



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

RICK SCOTT
Governor

BILLY BUZZETT
Secretary

April 21, 2011

The Honorable Fred W. Coyle, Chairman
Collier County Board of County Commissioners
3299 Tamiami Trail East, Suite 303
Naples, Florida 34112-5746

Dear Chairman Coyle:

The Department has completed its review of the proposed Comprehensive Plan Amendment for Collier County (DCA No. 11-D1), which was received on February 18, 2011. We reviewed the amendment for consistency with Chapter 163, Part II, Florida Statutes, and Rule 9J-5, Florida Administrative Code, and the Collier County comprehensive plan. The Department raises no objections to the proposed amendment and this letter serves as the Department's Objections, Recommendations and Comments Report.

We have enclosed a copy of comments from other state and regional agencies. For your assistance, we have attached procedures for transmittal of the adopted comprehensive plan amendment. Please make this letter available for public inspection. If you have any questions about this matter, please contact me at (850) 922-1800, or Scott Rogers, Planning Analyst, at (850) 922-1758.

Sincerely,

Brenda Winningham
Regional Planning Administrator

BW/sr

Enclosure: Review Agency Comments

cc: Ken Heatherington, Executive Director, Southwest Florida Regional Planning Council
Nick Casalanguida, Deputy Administrator, Growth Management Division/Planning and Regulation, Collier County

2555 SHUMARD OAK BOULEVARD ♦ TALLAHASSEE, FL 32399-2100
850-488-8466 (p) ♦ 850-921-0781 (f) ♦ Website: www.dca.state.fl.us

♦ COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) ♦ FLORIDA COMMUNITIES TRUST 850-922-2207 (p) 850-921-1747 (f) ♦
♦ HOUSING AND COMMUNITY DEVELOPMENT 850-488-7956 (p) 850-922-5623 (f) ♦

TRANSMITTAL PROCEDURES

The process for adoption of local comprehensive plan amendments is outlined in Section 163.3184, F.S., and Rule 9J-11.011, Florida Administrative Code (F.A.C.).

Within ten working days of the date of adoption, the County must submit the following to the Department:

- Three copies of the adopted comprehensive plan amendment;
- A copy of the adoption ordinance;
- A listing of additional changes not previously reviewed;
- A listing of findings by the local governing body, if any, which were not included in the ordinance; and
- A statement indicating the relationship of the additional changes to the Department's Objections, Recommendations and Comments Report.

The above amendment and documentation are required for the Department to conduct a compliance review, make a compliance determination and issue the appropriate notice of intent.

In order to expedite the regional planning council's review of the amendment, and pursuant to Rule 9J-11.011(5), F.A.C., please provide a copy of the adopted amendment directly to Executive Director of the Southwest Florida Regional Planning Council.

Please be advised that the Florida legislature amended Section 163.3184(8)(b), F.S., requiring the Department to provide a courtesy information statement regarding the Department's Notice of Intent to citizens who furnish their names and addresses at the local government's plan amendment transmittal (proposed) or adoption hearings. In order to provide this courtesy information statement, local governments are required by the law to furnish to the Department the names and addresses of the citizens requesting this information. This list is to be submitted at the time of transmittal of the adopted plan amendment (a sample Information Sheet is attached for your use).



FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
Secretary of State
DIVISION OF HISTORICAL RESOURCES

March 17, 2011

Mr. Ray Eubanks
Department of Community Affairs
Bureau of State Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Re: Historic Preservation Review of the Collier County 11D-1 Comprehensive Plan
Amendment

Dear Mr. Eubanks:

According to this agency's responsibilities under Section 163, *Florida Statutes*, and Chapter 9J-5, *Florida Administrative Code*, we reviewed the above document to determine if data regarding historic resources were given sufficient consideration in the request to amend the Collier County Comprehensive Plan.

We reviewed both proposed text and land use amendments regarding the DRI related amendment for Hacienda Lakes to consider the potential effects of these actions on historic resources. There is a statement regarding no impacts on archaeological resources because none are located within the Mixed Use Activity Center No. 7 and that significant identified sites must be preserved and cannot be mitigated. We concur with this information. Thus, our cursory review suggests that the proposed changes should have no adverse effects on historic resources.

