

at a height not to exceed twice the fence or wall height provided they are compatible with the project and abutting properties.

- (3) Must be landscaped on the exterior side (between the wall and the abutting property or street right-of-way) with a minimum of five trees per 100 lineal feet and shrub hedges.
 - a. Hedges must be planted and maintained so as to form a 36-inch high continuous visual screen within 1 year after time of planting.
 - b. Trees adjacent to a right of way must be appropriately sized in mature form so that conflicts with overhead utilities, lighting and signs are avoided. The clustering of trees and use of palms adjacent to the right of way will add design flexibility and reduce conflicts.
- (4) Must be constructed to ensure that historic water flow patterns are accommodated and all stormwater from the site is directed to on-site detention/retention areas in accordance with the SFWMD requirements.
- (5) May not be permitted until proper documents have been recorded providing for the maintenance of the project fence and landscaping.

(c) Residential project fences or walls are not permitted on Greater Pine Island. "Greater Pine Island" means the area that is affected by Lee Plan Goal 14 as depicted on the Future Land Use Map and as described in section 34-2 of this code.

Sec. 34-1748. Entrance gates and gatehouses.

The following regulations apply to entrance gates or gatehouses that control access to three or more dwelling units or recreational vehicles, or any commercial, industrial or recreational facility:

- (1) An entrance gate or gatehouse that will control access to property 24 hours a day may be permitted provided that:
 - a. It is not located on a publicly dedicated street or street right-of-way; and
 - b.
 1. Appropriate evidence of consent from all property owners who have the right to use the subject road or from a property owner's association with sufficient authority is submitted; and
 2. If it is to be located within a planned development, it must be an approved use in the schedule of uses; and
 - c. The gate or gatehouse is located*:
 1. A minimum of 100 feet back from the intersecting street right-of-way or easement; or
 2. The gate or gatehouse is designed in such a manner that a minimum of five vehicles or one vehicle per dwelling unit, whichever is less, can pull safely off the intersecting public or private street while waiting to enter; or
 3. The development provides right turn and left turn auxiliary lanes on the intersecting street at the project entrance. The design of the auxiliary lanes must be approved by the development services director.

* Where, in the opinion of the director of development services, traffic volumes on the intersecting street are so low that interference with through traffic will be practically non-existent, the director may waive or modify the locational requirements set forth in (1)c. above. If the intersecting street is county-maintained, then the Director of Lee County Department of Transportation must concur. The decision to

- waive or to modify the locational requirements is discretionary and may not be appealed.
- d. The development provides right turn and left turn auxiliary lanes on the intersecting street at the project entrance. The design of the auxiliary lanes must be approved by the development services director.
 - e. For Greater Pine Island only, an entrance gate or gatehouse can be used to control access only to a single block. Entrance gates or gatehouses cannot interfere with movement of cars between neighborhoods (see section 10-294(b)).
 1. “Greater Pine Island” means the area that is affected by Lee Plan Goal 14 as depicted on the Future Land Use Map and as described in section 34-2 of this code.
 2. For purposes of this subsection, a “single block” means the length of any street from a dead-end or cul-de-sac to the first intersecting street and which provides access to no more than 25 existing or potential dwelling units.
- (2) Access for emergency vehicles must be provided.
- a. Any security gate or similar device that is not manned 24 hours per day must be equipped with an override mechanism acceptable to the local emergency services agencies or an override switch installed in a glass-covered box for the use of emergency vehicles.
 - b. If an emergency necessitates the breaking of an entrance gate, the cost of repairing the gate and the emergency vehicle if applicable, will be the responsibility of the owner or operator of the gate.
- (3) Extension of fences or walls to an entrance gate or gatehouse. A fence or wall may be extended into the required setback where it abuts an entrance gate or gatehouse, provided vehicle visibility requirements (see section 34-3131) are met.
- (4) Entrance gates that are installed solely for security purposes for non-residential uses, and that will remain open during normal working hours, are not subject to the location requirements set forth in (1)c. above and are not required to be equipped with an override mechanism acceptable to the local emergency services agencies or an override switch installed in a glass-covered box for the use of emergency vehicles. However, if an emergency necessitates the breaking of an entrance gate, the cost of repairing the gate and the emergency vehicle if applicable, will be the responsibility of the owner or operator of the gate.