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**City of Bonita Springs**

**DR/GR Land Use Study Report**

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**Executive Summary**

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**Revised August 22, 2008**

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## EXECUTIVE SUMMARY

### I. BACKGROUND

The DR/GR was originally established as a way of timing the growth in Lee County so that properties in the DR/GR, which at the time had limited access to urban infrastructure, were not prematurely developed, leading to urban sprawl. Ironically several areas within the Bonita Springs DR/GR were already developed, seemingly defeating the purpose of preventing premature development.

Significant urban development has extended east of Interstate 75 making the DR/GR the only remaining area within the City limits in a non-urban land use category on the future land use map even though grandfathered urban land uses remain in existence.

The City of Bonita is anticipated to see a dramatic population increase through the year 2025 with minimal additional land for development. Despite the current downturn in the residential market, it is clear that development pressure will continue to exist in the City of Bonita Springs. To the extent that there is appropriate land available in this incorporated municipality, land that can be serviced by urban infrastructure, development should and must be accommodated. Utility service is available (Bonita Springs Utilities is physically located inside the DR/GR) and road infrastructure is and can be made available with proper planning.

If the demand for housing is not accommodated, it does not simply disappear. Development will happen, but limited to the extent allowed on the present future land use map, at 1 dwelling unit per 10 acres. Because that development scenario does not accommodate a significant population, pressure for development in areas farther east will increase, moving inland from the historic development areas (sprawl). The lower the density designation in the DR/GR area, the more development pressure will increase in less appropriate locations.

To the extent that new appropriate locations for development are identified within the City, they should accommodate as much density as is appropriate to make the most efficient use of the land. This will maximize the increase to the supply of housing, providing for more opportunities for affordable housing and relieving development pressure from more environmentally sensitive lands to the east.

### II. SITE CHARACTERISTICS

The Bonita Springs DR/GR encompasses about 5,300 acres extending from I-75 on the west to the city boundary on the east, and the city boundary on the north nearly to Bonita Beach Road on the south. Access to the Bonita Springs DR/GR is limited, with few interconnecting arterial roads. Bonita Grande Drive is the only north-south road connecting the northern and southern boundaries. East Terry Street provides an alternate entry-exit route, running over I-75 and

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connecting to Old US-41. Morton Avenue intersects with East Terry Street and runs north-south through part of the DR/GR boundary.

The development pattern is characterized by medium density mobile home communities, single family suburban development on small lots, agricultural uses, aggregate mining and large lot residential development. There are few large, contiguous, vacant properties available for new development.

Lands within the Bonita Springs DR/GR are almost all impacted in some manner. Many of the wetland areas have been altered or infested with exotic vegetation. Most of the historic flowways have been largely impacted. While there are some areas, such as south of East Terry Street and along the Imperial River that have retained their historic natural beauty, most of the DR/GR is viewed as an area in need of ecological restoration, not preservation.

The DR/GR area contains community-wide public and quasi-public uses such as the YMCA and the Bonita Springs Utilities facilities providing potable water and sewer to the most of the rest of the city. However, there are minimal commercial uses in the immediate area and residents must drive west of I-75 to US 41 or south to Bonita Beach Road, several miles to access commercial and employment centers.

While there are significant constraints to planning, parts of the DR/GR are virtually a clean slate, allowing for the opportunity to enhance the quality of life through provision of a viable road network, restoration of environmental features

crucial to maintaining the larger ecosystem, and a sense of place.

### III. VISIONING/PLAN REFINEMENT

Creating a vision and a realistic plan for the Bonita Springs DR/GR Area is a complex and involved task. An extensive amount of technical data must be gathered in order to understand the impact of changes occurring in the surrounding areas. Most of all, community input must be gathered to better understand what should occur in the planning process to implement the City's overall vision for the future amidst this changing environment.

Anecdotal data by key stakeholders is important when planning an area with existing development and future growth considerations to establish planning options and priorities. For this reason, the planning process was established using two parallel tracks to gather data and produce the recommendations in this report.

