

**ORIGINAL**

**STAFF REPORT  
COLLIER COUNTY PLANNING COMMISSION**

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

**HEARING DATE:** November 6, 2014

**SUBJECT:** PETITION CP-2014-2 / PL-2014-0000113, Growth Management Plan Amendment  
(*TRANSMITTAL HEARING*)

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**APPLICANTS/OWNERS/AGENTS:**

Stock Development  
c/o Keith Gelder  
2647 Professional Circle, Suite 1201  
Naples, Florida 34110

H & LD Venture, LLC  
c/o Joe Boff  
11145 Tamiami Trail East  
Naples, Florida 34113

HCN Foundation  
Landstrasse 11  
Triesen, Liechtenstein

Habitat for Humanity of Collier Co., Inc.  
11145 Tamiami Trail East  
Naples, Florida 34113

Alexis V. Crespo, AICP  
Waldrop Engineering, P.A.  
28100 Bonita Grande Drive, Suite 305  
Bonita Springs, Florida 34135

Richard D. Yovanovich, Esq.  
Coleman, Yovanovich & Koester, P.A.  
4001 Tamiami Trail North, Suite 300  
Naples, Florida 34103

**GEOGRAPHIC LOCATION:**

The subject site is within the San Marino Planned Unit Development (PUD) and comprises approximately 196 acres of the 235-acre PUD. It is located on the east side of Collier Boulevard (CR 951), approximately 1.5 miles south of Davis Boulevard (CR 84), 1.5 miles north of Rattlesnake Hammock Road (CR 864), north and east of the developed portion of the San Marino PUD, north and west of the proposed Willow Run PUD (now Willow Run Sand & Gravel) and, south of Forest Glen Golf & Country Club PUD, in Section 11, Township 50 South, Range 26 East (Royal Fakapalm Planning Community).

**REQUESTED ACTIONS:**

This petition seeks to amend the Future Land Use Element (FLUE) text of the Growth Management Plan to introduce two site-specific exceptions from existing limitations in the Transfer of Development Rights (TDR) program, affecting the transfer of TDR credits among properties in the Rural Fringe Mixed Use District (RFMUD) and the Urban Residential Fringe (URF) Subdistrict. The first amends the URF Subdistrict provisions themselves, while the second amends the way density transfers are permitted by Density Bonuses' provisions of the FLUE Density Sating System.

Properties located within the URF may only receive TDR density transfers from the RFMUD Sending Lands located within one (1) mile of the URF boundary. Stated differently, TDR credits may be transferred from any RFMUD Sending Lands to any RFMUD Receiving Lands and Urban area receiving lands *except* that TDR credits from Sending Lands beyond 1 mile of the URF boundary cannot be transferred into the URF. Part of this proposed amendment will allow the transfer of TDR credits originating more distant than one (1) mile from the URF boundary for use in [the undeveloped portion of] the San Marino PUD, which is located in the URF.

Presently, properties located within the URF may receive the above-described TDR transfers at up to 1.0 dwelling unit per acre (DU/A) via the transfer of one TDR per acre. Stated differently, the maximum residential URF density may be increased from 1.5 DU/A to 2.5 DU/A utilizing TDRs through the Density Rating System. Part of this proposed amendment will allow the transfer of TDR credits at up to 2.5 DU/A for use in [the undeveloped portion of] the San Marino PUD (**increasing density from 1.5 DU/A to 4 DU/A**).

Adoption of these amendments will grant new rights exclusive to the San Marino property to utilize two and one-half times more TDRs from distant RFMUD Sending Lands than other development in the URF. *(CP-2014-2 Resolution Exhibit A reflects the petition's proposed text changes; staff text alternatives are located under Staff Recommendation at end of this Report.)*

**SURROUNDING LAND USE, ZONING AND FUTURE LAND USE DESIGNATION:**

**Subject Site:** The 196.4-acre subject site is zoned San Marino PUD; that total (235 acres) PUD is approved for 352 multi-family units, golf course, and 103 acres of preserves. Of the 352 approved DUs, 350 DUs are built on 39 acres. The undeveloped 196.4-acre subject site is designated in the PUD as golf course and preserve. The PUD's gross density is 1.5 DU/A (352 DUs/235 acres) and net density is 8.98 DU/A (350 built DUs/39 acres).

The subject site is designated Urban, Urban Mixed Use District, Urban Residential Fringe Subdistrict (URF) on the Future Land Use Map. This site does not abut the RFMUD to the east.

The transitional Urban Residential Fringe Subdistrict (URF) allows a maximum gross density of 1.5 DU/A, or 2.5 DU/A through use of TDR Credits (1.5 DU/A base density + 1.0 DU/A TDR Credits = 2.5 DU/A maximum). **The maximum gross density (1.5 DU/A) approved in San Marino PUD has been used** except for 2 DUs (350/352 DUs built).

**San Marino PUD site (235 acres) – Eligible Density**

**Existing Conditions**

| No. of Acres   | Density       | Total No. of DUs           |
|----------------|---------------|----------------------------|
| 235            | Base 1.5 DU/A | 353                        |
| 235            | TDRs 1.0 DU/A | 235                        |
| Total Eligible | 2.5 DU/A      | 588 (approved for 352 DUs) |

**Proposed**

| No. of Acres                     | Density  | Total No. of DUs |
|----------------------------------|--|------------------|
| 235                              | Base 1.5 DU/A                                  | 353              |
| 39 (developed apartment site)    | TDRs 1.0 DU/A                                  | 39               |
| 196.4 (undeveloped subject site) | TDRs 2.5 DU/A                                  | 491              |
| Total Eligible                   | 39 acs. @ 2.5 DU/A \\<br>196.4 acs. @ 4.0 DU/A | 883*             |

\* Likely maximum of 844 DUs, as the 39-acre site is built-out with a 350-unit apartment complex.