If you have any questions regarding our comments, please feel free to contact Susan M. Harp of the Division's Compliance Review staff at 850.245.6333.

Sincerely,

Laura A. Kammerer, Historic Preservationist Supervisor
Compliance Review Section
Bureau of Historic Preservation

pc: Ms. Brenda Winningham

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

Director's Office
850.245.6300 • FAX: 245.6436

Archaeological Research
850.245.6444 • FAX: 245.6452

Historic Preservation
850.245.6333 • FAX: 245.6437



"Suber, Tracy"
<Tracy.Suber@fldoe.org>
03/28/2011 09:43 AM

To <Scott.Rogers@dca.state.fl.us>
cc <Brenda.Winningham@dca.state.fl.us>,
<tayloram@collier.k12.fl.us>
bcc
Subject Collier 11-D1

Hi Scott –

I'm still awaiting a call back from the Collier County School District attorney on this one. However, since comments were due to you on Friday, I'm writing to let you know I did not identify any state educational facilities related concerns with the proposed amendment. Based on the school impact analysis provided with the package, it appears mitigation is required to address estimated impacts at the elementary school level. However, the amendment package is focused on non-school facility related impacts (transferring density to the site from existing density already allowed by the FLUM through the county's transfer of development rights program and adding additional area to the activity center, etc.), so this does not appear to be the appropriate time to raise school facility concerns.

Because mitigation will be required to provided school capacity needed to maintain the adopted level of service standards, I would like to request the opportunity to review the proposed development order when the county provides it to DCA for review. I've written to Dan Trescott to ask him to include me in the review agencies, but thought I'd let you know, too, so you can alert me when you receive it.

Please let me know if you have any questions

Thanks,
Tracy

Tracy D. Suber
Growth Management and Facilities Policy Liaison
Office of Educational Facilities
Florida Department of Education
325 West Gaines Street, Suite 1014
Tallahassee, Florida 32399-0400
850-245-9312
tracy.suber@fldoe.org
<http://www.fldoe.org/edfacil/>



Florida Department of Transportation

RICK SCOTT
GOVERNOR

10041 Daniels Parkway
Fort Myers, FL 33913

OFFICE OF THE
SECRETARY

March 25, 2011

Mr. Ray Eubanks
Regional Planning Administrator
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

RE: Collier County 11D-1 - Proposed Growth Management Plan Amendment (CP-2006-11) for the Hacienda Lakes Development of Regional Impact - FDOT Comments and Recommendations

Dear Mr. Eubanks:

The Florida Department of Transportation, District 1, has reviewed the Collier County 11D-1, Proposed Growth Management Plan (GMP) Amendment CP-2006-11 for the Hacienda Lakes Development of Regional Impact (DRI) in accordance with the requirements of Florida Statutes (F.S.) Section 163 and Chapter 9J-11 of the Florida Administrative Code (F.A.C.).

The transmittal approved by the county commissioners on February 8, 2011 seeks to amend the Future Land Use Element (FLUE) and Future Land Use Map (FLUM) and Map Series of the Growth Management Plan and Conservation and Coastal Management Element (CCME) to:

- 1. Reconfigure the boundary and increase the size of the southeast quadrant of Mixed Used Activity Center No. 7 by 9.16 acres in order to develop a greater intensity of commercial uses.** Based upon our discussions with Collier County staff, the department has determined that:

- **Existing**
The maximum allowable development that could occur on the subject 9.16 acre parcel under the **existing** Urban Residential Fringe Subdistrict (URF) FLU designation is either approximately 40 residential dwelling units or 90,000 square feet of medical office uses.
- **Proposed**
The maximum allowable development that could occur on the 9.16 acre parcel under the **proposed** Mixed Use Activity Center No. 7 FLU designation is approximately 17 residential dwelling units and 90,000 square feet of commercial uses.

It should be noted that the impacts of this proposed amendment on the state highway system (SHS) is being evaluated as part of the Hacienda Lakes DRI sufficiency review process.

