



Growth Management Department
Zoning Division
Comprehensive Planning Section

MEMORANDUM

To: Eric Johnson, AICP, CFM, Principal Planner, Zoning Services

From: Sue Faulkner, Principal Planner, Comprehensive Planning

Date: January 30, 2018

Subject: Future Land Use Element (FLUE) Consistency Review

PETITION NUMBER: PUDA-PL201700001345 - REV:5

PETITION NAME: Marco Shores Golf Course Community Planned Unit Development (PUD) Amendment

REQUEST: To amend the Marco Shores Golf Course Community Planned Unit Development (Marco Shores PUD), originally approved via Ordinance #81-6 and most recently amended via Ordinance #16-37, to add a new Section IV Multi-Family, 4.07 Regulations for the newly proposed Residential Parcel Two A. Residential Parcel Two A is proposed to have all the same uses as the previously approved Section IV Multi-Family, but also add an additional use for an Assisted Living Facility, however, the proposed language states, “residential and group housing may not be jointly developed on Parcel Two A.” The amendment is also proposing a new PUD text section (7.07 PUD Monitoring) that would regulate the entire PUD to ensure that should the managing entity wish to transfer the monitoring and commitments to a successor entity, a legally binding document must be submitted to the County Attorney for legal sufficiency approval. This petition proposed a new PUD text section (7.08 Miscellaneous) to address permitting issuance. Submittal 3 included a revised statement of utility provisions and a withdrawal of a request for a deviation. Submittal 4 revised the Statement of Utility Provisions and revised the PUD document to indicate the maximum of 240 units/beds. Submittal 5 has revised the PUD document to add a one-time hurricane mitigation commitment for 50 cots.

LOCATION: The ±314.7-acre subject property, Marco Shores Golf Course Community PUD, is located approximately 4 miles south of Tamiami Trail East (US 41) and on the east side of Collier Blvd. (SR 951) at the Mainsail Drive, in Sections 26, 27, and 28, Township 51 South, Range 26 East.

COMPREHENSIVE PLANNING COMMENTS: The subject PUD is designated Urban, Urban Mixed-Use District, Urban Coastal Fringe Subdistrict and within the Coastal High Hazard Area (CHHA) as depicted on the Future Land Use Map and in the Future Land Use Element of the Growth Management Plan.

The Urban Mixed-Use District is intended to accommodate a variety of residential and non-residential uses, including Planned Unit Developments. “Group housing uses”, which include Assisted Living Facilities, are allowed in the Urban designation. FLUE Policy 5.10 states, “Group Housing, which may include the following: Family Care Facility, Group Care Facility, Care Units, Assisted Living Facility, and Nursing

Home, shall be allowed within the Urban designated area, and may be allowed in other future land use designations, subject to the definitions and regulations as outlined in the Collier County Land Development Code (Ordinance 04-41, adopted June 22, 2004 and effective October 18, 2004) and consistent with the locational requirements in Florida Statutes (Chapter 419.001 F.S.). Family Care Facilities, which are residential facilities occupied by not more than six (6) persons, shall be permitted in residential areas.” The project site is located within an Urban designated area, and therefore, group housing is allowed.

The Growth Management Plan’s Conservation and Coastal Management Element Policy 12.1.14 requires, “All new nursing homes and assisted living facilities that are licensed shall have a core area to shelter residents and staff on site. The core area will be constructed to meet the Public Shelter Design Criteria that are required for new public schools and public community colleges and universities (“State Requirements for Educational Facilities,” (2014). Additionally, this area shall be capable of ventilation or air conditioning provided by back-up generator for a period of no less than seventy-two (72) hours.” This requirement should be addressed in the design at the time of the site development application.

The purpose of the Urban Coastal Fringe Subdistrict is to provide transitional densities between the Conservation designated area (primarily located to the south of the Subdistrict) and the remainder of the Urban designated area (primarily located to the north of the Subdistrict). The Marco Shores PUD is partially built-out.

Relevant to this petition, the subject PUD is a portion of the lands addressed by the Deltona Settlement Agreement (Unit 27). In this agreement, the developer was allotted certain developable tracts while other acreage was placed into State ownership.