**Surrounding Lands:**

**North:** A large portion of bounding lands to the north of the subject site is zoned PUD (Forest Glen of Naples PUD, approved for a variety of commercial uses (100,000 sq. ft. on 10 acres), residential uses (799 residential units), golf course (70 acres), essential services (including fire station site), and 385 acres of preserve and open space. Of the 799 approved DUs, 769 DUs have been built; the golf course and fire station are also built. The PUD's gross density is 1.28 DU/A (799 DUs/625 noncommercial acres) and the net density is 4.52 DU/A (769 built DUs/170 acres). The portion generally west of an FPL ROW is zoned A, Rural Agricultural, which allows agricultural uses, single-family residential at a maximum density of 1 DU per 5 acres [0.2 units per acre], and a variety of institutional and recreational uses subject to the conditional use process; these A-zoned lands are undeveloped.

All of these lands are designated Urban Mixed Use District, Urban Residential Fringe Subdistrict (URF) on the Future Land Use Map.

**West:** Land to the west of the subject site [across CR 951] is zoned PUD (Naples National Golf Club), approved for residential uses (24 DUs/guest suites), a golf course and 184 acres of preserve/conservation. Of the 24 approved units, 12 have been built, as well as the golf course. The PUD's gross density is 0.075 DU/A (24 DUs/320 acres).

The Future Land Use designation is Urban Mixed Use District, Urban Residential Subdistrict.

**South:** A portion of bounding lands to the south of the subject site is zoned San Marino PUD and developed with Aventine at Naples apartments (350 units built out of 352 total approved in the PUD). The portion generally east of an FPL ROW is zoned A, Rural Agricultural, with a Conditional Use for an earth materials extraction operation, and developed as the Willow Run Quarry. The Willow Run property is pending PUD approval for 590 dwelling units (1.06 units per acre), associated recreational uses, and preserves.

These lands are designated Urban Mixed Use District, Urban Residential Fringe Subdistrict (URF) on the Future Land Use Map.

**East:** Land to the east of the subject site is also zoned A, Rural Agricultural, with a Conditional Use for an earth materials extraction operation, and developed as the Willow Run Quarry. The Willow Run property is pending PUD approval for 590 dwelling units (1.06 units per acre), associated recreational uses, and preserves; it is partly located in the URF and partly in RFMUD Sending Lands. These Sending Lands do not abut the subject site to the west.

The Future Land Use designation is also Urban Mixed Use District, Urban Residential Fringe Subdistrict (URF).

In summary, the existing land uses in the area immediately surrounding or directly opposite the subject PUD are predominately rural non-residential in nature to the east, and residential to the west, north and [pending] south.

**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.

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 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 per five acres (0.2 du/ac.) [later increased to account for each of three types of TDR bonus credits thereby allowing a maximum transfer of 0.8 TDR credits per 5 acres] or 1 dwelling unit per legal non-conforming lot / parcel of record. 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 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 (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 (e.g. full range of agricultural uses, community facilities, recreational uses, etc.).

The consultant who assisted in development of the RFMUD TDR program found a correlation between the proximity of properties lying east of CR 951 and their land values. The higher transitional/residential densities allowed in the Urban Residential Fringe affected these nearer lands with higher property values while more-distant Sending Lands – which are less dense,

further removed from urban services, less acceptable, and so forth – revealed notably lower values.

**This geographical relationship was recognized and specific limitations established to bolster TDR values for the more proximate lands,** and provided special arrangements for the transfer, redemption and use of TDRs.

The consultant also directly addressed the TDR program, and predicted the haste which requests to change the program to benefit only a few, or single, landowners would appear. The County was cautioned to keep the TDR program intact [for a substantial period of time]. Changes weaken the program, diminish TDR values and discourage the viability of long-term continuing participation.

**Applicant's Justifications:** (Refer to application "Exhibit P", Amendment Justification Narrative)

The justifications asserted in the application for the proposed amendments *[with staff assessments]* are:

- 1) The proposed amendment furthers the RFMUD goal to preserve Sending Lands by providing additional opportunities for TDRs to be utilized by Receiving Lands;  
*[Staff Assessment: Not acknowledged » Creating additional demand for TDRs may only accelerate the timing of TDR severances, thus the timing of Sending Lands' protection – but the goal to protect Sending Lands may be met without any need for change. With respect to utilization of TDRs by Receiving Lands, this GMPA will not result in TDRs being used in RFMUD Receiving Lands but does create opportunity for more TDRs to be used in URF receiving lands.]*
- 2) Will further the objectives of the TDR program by increasing demand for TDRs;  
*[Staff Assessment: Acknowledged; However, no net benefits are gained for the TDR program – this amendment will result in increased demand for TDRs in one area (Sending Lands beyond 1 mile from URF)], while simultaneously resulting in decreased demand for them in another (Sending Lands within 1 mile of URF); creating additional demand for TDRs **may accelerate** the redemption of TDR credits from Sending Lands beyond 1 mile from the URF while **decelerating** the redemption of TDR credits from Sending Lands within 1 mile of the URF.]*
- 3) Will allow for a compact and contiguous development pattern along a major arterial thoroughfare with available public services and infrastructure;  
*[Staff Assessment: Acknowledged; However, the Urban Residential Fringe is intended for and developed with lower, "transitional" residential densities; A more compatible and consistent development pattern would be maintained without approval of the higher, proposed density.]*
- 4) Will be compatible with adjacent developments, both existing and proposed; and,  
*[Staff Assessment: Cannot Be Ascertained » Compatibility issues are more specifically addressed in the consideration of rezone requests; However, potential compatibility issues accompany the higher residential density in an area intended for lower, transitional density.]*
- 5) Will recognize that sufficient "qualified" Sending Lands are not available to support the development potential in the URF.  
*[Staff Assessment: Acknowledged » Potential development in the URF would ultimately demand approximately twice the number of TDRs available from "qualified"*

