

DEPARTMENT OF COMMUNITY AFFAIRS

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

RICK SCOTT

BILLY BUZZETT Secretary

June 3, 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. 11-1), which was received on April 1, 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,

Bally

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 Transportation

RICK SCOTT GOVERNOR 605 Suwannee Street Tallahassee, FL 32399-0450 ANANTH PRASAD, P.E. SECRETARY

May 12, 2011

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

RE: Collier County 11-1 - Proposed Growth Management Plan Amendments - FDOT Comments and Recommendations

Dear Mr. Eubanks:

The Florida Department of Transportation, District 1, has reviewed the Collier County 11-1, Proposed Growth Management Plan (GMP) Amendments (approved for transmittal by the County Commissioners on March 22, 2011) 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 department offers the Department of Community Affairs (DCA) the following comments and recommendations for your consideration in reviewing the proposed amendments.

CP-2008-1 (Estates Shopping Center Subdistrict, Map and Text Amendment):

Petition CP-2008-1 requests to amend the Golden Gate Area Master Plan (GGAMP) and GGAMP Future Land Use Map (FLUM) and Map Series, to create the Estates Shopping Center Subdistrict to allow a maximum of 190,000 square feet of commercial uses with a requirement to construct a grocery store with a minimum of 27,000 square feet on a 41 acre site located on the north side of Golden Gate Boulevard extending from Wilson Boulevard to 3rd Street NW.

The department has no comments related to the proposed CP-2008-1 GMP amendment since the Estates Shopping Center Subdistrict is located more than 5 miles away from I-75 and is not expected to have an adverse impact on the state roadway network.

CP-2010-1 (Vanderbilt Beach Road Neighborhood Commercial Subdistrict, Text Amendment):

The property that is the subject of this amendment is located on the northeast corner of the intersection of Vanderbilt Beach Road and Livingston Road in Collier County, Florida. Parcel 1 (9.2 acres currently zoned as Bradford Square MPUD) of the Vanderbilt Beach Road Neighborhood Commercial Subdistrict currently allows a maximum of 100,000 square feet of gross leasable floor area for commercial uses.

Based on this Subdistrict designation, Parcel 1 can be developed as retail, personal service, restaurant, office, and all other uses as allowed in the C-1 through C-3 zoning districts, as set forth in the Collier County Land Development Code. This Subdistrict also allows mixed-use development (residential and commercial uses) including general and medical offices, government offices, financial institutions,

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Mr. Ray Eubanks
Collier County 11-1 Proposed Growth Management Plan Amendments – FDOT Comments
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personal and business services, limited indoor recreational uses, and limited retail uses. The department notes that the Subdistrict limits the maximum floor area for any single commercial use to 20,000 square feet.

Petition CP-2010-1 requests to amend the Future Land Use Element (FLUE), to allow grocery/supermarket, physical fitness facility, craft/hobby store, home furniture/furnishing store uses in Parcel 1 to exceed the 20,000 square feet limitation for a single commercial use, up to a maximum of 50,000 square feet. The department notes that the amendment does not change the maximum of 100,000 square feet of gross leasable floor area limitation for allowable commercial uses.

The department has no comments related to the proposed CP-2010-1 since the proposed text amendment does not increase the maximum amount of commercial density that can be developed in Parcel 1 of the Vanderbilt Beach Road Neighborhood Commercial Subdistrict.

CPSP-2010-2 (Map and Text Amendments):

Petition CPSP-2010-2 requests to amend the FLUE, the FLUM and Map Series to:

- a) Replace the language in Policy 5.1.d of the FLUE regarding provisions for properties that are zoned inconsistent with the Future Land Use Designation Description, but have nonetheless been determined consistent with the FLUE.
- b) Revise the Office and Infill Commercial Subdistrict to allow for its applicability when a proposed rezone site is abutting commercial zoned property within an Infill Subdistrict if the site also abuts commercial zoning not within an Infill Subdistrict.
- c) Modify language in the Agricultural Rural Designation regarding Sending Lands provisions for essential services for proper organization, and to specifically list water pumping stations and raw water wells, within the Rural Fringe Mixed Use District.
- d) Modify language in the Conservation Designation regarding provisions for essential services for proper organization and to specifically list water pumping stations and raw water wells.
- e) Revise the Bayshore/Gateway Triangle Redevelopment Overlay description to correct a date, add performing art center type uses, clarify that uses are allowed as provided by FLUE Policies, and delete the development standard of feet per story.
- f) Update the Wellhead Protection Map, update the FLUM and Map Series to reflect annexations, make FLUM boundary corrections in rural areas and add clarity.

The department has no comments related to the proposed CPSP -2010-2 GMP amendments since they are not anticipated to have an adverse impact on the state roadway network.

<u>CPSP-2010-5 (Davis Boulevard/County Barn Road Mix-Use Subdistrict, Map and Text Amendments):</u>

The property that is the subject of this amendment is located on the southeast corner of the intersection of Davis Boulevard (SR 84) and County Barn Road in Collier County, Florida. According to the staff report, the most recently amended PUD rezone request, under the existing FLUM designation, allows for 35,000 square feet of commercial uses and 234 residential dwelling units. The maximum allowable development would result in 4,974 daily trips and 461 p.m. peak hour trips. The amendment proposes two alternatives to revise the 22.8 acre parcel in the Davis Boulevard/County Barn Road Mix-Use Subdistrict (DB/CBRMU) as described below:

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CPSP-2010-5 Alternative # 1:

The first alternative proposes to revise the Subdistrict to eliminate the commercial component and establish a maximum density of 5 dwelling units per acre. The maximum allowable development that could occur under this alternative is 114 residential dwelling units, which would result in 814 daily trips and 80 p.m. peak hour trips. As indicated in the following table, the proposed Alternative #1 would result in a net decrease of 4,160 daily trips or 381 p.m. peak hour trips.

CPSP-2010-5 Alternative # 1: TRIP GENERATION AS PROPOSED

Scenario	Land Use Designation	Maximum Allowed Density / Intensity	ITE Land Use Code	Size of Development			PM
				Acres	Allowed Development	Daily Trips ¹	Peak Trips ¹
Adopted	DB/CBRMU (Residential)	NA	220	22.8	234 DUs	1,542	146
Adopted	DB/CBRMU (Commercial)	NA	820	22.8	35,000 sf	3,432	315
Proposed	DB/CBRMU (Residential	5 DUs/1 Acre	220	22.8	114 DUs	814	80
Change in Trips						-4,160	-381

^{1.} Trip generation based on the rates and equations obtained in the ITE Trip Generation Manual (8th Edition).

CPSP-2010-5 Alternative # 2:

The second alternative proposes to "repeal" the Davis Boulevard/County Barn Road Mix-Use Subdistrict all together, in which case, the land use designation would return to the Urban Designation, Mixed Use District, Urban Residential Subdistrict. The maximum allowable development that could occur under this alternative is 365 residential dwelling units (16 DU/Acre) which would result in 2,335 daily trips and 218 p.m. peak hour trips. As indicated in the following table, the proposed Alternative # 2 would result in a net decrease of 2,639 daily trips or 243 p.m. peak hour trips.

CPSP-2010-5 Alternative # 2: TRIP GENERATION AS PROPOSED

Scenario	Land Use Designation	Maximum Allowed Density / Intensity	ITE Land Use Code	Size of Development			PΜ
				Acres	Allowed Development	Daily Trips ¹	Peak Trips ¹
Adopted	DB/CBRMU (Residential	NA	220	22.8	234 DUs	1,542	146
Adopted	DB/CBRMU (Commercial)	NA	820	22.8	35,000 sf	3,432	315
Proposed	Urban Residential Subdistrict	16 DUs/1 Acre	220	22.8	365 DUs	2,335	218
Change in Trips						-2,639	-243

^{1.} Trip generation based on the rates and equations obtained in the ITE Trip Generation Manual (8th Edition).

Mr. Ray Eubanks
Collier County 11-1 Proposed Growth Management Plan Amendments – FDOT Comments
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The department has no comment on either proposed alternative since the development limitation in the Urban Designation, Mixed Use District, Urban Residential Subdistrict (Alternative #1) or the potential "repeal" of the Subdistrict (Alternative #2) would result in a net decrease in trips during the daily and p.m. peak hour conditions,

The department notes that since the property that is the subject of this amendment is located along the south side of Davis Boulevard (SR 84), any access(s) from the property to SR 84 will be subject to the FDOT access permitting process as described in Rule 14-96 F.A.C. The FDOT Access Management standard for SR 84 from Airport Pulling Road (M.P. 1.005) to Radio Road (M.P. 24.933) is Access Class 3. Standards for Access Class 3 require a minimum spacing of 2,640 feet (one half of a mile) for signals and full median openings, 1,320 feet (one quarter of a mile) for directional median openings, and 660 feet (one eighth of a mile, at posted speed limits greater than 45 MPH) between access points for any single parcel.

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

Southwest Area Urban Office

LLM/gmb/llm



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

April 29, 2011

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

Dear Mr. Eubanks:

Subject:

Collier County, DCA #11-1

Comments on Proposed Comprehensive Plan Amendment Package

The South Florida Water Management District has completed its review of the proposed amendments from Collier County (County). The changes amend the Future Land Use Element, including the Future Land Use Map, Map Series, and the Golden Gate Area Master Plan. There appear to be no significant water resource related impacts; therefore, the District forwards no comments on the proposed amendment package.

The District offers its technical assistance to the County and the Department of Community Affairs in developing sound, sustainable solutions to meet the County's future water supply needs and to protect the region's water resources. For assistance or additional information, please contact Deborah Oblaczynski (561) 682-2544 or doblaczy@sfwmd.gov.

Sincerely,

Rod Braun Director

Intergovernmental Policy and Planning Division

C:

Ken Heatherington, SWFRPC Deborah Oblaczynski, SFWMD Jim Quinn, DEP David Weeks, Collier County Brenda Winningham, DCA



FLORIDA DEPARTMENT OF STATE

Kurt S. Browning

Secretary of State DIVISION OF HISTORICAL RESOURCES

May 2, 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 11-1 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 to the Collier County Comprehensive Plan to consider the potential effects of these actions on historic resources. While our cursory review suggests that the proposed changes may have no adverse effects on historic resources, it is the county's responsibility to ensure that the proposed revisions will not have an adverse effect on significant archaeological or historic resources.

We do note that Amendment CP-2008-1 appears to be adjacent to an archaeological high probability area, per the county's archaeological probability zones map. The most effective way to guarantee that such sites are not adversely affected is for the county to sponsor or require historic resource surveys so that it can ensure its archaeological resources and historic structures fifty years of age or older will be considered when substantive changes in land use are proposed.

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

Laura a. Kammerer

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



Brenda Winningham /DCA/FLEOC 05/10/2011 09:50 AM To Scott Rogers/DCA/FLEOC@fleoc

cc

bcc

Subject Fw: FDACS Review of LGCP Amendments

Brenda Winningham Regional Planning Administrator Department of Community Affairs Bureau of Local Planning 2555 Shumard Oak Blvd. Tallahassee, FL 32399-2100 (850) 922-1800

Fax: (850) 488-3309

E-mail: brenda.winningham@dca.state.fl.us

---- Forwarded by Brenda Winningham/DCA/FLEOC on 05/10/2011 09:50 AM -----



Lakysha Perkins /DCA/FLEOC

05/10/2011 08:41 AM

To Anastasia Richmond/DCA/FLEOC@fleoc, Brenda Winningham/DCA/FLEOC@fleoc, Bernard Piawah/DCA/FLEOC@fleoc, James Stansbury/DCA/FLEOC@fleoc

CC

Subject Fw: FDACS Review of LGCP Amendments

LaKysha F. Perkins 2555 Shumard Oak Blvd. Tallahassee, Fl 32399-2100 (850)922-1762 ----- Forwarded by Lakysha Perkins/DCA/FLEOC on 05/10/2011 08:40 AM -----



"Scott, W Ray" <Ray.Scott@freshfromflorida . com>

To <DCPexternalagencycomments@dca.state.fl.us>

cc

05/06/2011 11:37 AM

Subject FDACS Review of LGCP Amendments

FDACS has reviewed the following LGCP amendments and has no objections, recommendations, or comments:

Bradford County 11–1ER
Pasco County 11-1
Miami-Dade County 11D2
Bay County 11-1
Collier County 11-1

Please call if you have any questions or comments:

W. Ray Scott
Conservation & Water Policy Federal Programs Coordinator
Office of Agricultural Water Policy
Florida Department of Agriculture and Consumer Services
1203 Governor's Square Boulevard, Suite 200
Tallahassee, FL 32301
(office) 850-617-1716
(mobile) 850-544-9871
(fax) 850-617-1701
Ray.Scott@FreshFromFlorida.com



"Suber, Tracy" <Tracy.Suber@fidoe.org> 04/08/2011 01:27 PM To

<br

bcc

Subject FW: Collier County 11-1 (proposed)

Hi Brenda and Scott -

Because the proposed amendments do not impact school sites or increase demand for school capacity, I have no comment on the proposed amendment package.

