

Exhibit A

PART ONE of SIX:Future Land Use Element

I. URBAN DESIGNATION

[Insert new language – FLUE Page 29]

- A. Urban Mixed Use District
- 2. Urban Residential Fringe Subdistrict:

The purpose of this Subdistrict is to provide transitional densities between the Urban Designated Area and the Agricultural/Rural Area and comprises approximately 5,500 acres and 5% of the Urban Mixed Use District. Residential land uses may be allowed at a maximum base density of 1.5 units per gross acre, ~~exclusive of~~ plus any density bonus that may be achieved via CCME Policy 6.2.5 (6) b.1., or higher through the use of the following and either “a” or “b” below:

- a. Up to ~~2.5~~ 1.0 units per gross acre via the transfer of up to one (1.0) dwelling unit (transferable development right) per acre from lands located within one mile of the Urban Boundary and designated as Rural Fringe Mixed Use District Sending Lands, except in the case of the Hacienda Lakes PUD/DRI properties that straddle the Urban Residential Fringe and the Rural Fringe Mixed Use Sending Lands designations, and meet the other Density Blending criteria provided for in subsection 5.2 of the Density Rating System, which may achieve an additional maximum density of up to ~~2.80~~ 1.3 units per gross acre via the transfer of up to 1.30 dwelling units (transferable development rights) per acre from lands located within one mile of the Urban Boundary and designated as Rural Fringe Mixed Use District Sending Lands; and, or, in
- b. In the case of properties specifically identified below, a density bonus of up to 6.0 additional units per gross acre may be requested for projects providing affordable-workforce housing (home ownership only) for low and moderate income residents of Collier County, pursuant to Section 2.06.00 of the Land Development Code, or its successor ordinance, except as provided for in paragraph “c” below. Within the Urban Residential Fringe, rezone requests are not subject to the density rating system, except as specifically provided in c. below, but are subject to the following conditions:

Within the Urban Residential Fringe, rezone requests are not subject to the density rating system, except as specifically provided in c. below, but are subject to the following conditions: for the Affordable-workforce Housing Density Bonus. [provision relocated only, out of “b” above] All rezones are encouraged to be in the form of a planned unit development. Proposed development in the area Subdistrict shall be fully responsible for all necessary water management improvements, including the routing of all on-site and appropriate off-site water through the project’s water management system, and a fair share cost of necessary improvements to the CR 951 canal/out-fall system made necessary by new development in the area Subdistrict.

Single underlined words are added, and single ~~struck through~~ words are deleted, as proposed by petitioner. Double underlined words are added, and double ~~struck through~~ words are deleted, as proposed by CCPC on Consent and revised further post-CCPC and recommended by staff.

Row of asterisks (* * * * *) denotes breaks in text.

~~a. All rezones are encouraged to be in the form of a planned unit development; [provision relocated only, to above paragraph]~~
~~b. Proposed development in the area shall be fully responsible for all necessary water management improvements, including the routing of all on-site and appropriate off-site water through the project's water management system, and a fair share cost of necessary improvements to the CR 951 canal/out fall system made necessary by new development in the area; and, [provision relocated to above paragraph, and the term "area" replaced with "Subdistrict"]~~

Properties eligible for the Affordable-workforce Housing Density Bonus (home ownership only) will be specifically identified herein. The actual number of bonus units per gross acre shall be reviewed and approved in accordance with the conditions and procedures set forth in Section 2.06.00 of the Land Development Code, except that, Section 2.06.03 shall not apply, and the number of dwelling units required to be sold to buyers earning 80% or less of Collier County's median income, as calculated annually by the Department of Housing and Urban Development (HUD), shall be at least thirty percent (30%).

The following properties are eligible for an Affordable-workforce Housing Density Bonus (home ownership only) of up to 6.0 additional dwelling units per acre.

1. Property located on the East side of Collier Boulevard (C.R. 951), approximately ...

PART TWO of SIX:

I. URBAN DESIGNATION

[Insert new language – FLUE Pages 51 – 53]

B. DENSITY RATING SYSTEM

5. Density Blending:

This provision is intended to encourage unified plans of development and to preserve wetlands, wildlife habitat, and other natural features that exist within properties that straddle the Urban Mixed Use and Rural Fringe Mixed Use Districts or that straddle Receiving and Neutral Lands within the Rural Fringe Mixed Use District. In the case of such properties, which were in existence and under unified control (owned, or under contract to purchase, by the applicant(s)) as of June 19, 2002, the allowable gross density for such properties in aggregate may be distributed throughout the project, regardless of whether or not the density allowable for a portion of the project exceeds that which is otherwise permitted, when the following conditions are met:

* ** *** **** ** ***** ** ** ** **

2. Density Blending Conditions and Limitations for Properties Straddling the Urban Residential Fringe Sub-District and Rural Fringe Mixed Use District Sending lands:

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- (a) The project must straddle the Urban Residential Fringe Sub-District and the Rural Fringe Mixed Use District Sending Lands;
- (b) The project in aggregate must be a minimum of 400 acres;
- (c) At least 25% of the project must be located within the Urban Residential Fringe Sub-District. The project must extend central water and ~~sewer~~ wastewater treatment facilities (from the urban designated portion of the project) to serve the entire project, unless alternative interim ~~sewer and water~~ and wastewater treatment provisions are authorized by Collier County;
- (d) The Project is currently zoned or will be zoned PUD;
- (e) The density to be shifted to the Sending Lands from the Urban Residential Fringe is to be located on impacted or disturbed lands, or it is demonstrated that the development on the site is to be located so as to preserve and protect the highest quality native vegetation and/or habitat on-site and to maximize the connectivity of such native vegetation and/or wildlife habitat with adjacent preservation and/or habitat areas;
- (f) Native vegetation shall be preserved as follows:

~~a-~~ (1) The Urban portion of the project shall comply with the native vegetation requirements identified in the Conservation and Coastal Management Element (for Urban designated lands), or in the case of projects where the native vegetation requirement for the Sending Lands portion of the project is the maximum required 60 percent of the total Sending Land area, in order to promote greater preservation of the highest quality wetlands and listed species habitat, the required native vegetation for the Urban portion of the project may be shifted by providing native vegetation preservation in the Sending Lands portion of the project exceeding the 60% maximum preservation requirement as set forth in subsection "b" below. The ratio for such native vegetation preservation shall be two acres of Sending Lands (exceeding the 60% maximum preservation requirement) for each acre below the required amount of native vegetation for the Urban portion of the project. In no instance shall less than 10 percent of the required amount of native vegetation be retained in the Urban portion of the project. Significant Archeological Sites identified by the State of Florida Division of Historic Resources shall be preserved and cannot be mitigated for. For those lands within the project designated as Sending, the native vegetation preservation requirement shall be 90% of the native vegetation, not to exceed 60% of the total project area designated as Sending. Wetland areas that are impacted through the development process, but which result in enhanced wetland function, including habitat and/or flowways, shall be considered as part of the native vegetation requirement set forth in this provision and shall not be considered as impacted areas. These wetland areas and/or flowways may be used for water storage provided that the water discharged in these areas is pre-treated.

~~b-~~ (2) For those lands within the project designated as Sending, the native vegetation preservation requirement shall be 90% of the native vegetation, not to exceed

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60% of the total project area designated as Sending, unless the provisions found in subsection "a" above are met. *[provision relocated only, out of "1" above]*

~~(3)~~ Wetland areas that are impacted through the development process, but which result in enhanced wetland function, including habitat and/or flowways, shall be considered as part of the native vegetation requirement set forth in this provision and shall not be considered as impacted areas. These wetland areas and/or flowways may be used for water storage provided that the water discharged in these areas is pre-treated. *[provision relocated only, out of "1" above]*

(g) Permitted uses for density blending under this provision include residential development and associated amenities, including golf courses meeting the criteria for golf courses within the Neutral area. This provision is not intended to eliminate any uses permitted within the applicable underlying land use designation.

PART THREE of SIX:

B. DENSITY RATING SYSTEM:

[Insert new language – FLUE Pages ~~47-50~~]

2. Density Bonuses

Consistency with the following characteristics may add to the base density. Density bonuses are discretionary, not entitlements, and are dependent upon meeting the criteria for each bonus provision and compatibility with surrounding properties, as well as the rezone criteria in the Land Development Code.

f. Transfer of Development Rights Bonus

To encourage preservation/conservation of natural resources, density transfers are permitted as follows:

(c) From Sending Lands located within one mile of the Urban Boundary into lands designated Urban Residential Fringe, at a maximum density increase of one (1) unit per gross acre, except for ~~the Hacienda Lakes PUD/DR~~ properties that straddle the Urban Residential Fringe and the Rural Fringe Mixed Use Sending Lands designations, and meet the other Density Blending criteria provided for in subsection 5.2 of the Density Rating System, which may transfer TDRs from Sending Lands located within one mile of the Urban Boundary into lands designated Urban Residential Fringe, at a maximum density increase of 1.30 units per gross acre.

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PART FOUR of SIX:

I URBAN DESIGNATION

[amend language – FLUE Pages 56-57]

C. Urban Commercial Subdistrict

1. Mixed Use Activity Center Subdistrict

2. The allowable land uses for a Master Planned Activity Center shall be the same as for other designated Activity Centers; however, a Master Planned Activity Center encompassing the majority of the property in two or more quadrants shall be afforded the flexibility to redistribute a part or all of the allocation from one quadrant to another, to the extent of the unified control. The maximum amount of commercial uses allowed at Activity Center #3 (Immokalee Road and Collier Boulevard) is 40 acres per quadrant for a total of 160 acres maximum in the entire Activity Center; the balance of the land area shall be limited to non-commercial uses as allowed in Mixed Use Activity Centers. The maximum amount of commercial uses allowed at Activity Center #7 (Rattlesnake Hammock Road and Collier Boulevard) is 40 acres per quadrant, except that the northeast quadrant may have a total of 59 acres and the southeast quadrant may have a total of 50 49.2 acres, for a total of 479 ~~489~~ 188.2 acres maximum in the entire Activity Center;

Note: The Activity Center #7 inset map within the FLUE is to be amended to reflect the proposed boundary change. It is not the intent of this amendment request to modify the Future Land Use Map to depict the boundary change.

