



**STAFF REPORT
COLLIER COUNTY PLANNING COMMISSION**

TO: COLLIER COUNTY PLANNING COMMISSION

FROM: GROWTH MANAGEMENT DIVISION/PLANNING AND REGULATION, PLANNING AND ZONING DEPARTMENT, COMPREHENSIVE PLANNING SECTION

HEARING DATE: September 19, 2013

RE: PETITION CP-2013-4 / PL20130000365, Growth Management Plan Amendment
(TRANSMITTAL HEARING)

APPLICANTS/AGENTS:

Olde Florida Golf Club, Inc.
William Barton, Corporate Secretary
9393 Vanderbilt Beach Road
Naples, Florida 34120

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Stantec Consulting Services, Inc.
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GEOGRAPHIC LOCATION: The ±554 acre subject property is located on north side of [the eastern terminal end of] Vanderbilt Beach Road, in Section 31, Township 48 South, Range 27 East, Collier County, Florida. The Cypress Canal abuts the southerly boundary, and the northern terminal ends of 17th St. NW thru 23rd St. NW are across this stormwater management canal to south.

REQUESTED ACTION: This petition seeks to amend the Future Land Use Map (FLUM) of the Growth Management Plan to re-designate the subject site from Agricultural/Rural, Rural Fringe Mixed-Use District (RFMUD) Neutral Lands to RFMUD Receiving Lands, affecting approximately 553.7 acres. This re-designation would allow for an increase in residential density from 1 dwelling unit/5 acres to 1 dwelling unit/acre for non-Rural Village development, through participation in the TDR program; allow for development of a Rural Village (density of 2-3 dwelling units/acre; commercial, civic and recreational uses; greenbelt on the project perimeter), also through participation in the TDR program; and, decrease the native vegetation retention requirement from 60% to 40% of the native vegetation present on site.

SURROUNDING LAND USE, ZONING AND FUTURE LAND USE DESIGNATION:

Subject Site: The subject site is zoned A-MHO-RFMUO, Neutral Lands (Rural Agricultural District-Mobile Home Overlay, Rural Fringe Mixed Use-Neutral Lands Overlay) and designated Agricultural/Rural, Rural Fringe Mixed Use District, Neutral Lands on the Future Land Use Map. The subject site is partially developed with a golf course and is elsewhere wooded lands.

Surrounding Lands:

North: Lands to the north of the subject site are zoned A-MHO-RFMUO, Receiving Lands and designated Agricultural/Rural, Rural Fringe Mixed Use District, Receiving Lands on the Future Land Use Map. Conservation Collier lands and an adjacent Wildlife Corridor lie immediately north of the "Existing Conservation Easement" located at the northeast corner of the subject site. With the exception of scattered large-lot single-family residences built on Richmond Street, Krapke Road, Rivers Road and Moulder Drive, this area is also a portion of undeveloped TwinEagles AGR South. There are some nursery and land care businesses, horse stables and equestrian facilities, and other rural businesses in this area. The southern terminal ends of [all but one of] these rural roads do not reach as far south as the subject site. The maximum density achievable for non-Rural Village Receiving Lands' development is 1 dwelling unit per acre, through participation in the Transfer of Development Rights (TDR) program.

West: Lands to the west of the subject site are zoned A-RFMUO, Receiving Lands and designated Agricultural/Rural, Rural Fringe Mixed Use District, Receiving Lands on the Future Land Use Map. They are currently developed with a golf course (Golf Club of the Everglades). This neighbor has approached the County with the prospect of combining their property with the subject site to develop a unified residential community. The maximum density achievable for non-Rural Village Receiving Lands' development is 1 dwelling unit per acre, through participation in the Transfer of Development Rights (TDR) program.

South: Lands to the south of the subject site are zoned E-Estates, and designated Estates on the Future Land Use Map. This area is developed with single-family residences in the antiquated Golden Gate Estates subdivision. Residential density for residential estates is 1 dwelling unit per 2.25 acres, or 1 dwelling unit per legal non-conforming lot/parcel of record.