- 2. Increase the maximum allowable density that might be achieved within the Urban Residential Fringe Subdistrict (URF) portion of a project located in more than one Future Land Use designation through an enhanced utilization of eligible Transfer Development Rights (TDRs).** Calculations of the maximum residential development potential under the existing and proposed conditions are included on pages 5 and 6 of the Exhibit C – Narrative Statement (included as part of the *Collier 11D-1 GMP Application*).

- **Existing**
As shown in Exhibit C, the Hacienda Lakes DRI could, without the adoption this GMP amendment, currently develop **1,662 dwelling units** using all eligible TDRs and other available density.

- **Proposed**

With the adoption of this amendment, the change in land use would allow up to 1,850 dwelling units* (188 additional units) using newly transferable TDRs from the 1,016 acres lying within one mile of the urban portion of the project.

* It should be noted that the Hacienda Lakes DRI residential component, as currently proposed, would be limited to 1,760 dwelling units.

3. **Provide a definitive access provision for a business park located in the URF portion of the project.** The adoption of this provision does not impact the SHS in the vicinity of the development.
4. **Allow for a relocation of native vegetation preservation from the URF portion of the project to the Rural Fringe Mixed Used District (RFMUD).** The adoption of this provision does not impact the SHS in the vicinity of the development.

Based upon the findings above, the department offers the following comments and recommendations for your consideration.

FDOT Comment # 1:

While the proposed amendments to the GMP could result in an increase of overall densities and intensities, the amendment does not include policy limiting the allowable amount of development to that specified in the DRI. Table 1 of the Hacienda Lakes Traffic Analysis (*revised on July 2, 2010*) establishes that the DRI includes 1,760 residential dwelling units, 537,500 square feet of non-residential (*retail, office and business park*), a 919 student elementary school, and a 135 room hotel.

Since the impacts of the GMP amendment are based solely upon the analysis of the DRI, the department recommends that policy be included in the GMP that limits the development to a level based upon the facility analysis that was conducted for the DRI.

FDOT Comment # 2:

The applicant for the Hacienda Lakes DRI is currently in the process of responding to local agency sufficiency review comments.

Since the GMP amendment is based solely upon the analysis of the DRI, the department requests that GMP approval be contingent upon the applicant establishing an approved mitigation plan for all affected state roadway facilities.

If you have any questions or need additional information, please contact me at (239) 461-4300 or lawrence.massey@dot.state.fl.us.

Sincerely,



Lawrence Massey
District 1 Growth Management Coordinator

LLM/gmb/llm



Southwest Florida Regional Planning Council

Serving Charlotte, Collier, Glades, Hendry, Lee and Sarasota Counties

1926 Victoria Ave, Fort Myers, Florida 33901-3414 (239) 338-2550 FAX (239) 338-2560 www.swfrpc.org

RECEIVED 9 BW
MAR 30 2011
DIVISION OF
COMMUNITY PLANNING

March 25, 2011

Mr. D. Ray Eubanks
Community Program Administrator
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Re: Collier County / DCA 11D-1

Dear Mr. Eubanks:

Staff of the Southwest Florida Regional Planning Council reviewed the proposed amendments (DCA 11D-1) to the Collier County Comprehensive Plan. The review was performed according to the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

The Council will review the proposed amendment at its April 21, 2011 meeting. Council staff has recommended that Council find the requested amendments to be regionally significant and to be conditionally consistent with the Strategic Regional Policy Plan.

A copy of the official staff report explaining the Council staff's recommendation is attached. If Council action differs from the staff recommendation, we will notify you.

Sincerely,

Southwest Florida Regional Planning Council

Kenneth Heatherington
Executive Director

KH/DEC
Attachment

Cc: Nick Casalanguida, Deputy Administrator, Growth Management Division – Planning and Regulation, Collier County

**LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS
COLLIER COUNTY**

The Council staff has reviewed proposed amendments to the Collier County Comprehensive Plan (DCA 011D-1). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction: updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

<u>Proposed Amendment</u>	<u>Location</u>	<u>Factors of Regional Significance</u>		
		<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DCA 11D-1 (CP-2006-11)	yes	yes	yes	(1) regionally significant; and (2) conditionally consistent with SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Community Affairs and Collier County.

**LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND
DEVELOPMENT REGULATION ACT**

Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda
Collier County, Everglades City, Marco Island, Naples
Glades County, Moore Haven
Hendry County, Clewiston, LaBelle
Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel
Sarasota County, Longboat Key, North Port, Sarasota, Venice

**SOUTHWEST FLORIDA
REGIONAL PLANNING COUNCIL
COMPREHENSIVE PLAN AMENDMENT REVIEW**

1. Local Government Name:

Collier County

2. Amendment Number:

DCA 1D-1

3. Did the RPC prepare the Plan Amendment: (YES) (NO)

No

4. Date DCA Notified RPC that Amendment Package was Complete, if Applicable:

February 24, 2011

5. Date Amendment Review must be Completed and Transmitted to DCA:

March 25, 2011

6. Date the Review was Transmitted to DCA:

March 25, 2011

7. Description of the Amendment:

The proposed amendments seek to amend the County' Growth Management Plan by changing the Plan's Future Land Use Element (FLUE), Future Land Use Map (FLUM), and Conservation and Coastal Management Element. Specifically, the proposed amendments, if approved, will allow the following actions:

- a. Reconfigure the boundary and increase the size of the southeast quadrant of the Mixed Use Activity Center No. 7 (Rattlesnake Hammock Road and Collier Boulevard) The amendment expands the size of the southeast quadrant of the

Action 3: Include in planning efforts the recognition of lands with natural capacity, accessibility, previous preparation for urban purposes, and adequate public facilities.

Livable Communities

Goal 2: Southwest Florida will develop (or redevelop) communities that are livable and offer residents a wide range of housing and employment opportunities.

Strategy: Develop livable, integrated communities that offer residents a high quality of life

Action 1: Encourage programs that promote infill development in urban areas to maximize the efficient use of existing infrastructure.

Action 2: Work with local governments to promote structures and developments that combine commercial and residential uses as a means of providing housing that is affordable and near employment opportunities.

Livable Communities

Goal 4: Livable communities designed to improve quality of life and to provide for the sustainability of our natural resources.

Strategy: Promote through the Council's review roles community design and development principles that protect the Region's natural resources and provide for an improved quality of life.

Action 8: Working with all levels of government within Southwest Florida actively plan for lands that have been acquired for natural resource purposes to be maintained and managed to preserve their environmental integrity.

Action 9: Insure that opportunities for governmental partnerships and public/private partnerships in preserving wildlife habitats are maximized.

Regional Cooperation

Goal 5: Effective resource management is maintained across the borders of sovereign public agencies.

Strategy: All plans concerning the same resource shall have as objectives the same effective results.

Action 7: The SWFRPC will continue to coordinate with the entities of the South Florida Ecosystem Restoration Task Force Working Group in their restoration efforts.

g. The effects of the Proposed Amendment on Regional Resources or Facilities Identified in the Strategic Regional Policy Plan:

The proposed development that would result if this requested amendments are approved is found by the Council staff to be regionally significant because the southeast quadrant of the subject site is located in the Hacienda Lakes DRI and is therefore regionally significant by definition and therefore will have significant impact on the Picayune Strand National Forest located east of the proposed development and Collier Boulevard (CR 951) which have been

j. Impacts to significant regional resources and facilities identified in the Strategic Regional Policy Plan, including, but not limited to, impacts on groundwater recharge and the availability of water supply:

If approved, this amendment will result in an increase in development on the Mixed Use Activity Center No. 7 area and thereby result in more impervious surfaces in the planning area. This action will reduce the groundwater recharge on the subject site and will increase the potable water consumption in the area, but because a portion of the development site is located within the Hacienda Lakes DRI the impacts from the proposed changes will be mitigated. Council staff finds that the requested amendments to Mixed Use Activity Center No. 7 will have impacts on regional resources, but those impacts will be mitigated through the DRI review process and the issuance of a DRI Development Order.

