

## **2.32 Urban Development Pattern – Traffic Congestion Boundary**

### **A. Introduction & Background:**

In accordance with the Letter of Understanding between Collier County and the Florida Department of Community Affairs (DCA), the Evaluation & Appraisal Report is required to evaluate whether the Density Rating System (DRS), which guides residential density within the Greater Naples Urban Area, and its use of the traffic congestion boundary, which lowers the allocated density for developments located west of the boundary, have been effective in achieving plan objectives related to hurricane evacuation and urban infill.

The County's Density Rating System is contained within the Future Land Use Element (FLUE), the Golden Gate Area Master Plan and the Immokalee Area Master Plan. However, only the FLUE contains Density Reduction Factors, such as the Traffic Congestion Area Boundary. The purpose of the Density Rating System is to provide a methodology for allocating residential density (i.e., residential units per gross acre) through the development review process.

The Traffic Congestion Area Boundary Density Reduction Factor was intended as a means of reducing long-range traffic impacts of new development within the coastal urban area. This Density Reduction Factor was not intended to relate to hurricane evacuation (at least, not directly). Additionally, it would not provide any incentive for urban infill development. The text of the Reduction Factor is contained in part B., of this section of the Evaluation & Appraisal Report.

### **B. Identification of Specific Goals, Objectives & Policies:**

Reference to the Traffic Congestion Area Boundary Density Reduction Factor is contained solely in the FLUE. The relevant policies and Future Land Use Designations are as follows:

#### **Policy 1.5:**

Overlays and Special Features shall include:

- A. Area of Critical State Concern Overlay
- B. North Belle Meade Overlay
- C. Natural Resource Protection Area Overlays
- D. Rural Lands Stewardship Area Overlay
- E. Airport Noise Area Overlay
- F. Bayshore/Gateway Triangle Redevelopment Overlay
- G. Coastal High Hazard Area Boundary
- H. Traffic Congestion Area Boundary
- I. Incorporated Areas.

**Policy 2.4:**

Pursuant to Rule 9J-5.0055(6)(a) 3., Florida Administrative Code and the Urban Infill and Urban Redevelopment Strategy contained in this Element, development located within the South U.S. 41 Transportation Concurrency Exception Area (TCEA) (See Map 2.32-1) may be exempt from transportation concurrency requirements, so long as impacts to the transportation system are mitigated using the procedures set forth in Policies 5.5 and 5.6 of the Transportation Element.

Developments within the South U.S. 41 TCEA that obtain an exception from concurrency requirements for transportation, pursuant to the certification process described in Transportation Element, Policy 5.6, and that include affordable housing (as per Section 2.7.7 of the Collier County Land Development Code, as amended) as part of their plan of development shall not be subject to the Traffic Congestion Density Reduction as contained in the Density Rating System of this Element.

Developments within the Northwest and East-Central TCMA that meet the requirements of FLUE Policies 6.1 through 6.5, and Transportation Policies 5.7 and 5.8, and that include affordable housing (as per Section 2.7.7 of the Collier County Land Development Code, as amended) as part of their plan of development shall not be subject to the Traffic Congestion Density Reduction, as contained in the Density Rating System of this Element.

Developments within the South U.S. 41 TCEA that do not obtain certification pursuant to Policy 5.6 of the Transportation Element shall meet all concurrency requirements. Whether or not a concurrency exception is requested, developments shall be subject to a concurrency review for the purpose of reserving capacity for those trips associated with the development and maintaining accurate counts of the remaining capacity on the roadway network.

**Future Land Use Designation Section of FLUE:**

**Density Rating System:**

**a. Density Bonuses:**

**2. Proximity to Mixed Use Activity Center or Interchange Activity Center:**

Currently in the FLUE, if the project is within one mile of a Mixed Use Activity Center or Interchange Activity Center and located within a residential density band, 3 residential units per gross acre may be added. The density band around a Mixed Use Activity Center or Interchange Activity Center shall be measured by the radial distance from the center of the intersection around which the Mixed Use Activity Center or Interchange Activity Center is situated. If 50% or more of a project is within the density band, the additional density applies to the gross acreage of the entire project. Density bands are designated on

the Future Land Use Map and shall not apply within the Estates Designation or for properties within the Traffic Congestion Area.

