

2.23 Hurricane Evacuation – Limiting Public Expenditures that Subsidize Development in the Coastal High Hazard Areas (CHHA)

A. Introduction and Background

In an effort to dissuade development within the CHHA, Collier County has made a concerted effort over the past seven years that the Capital Improvement Element and the Future Land Use Element work together to the degree that public expenditures in the CHHA shall be limited to those public facilities needed to support new development to the extent permitted, by right, in the Future Land Use Element. In addition, public expenditures shall include the following categories:

- A. Maintenance of existing public facilities;
- B. Beach, shore and waterway access;
- C. Beach renourishment

B. Identification of specific Objective 5 from the Future Land Use Element (FLUE) and the Capital Improvement Element

Objective	Target	Conditions when Plan was adopted	Current Conditions	Comments
<p><i>Future Land Use Element, OBJECTIVE 5:</i></p> <p>In order to promote sound planning, protect environmentally sensitive lands and habitat for listed species while protecting private property rights, ensure compatibility of land uses and further the implementation of the Future Land Use Element, the following general land use policies shall be implemented upon the adoption of the Growth Management Plan.</p>	<p>To discourage unsound development in areas that are environmentally sensitive, areas within FEMA's 100-year flood zone and prone to hurricane-induced flooding.</p>	<p>All rezonings shall be consistent with the County's Growth Management Plan (GMP) and those properties that are non-vested, undeveloped shall be rezoned in accordance to the implementing policies.</p>	<p>Due to the legal and political constraints, this objective has been partially implemented.</p>	<p>This is a good implementation strategy, which should remain in the revised Comp. Plan.</p> <p>Due to the partial effectiveness of the Density Rating System, the County is modifying the base density and the "affordable housing" bonus which will be allowable within in the CHHA</p>

Objective	Target	Conditions when Plan was adopted	Current Conditions	Comments
<p><i>Capital Improvement Element (CIE), OBJECTIVE 1.3:</i></p> <p>Effective with plan implementation public expenditures in the coastal high hazard area shall be limited to those facilities needed to support new development to the extent permitted in the Future Land Use Element. In addition, public expenditures shall include the following categories: A. Maintenance of existing public facilities; B. Beach, shore and waterway access; C. Beach renourishment.</p>	<p>Limit public expenditures to only support new development to the extent permitted by the FLUE, Objective 5.</p>	<p>Prior to the adoption of this objective, the County had no formal statement on limiting public expenditures as a priority.</p>	<p>Due to budgetary constraints, limiting “secondary, non-supportive” public expenditures within the CHHA has been a top priority</p>	<p>This is a good implementation strategy, which should remain in the revised Comp. Plan.</p>

Objective	Target	Conditions when Plan was adopted	Current Conditions	Comments
<p><i>Conservation and Coastal Conservation Element, Objective 12.2:</i></p> <p>The County shall ensure that building and development activities are carried out in a manner, which minimizes the danger to life and property from hurricanes. The public shall limit its expenditures involving beach and dune restoration and renourishment, road repair, publicly owned seawalls, docking and parking area. All future unimproved requests for development in the coastal high hazard areas will be denied.</p>	<p>Limit public expenditures in the CHHA to avoid promoting population growth and to limit loss of life and public/private property.</p>	<p>Prior to the adoption of this objective, Collier County had no formal statement of its stance on such expenditures.</p>	<p>This objective is being implemented.</p>	<ul style="list-style-type: none"> • This is a good objective, which should remain in the revised Comp. Plan. • There should be a monitoring system that will track any public works expenditures within the CHHA. • This objective, however, overlooks public expenditure for location –restricted amenities, such as boat ramps or park, which cannot be located elsewhere. Furthermore, there are no alternatives for meeting the public access to coastal waters in the Recreation and Open Space Element. This objective should be revised.

C. Data and Analysis

The County based its analysis on the assumption that all past public expenditures within the Urban Future Land Use Designation, Urban Residential Subdistrict that is within the CHHA had already occurred before the last comp plan update in 1997 to service all existing residential development by right. Therefore, the County has focused on a particular residentially designated zoning, Planned Unit Development that is both within the CHHA and overlaps the following Future Urban Land Use Designations, please refer to Map 2.23-1:

Urban Designation

- Mixed Use Districts:
 - Henderson Creek Mixed Use Subdistrict
 - Urban Coastal Fringe Subdistrict*
 - Urban Residential Fringe Subdistrict
- Commercial District:
 - Mixed Use Activity Center Subdistrict
- Overlays and Special Features
 - Bayshore/Gateway Triangle Redevelopment Overlay

In order to prove that public expenditures within the CHHA are limited to those facilities needed to support new development to the extent permitted in the FLUE, the County will analyze the type of residential (PUD) development patterns that has occurred within the CHHA from 12/10/1996 to 7/29/2003.