FUTURE LAND USE MAP SERIES

[amend in order]

Activity Center No. 7 – Rattlesnake Hammock Road and Collier Boulevard Mixed Use Activity Center

- amend inset map depicting new MUAC boundary, instead of revision to the Future Land Use Element Countywide FLUM.

PART FIVE of SIX:

I URBAN DESIGNATION

[Insert new language – FLUE Pages 31-32]

A. Urban Mixed Use District

4. Business Park Subdistrict

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The Business Park Subdistrict is intended to provide for a mix of industrial uses and non-industrial uses, designed in an attractive park-like environment with low structural density where building coverage ranges between 25% to 45% and where landscaped areas provide for buffering and enjoyment by the employees and patrons of the park. Business Parks shall be allowed as a Subdistrict in the Urban-Mixed Use District, Urban Commercial District and Urban Industrial District and may include the general uses allowed within each District, the specific uses set forth below, and shall comply with the following general conditions:

* ** *** **** ** ***** ** **** ** ** *

- h. When located in a District other than the Urban Industrial District, the Business Park must have direct access to a road classified as an arterial in the Transportation Element, except that a Business Park in Section 14, Township 50 South, Range 26 East may have access to an arterial road via The Lords Way.

~~[Alternative amendment language 1] The Lords Way shall be considered direct access to Collier Boulevard (CR 951) for Business Parks within the Urban Residential Fringe Subdistrict.~~

~~[Alternative amendment language 2] Direct access is defined as a driveway and /or local roadway connection to the arterial road, provided the portion of the local roadway intended to provide access to the Business Park is not within a residential neighborhood and does not service a predominantly residential area.~~

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PART SIX of SIX:

Conservation and Coastal Management Element

[Insert new language – CCME Pages 18-21]

GOAL 6:

OBJECTIVE 6.1:

Policy 6.1.1:

For the County’s Urban Designated Area, Estates Designated Area, Conservation Designated Area, and Agricultural/Rural Mixed Use District, Rural-Industrial District and Rural-Settlement Area District as designated on the FLUM, native vegetation shall be preserved through the application of the following preservation and vegetation retention standards and criteria, unless the development occurs within the Area of Critical State Concern (ACSC) where the ACSC standards referenced in the Future Land Use Element shall apply. Notwithstanding the ACSC requirements, this policy shall apply to all non-agricultural development except for single-family dwelling units situated on individual parcels that are not located within a watershed management conservation area identified in a Watershed Management Plan developed pursuant to policies supporting Objective 2.1 of this Element.

| | Coastal High Hazard Area | Non-Coastal High Hazard Area |
|---|---|---|
| Residential and Mixed Use Development | Less than 2.5 acres 10% Equal to or greater than 2.5 acres 25% | Less than 5 acres. 10% Equal to or greater than 5 acres and less than 20 acres. 15% Equal to or greater than 20 ac. 25% |
| Golf Course | 35% | 35% |
| Commercial and Industrial Development | Less than 5 acres. 10% Equal to or greater than 5 acres. 15% | Less than 5 acres. 10% Equal to or greater than 5 acres. 15% |
| Industrial Development (Rural-Industrial District only) | 50%, not to exceed 25% of the project site. | 50%, not to exceed 25% of the project site. |

The following standards and criteria shall apply to the vegetation retention requirements referenced above.

* ** *** ***** ** * ** * ** * ** *

(14) In order to promote greater preservation of the highest quality wetlands and listed species habitat the required native vegetation for the Urban portion of the project may be shifted by providing native vegetation preservation in the Sending Lands portion of the project exceeding

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the 60% maximum preservation requirement found in Density Blending provisions of the FLUE for projects that:

- (a) Are under unified control;
- (b) Straddle the Urban Residential Fringe and the Rural Fringe Mixed Use Sending Lands designations; and
- (c) Meet the maximum required 60 percent preservation requirement for the Sending Lands portion of the project.

The preservation ratio shall be two acres of Sending Lands (exceeding the 60% maximum preservation requirement) for each acre below the required amount of native vegetation for the Urban portion of the project. In no instance shall less than 10 percent of the required amount of native vegetation be retained in the Urban portion of the project. Significant Archeological Sites identified by the State of Florida Division of Historic Resources shall be preserved and cannot be mitigated for.

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