



# **Development Services Advisory Committee Meeting**

**Wednesday, October 5, 2022  
3:00 pm**

**2800 N. Horseshoe Dr.  
Naples, FL 34104  
Growth Management Department  
Conference Room 609/610**

**If you have any questions or wish to meet with  
staff, please contact  
Trish Mill at 252-8214**



## Development Services Advisory Committee

### Agenda

Wednesday, October 5, 2022

3:00 pm

2800 N. Horseshoe Dr., Naples, FL 34104  
Growth Management Building, Conference Rooms 609/610

#### **NOTICE:**

Persons wishing to speak on any Agenda item will receive up to three (3) minutes unless the Chairman adjusts the time. Speakers are required to fill out a "Speaker Registration Form", list the topic they wish to address and hand it to the Staff member before the meeting begins. Please wait to be recognized by the Chairman and speak into a microphone. State your name and affiliation before commenting. During the discussion, Committee Members may direct questions to the speaker.

Please silence cell phones and digital devices. There may not be a break in this meeting. Please leave the room to conduct any personal business. All parties participating in the public meeting are to observe Roberts Rules of Order and wait to be recognized by the Chairman. Please speak one at a time and into the microphone so the Hearing Reporter can record all statements being made.

1. Call to order - Chairman
2. Approval of Agenda
3. Approval of Minutes:
  - a. DSAC meeting – September 7, 2022
4. Public Speakers
5. Staff Announcements/Updates
  - a. Development Review Division – **[Jaime Cook]**
  - b. Code Enforcement Division – **[Mike Ossorio]**
  - c. Public Utilities Department – **[Matt McLean]**
  - d. Growth Management Dept. Transportation Engineering Division – **[Jay Ahmad or designee]**
  - e. Collier County Fire Review – **[Shar Beddow or Shawn Hanson, Assistant Chief, Fire Marshal]**
  - f. North Collier Fire Review – **[Chief Sean Lintz or Deputy Director Daniel Zunzunegui]**
  - g. Operations & Regulatory Mgmt. Division – **[Ken Kovensky]**
  - h. Zoning Division – **[Mike Bosi]**
6. New Business

- a. PL20220005067 - 2022 Scrivener's Errors [Sean Kingston]
  - b. PL20220003445 - RLSA Updates [Eric Johnson]
7. Old Business
  8. Committee Member Comments
  9. Adjourn

**FUTURE MEETING DATES:**

November 2, 2022 – 3:00 pm

December 7, 2022 – 3:00 pm

January 4, 2023 – 3:00 pm

## LAND DEVELOPMENT CODE AMENDMENT

**PETITION**

PL20220005067

**SUMMARY OF AMENDMENT**

This amendment corrects scrivener’s errors and updates cross-references related to various Land Development Code (LDC) sections.

**ORIGIN**

Growth Management  
 Community Development  
 Department (GMCDD)

**HEARING DATES**

BCC	TBD
CCPC	TBD
DSAC	10/5/2022
DSAC-LDR	8/24/2022

**LDC SECTION TO BE AMENDED**

2.03.03	Commercial Zoning Districts
2.03.07	Overlay Zoning Districts
2.03.08	Rural Fringe Zoning Districts
5.05.15	Conversion of Golf Courses
6.01.02	Easements

### ADVISORY BOARD RECOMMENDATIONS

**DSAC-LDR**

Approved

**DSAC**

TBD

**CCPC**

TBD

**BACKGROUND**

This LDC amendment corrects scrivener’s errors and updates various citations/references throughout the LDC. This staff-led effort required collaboration between Zoning and Development Review divisions in the GMCDD. These changes are necessary to keep citations current and language appropriate. Research to relevant codes was applied for validity. This amendment makes corrections in the following LDC sections:

*LDC section 2.03.03 B.1.c.8.:* The word “principle” should read “principal.” The word has a different meaning. This section is referring to the primary uses listed in LDC section 2.03.03 B.1.a.

*LDC section 2.03.03 C.1.a.42.:* The chapter citation of the Florida Administrative Code (F.A.C.) is cited incorrectly. There is no chapter 589A-36. Chapter 59A-36 is appropriate, it being entitled “Assisted Living Facility,” with this LDC section referring to this subject.

*LDC section 2.03.07 F.2.b.:* LDC section 4.02.06 is referenced as it pertains to the design standards for the GGPOD zoning overlay. This citation is incorrect. The GGPOD zoning overlay should cite LDC section 4.02.26. These design standards have been in this section since their adoption in the LDC.

*LDC section 2.03.08 B.1.a.(5):* The LDC section citation for 2.03.08 C. is incorrect. The LDC section for Natural resource protection area overlay district (NRPA) was changed from 2.03.08 C. to 2.03.08 B. with Ordinance Number 2005-27 and this citation was not updated with it.

*LDC section 2.03.08 B.1.b.:* The typo, “eth” has remained in this section since the current, amended LDC Ordinance 2004-41 was adopted.

*LDC section 5.05.15 C.2.a.:* This is an editorial correction to correct the labelling.

*LDC section 6.01.02 C.:* The word “principle” should read “principal.” The word has a different meaning. This section is referring to the primary structures located on a lot.

**FISCAL & OPERATIONAL IMPACTS**

There are no anticipated fiscal or operational impacts associated with this amendment.

**GMP CONSISTENCY**

The proposed LDC amendment has been reviewed by Comprehensive Planning staff and may be deemed consistent with the GMP.

Amend the LDC as follows:

2.03.03 – Commercial Zoning Districts

\* \* \* \* \*

B. Commercial Convenience District (C-2). The purpose and intent of the commercial convenience district (C-2) is to provide lands where commercial establishments may be located to provide the small-scale shopping and personal needs of the surrounding residential land uses within convenient travel distance except to the extent that office uses carried forward from the C-1 district will expand the traditional neighborhood size. However, the intent of this district is that retail and service uses be of a nature that can be economically supported by the immediate residential environs. Therefore, the uses should allow for goods and services that households require on a daily basis, as opposed to those goods and services that households seek for the most favorable economic price and, therefore, require much larger trade areas. It is intended that the C-2 district implements the Collier County GMP within those areas designated agricultural/rural; estates neighborhood center district of the Golden Gate Master Plan; the neighborhood center district of the Immokalee Master Plan; and the urban mixed use district of the future land use element permitted in accordance with the locational criteria for commercial and the goals, objectives, and policies as identified in the future land use element of the Collier County GMP. The maximum density permissible in the C-2 district and the urban mixed use land use designation shall be guided, in part, by the density rating system contained in the future land use element of the Collier County GMP. The maximum density permissible or permitted in a district shall not exceed the density permissible under the density rating system.

1. The following uses, as identified with a number from the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section are permissible by right, or as accessory or conditional uses within the C-2 commercial convenience district.

\* \* \* \* \*

c. Conditional uses. The following uses are permissible as conditional uses in the commercial convenience district (C-2), subject to the standards and procedures established in LDC section 10.08.00.

\* \* \* \* \*

8. Personal services, miscellaneous (7299 - not listed as ~~principle~~ principal uses and limited to babysitting bureaus; birth certificate agencies; car title and tag services; computer photography or portraits; dating service; diet workshops; dress suit rental; tax rental; genealogical investigation service; hair removal; shopping service for individuals only; wardrobe service, except theatrical; wedding chapels, privately operated) with 1,800 square feet or less of gross floor area in the principal structure.

\* \* \* \* \*

1 C. Commercial Intermediate District (C-3). The purpose and intent of the commercial  
 2 intermediate district (C-3) is to provide for a wider variety of goods and services intended  
 3 for areas expected to receive a higher degree of automobile traffic. The type and variety  
 4 of goods and services are those that provide an opportunity for comparison shopping,  
 5 have a trade area consisting of several neighborhoods, and are preferably located at the  
 6 intersection of two-arterial level streets. Most activity centers meet this standard. This  
 7 district is also intended to allow all of the uses permitted in the C-1 and C-2 zoning districts  
 8 typically aggregated in planned shopping centers. This district is not intended to permit  
 9 wholesaling type of uses, or land uses that have associated with them the need for outdoor  
 10 storage of equipment and merchandise. A mixed-use project containing a residential  
 11 component is permitted in this district subject to the criteria established herein. The C-3  
 12 district is permitted in accordance with the locational criteria for commercial and the goals,  
 13 objectives, and policies as identified in the future land use element of the Collier County  
 14 GMP. The maximum density permissible in the C-3 district and the urban mixed use land  
 15 use designation shall be guided, in part, by the density rating system contained in the  
 16 future land use element of the Collier County GMP. The maximum density permissible or  
 17 permitted in the C-3 district shall not exceed the density permissible under the density  
 18 rating system.

19 1. The following uses, as identified with a number from the Standard Industrial  
 20 Classification Manual (1987), or as otherwise provided for within this section are  
 21 permissible by right, or as accessory or conditional uses within the commercial  
 22 intermediate district (C-3).

23 \* \* \* \* \*

24 a. Permitted uses.

25 \* \* \* \* \*

26 42. Group care facilities (category I and II, except for homeless  
 27 shelters); care units, except for homeless shelters; nursing homes;  
 28 assisted living facilities pursuant to § 429.02 F.S. and ch. ~~589A-36~~  
 29 59A-36 F.A.C.; and continuing care retirement communities  
 30 pursuant to ch. 651 F.S. and ch. 69O-193 F.A.C.; all subject to LDC  
 31 section 5.05.04.

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33 # # # # #

34 **2.03.07 – Overlay Zoning Districts**

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36 F. Golden Gate Parkway Overlay District (GGPOD)

37 \* \* \* \* \*

38 2. Applicability.

39 \* \* \* \* \*

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1           b.       Property owners within the GGPOD may establish uses, densities, and  
 2 intensities in accordance with the underlying zoning classification of the  
 3 GGPOD. The design standards of the GGPOD pursuant to LDC section  
 4 4.02.~~06-26~~ shall apply.

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9 **2.03.08 – Rural Fringe Zoning Districts**

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13 B.       Natural resource protection area overlay district (NRPA).

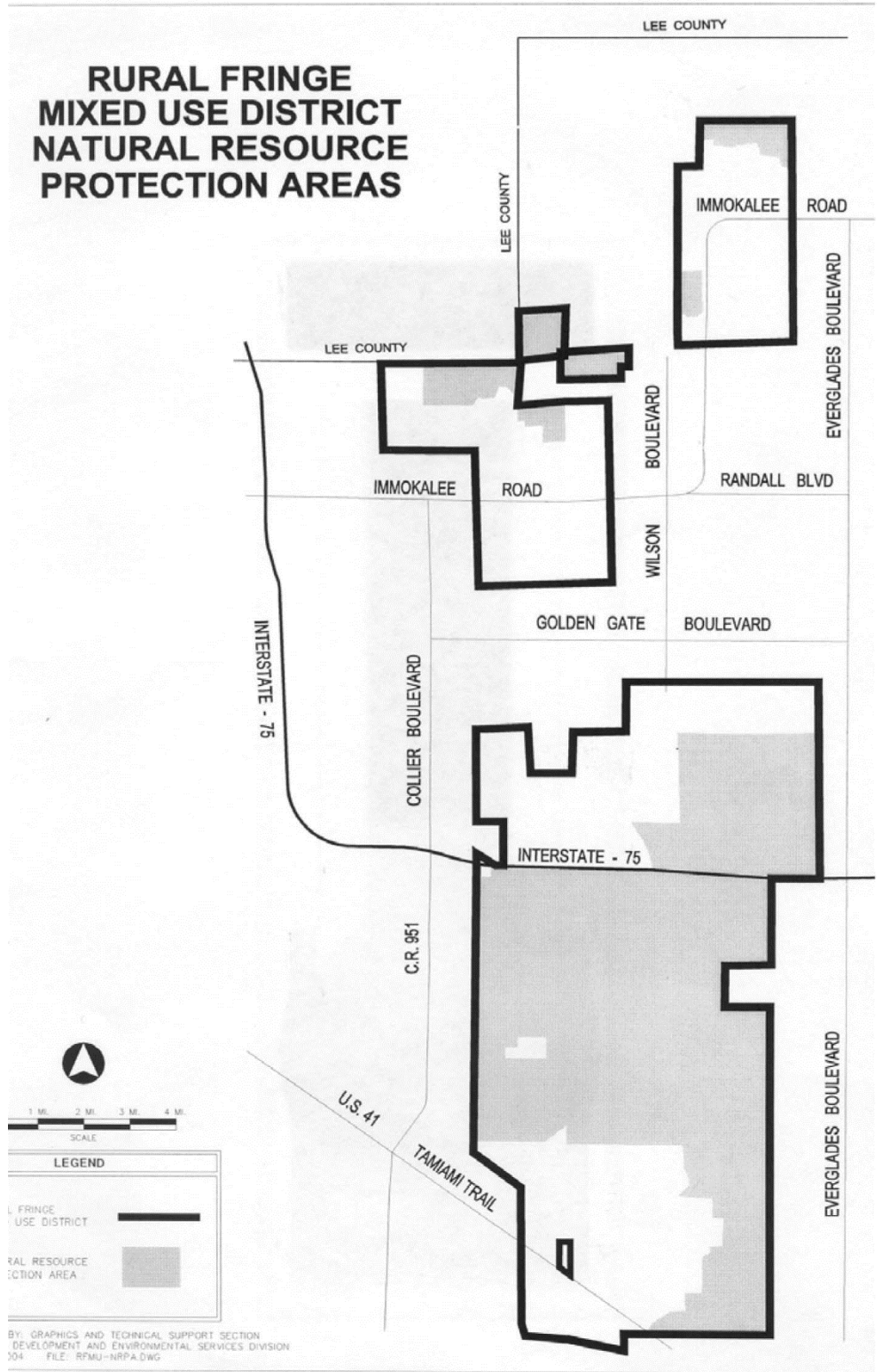
14       1.       Purpose and intent. The purpose and intent of the Natural Resource Protection  
 15 Area Overlay District (NRPA) is to: protect endangered or potentially endangered  
 16 species by directing incompatible land uses away from their habitats; to identify  
 17 large, connected, intact, and relatively unfragmented habitats, which may be  
 18 important for these listed species; and to support State and Federal agencies'  
 19 efforts to protect endangered or potentially endangered species and their habitats.  
 20 NRPAs may include major wetland systems and regional flow-ways. These lands  
 21 generally should be the focus of any federal, state, County, or private acquisition  
 22 efforts. Accordingly, allowable land uses, vegetation preservation standards,  
 23 development standards, and listed species protection criteria within NRPAs set  
 24 forth herein are more restrictive than would otherwise be permitted in the  
 25 underlying zoning district and shall to be applicable in addition to any standards  
 26 that apply tin the underlying zoning district.

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 28 \*       \*       \*       \*       \*       \*       \*       \*       \*       \*       \*       \*

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30       a.       NRPA overlay areas. NRPAs are located in the following areas:

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 34               (5)       South Golden Gate Estates.  
 35               The NRPA lands within the Rural Fringe Mixed Use District to which  
 36 the Section 2.03.08 ~~C.B.~~ regulations apply (i.e. - numbers 3 and 4  
 37 above) are depicted by the following map:



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1           b.       NRPAS designated as RFMU sending lands within the RFMU district.  
 2                   NRPAs located in the RFMU district are identified as RFMU sending lands  
 3                   and are further subject to the provisions, conditions and standards set forth  
 4                   in section 2.03.08 (A)(4). Private property owners within these NRPAs may  
 5                   transfer residential development rights from these important  
 6                   environmentally sensitive lands to other identified "receiving" lands  
 7                   pursuant to ~~eth~~ specific provisions set forth in section 2.01.03 of this Code.

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12 **5.05.15 – Conversion of Golf Courses**

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16           C.       Application process for conversion applications.

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20           2.       Developer's Alternatives Statement requirements. The purpose of the  
 21                   Developer's Alternatives Statement (DAS) is to serve as a tool to inform  
 22                   stakeholders and the County about the applicant's development options  
 23                   and intentions. It is intended to encourage communication, cooperation,  
 24                   and consensus building between the applicant, the stakeholders, and the  
 25                   County.

26           ~~b.a.~~       Alternatives. The DAS shall be prepared by the applicant and shall  
 27                   clearly identify the goals and objectives for the conversion project.  
 28                   The DAS shall address, at a minimum, the three alternatives noted  
 29                   below. The alternatives are not intended to be mutually exclusive;  
 30                   the conceptual development plan described below may incorporate  
 31                   one or more of the alternatives in the conversion project.

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36 **6.01.02 – Easements**

37           If applicable, easements shall be provided along lot lines or along the alignment of the  
 38           improvements requiring easements in accordance with all design requirements so as to provide  
 39           for proper access to, and construction and maintenance of, the improvements. All such  
 40           easements shall be properly identified on the preliminary subdivision plat and dedicated on the  
 41           final subdivision plat.

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43       \*       \*       \*       \*       \*       \*       \*       \*       \*       \*       \*       \*       \*

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45           C.       Protected/preserve area and easements. A nonexclusive easement or tract in favor of  
 46                   Collier County, without any maintenance obligation, shall be provided for all  
 47                   "protected/preserve" areas required to be designated on the preliminary and final  
 48                   subdivision plats or only on the final subdivision plat if the applicant chooses not to submit  
 49                   the optional preliminary subdivision plat. Any buildable lot or parcel subject to or abutting  
 50                   a protected/preserve area required to be designated on the preliminary and final  
 51                   subdivision plats, or only on the final subdivision plat if the applicant chooses not to submit

DRAFT

Text underlined is new text to be added

~~Text strikethrough is current text to be deleted~~

1 the optional preliminary subdivision plat, shall have a minimum setback as required by the  
2 LDC, or other setback that may be approved as a deviation through the PUD approval  
3 process by the Board of County Commissioners from the boundary of such  
4 protected/preserve area in which no ~~principle~~principal structure may be constructed. The  
5 required preserve principal structure setback line and the accessory structure setback  
6 lines shall be clearly indicated and labeled on the final plat where applicable. Further, the  
7 preliminary and final subdivision plats, or only on the final subdivision plat if the applicant  
8 chooses not to submit the optional preliminary subdivision plat, shall require that no  
9 alteration, including accessory structures, fill placement, grading, plant alteration or  
10 removal, or similar activity shall be permitted within such setback area without the prior  
11 written consent of the County Manager or designee; provided, in no event shall these  
12 activities be permitted in such setback area within ten feet of the protected/preserve area  
13 boundary. Additional regulations regarding preserve setbacks and buffers are located in  
14 Chapters 4 and 10, and shall be applicable for all preserves, regardless if they are platted  
15 or simply identified by a recorded conservation easement. The boundaries of all required  
16 easements shall be dimensioned on the final subdivision plat. Required  
17 protected/preserve areas shall be identified as separate tracts or easements having  
18 access to them from a platted right-of-way. No individual residential or commercial lot or  
19 parcel lines may project into them when platted as a tract. If the protected/preserve area  
20 is determined to be jurisdictional in nature, verification must be provided which documents  
21 the approval of the boundary limits from the appropriate local, state or federal agencies  
22 having jurisdiction and when applicable pursuant to the requirements and provisions of  
23 the growth management plan. All required easements or tracts for protected/preserve  
24 areas shall be dedicated and also establish the permitted uses for said easement(s) and/or  
25 tracts on the final subdivision plat to Collier County without the responsibility for  
26 maintenance and/or to a property owners' association or similar entity with maintenance  
27 responsibilities. An applicant who wishes to set aside, dedicate or grant additional  
28 protected preserve areas not otherwise required to be designated on the preliminary  
29 subdivision plat and final subdivision plats, or only on the final subdivision plat if the  
30 applicant chooses not to submit the optional preliminary subdivision plat, may do so by  
31 grant or dedication without being bound by the provisions of this section.

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33 \* \* \* \* \*  
34 # # # # #



# Memorandum

To: Development Services Advisory Committee (DSAC)  
From: Eric Johnson, AICP, CFM, LDC Planning Manager  
Date: September 27, 2022  
Re: PL20220003445 – RLSA Updates LDC Amendment

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This memorandum serves to advise the DSAC that the DSAC-LDR Subcommittee (Subcommittee) reviewed the above referenced LDC amendment at their hearing on September 21, 2022. The Subcommittee's vote and conditions are summarized as follows:

*DSAC-LDR Subcommittee Recommendation:* The DSAC-LDR Subcommittee recommended approval of this LDC amendment on September 21, 2022, subject to the following:

1. Wherever it states dark sky compliant lighting principles, the Subcommittee is not in favor of that terminology and to instead use the language from Policy 5.7 of the GMP, and that a future LDC amendment should be considered for lighting guidance in general.
2. Clarify the sentence on lines 16-18 on page 33 (LDC section 4.08.06 B.6.f.), which currently reads: "Only one type of restoration shall be rewarded with these Credits for each acre designated for restoration and in no case shall more than ten (10) Credits be awarded per acre," and that staff would consider inserting a chart to makes it easier to follow.
3. Clarify the verbs on page 31 (i.e., received, awarded, assigned, rewarded) under restoration stewardship credits, to be made consistent to the extent necessary to understand the intent.
4. Include the walk-on changes to the LDC amendment, as presented by staff at the meeting.
5. Include the administrative code changes, provided the changes are consistent with what we just discussed.

The enclosed packet represents the document that was presented to the Subcommittee. I intend to provide the DSAC will an updated version prior to the meeting.

Please contact me at (239) 252-2931 or [Eric.Johnson@colliercountyfl.gov](mailto:Eric.Johnson@colliercountyfl.gov) if you have any questions.



**- LAND DEVELOPMENT CODE AMENDMENT**

**PETITION**

PL20220003445

**ORIGIN**

Growth Management Plan (GMP)

**SUMMARY OF AMENDMENT**

This Land Development Code (LDC) amendment shall update the Rural Land Stewardship Area Zoning Overlay District (RLSA District) Standards and Procedures to ensure consistency with the recently adopted changes that were made to the Rural Lands Stewardship Area Overlay in the Future Land Use Element (FLUE) of the GMP, pursuant to Ordinance 2021-28.

**HEARING DATES**

BCC TBD  
 CCPC TBD  
 DSAC TBD  
 DSAC-LDR 08/24/2022

**LDC SECTIONS TO BE AMENDED**

- 1.08.01 Abbreviations
- 2.01.03 Essential Services
- 2.03.07 Overlay Zoning Districts
- 2.05.02 Density Blending
- 3.04.01 Generally
- 3.05.07 Preservation Standards
- 3.08.00 ENVIRONMENTAL DATA REQUIREMENTS
- 4.08.01 Specific Definitions Applicable to the RLSA District
- 4.08.02 Establishment of RLSA Zoning Overlay District
- 4.08.03 Establishment of land uses allowed in the RLSA District.
- 4.08.04 Implementation of Stewardship Credits
- 4.08.05 Baseline Standards
- 4.08.06 SSA Designation
- 4.08.07 SRA Designation
- 10.02.06 Requirements for Permits

**ADVISORY BOARD RECOMMENDATIONS**

**DSAC-LDR**  
TBD

**DSAC**  
TBD

**CCPC**  
TBD

**BACKGROUND**

In 1999, the State of Florida imposed a Final Order (Case No. ACC-99-002 and DOAH Case No. 98-0324GM) on Collier County, directing the County to perform a three-year Rural and Agricultural Assessment of the GMP to identify measures to protect agricultural areas, direct incompatible land uses away from wetlands and upland habitat, and to assess the growth potential of the County’s rural areas. The was to occur while discouraging urban sprawl, directing incompatible land uses away from critical habitat, and encouraging development that utilizes creative land use planning techniques. In 2002, the Board of County Commissioners (Board) established the Rural Lands Stewardship Area program under the FLUE of the GMP, pursuant to Ord. 2002-54. The objective was to create an incentive-based land use overlay system founded upon the principles of rural land stewardship as defined in Chapter 163.3177(11), F.S., now in Chapter 163.3248, F.S.

The Rural Lands Stewardship Area Zoning Overlay District (RLSA District) regulations were initially adopted into the LDC on June 16, 2003, pursuant to Ord. 2003-27. Subsequent amendments to the RLSA District in the LDC occurred in 2004, 2005, 2006, and 2010. The RLSA District includes important environmental and agricultural assets, most of which are on privately held land. The RLSA District is designated as “RLSAO” on the Official Zoning Atlas Maps and as such, the LDC terminology is being modified to be consistent with the

maps.