*Sending Lands; However, the number of TDRs available from “qualified” Sending Lands is sufficient at this time.]*

Generally, only some of these justifications support the petition, while others are arguably too generalized, characterize attributes that would be applicable to other properties, or cannot be ascertained.

**TDR Credits – Supply/Demand and How Proposed to Transfer into San Marino:**

Of all Sending Lands, only those located within one mile of the Urban designated area qualify to transfer TDR credits into the transitional Urban Residential Fringe Subdistrict (URF).

1,804 estimated total TDR credits in [qualified] Sending Lands within one mile of the Urban Area  
 - 721 number of TDR credits from [qualified] Sending Lands within one mile of Urban Area already committed to URF use  
**= 1,083 number of potential TDR credits in [qualified] Sending Lands within one mile of Urban Area remaining for URF use**

Urban Residential Fringe Subdistrict (URF) lands can make use of the TDR credits available from [qualified] Sending Lands, as follows:

2,177 potential demand for TDR credits in URF  
 - 1,083 estimated potential, available TDR credits in Sending Lands within 1 mile of URF  
**= 1,034 approximate unmet need of TDR credits for URF use**

The figures above are provided as part of the applicant’s petition, and are derived from Collier County resources [inc. TDR Program Activity Mapping and Severance Reports], with calculations of acreage and provisions of the Rural Fringe Mixed Use District and the Urban Residential Fringe Subdistrict. Comparable figures were utilized previously in the Hacienda Lakes of Naples and Naples Reserve applications.

Potentially, residential development in the URF needing approximately 1,034 TDR credits may be underdeveloped due to the existing prohibition on transferring TDR credits from Sending Lands beyond one mile of the URF boundary; that is, the potential demand for 1,034 TDR credits created by URF lands may go unmet as there is a potential shortage of 1,034 TDR credits generated from Sending Lands within 1 mile of the URF boundary. The subject GMP amendment would satisfy a portion of that potential unmet need for TDRs. If approved as submitted, all Sending Lands would become eligible to transfer TDRs to the San Marino PUD, not just those within one mile of the URF boundary. This would have two effects: **artificially amplifying demand for [unqualified] TDRs generated from Sending Lands greater than 1 mile from the URF**, while simultaneously **suppressing demand for [qualified] TDRs generated from Sending Lands within 1 mile from the URF**.

Also, this part of the amendment further increases the (potential) devaluation of TDRs generated from Sending Lands within one mile of the URF by increasing the supply of eligible TDRs – introduced with previously-approved transfers of *unqualified* TDRs into the URF [Hacienda Lakes, and Naples Reserve].

These two development locations are distinctly different from one another, and both are uniquely different from the San Marino site. They are properties lying in more than one Future Land Use designation. The San Marino site does not straddle two different Land Use Designations and lies entirely within the Urban Residential Fringe (URF) Subdistrict. This project does not abut the RFMUD to the east. There are three provisions in the FLUE for achieving additional density in the URF beyond the base 1.5 DU/A, and only one applicable to

San Marino – 1 DU/A through use of TDRs for a maximum of 2.5 DU/A. The second provision is a unique instance of this cap being “lifted” above 2.5 DU/A for the Hacienda Lakes of Naples PUD. This 2,262-acre project site covers three Future Land Use designations (URF Subdistrict, *qualified* Sending Lands and *unqualified* Sending Lands – under unified control – and achieves a 2.8 DU/A maximum density with TDR transfers from both *qualified* Sending Lands and *unqualified* Sending Lands within the project. That unique “lift” was determined to have no measurable impact on the URF’s “transitional” nature, nor would it affect its surrounding lands. The third provision is specific to the Rockledge PUD for provision of affordable housing. No other development is approved to exceed the maximum 2.5 DU/A density.

***With the 196.4-acre portion of San Marino PUD, the maximum allowable density would be increased by 2.5 DU/A through use of TDRs to 4.0 DU/A.***

The existing San Marino PUD was approved in 2000 for 352 dwelling units – based on the entire (parent) 235.3 acres – yielding 1.5 DU/ac. As described in the PUD document, 350 units of this residential development were clustered on 39 acres – and now known as “Aventine at Naples”, or San Marino Apartments. This part of the San Marino PUD is where its 1.5 DU/A are clustered. All but two units of this approved density have been developed, and only these units derived from base density are still to be utilized from the parent acreage.

