

**VILLAGE OF ESTERO, FLORIDA
ZONING
ORDINANCE NO. 2026-04**

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, APPROVING WITH CONDITIONS A REZONING FROM AG (AGRICULTURAL) AND CPD (COMMERCIAL PLANNED DEVELOPMENT) TO CFPD (COMMUNITY FACILITIES PLANNED DEVELOPMENT) FOR APPROXIMATELY 9.5 ACRES LOCATED ON THREE OAKS PARKWAY THAT INCLUDES THE EXISTING FIRE STATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Estero Fire Rescue, represented by Chief Scott Vanderbrook and RESPEC, LLC, (the “Applicant”), filed an application to rezone the property (the “Property”); and

WHEREAS, the Property is located on 21500 Three Oaks Parkway; and

WHEREAS, the zoning case number is DCI2025-E002; and

WHEREAS, 4.9 acres of the Property was rezoned by Lee County in 2006; and

WHEREAS, a fire station and administrative building was constructed on the site; and

WHEREAS, the applicant acquired the 4.6 acres west of the fire station that is zoned AG; and

WHEREAS, the applicant proposes to rezone both parcels to CFPD (Community Facilities) zoning which is a category specifically designed for government and public uses; and

WHEREAS, the proposed use is a 10,000 square foot storage building behind the existing fire station, and a small expansion to the fire station; and

WHEREAS, a duly noticed public hearing was held on April 14, 2026 at the Planning Zoning and Design Board, and it recommended approval with conditions; and

WHEREAS, a duly noticed first reading was held before the Village Council on May 20, 2026; and

WHEREAS, a duly noticed second reading and public hearing was held before the Village Council on June 3, 2026, 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 rezoning with the following conditions.

Section 2. **Conditions.**

1. Master Concept Plan

Development of this project must be consistent with the Master Concept Plan titled “Estero Fire Rescue CFPD” stamped received, dated May 11, 2026.

The development must comply with all requirements of the Land Development Code at time of local development order approval unless otherwise approved in this Ordinance.

2. Prior Resolution Z-06-013

Prior Lee County Resolution Z-06-013 is superseded by this approval and is null and void.

3. Development Standards

Development standards and open space are as shown on the Development Standards and Open Space Table on the Master Concept Plan; except setbacks for the Storage Building are as shown on the Master Concept Plan.

4. Approved Uses

Accessory Uses and Structures
Administrative Offices ancillary to Principal Use
EMS, Fire or Sheriff’s Station/Emergency Operations Center
Fences and Walls
Government Maintenance Facility
Parking, Accessory
Signs, in accordance with the Land Development Code
Storage: indoor only
Utilities, minor

5. Height

Maximum height is 35 feet (two habitable stories)

6. Pattern Book

Development must be substantially consistent with the 11-page “Estero Fire Rescue CFPD Pattern Book” dated May 2026.

7. Environmental

Heritage trees will be preserved on site to the maximum extent possible. Details of the gopher tortoise protection will be provided at time of development order in compliance with State and Federal requirements.

8. Transportation

Access to the property is from Three Oaks Parkway. No access is allowed from Horne Lane.

9. Landscape

The preliminary landscape plan shown in the Pattern Book may be modified at time of development order to show additional detail including plant types and species and is subject to approval by the Planning Zoning and Design Board.

10. Buffers and Open Space

Buffers and open space will be consistent with the Master Concept Plan and Pattern Book. For clarification, the Type F buffer includes existing vegetation but does not include a hedgerow. Once exotics are cleared, additional planting may be necessary in the buffer area if the number of required trees does not meet the buffer requirements.

11. No Blasting

No blasting is allowed as part of this project.

12. Concurrency

Approval of this rezoning does not constitute a finding that the proposed project meets the mandatory concurrency requirements set forth in the Land Development Code and the Comprehensive Plan. The developer is required to demonstrate compliance with all mandatory concurrency requirements prior to issuance of a local development order.

13. Other Permits

Issuance of a development permit by the Village of Estero does not in any way create any rights on the part of the Applicant to obtain a permit from a State or Federal

agency and does not create any liability on the part of the Village for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a State or Federal agency or undertake actions that result in a violation of State or Federal law.

Section 3. 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 rezoning to CFPD with staff conditions is consistent with the Comprehensive Plan.
2. The rezoning is not in conflict with any portion of the Land Development Code, and no deviations have been requested.
3. The rezoning provides a needed public service to the community.
4. The rezoning as conditioned will be compatible with existing and planned uses surrounding the subject land.
5. The rezoning will not affect the development pattern which is already established.
6. The rezoning will not adversely affect the property values in the area.
7. The rezoning will enhance public facilities.
8. The rezoning 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 4. Exhibits.

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

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| Exhibit A | Legal Description |
| Exhibit B | Master Concept Plan titled “Estero Fire Rescue CFPD” stamped received, dated May 11, 2026 |
| Exhibit C | Pattern Book dated May 2026 |

Section 5. 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 6. Effective Date.

This Ordinance shall take effect immediately upon adoption.

PASSED on first reading the 20th day of May, 2026.

PASSED AND ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero, Florida on second reading this 3rd day of June, 2026.

Attest:

VILLAGE OF ESTERO, FLORIDA

By: _____
Carol Sacco, Village Clerk

By: _____
Joanne Ribble, Mayor