East: The zoning on lands to the east of the subject site is split between A-MHO-RFMUO, Sending Lands – designated Agricultural/Rural, Rural Fringe Mixed Use District, Sending Lands on the Future Land Use Map (southerly portion), and A-MHO-RFMUO, Receiving Lands – designated Agricultural/Rural, Rural Fringe Mixed Use District, Receiving Lands on the Future Land Use Map (northerly portion). A 300-foot wide linear Wildlife Corridor lies between the subject site and developable lands to the east. With the exception of a few residences, this area is undeveloped. This neighbor has submitted the preliminary plat plans to the County to develop a residential community, as TwinEagles Phase III. Density is limited to 1 dwelling unit per 40 acres, or 1 dwelling unit per legal non-conforming lot/parcel of record, in Sending Lands. The maximum density achievable for non-Rural Village Receiving Lands' development is 1 dwelling unit per acre, through participation in the Transfer of Development Rights (TDR) program.

In summary, the existing land uses in the area immediately surrounding the subject site are predominantly undeveloped or sparsely developed rural-type residential. The Receiving Lands FLUM designation allows the same land uses in these areas as proposed on the subject site,

except to the south and except on Conservation Collier lands, the adjacent Wildlife Corridor and the Sending Lands to the north and east.

STAFF ANALYSIS:

Background and Considerations –

History of the Rural Fringe GMP Amendments: The Governor and Cabinet issued a Final Order on June 22, 1999, pertaining to GMP amendments adopted in 1997 pursuant to the 1996 Evaluation and Appraisal Report (EAR). The Final Order required the County to conduct a Rural and Agricultural Assessment for the Rural and Conservation Designated lands within the County, and then adopt measures to protect natural resources such as wetlands, wildlife and their habitats, and prevent the premature conversion of unique agricultural lands to other uses. This was to be accomplished while directing incompatible land uses away from these sensitive lands by employing creative land planning techniques.

The Final Order allowed the County to conduct this Assessment in phases. Accordingly, the County divided the Assessment into two geographical areas, the Rural Fringe Area and the Eastern (Rural) Lands Area. Relevant to this petition, the Rural Fringe Mixed Use District (RFMUD) was established. The RFMUD represents a transitional area between Golden Gate Estates and the County's urban area, and between the urban area and vast agricultural lands and agricultural operations farther to the east. The RFMUD consists of approximately 73,222 acres and is divided into three distinct designations: Sending Lands (\pm 41,535 acres originally; \pm 41,414 acres now), Receiving Lands (\pm 22,020 acres originally; \pm 22,373 acres now), and Neutral Lands (\pm 9,667 acres originally; \pm 9,427 acres now). Allowable uses, density, and preservation standards vary by designation.

Note: If Olde Florida Golf Club amendment is adopted, acreage figures would be closer to: Sending Lands (\pm 41,414 ac.) – no change, Receiving Lands (\pm 23,128 ac.), and Neutral Lands (\pm 8,873 ac.).

Sending Lands are those lands that have the highest degree of environmental value and sensitivity and generally include significant wetlands, uplands, and habitat for listed species. The preservation standard for non-NRPA (Natural Resource Protection Area) Sending Lands is eighty percent (80%) of the native vegetation on site while the standard for NRPA Sending Lands is ninety percent (90%). Density is limited to 1 dwelling unit per 40 acres or 1 dwelling unit per legal non-conforming lot/parcel of record (created on or before June 22, 1999). Transfer of development rights from Sending Lands may occur at a rate of 1 dwelling unit credit per five acres (0.2 du/ac.) or 1 dwelling unit per legal non-conforming lot/ parcel of record – or as much as 4 dwelling unit credits per five acres or lot of record with use of density bonus credits. Permitted non-residential uses are limited to: agricultural uses, consistent with the Florida Right to Farm Act; habitat preservation and conservation uses; passive parks and other passive recreational uses; sporting and recreational camps; limited essential services; and oil extraction and related processing.

Receiving Lands are those lands identified as being the most appropriate for development and to which residential units may be received from areas designated as Sending Lands. The preservation standard for Receiving Lands, except for the North Belle Meade Overlay, is forty percent (40%) of the native vegetation present, not to exceed twenty-five percent (25%) of the total site area to be preserved. The base residential density (non-Rural Village development) is

1 dwelling unit per 5 acres (0.2 du/ac.) or 1 dwelling unit per legal non-conforming lot/parcel of record. The maximum density achievable for non-Rural Village development is 1 dwelling unit per acre, through the Transfer of Development Rights (TDRs). The minimum and maximum density for Rural Village development within Receiving Lands is 2 dwelling units per acre and 3 dwelling units per acre, respectively, except that the minimum density for Rural Village development on Receiving Lands within the North Belle Meade Overlay is 1.5 dwelling units per acre. Permitted non-residential uses are primarily the same as those uses permitted in the agricultural zoning district prior to the Final Order in 1999 (e.g. full range of agricultural uses, community facilities, recreational uses, etc.).

