

City of Fort Myers

Proposed Amendments to Future Land Use Element

The following is a description of the proposed Amendment to the Future Land Use Element of the City of Fort Myers Comprehensive Plan as of January 12, 2018:

1. The standard (base) allowable density (not including bonus allocations) is proposed to be increased for the Downtown District Future Land Use Category from 35 dwelling units per acre to 70 dwelling units per acre. The proposed Midtown South Future Land Use Category will also allow a standard density of 70 dwelling units per acre and Floor Area Ratio (FAR) of six (6).

Policy 1.7): Areas on the Future Land Use Map designated as **Downtown District (D/T)** in accordance with Map E will be redeveloped as the pre-eminent regional mixed use development center. Properties located within the Downtown Historic District shall be developed or redeveloped in accordance with this policy and the Historic Preservation Element of the Comprehensive Plan. The maximum standard (not including bonus) density allowed within the Downtown District is 70-units/acre and the maximum standard (not including bonus) intensity for non-residential uses is six (6) FAR. The maximum densities and intensities for each zoning district shall be further defined by the Land Development Regulations. Additional density and intensity (FAR) may be approved only through the bonus incentive program, as described in Policy 1.9 and as implemented through standards and procedures in the Land Development Regulations. Intensity for all properties designated Downtown District should be limited to a floor area ratio (FAR) of no more than eighteen (18) FAR. The maximum densities and intensities may be further restricted by the Land Development Regulations.

2. The Midtown South Future Land Use is a new Future Land Use Category proposed in Future Land Use Policy 1.8. The Future Land Use Map is proposed to be amended to designate the area bound by Martin Luther King, Jr. Blvd, Cleveland Avenue, Evans Street, and Edison Avenue as Midtown South Future Land Use. Currently, this area has Future Land Use Category designations of Traditional Community and Corridor Commercial. The development standards and allowable zoning districts proposed for the Midtown South Future Land Use Category are the same as proposed in the existing Downtown District Future Land Use Category.

Policy 1.8) Areas on the Future Land Use Map designated as **Midtown South (M/S)** shall be developed or redeveloped in accordance with this policy and the Historic Preservation Element of the Comprehensive Plan, as applicable. Midtown South is designated for a mix of residential and commercial uses. The maximum standard (not including bonus) density allowed within the Midtown South District is 70-units/acre and the maximum standard (not including bonus) intensity for non-residential uses is six (6) FAR. The maximum densities and intensities for each

zoning district shall be further defined by the Land Development Regulations. Additional density and intensity (FAR) may be approved only through the bonus incentive program, as described in Policy 1.9 and as implemented through standards and procedures in the Land Development Regulations.

3. The standard allowable intensity [quantified as floor area ratio (FAR)] for the Downtown District and Midtown South Future Land Use Categories has been reduced from eighteen (18) FAR to six (6) FAR. However, the existing Policy applied FAR to residential and non-residential uses. It is proposed that FAR will now only apply to non-residential uses.
4. Density and intensity limits are no longer included in the Comprehensive Plan for the individual zoning districts. The Land Development Regulations will specify the standard density and intensity ranges for each zoning district.
5. Bonus density will no longer be allocated based on the criteria in existing Future Land Use Action 1.7.7. The remaining items in that policy will become requirements for all new developments, which will be implemented in the Land Development Regulations.
6. Bonus density, bonus intensity, and bonus height, will now be allocated according to proposed Future Land Use Policy 1.9. A maximum bonus of 30% above the standard density, intensity, and height will be allowed in the Downtown District and Midtown South District. Developments approved for bonus density, intensity, or height will be subject to a bonus incentive requirement, the standards and procedures for which shall be outlined in the Land Development Regulations. The aggregate maximum number of bonus dwelling units available within the Downtown and Midtown Future Land Use designations shall be based on surplus utility capacity which is available in the phase (see #7 below) of the proposed development.