On February 10, 2015, the Board directed staff to initiate “restudies” of four GMP master plans, one of which being the RLSA. The RLSA restudy began in January 2018, culminating in the creation of an RLSA White Paper, which was presented to the Board in October 2019. At this meeting, the Board directed staff to (1) bring forward GMP amendments for the Rural Lands Stewardship Area Overlay in the FLUE, (2) develop a regional water partnership to address regional water matters, and (3) draft LDC amendments to address the characteristics of the Stewardship Receiving Area (SRA). A GMP amendment (PL20190002292) involving the RLSA Overlay in the FLUE was approved by the Board on July 13, 2021, pursuant to Ord. 2021-28. The LDC and administrative code are being updated with the “RLSAO” acronym to be consistent with the same designations on the applicable Official Zoning Atlas Maps. The changes to the administrative code are shown in Exhibit A and will require a separate resolution. This LDC amendment shall implement the updates that were made to the GMP last summer. The noteworthy LDC amendment changes are identified and summarized in Exhibit B. The pertinent GMP Policies are summarized in Exhibit C.

**FISCAL & OPERATIONAL IMPACTS**

There are no fiscal or operational impacts to the County. Developers will be required to submit an SRA Mobility Plan.

**GMP CONSISTENCY**

To be provided by Comprehensive Planning Staff prior to DSAC-LDR Subcommittee meeting.

**EXHIBITS:** A) Changes to Administrative Code; B) Summary of Proposed Changes; C) Policy Direction Chart; D) Ordinance 2021-28; E) Conservancy Letter and Backup

# DRAFT

Text underlined is new text to be added

~~Text strikethrough is current text to be deleted~~

Amend the LDC as follows:

## 1.08.01 – Abbreviations

\* \* \* \* \*

RLSA	Rural Lands Stewardship Area
<u>RLSAO</u>	<u>Rural Lands Stewardship Area Zoning Overlay District</u>
RNC	Residential Neighborhood Commercial Subdistrict

\* \* \* \* \*  
# # # # #

## 2.01.03 – Essential Services

\* \* \* \* \*

B. Permitted essential services in CON districts, RFMU sending lands, NRPAs, HSAs, and FSAs.

1. Within CON districts, Sending Lands in the RFMU district, NRPAs, and within designated Habitat Stewardship Areas (HSA) and Flow way Stewardship Areas (FSA) within the Rural Lands Stewardship Area Zoning Overlay District (RLSAO) ~~overlay district~~ subject to the limitations set forth in section 4.08.08 C., the following essential services are permitted:

\* \* \* \* \*

G. Conditional uses. The following uses require approval pursuant to section 10.08.00 conditional uses:

1. Conditional essential services in every zoning district excluding the RFMU district sending lands, CON districts, NRPAs, and ~~RLSA~~ designated HSAs and FSAs on the Rural Lands Stewardship Area Overlay Map in the Future Land Use Element of the Growth Management Plan (RLSA Overlay Map). In every zoning district, unless otherwise identified as permitted uses, and excluding RFMU district Sending Lands, CON districts, and NRPAs, the following uses shall be allowed as conditional uses:

\* \* \* \* \*

2. Conditional essential services in RFMU sending lands, NRPAs, CON districts, and ~~RLSA~~ designated HSAs and FSAs on the RLSA Overlay Map. Within RFMU District Sending Lands, NRPAs, CON districts, and the ~~RFLA~~ designated HSAs and FSAs on the RLSA Overlay Map, subject to the limitations set forth in LDC section 4.08.05 H.3, the following additional essential services are allowed as conditional uses:

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- 5. Conditional uses that include the installation of structures:
  - a. Where structures are involved other than structures supporting lines or cables, such structures shall comply with the regulations for the district in which they are located, or as may be required on an approved site development plan under LDC section 10.02.03. In addition, the structures shall conform insofar as possible to the character of the district in which they are located as to development standards, as well as architecture and landscaping, with utilization of screening and buffering to ensure compatible with the surrounding and nearby existing and future uses.
  - b. Within the RFMU district sending lands, NRPA's, Conservation Districts, and the ~~RLSA~~ HSAs and FSAs on the RLSA Overlay Map, structures supporting the conditional use shall be located so as to minimize any impacts on native vegetation and on wildlife and wildlife habitat.

*	*	*	*	*	*	*	*	*	*	*	*	*	*
#	#	#	#	#	#	#	#	#	#	#	#	#	#

**2.03.07 – Overlay Zoning Districts**

*	*	*	*	*	*	*	*	*	*	*	*	*	*
---	---	---	---	---	---	---	---	---	---	---	---	---	---

D. Special Treatment Overlay (ST).

*	*	*	*	*	*	*	*	*	*	*	*	*	*
---	---	---	---	---	---	---	---	---	---	---	---	---	---

4. Transfer of Development Rights (TDR).

*	*	*	*	*	*	*	*	*	*	*	*	*	*
---	---	---	---	---	---	---	---	---	---	---	---	---	---

- iii. *Applicability.* These TDR provisions shall be applicable to those areas specifically identified in (b), (c) and (d) below. These TDR provisions shall not be applicable to the any transfer of development rights within the Rural Lands Stewardship Area Zoning Overlay District (RLSAO) ~~RLSA-District~~.

*	*	*	*	*	*	*	*	*	*	*	*	*	*
---	---	---	---	---	---	---	---	---	---	---	---	---	---

G. Immokalee Urban Overlay District. To create the Immokalee Urban Overlay District with distinct subdistricts for the purpose of establishing development criteria suitable for the unique land use needs of the Immokalee Community. The boundaries of the Immokalee Urban Overlay District are delineated on the maps below.

*	*	*	*	*	*	*	*	*	*	*	*	*	*
---	---	---	---	---	---	---	---	---	---	---	---	---	---

7. *Interim Deviations:* Property owners within the Immokalee Urban Overlay District may request deviations from specific dimensional requirements as described in this section. A deviation request may be reviewed administratively or by the

Planning Commission depending upon its scope. This section addresses the permissible deviations, limitations thereon, and the review process.

\* \* \* \* \*

e. *Applicability - List of Development Standards Eligible for Deviation Requests.* Property owners shall be eligible to seek a deviation from the dimensional requirements of the following LDC sections, unless otherwise noted.

\* \* \* \* \*

iv. 3.05.07 B.1 Preservation Standards, Specific Standards Applicable Outside the RMFU and RLSA districts, Required Preservation Percentages (Table 1 inset).

\* \* \* \* \*

# # # # #

**2.05.02 – Density Blending**

\* \* \* \* \*

B. Conditions and limitations.

\* \* \* \* \*

3. Properties straddling the Immokalee urban area and the Rural Lands Stewardship Area Zoning Overlay District (RLSAO) ~~RLSA-district~~. Density and intensity blending between properties straddling the Immokalee Urban Area and the RLSAO District shall be permitted, subject to all of the following conditions and limitations:

\* \* \* \* \*

# # # # #

**3.04.01 – Generally**

\* \* \* \* \*

B. Applicability.

\* \* \* \* \*

2. Exemptions: The following are exempt from the provisions of this Section:

\* \* \* \* \*

b. All development within the Rural Lands Stewardship Area Zoning Overlay District ~~RLSA-District~~, except as specifically provided in section 4.08.00; and



1 \* \* \* \* \*  
2 # # # # #  
3

4 **3.05.02 – Exemptions from Requirements for Vegetation Protection and Preservation**

5 \* \* \* \* \*  
6

7  
8 C. Agricultural exemption. Agricultural operations that fall within the scope of Florida Statutes  
9 sections 163.3162(4) and 823.14(6), ~~Florida Statutes~~, are exempt from the provisions of  
10 section 3.05.03 through 3.05.09, provided that any new clearing of land for agriculture  
11 outside of the Rural Lands Stewardship Area Zoning Overlay District ~~RLSA District~~ shall  
12 not be converted to non-agricultural development for 25 years, unless the applicable  
13 provisions set forth in LDC sections 3.05.04 through 3.05.07 G. are adhered to at the time  
14 of the conversion. The percentage of native vegetation preserved shall be calculated on  
15 the amount of vegetation occurring at the time of the agricultural clearing, and if found to  
16 be deficient, a native plant community shall be restored to re-create a native plant  
17 community in all three strata (ground covers, shrubs and trees), utilizing larger plant  
18 materials so as to more quickly re-create the lost mature vegetation.

19 \* \* \* \* \*  
20 # # # # #  
21

22  
23 **3.05.07 – Preservation Standards**

24 \* \* \* \* \*  
25

26  
27 B. Specific standards applicable outside the RFMU and Rural Lands Stewardship Area  
28 Zoning Overlay District (RLSAO) ~~RLSA districts~~. Outside the RFMU and RLSAO ~~Districts~~,  
29 native vegetation shall be preserved on site, except for single family residences, through  
30 the application of the following preservation and vegetation retention standards and  
31 criteria. The single family exception is not to be used as an exception from any calculations  
32 regarding total preserve area for a development containing single family lots. For  
33 properties not previously within the Coastal High Hazard Area but now within the Coastal  
34 High Hazard Area due to adoption of a revised Coastal High Hazard Area boundary in  
35 2013, the native vegetation preservation and retention standards of the Non-Coastal High  
36 Hazard Area shall continue to apply. (Reference the Coastal High Hazard Area  
37 Comparison Map in the Future Land Use Element of the Collier County Growth  
38 Management Plan.)

39 \* \* \* \* \*  
40

41  
42 D. Specific standards for the RLSAO district. For lands within the RLSAO ~~District~~, native  
43 vegetation shall be preserved pursuant to the RLSAO ~~District~~ Regulations set forth in  
44 section 4.08.00 of this Code.

45 \* \* \* \* \*  
46

47  
48 F. Wetland preservation and conservation.  
49

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1. Purpose. The following standards are intended to protect and conserve Collier County's valuable wetlands and their natural functions, including marine wetlands. These standards apply to all of Collier County, except for lands within the RLSAO District. ~~RLSAO District~~ lands are regulated in LDC section 4.08.00. ~~W~~wetlands shall be protected as follows, with total site preservation not to exceed those amounts of vegetation retention set forth in LDC section 3.05.07(C), unless otherwise required.

\* \* \* \* \*

5. RLSAO district. Within the RLSAO District, wetlands shall be preserved pursuant to LDC section 4.08.00.

\* \* \* \* \*

H. Preserve standards.

1. Design standards.

\* \* \* \* \*

f. Off-site vegetation retention.

i. Purpose and Intent. The purpose of this subsection f. is to identify the criteria to satisfy on-site preserve requirements off site. The intent of the on-site preserve requirement is to retain, maintain, and preserve existing native vegetation on site as provided for in the Conservation and Coastal Management Element of the GMP. However, in limited situations on-site preserve may be considered less viable as a functional preserve if it is 21,780 square feet (one-half acre) or less and isolated. Therefore, in limited situations, providing for a preserve off site can achieve the goals and objectives of the GMP. This section shall not apply to lands located within the RLSAO or RFMU districts.

\* \* \* \* \*

h. Allowable uses within County required preserves. Passive uses are allowed within preserves to provide for access to the preserve, as long as any clearing required to facilitate these uses does not impact the minimum required native vegetation or cause loss of function to the preserve. Loss of function to the preserve includes unacceptable changes in vegetation within the preserve or harming any listed species present in the preserve. Unacceptable changes in vegetation within preserves include replacement of indigenous vegetation with non-native species, changes in vegetative composition which are inconsistent with target plant communities or die-offs of vegetation which are inconsistent with target plant communities. Determinations of harm to listed species shall be made by FFWCC or USFWS, and pathways, structures or improvements within preserves

1 containing listed species shall be in accordance with permits or  
2 authorizations from these agencies.

3  
4 \* \* \* \* \*  
5

6 ii. Stormwater subject to the following criteria.

7  
8 \* \* \* \* \*  
9

10 h) Stormwater shall be allowed in preserves in the ~~RLSA~~  
11 WRA areas on the Rural Lands Stewardship Area Overlay  
12 Map in the Future Land Use Element of the Growth  
13 Management Plan in accordance with standards and  
14 procedures of the RLSAO, pursuant to LDC section 4.08.00  
15 ~~Rural Lands Stewardship Area Overlay District standards~~  
16 ~~and procedures.~~

17  
18 \* \* \* \* \*  
19 # # # # #  
20

21 **3.08.00 – ENVIRONMENTAL DATA REQUIREMENTS**

22  
23 A. Environmental Data Requirements.

24  
25 \* \* \* \* \*  
26

27 4. Environmental Data. The following information shall be submitted, where  
28 applicable, to evaluate projects.

29  
30 \* \* \* \* \*  
31

32 c. Native vegetation preservation.

33  
34 iii. Include on a separate site plan, the project boundary and the land  
35 use designations and overlays for the Rural Land Stewardship Area  
36 Zoning Overlay District, RLSA, RFMU, ST and ACSC-ST districts.  
37 Include this information on the SDP or PPL.

38  
39 \* \* \* \* \*  
40 # # # # #  
41

42 **4.08.01 – Specific Definitions Applicable to the Rural Lands Stewardship Area Zoning**  
43 **Overlay District ~~RLSA District~~**

44  
45 As used in the ~~RLSA~~ Rural Lands Stewardship Area Zoning Overlay District (RLSAO)  
46 ~~Regulations~~, the terms below shall have the following meanings, set forth below, to the exclusion  
47 of any meanings ascribed to such terms in LDC section 1.08.00:  
48

49 A. Accessory dwelling unit. A dwelling unit that is supplemental and subordinate to a primary  
50 dwelling on the same premises, limited to 900 square feet.

- 1
- 2 **B.** Agricultural Stewardship Area (ASA). Privately owned lands delineated on the Rural Lands
- 3 Stewardship Area Overlay Map in the Future Land Use Element of the Growth
- 4 Management Plan within Open Lands that are retained for agricultural activities and
- 5 protected through the use of stewardship credits.
- 6
- 7 **CB.** Baseline ~~standards~~ Standards. Baseline ~~S~~Sstandards are the allowable uses, densities,
- 8 intensities, ~~density, intensity~~ and other land development regulations assigned to land
- 9 within the Rural Lands Stewardship Area Overlay of the Future Land Use Element of the
- 10 Growth Management Plan and ~~RLSA District by the GMP, Collier County~~ Land
- 11 Development Code ~~development Regulations and Collier County Zoning Regulations~~ in
- 12 effect prior to July 25, 2000, and subject to the further provisions of LDC section 4.08.05.
- 13
- 14 **DG.** Building height ~~Height~~. Refers to the vertical extent of a building. Building height is
- 15 measured in Stories.
- 16
- 17 **ED.** Building height to street width ratio ~~Height to Street Width Ratio~~. The maximum height of
- 18 the tallest building divided by the width of the street. The street width is the distance
- 19 between two building façades.
- 20
- 21 **FE.** Civic and institutional uses ~~Institutional Uses~~. Structures and facilities developed for and/or
- 22 used by established organizations or foundations dedicated to public service or cultural
- 23 activities including the arts, education, government and religion.
- 24
- 25 **GF.** Compact Rural Development ~~development~~ (CRD). Compact Rural Development is
- 26 ~~developments are~~ a form of SRA that is intended to support and further Collier County's
- 27 valued attributes of agriculture, natural resources, and economic diversity. The size of a
- 28 CRD shall not exceed 300 acres. A CRD shall include uses associated with and needed
- 29 to support research, education, convenience retail, tourism, or recreation. A CRD may
- 30 include but is not required to have permanent residential housing and the services and
- 31 facilities to support permanent residents ~~provide flexibility with respect to the mix of uses~~
- 32 ~~and design standards, but shall otherwise comply with the standards of a Hamlet or~~
- 33 ~~Village. A CRD may include, but is not required to have permanent residential housing~~
- 34 ~~and the services and facilities that support permanent residents. An example of a CRD~~
- 35 ~~without permanent residential housing is an ecotourism village that would have a unique~~
- 36 ~~set of uses and support services different from a traditional residential village. It would~~
- 37 ~~contain transient lodging facilities and services appropriate to eco-tourists, but may not~~
- 38 ~~provide for the range of services necessary to support permanent residents.~~
- 39
- 40 **HG.** Context Zzones. Areas that establish the use, intensity, and diversity within a town or
- 41 village, ~~village or hamlet~~. Context zones specify permitted land uses, FARs, building
- 42 height, setbacks, and other regulating elements to guide the establishment of the urban
- 43 to rural continuum.
- 44
- 45 **IH.** Designation. Application of the SSA or SRA concepts through a formal application, review,
- 46 and approval process as described in the Rural Lands Stewardship Area Zoning Overlay
- 47 RLSA District Regulations.
- 48
- 49 **JL.** ~~FSA~~ Flow way Stewardship Area (FSA). Privately owned lands delineated on the Rural
- 50 Lands Stewardship Area ~~RLSA~~ Overlay Map in the Future Land Use Element of the

1 Growth Management Plan, which primarily include privately owned wetlands that are  
2 located within the Camp Keais Strand and Okaloacoochee Slough. FSAs form the primary  
3 wetland flow way systems in the RLSA District.

4  
5 ~~J. Hamlet. Hamlets are a form of SRA and are small rural residential areas with primarily  
6 single-family housing and a limited range of convenience-oriented services. Hamlets serve  
7 as a more compact alternative to traditional five (5)-acre lot rural subdivisions currently  
8 allowed in the Baseline Standards.~~

9  
10 K. ~~HSA~~ Habitat Stewardship Area (HSA). Privately owned lands delineated on the Rural  
11 Lands Stewardship Area ~~RLSA~~ Overlay Map in the Future Land Use Map of the Growth  
12 Management Plan, which include both areas with natural characteristics that make them  
13 suitable habitat for listed species and areas without these characteristics. These latter  
14 areas are included because they are located contiguous to habitat with natural  
15 characteristics, thus forming a continuum of landscape that can augment habitat values.

16  
17 L. Incidental clearing ~~Clearing~~. Clearing of no more than one percent ~~4%~~ of the area of an  
18 SSA, which is conducted to accommodate the ability to convert from one Ag 1 use to  
19 another Ag 1 use and which connects existing Ag 1 acres, squares up existing Ag 1 farm  
20 fields, or provides access to or from Ag 1 areas.

21  
22 M. Landmark building. A prominent civic, or institutional building that creates a significant  
23 community feature, focal point, or terminating vista.

24  
25 N. Land Use - Land Cover Indices. One of the indices comprising the Natural Resource Index  
26 Value of land, with values assigned based upon land use and land cover characteristics  
27 as mapped using the Florida Land Use, Cover, and Forms Classification System  
28 (FLUCFCS) (FDOT 1999). For purposes of assigning values, land use and land cover  
29 codes are grouped as follows: Group 1 (Codes 617, 6172, 621, 6218, 6219, 624, 630,  
30 641, 643); Group 2 (Codes 321, 411, 4119, 425, 434, 439, 428); Group 3 (211, 212, 213,  
31 214, 221, 222, 241, 242, 243, 250, 260, 261, 310, 329, 330, 422, 510, 521, 523, 533, 534);  
32 and Group 4 (all others).

33  
34 O. Land Use Layer (Layer). Permitted and conditional land uses within the ~~B~~baseline  
35 ~~S~~standards that are of a similar type or intensity and that are grouped together in the same  
36 column on the Land Use Matrix.

37  
38 P. Land Use Matrix (Matrix). The tabulation of the permitted and conditional land uses within  
39 the ~~B~~baseline ~~S~~standards set forth in LDC section ~~Section~~ 4.08.06 B.64., with each Land  
40 Use Layer displayed as a single column.

41  
42 Q. Listed Species Habitat Indices. One of the indices comprising the Natural Resource Index  
43 Value, with values assigned based upon the habitat value of the land for listed species.  
44 Index values are based on documentation of occupied habitat as established by the  
45 intersect of documented and verifiable observations of listed species with land cover  
46 identified as preferred or tolerated habitat for that species. Land mapped, using  
47 FLUCFCS, as 310, 321, 411, 425, 428, 434, 617, 6172, 621, 6218, 6219, 624, and 630 is  
48 deemed to be preferred or tolerated habitat for panthers for the purpose of assigning a  
49 value for these indices. An intersection of at least one data point establishing the presence  
50 of a listed species within a geographic information system (GIS) polygon of preferred or

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- 1 tolerated habitat for that species shall result in the entire polygon being scored as occupied
- 2 habitat.
- 3
- 4 R. Natural Resource Index (Index). A measurement system that establishes the relative
- 5 natural resource value of each acre of land by objectively measuring six different
- 6 characteristics of land and assigning an index factor based on each characteristic. The
- 7 sum of these six factors is the Index value for the land. The six characteristics measured
- 8 are: Stewardship Overlay Delineation, Proximity, Listed Species Habitat, Soils/Surface
- 9 Water, Restoration Potential, and Land Use/Land Cover.
- 10
- 11 S. Natural Resource Index Map Series (Index Maps). The Rural Lands Study Area Natural
- 12 Resource Index Map Series adopted as part of the GMP.
- 13
- 14 T. Natural Resource Index Value (Index Value). The sum of the values assigned to each
- 15 acre, derived through the calculation of the values assigned to each of the six (6)
- 16 characteristics included in the Index.
- 17
- 18 U. Neighborhood Edge Context Zone. A defining ~~C~~context ~~Z~~zone that includes the least
- 19 intensity and diversity within the Town ~~town or Village, village or hamlet~~. The
- 20 Neighborhood Edge zone is predominantly single-family residential and recreational uses
- 21 and may be used to provide a transition to adjoining rural land uses. ~~The Neighborhood~~
- 22 ~~Edge may be used to provide a transition to adjoining rural land uses.~~
- 23
- 24 V. Neighborhood General Context Zone (Neighborhood General). A defining ~~C~~context ~~Z~~zone
- 25 that creates community diversity with the inclusion of a mix of single and multi-family
- 26 housing, neighborhood scale goods and services, schools, parks and other recreational
- 27 uses, and open space.
- 28
- 29 W. Neighborhood Goods and Services Context Zone (Neighborhoods Goods and Services).
- 30 Zone located within the Neighborhood General Context Zone. These zones are intended
- 31 to provide convenient neighborhood scale retail and office use within proximity to the
- 32 residential uses in order to support community walkability.
- 33
- 34 X. Open space. Open space includes active and passive recreational areas such as parks,
- 35 playgrounds, ball fields, golf courses, lakes, waterways, lagoons, flood plains, nature trails,
- 36 native vegetation preserves, landscape areas, public and private conservation lands,
- 37 agricultural areas (not including structures), and water retention and management areas.
- 38 Buildings shall not be counted as part of any open space calculation. Vehicular use
- 39 surface areas of streets, alleys, driveways, and off-street parking and loading areas shall
- 40 not be counted as part of any open space calculation.
- 41
- 42 Y. Pathway. A defined corridor for the primary use of non-motorized travel.
- 43
- 44 Z. ~~Post~~Secondary Institution Ancillary Uses. Any use or facility owned by a public or private
- 45 ~~post~~secondary institution that is of a type commonly found on public or private ~~post~~
- 46 ~~secondary~~ institution campuses.
- 47
- 48 AA. Proximity Indices. One of the indices comprising the Natural Resource Index Value of land,
- 49 with values assigned based upon the proximity of the land to areas designated on the
- 50 Rural Lands Stewardship Area RLSA Overlay Map in the Future Land Use Element of the

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- 1 Growth Management Plan as FSA, HSA, or WRA and to either public or private preserve  
2 lands. No additional value shall be added under the Proximity Indices for land that is within  
3 an FSA, HSA, WRA, or public or private preserve.  
4
- 5 BB. Restoration Potential Indices. One of the indices comprising the Natural Resource Index  
6 Value of land, with values assigned based both upon the potential for restoration and the  
7 historic use or character of the land as a large mammal corridor, connector wetlands and  
8 flow way, wading bird habitat, or other listed species habitat.  
9
- 10 CC. Restoration ~~Area Zone~~. Privately owned lands delineated on the Rural Lands Stewardship  
11 Area RLSA Overlay Map in the Future Land Use Element of the Growth Management Plan  
12 that are located within 500 feet of an FSA, but are not otherwise included in an HSA or  
13 WRA.  
14
- 15 DD. ~~RLSA-District~~. Rural Lands Stewardship Area Zoning Overlay District (RLSAO). The area  
16 generally depicted on the Future Land Use Map and specifically depicted on the Official  
17 Zoning Atlas Maps as the RLSAO Rural Lands Stewardship Area Overlay, including lands  
18 within the Immokalee Area Study boundary of the Collier County Rural and Agricultural  
19 Area Assessment referred to in the State of Florida Administration Commission Final  
20 Order No. AC-99-002. The RLSAO District generally includes rural lands in northeast  
21 Collier County lying north and east of Golden Gate Estates, north of the Florida Panther  
22 National Wildlife Refuge and Big Cypress National Preserve, south of the Lee County  
23 Line, and south and west of the Hendry County Line. The regulations pertaining to the  
24 RLSAO are known as the "RLSAO Regulations," which comprise the entirety of LDC  
25 section 4.08.00.  
26
- 27 EE. Rural Lands Stewardship Area Overlay (RLSA Overlay). The Rural Lands Stewardship  
28 Overlay of the Future Land Use Element of the Growth Management Plan (FLUE),  
29 adopted pursuant to Ordinance 2002-54, as amended. ~~RLSA Overlay Map. The map~~  
30 ~~entitled "Collier County Rural & Agricultural Area Assessment Stewardship Overlay Map,"~~  
31 ~~which identifies those areas delineated as FSA, HSA, WRA, Restoration Zone, and Open.~~  
32
- 33 FF. Rural Lands Stewardship Area Overlay Map (RLSA Overlay Map). The map entitled  
34 "Rural Lands Stewardship Area Overlay Map" in the FLUE, which identifies those areas  
35 delineated as "FSA," "HSA," "WRA," "Restoration Area," and "Open." ~~RLSA-District~~  
36 ~~Regulations). LDC Section 4.08.00.~~  
37
- 38 GG. Soils/Surface Water Indices. One of the indices comprising the Natural Resource Index  
39 Value of land, with values assigned based upon soil types classified using the following  
40 Natural Soils Landscape Positions (NSLP) categories: Open Water and Muck Depression  
41 Soils (NSLP Categories 1 and 5); Sand Depression Soils (NSLP Category 6); Flats Soils  
42 (NSLP Category 7); and Non-Hydric Soils (NSLP Categories 8, 9, and 11).  
43
- 44 HH. Special Districts. An area dedicated for certain uses that cannot be incorporated into one  
45 of the ~~C~~context ~~Z~~zones. Special Districts provide for the inclusion of unique uses and  
46 development standards not otherwise defined in a context zone.  
47
- 48 II. ~~SRA~~– Stewardship Receiving Area (SRA). A designated area within the RLSAO District  
49 that has been approved for the development of a ~~Hamlet, Village,~~ Town, Village, or CRD  
50 and that requires the consumption of Stewardship Credits.