Neutral Lands are those lands suitable for semi-rural residential development. Generally, Neutral lands have a higher ratio of native vegetation than lands designated as Receiving Lands, but do not have values approaching those in the Sending Lands. The preservation standard for Neutral Lands is sixty percent (60%) of the native vegetation present, not to exceed forty-five percent (45%) of the total site area to be preserved. The maximum residential density is limited to 1 dwelling unit per 5 acres (0.2 du/ac.) or legal non-conforming lot/parcel of record. These lands are “neutral” to the TDR program and do not generate or receive residential density. Permitted non-residential uses are primarily the same as the uses permitted in the agricultural zoning district prior to the Final Order in 1999 (e.g. full range of agricultural uses, community facilities, recreational uses, etc.).

Considerations Specific to the Olde Florida Golf Club: The Olde Florida Golf Club property lies within the Agricultural/Rural Designation, Rural Fringe Mixed Use District (RFMUD), Neutral Lands, as depicted on Collier County’s Future Land Use Map (FLUM). Neutral Lands designated areas allow golf courses and single-family residential units by right.

Olde Florida Golf Club was approved by Conditional Use in 1999, and in November 2001, by Site Development Plan (AR-1383). The 18-hole golf course, its clubhouse and maintenance facilities occupy the developed portions of the subject site. An existing conservation area comprising approximately 51 acres would remain unchanged.

The County’s Transfer of Development Rights (TDR) program provisions were not applicable at the time of Olde Florida original approval. TDR program provisions apply only to extent that they presently prohibit the transfer of development rights into or out of Neutral Lands. If approved, the Olde Florida development would be eligible to utilize not only the base density entitlements generated by developing property located in Receiving Lands but also the TDR entitlements accompanying the new FLU designation, as the transfer of development rights into the development would no longer be prohibited.

Environmental Impacts: Collier County Department of Natural Resources personnel reviewed this petition and provided the following analysis:

The GMP amendment proposes to change the FLUM designation of Olde Florida Golf Club from RFMUD Neutral Lands to RFMUD Receiving Lands. The applicant states that adoption of the amendments would allow the petitioner to utilize TDRs from RFMUD Sending Lands and add residential density in the Olde Florida Golf Club. Environmental information submitted with the application, are as follows:

1. FLUCFCS Code map with standard modifiers identifying percent exotic and nuisance vegetation coverage

2. Native vegetation retention calculations based on the updated FLUCFCS Code map, and information in accordance with Ordinance No. 10-08
3. Listed species survey for the site, dated October 15, 2008
4. A list of state and federal listed species know to inhabit biological communities similar to those found on site
5. SFWMD and USACOE wetland jurisdiction determinations
6. Cultural resource summary and assessment for the site

According to the application submitted, the subject property is 553.7 acres in size. The FLUCFCS Code map provided identifies 88.4 acres of native vegetation within the golf course, 51 acres of native vegetation in existing conservation easement and 246.8 acres of native vegetation outside the golf course, for a total of 386.2 acres of native vegetation on subject property. Exotic vegetation within the native vegetative communities on site are primarily in the E2 (25-49%) range, with some areas of E1 (0-24%) and E3 (50-74%). The same is true of the level of exotic vegetation in the existing conservation easement.

According to the Property Appraisers website, the Olde Florida Golf Club is divided into two parcels. The golf course parcel (parcel No. 00219400103) is 254.84 acres and future development parcel (parcel No.00219160003), 299.16 acres. The approved site plans for the Olde Florida Golf Club Clubhouse Facility Expansion (SDPA-2010-1104) required exotic vegetation to be removed from the golf course parcel and for it to be maintained free of exotic vegetation in perpetuity.

The Olde Florida Golf Club occupies most of Section 31 and falls within one of two Sections of land in Sections 31 & 32, Township 48 South, Range 27 East, both of which were designated as Neutral Lands when the RFMUD was created. These two Sections of land are surrounded by RFMUD Receiving Lands and Estates (Golden Gate Estates). Growth Management Plan amendment number CP-2004-2 for the TwinEagles South property changed the FLUM designations of land immediately to the east of Olde Florida Golf Club, from Neutral Lands to Receiving Lands (153 acres) and Sending Lands (79 acres). The 79 acres of Sending Lands approved with the GMP amendment are located at the southern terminus of the property, adjacent to Vanderbilt Beach Road and the golf course at Olde Florida Golf Club.

