

New Development Options in Lee County:

# The Greater Pine Island Transferable Development Rights Program

**Michael Jacob** | Managing Assistant County Attorney

**Mikki Rozdolski** | Manager of Planning | Lee County Department of Community Development

# Transferable Development Rights (TDR) Program

## What is the Greater Pine Island TDR Program?

Program with incentives for property owners to transfer density (TDUs) from Pine Island to developments located in urban areas of the County.

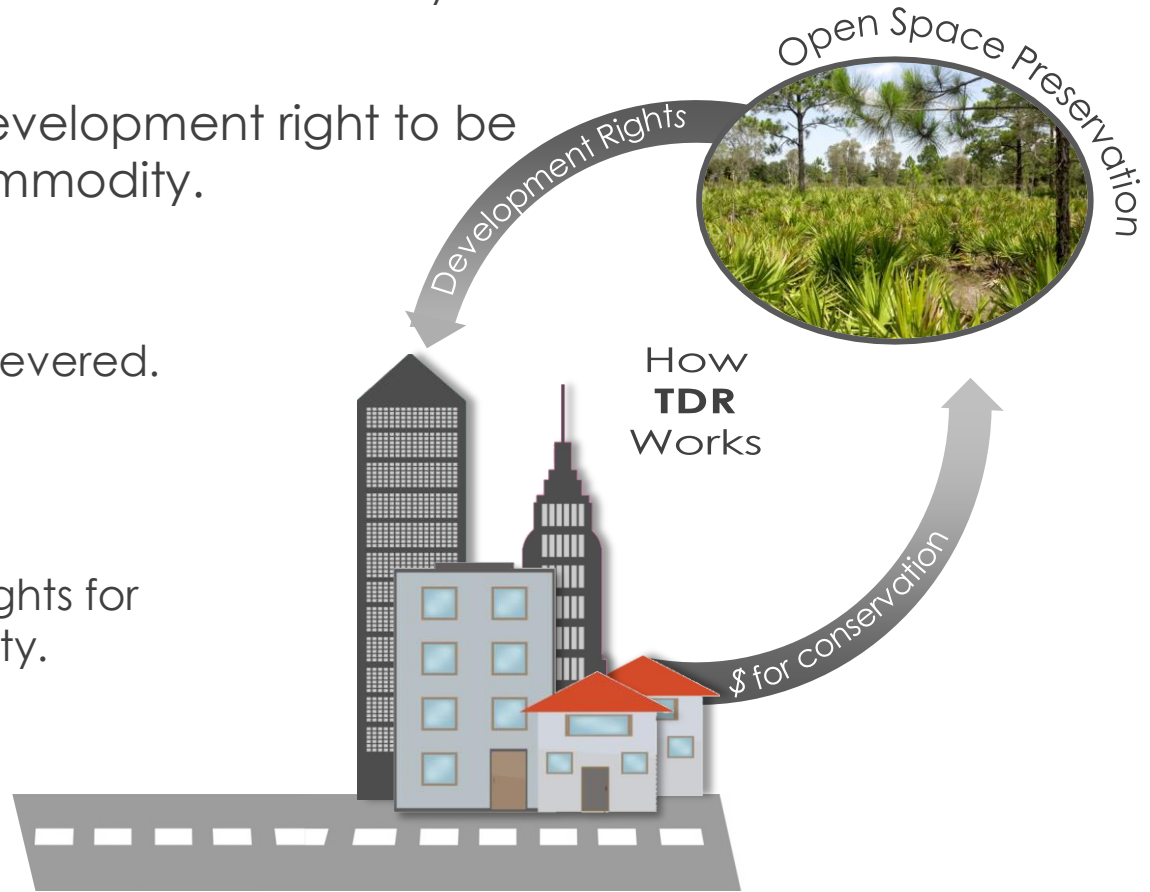
● Allows for a separated development right to be bought and sold as a commodity.

● Sending property:

- Development rights are severed.
- Preserved in perpetuity.

● Receiving property:

- Redeem development rights for increased density or intensity.



# Criteria for a Successful TDR Program

## Predictable

Must be stable and easy to use, with good market information about TDR values and transactions



## Market

Higher density development must be more profitable than lower density development