From the start of the process it has been understood by the planning team that the vision for the Bonita Springs DR/GR should be based on as much input from as diverse of a stakeholder group as possible. The DeLisi Fitzgerald team used a stakeholder outreach approach, the "Stakeholder Assessment", based on recognized dispute resolution techniques. The visioning process began with a series of stakeholder interviews followed by a workshop and the use of a draft plan as a working document for review and discussion. The stakeholder vision process was designed to make sure that all interests were represented during the

visioning process. The stakeholder assessment was conducted with two primary goals:

1. Provide the consultant team with a general understanding of the issues of concern within the Bonita Springs DR/GR and a knowledge of the vision of individuals for the future of the area; and
2. Introduce the process and expected product of the study to the different stakeholder groups and begin to build comfortable working relations and lines of communication between the project team and general community.

All interviews were conducted in person with no more than three interviewees present. Sessions lasted about one hour and were limited in size in order to provide for a comfortable atmosphere for in-depth discussions.

The interviews focused on the following general topics:

1. Environmental Preservation/Restoration;
2. General Land Use and Form of Development;
3. Coordination with Lee County;
4. Property Rights and Fairness;
5. The Need for Affordable Housing in Bonita Springs; and
6. Suggestions for Additional Stakeholders and Interviewees.

The goal of a stakeholder assessment is to gather the input and seek out the involvement of all interest groups, regardless of the actual number of people or voters these interest groups represent. The theory is that all interest

groups have a legitimate right to be part of the process and have valuable input that should be accepted and weighed based on its merit. The stakeholder assessment should be understood to be a summary of the issues important to different stakeholder groups, but not to be used to state that the “majority of people” believe one thing or another.

### **Findings**

The goal of the stakeholder dialogue was to listen intently to the positions of the different interest groups and to understand the issues behind those positions. The goal of the visioning process was to identify the priority issues that needed to be addressed and then create a plan that was practical and realistic to address as many of the interests as possible.

### **General Issues/Positions**

#### **Approach to Planning:**

Several organizations and people interviewed have a general position that there should be no increases in density granted without a commensurate decrease in density somewhere else. A variation on this more rigid position is that there should be no “free density”. In other words, many of the people that expressed the viewpoint of no “free density” want to make sure that the result of the planning process is not simply to increase densities on properties within the DR/GR, but to have a trade off so that if a property is allowed to increase their density they would need to do something for the general public good for that increase. There is a distinct difference between the position of a

commensurate decrease in density somewhere else to allow for the increase here, and no “free density”. The former refers to a transfer of development rights program that requires for every unit developed on a property above one dwelling unit per ten acres, a unit will be purchased from somewhere else in the City of Bonita Springs or Lee County to offset the increase in density in the DR/GR. This position was well established with more than one organization/individual.

The idea of no “free density” was one that was most often repeated among almost all of the interest groups. It is important to note however, that many interest groups did not view the idea of no “free density” to be limited to a TDR program or environmental preservation. Many had the sense that development should be required to do more than simply pay for infrastructure impacts. It was widely recognized that increasing density of a property from one dwelling unit per acre to something significantly greater would add value to the properties affected. Rather than simply “giving” away that value, many stakeholder groups were looking to channel some of that value toward issues like public greenways, affordable housing, environmental restoration projects, etc.

#### **Property Rights/Fairness:**

Property Rights/Fairness: In contrast to the viewpoint of not “giving away” density, was the view that this area should never have been designated in the DR/GR category. One often expressed viewpoint was that many of the properties within the Bonita Springs DR/GR are neither environmentally sensitive nor essential for groundwater resources. There is clearly a feeling by many property owners that they are not

being treated fairly remaining within this Future Land Use category.

#### **Affordable/Workforce Housing:**

Several interviewees discussed the general need for affordable/workforce housing within the City of Bonita Springs. The viewpoint is that the City is nearing build out and the supply of affordable housing is well below the need. The Bonita Springs DR/GR is the City’s last opportunity to provide a location for the construction of affordable or workforce housing. Those holding this view point did not state that the Bonita DR/GR area should be entirely affordable or workforce housing, but that there should be requirements or bonus densities granted to provide for affordable or workforce housing, creating both mixed income communities and moderate priced communities.

#### **IV. OPTIONS**

As the horizon year of the 1990 Lee Plan (the year 2010) is approaching, it is appropriate to assess how well the DR/GR category has functioned.

Basically, there are three distinct options available to the City of Bonita Springs:

1. Making no changes to the Comprehensive Plan.
2. Simply extending some of the City’s existing future land use categories without creating any additional development guidance specific to this area.

