

EXHIBIT “A”

FUTURE LAND USE ELEMENT

Policy 5.1:

All rezonings must be consistent with this Growth Management Plan. For properties that are zoned inconsistent with the Future Land Use Designation Description Section but have nonetheless been determined to be consistent with the Future Land Use Element, as provided for in Policies 5.9 through 5.13, the following provisions apply:

- a. For such commercially-zoned properties, zoning changes will be allowed provided the new zoning district is the same or a lower intensity commercial zoning district as the existing zoning district, and provided the overall intensity of commercial land use allowed by the existing zoning district, except as allowed by Policy 5.11, is not exceeded in the new zoning district. The foregoing notwithstanding, such commercial properties may be approved for the addition of residential uses, in accordance with the Commercial Mixed Use Subdistrict, though an increase in overall intensity may result. A zoning change of such commercial-zoned properties to a residential zoning district is allowed as provided for in the Density Rating System of this Future Land Use Element.
- b. For such industrially-zoned properties, zoning changes will be allowed provided the new zoning district is the same or a lower intensity industrial, or commercial, zoning district as the existing zoning district, and provided the overall intensity of industrial land use allowed by the existing zoning district is not exceeded in the new zoning district.
- c. For such residentially-zoned properties, zoning changes will be allowed provided the authorized number of dwelling units in the new zoning district does not exceed that authorized by the existing zoning district, and provided the overall intensity of development allowed by the new zoning district does not exceed that allowed by the existing zoning district.
- ~~d. For property deemed to be consistent with this Element pursuant to one or more of policies 5.9 through 5.13, said property may be combined and developed with other property, whether such other property is deemed consistent via those same policies or is deemed consistent with the Future Land Use Designation Description Section. For residential and mixed use developments only, the accumulated density between these properties may be distributed throughout the project, as provided for in the Density Rating System or the Commercial Mixed Use Subdistrict, as applicable.~~
- d. Any property deemed consistent may be combined and developed with other abutting property provided the density and intensity of development derived from the property deemed consistent is not increased.
- e. Overall intensity of development shall be determined based upon a comparison of public facility impacts as allowed by the existing zoning district and the proposed zoning district.

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Words underlined are added; words ~~struck through~~ are deleted.
Row of asterisks (***) denotes break in text.

I. URBAN DESIGNATION

A. Urban Mixed Use District

5. Office and In-fill Commercial Subdistrict

The intent of this Subdistrict is to allow low intensity office commercial or infill commercial development on small parcels within the Urban Mixed Use District located along arterial and collector roadways where residential development, as allowed by the Density Rating System, may not be compatible or appropriate. Lower intensity office commercial development attracts low traffic volumes on the abutting roadway(s) and is generally compatible with nearby residential and commercial development. The criteria listed below must be met for any project utilizing this Subdistrict. For purposes of this Subdistrict, “abuts” and “abutting” excludes intervening public street, easement (other than utilities) or right-of-way, except for an intervening local street; and “commercial” refers to C-1 through C-5 zoning districts and commercial components of PUDs.

- a. The subject site is in the Urban-Mixed Use District.
- b. The subject site abuts a road classified as an arterial or collector on the Collier County Functional Class Map, as adopted in the Transportation Element.
- c. A rezone to commercial zoning is requested for the subject property in its entirety, up to a maximum of 12 acres. For a property greater than 12 acres in size, the balance of the property in excess of 12 acres is limited to an environmental conservation easement or open space. Under this provision, “open space” shall not include water management facilities unless said facilities are incorporated into a conservation or preservation area for the purpose of enhancement of the conservation or preservation area.
- d. The site abuts commercial zoning:
 - (i) On one side and that abutting commercial site is not within an infill Subdistrict in the Urban Mixed Use District or the Urban Commercial District non-commercial zoning on the other side; or,
 - (ii) On both sides.
- e. The abutting commercial zoning may be in the unincorporated portion of Collier County or in a neighboring jurisdiction.
- f. The depth of the subject property in its entirety, or up to 12 acres for parcels greater than 12 acres in size, for which commercial zoning is being requested, does not exceed the depth of the commercially zoned area on the abutting parcel(s). Where the subject site abuts commercial zoning on both sides, and the depth of the commercially zoned area is not the same on both abutting parcels, the Board of County Commissioners shall have discretion in determining how to interpret the depth of the commercially zoned area which cannot be exceeded, but in no case shall the depth exceed that on the abutting property with the greatest depth of commercial area. This discretion shall be applied on a case-by-case basis.
- g. Project uses are limited to office or low intensity commercial uses if the subject property abuts commercial zoning on one side only. For property abutting commercial zoning on both sides, the project uses may include those of the highest intensity abutting commercial zoning district.