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@fidoe.org
http://www.fldoe.org/edfacil/

From: Anita.Franklin@dca.state.fl.us [mailto:Anita.Franklin@dca.state.fl.us]

Sent: Thursday, April 07, 2011 4:24 PM

To: evansw@doacs.state.fl.us; Allena.Nelson@dep.state.fl.us; SHARP@DOS.STATE.FL.US;

FWCConservationPlanningServices@myfwc.com; lawrence.massey@dot.state.fl.us; jjackson@sfwmd.gov;

dcrawford@swfrpc.org; Suber, Tracy; Sparkman-Allen, Lisa

Cc: jim.quinn@dep.state.fl.us

Subject: Collier County 11-1 (proposed)

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Collier County 11-1 (proposed).pdf



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Southwest Florida Regional Planning Council

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1926 Victoria Ave, Fort Myers, Florida 33901-3414

(239) 338-2550 FAX (239) 338-2560 www.swfrpc.org

May 3, 2011

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

Re: Collier County / DCA 11-1

Dear Mr. Eubanks:

Staff of the Southwest Florida Regional Planning Council reviewed the proposed amendments (DCA 11-1) 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 amendments at its May 19, 2011 meeting. Council staff has recommended that Council find all four (4) of the requested amendments not to be regionally significant, two (2) to be procedural, three (3) to be consistent with the SRPP and one (1) to be conditionally consistent with the SRPP.

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

Kenheth 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 11-1). 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 II. Comments are provided in Attachment III. 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:

Proposed	F	Factors of Regional Significance						
Amendment	Location	<u>Magnitude</u>	Character	Consistent				
CP-2008-1	no	no	no	(1) not regionally significant; and(2) consistent with SRPP				
CP-2010-1	no	no	no	 (1) not regionally significant; and (2) consistent with SRPP 				
CPSP-2010-2	no	no	no	 procedural; not regionally significant; and consistent with SRPP 				

CPSP-20010-5

no

no

no

- (1) procedural;
- (2) not regionally significant; and
- (3) conditionally consistent with SRPP

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

05/11

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

Comprehensive Plan Amendments

A local government may amend its plan twice a year. (Amendments related to developments of regional impact, certain small developments, compliance agreements, and the Job Siting Act are not restricted by this limitation.) Six copies of the amendment are sent to the Department of Community Affairs for review. A copy is also sent to the regional planning council, the water management district, the Florida Department of Transportation, and the Florida Department of Environmental Protection. [s. 163.3184(3)(a)]

The proposed amendment will be reviewed by DCA in two situations. In the first, there must be a written request to DCA. The request for review must be received within forty-five days after transmittal of the proposed amendment. [s. 163.3184(6)(a)] Review can be requested by one of the following:

- · the local government that transmits the amendment,
- · the regional planning council, or
- · an affected person.

In the second situation, DCA can decide to review the proposed amendment without a request. In that case, DCA must give notice within thirty days of transmittal. [(s. 163.3184(6)(b)]]

Within five working days after deciding to conduct a review, DCA must forward copies to various reviewing agencies, including the regional planning council. [s. 163.3184(4)]

Regional Planning Council Review

The regional planning council must submit its comments in writing within thirty days of receipt of the proposed amendment from DCA. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the regional planning council must be limited to "effects on regional resources or facilities identified in the strategic regional policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government." [s. 163.3184(5)]

After receipt of comments from the regional planning council and other reviewing agencies, DCA has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DCA transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) AND THE RULE (9J-11, FAC) FOR DETAILS.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL COMPREHENSIVE PLAN AMENDMENT REVIEW

1. Local Government Name:

Collier County

2. Amendment Number:

DCA 11-1

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

No

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

April 7, 2011

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

May 5, 2011

6. Date the Review was Transmitted to DCA:

May 3, 2011

7. Description of the Amendment:

1. CP 2008-1

This request is an amendment to the Golden Gate Area Master Plan (GGAMP) and Golden Gate Area Master Plan Future Land Use Map and Map Series, to create the Estates Shopping Center Subdistrict to allow a maximum of 190,000 square feet of commercial uses identified in the County's C-4 zoning district, with exceptions, and some uses identified in the County's C-5 zoning district. The requested change contains requirements to construct a grocery store on the subject site. The property is located on the north side of Golden Gate Boulevard and extends from Wilson Boulevard to 3rd Street. The subject site contains $40.62 \pm acres$.

Map based upon the most recent hydrologic modeling, as required in Objective 1 of the Natural Groundwater Aquifer Recharge Sub-Element and subsequent policies, and Objective 3.3 of the Conservation of the Coastal Management Element and subsequent policies..

4. CPSP-2010-5

This amendment consists of County staff-initiated text and map changes to the FLUE and FLUM and Series. These amendments were authorized by the Board of County Commissioners on December 14, 2010, with the concurrences of the owner/petitioner.

In June of 2005, the Board of County Commissioners adopted an amendment to the County's FLUE and FLUM that established the Davis Boulevard/County Barn Road Mixed Use Subdistrict (DB/CBRMU). The DB/CBRMU Subdistrict consisted of 22.8 ± acres and included as allowable uses; a 5-acre (maximum 45,000 square feet of gross leasable area) commercial component limited to certain uses set forth in the County Land Development Code (LDC) as C-1 through C-3 uses that generally included office, personal services, and convenience retail. The DB/CBRMU Subdistrict also provided for residential uses on the balance of the property, with the eligibility density being determined by the Density Rating System in the FLUE. Additionally, the DB/CBRMU Subdistrict also provided for residential units to be affordable housing. The amendment establishing the Subdistrict was initiated by the private sector – except for the affordable housing requirement.

After the establishment of the DB/CBRMU, the property owner submitted a Mixed Use Planned Unit Development (PUD) rezoning application. During the review process of the PUD, County staff and the applicant identified issues that required Comprehensive Plan amendments. On December 14, 2010, the Board of County Commissioners continued the PUD rezoning hearing until staff could process amendments to the DB/CBRMU Subdistrict.

Based on the proposed amendments, the County staff report has stated that the amendments will either revise the Subdistrict to eliminate the commercial component, affordable housing requirement, specific development standards and requirements, and establish a maximum density of five (5) dwelling units per acre (Board of County Commission direction) or repeal the Subdistrict and leave allowable density as provided for by using the Density Rating System (County staff alternative) to be finally determined by the Board of County Commissioners. If the Subdistrict were repealed, then the land use designation would return to the urban designation, Mixed Use District, Urban Residential Subdistrict for developing affordable housing.

The County staff prepared a comparative impact analyses between the two alternatives. The analyses showed that the proposed removal of the commercial component and a limitation on residential density to a maximum of up to 114 residential dwelling units (5 units per gross eligible acre) verses the currently proposed density of 234 dwelling units (10.25 units per gross eligible acre) would result in a significant reduction of traffic

impacts. With the reduction in intensity and density, there is sufficient traffic capacity to serve the proposed maximum allowable density of 114 dwelling units. Based on this information, the requested amendments involve a number of FLUE text and FLUM and Map Series changes that remove or revise the Davis Boulevard/County Barn Road Mixed-Use Subdistrict entries in the FLUE.

8. Is the Amendment consistent with the Strategic Regional Policy Plan:

1. CP 2008-1

In March 2010, the Council reviewed and approved Council staff's comments concerning this development request. Specifically, Council staff reviewed the requested amendments to the Golden Gate Area Master Plan and Golden Gate Area Master Plan Future Land Use Map and Map Series that would create an Estates Shopping Center. Based on the requested changes the proposed development would have a maximum of 210,000 square feet of commercial uses as identified in the County's C-5 zoning district and contain a requirement to construct a grocery store.

Council staff also stated that based on the County staff report, the proposed development had gone thru some changing parameters as it was reviewed by the Collier County Planning Commission (CCPC) and the petitioner worked with the County on a variety of concerns both public and private. During the public input portion of the CCPC meeting, Council staff pointed out that several people stated local concerns about the development, mostly dealing with increased traffic, consistency with the rural character of the area, whether there was enough population to support the development, and whether there would be disruptions in the quietness of the surrounding area.

Based on the information provided in the original petition, County staff concluded that the project would likely reduce local vehicle trips traveled by providing additional commercial and employment opportunities proximate to the area's residents. Council staff agreed with the County staff's conclusions that the development would be appropriate with the conditions that the County was placing on the proposal. Council staff considered the local objections to the project and found them to be compatibility related and therefore was a local issue. Council staff also determined that there were no significant regional resources negatively impacted by the proposed development nor did the development have multi-jurisdictional impacts.

Council staff found that the proposed amendment was not regionally significant due to its sub-threshold magnitude, location and character. Council staff specifically stated that given its location in the County, it would help provide employment opportunities and reduce traffic on the adjacent road network. Council staff also found that the proposed development, given the development parameter conditions being placed on the development by the petitioner and County to be consistent with the SRPP.

The current requested amendment has now resulted in a development that has been reduced in size to a maximum of 190,000 square feet, which is somewhat smaller than

the original project that was reviewed by Council staff, and given that the project will reduce the impacts to the surrounding area even more, and given that the concerns identified by the surrounding residents are compatibility issues associated with the development site plan, buffering and other development issues and not related to significant impacts to regional resources, Council staff continues to find that the requested amendments under review is consistent with the SRPP.

2. CP-2010-1

Based on the information submitted, Council staff has reviewed the project and agrees with the County staff assessment that the proposed changes will result in less overall development and reduce the impacts to the surrounding transportation network. The existing Subdistrict allows the same uses as those proposed by the Growth Management Plan amendment and the existing Subdistrict in that it does not contain development standards specific to the subject parcel. Additionally, the Mixed Use Planned Development (MUPUD) approved for the subject site contains appropriate development standards to ensure that the existing approved development within the project is compatible with surrounding properties. Further, the proposed increase in commercial intensity, from the 20,000 to 50,000 square feet for certain commercial uses, will be reviewed for compatibility with surrounding properties at the time of the rezoning/PUD amendment. There are no additional public facilities impacts resulting from the proposed amendment as noted by the County's staff report.

Given that the concerns identified by the surrounding residents are local compatibility issues associated with potential impacts from "big box development" that will be addressed in future zoning approvals and related conditions and are not related to significant impacts to regional resources, Council staff therefore finds that the requested amendments are consistent with the SRPP.

3. CPSP-2010-2

Council staff has reviewed this request and because the proposed amendments are related to adding clarity, providing corrections to the texts and map errors and omissions, and providing harmony within the County's Comprehensive Plans, Council staff finds these amendments to be procedural in nature. Additionally, Council staff has also reviewed the more specific changes related to Policy 5.1 that allow redistribution of use density and intensity; that allow the modifications related applicability of the Office and Infill Commercial Subdistrict; the changes to the B/GTRO that relate to the deletion of a development standard, add a use, and add clarity to the use of the FLUE policies; and the modifications that update the Collier County Wellhead Protection Areas and Proposed Wellfields and ASRs Map are also procedural. Based on these reviews, Council staff finds that the proposed amendments are not regional in nature and are consistent with the SRPP.

4. CPSP-2010-5

Based on the County staff report the amendments will either revise the Subdistrict to eliminate the commercial component, affordable housing requirement, specific

development standards and requirements, and establish a maximum density of five (5) dwelling units per acre (Board of County Commission direction) or repeal the Subdistrict and leave allowable density as provided for by using the Density Rating System (County staff alternative) to be finally determined by the Board of County Commissioners. If the Subdistrict were repealed, then the land use designation would return to the urban designation, Mixed Use District, Urban Residential Subdistrict for developing affordable housing.

County staff analyses between the two alternatives showed that the proposed removal of the commercial component and a limitation on residential density to a maximum of up to 114 residential dwelling units (5 units per gross eligible acre) verses the currently proposed density of 234 dwelling units (10.25 units per gross eligible acre) would result in a significant reduction of traffic impacts in the area of the subject site. Based on this information, Council staff finds that the request is not regionally significant in that the proposed amendments do not exceed DRI thresholds, the location of the subject parcel does not impact regional resources and the character while regional because it will affect the supply of affordable housing in the County, it is not large enough provide regionally significant impacts.