With the transfer of TDRs to the entire San Marino property, it would have been possible to achieve up to another 235 buildable dwelling units – for a total of 588 DUs. But the developed 39 acre portion of San Marino has changed hands and this number of units cannot be achieved. The remaining 196.4 acres of the property have already generated 1.5 DU/A as part of the entire PUD; therefore, **utilizing the existing FLUE provision to increase density by 1 DU/A using TDRs, the subject 196.4 acres can be developed with 196 DUs**. The requested density retains this connection to each acre of the 196.4 acres to be developed at up to 4.0 units per acre (1.5 DU/A approved and developed as part of entire PUD x 196.4 acres = 295 DUs; requested 2.5 DU/A to be derived by TDR credits x 196.4 acres = 491 DUs). All future development (491 DUs) will be derived from TDRs severed elsewhere and transferred here.

The present request for an additional 491 dwelling units is based exclusively on the undeveloped 196.4-acre portion of the property. The request to *receive* TDRs is already allowed by the FLUE, but at a rate of 1 DU/A, **not** 2.5 DU/A. Direct relationships, or nexus, can be established for considering the additional density stipulated upon where this density is originated – from *qualified* Sending Lands or *unqualified* Sending Lands. The direct relationship exists between the already allowed 1 DU/A and *qualified* Sending Lands; the other relationship is between the additional 1.5 DU/A and *unqualified* Sending Lands.

Provided below are summaries of residential (or mixed use) developments along the Collier Blvd. corridor from Davis Blvd. south to Rattlesnake-Hammock Road, as well as the PUDs partially in the transitional URF approved to utilize TDR credits. The first table identifies PUDs located in the one-mile corridor on the west side of CR 951 / Collier Boulevard. These developments lie in the Urban Residential Subdistrict, where a base density of 4 DU/A is allowed and potentially up to 16 DU/A with density bonuses.

**West Side of Collier Blvd.**

|                             |        |                         |
|-----------------------------|--------|-------------------------|
| • Cedar Hammock             | 799 DU | 1.91 DU/A gross density |
| • Naples Heritage Golf & CC | 799 DU | 1.43 DU/A gross density |
| • Naples National Golf Club | 26 DU  | 0.08 DU/A gross density |
| • Homes of Islandia         | 28 DU  | 0.18 DU/A gross density |
| • Naples Lakes CC           | 731 DU | 1.56 DU/A gross density |



The table above reflects densities in developments on the west side of CR 951 / Collier Boulevard ranging from less than 1 DU/A to 1.91 DU/A. The second table (below) identifies PUDs located in the one-mile corridor on the east side of CR 951 / Collier Boulevard. These developments lie in the Urban Residential Fringe designated area, where lower, transitional densities between the Urban Designated Area and the Agricultural/Rural Area allow up to 1.5 DU/A without / 2.5 DU/A with utilizing TDRs. Also included in this table is the Naples Reserve PUD that is located partially in the URF and approved to use TDRs.

**East Side of Collier Blvd.**

|                                  |          |                          |
|----------------------------------|----------|--------------------------|
| • Forest Glen of Naples          | 799 DU   | 1.28 DU/A gross density  |
| • Willow Run [pending]           | 590 DU   | 1.06 DU/A gross density  |
| • San Marino PUD                 | 352 DU   | 1.5 DU/A gross density   |
| • Hacienda Lakes of Naples (DRI) | 1,760 DU | 0.82 DU/A gross density* |
| • Naples Reserve                 | 1,154 DU | 1.68 DU/A gross density* |

\* = Portion of PUD is within RFMUD; Hacienda Lakes is allowed density in URF at 2.8 DU/A via use of TDRs.

The table above reflects densities in developments on the east side of CR 951 / Collier Boulevard ranging from approximately 1 DU/A to 1.68 DU/A.

**All densities on the west side of CR 951 are less than or equal 1.91 DU/A, and all densities on the east side of CR 951 are less than or equal 1.68 DU/A.**

One purpose of the URF Subdistrict is to provide an area where transitional densities are intended to demarcate the Urban Designated Area from the Agricultural/Rural Area. The URF Subdistrict has existed since the 1989 GMP adoption – while the RFMUD TDR program was adopted in 2002. It is important to note that the URF’s purposes and intents as a transition existed before there was a TDR allowance here. Originally, the URF was devised as a transition from 4 DU/A [in Urban area] to 1 DU/5A [in the Agricultural/Rural designation]. But in 2002, the nature of this transition changed. The URF now provides an even greater transition from 4 DU/A [in Urban area] to 1 DU/40A in RFMUD designated Sending Lands. It is even more important to note that the use of TDRs in the URF is only related to transitional density in that the allowed 2.5 DU/A is still less dense than the base density of 4 DU/A on west side of CR 951; and to be reminded that the San Marino site is not located at the URF/RFMUD Sending Lands boundary.

In contrast with the purposes and intents of the URF Subdistrict, the San Marino request imposes higher densities found only in the Urban designated area – and unintended for the URF. This density increase has a measurable impact on the URF’s “transitional” nature, and would affect its surrounding lands. If approved, the Urban-density San Marino project begins to fragment the URF’s “transitional” nature.

**Environmental Impacts, including Historical and Archaeological Impacts:**

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

The majority of the site is forested with native vegetation, twenty five percent of which is required to be retained in accordance with the requirements of the Conservation and Coastal Management Element (CCME). Approximately 71 percent of the site (139.50 acres) contains State and Federal jurisdiction wetlands.



A listed species survey was conducted by the environmental consultant in February, 2014. No listed wildlife species were observed during the survey. Florida black bear (*Ursus americanus floridanus*) scratch and bite trees were observed on the property during the listed species survey. Although recently delisted by the State of Florida, the Florida black bear is still protected under the Florida Black Bear Management Plan.