Community Development Districts

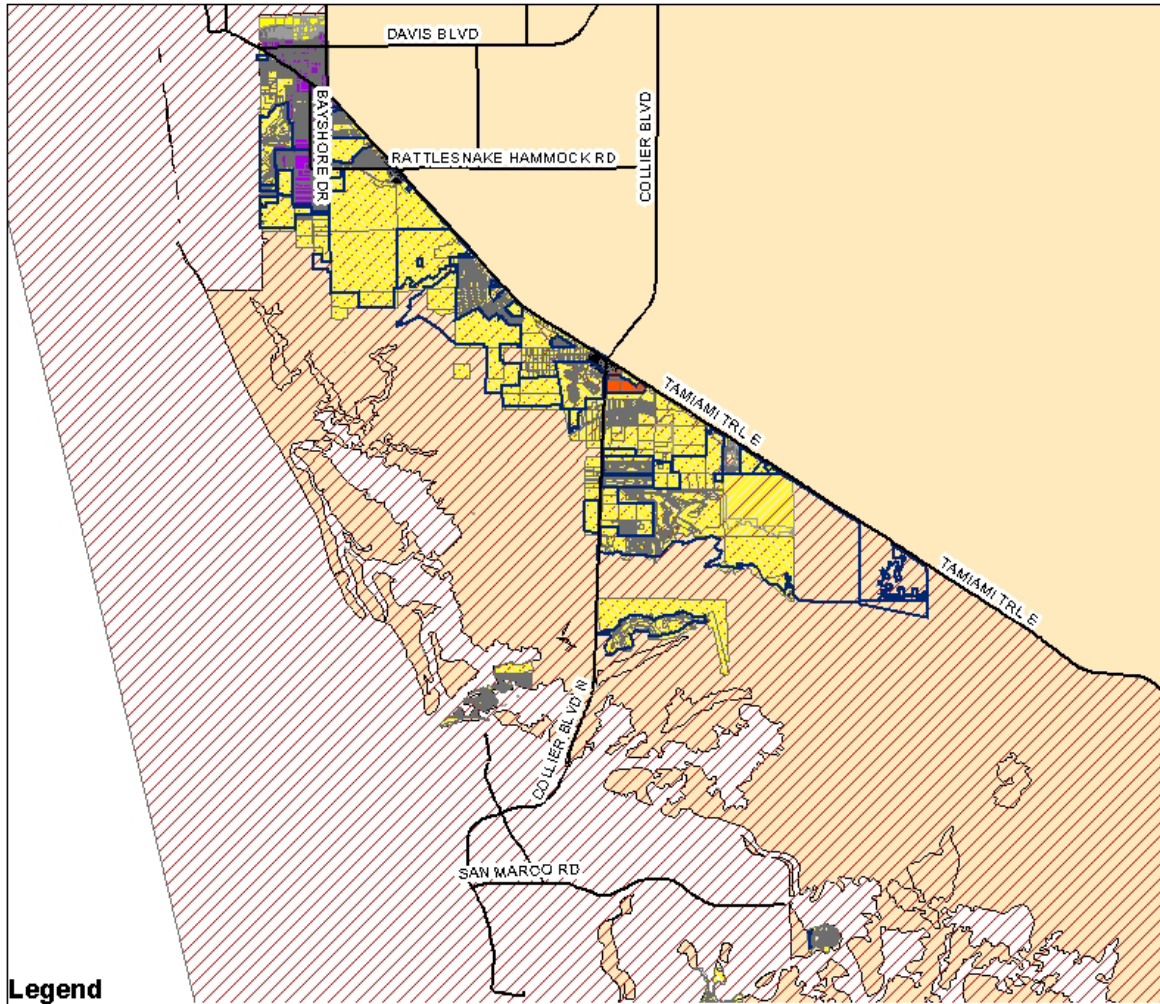
One of the notable discoveries was the type of residential development activity that has occurred within the CHHA. The County especially took note of the sharp contrast of the Marco Shores/Fiddler's Creek Community Development District (CDD) versus all of the other PUDs, which are non-CDDs.

