

## **POPULATION AND LAND USE**

### **Town and Country on Pine Island**

The essential character of Pine Island has always been the contrasts among its physical environments. Surrounded by harbors and bays of unparalleled beauty, Pine Islanders live in a series of low-key settlements or “villages” that are separated by rural land. With dense mangrove forests creating barriers between most land and the water, the seven residential villages have formed in the locations with best access to the water (Bokeelia, Pineland, Matlacha, Flamingo Bay, Tropical Homesites/Manatee Bay, and St. James City). Only Pine Island Center is away from the water, in favor of the only crossroads location on Pine Island. Between these villages there has always been the sharp contrast of rural lands, dominated by slash pine/palmetto habitats and some farming operations.

Pine Island has almost no beaches, few city services, and limited employment and shopping — yet it remains a highly desirable



*Pine Island Center, looking north*

*Photo courtesy of Mohsen Salehi and Bill Dubin*

and moderate-cost alternative to the formless “new communities” that have obliterated the natural landscape throughout coastal Florida.

The current Pine Island community plan maintains the distinct villages by limiting their expansion through boundaries on a future land use map. Only a single ten-acre amendment has been approved to that map since 1989. Because the boundaries themselves have not been reexamined during that period, that effort was undertaken as part of this plan update, as described below.

### **Town (village) boundaries**

The freestanding villages on Pine Island have been given one of three “future urban area” designations, with densities and total acreages summarized in Table 2.

**TABLE 2**

<b>“Future Urban” designations on future land use map</b>	<b>Residential density range (DU = dwelling unit)</b>	<b>Actual acres in Greater Pine Island</b>
Urban Community	1 to 6 DU/acre	1350 acres
Suburban	1 to 6 DU/acre	1427 acres
Outlying Suburban	1 to 3 DU/acre	1557 acres

“Urban Community” areas can have considerable concentrations of commercial uses, and thus were assigned to Pine Island Center and Matlacha, the commercial centers for all of Greater Pine Island.

“Suburban” areas are allowed similar densities for residential development, but with fewer commercial uses. This designation has been assigned to most of Bokeelia and St. James City, and smaller areas around the Pink Citrus, Flamingo Bay, and Pine-wood Cover mobile home parks.

“Outlying Suburban” areas are allowed half the density of “Suburban” areas, but with comparably limited commercial uses. This designation was generally assigned to all other settlements on Pine Island.

All the future urban designations were drawn tightly around existing settlements. The exceptions are about 52 acres just north of Galt Island Avenue (northwest of St. James City); 95 acres centered around the Pine Island Village subdivision south of Flamingo Bay; and 157 acres south of Bokeelia and north of September Estates. The first two exceptions apparently had been made due to imminent development activity on those parcels, and both were reasonably logical extensions of existing settlements. However, little activity has taken place on either parcel, with extensive natural vegetation remaining.

The third exception, south of Bokeelia, is the most incongruous. This entire acreage is now in intense agricultural use, with much of it cleared during the past decade (see Figure 2). Apparently it had been considered as a potential expansion of the Bokeelia urban area. Since that time, the landowners have clearly indicated a preference for agriculture and have made no efforts to develop any of the land residentially. Thus these 157 acres should be reclassified to whatever designation is ultimately assigned to the rural lands to their east and west.

Other apparent anomalies are several large clusters of rural land that have been assigned the “Outlying Suburban” designation east and northeast of Pineland. Close examination shows that these areas have been subdivided into lots averaging one-half acre, and have been almost entirely sold off to individual purchasers. The largest area, just east of Stringfellow Road, is known as the Creamer’s Avocado subdivision. The relatively few homes that have been built there enjoy a pleasant rural setting. However, any substantial increase in homebuilding will overtax the incomplete network of unpaved roads and reduce the rural atmosphere. At such time, residents could band together and