Policy 1.9) A bonus incentive program shall allow additional density, intensity, and height for new developments and redevelopment in the Downtown District and Midtown South District, where appropriate. The number of bonus density residential dwelling units and the amount of bonus non-residential intensity available shall be based on surplus utility capacity, which is depicted geographically on Map F. Standards and procedure for allocation of bonus density, intensity, and height shall be specified in the Land Development Regulations, however the allowable bonus density and intensity shall not exceed the available surplus equivalent units as quantified based on utility system capacity on Map F. The maximum bonus density, intensity, and height that may be approved for any development is 30% of the standard allowed maximum. Bonus height shall not be approved in violation of Neighborhood Protection Policy 1.11. Any development or redevelopment project that is approved for bonus density, intensity, or height is subject to a bonus incentive requirement, the standards and procedures for which shall be outlined in the Land Development Regulations. The cost of new infrastructure improvements necessary for the construction of any development will be paid by the developer. The City Manager or designee

shall keep an account of all surplus equivalent dwelling units built and surplus equivalent dwelling units granted to approved, but unbuilt, developments.

7. A study has been conducted to determine the amount of surplus utility capacity which is currently available past build-out at the proposed standard densities. With the current utility infrastructure, it has been determined that the system can accommodate additional capacity past the proposed base density as follows, within each phase area, as depicted on proposed Map F. Surplus capacity is expressed in equivalent dwelling units (EDUs) which can be converted to residential dwelling units or office/commercial space.

Phase Area 1:	827 Surplus EDUs
Phase Area 2:	1,500 Surplus EDUs
Phase Area 3A:	400 Surplus EDUs
Phase Area 3B:	326 Surplus EDUs
Phase Area 4:	802 Surplus EDUs

8. Proposed Future Land Use Policy 1.10 establishes that a transfer of development rights program will be implemented in the Land Development Regulations.

Policy 1.10) In order to incentivize and facilitate private development, the City shall establish a transfer of development rights program to be implemented in the Land Development Regulations.

9. Proposed Future Land Use Policy 1.11 provides for residential neighborhood protection by limiting building heights to 6 stories for new development and redevelopment adjacent to properties zoned Urban General. Bonus height cannot be approved in violation of this Policy.

Policy 1.11) Residential neighborhoods shall have protection from development and redevelopment which is not in harmony or compatible with the character of the existing community.

Action 1.11.1) Building heights shall be limited for new development or redevelopment adjacent to property designated Urban General.

Standard 1.11.1.1) Properties adjacent to the Urban General zoning designation shall be limited to a maximum height of 6 stories. Bonus height shall not be approved in violation of this policy.

Changes from proposed Comprehensive Plan amendments presented to Council on April 17, 2017.

The following is a summary description of differences between the currently proposed amendments to

the Future Land Use Element of the City of Fort Myers Comprehensive Plan and the amendments that were proposed at the April 17, 2017 City of Fort Myers Council Meeting. The proposed changes from the previously presented amendments to the Comprehensive Plan are more restrictive in nature than the original amendments.

1. In the previous amendments, bonus density and intensity (including height) allocation was only limited by the amount of available surplus utility capacity. In addition to the surplus capacity limitation, the currently proposed amendments limits bonus density, intensity, and height allocation to 30% above the standard allowed density, intensity, and height.
2. A residential neighborhood protection policy has been added, which limits building heights to six (6) stories for new development and redevelopment adjacent to properties zoned Urban General; and does not allow bonus height to be allocated in violation of this Policy.
3. While a maximum overall density and intensity (FAR) are provided in the Future Land Use Element for the Downtown and Midtown South Future Land Use designations, specific standards which further restrict density and intensity limitations for individual zoning districts are no longer included in the Future Land Use Element. These standard densities and intensities for each zoning district will be specified in the Land Development Regulations.
4. Policy 1.10, previously only recommended establishment of a transfer of development rights program; the revised Policy states that one shall be established.