

**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 November 19, 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;

47 **Section 1. Approval.**

48
49 The Village Council approves the amendment to the zoning to allow permanent mooring
50 for two boats with the following conditions.

51
52 **Section 2. Conditions.**

53
54 1. Prior Approvals

55
56 The previous approvals contained in Resolution Z-13-003, including conditions and
57 deviations, remain in effect except as modified by the conditions in this approval.

58
59 2. Master Concept Plan

60
61 Development of this project must be consistent with the Master Concept Plan (MCP)
62 titled “Pelican Sound Golf and River Club” dated March 2025 which is revised to
63 remove the word “temporary” from boat shuttle mooring #1 and #2.

64
65 3. Modified Conditions

66
67 Condition 4a (Uses) of Resolution Z-13-003 is revised as follows:

68
69 Boat ramps and dockage (not a marina) limited to:

- 70
71
 - one (1) power boat ramp
 - 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
77 a. Uses within the 50-foot-wide waterway buffer will be limited to two ~~temporary~~
78 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
80 boardwalk, an outdoor waiting area and stormwater management structures as
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
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.

91 4. Effective Date

92
93 The permanent mooring ~~is contingent~~ approved by this Ordinance shall not become
94 effective until the applicant receives written approval from the South Florida Water
95 Management District and Army Corps of Engineers for the mooring activity and
96 provides a copy of the written approval to the Community Development Director. No
97 overnight mooring can take place until the applicant demonstrates approval from these
98 agencies.
99

100 5. Permits/Modifications

101
102 ~~The applicant will file for permits and/or modifications to the South Florida Water~~
103 ~~Management District and Army Corps of Engineers within 90 days of this zoning~~
104 ~~approval.~~
105

106 5. Hours of Operation

107
108 Hours of operation are 9:00 a.m. to 5:00 p.m. No shuttle service is allowed after dark.
109 This does not apply to sunset cruises.
110

111 6. Boat Schedule

112
113 Approval is limited to the attached Boat Shuttle Service (Exhibit C) except sunset
114 cruises which must be completed before dark.
115

116 7. Rules of Operation

117
118 Pelican Sound Golf & River Club has established and will enforce a Boat Shuttle Safety
119 Protocol to ensure that the shuttle operators are properly trained to comply with safe
120 boating rules and courteous navigation. The Protocol is attached as Exhibit D.
121

122 8. Contact Information

123
124 Pelican Sound Golf & River Club has established and will enforce an Incident Protocol
125 to address complaints with the boat shuttle service. The Protocol is attached as Exhibit
126 E.
127

128 9. Safety Measures

- 129
130 a. Boats will have camera with audio to record front area of boat and its surroundings.
131
132 b. Boats will contain GPS tracking to monitor speed and location of boats at all times.
133

- c. The boat shuttle service shall operate at low speed within the area shown in Exhibit A. The operating speed within the area shall be the average speed of 4.8 mph, not to exceed a maximum of 5 miles per hour, except in extenuating circumstances (safety and emergency situations) described in Exhibit A.

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.
2. The Planned Development Amendment as conditioned will not conflict with any portion of the Land Development Code.
3. The Planned Development Amendment will address a community need for Pelican Sound.
4. The Planned Development Amendment as conditioned will be compatible with existing and planned uses surrounding the subject land.
5. The Planned Development Amendment will not affect the development pattern which is already established.
6. The Planned Development Amendment will not adversely affect the property values in the area.
7. The Planned Development Amendment will not affect public facilities which are already existing (roads, potable water, wastewater, solid waste, storm water, schools, parks, police, and fire and emergency medical facilities).
8. The Planned Development Amendment as conditioned will not result in significantly adverse impacts on the natural environment including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

Section 5. Exhibits.

The following exhibits are attached to this Ordinance and incorporated by reference:

Exhibit A Boat Shuttle Operation Low Speed Zone

Exhibit B Master Concept Plan titled “Pelican Sound Golf and River Club” dated March 2025

Exhibit C Boat Shuttle Services Schedule

Exhibit D Pelican Sound Golf & River Club Boat Shuttle – Estero River Boat Safety Protocol

Exhibit E Pelican Sound Golf & River Club Incident Complaint Protocol

Exhibit F Legal Description

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 19th day of November, 2025.

Attest:

VILLAGE OF ESTERO, FLORIDA

By: _____
Carol Sacco, Village Clerk

By: _____
Joanne Ribble, Mayor

Reviewed for legal sufficiency:

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

222	Vote:	AYE	NAY
223			
224	Mayor Ribble	_____	_____
225	Vice Mayor Zaluki	_____	_____
226	Councilmember Fayhee	_____	_____
227	Councilmember Hunt	_____	_____
228	Councilmember Lopez	_____	_____
229	Councilmember McLain	_____	_____
230	Councilmember Ward	_____	_____