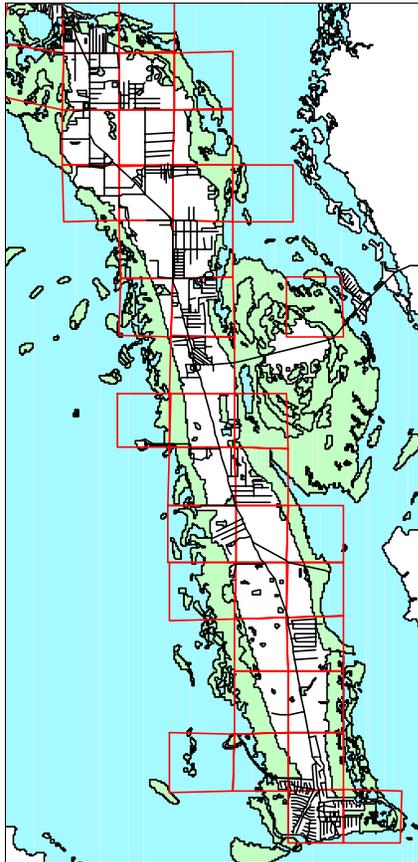


Figure 2

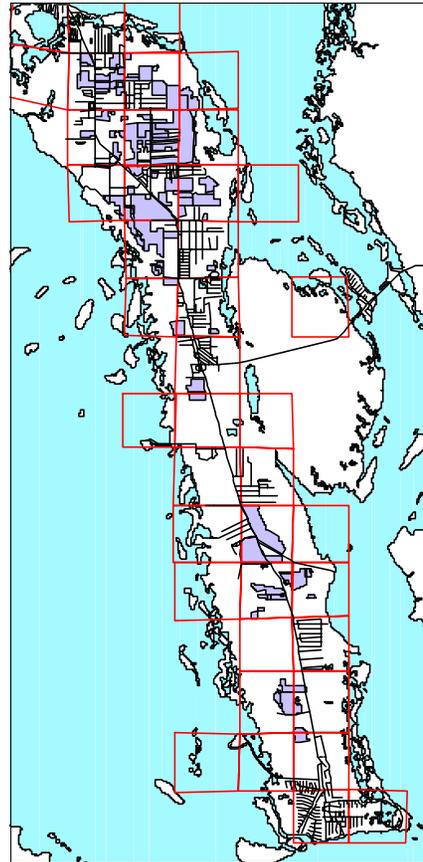
pave the roads and install a modest drainage system through a special taxing district. The seeming anomaly of the “Outlying Suburban” designation, however, is appropriate for the existing pattern of small subdivided lots.

### The future of rural Pine Island

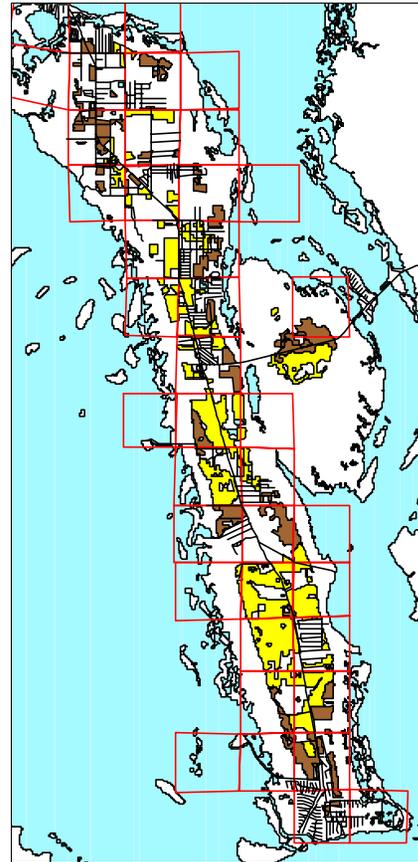
Outside the village boundaries, all high ground has been designated in the “Rural” category, where residential development is now limited to one dwelling unit per acre (1 DU/acre). Over the past 15 years, much “Rural” land between the villages has been converted to farmland, especially on the north half of the island, a trend that is continuing even today. This conversion has destroyed a quarter of the remaining pine-and-palmetto habitat over a 15-year period (see Table 3), a period in which farming has become the most popular and economic use of rural land on Pine Island.