k. Affordable housing issues and designation of adequate sites for affordable housing:

The proposed amendment will not have impacts on affordable housing in the County. The development that would result from the proposed amendment would be located in a part of the County where sufficient affordable housing may not be available due to the current economic situation of southwest Florida. However, because the Hacienda Lakes DRI will provide for the mitigation of this issue, Council staff finds that the affordable housing issue will be addressed at the time of the approval of the Hacienda Lakes Development Order.

l. Protection of natural resources of regionally significance identified in the Strategic Regional Policy Plan including, but limited to, protection of spring and groundwater resources, and recharge potential:

The development that would result from these amendments will have impacts to regionally significant resources as previously identified in this assessment. However, due to limited magnitude of the changes proposed that specifically relate to Mixed Use Activity Center No. 7, the recharge potential to the areas groundwater resources is found by Council staff not to be significant. There are no springs requiring protection on or near the subject site.

m. Compatibility with regional transportation corridors and facilities including, but not limited to, roadways, seaports, airports, public transportation systems, high speed rail facilities, and intermodal facilities:

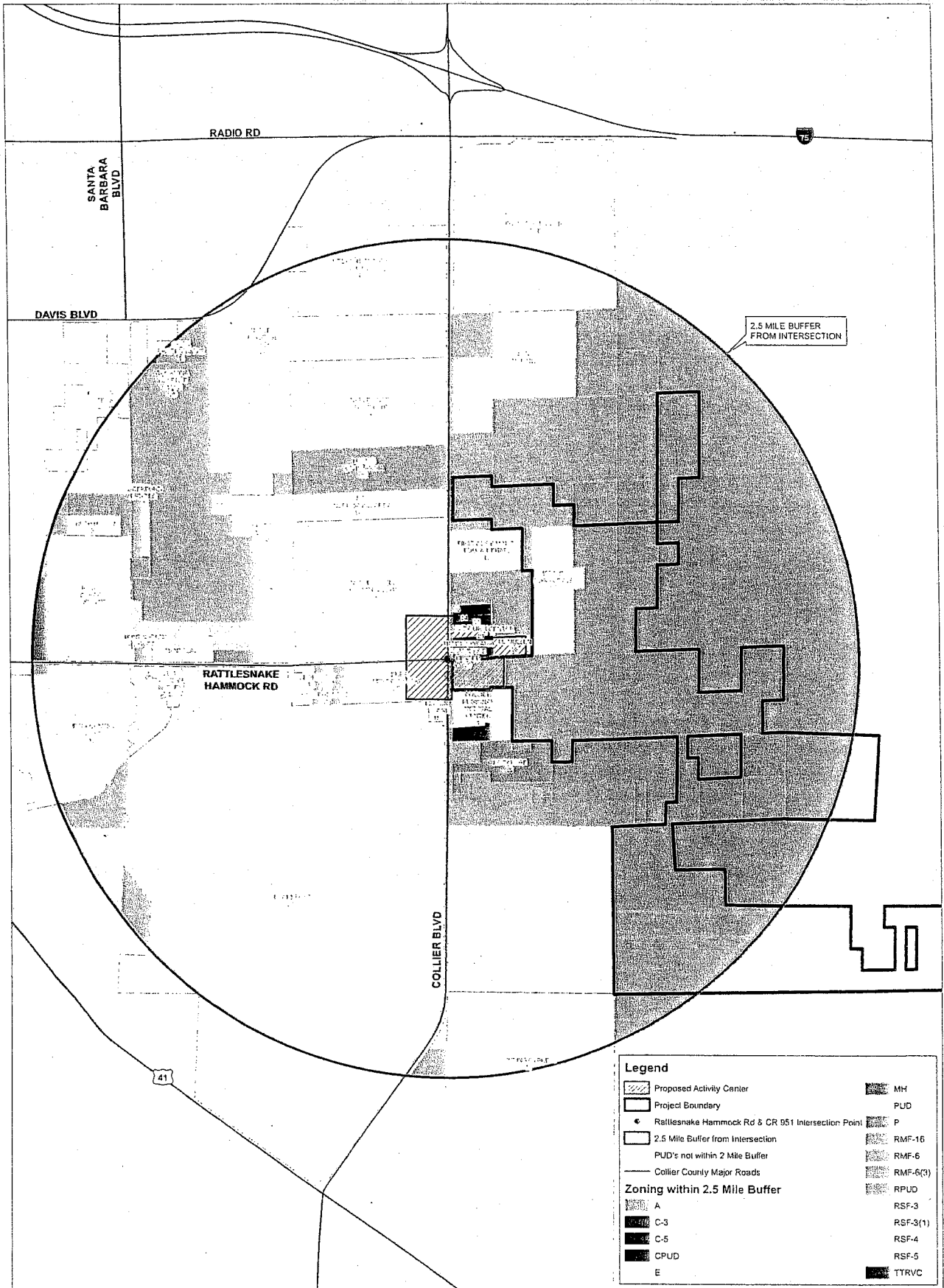
The commercial and residential development and associated access request on The Lord's Way roadway will not result in significant new impacts regional roadways. The transportation impacts from the proposed development due to these amendments will be mitigated through the Hacienda Lakes DRI. There are no seaports in southwest Florida. The proposed amendments will have no significant impacts to the region's airports, public transportation systems, or future high speed rail or intermodal facilities.

