

Tree Farm MPUD – PL20170003446
Insubstantial Change to a PUD
Project Narrative and Detail of Request

Project Narrative

The Tree Farm MPUD was approved in 2007 as Ordinance 07-54 and amended by HEX 2015-42. The PUD is approved for 281 multi-family/townhouse or 138 single-family detached dwelling units and 120,000 square feet of commercial use of which a maximum of 100,000 square feet may be retail.

The applicant is proposing to modify the permitted building setback adjacent to the neighboring Addies' Corner PUD in order to allow no building setback or landscape buffers between the PUDs should there be a unified plan of development for both properties. This change is consistent with language that exists within the approved Addie's Corner PUD. The minimum dwelling unit size is being reduced from 1,000 square feet to 750 square feet consistent with the Addies' Corner PUD.

Detail of Request

On a separate sheet, attached to the application, describe the insubstantial change request. Identify how the request does not meet the PUD substantial change criteria established in LDC subsection 10.02.13 E.1.

Insubstantial Change Criteria LDC Subsection 10.02.13 E.1

E. *Changes and amendments.* There are three types of changes to a PUD Ordinance: Substantial, **Insubstantial**, and Minor. Language changes to a previously approved PUD document shall require the same procedure as for amending the official zoning atlas, except for the removal of a commitment for payment towards **affordable housing** which is considered to be a minor change as described in [Section 10.02.13](#) E.3.c.

1. *Substantial changes.* Any substantial change(s) to an approved PUD Ordinance shall require the review and recommendation of the Planning Commission and approval by the Board of County Commissioners as a PUD amendment prior to implementation. **Applicants** shall be required to submit and process a new application complete with pertinent supporting data, as set forth in sections [10.02.13](#) A and B. For the purpose of this section, a substantial change shall be deemed to exist where:

a. There is a proposed change in the boundary of the PUD; or

No



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b. There is a proposed increase in the total number of **dwelling units** or intensity of land use or height of **buildings** within the **development**;

No

c. There is a proposed decrease in preservation, conservation, recreation or **open space** areas within the **development** not to exceed 5 percent of the total acreage previously designated as such, or 5 acres in area;

No net change in preserve, recreation or open space results from this amendment.

d. There is a proposed increase in the size of areas used for nonresidential uses, to include institutional, commercial and industrial land uses (excluding preservation, conservation or **open spaces**), or a proposed relocation of nonresidential land uses;

No increase in non-residential uses or areas for non-residential uses are proposed.

e. There is a substantial increase in the impacts of the **development** which may include, but are not limited to, increases in traffic generation; changes in traffic circulation; or impacts on other public facilities;

No additional traffic or public facility impacts will result from the request regarding the proposed revisions. The PUD currently contains a vehicular trip cap, which is not proposed to be changed.

f. The change will result in land use activities that generate a higher level of vehicular traffic based upon the Trip Generation Manual published by the Institute of Transportation Engineers;

No additional dwelling units are proposed; therefore, there are no additional traffic impacts.

g. The change will result in a requirement for increased stormwater retention, or will otherwise increase stormwater discharges;

Adequate area exists on-site for stormwater retention, and no change to the approved discharge rate is proposed. No additional stormwater retention areas will be required.

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h. The change will bring about a relationship to an **abutting** land use that would be incompatible with an **adjacent** land use;

The proposed revisions does contemplate a potential for unified development along the common boundaries of both Addie's Corner and Tree Farm PUDs. The change will not be incompatible, as the change requires that there must be a unified plan of development. Uses within each PUD are comparable.

i. Any modification to the PUD master plan or PUD document or amendment to a PUD ordinance which is inconsistent with the future land use element or other element of the growth management plan or which modification would increase the **density** or intensity of the permitted land uses;

The PUD and proposed changes are consistent with the Collier County Growth Management Plan.

j. The proposed change is to a PUD district designated as a **development** of regional impact (DRI) and approved pursuant to F.S. § 380.06, where such change requires a determination and public hearing by Collier County pursuant to F.S. § 380.06(19). Any change that meets the criterion of F.S. § 380.06(19)(e)2, and any changes to a DRI/PUD master plan that clearly do not create a substantial deviation shall be reviewed and approved by Collier County under this [section 10.02.13](#) of this Code; or

This project is not a DRI.

k. Any modification in the PUD master plan or PUD document or amendment to a PUD ordinance which impact(s) any consideration deemed to be a substantial modification as described under this [section 10.02.13](#)

The proposed changes do not meet the standards for a substantial modification and creates no external impacts.