- h. The subject property in its entirety was not created to take advantage of this provision, evidenced by its creation prior to the adoption of this provision in the Growth Management Plan on October 28, 1997.
- i. For those sites that have existing commercial zoning abutting one side only:
 - (i) commercial zoning used pursuant to this Subdistrict shall only be applied one time and shall not be expanded, except for aggregation of additional properties so long as all other criteria under this Subdistrict are met; and,
 - (ii) uses shall be limited so as to serve as a transitional use between the commercial zoning on one side and non-commercial zoning on the other side.
- j. For those sites that have existing commercial zoning abutting both sides, commercial zoning used pursuant to this Subdistrict shall only be applied one time and shall not be expanded, except for aggregation of additional properties so long as all other criteria under this Subdistrict are met.
- k. Lands zoned for support medical uses pursuant to the “1/4 mile support medical uses” provision in the Urban designation shall not be deemed “commercial zoning” for purposes of this Subdistrict.
- ~~l. For properties zoned commercial pursuant to any of the Infill Subdistricts in the Urban Mixed Use District or in the Urban Commercial District, said commercial zoning shall not qualify to cause the abutting property(s) to become eligible for commercial zoning under this Office and Infill Commercial Subdistrict.~~
- m. l. Land adjacent to areas zoned C-1/T on the zoning atlas maps, or other commercial zoning obtained via the former Commercial Under Criteria provision in the FLUE, shall not be eligible for a rezone under the Office and Infill Commercial Subdistrict, except through aggregation as provided in Paragraphs i. and j. above.
- ~~n. m.~~ m. For purposes of this Subdistrict, property abutting land zoned Industrial or Industrial PUD, or abutting lands zoned for Business Park uses pursuant to the Business Park Subdistrict, or abutting lands zoned for Research and Technology Park uses pursuant to the Research and Technology Park Subdistrict, shall also qualify for commercial zoning so long as all other criteria under the Office and Infill Commercial Subdistrict are met.
- ~~o. n.~~ n. At time of development, the project will be served by central public water and sewer.
- ~~p. o.~~ o. The project will be compatible with existing land uses and permitted future land uses on surrounding properties.
- ~~q. p.~~ p. The maximum acreage eligible to be utilized for the Office and Infill Commercial Subdistrict within the Urban Mixed Use District is 250 acres.

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II. AGRICULTURAL/RURAL DESIGNATION

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B. Rural Fringe Mixed Use District

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1. Transfer of Development Rights (TDR), and Sending, Neutral, and Receiving Designations

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C) Sending Lands

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7. Permitted Uses:

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- f) ~~Essential Services necessary to serve permitted uses identified in Section 5.a) 7.a) through 5.e) 7.e) such as the following: private wells and septic tanks; utility lines, except sewer lines; sewer lines and lift stations, only if located within non-NRPA Sending Lands, and only if located within already cleared portions of existing rights-of-way or easements, and if necessary to serve the Rural Transition Water and Sewer District; and, water pumping stations necessary to serve the Rural Transition Water and Sewer District.~~
- g) Essential Services as follows, necessary to serve Urban areas or the Rural Transition Water and Sewer District: utility lines, except sewer lines; sewer lines and lift stations, only if located within non-NRPA Sending Lands, and only if located within already cleared portions of existing rights-of-way or easements; and, water pumping stations and raw water wells.
- g) h) Essential Services necessary to ensure public safety.
- h) i) Oil and gas exploration. Where practicable, directional-drilling techniques and/or previously cleared or disturbed areas shall be utilized to minimize impacts to native habitats.

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II. CONSERVATION DESIGNATION

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The following uses are authorized in this Designation.