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- 1
- 2 JJ. ~~SSA~~ Stewardship Sending Area (SSA). A designated area within the RLSA ~~District~~ that
- 3 has been approved for the generation of Stewardship Sending Area Credits in exchange
- 4 for the elimination of one or more Land Use Layers.
- 5
- 6 KK. Stewardship Sending Area Credit (SSA Credit). A transferable unit of measure generated
- 7 by an SSA and consumed by an SRA. Where SSA Credits were created from an SSA
- 8 approved prior to July 13, 2021, eight (8) ~~Eight~~ credits are transferred to an SRA in
- 9 exchange for the development of one acre of land as provided in LDC section Section
- 10 4.08.06 B. Where such SSA Credits were created from an SSA approved after July 13,
- 11 2021, ten (10) credits are transferred to an SRA in exchange for the development of one
- 12 acre of land as provided in LDC section 4.08.06 B.
- 13
- 14 LL. Stewardship Credit Database. A database maintained by the County that keeps track of
- 15 all of the credit transactions (generation of Credits through SSA designation and the
- 16 consumption of credits through SRA designation) approved by the County.
- 17
- 18 MM. Stewardship Credit System. A system that creates incentives to protect and preserve
- 19 natural resources and agricultural areas in exchange for the generating and use of credits
- 20 to entitle compact forms of rural development. The greater the value of the natural
- 21 resources being preserved and the higher the degree of preservation, the greater the
- 22 number of credits that can be generated. Credits are generated through the designation
- 23 of SSAs and consumed through the designation of SRAs.
- 24
- 25 NN. Stewardship Credit Worksheet. An analytical tool that manually describes the Stewardship
- 26 Credit calculation process including the Natural Resource Index and Land Use Layer
- 27 components. The worksheet can be used to document proposed changes to the Index
- 28 component during the SSA and SRA designation processes.
- 29
- 30 OO. Stewardship Overlay Designation. One of the indices comprising the Natural Resource
- 31 Index Value of land, with values assigned based upon the designation of the land on the
- 32 RLSA Overlay Map as FSA, HSA, WRA, or ACSC, or Restoration Area, where Land Use
- 33 Layers 1 through ~~43~~ are eliminated ~~removed, Restoration-Zone~~. Land that is designated
- 34 as ACSC, as well as FSA, HSA, or WRA shall receive value for the designation with the
- 35 higher value but shall not receive value for both designations.
- 36
- 37 PP. Story. That portion of a building included between a floor which is calculated as part of the
- 38 building's habitable floor area and the floor or roof next above it.
- 39
- 40 QQ. Story, half. The designation of a space on the upper level of a building in which the walls
- 41 at the eaves are zero to four feet.
- 42
- 43 RR. Town. Towns are a form of SRA and are the largest and most diverse form of SRA, with
- 44 a full range of housing types and mix of uses. Towns have urban level services and
- 45 infrastructure which support development that is compact, mixed use, human scale, and
- 46 provides a balance of land uses to reduce automobile trips and increase livability. Towns
- 47 are comprised of several Villages and/or neighborhoods that have individual identity and
- 48 character.
- 49



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- 1 SS. Town Center Context Zone (Town Center). A defining ~~C~~context ~~Z~~zone that is intended to
- 2 provide a wide range of uses, including daily goods and services, culture and
- 3 entertainment, and residential uses within a Town. The Town Center is an extension of
- 4 the Town Core, however the intensity is less as the Town Center serves as a transition to
- 5 surrounding neighborhoods.
- 6
- 7 TT. Town Core Context Zone (Town Core). A defining ~~C~~context ~~Z~~zone within a Town. The
- 8 Town Core is the most dense and diverse ~~C~~context ~~Z~~zone with a full range of uses. The
- 9 Town Core is the most active area within the Town with uses mixed vertically and
- 10 horizontally.
- 11
- 12 UU. Village. Villages are a form of SRA and are primarily residential communities with a
- 13 diversity of housing types and mix of uses appropriate to the scale and character of the
- 14 particular village. Villages are comprised of residential neighborhoods and shall include a
- 15 mixed-use village center to serve as the focal point for the community's support services
- 16 and facilities.
- 17
- 18 VV. Village ~~C~~center Context Zone (Village Center). A defining ~~C~~context ~~Z~~zone within a Village
- 19 that is intended to provide a wide range of uses including daily goods and services, culture
- 20 and entertainment, and residential uses.

21

22 WW. Walkability. The suitability for pedestrians to walk safely and comfortably within a

23 community or distinct neighborhood to a destination, generally within a quarter-mile radius.

24 Walkable communities are typically characterized by sidewalks and curbs and/or

25 roadways designed to protect pedestrians from moving traffic, including the use of street

26 trees separating the street from the sidewalk.

27

28 ~~XX~~~~WW~~.WRA—Water Retention Area (WRA). Privately owned lands delineated on the RLSA

29 Overlay Map, that have been permitted by the SFWMD to function as agricultural water

30 retention areas and that provide surface water quality and other natural resource value.

31

32 # # # # # # # # # # # # #

33

## 4.08.02 - Establishment of Rural Land Stewardship Area ~~RLSA~~ Zoning Overlay District

34

35

36 The Rural Lands Stewardship Area Zoning Overlay District (RLSAO) is established ~~In-order~~ to

37 implement the Rural Lands Stewardship Area Overlay of the Future Land Use Element of the

38 Growth Management Plan (RLSA Overlay). These regulations shall apply to all lands in the

39 RLSAO as identified by the designation "RSLAO" on the applicable Official Zoning Atlas Maps.

40 ~~RLSA District Regulations, an RLSA District, to be designated as "RLSAO" on the official zoning~~

41 ~~atlas, is hereby established.~~

42

43 A. The lands included in the RLSAO ~~District~~ and to which the RLSAO ~~District~~ Regulations

44 apply are depicted by the following map:

45

46 \* \* \* \* \*

47

48 B. Within the RLSAO ~~District~~, additional lands may be designated to implement the

49 Stewardship Credit System ~~stewardship-credit system~~ as follows:

50

1 1. Establishment of SSA designations. An RLSA District classification to be known  
2 as SSAs, and to be designated on the official zoning atlas by the symbol "A-  
3 RLSAO-SSA", is hereby established. This overlay district classification will be used  
4 for those lands within the RLSA District that are designated by the Bboard of  
5 County Commissioners (BCC) as SSAs. The placement of this designation shall  
6 be governed by the procedures as prescribed in the RLSA District Regulations.  
7

8 2. Establishment of SRA designations. An RLSA District classification to be known  
9 as SRAs, and to be designated on the official zoning atlas by the symbol "A-  
10 RLSAO-SRA", is hereby established. This overlay district classification will be used  
11 for those lands within the RLSA District that are designated by the BCC as SRAs.  
12 The placement of this designation shall be governed by the procedures as  
13 prescribed in the RLSA District Regulations.  
14

15 **4.08.03 - Establishment of land uses allowed in the Rural Lands Stewardship Area Zoning**  
16 **Overlay RLSA-District.**  
17

18 Land uses allowed within the RLSA District are of two types: those allowed in the  
19 baseline standards prior to designation of SSAs and SRAs, and; those uses provided for in SSAs  
20 and SRAs after designation. The underlying land uses allowed within the RLSA District are  
21 included in the baseline standards. Upon designation of SSAs and SRAs pursuant to the RLSA District  
22 District Regulations, the land uses allowed shall be as provided in LDC sections 4.08.06 and  
23 4.08.07, respectively.  
24

25 **4.08.04 - Implementation of Stewardship Credits**  
26

27 A. *Establishment of a Stewardship Credit Database.* As part of the initial implementation of  
28 the Rural Land Stewardship Area Overlay in the Future Land Use Element of the Growth  
29 Management Plan (RLSA Overlay), the County Manager or designee shall cause to be  
30 developed a Stewardship Credit Database to track the generation (by SSAs) and  
31 consumption (by SRAs) of Stewardship Credits within the RLSA District. The database  
32 shall be in an electronic form that can be linked to the Rural Lands Stewardship Area  
33 Overlay Map in the Future Land Use Element of the Growth Management Plan (RLSA  
34 Overlay Map) and can readily produce reports that will afford convenient access to the  
35 data by the public. The database shall be updated upon approval of an SSA or SRA  
36 Designation Application and Credit Agreement.  
37

38 B. *Authorization to Establish a Stewardship Credit Trust.* As part of the implementation of the  
39 RLSA Overlay, the County may elect to acquire Credits through a publicly funded program.  
40 Should the County pursue this option, the County shall establish a Stewardship Credit  
41 Trust to receive and hold Credits until such time as they are sold, transferred or otherwise  
42 used to implement uses within SRAs. Nothing herein shall preclude the County from  
43 permanently "retiring" those credits received or held.  
44

45 C. *Density.* Except as provided in herein, there shall be no change to the underlying density  
46 and intensity of permitted uses of land within the RLSA District, as set forth in the  
47 Bbaseline Standards, until a property owner elects to utilize the provisions of the  
48 Stewardship Credit System pursuant to the provisions of LDC section Section 4.08.04. No  
49 part of the Stewardship Credit System shall be imposed upon a property owner without  
50 that owner's written consent. It is the intent of the RLSA District Regulations that a

1 property owner will be compensated consistent with Policy 3.8 of the RLSA Overlay for  
2 the voluntary stewardship and protection of important agricultural and natural resources.  
3 The ~~B~~baseline ~~S~~standards will remain in effect for all land not subject to the transfer or  
4 receipt of Stewardship Credits.  
5

6 D. *Creation of Stewardship Credits/General.* Stewardship Sending Area Credits (Credits)  
7 may be created from any lands within the RLSA ~~O District~~ from which one or more Land  
8 Use Layers are ~~eliminated removed~~. These lands will be identified as SSAs. All privately  
9 owned lands within the RLSA ~~O District~~ are candidates for designation as an SSA. Land  
10 becomes designated as an SSA upon petition by the property owner seeking such  
11 designation as outlined herein. A Stewardship Sending Area Credit Agreement shall be  
12 developed that identifies those land uses, which have been ~~eliminated removed~~. Once  
13 land is designated as an SSA and Credits or other compensation is granted to the owner,  
14 no increase in density or additional uses that are not expressly identified in the  
15 Stewardship Sending Area Agreement shall be allowed on such property.  
16

17 E. *Transfer of Stewardship Credits/General.* Credits can be transferred only to lands within  
18 the RLSA ~~O District~~ that meet the defined suitability criteria and standards set forth in LDC  
19 section Section 4.08.07 A.1. and that have been designated as SRAs. The procedures for  
20 the establishment and transfer of Credits and SRA designation are set forth herein.  
21 Stewardship Credits will be exchanged for additional residential or non-residential  
22 entitlements in an SRA on a per acre basis. SRA density and intensity will thereafter differ  
23 from the ~~B~~baseline ~~S~~standards.  
24

25 F. *Allocation of Stewardship Credits/General.* Stewardship Credits generated from one SSA  
26 may be allocated to one or more SRAs, and an SRA may receive Stewardship Credits  
27 generated from one or more SSAs.  
28

29 G. Seven~~Five~~ Year Comprehensive Review.

30  
31 1. Many of the tools, techniques, and strategies of the RLSA Overlay are new,  
32 innovative, and incentive-based. ~~and have yet to be tested in actual~~  
33 ~~implementation. Consequently, by June 2008 and at such subsequent times as~~  
34 ~~deemed appropriate by the BCC, the~~ The County shall prepare ~~and submit to DCA~~  
35 ~~for review~~ a comprehensive analysis of the RLSA Overlay every seven (7) years,  
36 beginning on July 13, 2021, to assess the participation and effectiveness of the  
37 RLSA Overlay implementation in meeting the Goals, Objectives, and Policies of  
38 the RLSA Overlay by utilizing the measures of review delineated in Policy ~~4.22~~  
39 1.21 of the FLUE. The County shall encourage public participation in the review  
40 process through publicly noticed workshops and meetings and through the  
41 solicitation of public input.  
42

43 2. Subsequent to ~~the June 2008~~ review, the RLSA Overlay and RLSA ~~O District~~  
44 Regulations may be amended in response to the County's assessment and  
45 evaluation of the participation in and effectiveness of the Stewardship Credit  
46 System.  
47

48 3. The value, exchange rate, and use of Stewardship Credits shall be governed by  
49 the RLSA Overlay and RLSA ~~O District~~ Regulations in effect at the time the SSA  
50 from which those credits are generated is approved. The Restoration Stewardship

Credits shall be governed by the RLSA Overlay and RLSA District Regulations in effect at the time that such Restoration Stewardship Credits are authorized by the BCC.

H. Stewardship Credit Cap. The total number of Stewardship Credits shall be capped at 404,000 to entitle no more than 45,000 acres of Stewardship Receiving Areas. Generating Stewardship Credits does not presume approval of Stewardship Receiving Areas.

**4.08.05 - Baseline ~~S~~standards**

All lands within the RLSA District have been delineated on the Rural Lands Stewardship Area Overlay Map in the Future Land Use Element of the Growth Management Plan (RLSA Overlay Map). Unless and until designated as an SSA or SRA, lands within the RLSA District shall remain subject to the ~~B~~baseline ~~S~~standards.

- A. Purpose and intent. These ~~B~~baseline ~~S~~standards will remain in effect for all land within the RLSA District unless or until such land becomes subject to the transfer or receipt of Stewardship Credits, except as to those agricultural uses subject to Florida Statutes sections ~~§§163.3162(3)163.3162(4)~~ and 823.14(6), ~~Florida Statutes~~. The ~~B~~baseline ~~S~~standards are intended to protect water quality and quantity, maintain the natural water regime, and protect listed animal and plant species or species of special concern (SSC) as defined by the Florida Fish and Wildlife Conservation Commission (FWCC) and their habitats on land that has not been designated as an SSA or SRA. The opportunity to voluntarily participate in the Stewardship Credit Program, as well as the right to sell conservation easements or a fee or lesser interest in the land, shall constitute compensation for the loss of any development rights related to these standards.
- B. Applicability of code. Except as otherwise specifically provided in ~~this~~ LDC section 4.05.00, those provisions of this Code in effect as of July 25, 2000, shall apply to all land within the RLSA District unless or until such lands become subject to the transfer or receipt of Stewardship Credits.
- C. Private lands delineated FSAs, HSAs, ~~and~~ WRAs, and Restoration Areas. Lands delineated FSA, HSA, ~~or~~ WRA, or Restoration Areas on the RLSA Overlay Map overlay map have been identified through data and analysis as having a higher quality natural resource value than those lands not delineated. Although any land within the RLSA District can be designated as an SSA, generally those lands delineated FSAs, HSAs, and WRAs are the most likely candidates for designation because of the higher credit values applied to lands with those delineations.
- D. Private lands delineated as open. Lands not otherwise classified as FSA, HSA, ~~or~~ WRA, or Restoration Areas are delineated as "open" on the RLSA Overlay Map overlay map and are generally of a lower natural resource quality. Open lands may be designated as either SSAs or SRAs.
- E. Area of critical state concern (ACSC). The RLSA District includes lands that are within the ACSC. Those ACSC lands are depicted on the RLSA Overlay Map overlay map and are eligible for designation as SRAs, subject to additional standards set forth in subsection 4.08.07 A.2. All ACSC regulations continue to apply to ACSC lands within the RLSA District regardless of designation.

# DRAFT

Text underlined is new text to be added

~~Text strikethrough is current text to be deleted~~

- 1  
2 F. Public or private conservation lands. Those lands within the RLSA District that are held  
3 in public ownership or in private ownership as conservation lands may be delineated on  
4 the RLSA Overlay Map ~~overlay map~~ as FSA, HSA, or WRA but are not eligible for  
5 designation as either an SSA or SRA.  
6  
7 G. No increase in density or intensity within the RLSA District is permitted beyond the  
8 ~~B~~baseline ~~S~~standards except in areas designated as SRAs. Within SRAs, density and  
9 intensity may be increased through the provisions of the Stewardship Credit System and,  
10 where applicable, through the affordable housing density Bonus as referenced in the  
11 density Rating System of the FLUE, and the density and intensity blending provision of  
12 the Immokalee Area Master Plan.  
13  
14 H. Allowable uses. The permitted, accessory, and conditional uses allowed shall be those  
15 set forth in LDC section 2.03.00 in effect as of July 25, 2000, with the following exceptions:  
16  
17 1. Residential Uses, General conditional uses, Earth Mining and Processing Uses,  
18 and Recreational Uses (layers 1—4) as listed in the Matrix ~~at~~ in LDC section  
19 4.08.00 shall be eliminated in all FSAs and designated Restoration Areas, as  
20 provided in LDC section 4.08.00.  
21  
22 2. Conditional use essential services and governmental essential services, except  
23 those necessary to serve permitted uses or for public safety as described in LDC  
24 section 2.01.03 G.2, shall not only be allowed in FSAs ~~with an index value of 1.2~~  
25 ~~or less, as provided in section 4.08.00~~.  
26  
27 3. Directional-drilling techniques and/or previously cleared or disturbed areas shall  
28 be utilized for oil and gas exploration and oil and gas field development and  
29 production activities in FSAs and HSAs in order to minimize impacts to native  
30 habitats, when determined to be practicable. This requirement shall be deemed  
31 satisfied upon issuance of a state permit in compliance with the criteria established  
32 in Chapter 62C-25 through 62C-30, F.A.C., regardless of whether the activity  
33 occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2),  
34 F.A.C. All applicable Collier County environmental permitting requirements shall  
35 be considered satisfied by evidence of the issuance of all applicable federal and/or  
36 state oil and gas permits for proposed oil and gas activities in Collier County, so  
37 long as the state permits comply with the requirements of Chapter 62C-25 through  
38 62C-30, F.A.C. For those areas of Collier County outside the boundary of the Big  
39 Cypress Watershed, the applicant shall be responsible for convening the Big  
40 Cypress Swamp Advisory Committee as set forth in ~~Section~~ Florida Statutes  
41 section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30,  
42 F.A.C., even if outside the defined Big Cypress Watershed. All oil and gas access  
43 roads shall be constructed and protected from unauthorized uses according to the  
44 standards established in Rule 62-30.005(2)(a) 1 through 12, F.A.C.  
45  
46 4. Asphaltic and concrete batch making plants shall be prohibited in areas mapped  
47 as HSAs.  
48

1 5. Any development not participating in the RLSA Program shall be compatible with  
2 surrounding land uses and implement appropriate lighting controls for permitted  
3 uses, including “dark sky compliant” lighting principles.

4  
5 I. Standards applicable inside the ACSC. RLSAQ ~~District~~ lands within the ACSC shall be  
6 subject to all ACSC regulatory standards, including those that strictly limit non-agricultural  
7 clearing.

8  
9 J. Standards applicable outside the ACSC. Except to the extent ~~superseded superceded~~ by  
10 L. or M. below, the following standards shall apply to all development within those areas  
11 of the RLSAQ ~~District~~ that are outside of the ACSC, other than agricultural operations that  
12 fall within the scope of sections ~~§§163.3162(3) 163.3162 (4)~~ and 823.14 (6), F.S., and  
13 single family residential dwellings, unless or until such lands are subject to transmittal or  
14 receipt of Stewardship Credits:

15  
16 1. A wildlife survey, as set forth in Chapter 10, shall be required for all parcels when  
17 listed species or SSC, as defined by the FFWCC, are known to inhabit biological  
18 communities similar to those existing on site or where listed species or SSC are  
19 directly observed on the site.

20  
21 2. If listed species or SSC, as defined by the FFWCC, are utilizing a site or indicated  
22 by evidence, such as denning, foraging, or other indications, the first priority shall  
23 be given to ~~are directly observed on the site of the project or are indicated by~~  
24 ~~evidence, such as denning, foraging, or other indications, first priority shall be~~  
25 ~~given to~~ preserving the habitat of such listed species or SSC. ~~A~~ a minimum of 40  
26 percent % of native vegetation on site shall be retained, with the exception of  
27 clearing for agricultural ~~incidental~~ purposes.

28  
29 3. If the wildlife survey indicates that listed species or SSC, as defined by the  
30 FFWCC, are utilizing the site, or the site is capable of supporting and is likely to  
31 support listed species, a wildlife habitat management plan shall be prepared and  
32 submitted to the County.

33  
34 a. The wildlife habitat management plan within the RLSAQ ~~District~~ shall  
35 include the following techniques to protect listed species or SSC from the  
36 negative impacts of development:

37  
38 ~~i. Open space and vegetation preservation requirements shall be~~  
39 ~~used to establish buffer areas between wildlife habitat areas and~~  
40 ~~areas dominated by human activities.~~

41  
42 ii. Fencing, walls, other obstructions, or other provisions shall be used  
43 to minimize development impacts to the listed species or SSC and  
44 to encourage wildlife to use wildlife corridors.

45  
46 iii. Roadway~~s~~ crossings, underpasses, and signage shall be used  
47 where roads must cross wildlife corridors as determined by the  
48 authorities governing crossing locations.