Attachment III

Maps

**Collier County
DCA 11D-1**

**Proposed Comprehensive Plan Amendments
Site Locations**



Legend

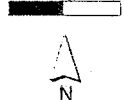
- Proposed Activity Center
- Project Boundary
- Rattlesnake Hammock Rd & CR 951 Intersection Point
- 2.5 Mile Buffer from Intersection
- PUD's not within 2 Mile Buffer
- Collier County Major Roads

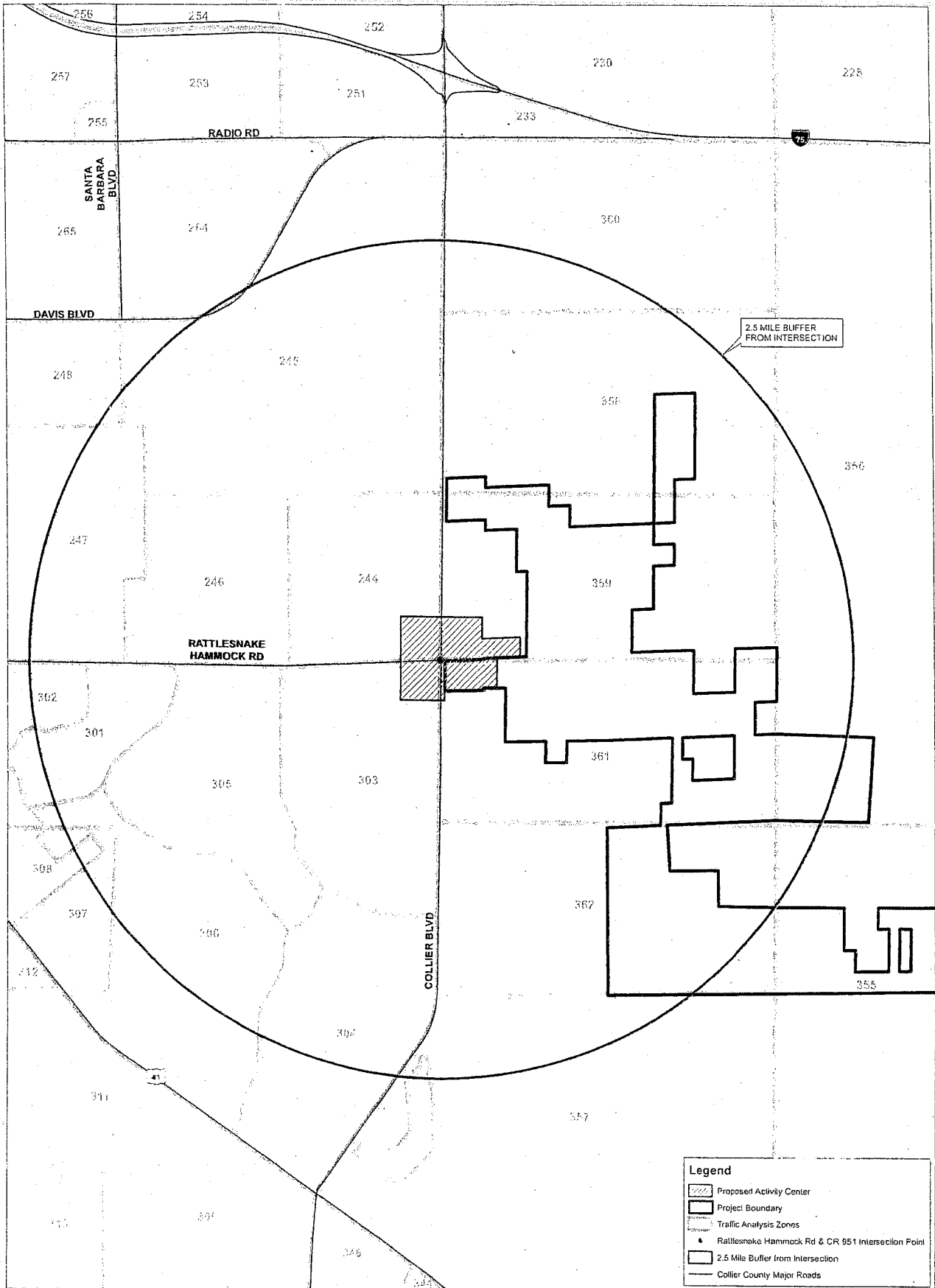
Zoning within 2.5 Mile Buffer

- A
- C-3
- C-5
- CPUD
- E
- MH
- PUD
- P
- RMF-16
- RMF-6
- RMF-6(3)
- RPUD
- RSF-3
- RSF-3(1)
- RSF-4
- RSF-5
- TTRVC

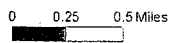
Hacienda Lakes
Study Area 2.5 Miles from Intersection