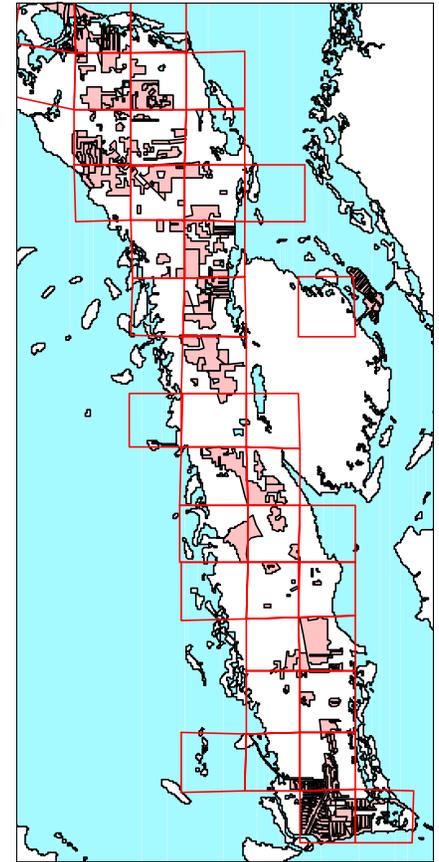
Wetlands, 13,088 acres, 52% of land



Agriculture, 2,763 acres, 22½% of uplands



Forests, 4,853 acres, 39½% of uplands  
(pine flatwoods, lighter color, 22½%;  
exotic infested, darker color, 17%)



Urban, 4,676 acres, 38% of uplands

**SOURCE:** Based on GIS data for 1996 provided by the South Florida Water Management District.

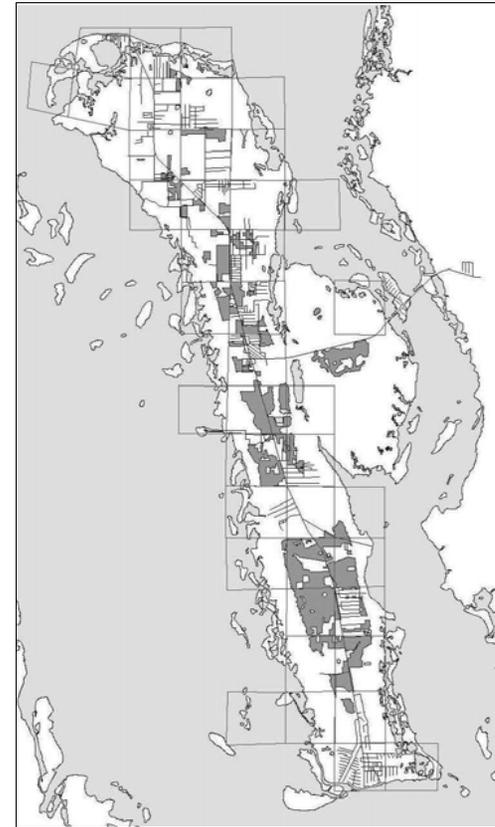
**TABLE 3**  
**Removal of Pine Flatwoods on Pine Island**  
**1981 - 1996**

Pine Island Community, By Sector	Upland Acres	Acres of Pine Flatwoods		15-Year Decrease of Pine Flatwoods	Agricultural Acres, 1996
		1981	1996		
Bokeelia	1,612	144	40	(104)	464
Pineland	2,672	373	230	(143)	1,336
Pine Island Center	2,690	859	743	(116)	365
Matlacha	224	0	0	0	0
Flamingo Bay	2,451	1,360	1,044	(316)	444
Tropical Homesites	792	581	400	(181)	12
St. James City	1,630	420	300	(120)	142
<b>TOTALS:</b>	<b>12,071</b>	<b>3,737</b>	<b>2,757</b>	<b>(980)</b>	<b>2,763</b>

**SOURCES:** Data based on interpretation of aerial photographs. For sector boundaries, see map in Appendix C. **1981:** Lee County Coastal Study, Appendix IV-III, Godschalk & Assoc., 1988. **1996 and upland totals:** Based on GIS data provided by the South Florida Water Management District.