49  
50 b. The wildlife habitat management plan shall also incorporate the following:

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- i. A description of the techniques used to direct incompatible land uses away from listed species or SSC and their habitats and to comply with the criteria identified in 1 and 2 above, as applicable.;
- ii. Identification of appropriate lighting controls for permitted uses, including “dark sky compliant” lighting principles, and a consideration of the opportunity to utilize prescribed burning to maintain fire-adapted preserved vegetation communities and provide browse for white-tailed deer, consistent with the USFWS South Florida Multi-Species Recovery Plan, May 1999, except as recommended otherwise by the USFWS or FFWCC; ~~and~~
- ~~iii. If the development will be larger than 10 acres, a monitoring program.~~
- iii. A description of provisions to minimize human and wildlife interactions based on the most current FFWCC guidelines and regulations on techniques to reduce human-wildlife contact, consistent with the baseline standards provided in LDC section 4.08.05 J.3.a. Low intensity land uses, such as lakes, parks, or passive recreation areas, vegetation preserves, and agriculture shall be used to establish buffer areas between wildlife habitat and areas dominated by human activities.
- iv. The strategy for disseminating information to local residents, visitors, and businesses about the presence of wildlife and practices that enable coexistence and minimized interaction such as appropriate waste disposal practices.
- v. Mitigation for impacting listed species or SSC habitat shall be considered in the management plan, as appropriate.
- vi. A monitoring program if the development will be greater than 10 acres.
- c. The most current and completed data and local, state, and federal guidelines and regulations shall be utilized to prepare the required management plans. Management guidelines contained in publications used by the FFWCC and USFWS for technical assistance shall be used for developing required management plans, but the County shall consider any other techniques recommended by the FFWCC and the USFWS, consistent with LDC section 4.08.05 J.4. ~~The following references shall be used, as appropriate, to prepare the wildlife habitat management plan:~~
  - ~~i. South Florida Multi-Species Recovery Plan, USFWS, 1999.~~
  - ~~ii. Habitat Management Guidelines for the Bald Eagle in the Southeast Region, USFWS, 1987.~~

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- ~~iii. Ecology and Habitat Protection Needs of Gopher Tortoise (Gopherus polyphemus) Populations found on Lands Slated for Large Scale development in Florida, Technical Report No. 4, Florida Game and Fresh Water Fish Commission, 1987.~~
  
- ~~iv. Ecology and development-Related Habitat Requirements of the Florida Scrub Jay (Apelocoma coerulescens), Technical Report No. 8, Florida Game and Fresh Water Fish Commission, 1991.v.Ecology and Habitat Protection Needs of the Southeastern American Kestrel (Falco Sparverius Paulus) on Large-scale development Sites in Florida, Nongame Technical Report No. 13, Florida Game and Fresh Water Fish Commission, 1993.~~
  
- ~~d. The following species specific provisions shall be included within the wildlife habitat management plan if the wildlife survey indicates that the identified species utilizes the site or the site is capable of supporting and is likely to support such species:
  - ~~i. Gopher tortoise. For parcels containing gopher tortoises (Gopherus polyphemus), priority shall be given to protecting the largest, most contiguous gopher tortoise habitat with the greatest number of active burrows, and for providing a connection to off-site adjacent gopher tortoise preserves.~~
  
  - ~~ii. Florida scrub jay. Habitat preservation for the Florida scrub jay (Aphelocoma coerulescens) shall conform to the guidelines contained in Technical Report No. 8, Florida Game and Fresh Water Fish Commission, 1991. A maintenance program shall be established, which shall specify appropriate fire or mechanical protocols to maintain the natural scrub community. A public awareness program to educate residents about the on-site preserve and the need to maintain the scrub vegetation shall be developed. These requirements shall be consistent with the USFWS South Florida Multi-Species Recovery Plan, May 1999.~~
  
  - ~~iii. Bald eagle. For the bald eagle (Haliaeetus leucocephalus), the required habitat management plans shall establish protective zones around the eagle nest restricting certain activities. The plans shall also address restricting certain types of activities during the nest season. These requirements shall be consistent with the USFWS South Florida Multi-Species Recover Plan, May 1999.~~
  
  - ~~iv. Red-cockaded woodpecker. For the red-cockaded woodpecker (Picoides borealis), the required habitat protection plan shall outline measures to avoid adverse impacts to active clusters and to minimize impacts to foraging habitat. Where adverse effects cannot be avoided, measures shall be taken to minimize on-site disturbance and compensate or mitigate for impacts that remain. These requirements shall be consistent with the USFWS South Florida Multi-Species Recovery Plan, May 1999.v.Florida black~~~~



~~bear. In areas where the Florida black bear (Ursus americanus floridanus) may be present, the management plans shall require that garbage be placed in bear-proof containers, at one or more central locations. The management plan shall also identify methods to inform local residents of the concerns related to interaction between black bears and humans. Mitigation for impacting habitat suitable for black bear shall be considered in the management plan.~~

~~vi. Panther. For projects located in Priority I or Priority II Panther Habitat areas, the management plan shall discourage the destruction of undisturbed, native habitats that are preferred by the Florida panther (Felis concolor coryi) by directing intensive land uses to currently disturbed areas. Preferred habitats include pine flatwoods and hardwood hammocks. In turn, these areas shall be buffered from the most intense land uses of the project by using low intensity land uses (e.g., parks, passive recreational areas, golf courses).~~

4. On property where the wildlife survey establishes that listed species or species of special concern, as defined by the FFWCC, are utilizing the site or where the site is capable of supporting listed species and such listed species can be anticipated to potentially occupy the site, the County shall, consistent with the Rural Land Stewardship Area in the Future Land Use Element of the Growth Management Plan ~~RLSA Overlay of the GMP~~, consider and utilize recommendations and letters of technical assistance from the FFWCC ~~State of Florida Fish and Wildlife Conservation Commission~~ and recommendations from the U.S. Fish and Wildlife Service in issuing development orders. It is recognized that these agency recommendations, on a case-by-case basis may strengthen ~~change~~ the requirements contained herein and any such change shall be deemed consistent with this Code. However, no reduction of the wildlife protection standards herein will be considered as these shall constitute minimum standards for wildlife protection.

K. Golf course standards. Except as otherwise required by L. or M. below, all golf courses within the RLSA ~~District~~ that are not within an SRA shall be subject to the following requirements:

1. Golf courses shall be designed, constructed, and managed in accordance with the Audubon Cooperative Sanctuary Program for Golf Courses (ACSP). The project shall demonstrate that the ACSP's Environment Management Practices for Golf Courses have been incorporated into the golf course design or operational procedure. ~~Golf courses shall be designed, constructed, and managed in accordance with Audubon International's Gold Signature Program. The project shall demonstrate that the Principles for Resource Management required by the Gold Signature Program (Site Specific Assessment, Habitat Sensitivity, Native and Naturalized Plants and Natural Landscaping, Water Conservation, Waste Management, Energy Conservation & Renewable Energy Sources, Transportation, Greenspace and Corridors, Agriculture, and Building Design) have been incorporated into the golf course's design and operational procedures. In~~

1 addition to addressing these requirements, golf courses shall meet the following  
2 specific criteria:

3  
4 a. In order to prevent the contamination of soil, surface water and ground  
5 water by the materials stored and handled by golf course maintenance  
6 operations, golf courses shall comply with the Best Management Practices  
7 for Enhancement of Environmental Quality on Florida Golf Courses  
8 ~~Maintenance Departments~~, prepared by the Florida Department of  
9 Environmental Protection, September 2012, as amended ~~May 1995~~.

10  
11 b. To protect ground and surface water quality from fertilizer and pesticide  
12 usage, golf courses shall demonstrate the following management  
13 practices:

14  
15 i. The use of slow release nitrogen sources;

16  
17 ii. The use of soil and plant tissue analysis to adjust timing and amount  
18 of fertilization applications;

19  
20 iii. The use of an integrated pest management program using both  
21 biological and chemical agents to control various pests;

22  
23 iv. The coordination of pesticide applications with the timing and  
24 application of irrigation water; and

25  
26 v. The use of ~~the procedure contained in IFAS Circular 1011,~~  
27 ~~Managing Pesticides for Golf Course Maintenance and Water~~  
28 ~~Quality Protection, May 1991 (revised 1995) to select~~ pesticides  
29 that will have a minimum adverse impact on water quality, in  
30 compliance with Best Management Practices for the Enhancement  
31 of Environmental Quality on Florida Golf Courses, FDEP,  
32 September 2012, as amended.

33  
34 2. To ensure water conservation, golf courses shall incorporate the following in their  
35 design and operation:

36  
37 a. Irrigation systems shall be designed to use weather station information and  
38 moisture-sensing systems to determine the optimum amount of irrigation  
39 water needed considering soil moisture and evapotranspiration rates.

40  
41 b. As available, golf courses shall utilize treated effluent reuse water  
42 consistent with Wastewater Treatment ~~Sanitary Sewer~~ Sub-Element  
43 Objective ~~4.4~~ and its policies.;

44  
45 c. Native plants shall be used exclusively except for special purpose areas  
46 such as golf greens, fairways, and building sites. Within these excepted  
47 areas, landscaping plans shall require that at least 75 percent % of the  
48 trees and 50 percent % of the shrubs be freeze-tolerant native Floridian  
49 species. At least 75 percent % of the required native trees and shrubs shall  
50 also be drought tolerant species.

1  
2 3. Stormwater management ponds shall be designed to mimic the functions of natural  
3 systems: by establishing shorelines that are sinuous in configuration in order to  
4 provide increased length and diversity of the littoral zone. A Littoral shelf shall be  
5 established to provide a feeding area for water dependent avian species. The  
6 combined length of vertical and rip-rapped walls shall be limited to 25 percent %  
7 of the shoreline. Credits to the site preservation area requirements, on an acre-to-  
8 acre basis, shall be given for littoral shelves that exceed these littoral shelf area  
9 requirements.

10  
11 L. Standards applicable in FSAs, HSAs, and WRAs that are outside of the ACSC. The  
12 provisions of Chapters 3, 4, and 10 in effect as of July 25, 2000, shall apply to FSAs,  
13 HSAs, and WRAs outside of the ACSC, with the following exceptions:

- 14  
15 1. Site clearing and alteration shall be limited to 20 percent % of the property and  
16 nonpermeable surfaces shall not exceed 50 percent % of any such area.  
17  
18 2. Except for roads and lakes, any nonpermeable surface greater than one acre shall  
19 provide for release of surface water run off, collected or uncollected, in a manner  
20 approximating the natural surface water flow regime of the surrounding area.  
21  
22 3. Roads shall be designed to allow the passage of surface water flows through the  
23 use of equalizer pipes, interceptor spreader systems or performance equivalent  
24 structures.  
25  
26 4. Revegetation and landscaping of cleared areas shall be accomplished with  
27 predominantly native species and planting of undesirable exotic species shall be  
28 prohibited.

29  
30 M. Standards applicable to wetlands outside of FSAs, HSAs, WRAs, and the ACSC.  
31 Wetlands located outside of FSAs, HSAs, WRAs, and the ACSC shall be preserved in  
32 accord with the following criteria:

- 33  
34 1. The vegetative preservation requirement set forth in J.2. above shall first be met  
35 through preservation of wetlands having a functionality assessment score of 0.65  
36 or greater. Applicants shall establish the wetland functionality score of wetlands  
37 using the South Florida Water Management District's Unified Wetland Mitigation  
38 Assessment Method, F.A.C. 62-345. Upland vegetative communities may be  
39 utilized to meet the vegetative, open space, and site preservation requirements  
40 when the wetland functional assessment score of on-site wetlands is less than  
41 0.65.  
42  
43 2. Wetlands and contiguous upland buffers that are utilized by listed species or SSC,  
44 as defined by the FFWCC, or serving as corridors for the movement of listed  
45 species or SSC shall be preserved on site.  
46  
47 3. Wetland flow way functions through the project shall be maintained.  
48  
49 4. Ground water table drawdowns or diversions shall not adversely change the  
50 hydroperiod of preserved wetlands on or off-site and detention and control

1 elevations shall be set to protect surrounding wetlands and be consistent with  
2 surrounding land and project control elevations and water tables. In order to meet  
3 these requirements, projects shall be designed in accordance with the current  
4 SFWMD Basis of Review Sections 4.2.2.4.6.11 and 6.12 of SFWMD's Basis of  
5 Review, January 2001.  
6

7 5. All direct impacts shall be mitigated for as required by applicable federal or state  
8 agencies and in the same manner as set forth in LDC section 4.06.04 ~~of this Code.~~  
9

10 6. Single family residences shall follow the requirements contained within Policy 6.2.7  
11 of the Conservation and Coastal Management Element.  
12

13 7. Appropriate buffering shall be provided to separate preserved wetlands from other  
14 land uses. A minimum 50-foot vegetated upland buffer is required adjacent to a  
15 natural water body and for other wetlands a minimum 25-foot vegetated upland  
16 buffer adjacent to the wetland. A structural buffer, consisting of a stem-wall, a  
17 berm, or a vegetative hedge with suitable fencing, may be used in conjunction with  
18 a vegetative buffer that would reduce the vegetative buffer width by 50 percent %.  
19 A structural buffer shall be required adjacent to wetlands where direct impacts are  
20 allowed. Wetland buffers shall conform to the following standards:  
21

22 a. The buffer shall be measured landward from the approved jurisdictional  
23 line.  
24

25 b. The buffer zone shall consist of preserved native vegetation. Where native  
26 vegetation does not exist, native vegetation compatible with the existing  
27 soils and expected hydrologic conditions shall be planted.  
28

29 c. The buffer shall be maintained free of Category I Exotics.  
30

31 d. The following land uses are considered to be compatible with wetland  
32 functions and are allowed within the buffer:  
33

34 i. Passive recreational areas, boardwalks and recreational shelters;  
35

36 ii. Pervious nature trails;  
37

38 iii. Water management structures;  
39

40 iv. Mitigation areas;  
41

42 v. Any other conservation and related open space activity or use  
43 which is comparable in nature with the foregoing uses.  
44

45 8. Mitigation Requirements. Mitigation shall be required for direct impacts to  
46 wetlands, such that the wetland functional score of the mitigation equals or  
47 exceeds the wetland functional score of the impacted wetlands.  
48

49 a. Priority shall be given to mitigation within FSAs and HSAs.  
50

- 1           b.       Loss of storage or conveyance volume resulting from direct impacts to
- 2                   wetlands shall be compensated for by providing an equal amount of
- 3                   storage or conveyance capacity on site and within or adjacent to the
- 4                   impacted wetland.
- 5
- 6           c.       Protection shall be provided for preserved or created wetland or upland
- 7                   vegetative communities offered as mitigation by placing a conservation
- 8                   easement over the land in perpetuity, providing for initial exotic plant
- 9                   removal (Class I invasive exotic plants defined by the Florida Exotic Plant
- 10                  Council) and continuing exotic plant maintenance, or by appropriate
- 11                  ownership transfer to a state or federal agency along with sufficient funding
- 12                  for perpetual management activities.
- 13
- 14           d.       The removal of exotics may be considered as acceptable mitigation as
- 15                  determined by the County Manager or designee or by the applicable
- 16                  permitting agencies.
- 17
- 18       9.       Prior to issuance of any final development order that authorizes site alteration, the
- 19                  applicant shall demonstrate compliance with paragraphs 8.a. through 8.~~d~~e. above,
- 20                  as applicable and SFWMD standards. If state or federal agency permits have not
- 21                  provided mitigation consistent with paragraphs 8 above, the County shall require
- 22                  mitigation exceeding that of the jurisdictional agencies.
- 23
- 24       10.      Wetland preservation, buffer areas, and mitigation areas shall be identified or
- 25                  platted as separate tracts. In the case of a Planned Unit Development (PUD), these
- 26                  areas shall also be depicted on the PUD Master Plan. These areas shall be
- 27                  maintained free from trash and debris and from Category I Exotics. Land uses
- 28                  allowed in these areas shall be limited to those identified in 7.d. above.
- 29

**4.08.06 - SSA Designation**

Lands within the Rural Lands Stewardship Area Zoning Overlay District (RLSAO) ~~District~~ may be designated as SSAs subject to the following regulations:

- 35   A.       Lands Within the RLSAO ~~District~~ that can be Designated as SSAs. Any privately held land
- 36                  within the RLSAO ~~District~~ delineated on the Rural Lands Stewardship Area Overlay Map in
- 37                  the Future Land Use Element of the GMP (RLSA Overlay Map) as FSA, HSA, WRA,
- 38                  Restoration Area, or Open, may be designated as an SSA, including lands within the
- 39                  ACSC.
- 40
- 41       1.       May be within an SRA Boundary. A WRA, whether designated as an SSA or not,
- 42                  may be contiguous to or surrounded by an SRA. Should a WRA be used to provide
- 43                  water retention for an SRA, the provisions of LDC section 4.08.06 A.4.b. shall
- 44                  apply.
- 45
- 46       2.       FSA Delineated Lands.
- 47
- 48       a.       In the case where lands delineated as FSA are designated as an SSA, at
- 49                  a minimum, Residential uses, General conditional uses, Earth Mining and

1 Processing Uses, and Recreational Uses (layers 1-4) as listed in the Land  
2 Use Matrix shall be eliminated as permitted land uses.

3  
4 b. Conditional use essential services and governmental essential services,  
5 other than those necessary to serve permitted uses or for public safety as  
6 described in LDC section 2.01.03 G.2., shall not only be allowed in FSAs  
7 ~~with a Natural Resource Stewardship Index value of 1.2 or less.~~

8  
9 c. Directional-drilling techniques and/or previously cleared or disturbed areas  
10 shall be utilized for oil and gas exploration and oil and gas field  
11 development, and production activities in FSAs in order to minimize  
12 impacts to native habitats when determined to be practicable. This  
13 requirement shall be deemed satisfied upon issuance of a state permit  
14 requiring compliance with the criteria established in Chapter 62C-25  
15 through 62C-30, F.A.C., as those rules existed on June 16, 2005,  
16 regardless of whether the activity occurs within the Big Cypress Swamp as  
17 defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County  
18 environmental permitting requirements shall be considered satisfied by  
19 evidence of the issuance of all applicable federal and/or state permits for  
20 proposed oil and gas activities in Collier County, so long as the state  
21 permits comply with the requirements of Chapter 62C-25 through 62C-30,  
22 FAC. For those areas of Collier County outside the boundary of the Big  
23 Cypress Watershed, the applicant shall be responsible for convening the  
24 Big Cypress Swamp Advisory Committee as set forth in Section 377.42,  
25 F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C.  
26 even if outside the defined Big Cypress Watershed. All oil and gas access  
27 roads shall be constructed and protect from unauthorized uses according  
28 to the standards established in Rule 62C-30.005(2)(a)1 through 12, FAC.  
29 Nothing contained herein alters the requirement to obtain conditional use  
30 permits for oil and gas field development and production activities.  
31 Directional-drilling techniques and/or previously cleared or disturbed areas  
32 shall be utilized for oil and gas exploration and oil and gas field  
33 development and production activities in FSAs in order to minimize impacts  
34 to native habitats when determined to be practicable. This requirement  
35 shall be deemed satisfied upon issuance of a state permit requiring  
36 compliance with the criteria established in Chapter 62C-25 through 62C-  
37 30, F.A.C., as those rules existed on January 14, 2005, regardless of  
38 whether the FSA in which oil and gas exploration and oil and gas field  
39 development and production activities is within the Big Cypress Swamp as  
40 defined in Rule 62C-30.001(2), F.A.C. For those areas of Collier County  
41 outside the boundary of the Big Cypress Swamp Advisory Committee as  
42 set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-  
43 25 through 62C-30, F.A.C. even if outside the defined Big Cypress  
44 Watershed. Nothing contained herein alters the requirement to obtain  
45 conditional use permits for oil and gas field development and production  
46 activities.

47  
48 d. The elimination of the Earth Mining layer (Layer 3) shall not preclude the  
49 excavation of lakes or other water bodies if such use is an integral part of  
50 a restoration or mitigation program within an FSA.

- 1
- 2
- 3 e. Once land in an FSA is designated as an SSA, no expansion of Agriculture
- 4 Group 1 (Layer 5) or Agriculture Group 2 (Layer 7) and no conversion of
- 5 Agriculture Group 2 to Agriculture Group 1 shall be allowed beyond those
- 6 land uses in existence or allowed by applicable permits as of the date that
- 7 the SSA designation is approved other than incidental clearing as set forth
- 8 in f. below.
- 9
- 10 f. Incidental clearing is permitted, provided that the Ag 1 Land Use Layer has
- 11 been retained on the areas to be incidentally cleared and the Natural
- 12 Resource Index Value score has been adjusted to reflect the proposed
- 13 change in land cover. In the event said incidental clearing impacts lands
- 14 having a Natural Resource Index Value in excess of 1.2, appropriate
- 15 mitigation shall be provided.
- 16 3. HSA Delineated Lands.
- 17
- 18 a. In the case where lands delineated as HSA are designated as an SSA, at
- 19 a minimum, Residential Land Uses (Layer 1), as listed in the Matrix, shall
- 20 be eliminated.
- 21
- 22 b. General conditional uses, Earth Mining and Processing Uses, and
- 23 Recreational Uses shall be allowed only on HSA lands with a Natural
- 24 Resource Stewardship Index value of 1.2 or less.
- 25
- 26 c. In addition to the requirements imposed in the LDC for approval of a
- 27 conditional use, uses listed in b. above will only be approved upon submittal
- 28 of Environmental Data ~~an EIS~~ which demonstrates that clearing of native
- 29 vegetation has been minimized, the use will not significantly and adversely
- 30 impact listed species and their habitats and the use will not significantly and
- 31 adversely impact aquifers. This demonstration shall be made by
- 32 establishing the following:
- 33
- 34 (1) Clearing of native vegetation shall not exceed 15 percent % of the
- 35 native vegetation on the parcel.
- 36
- 37 (2) Priority shall be given to utilizing contiguous areas of previously
- 38 cleared land before native vegetated areas.
- 39
- 40 (3) Buffering to Conservation Land shall comply with LDC section
- 41 ~~Section~~ 4.08.07 1.5.d.ii ~~1.6.10~~.
- 42
- 43 (4) Stormwater Management design shall base water control
- 44 elevations on seasonal high water elevations of adjacent wetlands
- 45 to protect wetland hydroperiods in accord with the SFWMD Basis
- 46 of Review.
- 47
- 48 (5) The area has a Listed Species Habitat Indices Value of 0.4 or less
- 49 and no state or federal direct impact take permit is required for the
- 50 use.

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- (6) Activities that are the subject of an approved SFWMD Environmental Resource Permit or Consumptive Use Permit and that utilize best management practices designed to protect groundwater from contamination from allowable land uses are deemed not to significantly and adversely impact aquifers.
  
- d. As an alternative to the submittal of the Environmental Data required in LDC section 4.08.06 A.3.c.~~an EIS~~, the applicant may demonstrate that such use is an integral part of a State or Federally approved restoration plan or mitigation program.
  
- e. Conditional use essential services and governmental essential services, other than those necessary to serve permitted uses or for public safety as described in LDC section 2.01.03 G.2., shall only be allowed in HSAs with a Natural Resource Stewardship Index value of 1.2 or less.
  
- f. Asphaltic and concrete batch making plants are prohibited in all HSAs.
  
- g. Directional-drilling techniques and/or previously cleared or disturbed areas shall be utilized for oil and gas exploration and oil and gas field development, and production activities in HSAs in order to minimize impacts to native habitats when determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit requiring compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as those rules existed on June 16, 2005, regardless of whether the activity occurs within the Big Cypress Swamp as defined in Rule 62C-30.001(2), F.A.C. All applicable Collier County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in Collier County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, FAC. For those areas of Collier County outside the boundary of the Big Cypress Watershed, the applicant shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C. even if outside the defined Big Cypress Watershed. All oil and gas access roads shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)1 through 12, FAC. Nothing contained herein alters the requirement to obtain conditional use permits for oil and gas field development and production activities.
  
- h. Golf Course design, construction, and operation in any HSA shall comply with the best management practices of Audubon Cooperative Sanctuary International's Gold Program for Golf (ASCP) and the Florida DEP, ~~which standards shall be adopted by December 13, 2003.~~
  
- i. Once land in an HSA is designated as an SSA, no expansion of Agriculture Group 1 (Layer 5) or Agriculture Group 2 (Layer 7) and no conversion of



1 Agriculture Group 2 to Agriculture Group 1 shall be allowed beyond those  
2 land uses in existence or allowed by applicable permits as of the date that  
3 the SSA designation is approved other than incidental clearing as set forth  
4 in j. below.  
5

6 j. Incidental clearing is permitted, provided that the Ag 1 Land Use Layer has  
7 been retained on the areas to be incidentally cleared and the Natural  
8 Resource Index Value score has been adjusted to reflect the proposed  
9 change in land cover. In the event said incidental clearing impacts lands  
10 having a Natural Resource Index Value in excess of 1.2, appropriate  
11 mitigation shall be provided.  
12

13 4. WRA Delineated Lands.