While Council staff does not object to the changes proposed to place a grocery store size facility and other commercial uses on the subject property, this change is not regional in nature. However, Council staff is concerned about approval of a request to remove affordable housing in the urbanized area of the County. Council staff would recommend that some of the approved affordable housing be retained on the site as possible as provisions are made for the commercial uses. Council staff therefore finds that the proposed amendments are conditionally consistent with the Strategic Regional Policy Plan (SRPP). If the County through its zoning approval can maintain the maximum number of affordable housing units on the subject site as possible, the proposed amendments will be consistent with the SRPP.

9. Applicable Strategic Regional Policy Plan Goals, Strategies and Actions:

Council staff finds that the proposed amendments are consistent with the following SRPP Goals, Strategies and Actions:

1. CP 2008-1

Economic Infrastructure

Goal 1: A well-maintained social, health, and educational infrastructure to support business and industry.

Strategy: Ensure the adequacy of lands for commercial and industrial centers, with suitable services provided.

Action 2: Identify existing urban lands and transportation corridors for development or redevelopment, and ensure adequate access and services are provided.

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.

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.

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

3. CPSP-2010-2

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.

4. CPSP-2010-5

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.

Affordable Housing

The Supply of Affordable Housing

Goal 1: Supply a variety of housing types in various price ranges to ensure that all residents have access to decent and affordable housing.

Strategy: Increase the supply of affordable housing through public and private efforts.

Action 1: Assist local governments in identifying the housing needs of very low, low and moderate-income households in the Region.

- Action 2: Review housing elements of local comprehensive plans to ensure those needs are identified and considered when funding choices are made.
- Action 3: Assist local governments and non-profit organizations in identifying and adopting innovative funding sources and programs for the development of affordable housing.
- Action 4: 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.
- Action 5: Encourage local governments to adopt strategies that promote the development of affordable housing by the private and nonprofit sectors including incentives such as one-step permitting/review process for developers and contractors and the donation of publicly owned lands for development by non-profit organizations.
- Action 6: Work with state programs to change current criteria that make it difficult to compete for projects in some portions of the region.

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

All the proposed amendments have been reviewed by Council Staff for Regional impacts and found that none of the requested changes will have significant impacts on any Regional resource or facilities that are found in the SRPP.

11. Extra-Jurisdictional Impacts that would be Inconsistent with the Comprehensive Plan of the Affected Local Government:

Council staff finds that based on the information provided in the amendment application and the County comments, the new developments that would result from the requested amendments will not have extra-jurisdictional impacts in that they are located internal to the County and will not impact other jurisdictions. In addition, the proposed amendments will not have extra-jurisdictional impacts that would be inconsistent with the County's Comprehensive Plan due to the fact that the changes are local in intent and will not produce impacts that are regional in nature.

The amendment requests that provide clarity, harmony and error corrections within the County's Comprehensive Plan are found by the Council staff to be procedural in nature and will not have extra-jurisdictional impact that would be inconsistent with County's Comprehensive Plan.

Council staff has found that the proposed amendments to reduce the number of affordable housing units in CPSP-2010-5 is conditionally approved in that the SRPP supports the provision of affordable housing units as much as possible. Collier County has historically

had difficulty providing affordable housing unit for its workforce and even given the reduction of housing prices in the County over the past few years, this need is still present. Council staff has stated in this report that the amendment is conditionally approved only if the affordable housing element in the request is maintained as much as possible.

Analysis of the effects on the proposed amendments on the following issues to the extent they are addressed in the Strategic Regional Policy Plan on:

12. Compatibility among local plans including, but not limited to, land use and compatibility with military bases:

Council staff has review the proposed land use and site plans for the proposed development and finds that the development parcels affected by the Plan changes are compatible with the adjacent land uses if approved by the County utilizing the development standards present in the PUD approval process. None of the requests are found by the Council to have compatibility issues if appropriate buffering and locations are approved. The proposed amendments will not impact any military bases.

13. 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, these amendments will not significantly reduce regional groundwater recharge on the subject sites and will not significantly increase the potable water consumption in the area. The proposed developments provided for in these requests have been shown by the County as to actually reduce impacts from what has been previously approved, therefore no significant regional resources or facilities that are identified in the SRPP will be negatively impacted, including groundwater and the water supply.

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

The proposed amendment CPSP-2010-5 may have impacts on the number of 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 Council staff has provided a recommendation that affordable housing units associated with this request be retained as much as possible in order to be consistent with the SRPP, the affordable housing issue will be addressed. Council staff therefore finds that the affordable housing issue will be adequately addressed.

15. 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 not have impacts to regionally significant resources as previously identified in this assessment and has stated by the April 29, 2011 South Florida Water Management District letter. There are no springs requiring protection on or near the subject site.

16. 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:

Council staff has reviewed the subject developments that would result from the proposed amendment changes and finds that the projects as described will produce fewer impacts to the regional transportation corridors and facility and thereby do not present compatibility issues. The proposed amendments will not negatively impact roadways, airports, public transportation systems, high speed rail facilities, and intermodal facilities. The Region does not contain any seaports.

17. Adequacy and compatibility with emergency preparedness plans and local mitigation strategies including, but not limited to, the impacts on and availability of hurricane shelters, maintenance of county hurricane clearance times, and hazard mitigation:

The proposed amendments will not significantly impact the adequacy or compatibility with emergency preparedness plans and local mitigation strategies. The proposed commercial project will not significantly impact the availability of hurricane shelters, maintenance of county hurricane clearance times, or hazard mitigation.

18. Analysis of the effects of extra-jurisdiction impacts which may be created by the amendment:

Council staff has reviewed the amendments concerning the commercial and residential developments that would result and no extra-jurisdictional regional impacts could be identified by the proposed amendments.

Maps

Collier County DCA 11-1

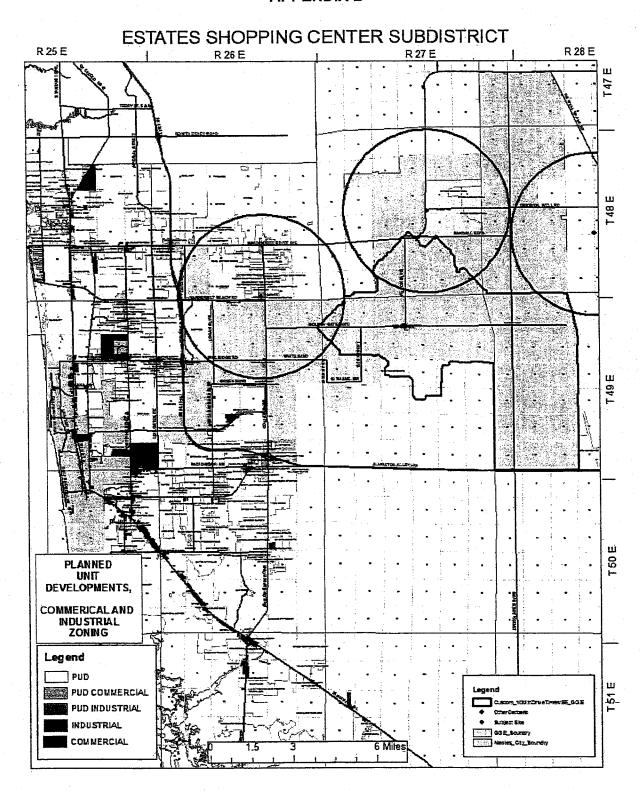
Proposed Comprehensive Plan Amendments Site Locations Collier County

Comprehensive Plan Amendments

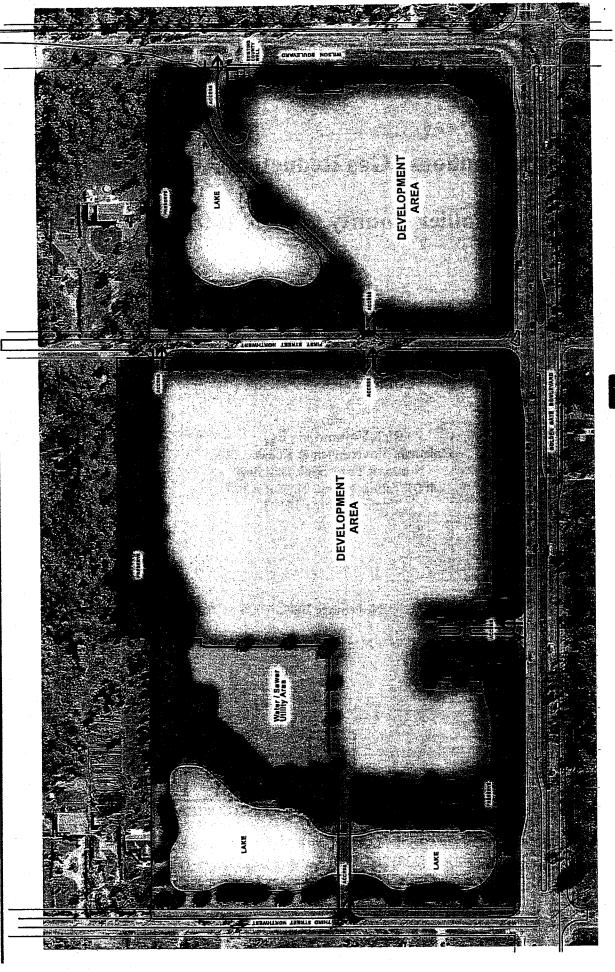
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CP-2008-1

APPENDIX 2



ESTATES SHOPPING CENTER GROWTH MANAGEMENT PLAN - Diagrammatic Use Plan

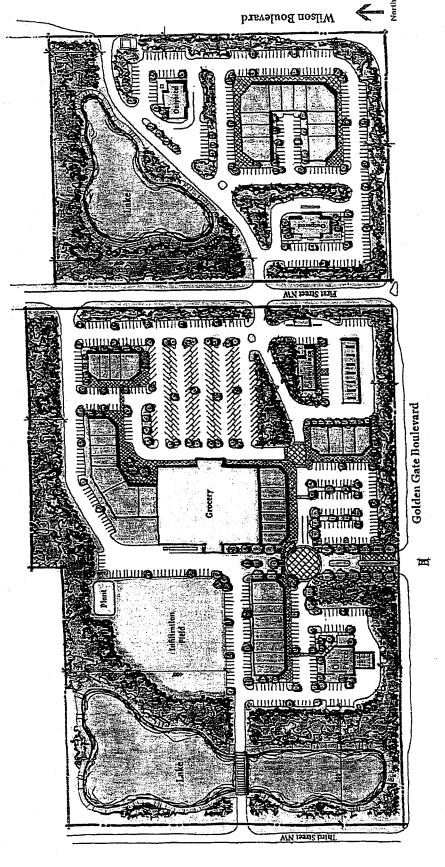


Scale: 1" = 200

GPACIVIMINOP
Grel Engineer, Land Surveyor, Planners, La

Access points shown are conceptual. The location and number of access points to the project will be established at the time of PUD approval.