This increase in farmland is sometimes seen as preferable to more residential subdivisions, which cannot be supported by Pine Island’s limited road connections to the mainland. However, farmland can be converted to residential land very easily; the current comprehensive plan actually seems to encourage this by allowing residential development on one-acre lots without rezoning, even on active farmland. Planning professionals generally agree that one-acre lots are too small to maintain the countryside and too large to create villages; yet that is the predominant residential density allowed on Pine Island today.

During this plan update process, Pine Islanders carefully considered alternative growth-management techniques to replace the 1 DU/acre “Rural” category on Pine Island. While considering



*Remaining pine flatwoods, 1996*

these alternatives, the public was made aware of the current regulatory climate: regulations that are so strict as to essentially “take away” *all* rights to private property rights are illegal, and such “takings” must be fully compensated to the landowner, an enormously expensive undertaking.

In addition, in 1995 the Florida legislature passed the Bert J. Harris, Jr. Private Property Rights Protection Act. This act established a new standard for preventing overly strict regulations on land — any regulation that is determined to

place an “inordinate burden” on a landowner may now require compensation, even though it isn’t a “taking” of all property rights. This act does not mean that land-use regulations cannot be made stricter, even if they lower the market value of land; but as a practical matter it will mean closer scrutiny of strict regulations, especially their potential to “inordinately burden” landowners *even if* the court decides that a particular regulation is valid and in the overall public interest.

Whether a new regulation places an “inordinate burden” on a landowner will be determined by the courts on a case-by-case

basis. It is clear that the *amount* the market value of land may be lowered after a regulation is imposed will be a very important factor in this decision.

On Pine Island today, there is little market demand for residential development at densities of 1 DU/acre. A single new subdivision has been created at this density (Island Acres just south of the water treatment plant), and it has experienced relatively slow sales even though its lots surround an attractive lake. The actual real estate market for large tracts of Pine Island land has three major types of buyers:

- Intensive agriculture users, who are planting tropical fruits, ornamental palms, and some vegetables;
- Land speculators, who often anticipate selling at a profit to a developer who would build dwelling units around a golf course; and
- Public agencies, the new players in this market, at present primarily Lee County's "Conservation 2020" program which buys and preserves natural habitats.

These three types of buyers will establish the market value for large tracts on Pine Island in the absence of substantial demand for one-acre homesites.

Appendix B of this report evaluates five different growth-management techniques for rural land on Pine Island:

- Conservation land purchases
- Larger lots in rural areas
- Cluster development
- Transferable development rights
- Rate-of-growth control

Any of these techniques, or either of the two hybrid techniques also discussed in Appendix B, could become part of the Greater Pine Island community plan update and the Lee Plan's future land use map, and would be implemented through subsequent changes to other county regulations. (Existing lots would pre-

sumably be "grandfathered in" even if they are now vacant.)

The option recommended as the best for Greater Pine Island at this stage of its evolution is a hybrid described in Appendix B as "conservation clustering with incentives" (#7). It combines the best features of conservation land purchases (#1), larger lots in rural areas (#2), and cluster development (#3).

Land that is now designated "Rural" would be placed in a new "Coastal Rural" category. This conversion would respond well to the three main problems identified for Pine Island's rural areas:

- the absence of any meaningful effort to protect even the best remaining native habitats from agricultural clearing;
- the potential for residential development at 1 DU/acre that would result in neither "town" nor "country" conditions; and
- the potential for adding even more dwelling units that cannot be sustained by the limited road connections to the mainland.

This option combines regulations with incentives and uses a sliding scale of density to encourage (though not require) conservation of undisturbed habitats.