14  
15 a. In the case where lands delineated as WRA are designated as an SSA, at  
16 a minimum, Residential Land Uses (Layer 1), as listed in the Matrix, shall  
17 be eliminated as permitted land uses.  
18

19 b. During permitting to serve new uses within an SRA, additions and  
20 modifications to WRAs may be required, including but not limited to  
21 changes to control elevations, discharge rates, storm water pre-treatment,  
22 grading, excavation or fill. Such additions and modifications shall be  
23 allowed subject to review and approval by the SFWMD in accordance with  
24 best management practices. Such additions and modifications to WRAs  
25 shall be designed to ensure that there is no net loss of habitat function  
26 within the WRAs unless there is compensating mitigation or restoration in  
27 other areas of the RLSA ~~District~~ that will provide comparable habitat  
28 function. Compensating mitigation or restoration for an impact to a WRA  
29 contiguous to the Camp Keais Strand or Okaloacoochee Slough shall be  
30 provided within or contiguous to that Strand or Slough.  
31

32 5. Restoration ~~Area Zone~~ Delineated Lands. To further direct other uses away from  
33 and to provide additional incentive for the protection, enhancement, and  
34 restoration of the Okaloacoochee Slough and Camp Keais Strand, when lands  
35 within a Restoration ~~Area Zone~~ are designated as an SSA and at least Land Use  
36 Layers 1 through 4 are eliminated as permitted uses, such Restoration ~~Area Zone~~  
37 shall receive a Stewardship Overlay Designation value of 0.6.  
38

39 B. SSA Credit Generation - Stewardship Credit System. Stewardship Credits (Credits) are  
40 created from any lands within the RLSA ~~District~~ from which one or more Land Use Layers  
41 are ~~eliminated removed~~ and that are designated as SSAs. Once land is designated as an  
42 SSA and Credits or other compensation consistent with Policy 3.8 of the Rural Land  
43 Stewardship Area in the Future Land Use Element of the Growth Management Plan  
44 (RLSA Overlay) is granted to the owner, no increase in density or additional uses not  
45 expressly identified in the Stewardship Sending Area Agreement shall be allowed on such  
46 property. A methodology has been adopted in the GMP for the calculation of credits based  
47 upon: 1) the Natural Resource Index Value of the land being designated as an SSA, and  
48 2) the number of land use layers being eliminated.  
49

- 1           1.       Early Entry bonus credits. Early Entry bonus credits were ~~are hereby~~ established
- 2                   to encourage the voluntary designation of SSAs within the RLSA District. The
- 3                   bonus ~~shall be was~~ in the form of an additional one Stewardship Credit per acre of
- 4                   land designated as an SSA that is within an HSA located outside of the ACSC and
- 5                   one-half Stewardship Credit per acre of land designated as an SSA that is within
- 6                   an HSA located inside the ACSC.
- 7
- 8                   a.       The early entry bonus was ~~shall be~~ available until January 30, 2009.
- 9
- 10                  ~~b.       The early designation of SSAs and the resultant generation of Stewardship~~
- 11                  ~~Credits do not require the establishment of SRAs or otherwise require the~~
- 12                  ~~early use of Credits.~~
- 13
- 14                  b.e.     Credits generated under the early entry bonus may be used after the
- 15                  termination of the bonus period.
- 16
- 17                  ~~d.       The maximum number of Credits that can be generated under the early~~
- 18                  ~~entry bonus is 27,000.~~
- 19
- 20                  c.e.     Early Entry bonus credits shall not be transferred into or otherwise used to
- 21                  entitle an SRA within the ACSC.
- 22
- 23                  2.       Agricultural Stewardship Area (ASA). Open Lands are eligible for designation as
- 24                  Agricultural Stewardship Areas. In lieu of applying the Natural Resource Index,
- 25                  lands designated as ASAs shall be assigned two (2.0) Stewardship Credits per
- 26                  acre. All non-agriculture uses shall be eliminated from the property and the
- 27                  remaining uses shall be limited to agricultural Land Use Layers 5, 6 and 7 on the
- 28                  Land Use Matrix.
- 29
- 30                  3.       Panther Corridor Credits. As generally illustrated in the RLSA Overlay Map, there
- 31                  may be opportunities to create, restore, and enhance a northern panther corridor
- 32                  connection and a southern panther corridor connection. Should a property owner
- 33                  in a federally approved corridor designate the required property for such corridor,
- 34                  two (2) Stewardship Credits shall be assigned for each acre of land so dedicated.
- 35                  Should an owner also effectively complete the corridor restoration, this shall be
- 36                  rewarded with eight (8) additional Credits per acre of restored land upon
- 37                  demonstration that the restoration met applicable success criteria as determined
- 38                  by the federal permit agency authorizing said restoration. Issuance of the eight (8)
- 39                  restoration implementation credits may be phased to coincide with a phased
- 40                  implementation process in accordance with the federal permit.
- 41
- 42                  4.       Wetland Wading Bird Habitat Restoration Credits. Dedication of any area for
- 43                  seasonal wetland restoration inside an FSA, HSA, or WRA shall be rewarded with
- 44                  two (2) additional Credits per acre. Should the landowner successfully complete
- 45                  the restoration, an additional eight (8) Credits per acre shall be awarded.
- 46
- 47                  5.2.     The Stewardship Credit Worksheet, adopted as Attachment "A" of the GMP RLSA
- 48                  Goals, Objectives, and Policies, sets out the mathematical formula that shall be
- 49                  used to determine the number of credits available for each acre of land being
- 50                  considered for an SSA.

- 1
- 2 **63.** Natural Resource Indices and Values. A set of Natural Resource Indices has been
- 3 established as part of the Stewardship Credit Worksheet.
- 4
- 5 a. Natural Resource Indices.
- 6 Stewardship Overlay Designation
- 7
- 8 Proximity Indices
- 9
- 10 Listed Species Habitat Indices
- 11
- 12 Soils/Surface Water Indices
- 13
- 14 Restoration Potential Indices
- 15
- 16 Land Use - Land Cover Indices
- 17
- 18
- 19 b. Index Values. During the RLSA Study, based upon data and analysis, each
- 20 acre within the RLSA Q District was assigned a value for each Index except
- 21 for the Restoration Potential Index. The Restoration Potential Index is
- 22 assigned during the SSA designation process if appropriate, and credit
- 23 adjustments are made at that time.
- 24
- 25 c. Restoration Areas ~~Slough/Strand~~ Index Score Upgrade. An index score
- 26 upgrade is hereby established as an incentive for the protection,
- 27 enhancement and restoration of the Okaloacoochee Slough and Camp
- 28 Keais Strand. All lands within 500 feet of the delineated FSAs that comprise
- 29 the Slough or Strand that are not otherwise included in an HSA or WRA
- 30 shall receive the same natural index score (0.6) that an HSA receives, if
- 31 such property is designated as an SSA and retains only agricultural,
- 32 ~~recreational~~ and/or conservation, restoration, and natural resource layers
- 33 of land use (Layers 5-8 on the Land Use Matrix).
- 34
- 35 d. Index Map. A Natural Resource Index Map adopted as a part of the RLSA
- 36 Overlay, indicates the Natural Resource Stewardship Index Value for all
- 37 land within the RLSA Q District. Credits from any lands designated as
- 38 SSAs, shall be based upon the Natural Resource Index values in effect at
- 39 the time of designation. At the time of designation, the Natural Resource
- 40 Index Assessment required in LDC section ~~Section~~ 4.08.06 C.3. shall
- 41 document any necessary adjustments to the index values reflected on the
- 42 Index Map. Any change in the characteristics of land due to alteration of
- 43 the land prior to the designation of an SSA that either increases or
- 44 decreases any Index Value shall result in a corresponding adjustment in
- 45 the credit value.
- 46
- 47 e. Restoration Potential Index Value. If the applicant asserts that the land
- 48 being designated as an SSA has a Restoration Potential Index Value of
- 49 greater than zero (0), an evaluation of the restoration potential of the land
- 50 being designated shall be prepared by a qualified environmental consultant

(per Chapter ~~310~~ of the LDC) on behalf of the applicant and submitted as part of the SSA Designation Application Package. In the event that restoration potential is identified, the appropriate Restoration Potential Index Value shall be determined in accord with the Credit Worksheet. The credit value of each acre to which the Restoration Potential Index Value is applied shall be recalculated by adding the Restoration Potential Index Value to that acre's total Index Value.

f. Restoration Stewardship Credits. Restoration Stewardship Credits are hereby established in addition to the Restoration Potential Index Value. In certain locations there may be the opportunity for flow way or habitat restoration such as locations where flow ways have been constricted or otherwise impeded by past activities or where additional land is needed to enhance wildlife corridors. Restoration Stewardship Credits shall be applied to an SSA subject to the following regulations: Only one type of restoration shall be rewarded with these Credits for each acre designated for restoration and in no case shall more than ten (10) Credits be awarded per acre.

(1) Should a property owner dedicate land for restoration activities within an FSA or HSA, one (1) additional Stewardship Credit shall be assigned for each acre of land so dedicated and identified as Restoration I (R I) on the Restoration Lands Map. ~~Priority has been given to restoration within the Camp Keais Strand FSA or contiguous HSAs. Therefore, four (4) additional Stewardship Credits shall be generated for each acre of land dedicated by the applicant for restoration activities within any of the following areas: the Camp Keais Strand FSA, contiguous HSAs, or those portions of the Restoration Zone depicted on the RLSA Overlay Map that are contiguous to the Camp Keais Strand.~~

(2) Dedication of any area inside an FSA, HSA, or WRA for restoration of seasonal, shallow wetland wading bird foraging habitat, or designation of a panther corridor connection in a federally approved corridor is awarded two (2) Credits per acre of land so dedicated and identified as Restoration I (R I) on the Restoration Lands Map. ~~Two (2) additional Stewardship Credits shall be generated for each acre of land dedicated for restoration activities within the Okaloacoochee Slough, contiguous HSAs, or those portions of the Restoration Zone depicted on that are contiguous to the Okaloacoochee Slough.~~

(3) The actual implementation of restoration improvements is not required for the owner to receive such credits referenced in (1) and (2) above.

(4) On lands ~~Lands~~ designated "Restoration," Land Use Layers 1 through 6 must be eliminated and allowable uses shall be limited ~~restricted~~ to Agriculture - Group 2 and conservation uses and all natural areas shall be maintained in their existing natural condition

1 until such time as restoration activities occur. Upon completion of  
2 restoration, the land shall be managed in accordance with the  
3 applicable restoration permit conditions, which may impose further  
4 restriction on the allowed use of the property.  
5

6 (5) If the applicant ~~agrees to~~ completes the restoration identified as  
7 Restoration II (R II) on the Restoration Lands Map improvements  
8 and the eligibility criteria below are satisfied, ~~four (4)~~ additional  
9 Stewardship Credits shall be awarded when it is authorized at the  
10 ~~time of SSA designation, but shall not become available for transfer~~  
11 ~~until such time as it has been~~ demonstrated that the restoration  
12 activities have met applicable success criteria as determined by the  
13 permitting or commenting agency authorizing ~~the said~~ restoration.  
14 The additional Credits shall be rewarded for either Caracara habitat  
15 restoration at two (2) Credits per acre, exotic control/burning at five  
16 (5) Credits per acre, flow way restoration at five (5) Credits per acre,  
17 native habitat restoration at seven (7) Credits per acre, or panther  
18 corridor restoration improvements at eight (8) Credits per acre.  
19 Should the landowner successfully complete the restoration, an  
20 additional eight (8) Credits per acre shall be awarded upon  
21 demonstration that the restoration met applicable success criteria  
22 as determined by the permit agency authorizing said restoration.

23 One or more of the following eligibility criteria shall be used in  
24 evaluating an applicant's request for these additional Restoration  
25 Stewardship Credits:  
26

27 (a) FSA and/or HSA lands where restoration would increase the  
28 width of flow way and/or habitat corridors along the Camp  
29 Keais Strand or Okaloacoochee Slough so that, in the  
30 opinion of the applicant's environmental consultant and  
31 County environmental or natural resources staff, there will  
32 be functional enhancement of the flow way or wildlife  
33 corridor;  
34

35 (b) FSA and/or HSA lands where restoration would increase the  
36 width of flow way and/or habitat corridors within two miles of  
37 existing public lands so that, in the opinion of the applicant's  
38 environmental consultant and County environmental or  
39 natural resources staff, there will be a functional  
40 enhancement of the flow way or wildlife corridor;  
41

42 (c) Documentation of state or federal listed species utilizing the  
43 land or a contiguous parcel;  
44

45 (d) Lands that could be restored and managed to provide  
46 habitats for specific listed species (e.g., gopher tortoise, Big  
47 Cypress fox squirrel, red-cockaded woodpecker, etc.), or;  
48

49 (e) Occurrence of a land parcel within foraging distance from a  
50 wading bird rookery or other listed bird species colony,

where restoration and proper management could increase foraging opportunities (e.g., wood storks).

74. Land Use Layers ~~to be Eliminated~~. A set of Land Use Layers has been established as part of the Stewardship Credit Worksheet and adopted as the Land Use Matrix set forth below. Each Layer incorporates a number of the permitted or conditional uses allowed under the ~~B~~baseline ~~S~~standards. Each Layer listed below has an established credit value (percentage of a base credit) developed during the RLSA Study. At the time of designation application, a landowner wishing to have ~~his/her~~ land designated as an SSA determines how many of the Land Use Layers are to be ~~eliminated removed~~ from the designated lands. A Land Use Layer can only be ~~eliminated removed~~ in its entirety (all associated activities/land use are ~~eliminated removed~~), and Layers shall be ~~eliminated removed~~ sequentially and cumulatively in the order listed below.

a. Land Use Layers.

- 1 - Residential Land Uses
- 2 - General conditional uses
- 3 - Earth Mining and Processing Uses
- 4 - Recreational Uses
- 5 - Agriculture - Group 1
- 6 - Agriculture - Support Uses
- 7 - Agriculture - Group 2
- 8 - Conservation, Restoration and Natural Resources

b. Land Use Matrix

Residential Land Uses	General Conditional Uses	Earth Mining and Processing Uses	Recreational Uses	Agriculture Group 1	Agriculture Support Uses	Agriculture Group 2	Conservation, Restoration and Natural Resources
Single-family dwelling, incl. Mobile Home (P)	Family care facilities (P)	Excavation, extraction or earthmining and related processing and production (CU)	Golf courses and/or golf driving ranges (CU)	Crop raising; horticulture; fruit and nut production; groves; nurseries; improved pasture (P)	Farm labor housing (A)	Unimproved pasture and grazing, forestry (P)	Wildlife management, plant and wildlife conservancies, refuges and sanctuaries (P)
Mobile homes [(P) in MH Overlay; (A) as temporary use]	Collection and transfer sites for resource recovery (CU)	Asphaltic and concrete batch making plants (CU)	Sports instructional schools and camps (CU)	Animal breeding (other than livestock), raising, training,	Retail sale of fresh, unprocessed agricultural products;	Ranching; livestock raising (P)	Water management, groundwater recharge (P)

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				stabling or kenneling (P)	grown primarily on the property (A)		
Private boathouses and docks on lake, canal or waterway lots (A)	Veterinary clinic (CU)		Sporting and recreational camps (CU)	Dairying, beekeeping ; poultry and egg production; milk production (P)	Retail plant nurseries (CU)	Hunting cabins (CU)	Restoration, mitigation (P)
Recreational facilities integral to residential development, e.g., golf course, clubhouse, community center building and tennis facilities, parks, playgrounds and playfields (A)	Child care centers and adult day care centers			<del>Aquaculture for native species (P) and non-native species (CU)</del>	Packinghouse or similar agricultural processing of farm products produced on the property (A)	Cultural, educational, or recreational facilities and their related modes of transporting participants, viewers or patrons; tour operations, such as, but not limited to airboats, swamp buggies, horses and similar modes of transportation (CU)	Water supply, wellfields (P); oil and gas exploration (P)
Guesthouses (A)	Zoo, aquarium, aviary, botanical garden, or other similar uses (CU)			The commercial production, raising or breeding or exotic animals (CU)	Sawmills (CU)	Excavation and related processing incidental to Ag(A)	Boardwalks, nature trails (P)
	Churches and other places of worship (CU)			Wholesale reptile breeding and raising - non-venomous (P) and venomous (CU)			Natural resources not otherwise listed (P)
	Communications towers (P)(CU)						Essential services (P and CU)
	Social and fraternal organizations (CU)						Oil and gas field development and production (CU)
	Private landing						

	strips for general aviation (CU)						
	Cemeteries (CU)						
	Schools (CU)						
	Group care facilities, ALF (CU)						

1  
2 Uses as listed in LDC- Rural Agricultural District

3  
4 (P) principal use,  
5 (a) accessory use,  
6 (CU) conditional use

7  
8 c. Any development participating in the RLSA Program shall be compatible  
9 with surrounding land uses and implement appropriate lighting controls for  
10 permitted uses, including "dark sky compliant" lighting principles.

11  
12 **85.** Matrix Calculation. The maximum number of credits generated through  
13 designation as an SSA is established in a matrix calculation that multiplies each  
14 Natural Resource Index Value by the value of each Land Use Layer, thereby  
15 establishing a credit value for each acre in the ~~RLSAO Overlay~~, weighted by the  
16 quality of its natural resources. As Land Use Layers are ~~eliminated removed~~, the  
17 sum of the percentages of those Layers ~~eliminated removed~~ is multiplied by the  
18 Natural Resource Index Values to determine the Stewardship Credits to be  
19 generated by each acre being designated as an SSA.

20  
21 C. SSA Designation Application Package. A request to designate lands(s) within the RLSA  
22 ~~District~~ as an SSA shall be made pursuant to the regulations of this Section. An SSA  
23 Application Package shall include the following:

24  
25 1. SSA Designation Application. A landowner or his/her agent, hereafter "applicant,"  
26 shall submit a request for the designation of SSA for lands within the RLSA  
27 ~~District~~ to the County Manager or his designee, on an approved application form.  
28 The application shall be accompanied by the documentation as required by this  
29 Section.

30  
31 2. Application Fee. An application fee shall accompany the application.

32  
33 3. Natural Resource Index Assessment. The applicant shall prepare and submit as  
34 part of the SSA Designation Application a report entitled Natural Resource Index  
35 Assessment that documents the Natural Resource Index Value scores. The  
36 Assessment shall include a summary analysis that quantifies the number of acres  
37 by Index Values, the level of conservation being proposed, and the resulting  
38 number of Credits being generated. The Assessment shall:

39  
40 a. Verify that the Index Value scores assigned during the RLSA Study are still  
41 valid through recent aerial photography or satellite imagery, agency-  
42 approved mapping, or other documentation, as verified by field inspections.



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- b. If ~~if~~ this Assessment establishes that the Index Value scores assigned during the RLSA Study are no longer valid, document the Index Value of the land as of the date of the SSA Designation Application.
  - c. Establish the suggested "Restoration Potential" Index Value for any acres as appropriate and provide evidence/documentation supporting the suggested Index Value;
  - d. Quantify the acreage of agricultural lands, by type, being preserved;
  - e. Quantify the acreage of non-agricultural acreage, by type, being preserved;
  - f. Quantify the acreage of all lands by type within the proposed SSA that have an Index Value greater than 1.2; and
  - g. Quantify all lands, by type, being designated as SSA within the ACSC, if any.
4. Support Documentation. In addition, the following support documentation shall be provided for each SSA being designated:
- a. Legal description, including sketch or survey;
  - b. Acreage calculations, e.g., acres of FSAs, HSAs, and WRAs, etc., being put into the SSA;
  - c. RLSA Overlay Map delineating the area of the RLSA District ~~District~~ being designated as an SSA;
  - d. Aerial photograph(s) having a scale of one (1) inch equal to at least 200 feet when available from the County, otherwise, a scale of at least one (1) inch equal to 400 feet is acceptable, delineating the area being designated as an SSA;
  - e. Natural Resource Index Map of area being designated as an SSA;
  - f. FDOT Florida Land Use Cover and Forms Classification System (FLUCFCS) map(s) delineating the area being designated as an SSA on an aerial photograph having a scale of one (1) inch equal to at least 200 feet when available from the County, otherwise, a scale of at least one (1) inch equal to 400 feet is acceptable;
  - g. Listed species occurrence map(s) from United States Fish and Wildlife Service, Florida Fish and Wildlife Conservation Commission (FWCC) ~~Florida Fish Wildlife Conservation Commission~~, and Florida Natural Areas Inventory, delineating the area being designated as an SSA;

- 1 h. United States Department of Agriculture-Natural Resources Conservation
- 2 Service (USDA-NRCS) Soils map(s) delineating the area being designated
- 3 as an SSA;
- 4
- 5 i. Documentation to support a change in the related Natural Resource Index
- 6 Value(s), if appropriate; and
- 7
- 8 j. Calculations that quantify the number of acres by Index Values, the level
- 9 of conservation being offered, and the resulting number of credits being
- 10 generated.
- 11
- 12 5. SSA Credit Agreement. Any landowner petitioning to have all or a portion of land
- 13 owned within the RLSA District designated as an SSA and who is to obtain SSA
- 14 credits for the land so designated shall enter into a SSA Credit Agreement with the
- 15 County. SSA Credit Agreements entered into by and between a landowner and the
- 16 County shall contain the following:
- 17
- 18 a. The number of acres, and a legal description of all lands subject to the SSA
- 19 Credit Agreement;
- 20
- 21 b. A map or plan (drawn at a scale of 1"= 500') of the land subject to the
- 22 agreement which depicts any lands designated FSAs, HSAs, or WRAs and
- 23 the acreage of lands so designated;
- 24
- 25 c. A narrative description of all land uses, including conditional uses, if any,
- 26 that shall be eliminated ~~removed~~ from the land upon approval of the SSA
- 27 Credit Agreement;
- 28
- 29 d. Calculations that support the total number of SSA credits that result from
- 30 the Natural Resource Index Assessment;
- 31
- 32 e. A copy of the Stewardship easement, (or deed if a fee simple transfer is
- 33 proposed) applicable to the land, which shall be granted in perpetuity and
- 34 shall be recorded by the County upon approval of the SSA Credit
- 35 Agreement;
- 36
- 37 f. Land management measures;
- 38
- 39 g. Provisions requiring that, upon designation of land as an SSA, the owner
- 40 shall not seek or request, and the County shall not grant or approve, any
- 41 increase in density or any additional uses beyond those specified in the
- 42 SSA Credit Agreement on the land;
- 43
- 44 h. Provisions requiring that, upon designation of land within either an FSA or
- 45 an HSA as an SSA, the owner shall not thereafter seek or request, and the
- 46 County shall not thereafter grant or approve any expansion or conversion
- 47 of agricultural land uses in violation of sections 4.08.06 A.2 and A.3.;
- 48
- 49 i. Provisions regarding and ensuring the enforceability of the SSA Credit
- 50 Agreement; and

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- j. If applicable, the number of credits to be granted for restoration (Restoration Credits), together with the following information:
- (1) A legal description of lands to be designated for restoration;
  - (2) A map depicting the land being designated as SSA, with the lands to be dedicated for restoration, but which the applicant makes no commitment to undertake restoration, identified as Restoration I ("R I"); and the lands dedicated for restoration and for which the applicant has committed to carry out the restoration identified as Restoration II ("R II");
  - (3) The number of Restoration Credits to be granted for the lands designated R I and R II;
  - (4) A Restoration Analysis and Report, which shall include a written evaluation of the restoration area's existing ecological/habitat value and the necessary restoration efforts required to reestablish original conditions; enhance the functionality of wetlands or wildlife habitat; or remove exotics so as to enhance the continued viability of native vegetation and wetlands; and
  - (5) When the restoration is to be undertaken by the applicant, a Restoration Plan that addresses, at a minimum, the following elements:
    - (a) Restoration goals or species potentially affected;
    - (b) Description of the work to be performed;
    - (c) Identification of the entity responsible for performing the work;
    - (d) Work Schedule;
    - (e) Success Criteria; and
    - (f) Annual management, maintenance and monitoring.
6. Public Hearing for Credit Agreement. The SSA Credit Agreement shall be approved by a resolution of the BCC at an advertised public meeting by majority vote.
7. Recording of SSA Memorandum. Following approval by the County, an SSA Memorandum shall be prepared and recorded in the public records, together with the following portions or exhibits of the SSA Credit Agreement as attachments:
- a. The legal description of the lands subject to the SSA Credit Agreement and the number of SSA Credits assigned to the land designated as SSA,

1 including lands designated for restoration, if any, and the Restoration  
2 Credits assigned to such land;

3  
4 b. The Stewardship Easement ~~easement~~ Agreement on the SSA lands,  
5 describing the land uses remaining on the land;

6  
7 c. A summary of the Restoration Plan, if restoration is to be undertaken by  
8 the applicant, to include the elements set forth in Section 4.08.06 C.5.  
9

10 8. Stewardship Sending Area Easement ~~easement~~ Agreement or Deed. The  
11 applicant shall prepare and submit a Stewardship Easement ~~easement~~ Agreement  
12 in all cases except when the property is being deeded in fee simple to a  
13 "conservation/preservation agency."  
14

15 a. The Agreement shall impose a restrictive covenant or grant a perpetual  
16 restrictive easement that shall be recorded for each SSA. The Agreement  
17 ~~;~~ shall run with the land and ~~shall~~ be in favor of Collier County and FFWCC  
18 and one or more of the following: Florida DEP, Florida Department of  
19 Agriculture and Consumer Services, SFWMD, or a recognized land trust.  
20

21 b. The Stewardship Sending Area Easement ~~easement~~ Agreement shall  
22 identify the specific land management measures that will be undertaken  
23 and the party responsible for such measures.  
24

25 c. In the event that the land being designated as an SSA is being transferred  
26 to a conservation entity by fee simple title, a deed shall be submitted in lieu  
27 of the Stewardship Sending Area Easement ~~easement~~ Agreement.  
28

29 d. The Stewardship Sending Area Easement Agreement shall comply with  
30 FLUE Policy 1.6.1 Termination of the Agreement shall be done in  
31 compliance with LDC section 4.08.06 F. and in conjunction with the County  
32 Attorney's Office.  
33

34 D. SSA Application Review Process.

35  
36 1. Pre-application Conference with County Staff. Prior to the submission of a formal  
37 application for SSA designation, the applicant shall attend a pre-application  
38 conference with the County Manager or his designee and other county staff,  
39 agencies, and officials involved in the review and processing of such applications  
40 and related materials. If an SRA designation application is to be filed concurrent  
41 with an SSA application, only one pre-application conference shall be required.  
42 This pre-application conference should address, but not be limited to, such matters  
43 as:  
44

45 a. Conformity of the proposed SSA with the goals, objectives, and policies of  
46 the GMP;  
47

48 b. Review of the Stewardship Credit Worksheet and Natural Resource Index  
49 Assessment for the property;  
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- c. Identification of the recognized entity to be named in the covenant or perpetual restrictive easement, and;
  - d. Identification of the proposed land management measures that will be undertaken and the party responsible for such measures.
2. Application Package Submittal and Processing Fees. The required number of copies of each SSA Application and the associated processing fee shall be submitted to the County Manager or his designee. The contents of said application package shall be in accordance with Section 4.08.06 C.
3. Application Deemed Sufficient for Review. Within fifteen (15) working days of receipt of the SSA Application, the County Manager or his designee shall advise the applicant in writing that the application is complete and sufficient for agency review or advise what additional information is needed to find the application sufficient. If required, the applicant shall submit additional information. Within ten (10) working days of receipt of the additional information, the County Manager or his designee shall advise the applicant in writing that the application is complete, or, if additional or revised information is required, the County manager shall again inform the applicant what information is needed, and the timeframe outlined herein shall occur until the application is found sufficient for review.
4. Review by County Reviewing Agencies: Once the SSA application is deemed sufficient, the County Manager or his designee will distribute it to specific County staff for their review.
5. Designation Review. Within sixty (60) days of receipt of a sufficient application, county staff shall review the submittal documents and provide written comments, questions, and clarification items to the applicant. If deemed necessary by county staff or the applicant, a meeting shall be held to resolve outstanding issues and confirm public hearing dates.
6. Designation Report. Within ninety (90) days from the receipt of a sufficient application, county staff shall prepare a written report containing their review findings and a recommendation of approval, approval with conditions or denial. This timeframe may be extended upon written agreement by the applicant.