0 0.25 0.5 Miles



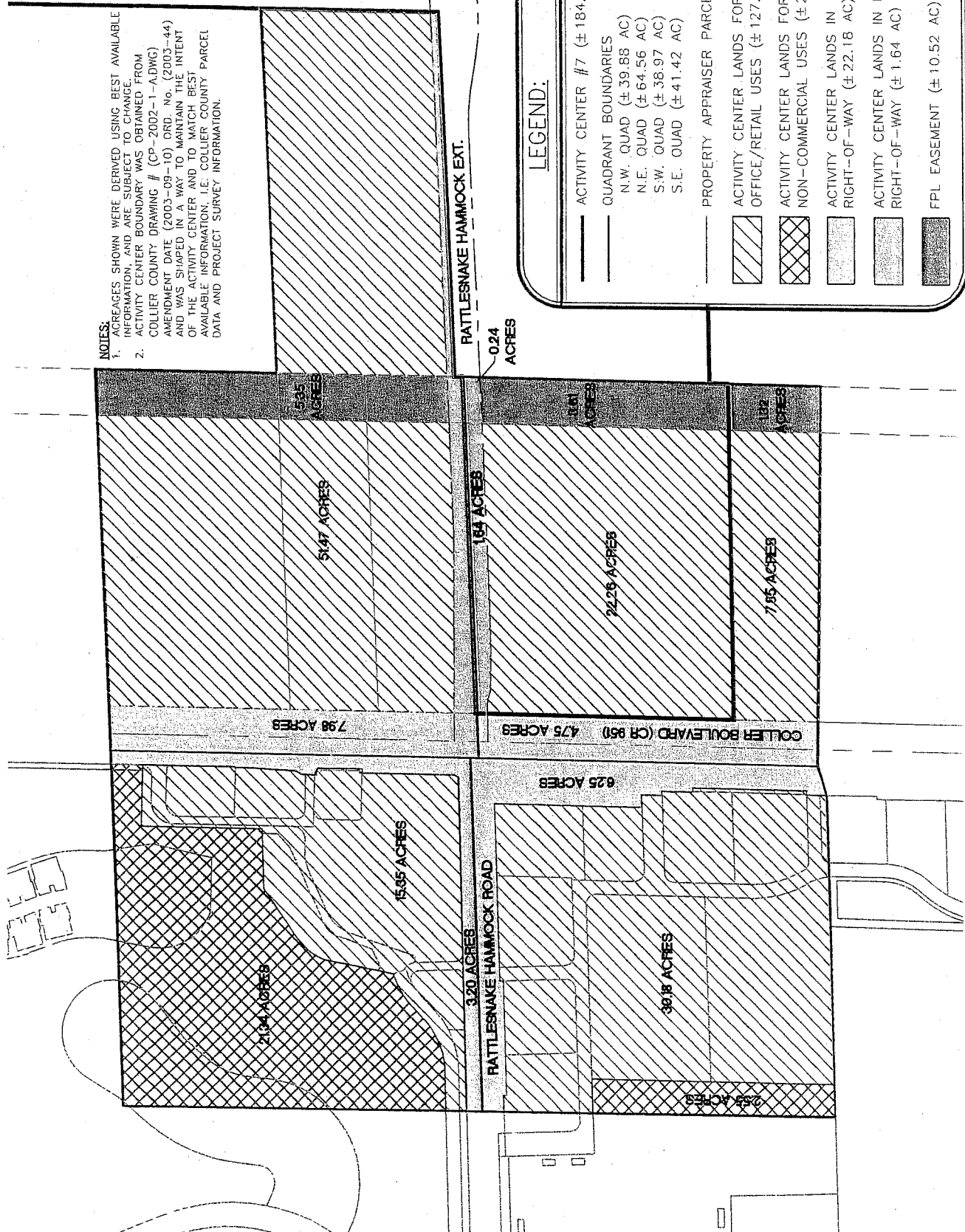


Hacienda Lakes
Traffic Analysis Zones





NOTES:
 1. ACRESSES SHOWN WERE DERIVED USING BEST AVAILABLE INFORMATION AND ARE SUBJECT TO CHANGE.
 2. ACTIVITY CENTER BOUNDARY WAS OBTAINED FROM COLLIER COUNTY DRAWING # (CP-2002-1-ADWG) AMENDMENT DATE (2003-09-10) ORD. NO. (2003-44) AND WAS SHAPED IN A WAY TO MAINTAIN THE INTENT OF THE ACTIVITY CENTER AND TO MATCH BEST AVAILABLE INFORMATION, I.E. COLLIER COUNTY PARCEL DATA AND PROJECT SURVEY INFORMATION.



LEGEND:

- ACTIVITY CENTER #7 (± 184.83 AC)
- QUADRANT BOUNDARIES
- N.W. QUAD (± 39.88 AC)
- N.E. QUAD (± 64.56 AC)
- S.W. QUAD (± 38.97 AC)
- S.E. QUAD (± 41.42 AC)
- PROPERTY APPRAISER PARCELS
- ▨ ACTIVITY CENTER LANDS FOR OFFICE/RETAIL USES (± 127.11 AC)
- ▩ ACTIVITY CENTER LANDS FOR NON-COMMERCIAL USES (± 23.89 AC)
- ▧ ACTIVITY CENTER LANDS IN PUBLIC RIGHT-OF-WAY (± 22.18 AC)
- ▥ ACTIVITY CENTER LANDS IN PUBLIC RIGHT-OF-WAY (± 1.64 AC)
- ▦ FPL EASEMENT (± 10.52 AC)

DESIGNED: []
 DRAWN: []
 CHECKED: []
 DATE: []
 NAME: []
 R/W CONSULTING INC.
 Planning
 Visualization
 Civil Engineering
 Surveying & Mapping
 8810 Wilcox Park Drive, Suite 100
 Naples, Florida 34108
 Phone: (239) 597-0578
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