Rapid Growth and Development at Lehigh Acres, Florida Despite Faulty Layout and Design

Hubert B. Stroud
Department of Criminology, Sociology, and Geography
Arkansas State University

Introduction

The selling of rural real estate mushroomed into a multi-billion dollar industry during the 1950s and 1960s as land developers capitalized on the desire of millions of American to own a parcel of land. Unfortunately, many of the lots that were sold are in large pre-platted subdivisions, projects that sold raw land as rapidly as possible and largely ignored many important aspects of land development.

Pre-platted subdivisions (often referred to as platted lands) create a complex set of problems that depend on the location and size of the development, the nature of the land that has been platted, the character of the lots, and the availability of basic services. Some platted lands are a problem because the lots in the subdivision are too small to meet minimum lot size requirements for on-site waste-water treatment facilities (septic tanks, for example). Others are a problem because of poor drainage or because the land on which they are located is underwater for all or much of the year. Some are a problem because no improvements have been made and they are subdivisions in name only or are "paper subdivisions." Regardless of the reason, the platted lands problem involves literally millions of platted vacant lots and looms as one of the most significant stumbling blocks for orderly growth and development in Florida (Stroud and Spikowski, 1999).

Lot Sales Activity in Florida

Significant platting* of lots began in Florida around the turn of the century by entrepreneurs like Henry Flagler who recognized the State's potential for tourism. Subdividing and selling small lots was used as a way to open the State to hundreds of thousands of visitors. Interest in land was strong enough to create the first boom in
recreational real estate; a lot-selling frenzy that ended with the 1929 stock market crash. As impressive as the lot sales numbers are for the 1920's era, they are not nearly as significant as the number of vacant platted lots that were created during the rebirth of lot sale programs during the 1950s and 1960s. The period, often referred to as “the golden age of land scams” in Florida, created a number of vacant lots that is almost beyond comprehension. Developers of large subdivisions within the three counties of Sarasota, Charlotte, and Lee, located along Florida’s southern Gulf coast, created nearly 900,000 lots during this period. The subdivision activity included such projects as Port Charlotte, Cape Coral, and Lehigh Acres (Schnidman and Baker, 1983). While it is extremely difficult to determine the full extent of the platted lands problem, based on the Office of Interstate Land Sales data and extensive field work, this problem is widespread and particularly significant in several locations (Stroud, 1983 and 1995).

Based on findings from the Office of Interstate Land Sales Catalogue Report, Florida alone has over 2.1 million lots extending across 1.6 million acres of land (Stroud, 1995). Although almost all of Florida's 67 counties have experienced subdivision activity, it is strongly concentrated in central Florida near Orlando and Disney World and in several southern Gulf Coast counties including Charlotte, Lee, and Collier. Lee County alone has over 350,000 platted lots, 250,000 of which remain vacant. Many of these vacant lots are clustered within two mammoth subdivisions, Cape Coral and Lehigh Acres (Stroud, 1984 and 1995).

**Platted Lands Problems at Lehigh Acres**

Lehigh Acres (Figure 1), the focus of this research, is not only one of the largest pre-platted subdivisions in Florida but one of the largest in the United States. Its more than 60,000 acres have been subdivided into approximately 130,000 lots, over 100,000 of which remain vacant and represent future homesites for a build out population that will far exceed the ability of local government to provide even the most basic services (Fleming, 2005). Problems are intensified since lot owners think that they have an irrevocable right to build a home on their property. This belief often conflicts with established
public policy and complicates an already vexing problem of how to deal with "vested communities."

Since Lehigh Acres and many other pre-platted subdivisions
were approved years ago at a time when few regulations existed, many ill-conceived land developments were created. The magnitude of the problems and the potential for rapid population growth combine to make platted lands the sleeping giant of Florida's growth management problems. More research is needed to find ways or options for dealing with a problem that is particularly troubling for many local governments in Florida.

Platted lands problems are indeed significant at Lehigh Acres since the original developers, skilled at marketing real estate, knew little or nothing about proper land development techniques (Faulkner, 1994). These developers emphasized the selling of unimproved lots and virtually ignored planning and careful site selection practices. This approach created numerous problems including a rigid grid-iron pattern of roads (see Figure 1) and canals superimposed over the entire site, an absence of even the most basic services such as water and sewer to lots, an inadequately designed road network with few arterial streets, no provisions for reserving parcels of land needed for schools, fire stations and parks, an absence of employment opportunities, and an inadequate provision for commercial land use. As the community continues to grow and as the population becomes younger, there is an ever increasing need for basic services including adequate and properly designed commercial land (Spikowski, 2005). Options for improving current deficits in commercial land are discussed in the latter portion of this paper.