In addition to listed wildlife species, the project site was also surveyed for plants listed by the Florida Department of Agriculture and Consumer Services, U.S. Department of Agriculture and the U.S. Fish and Wildlife Service. Two listed plant species were identified on the property, butterfly orchid (*Encyclia tampensis*) and hand fern (*Ophioglossum palmatum*). In accordance with the requirements of the LDC, up to ten individuals of these species may be required to be relocated, into proposed preserves if the preserves do not contain these species and are able to support the species of plants.

Correspondence received from the Florida Master Site File lists no archeological sites and cultural resources within Section 11, Township 50 South, Range 26 East.

The proposed GMP amendment to allow TDRs to be transferred to the San Marino Residential PUD from any lands designated Sending in the RFMUD will have no affect on the requirements of the CCME and will support the intent of the TDR program by directing development away from environmentally sensitive Sending Lands.

*[Stephen Lenberger, Senior Environmental Specialist  
Surface Water & Environmental Planning Section]*

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

The net new trips, while significant on CR 951, do not indicate that they would cause adverse impacts. The project is consistent with Policy 5.1 of the Transportation Element, and as such, no mitigation would be required within the project's area of significant impacts to accommodate the identified impacts on network capacity.

The project's significant impacts are found only on the first link of CR 951. These significant impacts are expected from 183 Southbound trips (6.10% impact), and 104 Northbound Trips (3.47% impact). In this case, only the 104 northbound trips are of interest in reviewing the project for consistency with the Transportation Element, as this is the peak direction of the network.

No other subsequent impacts are expected to exceed the 2% (or consequent 3%) threshold(s).

*[John Podczerwinsky, Project Manager  
Transportation Planning Section]*

**Public Facilities Impact:**

The San Marino PUD is within the Collier County Water and Sewer District. Public Utilities staff does not have any preliminary issues with respect to the proposed amendment. Commitments will be reviewed and requested as part of any PUD [or PUD amendment] applications.

*[Kris Van Lengen, Principal Project Manager  
Public Utilities Planning & Project Management Dept.]*

**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, October 21, 2014, 5:30 p.m. at the Collier County South Regional Library, Meeting Rm. "A", located at 8065 Lely Cultural Parkway, Naples. Approximately 15 people other than the application team and County staff attended – and heard the following information:

The applicant's agent provided a description of the proposed GMP amendments to the group, including how the transfer of TDRs will be allowed to the undeveloped golf course portion of the San Marino PUD located in the Urban Residential Fringe (URF) from Rural Fringe Mixed Used District Sending Lands. The agent explained how the proposed density is not allowed by the FLUE, nor is the use of TDRs transferred from Sending Lands more than 1 mile from the Urban area.

An overview of the PUD application and development plans were also provided. Some of the details given of the planned development include the introduction of a new access point onto CR 951 for its main entry. The conceptual master plan showed how on-site preserve areas buffer the closest residences located in the Forest Glen community; and how the future San Marino residential areas are buffered by adjacent Forest Glen preserve areas.

The applicant's agent explained the hearing process for the Transmittal phase of the request and reviewed an anticipated hearing schedule for the Adoption phase of the request along with the companion PUD amendment.

Questions were taken from those in attendance [and addressed], covering topics such as if and how signalization would be required and introduced at a new CR 951 intersection with the main entrance [when warranted, along with specific directional traffic controls]; configuration of new lakes and water management facilities, along with the permits required and construction timing [3 large lakes permitted through SFWMD]; types of residences to be offered, price points, floor areas and construction phasing [mix of market rate units phased to meet demand]; whether any commercial development is proposed [it is not]; and, the configuration of walls at project boundaries and along CR 951 [with requested deviations explained].

No one in attendance expressed opposition to the changes. The meeting was completed by 6:05 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:

- Correlating amendments to the San Marino PUD may be submitted subsequent to, or concurrent with the Adoption phase of this GMPA application.
- Staff does not have preliminary Public Utilities issues with respect to the proposed amendment.
- The part of the GMP amendment allowing the transfer of TDR derived residential density from more than one (1) mile from the Urban Boundary to the undeveloped portion of the San Marino PUD would satisfy a portion of the potential unmet need in the Urban Residential Fringe for TDR credits.
- The proposed GMP amendment will have no affect on the requirements of the CCME and will support the intent of the TDR program by directing development away from environmentally sensitive Sending Lands.
- The majority of the site is forested with native vegetation, twenty five percent of which is required to be retained in accordance with the CCME. Native vegetation preservation may not change from this amendment, while Goals of the RFMUD may be met without any need for change.
- This amendment will result in increased demand for TDRs in one area [*Sending Lands beyond 1 mile from URF*] but decreased demand for them in another [*Sending Lands within 1 mile of URF*] – while no net benefits are gained for the TDR program.

- Impact upon the TDR program could be noteworthy. A number of TDR credits originally intended for use in areas of RFMUD designated Receiving Lands will be redirected to the Urban Residential Fringe – a reallocation of TDR credits.
- The number of TDRs available from “qualified” Sending Lands is sufficient at this time.
- This GMP amendment increases the potential devaluation of TDR credits generated from Sending Lands within one mile of the URF.
- The Urban Residential Fringe is intended for, and developed with, lower “transitional” residential densities, and a more compatible and consistent development pattern would be maintained without approval of the proposed higher density.
- Potential compatibility issues accompany the higher residential density in an area intended for lower, transitional density.