E. SSA Application Approval Process.

- 1. Public Hearing. The BCC shall hold an advertised public hearing on the proposed resolution approving an SSA Application and SSA Credit Agreement. Notice of the Board's intention to consider the Application and proposed SSA Credit Agreement shall be given at least fifteen (15) days prior to said hearing by publication in a newspaper of general circulation in the County. A copy of such notice shall be kept available for public inspection during regular business hours of the Office of Clerk to the BCC. The notice of proposed hearing shall state the date, time and place of the meeting, the title of the proposed resolution, and the place or places within the County where the proposed resolution and agreement may be inspected by the public. The notice shall provide a general description and a map or sketch of the affected land and shall advise that interested parties may appear at the meeting

1 and be heard with respect to the proposed resolution. The BCC shall review the  
2 staff report and recommendations and, if it finds that all requirements for  
3 designation have been met, shall, by resolution, approve the application. If it finds  
4 that one or more of the requirements for designation have not been met, it shall  
5 either deny the application or approve it with conditions mandating compliance with  
6 all unmet requirements. Approval of such resolution shall require a majority vote  
7 by the BCC.  
8

- 9 2. Legal Description. Following the BCC's approval of the SSA Application and SSA  
10 Credit Agreement, a legal description of the land designated SSA, the SSA credits  
11 granted, and the Stewardship easement applicable to such lands, shall be  
12 provided to the Collier County Property Appraiser and the applicant, and shall be  
13 recorded within thirty (30) days by the applicant in the public records.  
14
- 15 3. Update the RLSA Overlay Map and Official Zoning Atlas. The Official Zoning Atlas  
16 shall be updated to reflect the designation of the SSA. Sufficient information shall  
17 be included on the updated zoning maps so as to direct interested parties to the  
18 appropriate public records associated with the designation, including but not  
19 limited to Resolution number and SSA Designation Application number. The RLSA  
20 Overlay Map shall be updated to reflect the SSA designation during a regular  
21 growth management cycle no later that twelve months from the effective date of  
22 the Stewardship Sending Area Credit Agreement ~~SSA Agreement~~.  
23

24 F. Stewardship Easement Agreement Process.

- 25
- 26 1. Conditional Period. Notwithstanding any provision herein to the contrary, upon  
27 initial approval of a Stewardship Sending Area (SSA), the Stewardship Easement  
28 Agreement (Stewardship Easement) shall be held pursuant to an Escrow Accounty  
29 for a term of five years ("Conditional Period") and shall be deemed a Conditional  
30 Stewardship Easement. The Conditional Period may be extended for one  
31 additional year at the option of the owner by providing written notice to the County  
32 prior to the expiration of the initial five-year period. All conditions and restrictions  
33 of the Stewardship Easement related to maintaining the existing property  
34 conditions, including all management obligations of the owner of the SSA lands,  
35 as well as other terms and conditions, shall be in full force throughout the  
36 Conditional Period as required by the Stewardship Easement and/or an Escrow  
37 Agreement in a form approved by the County Attorney prior to submittal for Board  
38 approval.  
39
- 40 2. Automatic Conversion of Stewardship Easement.  
41
- 42 a. If at any time during the Conditional Period any of the following events  
43 occur, then the Conditional Stewardship Easement shall automatically  
44 covert into a Permanent Stewardship Easement by operation of the Escrow  
45 Agreement and/or Stewardship Easement, which shall be final, perpetual  
46 and non-revocable.  
47
- 48 i. Stewardship Credits from the SSA have been assigned to entitle an  
49 approved Stewardship Receiving Area (SRA), and the SRA has  
50 received all necessary final and non-appealable development

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orders, permits, or other discretionary approvals necessary to commence construction, including subdivision plat and site development plan approval, but not building permits. If Stewardship Credits from the SSA have been assigned to more than one SRA, then the receipt of all necessary governmental final and non-appealable development orders, permits, or other discretionary approvals necessary to commence construction of any SRA shall automatically cause the Conditional Stewardship Easement to become a Permanent Stewardship Easement;

ii. The owner of the SSA lands has sold or transferred any Stewardship Credits to another person or entity, including a Stewardship Credit Trust as described in Policy 1.20 of the FLUE, the closing has occurred, and the owner has received the consideration due from such sale or transfer, but not expressly excluding:

a) A sale or transfer of the Stewardship Credits ancillary to the sale or transfer of the underlying fee title to the land, or

b) Instances where a landowner establishes an SSA for a specific SRA, whether the SRA is owned or developed by a separate or related entity, and the Stewardship Credits are transferred as required by the Growth Management Plan or Land Development Code for SRA approval; or

iii. The owner of the SSA lands has received in exchange for the creation of the Stewardship Easement Agreement other compensation from local, state, federal or private revenues (collectively, the "Events").

b. If a Notice of Termination has not been recorded or the Conditional Stewardship Easement was otherwise not terminated, the Permanent Stewardship Easement, by operation of the Escrow Agreement and/or Stewardship Easement upon the earliest to occur of: (a) any of the foregoing events during the Conditional Period, or (b) 180 days after the last day of the Conditional Period, as and to the extent it is extended.

3. Notice of Termination.

a. 180 Day Termination Window. In the event that the Conditional Stewardship Easement has not automatically converted into a Permanent Stewardship Easement and none of the events have occurred during the Conditional Period, then the owner of the SSA lands may within 180 days after the last day of the Conditional Period terminate the Conditional Stewardship Easement by operation of the Escrow Agreement or by recording a Notice of Termination.

b. Effect of Termination.

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i. Upon Termination, the Stewardship Easement Agreement and corresponding Stewardship Sending Area Credit Agreement and/or Escrow Agreement shall expire and terminate, the Stewardship Credits generated by the SSA shall cease to exist, the rights and obligations set forth in the Stewardship Easement shall no longer constitute an encumbrance on the property, and the SSA Memorandum shall be revised accordingly. The owner of the SSA lands shall provide a copy of the Notice of Termination to the County.

ii. In the event that a Conditional Stewardship Easement is terminated, all benefits, rights, privileges, restrictions and obligations associated with the SSA shall be null and void, and the land shall revert to its underlying zoning classification, free and clear of any encumbrance from the Conditional Stewardship Easement and SSA Credit Agreement. If requested by the owner of the SSA lands, Collier County and the other grantees under the Stewardship Easement Agreement shall provide a written release and termination of easement and credit agreements for recording in the public records within 15 days of request from the owner of the SSA lands. Collier County shall update the RLSA Overlay Map to reflect the termination of any SSA or SRA.

4. Extension of Conditional Period During Challenge or Appeal. If a challenge and/or appeal of a necessary development order, permit or other discretionary approval is filed, the owner of the SSA lands may elect to extend the Conditional Period until the challenge or appeal is finally resolved. If the challenge or appeal is not resolved such that the construction may commence under terms acceptable to the owner of the SSA lands, the owner of the SSA lands may within 180 days of the final disposition of the challenge or appeal record a Notice of Termination.

5. SRAs Affected by Termination. In the event that the Stewardship Credits from an SSA have been used to obtain one or more SRA approvals, but none of the foregoing events has occurred during the Conditional Period, then the Notice of Termination shall also provide for termination of any SRAs that have been assigned credits from the SSA, unless the SRA owner has obtained sufficient Stewardship Credits from another source and such Stewardship Credits have been applied to the SRA. In the event that a Notice of Termination does terminate an SRA, the owner of the SRA lands shall join in the Notice of Termination.

**GF.** SSA Amendments. Collier County shall consider an amendment to an approved SSA in the same manner described in this Section for the designation of an SSA. Amendment(s) to approved SSAs shall only be considered if the application eliminates ~~removes~~ one or more additional Land Use Layers from the existing SSA. Under no circumstances shall Land Use Layers, once eliminated ~~removed~~ as part of an SSA designation, be added back to the SSA. The application to amend the SSA may be submitted as part of an application to designate a new SSA provided such lands are contiguous to the previously approved SSA and are under the same ownership.

**4.08.07 - SRA Designation**



1  
2 SRA designation is intended to encourage and facilitate uses that enable economic  
3 prosperity and diversification of the economic base of the RLSA District, and encourage  
4 development that utilizes creative land use planning techniques and facilitates a compact form of  
5 development to accommodate population growth by the establishment of SRAs. Stewardship  
6 Credits generated from SSAs are exchanged for additional residential or non-residential  
7 entitlements in an SRA on a per acre basis as set forth herein. Density and intensity within the  
8 RLSA District shall not be increased beyond the ~~B~~baseline ~~S~~standards except through the  
9 provisions of the Stewardship Credit System, the affordable housing density Bonus as referenced  
10 in the density Rating System of the FLUE, and the density and intensity blending provision of the  
11 Immokalee Area Master Plan. The procedures for the establishment and transfer of Credits and  
12 SRA designation are set forth herein. Credits can be transferred only to lands within the RLSA District  
13 ~~District~~ that meet the defined suitability criteria and standards set forth herein. Land becomes  
14 designated as an SRA on the date that the SRA Credit Agreement becomes effective pursuant to  
15 Section 4.08.07 D.12~~4~~. Any change in the residential density or non-residential intensity of land  
16 use on a parcel of land located within an SRA shall be specified in the resolution, which shall  
17 reflect the total number of transferable Credits assigned to the parcel of land.  
18

19 A. Lands Within the RLSA District~~District~~ that can be Designated as SRAs. All privately owned  
20 lands within the RLSA District that meet the suitability criteria contained herein may be  
21 designated as SRA, except lands delineated on the Rural Lands Stewardship Area  
22 Overlay Map in the Future Land Use Element of the Growth Management Plan (RLSA  
23 Overlay Map) as FSA, HSA, or WRA, or lands already designated as an SSA. WRAs may  
24 be located within the boundaries of an SRA and may be incorporated into an SRA Master  
25 Plan to provide water management functions for properties within such SRA, subject to all  
26 necessary permitting requirements. If all or part of the WRA provides stormwater quality  
27 treatment for an SRA, the pro rata acreage of the WRA shall be required to consume SRA  
28 credits but shall not be included within the SRA acreage.  
29

30 1. Suitability Criteria. The following suitability criteria are established to ensure  
31 consistency with the Goals, Objectives, and Policies of the Rural Lands  
32 Stewardship Area Overlay in the Future Land Use Element of the Growth  
33 Management Plan (RLSA Overlay).  
34

35 a. An SRA must contain sufficient suitable land to accommodate the planned  
36 development. Any development participating in the RLSA Program shall  
37 be compatible with surrounding land uses and implement appropriate  
38 lighting controls for permitted uses, including “dark sky compliant” lighting  
39 principles.  
40

41 b. Residential, commercial, manufacturing/light industrial, group housing, and  
42 transient housing, institutional, civic and community service uses within an  
43 SRA shall not be sited on lands that receive a Natural Resource Index value  
44 of greater than 1.2.  
45

46 c. Conditional use essential services and governmental essential services;  
47 ~~with the exception of those necessary to serve permitted uses and for~~  
48 ~~public safety~~; shall not be sited on land that receives a Natural Resource  
49 Index value of greater than 1.2, ~~regardless of the size of the land or parcel~~  
50 unless such service is deemed necessary for public safety as described in

- 1 LDC section 2.01.03 G.2 and is designed to minimize impacts to natural
- 2 resources.
- 3
- 4 d. Except as provided in c. above, lands ~~Lands~~ or parcels that are greater
- 5 than one acre and have an Index Value greater than 1.2 shall be retained
- 6 as open space and maintained in a predominantly natural vegetated state.
- 7
- 8 e. Open space shall also comprise a minimum of thirty-five percent of the
- 9 gross acreage of an individual SRA Town ~~or,~~ Village, ~~or those CRDs~~
- 10 ~~exceeding 100 acres.~~ Gross acreage includes only that area of
- 11 development within the SRA that requires the consumption of Stewardship
- 12 Credits.
- 13
- 14 ~~f. As an incentive to encourage open space, open space on lands within an~~
- 15 ~~SRA located outside of the ACSC that exceeds the required thirty-five~~
- 16 ~~percent retained open space shall not be required to consume Stewardship~~
- 17 ~~Credits.~~
- 18
- 19 ~~fg.~~ An SRA may be contiguous to an FSA or HSA, but shall not encroach into
- 20 such areas, and shall buffer such areas as described in Section 4.08.07
- 21 1.5-6. An SRA may be contiguous to, or encompass a WRA. If all or part
- 22 of the WRA provides stormwater quality treatment for an SRA, the prorata
- 23 acreage of the WRA shall be required to consume SRA credits but shall
- 24 not be included within the SRA acreage.
- 25
- 26 ~~gh.~~ The SRA must have either direct access to a County collector or arterial
- 27 road or indirect access via a road provided by the developer that has
- 28 adequate capacity to accommodate the proposed development in
- 29 accordance with accepted transportation planning standards
- 30
- 31 h. An SRA shall provide direct vehicular and pedestrian connections to the
- 32 County's arterial/collector roadway network as shown on the MPO's Long
- 33 Range Transportation Needs Plan.
- 34
- 35 i. The SRA shall include a Mobility Plan in accordance with LDC section
- 36 4.08.07 D.10. that includes vehicular, bicycle/pedestrian, public transit,
- 37 internal circulators, and other modes of travel/movement within and
- 38 between SRAs and areas of outside development and land uses.
- 39 Strategies shall encourage the use of mass transit services such as
- 40 subsidies, route sponsorship, or other incentives.
- 41
- 42 ~~j.~~ Any mitigation measures required to offset an SRA's traffic impacts,
- 43 including but not limited to provisions for the construction and/or permitting
- 44 of wildlife crossings, environmental mitigation credits, right-of-way
- 45 dedication(s), water management and/or fill materials that may be needed
- 46 to expand the existing or proposed roadway network, public utilities, or
- 47 parks, shall be memorialized in a developer contribution agreement.
- 48 Actions shall be considered within the area of significant influence of the
- 49 project traffic on existing or proposed roadways.
- 50

1           2.       SRAs Within the ACSC. SRAs are permitted within the ACSC subject to limitations  
2                   on the number, size, location, and form of SRA described herein. Nothing within  
3                   this Section shall be construed as an exemption of an SRA from any and all  
4                   limitations and regulations applicable to lands within the ACSC. Lands within the  
5                   ACSC that meet all SRA suitability criteria shall also be restricted such that credits  
6                   used to entitle an SRA in the ACSC must be generated exclusively from SSAs  
7                   within the ACSC. No early entry bonus credits generated prior to the termination  
8                   of the bonus period can be used to entitle an SRA within the ACSC.

9  
10           a.       The only forms of SRAs allowed in the ACSC east of the Okaloacoochee  
11                   Slough shall be ~~Hamlets and~~ CRDs of 100 acres or less, and the only forms  
12                   of SRAs allowed in the ACSC west of the Okaloacoochee Slough shall be  
13                   CRDs and Villages ~~and CRDs~~ of not more than 300 acres ~~and Hamlets~~. In  
14                   addition, not more than 1,000 acres of SRA development in the form of  
15                   Villages or CRDs. ~~Provided, however, two SRAs, consisting of any~~  
16                   ~~combination of Villages or CRDs of not more than 500 acres each,~~  
17                   exclusive of any lakes created prior to June 30, 2002, ~~the effective date of~~  
18                   ~~this amendment~~ as a result of mining operations, shall be allowed in areas  
19                   that have a frontage on State Road 29 and which that, as of the effective  
20                   ~~date of the RLSA Overlay,~~ had been predominantly cleared as a result of  
21                   Ag Group I (Layer 5) or Earth Mining or Processing Uses (Layer 3).

22  
23           b.       The Town form of an SRA shall not be located within the ACSC.

24  
25       B.       Establishment and Transfer of Stewardship Credits. The procedures for the establishment  
26                   and transfer of Credits and SRA designation are set forth herein. Stewardship Credits will  
27                   be exchanged for additional residential or non-residential entitlements in an SRA on a per  
28                   acre basis, as described in Section 4.08.07 B.2. Stewardship density and intensity will  
29                   thereafter differ from the Bbaseline ~~S~~standards.

30  
31           1.       Transfer of Credits. The transfer or use of Stewardship Credits shall only be in a  
32                   manner as provided for herein.

33  
34           a.       Stewardship Credits generated from any SSA may be transferred to entitle  
35                   any SRA, except where the SRA is within the ACSC, in which case only  
36                   Stewardship Credits that have been generated from an SSA within the  
37                   ACSC can be used to entitle such SRA. No early entry bonus credits  
38                   generated prior to the termination of the bonus period can be used to entitle  
39                   an SRA within the ACSC.

40  
41           b.       Credits can be transferred only to lands within the RLSA O that meet the  
42                   defined suitability criteria and standards set forth herein.

43  
44           c.       Stewardship Credits may be transferred between different parcels or within  
45                   a single parcel, subject to compliance with all applicable provisions of these  
46                   policies. Residential clustering shall only occur within the RLSA O ~~District~~  
47                   through the use of the Stewardship Credit System, and other forms of  
48                   residential clustering shall not be permitted.

49

- 1 d. Stewardship Credits may be acquired from any credit holder and
- 2 transferred to an SRA subject to the limitations contained in this Section.
- 3
- 4 e. Stewardship Credits may be acquired from a Stewardship Credit Trust
- 5 established pursuant to Section 4.08.04 B., and transferred to an SRA
- 6 subject to the limitations contained in this Section.
- 7
- 8 2. Stewardship Credit Exchange. Stewardship Credits shall be exchanged for
- 9 additional residential or non-residential entitlements in an SRA on a per acre basis
- 10 at a rate of eight (8) Stewardship Credits per gross acre for SSA/Credits that were
- 11 created from an SSA approved prior to July 13, 2021, and a rate of ten (10)
- 12 Stewardship Credits per gross acre for SSA/Credits where such Credits were
- 13 created from SSAs established after July 13, 2021 . Except for infrastructure
- 14 deemed necessary for public safety and designed to minimize impacts to natural
- 15 resources as provided in Section 4.08.07.A.1.c above, lands~~Lands~~ within an SRA
- 16 greater than one acre, with Index Values of greater than 1.2, shall be retained as
- 17 open space and maintained in a predominantly natural, vegetated state. ~~Any such~~
- 18 ~~lands within an SRA located outside of the ACSC exceeding the required thirty-~~
- 19 ~~five (35) percent shall not be required to consume Stewardship Credits.~~
- 20
- 21 3. Public Benefit Uses. The acreage within an SRA devoted to a public benefit use
- 22 shall not be required to consume Stewardship Credits ~~and~~ but shall ~~not~~ count
- 23 toward the maximum acreage limits of an SRA unless such public benefit uses
- 24 were approved as part of an SRA approved prior to July 13, 2021, in which case
- 25 such public benefit uses shall continue to be excluded from the maximum acreage
- 26 limitation pursuant to the policy in effect at the time of approval. For the purpose
- 27 of this Section, public benefit uses are limited to: affordable housing as defined in
- 28 the LDC, public schools (preK-12), and public or private post-secondary
- 29 institutions, ~~Post Secondary Institution~~ Ancillary Uses, community parks exceeding
- 30 the minimum requirement of 200 square feet per dwelling unit, municipal golf
- 31 courses, regional parks, and governmental facilities ~~excluding essential services~~
- 32 ~~as defined in the LDC.~~
- 33
- 34 4. Mixed Land Use Entitlements. In order to promote compact, mixed use
- 35 development and provide the necessary support facilities and services to residents
- 36 of rural areas, the SRA designation and the transfer of the Stewardship Credits
- 37 allows for a full range of uses, accessory uses and associated uses that provide a
- 38 mix of services to and are supportive to the residential population of an SRA and
- 39 the RLSA District. SRAs are intended to be mixed use and shall be allowed the
- 40 full range of uses permitted by the Urban Designation of the FLUE, as modified by
- 41 Policies 4.7, 4.7.1, 4.7.2, 4.7.3, 4.7.4 and RLSA Overlay Attachment C. Depending
- 42 on the size, scale, and character of an SRA, it shall be designed to include an
- 43 appropriate mix of retail, office, recreational, civic, governmental, and institutional
- 44 uses, in addition to residential uses. Towns and Villages shall be the preferred
- 45 locations for business and industry, including environmental research, agricultural
- 46 research, aviation and aerospace, health and life sciences, corporate
- 47 headquarters, computer hardware, software and services, information technology,
- 48 manufacturing, research and development, wholesale trade and distribution and
- 49 similar uses, including Florida Qualified Target Industries.
- 50

1 5. Affordable Housing. To address the accommodation of Affordable Housing in a  
2 Town or Village, the SRA applicant shall utilize one of the following options:

3  
4 a. Affordable Housing Land Reservation.

5  
6 (1) Reservation of one or more site(s) within the SRA or within a  
7 proximal SRA in the RLSAO with densities and development  
8 standards that accommodate Affordable Housing residential uses  
9 at a minimum density of 10 units per acre, for acquisition by Collier  
10 County, a Community Land Trust, a private developer, or any other  
11 affordable housing provider.