Golden Gate Estates Shopping Center



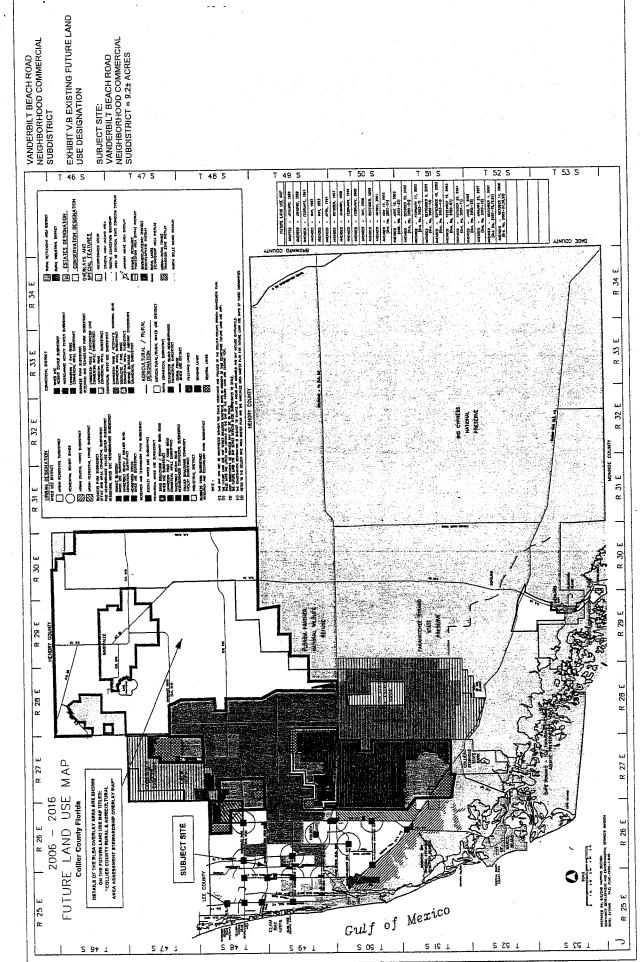
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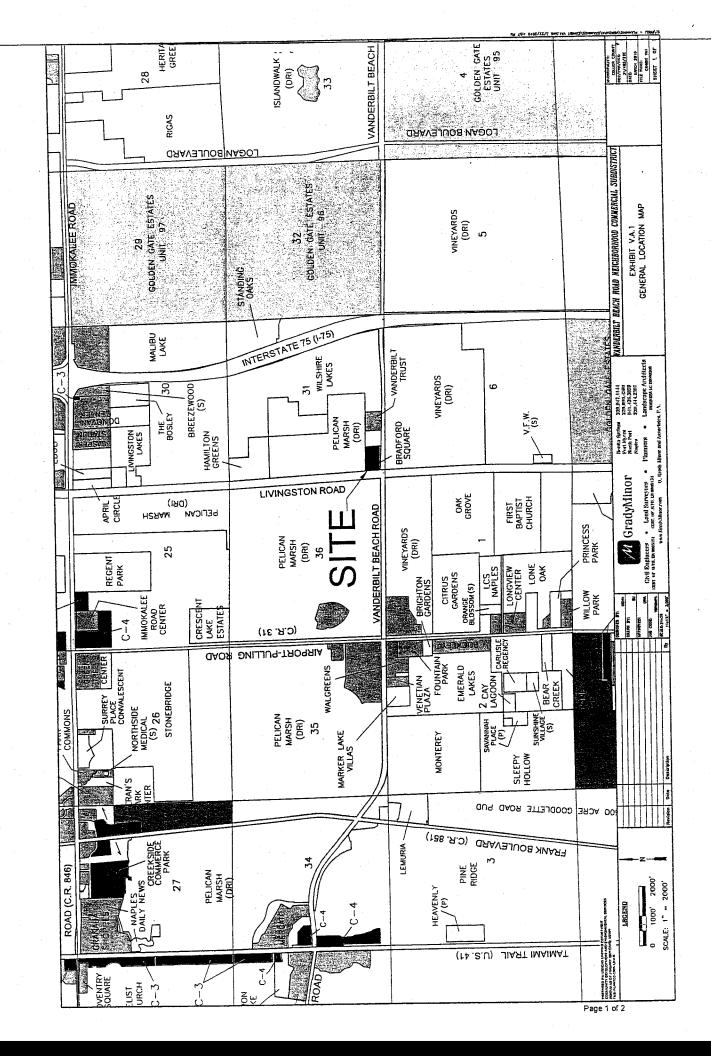
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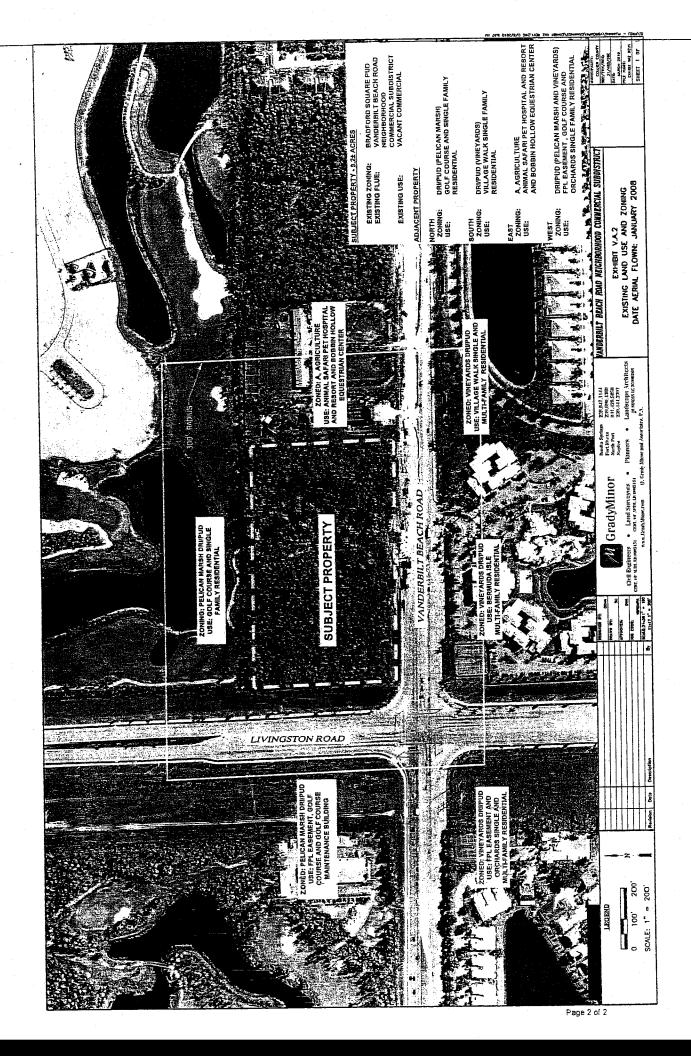
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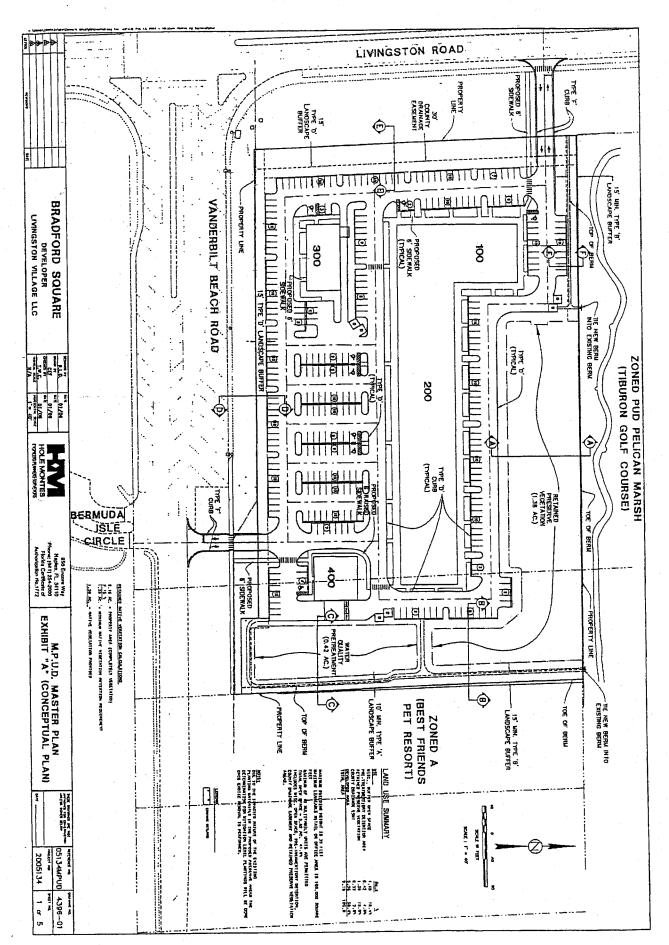
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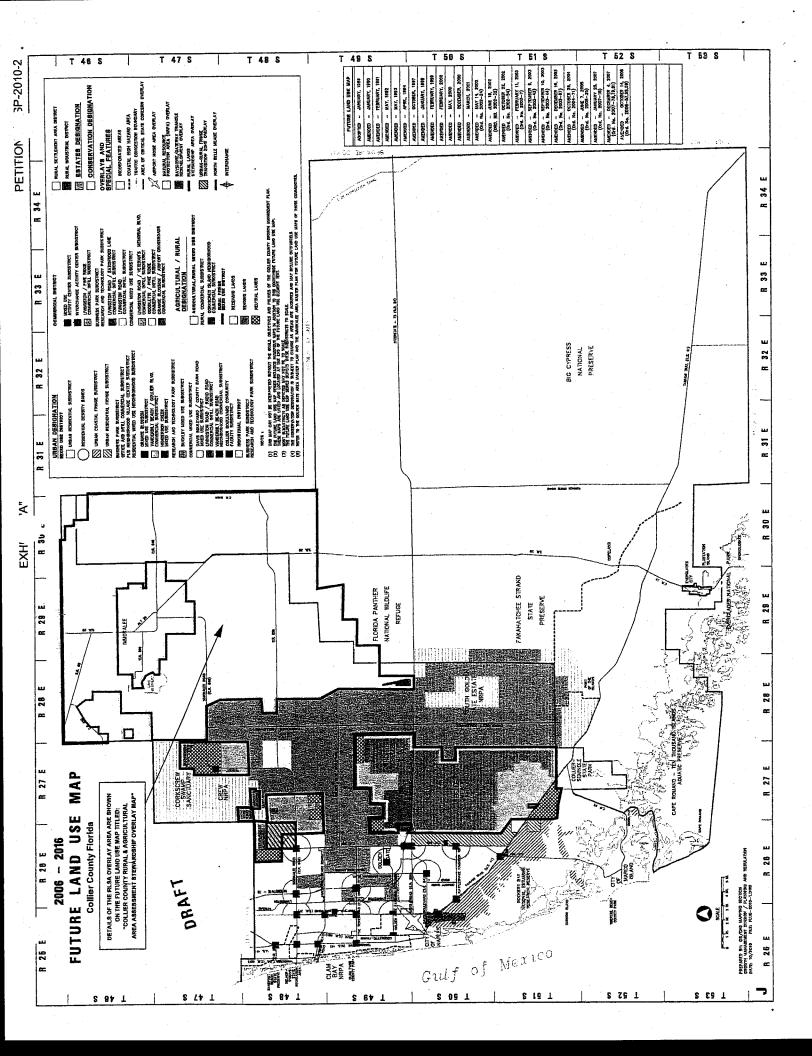