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- h. ~~Essential Services necessary to serve permitted uses identified in Section a through g above such as the following: private wells and septic tanks; utility lines, except sewer lines; sewer lines and lift stations, only if located within non-NRPA Conservation Lands, and only if located within already cleared portions of existing rights-of-way or easements, and if necessary to serve a publicly owned or privately owned central sewer system providing service to urban areas and/or the Rural Transition Water and Sewer District; and, water pumping stations necessary to serve a publicly owned or privately owned central water system providing service to urban areas and/or the Rural Transition Water and Sewer District.~~

- i. Essential Services as follows, necessary to serve Urban areas or the Rural Transition Water and Sewer District: utility lines, except sewer lines; sewer lines and lift stations, only if located within non-NRPA Conservation Lands, and only if located within already cleared portions of existing rights-of-way or easements, and if necessary to serve a publicly owned or privately owned central sewer system providing service to urban areas and/or the Rural Transition Water and Sewer District; and, water pumping stations and raw water wells necessary to serve a publicly owned or privately owned central water system providing service to urban areas and/or the Rural Transition Water and Sewer District.
- h. j. Essential Services necessary to ensure public safety.
- j. k. Oil extraction and related processing. Where practicable, directional-drilling techniques and/or previously cleared or disturbed areas shall be utilized to minimize impacts to native habitats.

The following uses may be permitted as Conditional Uses:

- a) The following uses are conditionally permitted subject to approval through a public hearing process:
 - (1) Essential services not identified above in Paragraph h., i. and h. j. Within one year, Collier County will review essential services currently allowed in the Land Development Code and will define those uses intended to be conditionally permitted in Conservation designated lands. During this one-year period or if necessary until a comprehensive plan amendment identifying conditionally permitted essential services, no conditional uses for essential services within Conservation designated lands shall be approved.

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F. Bayshore/Gateway Triangle Redevelopment Overlay

The Bayshore/Gateway Triangle Redevelopment Overlay, depicted on the Future Land Use Map, is within the boundaries of the Bayshore/Gateway Triangle Redevelopment Plan adopted by the Board of County Commissioners on ~~March 14, 2000~~ June 13, 2000. The intent of the redevelopment program is to encourage the revitalization of the Bayshore/Gateway Triangle Redevelopment Area by providing incentives that will encourage the private sector to invest in this urban area. This Overlay allows for additional neighborhood commercial uses and higher residential densities that will promote the assembly of commercial uses and higher residential densities that will promote the assembly of property, or joint ventures between property owners, while providing interconnections between properties and neighborhoods. The intent of this Overlay is to allow for more intense development in an urban area where urban services are available. One or more zoning overlays will be adopted into the Collier County Land Development Code to aid in the implementation of this Overlay. The following provisions and restrictions apply to this Overlay:

- 1. Mixed-Use Development: Mix of residential and commercial uses are permitted. For such development, commercial uses are limited to C-1 through C-3 zoning district uses; ~~plus~~ hotel/motel use; theatrical producers (except motion picture), bands, orchestras, and entertainers; and, uses as may be allowed by applicable FLUE

Policies. Mixed-use projects will be pedestrian oriented and are encouraged to provide access (vehicular, pedestrian, bicycle) to nearby residential areas. The intent is to encourage pedestrian use of the commercial area and to provide opportunity for nearby residents to access these commercial uses without traveling onto major roadways. Parking facilities are encouraged to be located in the rear of the buildings with the buildings oriented closer to the major roadway to promote traditional urban development.

2. Residential uses are allowed within this Overlay. Permitted density shall be as determined through application of the Density Rating System, and applicable FLUE Policies, except as provided below and except as may be limited by a zoning overlay.
3. Non-residential/non-commercial uses allowed within this Overlay include essential services; parks, recreation and open space uses; water-dependent and water-related uses; child care centers; community facility uses; safety service facilities; and utility and communication facilities.
4. Properties with access to US-41 East are allowed a maximum density of 12 residential units per acre. In order to be eligible for this higher density, the project must be integrated into a mixed-use development with access to existing neighborhoods and adjoining commercial properties and comply with the standards identified in Paragraph #8, below, except for mixed use projects developed within the “mini triangle” catalyst project site as identified on the Bayshore/Gateway Triangle Redevelopment Overlay Map. The “mini triangle” project site is eligible for the maximum density of 12 units per acre, with development standards as contained in the Gateway Triangle Mixed Use District zoning overlay, adopted February 28, 2006 (Ordinance No. 06-08), and amended December 14, 2006 (Ordinance No. 06-63). For projects that do not comply with the requirements for this density increase, their density is limited to that allowed by the Density Rating System and applicable FLUE Policies, except as may be limited by a future zoning overlay.
5. Properties with access to Bayshore Drive, are allowed a maximum density of 12 residential units per acre. In order to be eligible for this higher density, the project must be integrated into a mixed-use development with access to existing neighborhoods and adjoining commercial properties and must comply with the standards identified in Paragraph #8, below. For projects that do not comply with the requirements for this density increase, their density is limited to that allowed by the Density Rating System and applicable FLUE Policies, except as may be limited by a future zoning overlay.
6. For parcels currently within the boundaries of Mixed Use Activity Center #16, land uses will continue to be governed by the Mixed Use Activity Center Subdistrict. A zoning overlay may be developed for these properties within the Mixed Use Activity Center to provide specific development standards.
7. Existing zoning districts for some properties within the Bayshore/Gateway Triangle Redevelopment Overlay allow uses, densities and development standards that are inconsistent with the uses, densities and development standards allowed within this Overlay. These properties are allowed to develop and redevelop in accordance with their existing zoning until such time as a zoning overlay is adopted which may limit such uses, densities and development standards.