12  
13 (2) The aggregate acreage of such site(s) shall be equal to or greater  
14 than two and one-half percent (2.5%) of the gross area of the SRA.

15  
16 (3) The acreage of land reserved for Affordable Housing will be  
17 considered as a Public Benefit Use.

18  
19 (4) The County shall verify the site(s) is/are appropriate and approve  
20 the site(s) at time of SRA approval, subject to standards to be  
21 established in the LDC.

22  
23 (5) Affordable Housing units shall be excluded from the Traffic Impact  
24 Statement or trip cap for the SRA in which they are located.

25  
26 b. Alternatives proposed by the SRA Applicant. While compliance with the  
27 Land Reservation described above shall be deemed to satisfy affordable  
28 housing requirements, other options may be proposed by the SRA  
29 applicant and approved by the BCC to address housing affordability.

30  
31 C. Forms of SRA developments. SRA developments are a compact form of development,  
32 which accommodate and promote uses that utilize creative land use planning techniques.  
33 SRAs shall be used to facilitate the implementation of innovative planning and flexible  
34 development strategies described in § Florida Statutes section 163.3248~~163.3177 (11),~~  
35 ~~F.S. and Rule 9J-5.006(5)(f), F.A.C. These~~ planning strategies and techniques are  
36 intended to minimize the conversion of rural and agricultural lands to other uses while  
37 discouraging urban sprawl, protecting environmentally sensitive areas, maintaining the  
38 economic viability of agricultural and other predominantly rural land uses, and, providing  
39 for the cost-efficient delivery of public facilities and services. Only the following four  
40 specific forms of rural development in SRAs are permitted within the RLSAO District.

41  
42 1. Towns. Towns are the largest and most diverse form of SRA, with a full range of  
43 housing types and mix of uses. Towns have urban level services and infrastructure  
44 which support development that is compact, mixed use, human scale, and  
45 provides a balance of land uses to reduce automobile trips and increase livability.  
46 The mixture of land uses shall accommodate services that would increase internal  
47 capture and reduce trip length and long-distance travel. Towns shall be greater  
48 than 1,500 acres but not more than 5,000 acres ~~not less than 1,000 acres or more~~  
49 ~~than 4,000 acres~~ and are comprised of several villages and/or neighborhoods that  
50 have individual identity and character. Towns shall have a mixed-use town center

1 that will serve as a focal point for community facilities and support services. Towns  
 2 shall be designed to encourage pedestrian and bicycle circulation by including an  
 3 interconnected sidewalk and pathway system serving all residential  
 4 neighborhoods. The Town transportation network shall be based upon a Mobility  
 5 Plan in accordance with LDC section 4.08.07 D.10. and shall include a transfer  
 6 station or park and ride area that is appropriately located within the Town to serve  
 7 the connection point for internal and external public transportation. Towns shall  
 8 have at least one community park with a minimum size of 200 square feet per  
 9 dwelling unit in the Town, subject to Level of Service Requirements. Towns shall  
 10 also have parks or public green spaces within neighborhoods. Towns shall include  
 11 both community and neighborhood scaled retail and office uses, in a ratio as  
 12 provided in Section 4.08.07 ~~J.1.~~ Towns may also include those compatible  
 13 corporate office, research and development companies, and light industrial uses,  
 14 such as those included in Policy 4.7.4 permitted in the Business Park and  
 15 ~~Research and Technology Park Subdistricts~~ of the FLUE. Towns shall be the  
 16 preferred location for the full range of schools, and to the extent possible, schools  
 17 and parks shall be located adjacent to each other to allow for the sharing of  
 18 recreational facilities. Towns shall not be located within the ACSC.

19  
 20 2. Villages. Villages are ~~primarily residential~~ communities with a diversity of housing  
 21 types and mix of uses appropriate to the scale and character of the particular  
 22 village. Villages shall be greater than 300 acres but not more than 1,500 acres,  
 23 except that if any portion is designated ACSC, the maximum size shall be no more  
 24 than 1,000 acres ~~not less than 100 acres or more than 1,000 acres.~~ Villages are  
 25 comprised of residential neighborhoods and shall include a mixed-use village  
 26 center to serve as the focal point for the community's support services and  
 27 facilities. Villages shall be designed to encourage pedestrian and bicycle  
 28 circulation by including an interconnected sidewalk and pathway system serving  
 29 all residential neighborhoods. Villages shall have parks or public green spaces  
 30 within neighborhoods. Villages shall include neighborhood scaled retail and office  
 31 uses, in a ratio as provided in Section 4.08.07 ~~J.1.~~ Villages may contain  
 32 appropriately scaled uses that are permitted in CRDs. Villages are an appropriate  
 33 location for a full range of schools. To the extent possible, schools and parks shall  
 34 be located adjacent to each other to allow for the sharing of recreational facilities.  
 35 The Village form of rural land development is permitted within the ACSC subject  
 36 to the limitations of Section 4.08.07 A.2. Villages greater than 500 acres shall  
 37 require a Mobility Plan in accordance with LDC section 4.08.07 D.10., to include  
 38 either a transfer station or park-and-ride area that is appropriately located within  
 39 the village to serve as the connection point for internal and external public  
 40 transportation.

41  
 42 ~~3. Hamlets. Hamlets are small rural residential areas with primarily single-family~~  
 43 ~~housing and limited range of convenience-oriented services. Hamlets shall be not~~  
 44 ~~less than 40 or more than 100 acres. Hamlets will serve as a more compact~~  
 45 ~~alternative to traditional five-acre lot rural subsections currently allowed in the~~  
 46 ~~Baseline Standards. Hamlets shall have a public green space for neighborhoods.~~  
 47 ~~Hamlets include convenience retail uses, in a ratio as provided in Section 4.08.07~~  
 48 ~~J.1. Hamlets may be an appropriate location for pre-K through elementary schools.~~  
 49 ~~The Hamlet form of rural land development is permitted within the ACSC subject~~  
 50 ~~to the limitations of Section 4.08.07 A.2.~~

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34. Compact Rural developments (CRDs). Compact Rural development (CRD) is a form of SRA that is a maximum of 300 acres and intended to support and further Collier County’s valued attributes of agriculture, natural resources, and economic diversity. Primary CRD uses shall be those associated with and needed to support research, education, convenience retail, tourism or recreation ~~will provide flexibility with respect to the mix of uses and design standards, but shall otherwise comply with the standards of a Hamlet or Village.~~ A CRD may include, but is not required to have permanent residential housing and the services and facilities that support permanent residents. The number of residential units shall be equivalent with the demand generated by the primary CRD use but shall not exceed two units per gross acre. Except as described above, a CRD ~~shall~~ will conform to the characteristics ~~of a Village or Hamlet~~ as set forth in Section 4.08.07 ~~J.1. based on the size of the CRD.~~ As residential units are not a required use, those goods and services that support residents such as retail, office, civic, governmental and institutional uses shall also not be required. ~~However for any CRD that does include permanent residential housing, the proportionate support services listed above shall be provided in accordance with the standards for the most comparable form of SRA as described in Section 4.08.07 C.2. or 3.~~

~~a. Size of CRDs limited. There shall be no more than five (5) CRDs of more than 100 acres in size.~~

a. CRDs within the ACSC. The CRD form of rural land development is permitted within the ACSC subject to the limitations of Section 4.08.07 A.2.

45. Proportion of ~~Hamlets and~~ CRDs to Villages and Towns. In order to maintain the correct proportion of ~~Hamlets and~~ CRDs of ~~300~~ 100 acres or less to the number of Villages and Towns approved as SRAs, not more than five (5) ~~of any combination of Hamlets and~~ CRDs of ~~300~~ 100 acres or less ~~shall may~~ be approved prior to the approval of a Village or Town. In order to maintain that same proportion thereafter, not more than five (5) ~~additional of any combination of Hamlets and~~ CRDs of ~~300~~ 100 acres or less ~~may shall be~~ approved for each subsequent Village or Town approved.

~~6. SRAs as Part of a development of Regional Impact (DRI). SRAs are permitted as part of a DRI subject to the provisions of § 380.06, F.S. and the RLSA District Regulations.~~

~~a. An SRA Designation Application may be submitted simultaneously with a Preliminary development agreement application that occurs prior to a DRI Application for development Approval (ADA). In such an application, the form of SRA development shall be determined by the characteristics of the DRI project, as described in the ADA.~~

~~b. The DRI may encompass more than a single SRA Designation Application. It is the intent of this Section to allow for the future designations of SRAs within a DRI as demonstrated by the DRI phasing schedule.~~

~~c. A DRI applicant is required to demonstrate that:~~

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- ~~(1) The applicant has the necessary Stewardship Credits to entitle the DRI as part of subsequent SRA Designation Applications, or~~
- ~~(2) The applicant owns or has a contract with an owner of enough land that would qualify as SSAs to entitle the DRI as part of subsequent SRA Designation Applications, or has the ability to obtain the necessary Stewardship Credits to entitle the entire DRI as part of subsequent SRA Designation Applications.~~

11 D. SRA Designation Application Package. A Designation Application Package to support a  
 12 request to designate land(s) within the RLSA District as an SRA shall be made pursuant  
 13 to the regulations of the RLSA District Regulations. The SRA Application Package shall  
 14 include the following:

- 15
- 16 1. SRA Designation Application. An application shall be submitted by a landowner or
- 17 his/her agent, hereafter "applicant," to request the designation of an SRA within
- 18 the RLSA District. The Application shall be submitted to the County manager or
- 19 his designee, on a form provided. The application shall be accompanied by the
- 20 documentation as required by this Section.
- 21
- 22 2. Application Fee. An application fee shall accompany the application.
- 23
- 24 3. Natural Resource Index Assessment. An assessment that documents the Natural
- 25 Resource Index Value scores shall be prepared and submitted as part of the SRA
- 26 Application. The Assessment shall include an analysis that quantifies the number
- 27 of acres by Index Values. The Assessment shall:
- 28
- 29 a. Identify all lands within the proposed SRA that have an Index Value greater
- 30 than 1.2;
- 31
- 32 b. Verify that the Index Value scores assigned during the RLSA Study are still
- 33 valid through recent aerial photography or satellite imagery or agency-
- 34 approved mapping, or other documentation, as verified by field inspections;
- 35
- 36 c. If the Index Value scores assigned during the RLSA Study are no longer
- 37 valid, document the current Index Value of the land.
- 38
- 39 d. Quantify the acreage of agricultural lands, by type, being converted;
- 40
- 41 e. Quantify the acreage of non-agricultural acreage, by type, being converted;
- 42
- 43 f. Quantify the acreage of all lands by type within the proposed SRA that have
- 44 an Index Value greater than 1.2;
- 45
- 46 g. Quantify the acreage of all lands, by type, being designated as SRA within
- 47 the ACSC, if any; and
- 48
- 49 h. Demonstrate compliance with the Suitability Criteria contained in Section
- 50 4.08.07 A.1.



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4. Natural Resource Index Assessment Support Documentation. Documentation to support the Natural Resource Index Assessment shall be provided for each SRA being designated to include:
  - a. Legal Description, including sketch or survey;
  - b. Acreage calculations of lands being put into the SRA, including acreage calculations of WRAs (if any) within SRA boundary but not included in SRA designation, and if all or part of the WRA provides stormwater quality treatment for an SRA, the pro rata acreage of the WRA shall be required to consume SRA credits but shall not be included within the SRA acreage;
  - c. RLSA Overlay Map delineating the area of the RLSA O ~~District~~ being designated as an SRA;
  - d. Aerial photograph delineating the area being designated as an SRA;
  - e. Natural Resource Index Map of area being designated as an SRA;
  - f. FLUCFCS map(s) delineating the area being designated as an SRA;
  - g. Listed species map(s) delineating the area being designated as an SRA;
  - h. Soils map(s) delineating the area being designated as an SRA, and;
  - i. Documentation to support a change in the related Natural Resource Index Value(s), if appropriate.
5. SRA Master Plan. A Master Plan shall be prepared and submitted by the applicant as part of the SRA Application for Designation of an SRA. The SRA Master Plan shall be consistent with the requirements of Section 4.08.07 G.
6. SRA Development Document. A Development Document shall be prepared and submitted by the applicant as part of the SRA Application for Designation of an SRA. The SRA Development Document shall be consistent with the requirements of Section 4.08.07 H.
7. SRA Public Facilities Impact Assessment Report. An Impact Assessment Report shall be prepared and submitted by the applicant as part of the SRA Application for Designation of a SRA. The SRA Impact Assessment Report shall address the requirements of Section 4.08.07 ~~JK~~.
8. SRA Economic Assessment Report. An Economic Assessment Report shall be prepared and submitted by the applicant as part of the SRA Application for Designation of an SRA. The SRA Economic Assessment Report shall address the requirements of Section 4.08.07 ~~KL~~.
9. Stewardship Credit Use and Reconciliation Application. A Credit Use and Reconciliation Application shall be submitted as part of an SRA Designation

1 Application in order to track the transfer of credits from SSA(s) to SRA(s). The  
2 Stewardship Credit Use and Reconciliation Application shall be in a form provided  
3 by the County Manager, or his designee. The application package shall contain  
4 the following:  
5

6 a. The legal description of, or descriptive reference to, the SRA to which the  
7 Stewardship Credits are being transferred;  
8

9 b. Total number of acres within the proposed SRA and the total number of  
10 acres of the proposed SRA within the ACSC (if any);  
11

12 c. Number of acres within the SRA designated "public use" that do not require  
13 the redemption of Stewardship Credits in order to be entitled (does not  
14 consume credits);  
15

16 d. Number of acres of "excess" open spaces within the SRA that do not  
17 require the consumption of credits;  
18

19 e. Number of acres of WRAs inside the SRA boundary but not included in the  
20 SRA designation, and if all or part of the WRA provides stormwater quality  
21 treatment for an SRA, the pro rata acreage of the WRA shall be required  
22 to consume SRA credits but shall not be included within the SRA acreage;  
23

24 f. Number of acres within the SRA that consume Credits;  
25

26 g. The number of Stewardship Credits being transferred (consumed by) to the  
27 SRA and documentation that the applicant has acquired or has a  
28 contractual right to acquire those Stewardship Credits;  
29

30 h. An accounting acreage associated with Credits that were created from an  
31 SSA submitted for review or approved prior to July 13, 2021, under the  
32 eight (8) credit allocation and the acreage associated with Credits created  
33 from any other SSA under the ten (10) credit allocation; ~~Number of acres~~  
34 to which credits are to be transferred (consumed) multiplied by eight (8)  
35 Credits / acre equals the number of Credits to be transferred (consumed);  
36

37 i. A descriptive reference to one (1) or more approved or pending SSA  
38 Designation Applications from which the Stewardship Credits are being  
39 obtained. Copies of the reference documents, e.g., SSA Stewardship  
40 Credit Agreement, etc., shall be provided, including:  
41

42 (1) SSA application number;  
43

44 (2) Pending companion SRA application number;  
45

46 (3) SSA Designation Resolution (or Resolution Number);  
47

48 (4) SSA Credit Agreement (Stewardship Sending Area Credit  
49 Agreement);  
50

- 1 (5) Stewardship Credits Database Report.
- 2
- 3 j. A descriptive reference to any previously approved Stewardship Credit Use
- 4 and Reconciliation Applications that pertain to the referenced SSA(s) from
- 5 which the Stewardship Credits are being obtained; and
- 6
- 7 k. A summary table in a form provided by Collier County that identifies the
- 8 exchange of all Stewardship Credits that involve the SRA and all of the
- 9 associated SSAs from which the Stewardship Credits are being obtained.

10

11 10. SRA Mobility Plan. A Mobility Plan in connection with a Transportation Impact

12 Statement (TIS) that includes vehicular, bicycle/pedestrian, public transit, internal

13 circulators, and other modes of travel/movement within and between SRAs and

14 areas of outside development and land uses. The Mobility Plan shall provide

15 mobility strategies such as bus subsidies, route sponsorship, or other incentives

16 to encourage the use of mass transit services. The Mobility Plan shall further the

17 objectives of the Collier County Master Mobility Plan. The Mobility Plan shall also

18 consider the needs identified in the MPO Long Range Transportation Needs Plan,

19 and plan land uses to accommodate services that would increase internal capture

20 and reduce trip length and long-distance travel. Such development strategies are

21 recognized as methods of discouraging urban sprawl, encouraging alternative

22 modes of transportation, increasing internal capture, and reducing vehicle miles

23 traveled.

24

25 ~~1140.~~ Conditional SRA Designation. If at the time of the approval of the SRA Designation

26 Application, the applicant has not acquired the number of credits needed to entitle

27 the SRA, then the SRA Designation approval shall be conditional. The applicant

28 shall have sixty (60) days from the date of the conditional approval to provide

29 documentation of the acquisition of the required number of Stewardship Credits. If

30 the applicant does not provide such documentation within sixty (60) days, the

31 conditional SRA Designation approval shall be null and void. The Stewardship

32 Credit Use and Reconciliation Application shall be amended to accurately reflect

33 the transfer of credits that occurred following the conditional approval of the SRA.

- 34
- 35 ~~1244.~~ SRA Credit Agreement.
- 36
- 37 a. Any applicant for designation of an SRA shall enter into an SRA Credit
  - 38 Agreement with the County.
  - 39
  - 40 b. The SRA Credit Agreement shall contain the following information:
  - 41
  - 42 (1) The number of SSA credits the applicant for an SRA designation is
  - 43 utilizing and which shall be applied to the SRA land in order to carry
  - 44 out the plan of development on the acreage proposed in the SRA
  - 45 Development ~~development~~ Documents;
  - 46
  - 47 (2) A legal description of the SRA land and the number of acres;
  - 48
  - 49 (3) The SRA master plan depicting the land uses and identifying the
  - 50 number of residential dwelling units, gross leasable area of retail

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and office square footage and other land uses depicted on the master plan;

- (4) A description of the SSA credits that are needed to entitle the SRA land and the anticipated source of said credits;
- (5) The applicant's acknowledgement that development of SRA land may not commence until the applicant has recorded an SRA Credit Agreement Memorandum with the Collier County Clerk of Courts; and
- (6) The applicant's commitments, if any, regarding conservation, or any other restriction on development on any lands, including wetlands, within the SRA, as may be depicted on the SRA Master Plan for special treatment.

c. The SRA Credit Agreement shall be effective on the latest of the following dates:

- (1) The date that the County approves the SRA Application;
- (2) The date that documentation of the applicant's acquisition of the Stewardship Credits to be utilized for the SRA is found by the County to be sufficient; or
- (3) Five (5) working days after the date on which the applicant submits documentation of the acquisition of the Stewardship Credits to be utilized, if the County fails to make a sufficiency determination prior to that date.

d. Following approval of the SRA Application, the applicant shall record a SRA Credit Agreement Memorandum, which shall include the following:

- (1) A cross reference to the recorded SSA Credit Agreement Memorandum or Memoranda for the SSA lands from which the credits being utilized are generated and identification of the number of credits derived from each SSA; and
- (2) a legal description of the SRA lands.

e. If the development provided for within an SRA constitutes, or will constitute, a development of regional impact ("DRI") pursuant to [Florida Statutes sections § 380.06 and 380.0651](#), ~~F.S.~~, and if the applicant has obtained a preliminary development agreement ("PDA") from the Florida Department of Community Affairs for a portion of the SRA land, the applicant may request the County to enter into a Preliminary SRA Credit Agreement for those Stewardship Credits needed in order to develop the PDA authorized development. Commencement of the PDA authorized development may not proceed until the applicant has recorded a Preliminary SRA Credit Agreement Memorandum. The Preliminary SRA Credit Agreement and

1 Preliminary SRA Credit Agreement shall include the same information and  
2 documentation as is required for an SRA Credit Agreement and an SRA  
3 Credit Agreement Memorandum.  
4

5 E. SRA Application Review Process.

6  
7 1. Pre-Application Conference with County Staff: Prior to the submission of a formal  
8 application for SRA designation, the applicant shall attend a pre-application  
9 conference with the County Manager or his designee and other county staff,  
10 agencies, and officials involved in the review and processing of such applications  
11 and related materials. If an SRA designation application will be filed concurrent  
12 with an SSA application, only one pre-application conference shall be required.  
13 This pre-application conference should address, but not be limited to, such matters  
14 as:  
15

- 16 a. Conformity of the proposed SRA with the goals, objectives, and policies of  
17 the GMP;
- 18 b. Consideration of suitability criteria described in LDC section 4.08.07 A.1.  
19 and other standards of this Section;
- 20 c. SRA master plan compliance with all applicable policies of the RLSA O  
21 ~~District~~ Regulations, and demonstration that incompatible land uses are  
22 directed away from FSAs, HSAs, WRAs, and Conservation Lands;
- 23 d. Assurance that applicant has acquired or will acquire sufficient Stewardship  
24 Credits to implement the SRA uses, and;  
25
- 26 e. Consideration of impacts, including environmental and public infrastructure  
27 impacts.  
28

29  
30  
31  
32 2. Application Package Submittal, Processing Fees, and Review. The required  
33 number of SRA Applications and the associated processing fee shall be submitted  
34 to the County Manager or his designee. The contents of said application package  
35 shall be in accordance with LDC section 4.08.07 D. The review and approval of  
36 the application shall be in accordance with Florida Statutes section 125.022,  
37 ~~Florida Statutes~~.  
38

39 3. Public notice and required hearings shall be as established in LDC section  
40 10.03.06 M.  
41

42 F. SRA Application Approval Process.

43  
44 1. Public Hearings Required. The BCC shall review the staff report and  
45 recommendations and the recommendations of the EAC and CCPC, and the BCC  
46 shall, by resolution, approve, deny, or approve with conditions the SRA Application  
47 only after advertised public notices have been provided and public hearings held  
48 in accordance with LDC section 10.03.06 M.  
49

- 1           2.     Update Stewardship Credits Database. Following the effective date of the approval
- 2                   of the SRA, the County shall update the Stewardship Credits Database used to
- 3                   track both SSA credits generated and SRA credits consumed.
- 4
- 5           3.     Update the Official Zoning Atlas and the RLSA Overlay Map. Following the
- 6                   effective date of the approval of the SRA, the County shall update the Official
- 7                   Zoning Atlas to reflect the designation of the SRA. Sufficient information shall be
- 8                   included on the updated maps so as to direct interested parties to the appropriate
- 9                   public records associated with the designation, e.g., Resolution number, SRA
- 10                  Designation Application number, etc. The RLSA Overlay Map shall be updated to
- 11                  reflect the SRA designation during a regular GMP amendment cycle, no later than
- 12                  twelve months from the effective date of the SRA Credit Agreement.
- 13
- 14          4.     SRA Amendments. Amendments to the SRA shall be considered in the same
- 15                  manner as described in this Section for the establishment of an SRA, except as
- 16                  follows:
- 17
- 18            a.     Waiver of Required SRA Application Package Component(s). A waiver
- 19                   may be granted by the County Manager or his designee, if at the time of
- 20                   the pre-application conference, in the determination of the County Manager
- 21                   or designee, the original SRA Designation Application component(s) is
- 22                   (are) not materially altered by the amendment or an updated component is
- 23                   not needed to evaluate the amendment. The County Manager or designee
- 24                   shall determine what application components and associated
- 25                   documentation are required in order to adequately evaluate the
- 26                   amendment request.
- 27
- 28            b.     Substantial changes. Any substantial change(s) to an SRA Master Plan or
- 29                   Development Document shall require the review and recommendation of
- 30                   the Planning Commission and approval by the BCC Board of County
- 31                   ~~Commissioners~~ as a SRA amendment prior to implementation. Applicants
- 32                   shall be required to submit and process a new application complete with
- 33                   pertinent supporting data, as set forth in the Administrative Code. For the
- 34                   purpose of this section, a substantial change shall be deemed to exist
- 35                   where:
- 36
- 37                   (1)    A proposed change in the boundary of the SRA;
- 38
- 39                   (2)    A proposed increase in the total number of dwelling units or
- 40                   intensity of land use or height of buildings within the development;
- 41
- 42                   (3)    A proposed decrease in preservation, conservation, recreation or
- 43                   open space areas within the development not to exceed 5 percent
- 44                   of the total acreage previously designated as such, or 5 acres in
- 45                   area;
- 46
- 47                   (4)    A proposed increase in the size of areas used for nonresidential
- 48                   uses, to include institutional, commercial and industrial land uses
- 49                   (excluding preservation, conservation nor open spaces), or a
- 50                   proposed relocation of nonresidential land uses;

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- (5) 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;
  - (6) A change that 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;
  - (7) A change that will result in a requirement for increased stormwater retention, or will otherwise increase stormwater discharges;
  - (8) A change that will bring about a relationship to an abutting land use that would be incompatible with an adjacent land use;
  - (9) Any modification to the SRA master plan or SRA document 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;
  - (10) Any modification in the SRA master plan or SRA document which impact(s) any consideration deemed to be a substantial modification as described under this LDC section 4.08.07.
- c. Insubstantial change determination. An insubstantial change includes any change that is not considered a substantial or minor change. An insubstantial change to an approved SRA Development Document or master plan shall be based upon an evaluation of LDC subsection 4.08.07 F.4.b., above and shall require the review and approval of the Hearing Examiner or Planning Commission. The approval shall be based on the findings and criteria used for the original application and be an action taken at a regularly scheduled meeting.
- (1) The applicant shall provide the Planning and Zoning Department Director documentation which adequately describes the proposed changes as described in the Administrative Code.
- d. Approval of Minor Changes by County Manager or Designee. County Manager shall be authorized to approve minor changes and refinements to an SRA Master Plan or Development Document upon written request of the applicant. Minor changes and refinements shall be reviewed by appropriate County staff to ensure that said changes and refinements are otherwise in compliance with all applicable County ordinances and regulations prior to the County Manager or designee's consideration for approval. The following limitations shall apply to such requests:
- (1) The minor change or refinement shall be consistent with the RLSA Overlay, the RLSA ~~District~~ Regulations, and the SRA development Document's amendment provisions.