According to Ordinance #81-6 (which was the original Ordinance for Marco Shores PUD), “The project is vested under the provisions of Chapter 380, Florida Statutes. The determination of vesting provided for in Chapter 380.06 (4)(a) has been completed. The project is vested for 1980 residential units.” 321 acres were approved for development via Ordinance #81-6, which is a density of approximately 6.17 dwelling units per acre (DU/A) ($1980 \text{ DUs} / 321 \text{ acres} = 6.17 \text{ DU/A}$)

The vested 1980 residential units was amended via Ordinance #94-41 Section 2.05 Project Density stating, “The maximum number of dwelling units to be built on the total acreage is 1580.”

Ordinance #16-37 reduced the total number of gross acres from ± 321 to ± 314.7 acres and kept the maximum number of dwelling units at 1580. Ordinance #16-37 Section 2.05 Project Density states, “The number of dwelling units per gross acres is approximately 5.0.” ($1580 \text{ DUs} / 314.7 \text{ Acres} = 5.02 \text{ DU/A}$).

Although the PUD is only eligible for 3 DU/A (base of 4 DU/A less 1 DU/A for lying within the CHHA = 3 DU/A) according to the FLUE Density Rating System, the PUD is currently approved for 1580 DUs, or 5.02 DU/A. Since this PUDA does not increase or decrease the number of total acres or the number of requested dwelling units, no change is proposed to the Marco Shores PUD density.

Relevant FLUE Objectives and policies are stated below (*in italics*); each policy is followed by staff analysis [**in bold**].

FLUE Policy 5.4:

New developments shall be compatible with, and complementary to, the surrounding land uses, as set forth in the Land Development Code (Ordinance 04-41, adopted June 22, 2004 and effective October 18, 2004, as amended). [**Comprehensive Planning staff leaves this determination to Zoning staff as part of their review of the petition in its entirety to perform the compatibility analysis.**]

FLUE Policy 7.1: *The County shall encourage developers and property owners to connect their properties to fronting collector and arterial roads, except where no such connection can be made without violating intersection spacing requirements of the Land Development Code. [Marco Shores Golf Course Community PUD fronts Collier Blvd. (SR 951), an arterial road and the proposed Master Plan Exhibit ‘E’ depicts existing Mainsail Drive running along the northern portion of the subject property from Collier Blvd. (SR 951) on the western boundary to the Marco Island Executive Airport on the eastern boundary and with an access into the subject site, Residential Parcel Two A. Mainsail Drive connects the varying residential areas and golf course of Marco Shores PUD to Collier Blvd. (SR 951), an arterial road.]*

FLUE Policy 7.2: *The County shall encourage internal accesses or loop roads in an effort to help reduce vehicle congestion on nearby collector and arterial roads and minimize the need for traffic signals. [The proposed Master Plan Exhibit ‘E’ shows an internal access to the subject site proposed to allow ALF use, extending northward from Mainsail Drive. Although, there are no loop roads shown on the Updated Master Plan Exhibit ‘E’, Mainsail Drive does act as a collector to bring traffic from all parts of Marco Shores PUD to Collier Blvd. (SR 951), with internal circulation roads running throughout the PUD.]*

FLUE Policy 7.3: *All new and existing developments shall be encouraged to connect their local streets and/or interconnection points with adjoining neighborhoods or other developments regardless of land use type. The interconnection of local streets between developments is also addressed in Policy 9.3 of the Transportation Element. [The proposed Marco Shores Golf Course PUD Master Plan shows an interconnection to the east to the Marco Island Executive Airport. Marco Shores western boundary abuts Collier Blvd. (SR 951), the north and south boundaries abut undeveloped wetlands designated in the FLUM as Conservation land.]*

FLUE Policy 7.4: *The County shall encourage new developments to provide walkable communities with a blend of densities, common open spaces, civic facilities and a range of housing prices and types. [The proposed Marco Shores Master Plan does not show any sidewalks; however, there is no request for a sidewalk deviation and therefore, sidewalks should be provided in accordance with the Land Development Code. This application is expanding the types of housing that will be permitted allowing for a range of housing prices and types. The proposed Master Plan indicates there will be 5.2 acres of Parks and 182.2 acres of open space, golf course and club in the land use summary. The PUD allows an accessory use such as a clubhouse, which is sometimes used for civic uses, e.g. polling place.]*

CONCLUSION:

Based upon the above analysis, the proposed PUDA may be deemed consistent with the Future Land Use Element.

PETITION ON CITYVIEW

cc: Mike Bosi, AICP, Director, Zoning Division
David Weeks, AICP, Growth Management Manager, Zoning Division, Comprehensive Planning Section
Ray Bellows, Manager, Zoning Services Section
[PUDA-PL2017-1345 Marco Shores R5.docx](#)