Property owners who save 70% of native habitats would be allowed to keep all of the dwelling units allowed to them today, but instead of placing each house on a 1-acre lot, these homes could be placed on the remaining 30% of the land. This would allocate 0.3 acres per lot (although actual lot sizes would be somewhat smaller to account for land needed for streets and stormwater detention lakes).

Property owners who choose *not* to save any native habitats would be limited to 1 DU per 10 acres. This would allow agricultural or country-estate homes on 10-acre lots.

A sliding scale would allow property owners to choose any point within the extremes just described, as shown in Table 4.

**TABLE 4**

Assume % of native land saved or restored	Would then be assigned this gross density:	RESULTS ON 100 ACRES WOULD BE:			
		# of DUs	acres used per lot	total acres preserved	total acres used
0%	1 DU per 10 acres	10	10.0 acres	0	100
5%	1 DU per 9 acres	11	8.6 acres	5	95
10%	1 DU per 8 acres	13	7.2 acres	10	90
15%	1 DU per 7 acres	14	6.0 acres	15	85
20%	1 DU per 6 acres	17	4.8 acres	20	80
30%	1 DU per 5 acres	20	3.5 acres	30	70
40%	1 DU per 4 acres	25	2.4 acres	40	60
50%	1 DU per 3 acres	33	1.5 acres	50	50
60%	1 DU per 2 acres	50	0.8 acres	60	40
70%	1 DU per 1 acre	100	0.3 acres	70	30

It may seem counterintuitive to allow higher densities on natural habitats than on disturbed lands, but this provides landowners with a strong incentive *not* to clear native habitats. (The same incentive would be granted to restored land as to preserved land, using the same sliding scale.)

This approach diminishes the potential for residential development on agricultural land while rewarding landowners who protect (or restore) their land's natural habitats. Actual development on native parcels would disturb far less land than would occur today by either allowing today's number of dwelling units to be placed on smaller lots, or by reducing the number of lots that are allowable. Public purchases of entire tracts for preservation would be encouraged, but if purchase offers aren't attractive enough to interest property owners, this new plan would encourage more preservation than current regulations.

### SETTING THE COURSE

The culture of community-making demonstrated by Pine Island's pioneers should be continued by enhancing its seven freestanding communities and keeping them from sprawling into rural areas. Pine Island's rural areas should be placed into a new Coastal Rural category on the future land use map. This category would have a sliding density scale that would reward landowners who preserve native upland habitats. However, it would not prevent them from pursuing agriculture or creating standard ten-acre homesites if they choose. Without major habitat preservation, smaller homesites would not be allowed in Coastal Rural areas. (Existing legal lots in rural areas would not be affected.)

### GETTING THERE

1. Adopt a new comprehensive plan policy as follows:  
**POLICY 14.1.8:** The county shall reclassify all uplands on Pine Island previously designated as Rural to a new Coastal Rural designation on the Future Land Use Map. The purposes of this redesignation are to provide a clearer separation between rural and urban uses on Pine Island, to discourage the unnecessary destruction of native upland habitats, and to avoid placing more dwelling units on Pine Island than can be served by the limited road capacity to the mainland. The Coastal Rural designation is designed to provide landowners with maximum flexibility while accomplishing these public purposes.

*(continued)*

**GETTING THERE** *(continued)*

2. Adopt a new comprehensive plan policy establishing a new non-urban designation on the county’s Future Land Use Map, as follows:

**POLICY 1.4.7:** The Coastal Rural areas are uplands on Pine Island that were redesignated in accordance with Policy 14.1.8. These lands are to remain rural except for portions of individual properties whose owners choose to permanently preserve or restore native upland habitats and in return are permitted to use a portion of their properties for smaller residential lots. The standard maximum density in the Coastal Rural area is one dwelling unit per ten acres (1 DU/10 acres). Maximum densities increase as various percentages of native uplands are permanently preserved or restored. Permitted land uses include agriculture, fill-dirt extraction, conservation uses, and residential uses up to the following densities:

<b>Percentage of native habitats preserved or restored</b>	<b>Maximum density</b>
0%	1 DU / 10 acres
5%	1 DU / 9 acres
10%	1 DU / 8 acres
15%	1 DU / 7 acres
20%	1 DU / 6 acres
30%	1 DU / 5 acres
40%	1 DU / 4 acres
50%	1 DU / 3 acres
60%	1 DU / 2 acres
70%	1 DU / 1 acre

*(continued)*

**GETTING THERE** *(continued)*

3. Amend the future land use map to reclassify all land on Pine Island now designated as “Rural” into the new “Coastal Rural” category.
4. Amend the future land use map to reclassify from “Outlying Suburban” to “Coastal Rural” 157 acres of agricultural land between Bokeelia and September Estates in 31-43-22, bounded by Quail Trail on the west, Barrancas Street on the north, Stringfellow on the east, Unit A of Rapid #1 subdivision (Cobb Road) on the north, the quarter section line of Section 31 on the east, and Pinehurst Acres and September Estates on the south.
5. Amend the land development code to provide detailed regulations to implement new Policies 1.4.7 and 14.1.8, including modifications to the AG-2 zoning district in accordance with these policies.

**Population Summary**

Initial data is beginning to be released by the U.S. Census Bureau from the 2000 census; a brief summary is provided here.

Greater Pine Island’s population for many years has been much older than Lee County or the state of Florida as a whole, reflecting the continuing influx of retirees to the area. There are now 9,306 permanent residents of Greater Pine Island; the chart below illustrates the age breakdown of these permanent residents.

Of the 9,306 permanent residents, 98.3% percent are white and 3.7% are Hispanic.

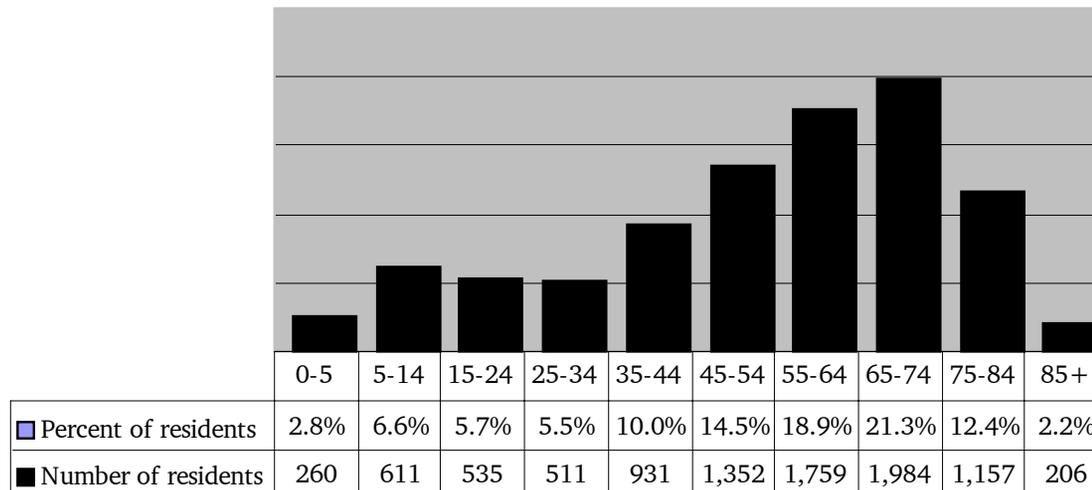
These 9,306 permanent residents live in 4,575 dwelling units. There are 1,766 additional dwelling units that were either used by seasonal residents or were vacant when the census was conducted on April 1, 2000. Compared to other islands in Lee County, Greater Pine Island has a much higher percentage of its dwelling units occupied by permanent residents. (The census does not include any meaningful data on seasonal residents.)

Of the 4,575 occupied dwelling units, 85.7% are occupied by their owners and the remaining 14.3% are rented out to others.

Additional data on the population and housing characteristics of Greater Pine Island is expected in the fall of 2001.