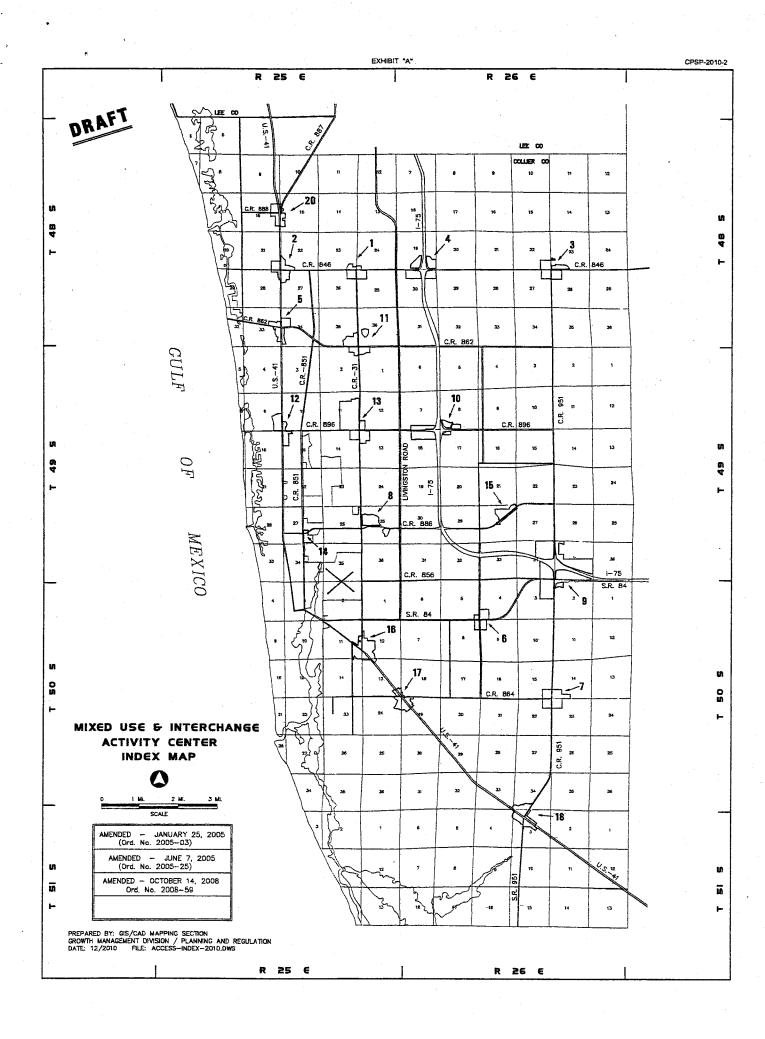
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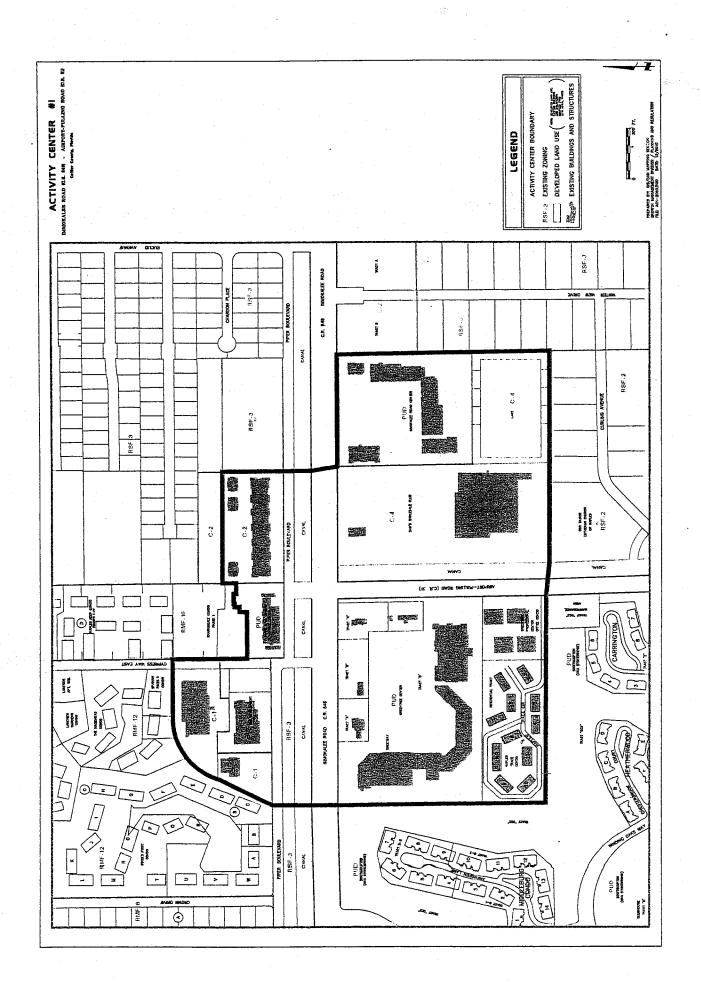
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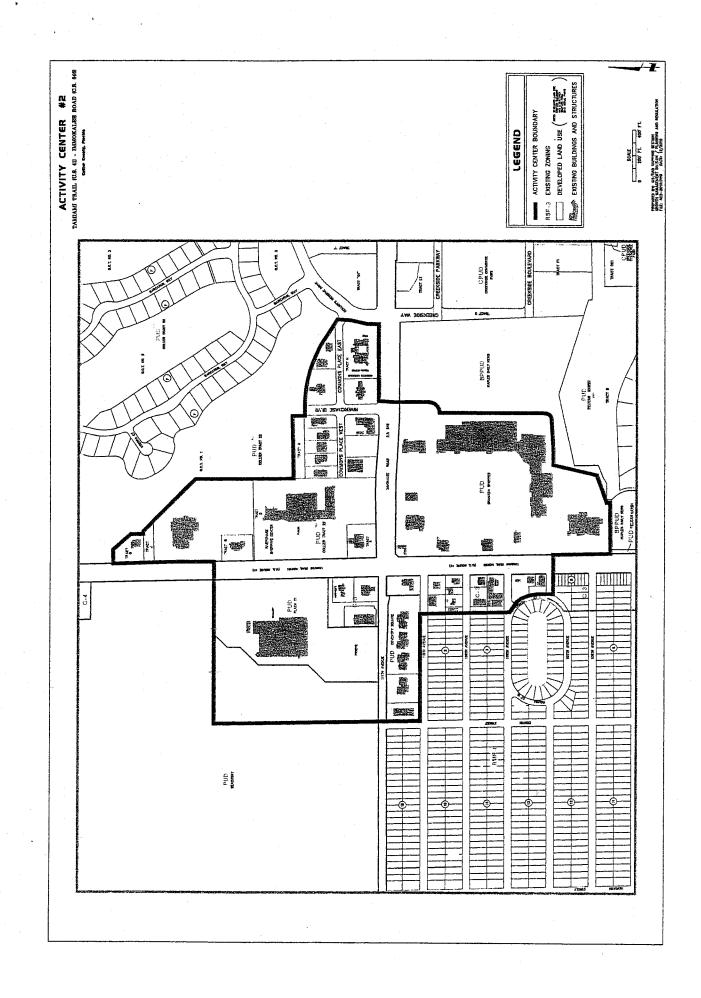
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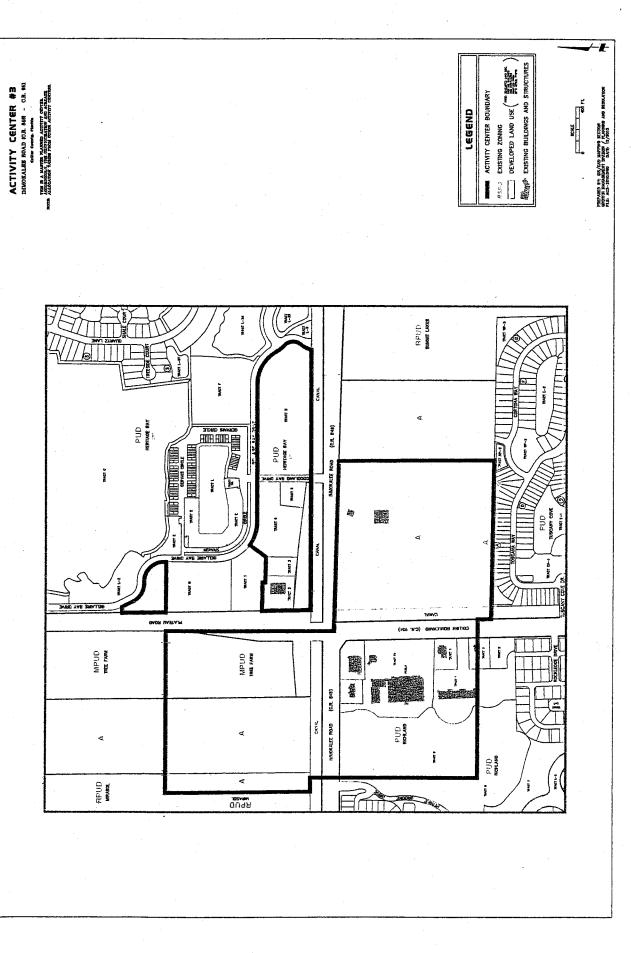
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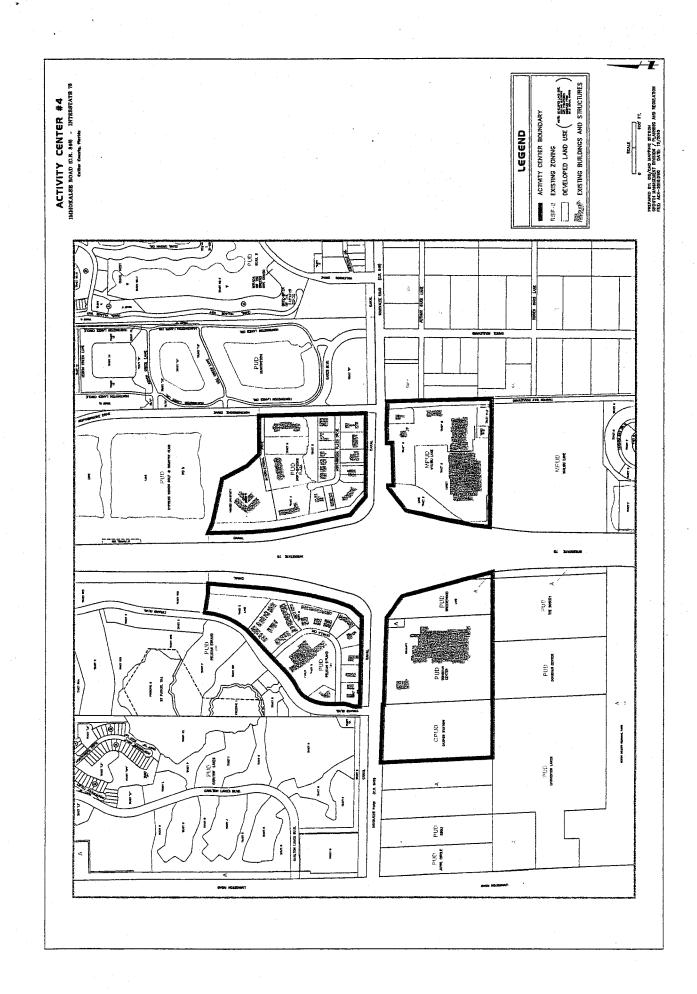