Although not part of the application package, there is a verbal agreement between the owners of TwinEagles South and the local wildlife special interest groups to retain a 300 foot wide wildlife corridor along the west side of TwinEagles South. This wildlife corridor starts by the wildlife underpass at Immokalee Road and terminates at the Sending Lands along Vanderbilt Beach Road, at the southern end of TwinEagles South. This wildlife corridor runs alongside the east side of the existing conservation easement and golf course on Olde Florida Golf Club. There are also approximately 76.74 acres of Conservation Collier land (Rivers Road Preserve) in the area, abutting the north side of Olde Florida Golf Club and west side of the 300 foot wide wildlife corridor.

The listed species survey identified gopher tortoise (*Gopherus polyphemus*), Big Cypress fox squirrel (*Sciurus niger avicennia*), American alligator (*Aligator mississippiensis*) and several listed species of wading bird on subject property. Seventeen active and inactive gopher tortoise burrows were found in the undeveloped area on the west side of the property, in the future development parcel. The listed wading birds and American alligator were observed in the golf course stormwater management lakes. Listed species of wading bird were also located in the scraped down (created) wetlands on the south-west portion of the site.

Undeveloped land within the Olde Florida Golf Club and in Sections 31 & 32, are within the USFWS Panther Secondary Zone. No panther or signs of panther were observed on the subject property during the listed species survey. According to the Listed Species Survey Report, two collared panthers have occurred within 1.3 mile of the subject property (Florida Fish and Wildlife Conservation Commission (FWC) telemetry data). Panther and black bear telemetry points provided in the Listed Species Survey Report show most panther and black bear activity beyond two miles from the subject property, primarily on undeveloped lands adjacent to and within RFMUD lands to the north and south, and in the Golden Gate Estates along Everglades and Desoto Boulevards. Panthers have been documented utilizing the underpass for TwinEagles South, at Immokalee Road.

The wetland jurisdictional determinations provided, show wetlands on site being drained by the major canals in the area and converting to uplands. According to the Formal Determination of Wetlands and Surface Waters received from the State, 30.88 acres of jurisdictional wetlands occur on the property, within the future development parcel. The Determination also states that habitats within the existing 38.71 acre conservation easement on site were excluded from the application, and thus not included in the Formal Determination. The loss of jurisdiction wetlands on the property is documented by the jurisdictional wetland determinations provided with the application. Pursuant to the Supreme Court ruling, USACOE jurisdiction wetlands on site are no longer jurisdictional since they are not connected to waters of the United States. Wetlands on site are also not within flowways or connected to wetlands off-site.

In March, 2013, the Archaeological and Historical Conservancy, Inc. conducted a reconnaissance cultural resource assessment of the site, in accordance with the specifications set forth in Chapter IA-46, F.A.C. One archaeological site, 8CR1305, was recorded as a result of the assessment and can be characterized by two non-local chert flacks found on a disturbed surface. These flacks are consistent with the Archaic Period (ca. 7,000 to 3,000 BP (before present)), and likely represent a small prehistoric camp. According to the assessment, the site is not eligible for listing in the National Register of Historic Places due to the paucity of the material and disturbances associated with the site. The cultural resource assessment also states that the parcel has an overall low to medium probability for cultural resources, based on the field reconnaissance and aerial imagery. The consultant's site review with the Florida Division of Historic Resources determined no previously recorded archaeological sites on the subject property.

In summary, the lands within Sections 31 & 32, Township 48 South, Range 27 East are surrounded by RFMUD Receiving Lands and Estates (Golden Gate Estates). These designations allow for a greater percentage of land to be developed and will, in time, reduce use of the subject property by larger free roaming listed species of wildlife such as panther and black bear. Other lands designated Neutral in the RFMUD abut at least on one side land designated either Sending or Conservation, thus providing greater protection for native habitat in those areas and for viability of corridors for the movement of wildlife. The agreement between the wildlife special interest groups and owners of TwinEagles South does provide a wildlife corridor linking Olde Florida Golf Club to undeveloped land to the north, within Bonita Bay East Golf Club. Conservation Collier lands in the immediate area, also provide additional long term protection of native habitat in the area.