**5. Roadway Access:**

Currently in the FLUE, if the project has direct access to 2 or more arterial or collector roads as identified in the Traffic Circulation Element, 1 residential dwelling unit per gross acre may be added. Density credits based on future roadways will be awarded if the developer commits to construct a portion of the roadway (as determined by the County Transportation Department) or the road is scheduled for completion during the first five years of the Capital Improvements Plan. The Roadway Access bonus is not applicable to properties located within the Traffic Congestion Area.

**b. Density Reduction:**

**1. Traffic Congestion Area:**

Currently in the FLUE, if the project is within the Traffic Congestion Area, an area identified as subject to long range traffic congestion, 1 dwelling unit per gross acre would be subtracted. The Traffic Congestion Boundary is shown on the Future Land Use Map and consists of the western coastal Urban Designated Area seaward of a boundary marked by Airport-Pulling Road (including an extension north to the Lee County boundary), Davis Boulevard, County Barn Road, and Rattlesnake Hammock Road consistent with the Mixed Use Activity Center's residential density band located at the southwest quadrant of the intersection of Rattlesnake Hammock Road and County Road 951 (including an extension to the east). Properties adjacent to the Traffic Congestion Area shall be considered part of the Traffic Congestion Area if their only access is to a road forming the boundary of the Area; however, if that property also has an access point to a road not forming the boundary of the Traffic Congestion Area it will not be subject to the density reduction. Furthermore, the density reduction shall not apply to developments located within the South U.S. TCEA (as identified within Transportation Element, Map TR-4, and Transportation Element, Policies 5.5 and 5.6, and FLUE Policy 2.4) that obtain an exception from concurrency requirements for transportation, pursuant to the certification process described in Transportation Element Policy 5.6, and that include affordable housing (as per Section 2.7.7 of the Collier County Land Development Code, as amended) as part of the plan of development. This reduction shall likewise not be applied to developments within the Northwest and East-Central TCMA's that meet the requirements of FLUE Policies 6.1 through 6.5, and Transportation Element, Policies 5.7 and 5.8, and that include Affordable Housing (as per Section 2.7.7 of the Collier County Land Development Code, as amended) as part of the plan of development.

**C. Data Assessment:**

As part of the analysis of this issue, Collier County examined both Planned Unit Development and traditional ("straight") rezones, with residential components, that had occurred within the Traffic Congestion Area since 1997. In total, staff analyzed thirty-two (32) approved PUDs (with residential components) that occurred in the Traffic Congestion Area. The results are summarized in Table 2.32-1, below.

