

# **SCOPE OF SERVICES**

## **I. INTRODUCTION**

Collier County Government requires consultant services to prepare a Transfer of Development Rights (TDR)/Density Bonus program with a market feasibility study for Collier County, Florida. The primary goals of the TDR/Density Bonus study will be to design an innovative TDR/Density Bonus program for Collier County, or model one after others that have demonstrated successful market viability in achieving preservation goals elsewhere in Florida or nationally. Prepare an analysis of the levels of unit transfer/density incentives under various scenarios which would be required for market feasibility of the proposed TDR/Density Bonus program in order that the program will be successful in achieving the native vegetation, site, wetlands, and habitat preservation objectives outlined in the alternative tables of the Conceptual Strategies Report for the Rural Fringe Assessment Area and the directives of Final Order AC-99-002. The feasibility study must be completed within 90 days from the commencement date of the contract with a draft due within 60 days.

## **II. BACKGROUND**

Collier County is located on the Southwest coast of Florida and contains one of the most unique and sensitive native ecosystems in the world. It is also one of the nation's fastest growing regions. Pursuant to a Final Order imposed by the Governor and Cabinet in June 1999, the State of Florida has mandated certain revisions to Collier County's Growth Management Plan. The Final Order requires that these revisions become effective prior to June 22, 2002 and allows the County to conduct a Rural and Agricultural Area Assessment to collect the appropriate data, gather public input and recommend amendments to the Growth Management Plan. Major issues to be addressed by the Assessment include discouraging urban sprawl, protecting wetlands, wildlife and their habitats, protecting private property rights, managing storm water to protect water quality, and protecting prime agricultural lands from the premature conversion to other uses (see [www.nasites.com/collier\\_rural](http://www.nasites.com/collier_rural) for more information regarding the Rural Assessment and available data relative to this study)

Collier County has divided the Assessment into two geographical areas, the Rural Fringe Area and the Eastern Lands Area. The Rural Fringe Area (RFA) is essentially composed of the lands located east of the County's urban area and west of Golden Gate Estates and contains the sending areas to be evaluated by this study. The RFA represents a transitional area from the more intense suburban lands directly to the east in the Golden Gate Estates and urban lands

to the west, to the vast natural lands and significant agricultural operations even farther to the east. For data and analysis purposes, the RFA has been subdivided into various planning areas. Areas A, B, and the CREW NRPA are located north of Golden Gate Estates and east of the urban designated boundary. Areas C and the North Belle Meade Study Area are located east of the urban boundary and north of I-75 (Alligator Alley). Area D and the Belle Meade Natural Resource Protection Area (NRPA) are located south of I-75 and east of the South Golden Gate Estates.

The RFA consists of 93,600 acres, or 7% of Collier County's total land area. Analysis of land cover data from 1994-1995 aerial photography indicates that 4% of the RFA has been urbanized. Agricultural lands cover 14% of the RFA. Natural lands, as measured by wetland land cover (59%) and forestland cover (14%), comprise almost three-fourths of the RFA. **This study will focus on the RFA exclusively.**

### **III. PROJECT SCOPE**

The consultant will review the existing data on the environmental characteristics of the potential sending and receiving areas within the rural fringe, local land development dynamics, local economic and demographic factors, Final Order directives, private property rights concerns, and governing Florida Statutes and develop a market-feasible TDR/Density Bonus program for Collier County. The study will include, but not be limited to the following:

1. **TDR/Density Bonus Strategy in Context with Other Preservation Incentives in The Conceptual Strategies Report and Directives in the Final Order:** A Transfer of Development Rights and Density Bonus Program will be one of several incentive tools and proposed strategies, including clustered development, density blending, and Purchase of Development Rights (PDR), that Collier County may use to achieve the native vegetation, site, wetlands, and habitat preservation objectives outlined in the alternatives tables of the Conceptual Strategies Report, and also meet the requirements of the Final Order. The scope of the feasibility study will include an examination of how a TDR/Density Bonus program would work in conjunction with other preservation incentive tools and proposed strategies developed to meet the Final Order requirements.
2. **Options for Allocation of Transfer of Development Unit Credits Per Sending Site Acre:** "Transfer unit award" options should be analyzed to consider whether a uniform allocation rate, based on current zoning, i.e., 1 dwelling unit/5 acres, for all properties in proposed sending areas, or an allocation rate based on development potential or environmental resource values is more viable from both a free market operational and resource preservation perspective. Also, the analysis should address the issue of

additional unit and/or density bonuses as incentives for development projects that qualify as workforce, market rate or affordable housing.

**3. Receiving and Sending Areas within the Rural Fringe and Urban Areas:**

The suitability and potential of the receiving/sending areas will be evaluated to ensure the probable realization of the goals of the TDR program. Availability or the potential availability of jobs, schools, shopping, transportation, water and sewer and other public infrastructure, and the ability of the area to accommodate higher densities with minimal conflicts with existing adjacent property uses, approved but un-built development, and environmentally sensitive lands should be considered when evaluating receiving areas. For the analytical scope outlined for this study, potential receiving areas may include the Urban Mixed Use District on the Future Land Use Map and areas A-1 and 2; B-1, 2 and 3; C-1 and 2 (**excluding** the North Belle Meade Study Area); D-1 and 2. Sending areas may include Natural Resource Protection Areas (NRPA) and the North Belle Meade Study Area.

**4. Potential Marketability and Profitability of Higher Densities Utilizing TDR “Banking” Within the Receiving Areas:**

A determination of the probability of market absorption of the TDRs created by this program should be made, with a specific recommendation(s) on transfer award levels for each sending area. Report and provide recommendations on market pressures and desirability of density and intensity bonuses in the context of the market potential and existing policies.

**5. Recommendations on Required Levels of Unit Density Bonus Incentives to Realize Site and Native Vegetation Preservation**

**Objectives:** The Conceptual Strategies Report identifies alternative site and native vegetation preservation objectives within the RFA. The utilization of a density bonus incentive system to encourage specific site and native vegetation preservation above that required by minimum regulatory standards is anticipated under several base level standards within the Report. Assess the level of unit density bonuses required to be granted on a site basis to be viable in the market and act as an incentive for preserving site and native vegetation greater than the minimum regulatory standard.

**6. Assumptions For Analytical Process and Deliverable Content:**

- 1) Creation and acquisition of transferable units should be through the administration of criteria and processes created by ordinance and codified in the Collier County Land Development Code (LDC). In order to create a Collier “free market” in transferable units, individual petition for Board of County Commissioners legislative or quasi-judicial action to award transferable units should not be a requirement.
- 2) The TDR program should be designed to provide for a mechanism to establish TDRs as a “commodity” in Collier County that may be

transferred between buyer and seller at prices determined by the free market.

3) Qualified receiving areas under this TDR program will be included within the official boundaries of the Collier County Water and Sewer District (as it may be amended from time to time), or within the service area of an existing or proposed private utility. Qualifying development within the receiving area will be eligible for central water and sewer service from Collier County Utilities or an approved private utility.

#### **IV. AVAILABLE DATA**

The County will be responsible for providing or collecting all data needed by the consultant in order to complete this study within the 90-day timeframe.

#### **V. PROPOSALS SHOULD INCLUDE THE FOLLOWING:**

- Qualifications of the consultant(s).
  - Names, certifications, and licenses of proposed professionals who will be working on the project.
  - List of recent, similar projects that the firm has participated in (if any).
  - Professional references.
  - Earliest commencement date for the project.
  - Total fee for completion of the project.
  - Time frame for completion of study.
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