One of the major purposes of the RFMUD is to preserve higher quality habitat for listed species, flowways and corridors for the movement of wildlife, in particular that for Florida panther and black bear. When the RFMUD was created, lands within the RFMUD were afforded greater protection based on the quality of habitat and location within the landscape. Although currently

surrounded by native vegetation, areas around Sections 31 & 32 are allowed to be developed more intensely with less or, in the case of single-family residences in the Estates, no native vegetation required to be retained on individual lots. This will, in time, decrease the habitat value of the land and use of the subject property by larger free roaming listed species of wildlife. Creation of a 300 foot wide wildlife corridor on the neighboring TwinEagles South property, coupled with adjoining Conservation Collier lands and higher native vegetation retention requirement for Neutral and Sending Lands within Section 31 & 32 will benefit wildlife, but may not be suitable for long term use by listed species such as panther and black bear, particularly when the adjoining properties are all developed. Given the environmental efforts which have occurred in the area, along with the level of development allowed for the area, allowing density to be transferred into Olde Florida Golf Club while retaining the Neutral Designation and therefore greater requirement for retention of native vegetation, may be an option for the Neutral Lands within Section 31 & 32. [Stephen Lenberger, Senior Environmental Specialist]

[Refer to Exhibits E through G-8, FLUCCS Map, Soils Map, Listed Species Survey and Table, and Wetland determinations, of the GMP amendment exhibit package.]

Historical and Archaeological Impacts:

Historic or archaeological resources have not been identified on the subject property, based on a review of the Collier County Index of Historic/Archaeological Maps, and the site is not identified on County Historical and Archaeological Probability Maps.

A reconnaissance assessment team led by Robert Carr, M.S. of Archaeological and Historical Conservancy, Inc., has since surveyed the subject site and identified one archeological site.

[Refer to AHC Technical Report No. 982, dated April 2013, of the GMP amendment exhibit package.]

Traffic Capacity/Traffic Circulation Impact Analysis, Including Transportation Element Consistency Determination:

Capital Improvement Element (CIE) Policy 1.2 sets forth that the County Board shall not approve any such petition or application which would directly access a deficient roadway segment or if it impacts an adjacent roadway segment that is deficient, or which significantly impacts either: (1) a deficient roadway segment or adjacent roadway segment; This language is mirrored in Policy 5.1 of the Transportation Element (TE) and adds, [the Board] shall not approve any petition or application that would directly access a deficient roadway segment as identified in the current AUIR or if it impacts an adjacent roadway segment that is deficient as identified in the current AUIR, or which significantly impacts a roadway segment or adjacent roadway segment that is currently operating and/or is projected to operate below an adopted Level of Service Standard within the five year AUIR planning period, unless specific mitigating stipulations are also approved. CIE Policy 1.2 states, "Significant impact is hereby defined... as generating potential for increased countywide population greater than 2% of the population projections for parks, solid waste, potable water, sanitary sewer, and drainage facilities, or as generating a volume of traffic equal to or greater than 2% of the adopted LOS standard service volume of an impacted roadway." TE Policy 5.1 provides for same, and allows certain petitions and applications to be approved with "specific mitigating stipulations".

Transportation Element: Transportation Planning staff has reviewed the petitioner's Traffic Impact Statement (TIS) and has determined that the adjacent roadway network has sufficient capacity to accommodate this project within the 5 year planning period. Staff recommends that the subject application can be found consistent with Policy 5.1 of the Transportation Element of the Growth Management Plan (GMP).

Vanderbilt Beach Road Impacts:

The first link of Vanderbilt Beach Road East of CR-951 is a Public roadway, but is not listed on the County AUIR as an Arterial or Collector roadway and as such is not reviewed by staff for consistency with policy 5.1 of the Transportation element. However, the applicant has identified a significant (though not adverse) impact on this roadway. At such time that the applicant proposes a plat or site plan that will create operational impacts on this local roadway, staff will analyze operational impacts and determine any operational mitigation for the 238 Peak Direction trips, if warranted.

The first [concurrency] link that is impacted by this project is Link 112.0, between Collier Boulevard and Logan Boulevard. The project generates 86 new directional p.m. peak hour, peak direction trips, which represents a 2.87% impact. This segment of Vanderbilt Beach Road currently has a remaining capacity of 1,684 trips, and is currently at LOS "B" as reflected by the 2012 AUIR.