## Incentive

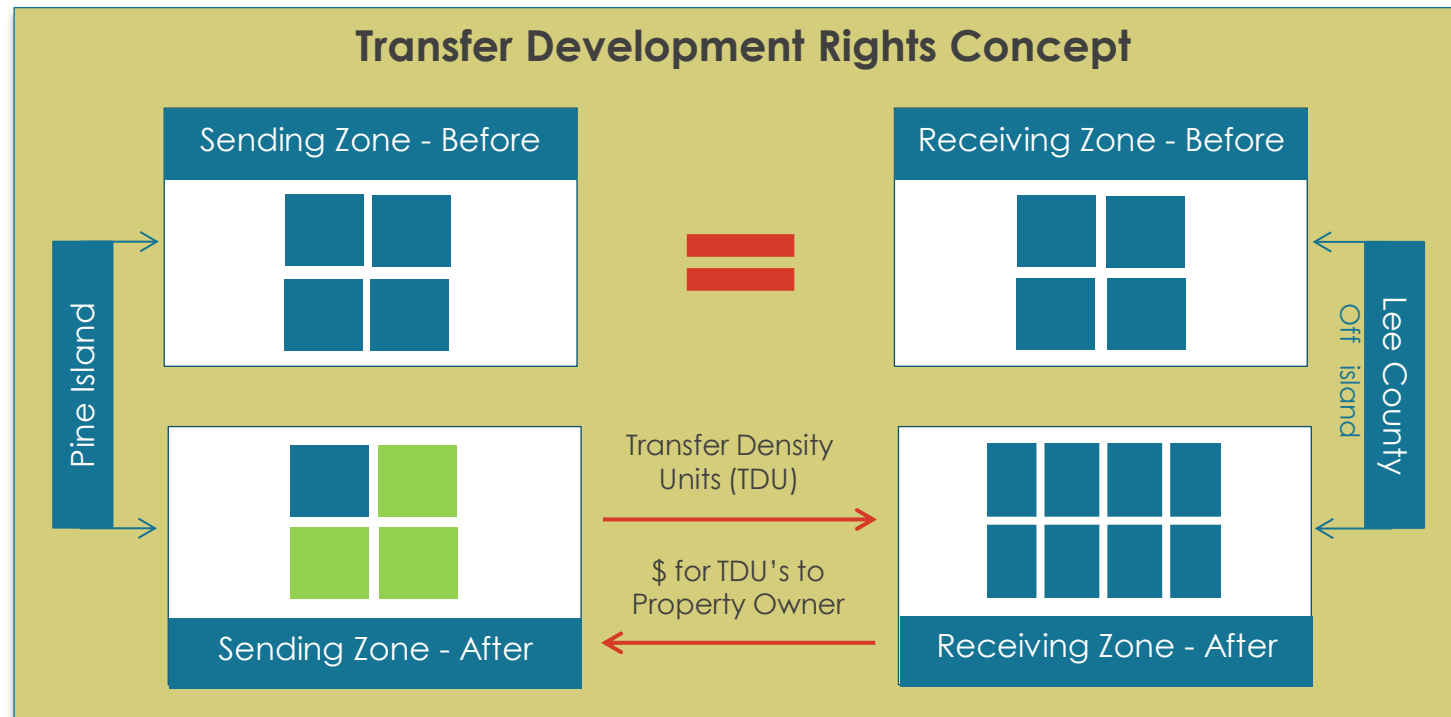
Must be more attractive than obtaining density other ways such as affordable housing or comprehensive plan amendments



# Greater Pine Island TDR Program Incentives

## Incentives include:

- ✓ Off-Island TDU multiplier
- ✓ Increased density and commercial intensity in receiving areas
- ✓ Opportunities to reduce open space
- ✓ Predictable and easy to use program
- ✓ By-right and administrative approvals
- ✓ Higher burden by BOCC to deny density off of Greater Pine Island



# Greater Pine Island TDR Sending Areas

## Wetlands

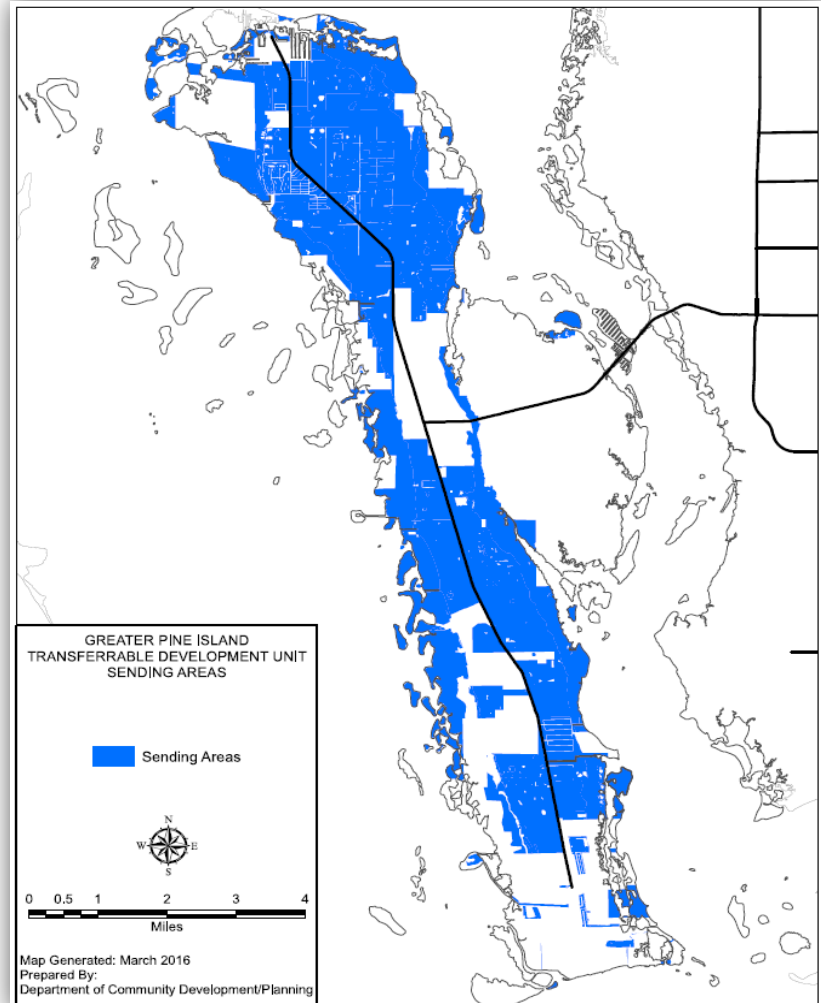
- Up to one TDU per five acres
- Up to two TDUs for lots with an affirmative minimum use determination