**TABLE 2.32-1  
APPROVED RESIDENTIAL COMPONENT PUDs  
IN TRAFFIC CONGESTION AREA  
1997 – 2003**

<b>PUD NAME</b>	<b>DATE APPROVED</b>	<b>TOTAL ACREAGE+</b>	<b>TOTAL UNITS APPROVED*</b>	<b>GROSS DENSITY#</b>
PELICAN LAKE	11/18/1997	101.00	400	4.00
THE RETREAT	11/18/1997	209.00	740	4.00
NORTH NAPLES RESEARCH & TECHNOLOGY PARK	4/14/1998	19.00	88	5.00
WINDSONG	9/8/1998	38.00	145	4.00
WENTWORTH ESTATES	10/13/1998	1,559.00	599	1.00
GLEN EDEN ON THE BAY	1/26/1999	41.00	94	2.00
VINCENTIAN	5/25/1999	31.00	30	1.00
NAPLES RESERVE GOLF CLUB, INC.	6/8/1999	688.00	552	2.00
WILDERNESS COUNTRY CLUB	10/26/1999	219.00	302	1.00
VICTORIA FALLS	11/23/1999	25.00	115	5.00
WINDING CYPRESS DRI	12/14/1999	1,928.00	2,892	2.00
VILLAGE PLACE	1/11/2000	73.00	290	4.00
NORTH PORT BAY	1/25/2000	50.00	248	5.00
CHAMPION LAKES RV RESORT	4/11/2000	101.00	300	3.00
CHARLEE ESTATES	5/23/2000	20.00	100	5.00
LOCH RIDGE	5/23/2000	13.00	64	6.00
GREY OAKS DRI**	6/27/2000	1,601.00	1,136	1.00
THE DUNES	11/14/2000	89.00	640	3.00
BAILEY LANE**	11/28/2000	25.00	75	3.00
MARCO SHORES/FIDDLER'S CREEK**	12/12/2000	4,439.00	9,230	2.00
COCOCHATCHEE BAY	12/12/2000	532.00	590	1.00
CASTLEWOOD AT IMPERIAL LAKES	3/27/2001	21.00	34	1.00

**TABLE 2.32-1 (CON.)  
APPROVED RESIDENTIAL COMPONENT PUDs  
IN TRAFFIC CONGESTION AREA  
1997 – 2003**

<b>PUD NAME</b>	<b>DATE APPROVED</b>	<b>TOTAL ACREAGE</b>	<b>TOTAL UNITS APPROVED*</b>	<b>GROSS DENSITY#</b>
CALUSA ISLAND VILLAGE	6/12/2001	7.00	47	8.00
LELY BAREFOOT BEACH**	6/26/2001	333.00	750	2.00
MEDITERRA	11/13/2001	954.00	750	1.00
SALVATION ARMY	11/27/2001	7.00	20	3.00
FALLING WATERS BEACH RESORT	11/27/2001	77.00	451	6.00
WALNUT LAKES	11/27/2001	204.00	612	3.00
SANDPIPER VILLAGE	1/8/2002	13.00	170	12.00
MOORINGS PARK ESTATES	3/12/2002	83.00	414	5.00
HENDERSON CREEK PUD	3/26/2002	49.00	224	8.00
PELICAN MARSH DRI**	12/17/2002	2,073.00	4,800	2.00
<b>TOTALS</b>		15,622.00	26,902	4.18

Legend for Table 2.32-1:

+ - Approximate Acreage.

\* - This is the approved number of units, of all types, within the residential portion of the project.

# - The gross density has been rounded to the nearest whole number.

\*\* - These projects were modifications of previously approved developments.

Clearly, Table 2.32-1 demonstrates that the Traffic Congestion Area Density Reduction Factor has not been a significant impediment to residential development in the subject area. There are two primary reasons why the Traffic Congestion Area Density Reduction Factor has not been as successful as originally intended.

1. The reduction factor, as used within the County's development review process, subtracts one (1) unit of density from any residential project proposed within the subject area. However, the Future Land Use Element also contains Density Bonus Provisions. Developers by wise use of these Density Bonus Provisions, have been able to counteract the loss of density caused by the Traffic Congestion Area Reduction Factor. For instance, use of the Bonus Provision for conversion of commercial zoning to residential zoning can allow a project to be eligible for the County's maximum allowable density (16 units per acre).
2. Historically, the majority of projects do not develop to their maximum approved density at any rate. Thus, as regards the actual completion of an approved development, the density reduction factor may have little or no impact.

**D. Objective Achievement Analysis:**

**FLUE Policy 1.5:**

Policy 1.5 simply lists the FLUE's various Future Land Use Overlays and Special Features. There is no stated requirement or achievement with regard to this Policy.

**FLUE Policy 2.4:**

This policy was adopted during 2003 as part of the County's Checkbook Transportation Concurrency Management System. The policy contains two provisions relative to the Traffic Congestion Area Reduction Factor.