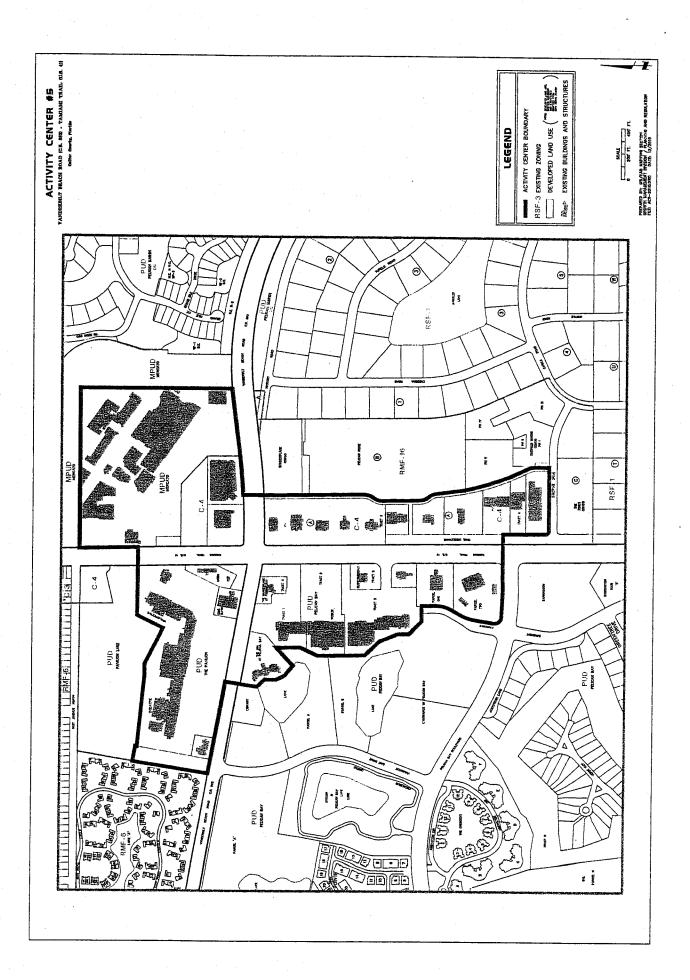


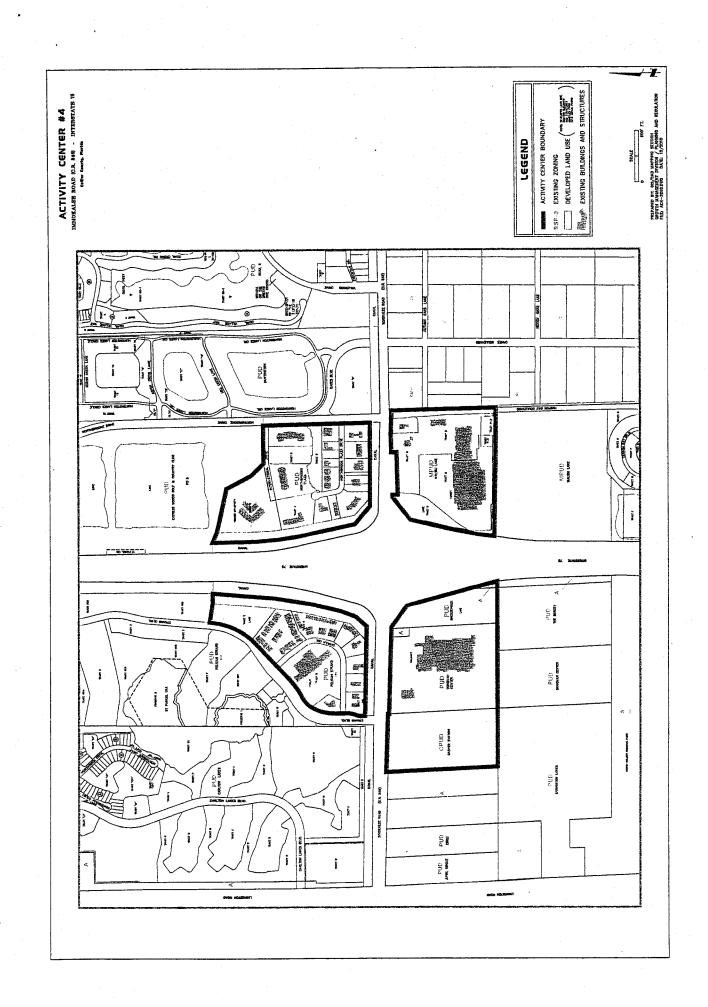


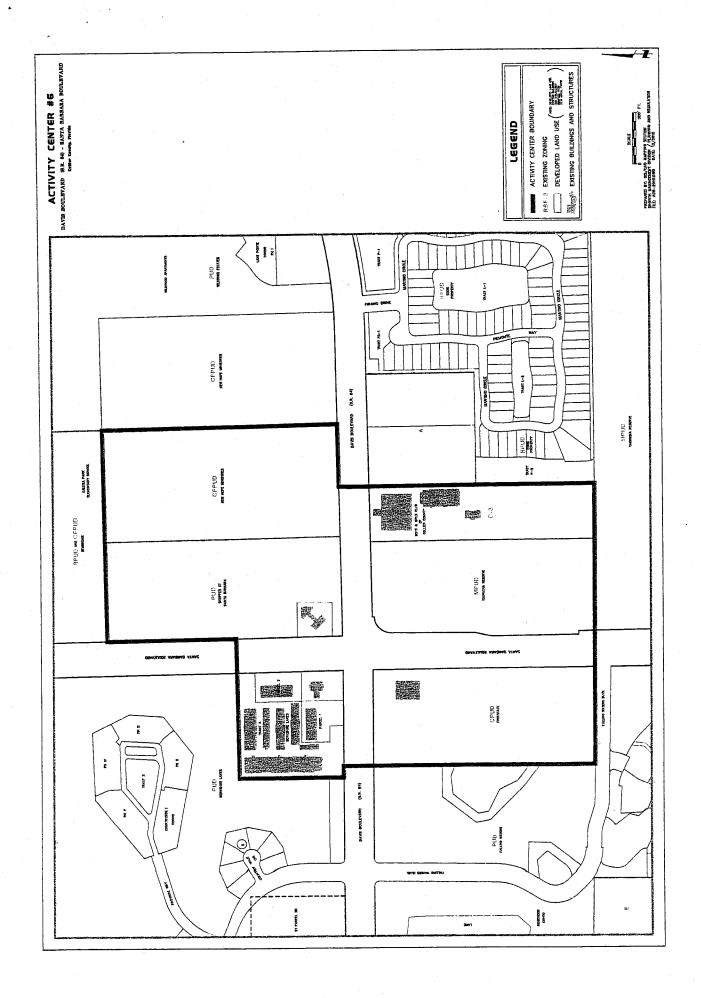


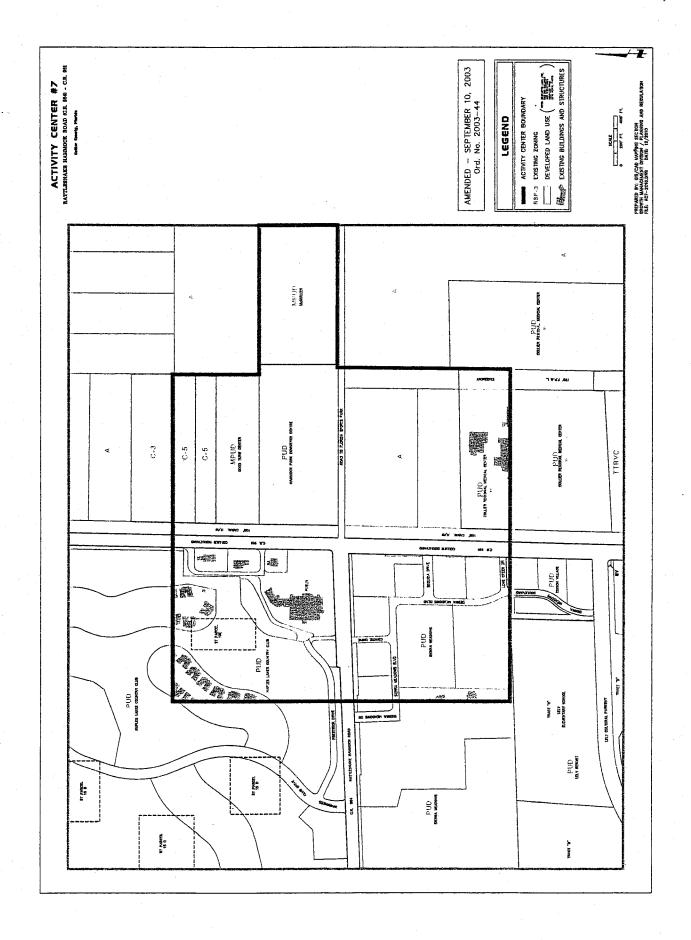


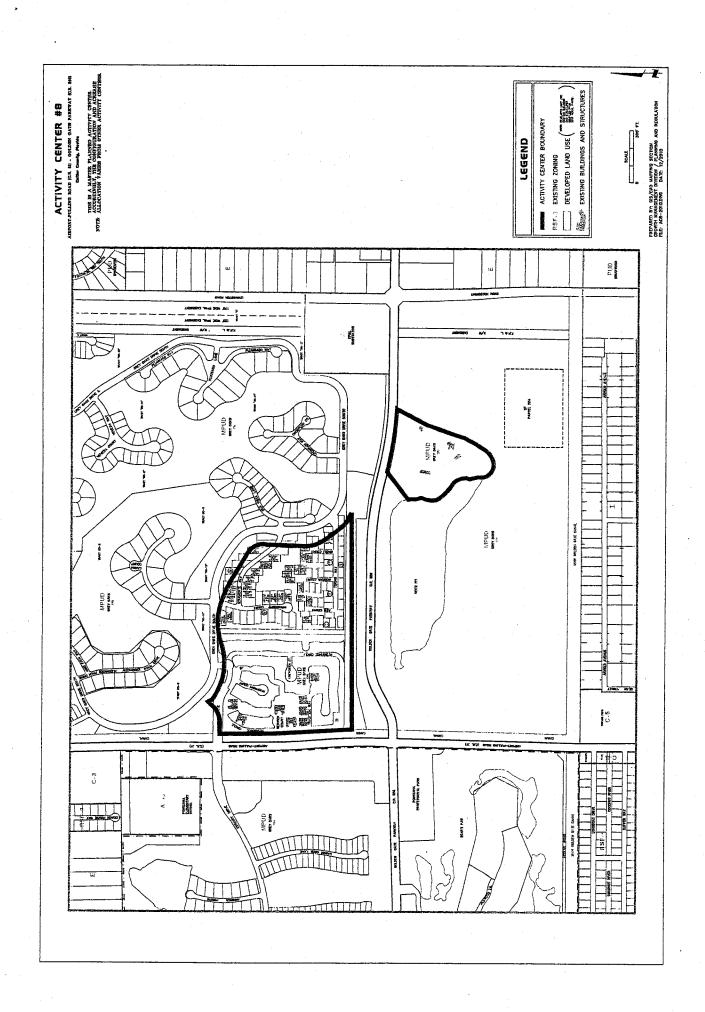




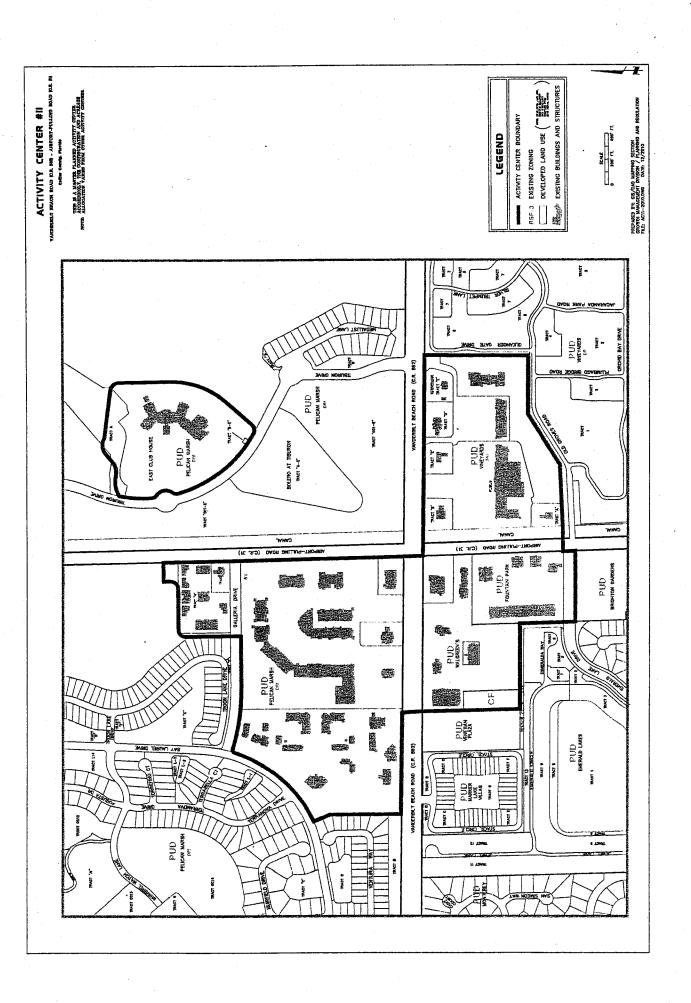