Most, if not all, of the problems cited above were created because Lehigh Acres and most pre-platted subdivisions were developed for the purpose of building a lot inventory rather than for the development of new communities designed to meet the needs of a growing population (O'Connor and Sajgo, 1994). Problems have been compounded because of the adversarial relationship that existed between Lee County and the original developers for more than 30 years. Since Lehigh officials were uncooperative and disinterested in assistance, the county largely ignored Lehigh Acres for more than three decades. This relationship changed dramatically in 1992, however, after the old Lehigh Corporation was purchased by Minnesota Power, a company eager to resolve land use planning problems and to
develop Lehigh as a community rather than as a lot sales subdivision (Sajgo, 1994 and O'Connor, 2005).

Possible Solutions

Although several options are available for dealing with platted lands problems including community redevelopment, plat vacation, subdivision redesign, lot consolidation, transferable development rights (TDRs), mandatory lot pooling, lot acquisition, special assessments, and tax delinquent lot purchase, the key is finding solutions that are appropriate for a given situation or that are feasible under existing monetary and legal constraints. In view of these and other limitations, most of the options mentioned above are of little value in resolving platted lands problems at Lehigh Acres. Commitments made by state and local officials concerning property rights and inadequate financial resources to implement lot purchase and reassembly techniques preclude the use of many possible solutions to the problem. Since platted lands problems are so complex and since feasible solutions are indeed limited, there is much frustration over how to improve the quality of life at many pre-platted subdivisions including Lehigh Acres. In 1994, officials with the "new" Lehigh Corporation (Minnesota Power), influential citizens at Lehigh Acres, and politicians representing eastern Lee County collectively confronted county officials and argued that Lehigh Acres had been ignored for the past 30 years and asked the county to assist them in resolving problems. Shortly after the request for assistance was made, the Board of County Commissioners' agreed to include Lehigh Acres in the community redevelopment plan. Lehigh Acres became one of several redevelopment areas in Lee County. The approval of an area as a CRA was contingent upon the presence of one or more conditions of blight as defined in the Florida Community Development Act. Based on the definitions used in the statutes, conditions of blight are easy to find at Lehigh Acres since it was allowed to evolve in a manner that was the most convenient for the developer rather than according to a master plan. Lehigh Acres' predominance of defective and inadequate street layout and design, faulty lot layout, and unsanitary or unsafe conditions including such things as poor street lighting,
dangerous road design, and lack of pedestrian crosswalks and road shoulders were used by the local redevelopment agency as conditions of blight (Simpher, 1994).

The Lee County Community Redevelopment Agency (CRA) formulated strategies that were to help resolve some of the problems at Lehigh Acres. Strategies were based on the goals and objectives identified by the Local Redevelopment Planning Committee (LRPC). The committee's goals and objectives were directed toward specific community needs that, if implemented, would provide immediate results. They included the provision of a community bike path and sidewalk system, greater police protection, bus shelters, the widening of roads, increased street lighting, commercial zoning, and the installation of community signs (Lee County Community Redevelopment Agency, 1994). In addition to establishing these objectives, the community redevelopment agency has provided part of the funding for a commercial land use study that was completed in 1995 by Spikowski Planning Associates (see, for example, Spikowski, 1995).

Traditionally, CRA's are used to redevelop small inner-city neighborhoods or small rundown portions of a city. CRA's are given condemnation power that can be used to allow private sector developers to redevelop a three or four block area. This approach contrasts sharply with the use of a CRA for a sprawling 96 square mile community that many would argue has no blight at all. While this unconventional use of a CRA could assist in the provision of services and CRA initiated studies may enhance the understanding of platted lands problems, it is a poor substitute for incorporation or for some other more effective method of city management (Jones, 1994).

Lehigh Acres grew from what originally was to be a small retirement community with little or no demand for commercial land uses. Since the installment lot sales program was surprisingly strong, developers expanded to the north (Faulkner, 1994). The result is today's northern Lehigh Acres, a landscape of unending half-acre residential lots, still with virtually no commercial land and little or no land for parks and open space or other public needs.

On a positive note, the large inventory of vacant lots at Lehigh Acres served as a source of relatively inexpensive lots for many
years. It was a place where young couples could purchase an affordable lot and build a moderately priced home. This opportunity to obtain an affordable house and lot was an important stimulus for growth despite the numerous problems cited above. In 1970, for example, Lehigh’s total population was only 4,394 but by 2000 the population had grown to more than 33,000 (Figure 2). According to the Bureau of the Census, only 19.7 percent of the population was 65 years or older in 2000. These statistics support the notion that Lehigh Acres is no longer a retirement community.

The relatively recent interest in Lehigh Acres has caused an incredible increase in lot prices; an unfortunate turn of events for those seeking affordable housing. Lots that were selling for only around $2,000 a few years ago, if they sold at all, are now selling for $40,000 to $50,000. This almost unbelievable escalation in price is an indication of the demand for homesites in Lee County and has eliminated Lehigh Acres as a place with “affordable lots” (Fleming, 2005).