3. Creating an overlay with criteria to guide development toward achieving a more sustainable form.

### **Option #1: No Changes to the DR/GR**

The option to make no changes to the Comprehensive Plan relative to the DR/GR does not necessarily mean that nothing happens. Bonita Springs has been and will continue to be in a state of transition regardless of policy decisions made by the local government. Policy decisions can serve to guide market forces, but not stop them. Despite the current downturn in the residential market, development pressure will continue. Without enough land and density to accommodate that development pressure, two things will happen: prices escalate creating an even further crunch on the affordability of units, and unplanned growth takes place. Problems associated with this Option include:

Residents of the approximately 1,700 occupied units in the Bonita Springs DR/GR have very limited internal opportunity for commercial uses to fulfill their daily needs and must rely exclusively on the automobile for every trip, further adding to the congestion of the only two points of connectivity with the rest of the City, Bonita Beach Road and East Terry Street/Old US 41.

Bonita Springs is severely lacking in opportunities for affordable and workforce housing. The predominant form and patterns of development in the City lend themselves to low density, high priced suburban development without opportunities for affordable units. Analysis and study has shown that the DR/GR is the only area with significant enough land to provide even a

portion of the workforce housing that will be needed in the City.

The DR/GR is a heavily altered and impacted area with little apparent environmental value in its current state and is suspected to be a major contributor to pollution in the Imperial River watershed.

The current pattern of land uses includes suburban subdivisions, agriculture, dense development on individual package plants such as Citrus Park and minimal environmental standards to manage surface water flows. The DR/GR is an area in need of improvement, yet the current Comprehensive Plan envisions future development at essentially one dwelling unit per ten acres. This is a vision left over from the Lee Plan from which it was taken and will not improve the environment,

If nothing is changed within the DR/GR, the only form of government action available will be for the City to acquire lands for restoration, a very costly endeavor. With the current budgetary constraints, this is not now a viable option and would only be possible through a significant increase in taxes.

### **Option #2: Extend Existing Future Land Use Categories Over the DR/GR Area**

While it may be possible to extend existing land use categories over the Bonita DR/GR area with environmental criteria for Best Management Practices (BMPs) as outlined

in the Rawl Report, or with a requirement to build some percentage of workforce housing, this does not fully allow for the use all of the tools available to the local government. Rather, it simply creates an incentive (density) to restore specific environmental features on specific properties or provide some level of workforce housing for some specified period of time in a piecemeal fashion.

The City should be sympathetic to the fairness argument. Given the City's population projections, workforce housing needs, and the environmental characteristics of the area, development is appropriate. The Bonita Springs DR/GR, despite the fragmentation of ownership, still provides an opportunity to change the direction of how the City grows. The choice is whether or not to continue with the current pattern and form of development that has lead to auto-dependant mobility and a crisis in workforce housing, or to promote forms of development that have proven successful throughout the State of Florida. Option #2 neither ensures the long term health of the City nor does it provide for fair compensation for property owners that implement public goals such as environmental restoration.

### **Option #3 Create an Overlay with Performance Criteria to Guide the Form of Development**

If the goal is to create an area that develops in a manner that is sensitive to the environment, improves the function and health of the area's ecosystem and provides for a diverse mixed income community, the more methods of government action that the City uses the more likely the plan will be to succeed. Methods should include:

1. Providing an option of development at a density greater than 1 dwelling unit per acre as an incentive to make environmental improvements or provide workforce housing.
2. A program that shifts development rights from areas that are environmentally sensitive or have a restoration value for the health of the ecosystem to areas that are appropriate for development. This fairly compensates those land owners with properties that have ecological value in a restored state.
3. Government regulation to guide the form of development so that it does not lead to further negative impacts to the environment or the creation of a development area that is not sustainable or viable over the long term.
4. Involvement in a TDR program where the City can either use a fee in lieu for public acquisition, or otherwise be the conduit to direct the acquisition of targeted environmental restoration areas.

Incentives, shifting development rights, and public acquisition all address the issue of environmental improvements to the City. Government regulation can be used to both implement environmental best management practices, and to guide the form of development so that there is long term diversity in the local housing market, and development scales designed to be more compact in design to alleviating development pressure from spreading farther into rural or environmentally sensitive areas and most

efficiently accommodate population in an area that is appropriate for development. Sustainable cities are built based on diversity and interconnectivity. Mobility options, land uses, housing types and sizes, all must be diverse and interconnected to build cities that are viable over time.