The next link that is impacted by this project is Link 111.1, between Logan Boulevard and Airport Road. The project generates 60 new directional p.m. peak hour, peak direction trips, which represents a 2.00% impact. This segment of Vanderbilt Beach Road currently has a remaining capacity of 1,137 trips, and is currently at LOS "C" as reflected by the 2012 AUIR.

County Road 951 (Collier Boulevard) Impacts:

The first link that is impacted by this project is Link 30.1, between Vanderbilt Beach Road and Immokalee Road. The project generates 72 new directional p.m. peak hour, peak direction trips, which represents a 2.40% impact. This segment of Collier Boulevard currently has a remaining capacity of 1,067 trips, and is currently at LOS "C" as reflected by the 2012 AUIR.

The next link that is impacted by this project is Link 30.2, between Golden Gate Boulevard and Vanderbilt Beach Road. The project generates 17 new directional p.m. peak hour, peak direction trips, which represents a 0.57% impact. This segment of Collier Boulevard currently has a remaining capacity of 921 trips, and is currently at LOS "C" as reflected by the 2012 AUIR.

Immokalee Road Impacts:

The first concurrency link Immokalee Road that is impacted by this zoning amendment is Link 43.2, between Logan Boulevard and Collier Boulevard. The project generates 100 new directional p.m. peak hour, peak direction trips, which represents a significant 3.13% impact. This segment of Immokalee Road currently has a remaining capacity of 1,223 trips, and is currently at LOS "C" as reflected by the 2012 AUIR.

The second concurrency link Immokalee Road that is impacted by this zoning amendment is Link 43.1, between I-75 and Logan Boulevard. The project generates 83 new directional p.m. peak hour, peak direction trips, which represents a significant 2.37% impact. This segment of Immokalee Road currently has a remaining capacity of 1,142 trips, and is currently at LOS "C" as reflected by the 2012 AUIR.

No subsequent links beyond these segments are found to be significantly impacted by this project. [John Podczerwinsky, Transportation Planning Project Manager]

[Refer to Exhibit J, Traffic Impact Statement, of the GMP amendment exhibit package.]

Public Facilities Impact:

This petition will result in increased impacts on certain Category “A” public facilities (potable water, wastewater treatment, stormwater management, solid waste disposal, and community parks), but these impacts will not be significant (generating potential for increased countywide population greater than 2% of the BEBR medium range growth rate population projections for parks, solid waste disposal, potable water, wastewater treatment and stormwater management facilities, per CIE policy 1.2) as defined in the Capital Improvement Element.

- Planning Community = Rural Estates
- Population density = 2.15 persons/DU*
- x number of additional DU's = 444 new units maximum for non-Rural Village (955 population increase) OR 1,552 new units maximum for Rural Village (3,337 population increase)
- BEBR-based population projection = 371,914 (2018)
- x .02 = ±7,438

* based upon 2010 Census population and housing unit figures for Tract 104.12

The Collier County Sheriff’s Department will provide police protection/law enforcement services. The Sheriff’s Golden Gate Substation, District No. 2 is located at 4741 Golden Gate Parkway; and the temporary Golden Gate Estates Substation, District No. 4 is located on Oil Well Road. The Golden Gate Fire Control and Rescue District Station 73, located at 14575 Collier Boulevard, will provide fire protection. (There is also a Sheriff’s Department presence at Fire Station No. 10.) The [Zone 10] EMS station [Medic 10, located at 14756 Immokalee Road; OR, the [Zone 42] EMS station [Medic 42, located at 7010 Immokalee Road; OR, Medic 71, located at 95 13th Street SW] will provide emergency medical services.

The Public Utilities and Engineering Department has no objection to the proposed re-designation.

WATER & SEWER DEMAND

	Water (gallons/day)	Sewer (gallons/day)
PROPOSED (Receiving Lands)	235,450	138,500
CURRENT (Neutral Lands)	46,750	27,500

Appropriateness of Change:

The table below identifies potential changes in density, use of TDR Credits, and preservation standards, resulting from the proposed re-designation of the subject site from Neutral Lands to Receiving Lands (+554 acres). If this amendment were approved as proposed, the required native vegetation preservation amount would decrease by ±111 acres.

