

**PAT 96-18  
BoCC SPONSORED  
EAR ADDENDUM AMENDMENT  
TO THE**

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**LEE COUNTY COMPREHENSIVE PLAN**

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**THE LEE PLAN**

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BoCC Public Hearing Document  
for the  
May 27<sup>th</sup> Adoption Hearing

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**May 15, 1998**

**LEE COUNTY**

**DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
PAT 96-18**

<b>T</b>	<b>This Document Contains the Following Reviews:</b>
<b>T</b>	<b>Staff Review</b>
<b>T</b>	<b>Local Planning Agency Review and Recommendation</b>
<b>T</b>	<b>Board of County Commissioners Hearing for Transmittal</b>
<b>T</b>	<b>Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report</b>
	<b>Board of County Commissioners Hearing for Adoption</b>

STAFF REPORT PREPARATION DATE: May 20, 1997

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. APPLICANT:**

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

**2. REQUEST:**

Review the existing densities in the Future Urban Land Use categories to determine if adjustments should be made to either the standard density range or bonus density limit to encourage the development of affordable housing.

**B. BACKGROUND INFORMATION**

This amendment was initiated by the Evaluation and Appraisal Report as adopted by the Board of County Commissioners on February 1, 1996. This report contained the following:

*Affordable Housing*

*While Lee County has several programs encouraging the provision of affordable housing, developers have not taken advantage of them at the rate the county would like. Since the adoption of the EAR, information has been brought forth indicating that one incentive which would attract more developers to construct affordable housing projects would be to increase the bonus density cap for affordable housing. At this time, staff does not have enough data to determine if such a*

*change to the bonus densities would in fact achieve the goal of providing additional affordable housing.*

**Recommendation:** *Initiate an amendment to review the existing densities in the urban land use categories to determine if adjustments should be made to either the standard density or bonus density caps to encourage the development of affordable housing.*

**C. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY**

**1. RECOMMENDATION:**

Planning staff recommends that the Board of County Commissioners leave unchanged both the standard density ranges and the bonus density limits.

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

Several affordable housing developments have been constructed in Lee County using the affordable bonus density provisions of the Lee Plan. There have been many other affordable housing projects that were built without bonus densities.

At the April 25, 1996 Bonus Density Workshop the consensus was that the existing bonus density ranges be doubled. However, staff has had no tangible evidence that there is a demand for this additional density. Staff believes that this additional density would adversely affect the surrounding land uses and traffic patterns of an area. Staff also believes that offering additional and substantially higher bonus densities would not result in helping to integrate affordable housing projects with the existing land uses.

**PART II - STAFF ANALYSIS**

**A. STAFF DISCUSSION**

Lee County has had a density bonus incentive program available since 1984. The program has been reviewed and amended several times to reduce the regulatory framework and to provide greater incentives. Major changes were made to the bonus density ordinance in 1989 to streamline the process.

At the present bonus densities are available in three urban Future Land Use Categories as follows:

<u>Future Land Use Category</u>	<u>Standard or Base Density</u>		<u>Bonus Density</u>
	(Dwelling Units per Gross Acre)		(Dwelling Units per Gross Acre)
	<u>Minimum</u>	<u>Maximum</u>	<u>Maximum Total</u>
Intensive Development	8	14	22 (14 + 8 bonus units)
Central Urban	4	10	15 (10 + 5 bonus units)
Urban Community	1	6	10 (6 + 4 bonus units)

Currently there is a demand for the program as is; there have been several successful projects resulting from the increased density levels offered by the bonus density program. The program has a site development option (which results in affordable units), and a cash contribution option (where funds may be deposited in a trust account based on the number of units granted above the standard density level to housing that is not reserved for low income residents). There have been several cash contributions made that have financed the development of affordable housing in Lee County. In cases where the incentive has been used to provide the maximum density allowable, there has been neighborhood opposition to the projects, whether affordable or not. Further increases in density beyond that which is already provided should consider this factor. A marketing plan has been developed for the program, which was implemented through workshops and a booklet.

The following projects have been developed with the assistance of this program.

<b>Table Density Bonus Projects</b>		
<b>Name of Project</b>	<b>Type of Project</b>	<b>Number of Bonus Units/Total Number of Units</b>
Presbyterian Villas Lehigh Acres	Elderly rental, financing Rural Development. 1992	30/72 (Central Urban)
Corkscrew Woodlands Estero	Homeowner, financing partially state HOME funds. 1996	12/120 (Urban Community)
Bermuda Gardens I Bonita Springs	Cash contribution option: Multi-family. 1995	31/80 (Urban Community) \$124,000 contribution
Bermuda Gardens II Bonita Springs	Cash contribution option: Multi-family. 1996	24/60 (Urban Community) \$96,000 contribution
Avalon Apartments Bonita Springs	Multi-family apartments 1997	79/198 (Urban Community)

On April 25, 1996 a Density Bonus Workshop was held to discuss the various bonus density options available to Lee County. Sixteen persons attended this workshop. The consensus of the workshop was that the bonus density ranges, not the base ranges, could be increased as follows:

<u>Future Land Use Category</u>	<u>Existing Bonus Density</u> (Dwelling Units per Gross Acre) <u>Maximum Total</u>	<u>Proposed Increased Bonus</u> (Dwelling Units per Gross Acre) <u>Maximum Total</u>
Intensive Development	22 (14 + 8 bonus units)	30 (14 + 16 bonus units)
Central Urban	15 (10 + 5 bonus units)	20 (10 + 10 bonus units)
Urban Community	10 (6 + 4 bonus units)	15 (6 + 9 bonus units)

In evaluating the proposed increased bonus density units, it is clear that the proposed increases call for doubling the number of existing dwelling units under each of the three land use categories currently allowing bonus densities. Staff believes this would be a substantial increase in density which must be tempered with concerns about compatibility with surrounding land uses, building height, noise, traffic, and overall intensity. In addition, staff believes that the only way an applicant could obtain the proposed increased bonus density is with additional height. This would result in mid and high rise dwellings being built to serve very low income families, the elderly, the disabled and farm workers.

Staff believes that the current future land use densities were formulated taking into account a variety of development impacts while still providing a bonus density incentive for the building of affordable housing in Lee County. As shown in the previous table several projects have availed themselves of the bonus density program. However, it should be noted that there have been many other affordable housing projects that were built during period that did not utilize the bonus density program.

At this time staff finds no compelling reason to merely increase the current bonus density allotments, much less double them as was proposed during the workshop. Staff has not seen a tangible demand (in terms of proposed projects) that would warrant such an increase in bonus density. Staff believes that the current bonus densities are adequate and are in keeping with the overall land use patterns in Lee County. To substantially increase these densities would probably have adverse impacts on the surrounding land uses and the transportation system. In addition if the bonus densities were substantially increased, the resulting developments would be very different from the adjoining developments as these would be higher and denser than the surrounding developments. Since staff seeks to integrate affordable housing with the overall land development patterns in Lee County; staff does not believe that substantially increasing affordable housing density levels would accomplish housing integration.

It is worthwhile to note that while Collier County has a different type of bonus density program, the maximum number of bonus density units a developer could get in Collier County is 8 (eight) dwelling units per gross acre.

**B. CONCLUSIONS**

Planning staff concludes that there are no compelling reasons to increase the bonus density provisions and that there are several potential disadvantages to increasing the bonus densities among these are incompatibility with surrounding land uses and adverse traffic impacts associated with such increases.

**C. STAFF RECOMMENDATION**

Planning staff recommends that the Board of County Commissioners leave unchanged both the standard density and the bonus density caps in the Lee Plan

**PART III - LOCAL PLANNING AGENCY  
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: June 12, 1997

**A. LOCAL PLANNING AGENCY REVIEW**

The LPA discussed the current limits on bonus densities. A general concensus was reached that serious consideration should be given to increase bonus densities, but that more study was warranted.

**B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT  
SUMMARY**

1. **RECOMMENDATION:** The LPA recommended that the Board of County Commissioners not transmit this amendment.
  
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA recommended further study on this issue over the coming year, so the staff can identify areas in the county where higher densities associated with urban design standards are appropriate.

**C. VOTE:**

<b>CARRON DAY</b>	<u>ABSENT</u>
<b>RICHARD DURLING</b>	<u>AYE</u>
<b>EARL HAMILTON</b>	<u>AYE</u>
<b>RONALD INGE</b>	<u>AYE</u>
<b>BILL SPIKOWSKI</b>	<u>AYE</u>
<b>GREG STUART</b>	<u>AYE</u>
<b>MATT UHLE</b>	<u>AYE</u>

**PART IV - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: November 5,1997

**A. BOARD REVIEW:** Mike Roeder, director of Planning of Humphrey and Knott and vice-chairman of the Affordable Housing Committee he discussed the amendment and asked that if the Board did not transmit this amendment, the Board make it clear that it was an important issue that needed further study. Board members discussed this issue pointing out that further study was needed.

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:** The Board of County Commissioners voted unanimously to not transmit this amendment and give direction to staff to work with the affordable housing committee and Commissioner Judah to come up with new parameters.

**1. BOARD ACTION:** The Board of County Commissioners accepted the findings of fact as advanced by staff.

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

<b>JOHN ALBION</b>	<b>AYE</b>
<b>ANDREW COY</b>	<b>AYE</b>
<b>RAY JUDAH</b>	<b>AYE</b>
<b>JOHN MANNING</b>	<b>AYE</b>
<b>DOUG ST. CERNY</b>	<b>AYE</b>

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,  
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: February 5, 1998

**A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**

The DCA had no objections, recommendations, or comments concerning this amendment.

**B. STAFF RECOMMENDATION**

Adopt the amendment as transmitted.

**PART VI - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: May 27, 1998

**A. BOARD REVIEW:**

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

**JOHN ALBION**

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**ANDREW COY**

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**RAY JUDAH**

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**JOHN MANNING**

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**DOUG ST. CERNY**

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