Where a city's economy is based on a retiree market but does not provide mobility options other than the automobile, the ability to thrive over time is questionable. If a diversity of housing is not available for the workforce to service the retiree market, then the ability of the City to function is also questionable. It is not to say that in planning for the DR/GR we should move away from use of the automobile, but rather move away from a design that makes the automobile the only form of mobility.

Option #3 is the recommended option for guiding sustainable development in the Bonita Springs DR/GR. The recommendations in the following section are intended to implement this option by providing for mobility and transportation connectivity, public and civic spaces, and a variety of integrated residential and commercial uses.

## **V. LAND USE RECOMMENDATIONS**

The following recommendations propose a program to incorporate the aforementioned four methods of government action to implement the City's goals of having an economically viable and environmentally sustainable program for development to realize its goals of environmental restoration, provision of diverse mixed income communities and economically viable places.

### **Construct of the Future Land Use Map**

It is the recommendation of this report to adopt an overlay with a series of policies to guide development and the restoration and preservation of natural lands.

The analysis for this report is based on a development scenario of 5,000 dwelling units that is derived from a realistic estimation of gross density for the area when excluding public lands, property in conservation easement, unusable property and restored environmental property. An estimate of 450,000 square feet of commercial area, using a planning "rule of thumb" of 90 square feet per dwelling units, has also been factored in for planning purposes. The analysis represents only a projected mid-term analysis. The policies and guidelines for development promote a more compact form of development, and one which would exceed the proposed density limits. This is meant to function as the phasing plan based on projected infrastructure needs.

Projected infrastructure deficits must not be allowed to promote the prevalence of low density development, which will lead to inefficient use of the land and minimize the environmental benefits of accommodating density in a compact land form.

The proposed future land use map was created through a process of:

1. Identifying areas that could not and should not be developed (i.e. publicly owned land, lands that are environmentally sensitive and lands that are located

where environmental features used to exist and may be recreated).

2. Defining the backbone of the plan with existing and future roadway corridors
3. Locating higher density residential and commercial areas at crossroads of major road corridors
4. Filling in the plan with medium density residential uses in proximity to the nodes and lower density residential uses in proximity to environmental lands.

### **Road Network**

The road network on the proposed future land use map is conceptual in nature only (See Diagram 15). Proposed Policy 1.15.6 addresses the construction and connectivity of roads. More detailed alignment studies will be needed to locate precise alignments of the road network through the area. However, it is essential to direct that road connections be created in order to avoid gridlock over time in this area.

### **Commercial Areas**

Locating Mixed Use commercial nodes at the intersection of two major roadways is necessary for the distribution of traffic, allowing multiple means of entering and exiting the area. The Commercial Mixed use centers and the neighborhood commercial areas were created based on two factors:

1. Intersections of major roads

2. Distribution throughout the planning area to allow for multiple destination points and further distribution of trips throughout the area.

Commercial development is allowed and encouraged in both the High Density and the Medium Density land use categories to promote and encourage retail opportunities that foster pedestrian movement and internal capture of trips within communities.

Commercial areas have been defined in order to create the ability to construct one, or several, town center(s). Commercial is not simply designated for the four corners of the intersection itself, but along the roads going to and from the intersection. Commercial may be extended outside of the Mixed Use areas into the high density residential areas through the provisions in the proposed High Density Residential land use category.

### **Residential Areas**

The proposed land use map provides for the development of residential units at varying densities. The planning thought for the location of residential density was simple: higher density around mixed use nodes, and lower density toward the Imperial River and existing low density residential neighborhoods. Medium density residential fills in the remainder of the area.

The High Density Residential areas are mostly concentrated around Village Center nodes, in order to make the commercial uses more viable and create the opportunity for

pedestrian movement between uses. The residential areas surrounding the Village Center nodes also have a minimum allowable density. Higher density, multi-story product is also appropriate for areas that are isolated where the product would be more marketable. Higher density areas are located around the lake edges of the Bonita Grand Mine property to encourage redevelopment of the property, a compact form of development, and the most efficient use of developable land in an area where views over water and vast preserve areas would make height marketable.

### **Greenway/Blue Way Corridors**

The goal in the creation of the Greenway/Blueway Corridors is threefold:

1. To restore areas that were formerly of ecological significance
2. To promote compact forms of development
3. To improve water quality flowing into the Imperial River

Development regulations in the City of Bonita Springs require preservation of lands and open space on a site by site basis with little regard to interconnectivity of larger preserve areas and no regard for the creation of public passive recreational opportunities. The Greenway/Blue Way corridors have been located on the future land use map in order to restore historic flowways, and to create a public open space system unlike anything that exists elsewhere in Lee County. This approach follows and supports the City's

efforts to acquire properties along the Imperial River to create a public linear park.