1. Developments within the South U.S. 41 Traffic Concurrency Exception Area (TCEA) that obtain an exception from concurrency requirements for transportation, pursuant to the certification process described in Transportation Element, Policy 5.6, and that include affordable housing as part of their plan of development are not subject to the Traffic Congestion Density Reduction as contained in the Density Rating System of the Future Land Use Element.
2. Developments within the Northwest and East-Central Traffic Concurrency Management Areas (TCMAs) that meet the requirements of FLUE Policies 6.1 through 6.5, and Transportation Policies 5.7 and 5.8, and that include affordable housing as part of their plan of development are not subject to the Traffic Congestion Density Reduction, as contained in the Density Rating System of the Future Land Use Element.

The purpose of the above provisions was to provide an incentive for the creation of affordable housing within the TCMAs and TCEA.

**FLUE Density Bonus 2: Proximity to Mixed Use Activity Center or Interchange Activity Center:**

This provision allows additional residential density within, and within the immediate vicinity of Mixed-Use Activity Centers and Interchange Activity Centers. However, the provision does not apply to development within the Traffic Congestion Area Boundary.

**FLUE Density Bonus 5: Roadway Access:**

This provision allows projects having direct access to 2 or more arterial or collector roads to receive additional residential density. However, the provision does not apply to development within the Traffic Congestion Area Boundary.

**FLUE Density Reduction 1: Traffic Congestion Area:**

This provision describes the density reduction factor for the Traffic Congestion Area. The reduction factor comes into play during Comprehensive Planning staff's review of rezone applications for consistency with the Collier County Growth Management Plan. In order to arrive at a recommended number of units and recommended density for a proposed development, staff uses the following equation:

Base Density (generally 4 units/acre, but can vary) minus Traffic Congestion Area Reduction Factor (-1 unit/acre) + any applicable density bonuses = the Total Eligible Density. Note, however, that the maximum allowable density within the County's Urban Designated Area is 16 units per acre. Final determination of a proposed project's density (assuming the project is approved) is the prerogative of the Board of County Commissioners.

**E. Conclusion:**

The sole purpose of Collier County's Density Rating System is to provide a methodology for allocating residential density (i.e., residential units per gross acre) through the development review process. As part of the Density Rating System, the Traffic Congestion Area Boundary Density Reduction Factor was intended as a means of reducing long-range traffic impacts of new development within the coastal urban area. This Density Reduction Factor was not intended to relate to hurricane evacuation (at least, not directly). Additionally, it does not provide any incentive for urban infill development. In fact, it could be regarded as a disincentive to urban infill.

However, even in regard to its intended purpose, the Traffic Congestion Area Boundary Reduction Factor has not been effective. Therefore, as noted in EAR Section 1.5.H, the Collier County Density Rating System is recommended for major revisions, including consideration of the elimination of the Traffic Congestion Boundary Density Reduction Factor.