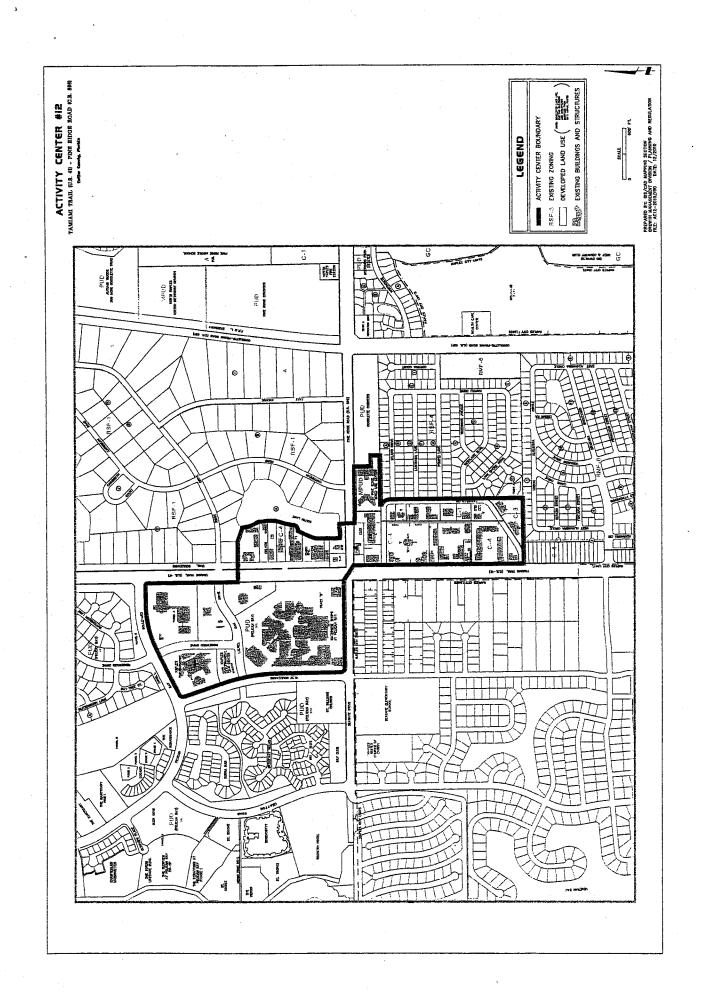


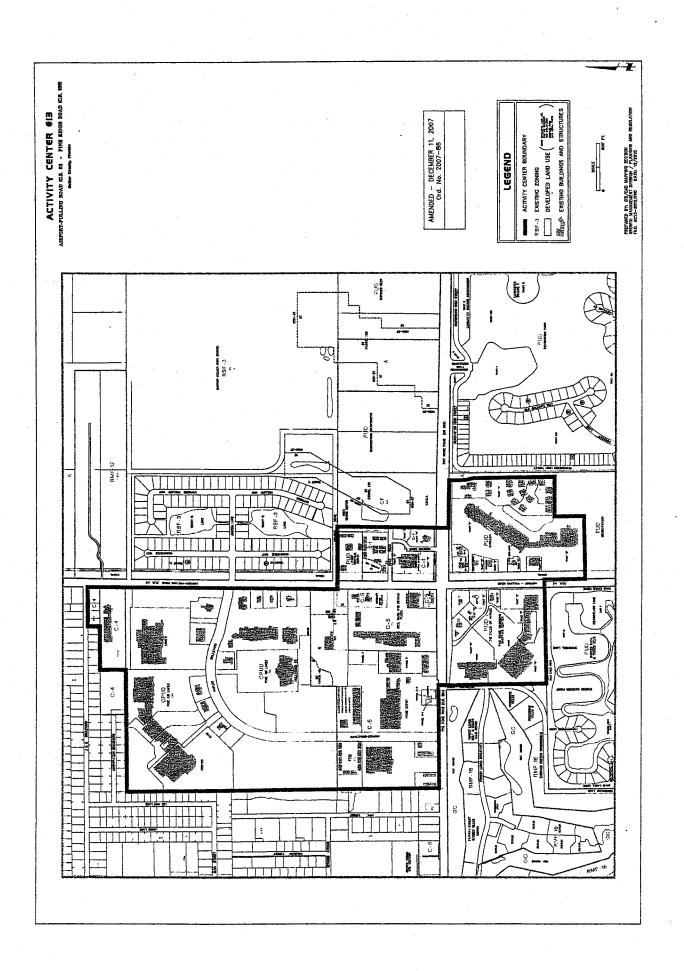


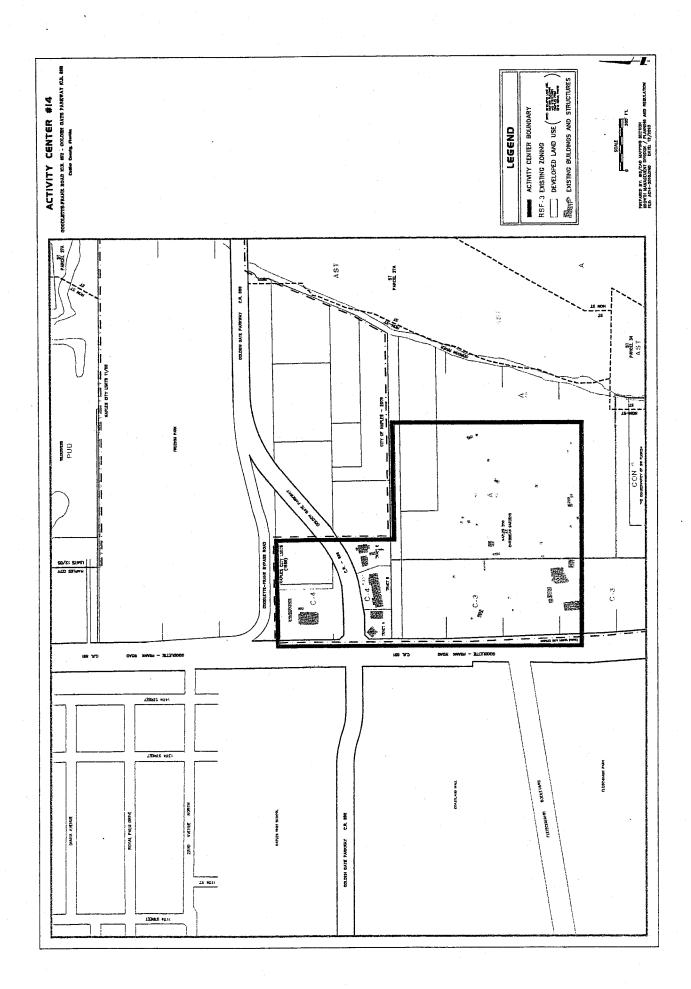


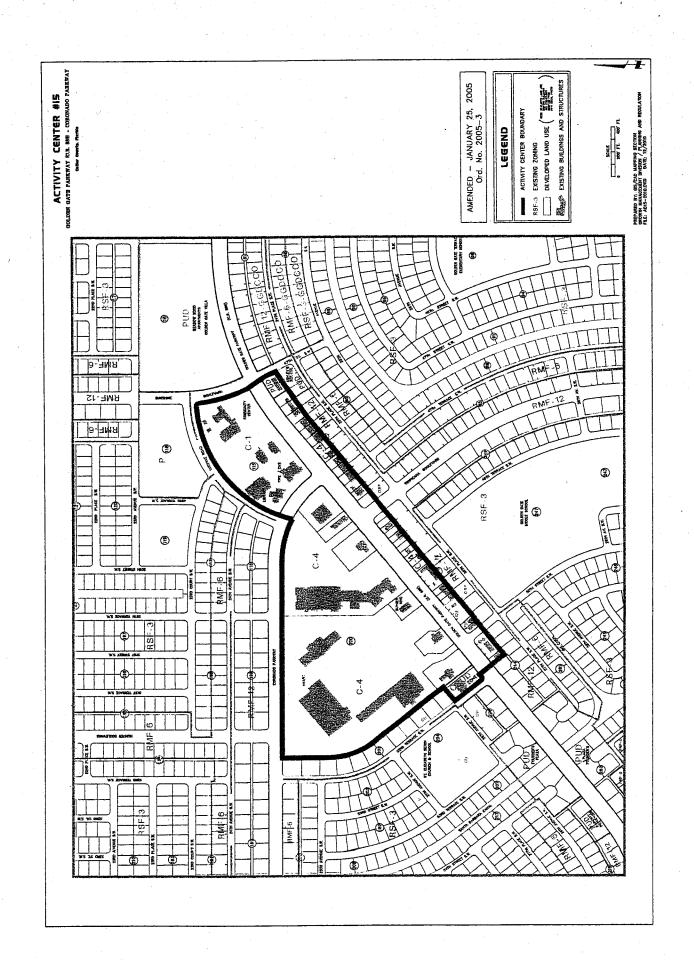
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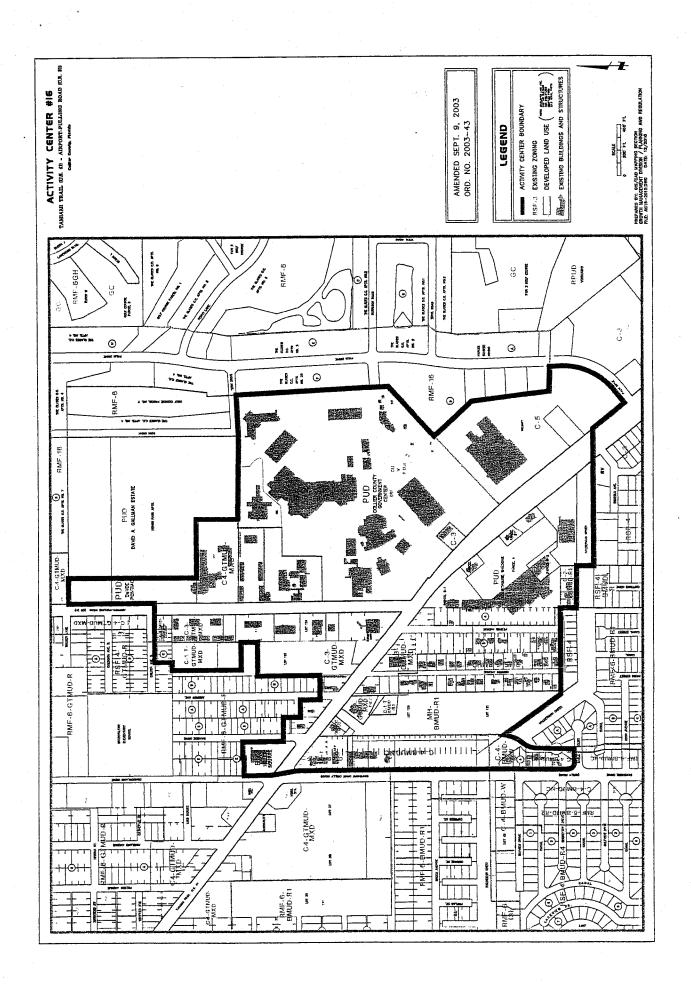