## Non-Urban Categories

- Up to one TDU per one acre of uplands

## Outlying Suburban Category

- Up to three TDUs per one acre of uplands



# TDU Creation & Redemption Process

## Determination Letter:

Determine the number of TDUs that can be created from a parcel.

1

## Certificate:

Certificate issued for TDUs identified in the Determination Letter upon receipt of a recorded conservation easement, restrictive covenant, or other instrument that severs the development rights from the sending parcel.

2

## Tracking:

Upon receipt of the TDU Certificate, the landowner may sell, trade, barter, negotiate or transfer the TDUs.

The grantor must execute and record a deed of transfer before a transfer of TDUs can be completed.

3

## Redemption:

TDUs may be used in appropriate receiving areas at time of **development order or building permit.**

TDUs may not be redeemed in the Coastal High Hazard Area.

4

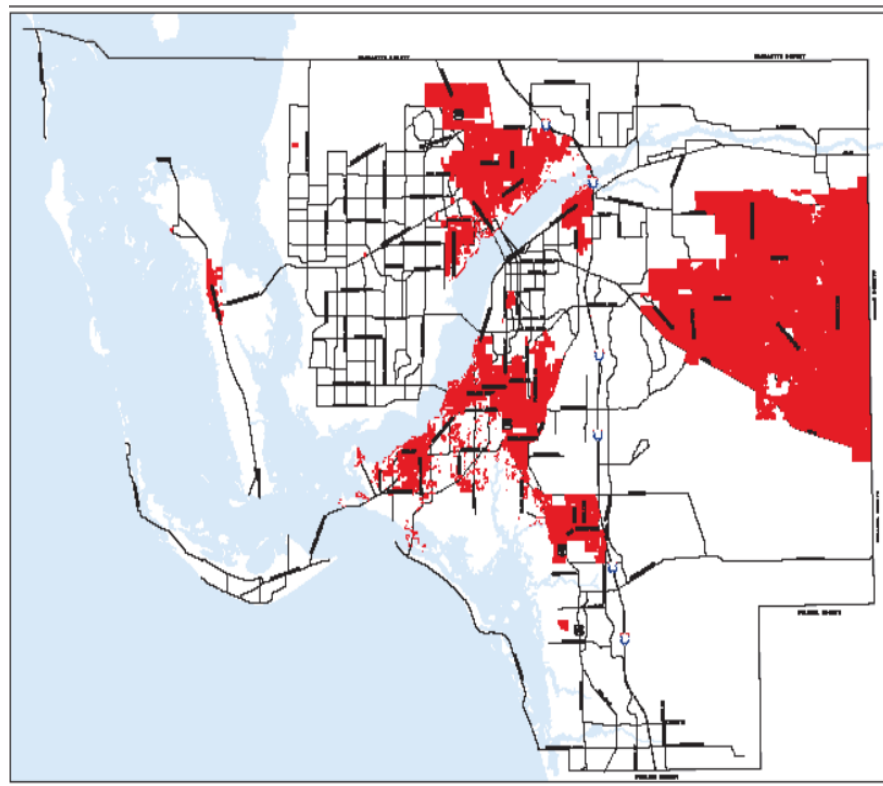
# Greater Pine Island TDR Receiving Areas

One Greater Pine Island TDU will equal up to two dwelling units when:

- Transferred to eligible receiving lands outside of the Greater Pine Island Planning Community

Greater Pine Island TDUs may be used:

- To administratively increase commercial intensity of existing Planned Developments. One TDU equals 10,000 sq. ft. of commercial uses.
- For increased maximum densities in these future land use categories: Intensive Development, Central Urban, and Urban Community.
- To administratively reduce open space and onsite native preservation requirements.
- For up to two additional dwelling units per acre within the Suburban future land use category.



# TDU Approval Types

## By-Right

Up to one dwelling unit per acre may be added by right in certain conventional zoning districts (not to exceed the maximum total density range).

## Administrative

Approve additional units in conventional and planned development zoning districts provided certain criteria is met.

## Public Hearing

In conjunction with a conventional or planned development rezoning.

Specific findings of fact that find the increased density or bonus density would be inconsistent with the Lee Plan.



# BIG SALE

Pine Island TDUs

**For More Information:**

Lee County Planning Section

239-533-8585

[www.leegov.com](http://www.leegov.com)

