

**VILLAGE OF ESTERO, FLORIDA
ZONING
ORDINANCE NO. 2025-07**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE
VILLAGE OF ESTERO, FLORIDA, APPROVING WITH
CONDITIONS AN AMENDMENT TO THE RESIDENTIAL
PLANNED DEVELOPMENT ZONING FOR THE RIVER
CLUB AREA OF PELICAN SOUND LOCATED ALONG THE
ESTERO RIVER; PROVIDING FOR SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Pelican Sound Golf and River Club, Inc., represented by Michael Pappas, RWA, (the “Applicant”), filed an application to amend the Residential Planned Development (RPD) zoning for a property located within **Pelican Sound**, (the “Property”); and

WHEREAS, the Property is located at the north end of Pelican Sound, at the River Club and adjacent to the Estero River, and

WHEREAS, the zoning case number is DCI2025-E001; and

WHEREAS, the Pelican Sound property was rezoned by Lee County in 1995 for the 547-acre site; and

WHEREAS, the zoning was amended in 2013 by Resolution Z-13-003 to approve two temporary moorings for shuttle boats at the River Club; and

WHEREAS, the Applicant proposes to change the “temporary” mooring for two pontoon shuttle boats to “permanent” mooring; and

WHEREAS, a duly noticed public hearing was held on May 13, 2025 at the Planning Zoning and Design Board, and it recommended approval with additional conditions; and

WHEREAS, a duly noticed first reading was held before the Village Council on July 2, 2025; and

WHEREAS, a duly noticed second reading and public hearing was held before the Village Council on September 17, 2025, at which time the Village Council gave consideration to the evidence presented by the Applicant and the Village staff, the recommendations of the Planning Zoning and Design Board, and the comments of the public.

NOW, THEREFORE, be it ordained by the Village Council of the Village of Estero, Florida;

Section 1. Approval.

The Village Council approves the amendment to the zoning to allow permanent mooring for two boats with the following conditions.

Section 2. Conditions.

1. Prior Approvals

The previous approvals contained in Resolution Z-13-003, including conditions and deviations, remain in effect except as modified by the conditions in this approval.

2. Master Concept Plan

Development of this project must be consistent with the Master Concept Plan (MCP) titled “Pelican Sound Golf and River Club” dated March 2025 which is revised to remove the word “temporary” from boat shuttle mooring #1 and #2.

3. Modified Conditions

Condition 4a of Resolution Z-13-003 is revised as follows:

Boat ramps and dockage (not a marina) limited to:

- one (1) power boat ramp
- two (2) ~~temporary~~ permanent moorings and
- one (1) canoe/kayak launch

Conditions 12.a., h., and m. are revised as follows:

- a. Uses within the 50-foot-wide waterway buffer will be limited to two ~~temporary~~ permanent moorings, one boat ramp, one canoe/kayak launch, one fishing platform/observation deck, one gazebo, two observation decks, a boardwalk, an outdoor waiting area and stormwater management structures as limited below. These uses are subject to the dock shoreline permit requirements of LDC Chapter 7-25. The natural waterway buffer located between the permanent mooring #1 and 2 must remain.
- h. The mooring dock will be for the ~~temporary~~ permanent mooring of a watercraft 35 feet or less in length. No overnight mooring of watercraft other than the 2 shuttles is permitted. Signs must be placed on the mooring dock and the observation/fishing pier indicating no overnight mooring of watercraft except as described above is permitted.

m. The powerboat launch within the River Club area is approved for a single boat ramp with a maximum of two ~~temporary~~ permanent mooring slips.

4. Contingent Approval

The permanent mooring is contingent on approval from the South Florida Water Management District and Army Corps of Engineers.

5. Permits/Modifications

The applicant will file for permits and/or modifications to the South Florida Water Management District and Army Corps of Engineers within 90 days of this zoning approval.

6. Hours of Operation

Hours of operation are 9:00 a.m. to 5:00 p.m. No shuttle service is allowed after dark. This does not apply to sunset cruises.

7. Boat Schedule

Approval is limited to the attached Boat Shuttle Service (Exhibit C) except sunset cruises which must be completed before dark.

8. Rules of Operation

Pelican Sound Golf & River Club has established and will enforce a Boat Shuttle Safety 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.

9. Contact Information

Pelican Sound Golf & River Club has established and will enforce an Incident Protocol to address complaints with the boat shuttle service. The Protocol is attached as Exhibit E.

Section 4. Findings and Conclusions.

Based upon an analysis of the application and the standards for approval in the Land Development Code, and the conditions of approval, the Council finds and concludes as follows:

1. The Planned Development Amendment as conditioned will be consistent with the goals, objectives, and policies of the Comprehensive Plan.

- 134 2. The Planned Development Amendment as conditioned will not conflict with any
135 portion of the Land Development Code.
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137 3. The Planned Development Amendment will address a community need for Pelican
138 Sound.
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140 4. The Planned Development Amendment as conditioned will be compatible with existing
141 and planned uses surrounding the subject land.
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143 5. The Planned Development Amendment will result in a logical and orderly development
144 pattern.
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146 6. The Planned Development Amendment will not adversely affect the property values in
147 the area.
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149 7. The Planned Development Amendment will result in development that is adequately
150 served by public facilities (roads, potable water, wastewater, solid waste, storm water,
151 schools, parks, police, and fire and emergency medical facilities).
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153 8. The Planned Development Amendment as conditioned will not result in significantly
154 adverse impacts on the natural environment including, but not limited to, water, air,
155 noise, storm water management, wildlife, vegetation, wetlands, and the natural
156 functioning of the environment.
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158 9. The Planned Development Amendment as conditioned will not result in adverse
159 impacts.
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161 **Section 5. Exhibits.**
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163 The following exhibits are attached to this Ordinance and incorporated by reference:
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165	Exhibit A	Legal Description
166		
167	Exhibit B	Master Concept Plan titled “Pelican Sound Golf and River Club” dated
168		March 2025
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170	Exhibit C	Boat Shuttle Services Schedule
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172	Exhibit D	Pelican Sound Golf & River Club Boat Shuttle – Estero River Boat
173		Safety Protocol
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175	Exhibit E	Pelican Sound Golf & River Club Incident Complaint Protocol
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Section 6. Severability.

Should any section, paragraph, sentence, clause, phrase, or other part of this Ordinance subsequent to its effective date be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion thereof, other than the part so declared to be invalid.

Section 7. Effective Date.

This Ordinance shall take effect immediately upon adoption.

PASSED on first reading the 2nd day of July, 2025.

PASSED AND ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida on second reading this 17th day of September, 2025.

Attest: **VILLAGE OF ESTERO, FLORIDA**

By: _____ By: _____
Carol Sacco, Village Clerk Joanne Ribble, Mayor

Reviewed for legal sufficiency:

By: _____
Nancy E. Stroud, Village Land Use Attorney

Vote:	AYE	NAY
Mayor Ribble	_____	_____
Vice Mayor Zaluki	_____	_____
Councilmember Fayee	_____	_____
Councilmember Hunt	_____	_____
Councilmember Lopez	_____	_____
Councilmember McLain	_____	_____
Councilmember Ward	_____	_____