**LEGAL CONSIDERATIONS:**

A copy of this Staff Report was provided to the Office of the County Attorney and has been approved as to form and legality. The County Attorney also recommended that provisions of the Urban Residential Fringe Subdistrict be restructured to provide the proper connections and document flow from the main Subdistrict paragraph to its subordinate provisions. This restructuring is reflected in the Staff Recommendation below.

[S.Stone]

**STAFF RECOMMENDATION:**

That the Collier County Planning Commission forward Petition CP-2014-2, as submitted, to the Board of County Commissioners with a recommendation not to approve for transmittal to the Florida Department of Economic Opportunity.

Staff does, however recommend approval of a different version of FLUE text provisions allowing for the transfer of TDR credits from Sending Lands property more than one (1) mile from the Urban boundary, modified to incorporate non-substantive changes for proper code language, format, clarity, etc.; resolving formatting problems introduced by the UPPER CASE underlined legal description proposed by petitioner through the **complete replacement** with the more suitable version below; and, removing the increase to the maximum allowable residential density that may be achieved.

Note: Words underlined are added – as proposed by petitioner; words double underlined are added, words ~~double struck through~~ are deleted – as proposed by staff.

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**2. Urban Residential Fringe Subdistrict**

The purpose of this Subdistrict is to provide transitional densities between the Urban Designated Area and the Agricultural/Rural Area and comprises approximately 5,500 acres and 5% of the Urban Mixed Use District. Residential land uses may be allowed at a maximum base density of 1.5 units per gross acre, plus any density bonus that may be achieved via CCME Policy 6.2.5 (6) b.1., and either “a” or “b” ~~or “c”~~ below:

*[Relocation Only Difference for Next Paragraph Below]*

Within the Urban Residential Fringe, rezone requests are not subject to the density rating system, except as specifically provided below for the Affordable-workforce Housing Density Bonus. All rezones are encouraged to be in the form of a planned unit development. Proposed development in the Subdistrict shall be fully responsible for all necessary water management improvements, including the routing of all on-site and appropriate off-site water through the

project's water management system, and a fair share cost of necessary improvements to the CR 951 canal/out-fall system made necessary by new development in the Subdistrict.

- a. Up to 1.0 unit per gross acre via the transfer of up to one (1.0) dwelling unit (transferable development right) per acre from lands located within one mile of the Urban Boundary and designated as Rural Fringe Mixed Use District Sending Lands, except in the case of:

- i. ~~Properties that straddle the Urban Residential Fringe and the Rural Fringe Mixed Use Sending Lands designations, and meet the other Density Blending criteria provided for in subsection 5.2 of the Density Rating System, which may achieve an additional maximum density of up to 1.3 units per gross acre for all lands designated as Urban Residential Fringe via the transfer of up to 1.3 dwelling units (transferable development rights) per acre from lands located within one mile of the Urban Boundary and designated as Rural Fringe Mixed Use District Sending Lands.~~

- ii. The Urban Residential Fringe portion of the Naples Reserve Residential Planned Unit Development located in Section 1, Township 51 South, Range 26 East, shall not be subject to the one mile limitation set forth above and may utilize TDRs from any lands designated Sending within the Rural Fringe Mixed Use District to achieve up to the maximum allowable density; or,

- iii. ~~Up to 2.5 units per gross acre may be achieved for Urban Residential Fringe lands within the undeveloped portion of the San Marino Planned Unit Development located in Section 11, Township 50 South, Range 26 East via the transfer of 2.5 dwelling units (transferable development right) per acre. The Property shall not be subject to the one mile limitation set forth in subsection "a" above and may utilize TDRs from any lands designated Sending within the Rural Fringe Mixed Use District to achieve up to the maximum allowable density. The Property is further described as follows:~~

That portion of the San Marino Planned Unit Development described in Ordinance No. 2000-10 excepting the ±39 acres located in the South ½ of the Southwest ¼ of the Northwest ¼ of Section 11, Township 50 South, Range 26 East, and in the Northwest ¼ of the Southwest ¼ of Section 11, Township 50 South, Range 26 East.

- b. In the case of properties specifically identified below, a density bonus of up to 6.0 additional units per gross acre may be requested for projects providing affordable-workforce housing (home ownership only) for low and moderate income residents of Collier County, pursuant to Section 2.06.00 of the Land Development Code, or its successor ordinance, except as provided for below:

*[Indenting Only Difference Below]*

Properties eligible for the Affordable-workforce Housing Density Bonus (home ownership only) will be specifically identified herein. The actual number of bonus units per gross acre shall be reviewed and approved in accordance with the conditions and procedures set forth in Section 2.06.00 of the Land Development Code, except that, Section 2.06.03 shall not apply, and the number of dwelling units required to be sold to buyers earning 80% or less of Collier County's median income, as calculated annually by the Department of Housing and Urban Development (HUD), shall be at least thirty percent (30%).

The following properties are eligible for an Affordable-workforce Housing Density Bonus (home ownership only) of up to 6.0 additional dwelling units per acre.

- 4 i. Property located on the East side of Collier Boulevard (C.R. 951), approximately 6 tenths of a mile south of intersection with Rattlesnake Hammock Road (C.R.