	Neutral Lands (554 acres)	Proposed Receiving Lands (554 acres)
Eligible Density	+ 110 dwelling units	+554 dwelling units

	(@ 1du /5ac.)	(@ 1du/ac.)
Preservation	± 249.3 ac. (60%, presume 45% w/100% native vegetation)	± 138.5 ac. (40%, presume 25% w/100% native vegetation)

- Neutral Lands native vegetation retention standard is 60%, not to exceed 45% of the site.
- Receiving Lands native vegetation retention standard is 40%, not to exceed 25% of the site.

Approximately 88.4 acres of native vegetation are identified within the Olde Florida golf course, 51 acres of native vegetation in existing conservation easement and 246.8 acres of native vegetation outside the golf course, for a total of 386.2 acres of native vegetation on subject property. [Source: FLUCFCS Code mapping] Much of these areas remain undisturbed.

As proposed by this amendment, residential density will be allowed to increase in the proposed Receiving Lands. The present designation allows residential density at 1du/5 acres or a total of ± 110 dwelling units, while the proposed Receiving Lands re-designation will allow density at 1du/1acre or ± 554 dwelling units for non-Rural Village Development and 3dus/acre or ± 1,662 dwelling units for Rural Village development. Based upon cluster development requirements, and property sizes-which afford flexibility in site design and provision of buffers, staff believes the development patterns allowed by the proposed amendment could generally be considered compatible with surrounding development as it exists and is allowed.

The native vegetation preservation requirements, however may not. The destruction of more than 110 acres of preserved vegetation and habitat on the subject property will have the result of interrupting/disrupting a long development history, during which time adjacent lands have been configured and reserved for uses typical to and interconnections among open space and habitat preserved in the immediate area, if not ending it entirely.

The practicality of the application’s proposed Subdistrict was established through an evaluation of environmental characteristics predominantly, and other relevant factors, to ascertain insufficient need for retaining the Neutral Lands designation and the appropriateness of the Receiving Lands designation.

The intent of the RFMUD is to direct development away from properties with high environmental values. Re-designating the property to Receiving will direct higher intensity land uses into an area that warrants semi-rural development and environmental protection. While the open space, environmentally sensitive and preservation areas of the Olde Florida Golf Club property may now have a lesser degree of environmental or listed species habitat value, their value has not been disturbed through development, agricultural operations or other factors relative to how values are determined. The aggregation of on-site and off-site environmentally sensitive areas should be recognized and maintained at the highest possible retention or preservation levels.

[Refer to Exhibits I through I-9, Public Facilities Report and supporting exhibits, of the GMP amendment exhibit package.]

NEIGHBORHOOD INFORMATION MEETING (NIM) SYNOPSIS:

A Neighborhood Information Meeting (NIM) required by LDC Section 10.03.05 F was [duly advertised, noticed and] held on Tuesday, July 16, 2013, 5:30 p.m. at the Golden Gate Fire Control and Rescue District Headquarters, located at 14575 Collier Boulevard, Naples. Approximately seven persons other than the applicant’s team and County staff attended, and heard the following information:

The applicant's agent provided a full description of the proposed amendment to the group, including the two-step GMPA process, the Rural Fringe Mixed Used designation and the TDR program. Also overviewed was the history of the Olde Florida property.

The presentation indicated that natural vegetation preserve areas already exist on the site – and they would not change as a result of residential development. The present golf course and proposed residential uses were described, particularly abandoning earlier plans to expand the 18-hole golf course to 36 holes. Although no firm plans are in place, residential development would be limited to a specific development sub-area. The Olde Florida Golf Club was more recently approached by the neighboring Golf Club of the Everglades with the prospect of combining the two properties to provide a unified residential community.

Questions generated during the subsequent discussion focused on the nature of the changed environmental characteristics [progressively dryer conditions], how the existing on-site preserve area would be affected [not by new residential areas], and if future development would include different or additional access to Vanderbilt Beach Road [none are contemplated]. Also questioned was the County's timetable for extending Vanderbilt Beach Road eastward [not in its present financially feasible planning schedule] and the possibility of aggregating additional large tracts to establish a Rural Village [extremely improbable].

An "unrecorded" conservation easement located along the northeast side of the Olde Florida Golf Course property was questioned. [This is the 300-foot wide wildlife corridor discussed in the Environmental Impacts section above.] It was explained that this easement does exist and would remain in place, while any further recordation would be the responsibility of another party.