There is one corridor extending north-south through the study area that does not correspond to a historic flowway or environmental features. This corridor was located to provide connectivity between the northern and southern east-west corridors, based on potential future road alignments, parcel configurations, and the ability to maximize value to the public based on proximity to the corridor.

The creation of the Greenway/Blue Way corridors will be accomplished either by individual on site clustering of density away from the corridors, or through designating the corridors for sending units to transfer density off site.

The following map represents the Master Concept Plan for the Bonita Springs DR/GR with Greenways.



## **VI. TRANSFER OF DEVELOPMENTS RIGHTS PROGRAM AND AMENDMENTS TO THE BONITA SPRINGS COMPREHENSIVE PLAN**

### **Transfer of Developments Rights Program**

The idea that density should not simply be granted has its roots in two ideas.

First, many of the stakeholder groups feel that development and government have not done or have not been able to do enough to create a sustainable community; meaning a community that protects large areas of valuable environmental lands and animal habitat, a community with clean rivers, with a balance of housing opportunities from workforce to high income, and a community designed so that uses are integrated and multiple modes of transportation are available.

Second, several interest groups perceived that granting increased density for properties in the DR/GR could be leverage for the City to require that development implement other city goals, or rather do a better job of creating a sustainable community in the City. Ideas ranged from granting bonus densities for a significant provision of workforce housing to transferring density from off-site locations in order to preserve environmentally sensitive land inside or outside of the City of Bonita Springs.

### **TDR Program Recommendations**

The primary goal of planning for this area should be first to promote land development practices that are sustainable (i.e., preserve and improve local environmental quality and create a form of development that provides for connectivity of uses) and second to provide a program to acquire additional lands for public open space.

In identifying the locations for “sending properties”, the City should start by identifying City-wide priorities for land acquisition. For example, is the priority to fund greenway systems and restoration areas within the Bonita DR/GR that could provide water quality enhancements to the Imperial River Watershed?

Properties that face development pressure, in areas where environmental constraints to prevent development do not exist, are valuable targets for acquisition. From the standpoint of timing, properties where the restored value has equal or greater value than pristine lands should be the target of acquisition. In other words, if the City considers it a valuable goal to restore a significant historic flowway through the Bonita DR/GR to improve the water quality of the Imperial River and reestablish wildlife habitat in the area, then this should become the target acquisition priority because these areas face more development pressure and fewer environmental constraints to block development than lands in the Lee County DR/GR area.

Although it may be more time sensitive and as (or more) valuable to purchase lands in urban areas for environmental restoration, it is certainly more costly. Not only are land values higher in areas where development pressures exist, but there are significant costs associated with land restoration. In evaluating priorities of targets for acquisition, a cost benefit analysis is needed to decide the benefit of acquiring inexpensive lands that have very little likelihood of development future, or expensive lands that will very likely develop in the foreseeable future.

The recommendation in creating a TDR program is for the City to do the following:

1. Designate sending lands within the Bonita DR/GR to compensate Bonita residents for lands that are target environmental restoration areas or areas that provide wildlife corridors and public passive recreation opportunities. Sending lands should include the Watermen property and other lands that are not designated for urban development east of Bonita Grande Drive.
2. Provide a mechanism for incentives for higher density development through the TDR program rather than have TDRs as a disincentive to increasing density. This would come in the form of marginal decreasing density transfer requirements as more receiving density is proposed.
3. Actively engage in the TDR program through providing a fee in lieu program where developers pay the City rather than through market based transactions.

4. Allow for streamlined review of development proposals to promote environmental restoration.

### **Amendments to the Comprehensive Plan**

The reader is directed to the full report for the specific policies contained in the proposed amendments to the Bonita Springs Comprehensive Plan. These amendments create an overlay area through which property owners can increase the density on their properties by preserving environmentally sensitive land, restoring environmental features of specific properties, and/or providing for on-site workforce housing.

The Overlay, which will change the designation of the area from DR/GR to "East Bonita Springs", aims to guide the form of development and direct the provision of urban infrastructure. The proposed policies have been adapted from overlay provisions contained in other Comprehensive Plans where the goal was to allow for mixed use and interconnecting development forms.