864), in Section 23, Township 50 South, Range 26 East, Collier County, Florida, and further described as follows:

THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, LESS THE NORTH THIRTY FEET FOR ROAD RIGHT OF WAY PURPOSES ONLY OF SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA LESS THE WEST 100 FEET THEREOF, AND;

THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, LESS THE NORTH 30 FEET THEREOF FOR ROAD RIGHT OF WAY, SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, AND;

THE SOUTH 1/2 OF THE NORTH 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTH 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY, FLORIDA SUBJECT TO AN EASEMENT OVER AND ACROSS THE WEST 36 FEET THEREOF, AND;

AN EASEMENT 36 FEET IN WIDTH OVER AND ACROSS THE EAST 36 FEET OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY, FLORIDA, AND TOGETHER WITH;

A STRIP OF LAND DESIGNATED AS RIGHT OF WAY OVER AND ACROSS THE NORTH 50 FEET OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY FLORIDA, AND;

THE NORTH 1/2 OF THE NORTH 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY, FLORIDA, AND;

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY, FLORIDA, AND;

THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SOUTHWEST 1/4 LESS THE NORTH 30 FEET FOR RIGHT OF WAY OF SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY, FLORIDA, AND;

THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, LESS THE WEST 100 FEET OF SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY, FLORIDA, AND; THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, LESS THE NORTH 328.19 FEET OF SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY FLORIDA, CONTAINING 55 ACRES, MORE OR LESS.

**B. DENSITY RATING SYSTEM:**

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**2. Density Bonuses**

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**f. Transfer of Development Rights Bonus**

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- (c) From Sending Lands located within one mile of the Urban Boundary into lands designated Urban Residential Fringe, at a maximum density increase of one unit per gross acre, except for properties that straddle the Urban Residential Fringe and the Rural Fringe Mixed Use Sending Lands designations, and meet the other Density Blending criteria provided for in subsection 5.2 of the Density Rating System, which may transfer TDRs from Sending Lands located within one mile of the Urban Boundary into lands designated Urban Residential Fringe, at a maximum density increase of 1.3 units per gross acre. The Urban Residential Fringe portion of the Naples Reserve Residential Planned Unit Development located in Section 1, Township 51 South, Range 26 East, and the undeveloped portion of the San Marino Planned Unit Development located in Section 11, Township 50 South, Range 26 East, as further described in the Future Land Use Designation Description Section, Urban Residential Fringe Subdistrict, shall not be subject to the one mile limitation set forth above and may utilize TDRs from any lands designated Sending within the Rural Fringe Mixed Use District to achieve up to the maximum allowable density increase.

**IF the Planning Commission chooses to recommend transmittal of the petition so as to allow use of TDRs from *unqualified* Sending Lands and to allow increased density, staff recommends the following revisions to the applicant's proposed text** (for proper code language, format, clarity, etc., including a replacement property description, AND to require partial use of *qualified* TDRs:

Note: Words underlined are added – as proposed by petitioner; words double underlined are added, words ~~double struck through~~ are deleted – as proposed by staff.

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## **2. Urban Residential Fringe Subdistrict**

The purpose of this Subdistrict is to provide transitional densities between the Urban Designated Area and the Agricultural/Rural Area and comprises approximately 5,500 acres and 5% of the Urban Mixed Use District. Residential land uses may be allowed at a maximum base density of 1.5 units per gross acre, plus any density bonus that may be achieved via CCME Policy 6.2.5 (6) b.1., and either “a” or “b” ~~or “c”~~ below:

*[Relocation Only Difference for Next Paragraph Below]*

Within the Urban Residential Fringe, rezone requests are not subject to the density rating system, except as specifically provided below for the Affordable-workforce Housing Density Bonus. All rezones are encouraged to be in the form of a planned unit development. Proposed development in the Subdistrict shall be fully responsible for all necessary water management improvements, including the routing of all on-site and appropriate off-site water through the project's water management system, and a fair share cost of necessary improvements to the CR 951 canal/out-fall system made necessary by new development in the Subdistrict.

- a. Up to 1.0 unit per gross acre via the transfer of up to one (1.0) dwelling unit (transferable development right) per acre from lands located within one mile of the Urban Boundary and designated as Rural Fringe Mixed Use District Sending Lands, except in the case of:
  - i. ~~p~~Properties that straddle the Urban Residential Fringe and the Rural Fringe Mixed Use Sending Lands designations, and meet the other Density Blending criteria provided for in subsection 5.2 of the Density Rating System, which may achieve an additional maximum density of up to 1.3 units per gross acre for all lands designated as Urban Residential Fringe via the transfer of up to 1.3 dwelling units (transferable

development rights) per acre from lands located within one mile of the Urban Boundary and designated as Rural Fringe Mixed Use District Sending Lands.

ii. The Urban Residential Fringe portion of the Naples Reserve Residential Planned Unit Development located in Section 1, Township 51 South, Range 26 East, shall not be subject to the one mile limitation set forth above and may utilize TDRs from any lands designated Sending within the Rural Fringe Mixed Use District to achieve up to the maximum allowable density; or,

iii. Up to 2.5 units per acre may be achieved for Urban Residential Fringe lands within the undeveloped portion of the San Marino Planned Unit Development located in Section 11, Township 50 South, Range 26 East via the transfer of 2.5 dwelling units (transferable development right) per acre. The Property shall be subject to the one mile limitation set forth in subsection "a" above for the first forty percent (40%) of TDRs used (1 DU/A) but shall not be subject to the one mile limitation set forth above and may utilize for up to sixty percent (60%) of TDRs (1.5 DU/A) used, which may be derived from any more-distant lands designated Sending within the Rural Fringe Mixed Use District to achieve up to the maximum allowable density. The Property is further described as follows:

That portion of the San Marino Planned Unit Development described in Ordinance No. 2000-10 excepting the ±39 acres located in the South ½ of the Southwest ¼ of the Northwest ¼ of Section 11, Township 50 South, Range 26 East, and in the Northwest ¼ of the Southwest ¼ of Section 11, Township 50 South, Range 26 East.

b. In the case of properties specifically identified below, a density bonus of up to 6.0 additional units per gross acre may be requested for projects providing affordable-workforce housing (home ownership only) for low and moderate income residents of Collier County, pursuant to Section 2.06.00 of the Land Development Code, or its successor ordinance, except as provided for below:

*[Indenting Only Difference Below]*

Properties eligible for the Affordable-workforce Housing Density Bonus (home ownership only) will be specifically identified herein. The actual number of bonus units per gross acre shall be reviewed and approved in accordance with the conditions and procedures set forth in Section 2.06.00 of the Land Development Code, except that, Section 2.06.03 shall not apply, and the number of dwelling units required to be sold to buyers earning 80% or less of Collier County's median income, as calculated annually by the Department of Housing and Urban Development (HUD), shall be at least thirty percent (30%).

The following properties are eligible for an Affordable-workforce Housing Density Bonus (home ownership only) of up to 6.0 additional dwelling units per acre.

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THE NORTH ½ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ AND THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼, LESS THE NORTH THIRTY FEET FOR ROAD RIGHT OF WAY PURPOSES ONLY OF SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA LESS THE WEST 100 FEET THEREOF, AND;



THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼, LESS THE NORTH 30 FEET THEREOF FOR ROAD RIGHT OF WAY, SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, AND;

THE SOUTH ½ OF THE NORTH ½ OF THE WEST ½ OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ AND THE SOUTH ½ OF THE WEST ½ OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼, SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY, FLORIDA SUBJECT TO AN EASEMENT OVER AND ACROSS THE WEST 36 FEET THEREOF, AND;

AN EASEMENT 36 FEET IN WIDTH OVER AND ACROSS THE EAST 36 FEET OF THE NORTH ½ OF THE NORTH ½ OF THE WEST ½ OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼, SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY, FLORIDA, AND TOGETHER WITH;

A STRIP OF LAND DESIGNATED AS RIGHT OF WAY OVER AND ACROSS THE NORTH 50 FEET OF THE SOUTH ½ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼, SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY FLORIDA, AND;

THE NORTH ½ OF THE NORTH ½ OF THE WEST ½ OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼, SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY, FLORIDA, AND;

THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼, SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY, FLORIDA, AND;

THE EAST ½ OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SOUTHWEST ¼ LESS THE NORTH 30 FEET FOR RIGHT OF WAY OF SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY, FLORIDA, AND;

THE NORTH ½ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼, LESS THE WEST 100 FEET OF SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY, FLORIDA, AND; THE EAST ½ OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼, LESS THE NORTH 328.19 FEET OF SECTION 23, TOWNSHIP 50 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY FLORIDA, CONTAINING 55 ACRES, MORE OR LESS.

**B. DENSITY RATING SYSTEM:**

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**2. Density Bonuses**

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f. Transfer of Development Rights Bonus

\*\*\*\* \*\*\*\* \*\*\*\* \*\*\*\* \*\*\*\* \*\*\*\* \*\*\*\* \*\*\*\* \*\*\*\* \*\*\*\* \*\*\*\* \*\*\*\*

- (c) From Sending Lands located within one mile of the Urban Boundary into lands designated Urban Residential Fringe, at a maximum density increase of one unit per gross acre, except for properties that straddle the Urban Residential Fringe and the Rural Fringe Mixed Use Sending Lands designations, and meet the other Density Blending criteria provided for in subsection 5.2 of the Density Rating System, which may transfer TDRs from Sending Lands located within one mile of the Urban Boundary into lands designated Urban Residential Fringe, at a maximum density increase of 1.3 units per gross acre. The Urban Residential Fringe portion of the Naples Reserve Residential Planned Unit Development located in Section 1, Township 51 South, Range 26 East shall not be subject to

the one mile limitation set forth above and may utilize TDRs from any lands designated Sending within the Rural Fringe Mixed Use District, and the undeveloped portion of the San Marino Planned Unit Development located in Section 11, Township 50 South, Range 26 East shall not be subject to the one mile limitation set forth above and may utilize up to sixty percent (60%) of TDRs from any more-distant lands designated Sending within the Rural Fringe Mixed Use District, to achieve up to the maximum allowable density increase.

*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]*

**PREPARED BY:**

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

DATE: 20 Oct 14

**REVIEWED BY:**

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

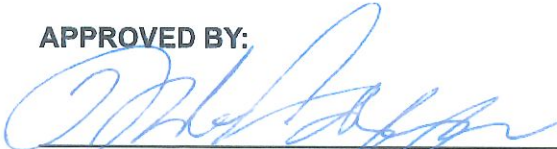
DATE: 10-20-14

**REVIEWED BY:**

  
MIKE BOSI, AICP, DIRECTOR, PLANNING AND ZONING DEPARTMENT

DATE: 10-20-14

**APPROVED BY:**

  
NICK CASALANGUIDA, ADMINISTRATOR  
GROWTH MANAGEMENT DIVISION

DATE: 10-20-14

PETITION No.: CP-2014-2 / PL-20140000113  
Staff Report for the November 6, 2014, CCPC Meeting.

NOTE: This petition has been scheduled for the December 9, 2014, BCC Meeting.