**Age of Permanent Residents of Greater Pine Island**

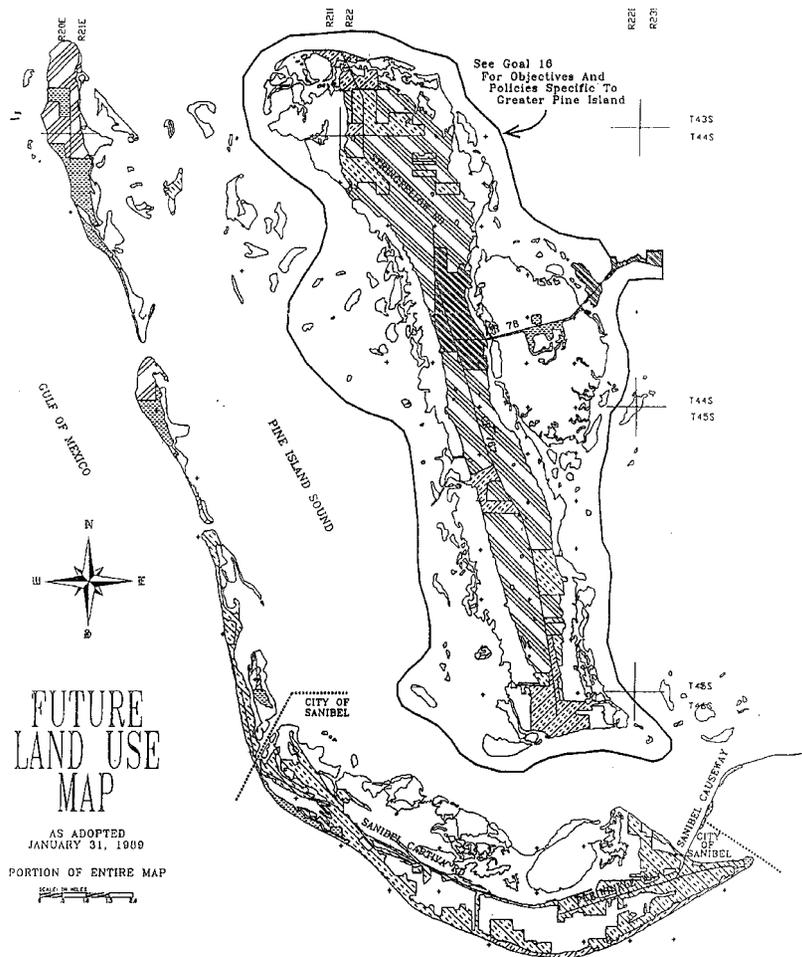
Year 2000, by Age Ranges



## Greater Pine Island's Boundary

This plan has described Greater Pine Island as Pine Island, Little Pine Island, and Matlacha. A more precise boundary is needed for legal purposes.

The map below shows the original boundary adopted by Lee County in 1989 for the Greater Pine Island community plan.



Other Pine Island boundaries have been adopted for different purposes. Map 16 of the Lee Plan divides the entire county into twenty “planning communities” for administrative and accounting purposes; that Pine Island boundary includes some enclaves of unincorporated land between Matlacha Isles and the city limits of Cape Coral, including the Royal Tee Country Club. This is similar, though not identical, to the boundaries of the Matlacha/Pine Island Fire District and the Greater Pine Island Water Association, both of which however exclude Cabbage Key and Useppa and treat other small islands differently.

The original community plan boundary from 1989 also excludes Cabbage Key and Useppa, plus all of the unincorporated land east of Matlacha Isles. During the course of this plan update, only the areas within the original boundary were analyzed carefully. Thus the plan update, when adopted, should apply only to the original area. The Lee Plan should prominently display this boundary on the future land use map and/or a separate map depicting Greater Pine Island and all other areas that are subject to community plans.

### GETTING THERE

Modify the future land use map to clearly reflect the 1989 boundary for Greater Pine Island, which includes Pine Island, Little Pine Island, and Matlacha eastward through Matlacha Isles.