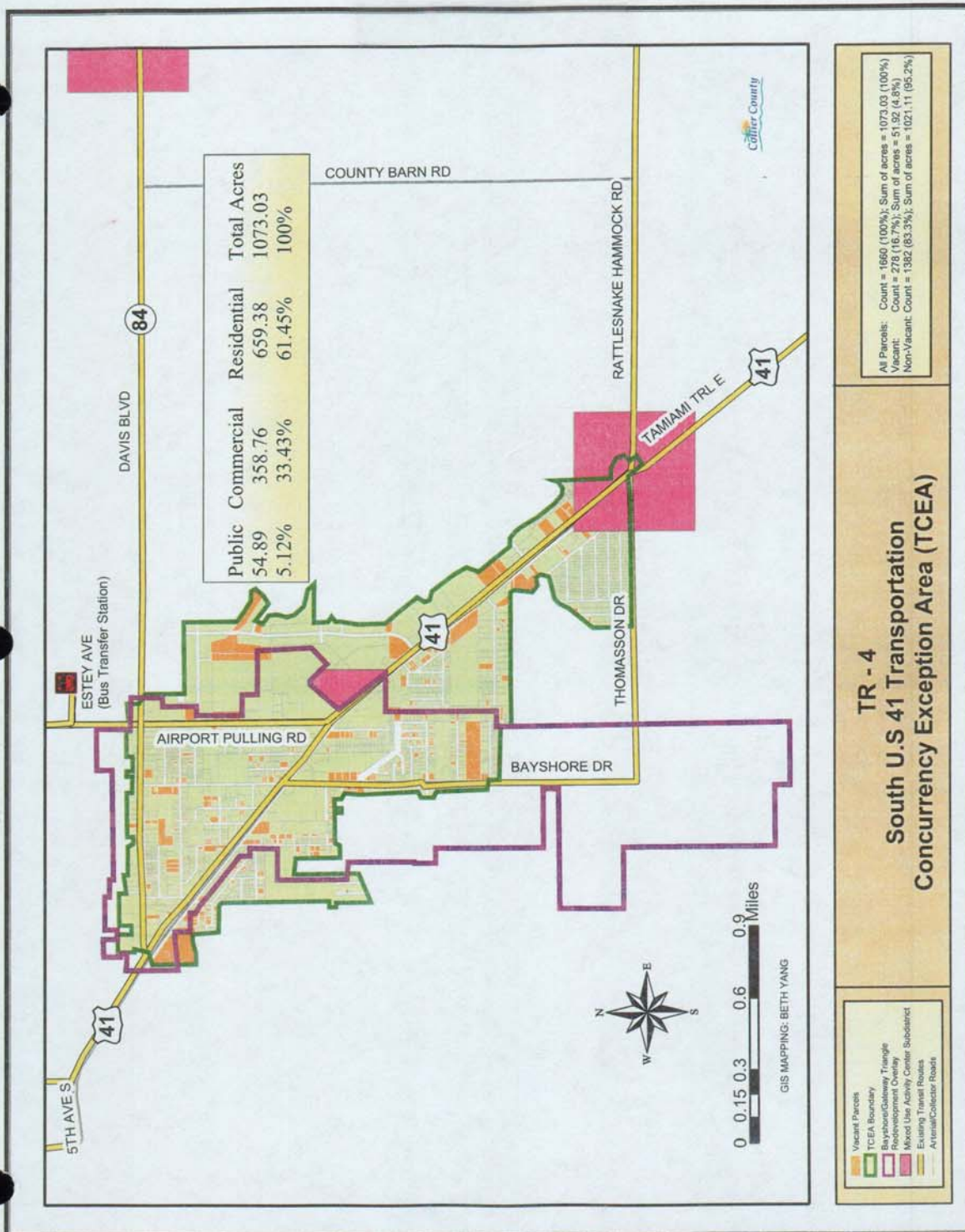
**F. Recommendation:**

As part of the EAR-based amendments, this reduction factor will be deleted and replaced with a modified Density Rating System applicable to the Coastal High Hazard Area. There is one primary reason for this recommendation:

1. A Coastal High Hazard Area Density cap would be more closely related to reduction of hurricane evacuation impacts.



Map 2.32-1



All Parcels: Count = 1660 (100%); Sum of acres = 1073.03 (100%)  
 Vacant: Count = 278 (16.7%); Sum of acres = 51.92 (4.8%)  
 Non-Vacant: Count = 1382 (83.3%); Sum of acres = 1021.11 (95.2%)

**TR - 4**  
**South U.S. 41 Transportation**  
**Concurrency Exception Area (TCEA)**

- Vacant Parcels
- TCEA Boundary
- Bayshore/Gateway Triangle
- Redevelopment Overlay
- Mixed Use Activity Center Subdistrict
- Existing Transit Routes
- Arterial/Collector Roads