The large inventory of lots is also creating an incredibly large potential for population growth. In a recent study of Lehigh Acres by Van Buskirk, Ryffel, and Associates, it was found that the population total is expected to exceed 100,000 by 2020 (see Figure 2) and the build out population is projected to exceed 300,000 people sometime after the year 2060 (see, for example, Van Buskirk, Ryffel, and Associates, Inc., 2004). Apparently, growth is going to continue on faulty, substandard lots that were created years ago by the original developer who had no idea that he was creating a “sleeping giant” that would become a “boom town.”

After waiting until almost all of the most suitable land for commercial uses had been subdivided and sold, developers finally began to realize the need for commercial uses and designated a few commercial strips of land here and there. These strips remained unplatted for several years. As lot sales continued, developers platted and sold portions of (and in some cases all) these commercial strips as residential property. The commercial land that remained had many shortcomings. First, the commercial land was highly fragmented. It was platted into small lots and sold to individuals instead of being
held intact. This resulted in the premature commitment of commercial land to fragmented parcels. These fragmented parcels are not suitable for large shopping centers or other commercial uses that require large parcels of land. Second, most of the vacant commercial land is located along major roads in shallow strips or ribbons and is thereby undesirable as prime locations for most businesses.

In an attempt to rectify some of these problems, Lee County and the Community Redevelopment Agency hired Spikowski Planning Associates to study commercial land use at Lehigh Acres and to make recommendations for improvement. The result was a report entitled Lehigh Acres Commercial Land Use Study that provided several specific recommendations for improving land for commercial uses at Lehigh Acres (Spikowski Planning Associates, 1995). Spikowski's recommendations included the following:
1. giving priority to suitable parcels that remain in single (unified) ownership;

2. reconfiguring or redesigning existing commercial strips; and

3. enabling or working to establish neighborhood-scale commercial uses.

Since areas where the land remains in single ownership are indeed limited at Lehigh Acres, it is important that any unplatted tracts or platted tracts with lots that have never been sold be recognized and seriously considered as possibilities for commercial land or as suitable places for schools, parks, multifamily housing or other community-based needs. Certainly many of these tracts would not have been chosen for commercial development if today’s lot ownership patterns did not already exist. Since the current pattern was established years ago and the community is now “vested,” some of the single ownership sites have the potential of providing large and very useful locations for commercial, educational, or other important uses (Spikowski Planning Associates, 1995).

A second option is to redesign existing commercial strips so that they would be suitable as shopping center sites or for other commercial uses. Existing commercial strips that are located near a future major intersection, for example, could be deepened to provide adequate space for a neighborhood or community shopping center. For other commercial strips with less favorable locations, variances might be given to allow multifamily use (Spikowski Planning Associates, 1995).

The third possibility is to take the necessary steps to allow neighborhood-scale commercial uses on some sites. This alternative would help in resolving the commercial land deficiency but would be only supplemental to the other approaches that have been suggested (Spikowski Planning Associates, 1995).

**Conclusion**

Unfortunately, uncontrolled, ill-conceived land developments have created very troublesome land use problems. While local officials would very much like to resolve these problems, Lee County
Commissioners have decided not to divest anyone's property rights, have refused to place a moratorium on growth, and are not going to commit vast sums of money to acquire property in pre-platted subdivisions (Parker, 1994). In addition, the County terminated the CRA and has largely ignored the recommendations made in the Spikowski study. As a result, much of the land that Spikowski had suggested for commercial use is now been converted to other uses. It has been purchased by developers and is being designed to accommodate high density residential uses rather than meet commercial and other land use needs (Fleming, 2005).

The longstanding approach used by Lee County government in the past has been to ignore the problem and hope that it goes away. In the case of Lehigh Acres, not only did the problem not go away, it continued to become progressively worse. The problem is intensifying because land continues to be platted and sold, even today. Since most of the lots were originally purchased by out-of-state owners for investment purposes, many local officials assumed that the impact would be minimal. While this has been the case with some pre-platted subdivisions, many developments such as Lehigh Acres have grown substantially and now represent large, rapidly growing communities with the potential to exceed 300,000 people within the next 50 years or so. Because of this unanticipated growth, the platted lands problem is now looming larger than ever before with no immediate solution in sight. Lee County's initial support of the Lehigh Acres Commercial Land Use Study was a step in the right direction. Since the County failed to implement the suggestions in the commercial land use study, potential commercial sites are now being committed to uses that will not provide the mix of land uses necessary to establish a sustainable community. Unfortunately, those trying to resolve the problem must work with complex ownership patterns, limited resources, many legal restraints, reluctant or hesitant local officials, and a land use pattern dominated by residential uses. For these and other reasons, Lee County must learn to cope with problems created by very costly mistakes of the past.
Notes

*The "platting" of land is the formal procedure taken by landowners to officially record maps of land subdivision. Recording of plats consists of filing the appropriate survey maps with the municipality involved and showing that all existing requirements have been fulfilled. The filing of a plat is necessary before lots can be legally and effectively marketed. After the plat is accepted, land development can begin.

References