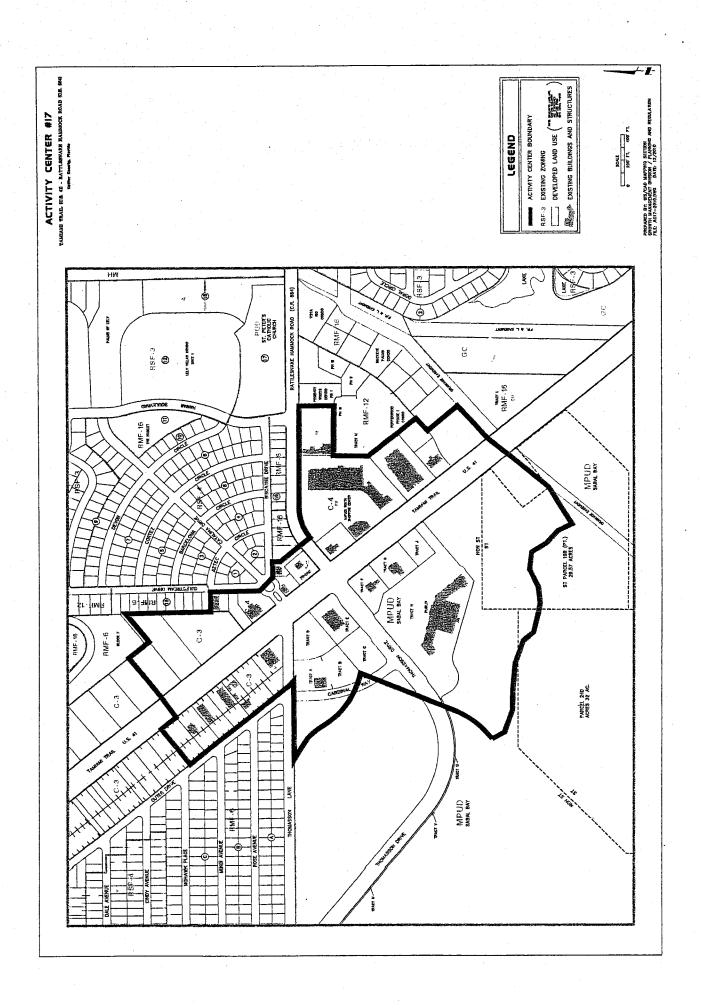


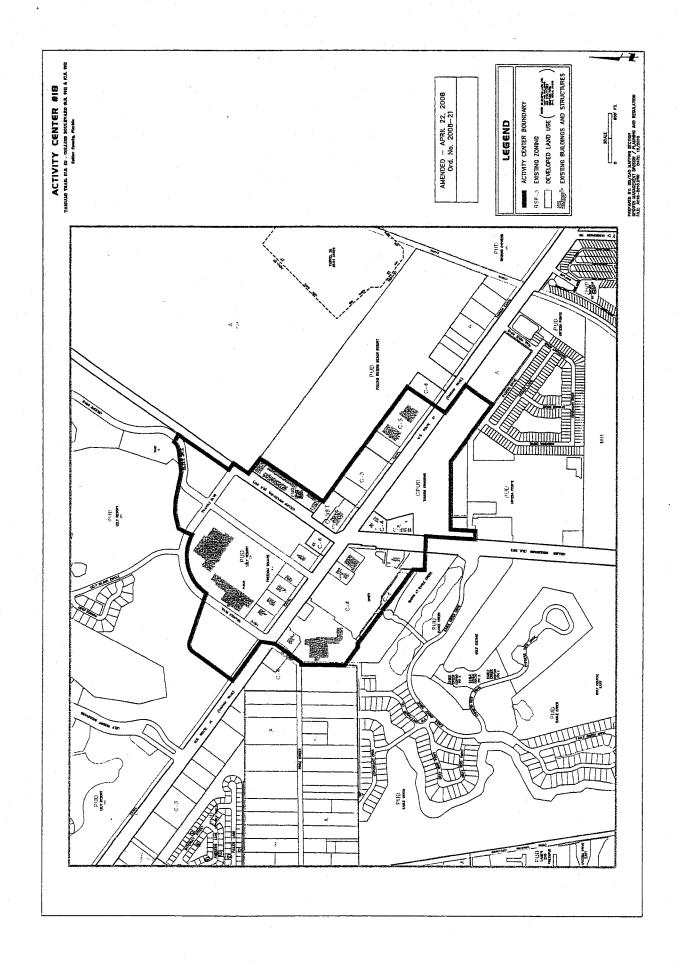


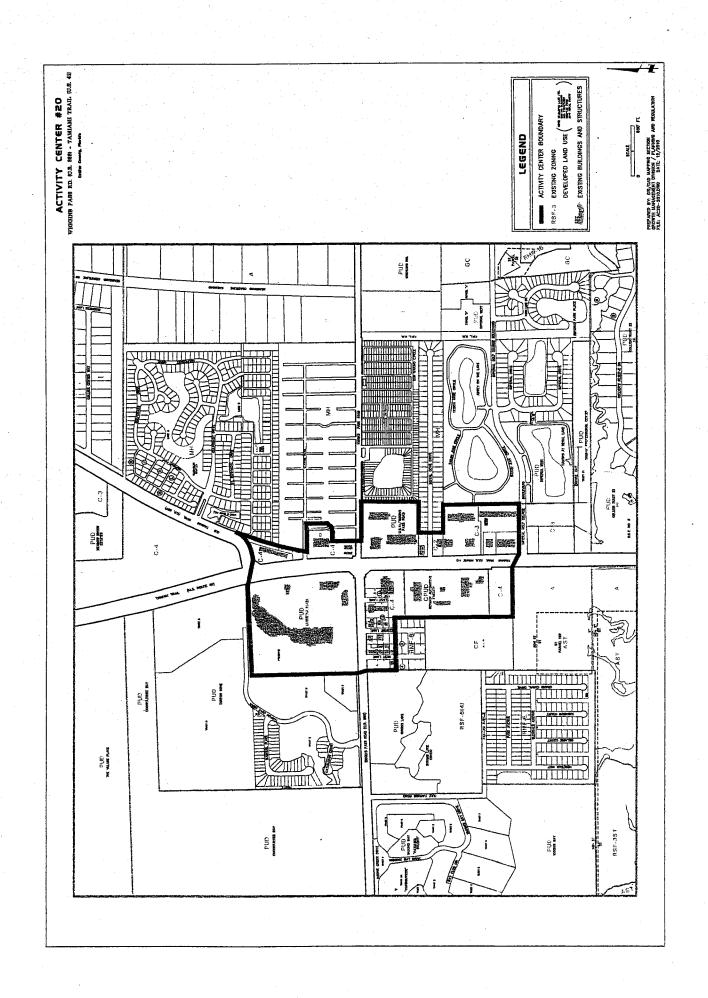


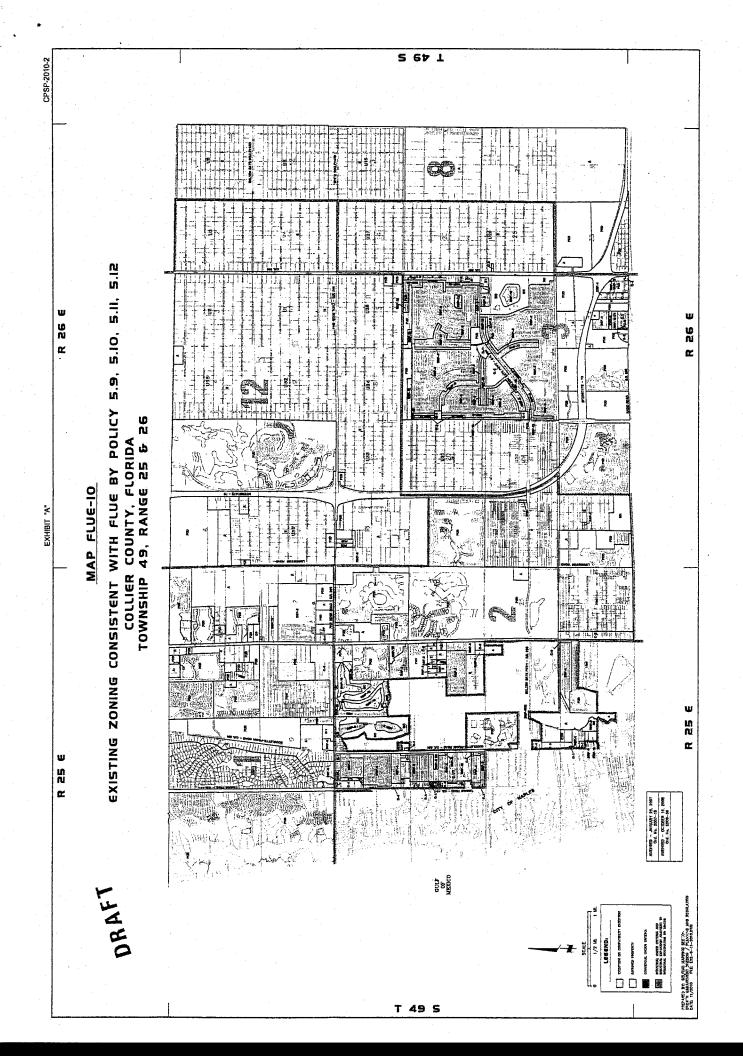


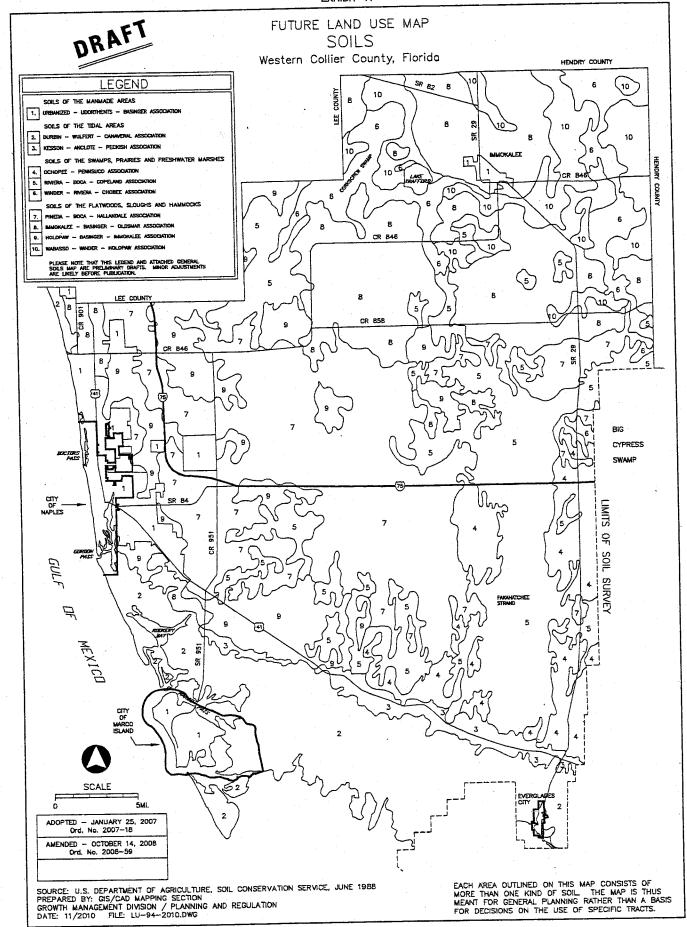




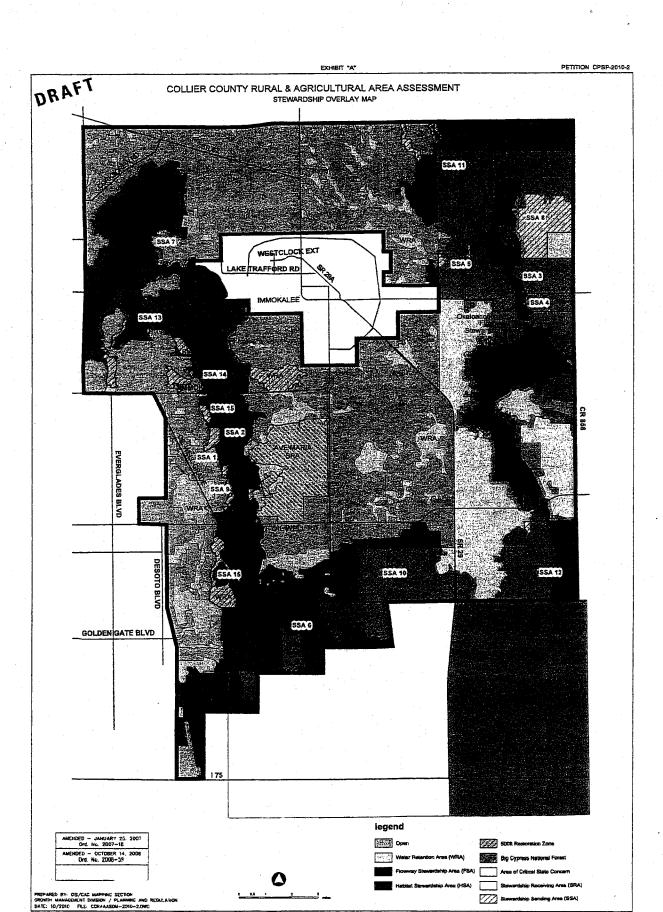


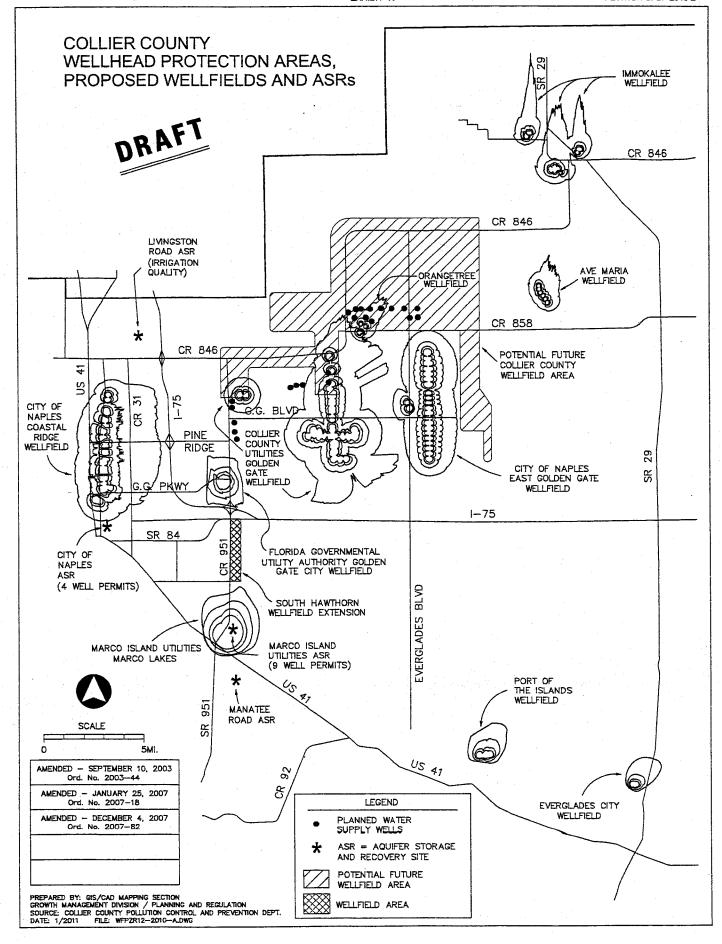






DADE COUNTY COLLIER COUNTY U.S. 41 MONROE COUNTY COLLIER COUNTY CHOKOLOSKEE 101 DO PREPARED BY: GIS/CAD MAPPING SECTION GROWTH MANAGEMENT DIVISION / PLANNING AND REGULATION DATE: 11/2010 FILE: LU-93-2010.DWG C.R. 846 LEE COUNTY AMENDED - OCTOBER 14, 2008 Ord. No. 2008-59 ADOPTED - JANUARY 25, 2007 Ord. No. 2007-18 DRAFT CITY OF WAPLES GULF OF MEXICO SCALE SMI. GULF OF MEXICO





Collier County

Comprehensive Plan Amendments

DCA 11-1

CPSP-2010-5