- 8. To qualify for 12 dwelling units per acre, as provided for in paragraphs #4 and #5 above, mixed use projects within the Bayshore/Gateway Triangle Redevelopment Overlay must comply with the following standards:
 - a. Buildings containing only commercial uses are limited to a maximum height of three stories.
 - b. Buildings containing only residential uses are limited to a maximum height of three stories except such buildings are allowed a maximum height of four stories if said residential buildings are located in close proximity to US-41.
 - c. Buildings containing mixed use (residential uses over commercial uses) are limited to a maximum height of four stories.
 - d. Hotels/motels will be limited to a maximum height of four stories.
 - ~~e. For purposes of this Overlay, each building story may be up to 14 feet in height.~~
 - f. e. For mixed-use buildings, commercial uses are permitted on the first two stories only.
 - ~~g.~~ f. Each building containing commercial uses only is limited to a maximum building footprint of 20,000 square feet gross floor area.
 - ~~h.~~ g. One or more zoning overlays may be adopted which may include more restrictive standards than listed above in Paragraphs ~~a—g~~ a-f.
- 9. For all properties outside of the Coastal High Hazard Area, any eligible density bonuses, as provided in the Density Rating System, are in addition to the eligible density provided herein. However, for properties within the Coastal High Hazard Area (CHHA), only the affordable-workforce housing density bonus, as provided in the Density Rating System, is allowed in addition to the eligible density provided herein. For all properties, the maximum density allowed is that specified under Density Conditions in the Density Rating System.
- 10. A maximum of 388 dwelling units are permitted to be utilized in this Overlay for density bonuses, as provided in paragraphs #4 and #5 above, for that portion of the Overlay lying within the CHHA only. This 388 dwelling unit density bonus pool corresponds with the number of dwelling units previously entitled to the botanical gardens sites prior to their rezone in 2003 to establish the Naples Botanical Gardens PUD. The “mini triangle” catalyst project is not subject to this density bonus pool.
- 11. The Botanical Garden, Inc. properties located in Section 23, Township 50 South, Range 25 East, and shown on the Bayshore/Gateway Triangle Redevelopment Overlay Map, shall be limited to non-residential uses except for caretaker, dormitory, and other housing integrally related to the Botanical Garden or other institutional and/or recreational open space uses.

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FUTURE LAND USE MAP SERIES
 Future Land Use Map
 Mixed Use & Interchange Activity Center Maps
 Properties Consistent By Policy (5.9, 5.10, 5.11, 5.12)
[no further changes]

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Words underlined are added; words ~~struck through~~ are deleted.
 Row of asterisks (***) denotes break in text.

FUTURE LAND USE MAP (countywide)

- Expand Incorporated Areas to reflect City of Naples annexations of the Collier Park of Commerce, on west side of Airport-Pulling Road; a portion of the Wilderness Country Club PUD commercial tract, on east side of Goodlette-Frank Road; and, the Bridges at Gordon River project, on south side of Golden Gate Parkway.
- Correct South Golden Gate Estates NRPA boundary at US41, Port of the Islands and at I-75: shift boundary north so it follows I-75, follows US41, and follows the south line of Sections 33, 34, 35, Township 51 South, Range 28 East (so is no longer over Port of the Islands Urban area).
- Correct Agricultural/Rural boundary near US41/CR29/Everglades City: shift boundary to west to run along CR29, to follow ACSC boundary, and to follow west Section line of Sections 28 & 33, Township 52 South, Range 29 East; and, shift boundary to south to follow US41.
- Correct Ag/Rural-RLSA-Conservation boundary along CR850: remove jog along common line for Sections 8 & 9, Township 46 South, Range 28 East - from near southeast corner of Section 7, boundary should run along CR850 to the northeast.
- In map legend, add Interchange symbol under Overlays and Special Features and label: "Interchange."