At least one party in attendance expressed opposition to the proposal. The meeting was completed by 6:10 p.m. *[Synopsis prepared by C. Schmidt, AICP, Principal Planner]*

FINDINGS AND CONCLUSIONS:

The following findings and conclusions result from the reviews and analyses of this request:

- The present designation on the subject site allows development consistent with the surrounding development patterns, both existing and proposed.
- Development allowed by the proposed amendment is generally compatible with development existing and allowed on surrounding lands.
- Original RFMUD designations were based upon landscape scale analysis. Since then, proposals for re-designation have relied on site-specific environmental findings in order to demonstrate different property characteristics. The application provides data and analysis that the subject site's specific environmental condition supports the re-designation.
- The subject site is reported to have approximately 70% native vegetation on site and no longer contains jurisdictional wetlands.
- The re-designation of the subject site as proposed would allow for a loss of approximately 111 acres of native vegetation.
- This property will be subject to all GMP requirements and limitations of the Receiving Lands designation, including the native vegetation preservation/retention requirements of the Conservation & Coastal Management Element (CCME).

- The history of preserving native vegetation and wildlife habitat in this area through Collier County and non-governmental organizations are important aspects to consider.
- The Receiving Lands in this area now are characterized by the presence of 300 ft. wide wildlife corridor, 150 ft. wide golf course buffer, established native vegetation Preservation acreage on Olde Florida Golf Club property, Conservation Collier lands, wildlife passage crossing under Immokalee Road.
- Utility of the adjacent wildlife corridor and its interconnecting habitat areas may be reduced over the long term by the loss of native vegetation from Olde Florida Golf Club property; a drainage canal, future Vanderbilt Beach Road Extension, and Estates development to the south; a future roadways through the lands to the east of the property and, Receiving Lands to the north.
- Although currently surrounded by native vegetation, areas around Sections 31 & 32 are allowed to be developed more intensely with less or, in the case of single-family residences in the Estates, with no native vegetation required for individual lots. This will, in time, decrease the habitat value of the land and use of the subject property by listed species.
- Impact upon the TDR program could be noteworthy. Potentially, this amendment could result in a new demand for over 400 TDR credits.
- Subsequent zoning activity must include a request to modify (“rezone”) the RFMU Overlay, changing the RFMU Overlay – Neutral Lands zoning overlay on the subject site to RFMU Overlay – Receiving Lands zoning overlay. This request may be concurrent with the Adoption phase of this GMPA application.

EAC RECOMMENDATION:

The Environmental Advisory Council heard and vetted this application on August 7, 2013.

Council members heard presentations from the petitioner’s agent and environmental team, with emphasis placed on the changed conditions – of native vegetation retention areas specifically, and in the development market generally.

By a 5-0 vote, the EAC recommended to the Planning Commission and the Board of County Commissioners to transmit this GMPA application to the DEO.

LEGAL CONSIDERATIONS:

This staff report has been approved as to form and legality by the Office of the County Attorney.
[HFAC]

STAFF RECOMMENDATION:

That the Collier County Planning Commission forward Petition CP-2013-4 to the Board of County Commissioners with a recommendation to approve this petition for transmittal to the Florida Department of Economic Opportunity.

PREPARED BY:

Corby Schmidt
CORBY SCHMIDT, AICP, PRINCIPAL PLANNER
COMPREHENSIVE PLANNING SECTION, PLANNING AND ZONING DEPARTMENT

DATE: 27 Aug 13

REVIEWED BY:

David Weeks
DAVID WEEKS, AICP, GROWTH MANAGEMENT PLAN MANAGER
COMPREHENSIVE PLANNING SECTION, PLANNING AND ZONING DEPARTMENT

DATE: 8-27-13

REVIEWED BY:

Mike Bosi
MIKE BOSI, AICP, DIRECTOR, PLANNING AND ZONING DEPARTMENT

DATE: 8-27-13

APPROVED BY:

Nick Casalanguida
NICK CASALANGUIDA, ADMINISTRATOR
GROWTH MANAGEMENT DIVISION

DATE: 8-27-13

PETITION NO.: CP-2013-4 / PL-2013-0000365
Staff Report for the September 19, 2013, CCPC Meeting.

NOTE: This petition has been scheduled for the November 12, 2013, BCC Meeting.