To briefly state how a CDD is defined under Section 190.005 (2), Florida Statutes, the Community Development District (CDD) is the best alternative available for delivering community development services and facilities to the area that will be served internally by the CDD. The community development services and facilities of the CDD will not be incompatible with the capacity and uses of existing local and regional community development services and facilities. The area that will be served by the district is amenable to separate special district government.

By referring to Table 2.23-1, it's clear that the Marco Shores/Fiddler's Creek CDD has seen the lion's share of development over the past seven years.

Map 2.23-1

Collier County: Limiting Public Expenditures within the CHHA



Legend

- Major Roads
- 0 1 2 4 6 8 Miles
- Collier County - unincorporated

DESCRIPTION

- Bayshore/Gateway Triangle Redevelopment
- Henderson Creek Mixed Use Subdistrict
- Mixed Use Activity Center Subdistrict
- Urban Coastal Fringe Subdistrict
- Urban Residential Fringe Subdistrict
- Urban Residential Subdistrict
- Planned Urban Developments
- ▨ CHHA

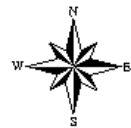


Table 2.23-1 Public Expenditures - PUD Activity Within the CHHA

NAME	PETITION	ORD_NUM	DATE_APPD	TOT_SIZE_A	COM_DEV	SQ_RES	SF_DEV	RES_MF_DEV	TOT_RES	GROSS_DENS
EAGLE CREEK	PUD-85-8 (5)	96-79	12/10/1996	298	0	131	283	470	1.6	
PELICAN LAKE	PUD-92-6 (1)	97-70	11/18/1997	101	0	0	0	400	4.0	
WENTWORTH ESTATES	PUD-98-03	98-85	10/13/1998	1,559	0	0	0	599	0.5	
BOYNE SOUTH	PUD 98-19	99-25	4/13/1999	242	0	5	0	154	1.2	
VINCENTIAN	R-84-11	99-37	5/25/1999	31	0	0	0	30	1.0	
HAMILTON HARBOR	PUD-99-17	99-68	9/28/1999	124	0	0	0	0	0.0	
WILDERNESS C.C.	R-73-24	99-74	10/26/1999	219	0	2	300	302	1.5	
VICTORIA FALLS	R-80-10	99-83	11/23/1999	25	0	0	0	115	4.5	
CHAMPION LAKES RV RESORT	PUD-99-29	00-21	4/11/2000	101	0	0	0	300	3.0	
CHARLEE ESTATES	PUD-91-5 (1)	00-35	5/23/2000	20	0	0	0	100	5.0	
MARCO SHORES / FIDDLER'S CREEK	PUD-84-7 (6)	00-84	12/12/2000	4,439	14,000	349	619	9,230	2.1	
CALUSA ASLAND VILLAGE	PUD-2001-	01-30	6/12/2001	7	0	0	0	47	7.7	
SANDPIPER VILLAGE	PUD-00-19	02-02	1/8/2002	13	0	0	0	170	12.0	
HENDERSON CREEK PUD	PUD-2001-	02-15	3/26/2002	49	0	0	0	224	8.0	
ASGM BUSINESS CENTER OF NAPLES	PUD-2001-	02-47	10/8/2002	41	0	0	0	0	0.0	
NAPLES BOTANICAL GARDENS	PUD-2002-	03-29	6/24/2003	171	0	0	0	0	0.0	
BOTANICAL PLACE	PUD-2003-	03-38	7/29/2003	20	0	0	0	218	11.0	
				7,460		487	1,202	12,359	62.9	
				60%	100%	72%	52%	75%	3.5	

Additional observations from Table 2.23-1 are as follows:

- 72% of single-family residential development over the past seven years has been done by Marco Shores/Fiddler's Creek CDD
- 52% of multi-family residential development over the past seven years has been done by Marco Shores/Fiddler's Creek CDD
- 75% of all residential development over the past seven years has been done by Marco Shores/Fiddler's Creek CDD
- The average gross density of all approved residential development in PUDs over the past seven years was 3.5 dwelling units per acre. This density is below the standard base density for all urban designated lands which is 4 dwelling units per acre.

D. Conclusion

Collier County has in place very strict criteria and conditions outlined in the FLUE that restricts its expenditures only on facilities needed to support new development, along with including maintenance of existing public facilities, beach, shore, waterway access, and beach renourishment.

The residential development pattern over the past seven years for all of the remaining residential development has mostly been located in planned unit developments (PUDs). This has transpired within the Urban-Agricultural/Rural Land Use Designations. As a result of the success associated with the strict criteria and conditions in the FLUE, no changes are recommended to existing objectives and policies in the GMP.