FUTURE LAND USE MAP – MAP SERIES

Activity Center Index Map.

Revise Activity Center #18 boundary to match the boundary on Activity Center #18 Map, to reflect prior expansion in southeast quadrant. Revise Activity Center #14 boundary to reflect City of Naples annexation of the Bridges at Gordon River project, in southeast quadrant. Revise City of Naples boundary to reflect City of Naples annexations of Hole-in-the-Wall Golf Club, on east side of Goodlette-Frank Road; and, Collier Park of Commerce, on west side of Airport-Pulling Road.

All Activity Center Maps.

Revise to update underlying map features – zoning, lot/parcel creation, street names, etc. – and to reflect parcel development and generalized building footprints.

Activity Center #12 Map.

Revise City of Naples boundary to reflect City of Naples annexations of Moorings Park, on east side of Goodlette-Frank Road; and, a church zoned RSF-4, on south side of Seagate Drive.

Activity Center #14 Map.

Revise Activity Center #14 boundary to reflect City of Naples annexation of the Bridges at Gordon River project, in southeast quadrant. Revise City of Naples boundary to reflect City of Naples annexation of a portion of Wilderness Country Club PUD commercial tract, on east side of Goodlette-Frank Road.

Map FLUE-10, Consistent by Policy Map.

Revise City of Naples boundary to reflect City of Naples annexations of the Bridges at Gordon River project, on south side of Golden Gate Parkway; a church zoned RSF-4, on south side of Seagate Drive; Hole-in-the-Wall Golf Club, on east side of Goodlette-Frank Road; and, Collier Park of Commerce, on west side of Airport-Pulling Road.

Rivers and Floodplains Map.

Revise City of Naples boundary to reflect City of Naples annexations of Hole-in-the-Wall Golf Club, on east side of Goodlette-Frank Road; Collier Park of Commerce, on west side of Airport-Pulling Road; and, the Bridges at Gordon River project, on south side of Golden Gate Parkway.

Estuarine Bays Map.

Revise City of Naples boundary to reflect City of Naples annexations of Hole-in-the-Wall Golf Club, on east side of Goodlette-Frank Road; Collier Park of Commerce, on west side of Airport-Pulling Road; and, the Bridges at Gordon River project, on south side of Golden Gate Parkway.

Soils Map.

Revise City of Naples boundary to reflect City of Naples annexations of Hole-in-the-Wall Golf Club, on east side of Goodlette-Frank Road; Collier Park of Commerce, on west side of Airport-Pulling Road; and, the Bridges at Gordon River project, on south side of Golden Gate Parkway.

Existing Commercial Mineral Extraction Sites Map.

Revise City of Naples boundary to reflect City of Naples annexations of Hole-in-the-Wall Golf Club, on east side of Goodlette-Frank Road; Collier Park of Commerce, on west side of Airport-Pulling Road; and, the Bridges at Gordon River project, on south side of Golden Gate Parkway.

Stewardship Overlay Map.

Amend to add additional approved Stewardship Sending Areas (SSAs 10-15), as required by Policy 1.6 of the Rural Lands Stewardship Area Overlay, and to correct the boundaries of SSA 7.

Collier County Wellhead Protection Areas and Proposed Wellfields and ASRs Map

Replace existing map with proposed map that reflects the latest hydrologic modeling, as required by Objective 1 of the Natural Groundwater Aquifer Recharge Sub-Element and subsequent policies, and Objective 3.3 of the Conservation and Coastal Management Element and subsequent policies.

CPSP-2010-2 Exhibit A as approved by CCPC 1-20-11
 G:\Comprehensive\COMP PLANNING GMP DATA\Comp Plan Amendments\2009-2010 Combined Cycles petitions\2010 Cycle Petitions\CPSP-2010-2 batch\Exhibit A Transmittal CPSP-2010-2
 dw/7-26-10 & 9-24-10 & 11-8-10 & 11-9-10