- 1 (2) The minor change or refinement shall be compatible with
- 2 contiguous land uses and shall not create detrimental impacts to
- 3 abutting land uses, water management facilities, and conservation
- 4 areas within or external to the SRA.
- 5
- 6 (3) Minor changes or refinements, include but are not limited to:
- 7
- 8 (a) Reconfiguration of lakes, ponds, canals, or other water
- 9 management facilities where such changes are consistent
- 10 with the criteria of the SFWMD and Collier County;
- 11
- 12 (b) Internal realignment of rights-of-way, other than a relocation
- 13 of access points to the SRA itself, where water management
- 14 facilities, preservation areas, or required easements are not
- 15 adversely affected; and
- 16
- 17 (c) Reconfiguration of parcels when there is no encroachment
- 18 into the conservation areas or lands with an Index Value of
- 19 1.2 or higher.
- 20
- 21 e. Relationship to Subdivision or site Development Approval. Approval by the
- 22 County Manager or designee of a minor change or refinement may occur
- 23 independently from, and prior to, any application for subdivision or Site
- 24 Development Document approval. However, such approval shall not
- 25 constitute an authorization for development or implementation of the minor
- 26 change or refinement without first obtaining all other necessary County
- 27 permits and approvals.
- 28
- 29 G. Master Plan. To address the specifics of each SRA, a master plan of each SRA will be
- 30 prepared and submitted to Collier County as a part of the petition for designation as an
- 31 SRA. The master plan will demonstrate that the SRA complies with all applicable GMP
- 32 policies and the RLSA District and is designed so that incompatible land uses are
- 33 directed away from lands identified as FSAs, HSAs, WRAs, and Conservation Lands on
- 34 the RLSA Overlay Map.
- 35
- 36 1. *Master Plan Requirements.* A master plan shall accompany an SRA Designation
- 37 Application to address the specifics of each SRA. The master plan shall
- 38 demonstrate that the SRA is designed so that incompatible land uses are directed
- 39 away from lands identified as FSAs, HSAs, WRAs and Conservation Lands on the
- 40 RSLA Overlay Map. The plan shall be designed by an urban planner who
- 41 possesses an AICP certification, together with at least one of the following:
- 42
- 43 a. A professional engineer (P.E.) with expertise in the area of civil engineering
- 44 licensed by the State of Florida;
- 45
- 46 b. A qualified environmental consultant per Chapter 10 of the LDC; or c. A
- 47 practicing architect licensed by the State of Florida.
- 48
- 49 2. *Master Plan Content.* At a minimum, the master plan shall be consistent with the
- 50 County's then-adopted Long Range Transportation Plan (LRTP), Collier County



1 Master Mobility Plan, and Access Management procedures and include the  
2 following elements:

- 3
- 4 a. The title of the project and name of the developer;
- 5
- 6 b. Scale, date, north arrow;
- 7
- 8 c. Location map that identifies the relationship of the SRA to the entire
- 9 RLSA District, including other designated SRAs;
- 10
- 11 d. Boundaries of the subject property, all existing roadways within and
- 12 adjacent to the site, watercourses, easements, section lines, and other
- 13 important physical features within and adjoining the proposed
- 14 development;
- 15
- 16 e. Identification of all proposed tracts or increments within the SRA such as,
- 17 but not limited to: residential, commercial, industrial, institutional,
- 18 conservation/ preservation, lakes and/or other water management
- 19 facilities, the location and function of all areas proposed for dedication or
- 20 to be reserved for community and/or public use, and areas proposed for
- 21 recreational uses including golf courses and related facilities;
- 22
- 23 f. Identification, location and quantification of all wetland preservation, buffer
- 24 areas, and open space areas;
- 25
- 26 g. The location and size (as appropriate) of all proposed drainage, water,
- 27 sewer, and other utility provisions;
- 28
- 29 h. The location of all proposed major internal rights of way and pedestrian
- 30 access ways;
- 31
- 32 i. Typical cross sections for all arterial, collector, and local streets, public or
- 33 private, within the proposed SRA;
- 34
- 35 j. Identification of any WRAs that are contiguous to or incorporated within the
- 36 boundaries of the SRA, and if all or part of the WRA provides stormwater
- 37 quality treatment for an SRA, the pro rata acreage of the WRA shall be
- 38 required to consume SRA credits but shall not be included within the SRA
- 39 acreage; and
- 40
- 41 k. A Wildlife Management Plan for minimizing human and wildlife interactions,
- 42 including the baseline standards techniques provided in Section 4.08.05
- 43 J.3.a; and
- 44
- 45 ~~k.~~ Documentation or attestation of professional credentials of individuals
- 46 preparing the master plan.

47  
48 H. Development Document. Data supporting the SRA Master Plan, and describing the SRA  
49 application, shall be in the form of a Development Document that shall consist of the

1 information listed below, unless determined at the required pre-application conference to  
2 be unnecessary to describe the development strategy.

3  
4 1. The document shall be prepared by an urban planner who possesses an AICP  
5 certification, together with at least one of the following:

6  
7 a. A professional engineer (P.E.) with expertise in the area of civil engineering  
8 licensed by the State of Florida;

9  
10 b. A qualified environmental consultant per Chapter 10 of the LDC or a  
11 practicing landscape architect licensed by the State of Florida.

12  
13 2. The document shall identify, locate, and quantify the full range of uses, including  
14 accessory uses that provide the mix of services to, and are supportive of, the  
15 residential population of an SRA or the RSLA District, and shall include, as  
16 applicable, the following:

17  
18 a. Title page to include name of project;

19  
20 b. Index/table of contents;

21  
22 c. List of exhibits;

23  
24 d. Statement of compliance with the RSLA Overlay and the RLSA District  
25 Regulations;

26  
27 e. General location map showing the location of the site within the boundaries  
28 of the RLSA Overlay Map and in relation to other designated SRAs and  
29 such external facilities as highways;

30  
31 f. Property ownership and general description of site (including statement of  
32 unified ownership);

33  
34 g. Description of project development;

35  
36 h. Legal description of the SRA boundary, and for any WRAs encompassed  
37 by the SRA;

38  
39 i. The overall acreage of the SRA that requires the consumption of  
40 Stewardship Credits and proposed gross density for the SRA;

41  
42 j. Identification of all proposed land uses within each tract or increment  
43 describing: acreage; proposed number of dwelling units; proposed density  
44 and percentage of the total development represented by each type of use;  
45 or in the case of commercial, industrial, institutional or office, the acreage  
46 and maximum gross leasable floor area within the individual tracts or  
47 increments;

48

- 1 k. Design standards for each type of land use proposed within the SRA.
- 2 Design standards shall be consistent with the Design Criteria contained in
- 3 Section 4.08.07 4;
- 4
- 5 l. The Development Document, including any amendments, may request
- 6 deviations from the LDC. The Development Document application shall
- 7 identify all proposed deviations and include justification and any proposed
- 8 alternatives. See LDC section 4.08.07 1.7, ~~4-8~~ for the deviation requirements
- 9 and criteria.
- 10
- 11 m. The proposed schedule of development, and the sequence of phasing or
- 12 incremental development within the SRA, if applicable;
- 13
- 14 n. A Natural Resource Index Assessment as required in Section 4.08.04 C.3.;
- 15
- 16 o. The location and nature of all existing or proposed public facilities (or sites),
- 17 such as schools, parks, fire stations and the like;
- 18
- 19 p. A plan for the provision of all needed utilities to and within the SRA;
- 20 including (as appropriate) water supply, sanitary sewer collection and
- 21 treatment system, stormwater collection and management system,
- 22 pursuant to related county regulations and ordinances;
- 23
- 24 q. Typical cross sections for all arterial, collector, and local streets, public or
- 25 private, within the proposed SRA;
- 26
- 27 r. Agreements, provisions, or covenants, which govern the use,
- 28 maintenance, and continued protection of the SRA and any of its common
- 29 areas or facilities;
- 30
- 31 s. Development commitments for all infrastructure;
- 32
- 33 t. When determined necessary to adequately assess the compatibility of
- 34 proposed uses within the SRA to existing land uses, their relationship to
- 35 agriculture uses, open space, recreation facilities, or to assess requests for
- 36 deviations from the Design Criteria standards, the County Manager or
- 37 designee may request schematic architectural drawings (floor plans,
- 38 elevations, perspectives) for all proposed structures and improvements, as
- 39 appropriate;
- 40
- 41 u. Development Document amendment provisions; ~~and~~,
- 42
- 43 v. An inventory of historic or cultural resources identified within the RLSAO,
- 44 and in conjunction with the Florida Division of Historic Resources, an
- 45 assessment of their historic or cultural significance in accordance with LDC
- 46 section 2.03.07 E., and proposed strategies to promote educational and
- 47 public awareness regarding those significant resources; and
- 48
- 49 ~~w~~. Documentation or attestation of professional credentials of individuals
- 50 preparing the development document.

1  
2 ~~I. DRI Master Plan. If applicable, the DRI master plan shall be included as part of the SRA~~  
3 ~~Designation Application. The DRI master plan shall identify the location of the SRA being~~  
4 ~~designated, and any previously designated SRAs within the DRI.~~

5  
6 J. Design Criteria. Criteria are hereby established to guide the design and development of  
7 SRAs to include innovative planning and development strategies as set forth in §§ Florida  
8 Statutes section 163.3248~~163.3177 (11), F.S. and Chapter 9J-5.006(5) (I), F.A.C.~~ The size  
9 and base density of each form of SRA shall be consistent with the standards set forth  
10 below. The maximum base residential density as specified herein for each form of SRA  
11 may only be exceeded through the density blending process as set forth in density and  
12 intensity blending provision of the Immokalee Area Master Plan or through the affordable  
13 housing density bonus as referenced in the Density Rating System of the Future Land Use  
14 Element. The base residential density is calculated by dividing the total number of  
15 residential units in an SRA by the acreage therein that is entitled through Stewardship  
16 Credits. The base residential density does not restrict net residential density of parcels  
17 within an SRA. The location, size and density of each SRA will be determined on an  
18 individual basis, subject to the regulations below, during the SRA designation review and  
19 approval process.

20  
21 1. SRA Characteristics. Characteristics for SRAs designated within the RLSA  
22 District have been established in the Goals, Objectives, and Policies, of the RLSA  
23 Overlay. All SRAs designated pursuant to this Section shall be consistent with the  
24 characteristics identified on the ~~Collier County~~ RLSA Overlay SRA  
25 Characteristics Chart and the design criteria set forth in 2. through 5~~6~~. below.

26  
27 a. SRA Characteristics Chart consists of the following Tables: A - Town, B -  
28 Village, C ~~-Hamlet, D.1- Compact Rural Development: 100 Gross Acres~~  
29 ~~or Less, and D.2- Compact Rural Development: Greater than 100 Gross~~  
30 ~~Acres.~~

31 **Table A – Town**

Typical Characteristics	Town (Towns are prohibited within the ACSC, per LDC section 4.08.07 A.2.b.)	
Size (Gross Acres)	<del>1,000—4,000</del> <u>Greater than 1,500 but no more than 5,000</u> acres	
Residential Units (DUs) per gross acre base density	1—4 DUs per gross acre (Density can be increased beyond the base density through the affordable workforce housing density bonus or through the <b>density blending</b> provision, per RLSA policy 4.7 <u>in of</u> the FLUE <del>of the GMP.</del> )	
	<i>Required Uses</i>	<i>Uses Allowed But Not Required</i>

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Typical Characteristics	Town (Towns are prohibited within the ACSC, per LDC section 4.08.07 A.2.b.)	
Residential Housing Styles	Full range of single family and multi-family housing types, styles, lot sizes	
Maximum Floor Area Ratio or Intensity <u>per use</u>	Retail & Office - .5	Manufacturing/Light Industrial <u>and Research and Development Companies</u> - .45
	Civic/Governmental/Institution - .6	Group Housing - .45
		Transient Lodging - 26 upa net
Goods and Services	Town Center with Community and Neighborhood Goods and Services in Town and Village Centers: Minimum <del>65</del> <u>170</u> SF gross building area per DU; Corporate Office, Manufacturing and Light Industrial and research companies.	Corporate Office, Manufacturing and Light Industrial <u>and Research and Development Companies</u>
Water and Wastewater	Centralized or decentralized community treatment system	Interim Well and Septic
Recreation and Open Space	Community Parks (200 SF/DU), <u>subject to level of service requirements</u>	Active Recreation/Golf Courses
	Parks & Public Green Spaces w/n Neighborhoods	
	Lakes	
	Open Space Minimum 35% of SRA	
Civic, Governmental and Institutional Services	Wide Range of Services - minimum 15 SF <u>of gross land area</u> /DU	Full Range of Schools
Transportation	Auto - interconnected system of collector and local roads; required connection to collector or arterial	

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Typical Characteristics	Town (Towns are prohibited within the ACSC, per LDC section 4.08.07 A.2.b.)	
	Interconnected sidewalk and pathway system	
	County Transit <del>Access area</del> <u>station or a park and ride facility</u>	

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**Table B – Village**

Typical Characteristics	Village	
Size (Gross Acres)	<u>Greater than 300 acres but not more than 1,500 acres, except that if any portion is designated ACSC, the maximum size shall be no more than 1,000 acres</u> <del>100–1,000 acres</del> (Villages within the ACSC are subject to location and size limitations per LDC section 4.08.07.A.2. and are subject to Chapter 28-25, FAC.)	
Residential Units (DUs) per gross acre base density	1—4 DUs per gross acre (Density can be increased beyond the base density through the affordable workforce housing density bonus or through the density blending provision, per RLSA <del>Policy</del> <u>policy</u> 4.7 <del>of in</del> the FLUE <del>of the GMP</del> .)	
	<i>Required Uses</i>	<i>Uses Allowed But Not Required</i>
Residential Housing Styles	Diversity of single family and multi-family housing types, styles, lot sizes	
Maximum Floor Area Ratio or Intensity <u>per use</u>	Retail & Office - .5	Group Housing - .45
	Civic/Governmental/Institution - .6	Transient Lodging - 26 upa net
Goods and Services	Village Center with Neighborhood Goods and Services in Village Centers: Minimum <del>25</del> <u>53</u> SF gross building area per DU	<u>Corporate Office, Manufacturing and Light Industrial and Research and Development Companies: appropriately scaled</u>

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Text underlined is new text to be added

~~Text strikethrough is current text to be deleted~~

Typical Characteristics	Village	
Water and Wastewater	Centralized or decentralized community treatment system	Interim Well and Septic
Recreation and Open Space	Parks & Public Green Spaces w/n Neighborhoods (minimum 1% of gross acres)	Active Recreation/Golf Courses
	Lakes	
	Open Space Minimum 35% of SRA	
Civic, Governmental and Institutional Services	Moderate Range of Services - minimum 10 SF/DU	Full Range of Schools
Transportation	Auto - interconnected system of collector and local roads; required connection to collector or arterial	Equestrian Trails
	Interconnected sidewalk and pathway system	<del>County Transit Access</del>
	<u>County Transit station or a park and ride facility</u>	

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**Table C – Hamlet**

Typical Characteristics	Hamlet	
Size (Gross Acres)	<del>40—100 acres</del> <del>(Hamlets within the ACSC are subject to location and size limitations per LDC section 4.08.07.A.2. and are subject to Chapter 28-25, FAC.)</del>	
Residential Units (DUs) per gross acre base density	<del>½—2 DUs per gross acre</del> <del>(Density can be increased beyond the base density through the affordable workforce housing density bonus or through the density blending provision, per RLSA policy 4.7 in the FLUE of the GMP.)</del>	
	<del>Required Uses</del>	<del>Uses Allowed But Not Required</del>

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Typical Characteristics	Hamlet	
Residential Housing Styles	Single-Family	Limited Multi-family
Maximum Floor-Area Ratio or Intensity		<del>Civic/Governmental/Institution—.6</del>
	Retail & Office—.5	Group Housing—.45
		Transient Lodging—.26 upa-net
Goods and Services	Convenience Goods and Services: Minimum 10 SF gross building-area per DU	
Water and Wastewater	Individual Well and Septic System	Centralized or decentralized community treatment system
Recreation and Open Space	Public Green Space for Neighborhoods (minimum 1% of gross acres)	
Civic, Governmental and Institutional Services		Limited Services
		Pre-K through Elementary Schools
Transportation	Auto—interconnected system of local roads	Equestrian Trails
	Pedestrian Pathways	

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**Table D.1 - Compact Rural Development—300~~400~~ Gross Acres or Less ~~In-Size~~**

Typical Characteristics	Compact Rural Development— <u>300</u> <del>400</del> Gross Acres or Less
	(Compact Rural developments within the ACSC are subject to location and size limitations, LDC section 4.08.07.A.2. of this Code, and are subject to Chapter 28-25, FAC.)
Residential Units (DUs) per gross acre base density	1/2—2 DUs per gross acre <del>(Density can be increased beyond the base density through the affordable</del>



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Typical Characteristics	Compact Rural Development— <del>300</del> <u>100</u> Gross Acres or Less	
	<del>workforce housing density bonus or through the density blending provision, per RLSA policy 4.7 in the FLUE of the GMP.)</del>	
	<i>Required Uses</i>	<i>Uses Allowed But Not Required</i>
Residential Housing Styles		Single Family and limited multi-family (Those CRDs that include single or multi-family residential uses shall include proportionate support services.)
Maximum Floor Area Ratio or Intensity <u>per use</u>		Retail & Office* - .5
	<u>Business, industry and uses associated with and needed to support research, education, tourism or recreation - .6</u>	Civic/Governmental/Institution - .6
		Group Housing - .45
		Transient Lodging - 26 upa net
Goods and Services	<del>Convenience Goods and Services: Minimum 10 SF gross building area per DU</del> <u>Business, industry and uses associated with and needed to support research, education, convenience retail, tourism, or recreation, appropriately scaled</u>	<u>Convenience Goods and Services*: Minimum 10 SF gross building area per DU</u>
Water and Wastewater	Individual Well and Septic System	Centralized or decentralized community treatment system
Recreation and Open Space	<del>Public Green Space for Neighborhoods (minimum 1% of gross acres)</del>	<u>Public Green Space for Neighborhoods (minimum 1% of gross acres)*</u> <u>Open Space Minimum 35% of SRA*</u>
		Limited Services

Typical Characteristics	Compact Rural Development— <del>300</del> <u>100</u> Gross Acres or Less	
Civic, Governmental and Institutional Services		Pre-K through Elementary Schools
Transportation	Auto - interconnected system of local roads	Equestrian Trails
	Pedestrian Pathways	<u>County Transit station or a park and ride facility</u>

\* In conjunction with residential units proposed within the CRD.

~~Table D.2 – Compact Rural Development – Greater Than 100 Gross Acres In Size~~

<del>Typical Characteristics</del>	<del>Compact Rural Development – Greater Than 100 Gross Acres</del>	
	<del>(Compact Rural developments within the ACSC are subject to location and size limitations, LDC section 4.08.07.A.2. of this Code, and are subject to Chapter 28-25, FAC.)</del>	
<del>Residential Units (DUs) per gross acre base density</del>	<del>1—4 DUs per gross acre (Density can be increased beyond the base density through the affordable workforce housing density bonus or through the density blending provision, per RLSA policy 4.7 in the FLUE of the GMP.)</del>	
	<del>Required Uses</del>	<del>Uses Allowed But Not Required</del>
<del>Residential Housing Styles</del>		<del>Single Family and limited multi-family (Those CRDs that include single or multi-family residential uses shall include proportionate support services.)</del>
<del>Maximum Floor Area Ratio or Intensity</del>		<del>Retail &amp; Office —.5</del>
		<del>Civic/Governmental/Institution —.6</del>
		<del>Group Housing —.45</del>

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		<del>Transient Lodging – 26 upa-net</del>
<del>Goods and Services</del>	<del>Village Center with Neighborhood Goods and Services in Village Centers: Minimum 25 SF gross building area per DU</del>	
<del>Water and Wastewater</del>	<del>Centralized or decentralized community treatment system</del>	<del>Interim Well and Septic System</del>
<del>Recreation and Open Space</del>	<del>Parks &amp; Public Green Spaces w/n Neighborhoods (minimum 1% of gross acres)</del>	<del>Active Recreation/Golf Courses</del>
	<del>Lakes</del>	
	<del>Open Space Minimum 35% of SRA</del>	
<del>Civic, Governmental and Institutional Services</del>		<del>Moderate Range of Services – minimum 10 SF/DU</del>
		<del>Pre-K through Elementary Schools</del>
<del>Transportation</del>	<del>Auto - interconnected system of collector and local roads; required connection to collector or arterial</del>	<del>Equestrian Trails</del>
	<del>Interconnected sidewalk and pathway system</del>	<del>County Transit Access</del>

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- b. Streets within SRAs shall be designed in accord with the cross-sections set forth in Figures 1—18 below, as more specifically provided in J.2 through J.5. Alternatively, Collier County Transportation Services may approve additional cross-sections as needed to meet the design objectives. Deviations from the cross sections set forth in Figures 1—18 may be requested in the SRA Development Document or an amendment to the SRA Development Document. Please see LDC section 4.08.07 1.7.J-8 for the deviation requirements and criteria.

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(1) Figure 1: Town Core/Center.

\* \* \* \* \*

2. *Town Design Criteria.*

a. General design criteria.

- i. Shall be compact, pedestrian-friendly and mixed-use;
- ii. Shall create an interconnected street system designed to disperse and reduce the length of automobile trips;
- iii. Shall offer a range of housing types and price levels to accommodate diverse ages and incomes; Accessory dwelling unit shall not count towards the total approved number of units, provided that the total number of units does not exceed the maximum density allowed by the GMP.
- iv. Shall include school sites that are sized and located to enable children to walk or bicycle to them;
- v. Shall provide a range of open spaces including neighborhood and community parks, squares and playgrounds distributed throughout the community;
- vi. Shall include both community and neighborhood scaled retail and office uses;
- vii. Shall have urban level services and infrastructure which supports development that is compact, including water management facilities and related structures, lakes, community and neighborhood parks, trails, temporary construction, sales and administrative offices for authorized contractors and consultants, landscape and hardscape features, fill storage, and site filling and grading, which are allowed uses throughout the community.
- viii. Shall be designed in a progressive rural to urban continuum with the greatest density, intensity and diversity occurring within the Town Core, to the least density, intensity and diversity occurring within the Neighborhood Edge;
- ix. Shall provide sufficient transition to the adjoining use, such as active agriculture, pasture, rural roadway, etc., and compatibility through the use of buffering, open space, land use, or other means;
- x. Shall include a minimum of three ~~G~~context ~~Z~~zones: Town Core, Town Center and Neighborhood General, each of which shall blend into the other without the requirements of buffers;

- 1 xi. May include the ~~G~~context ~~Z~~zone of Neighborhood Edge; and
- 2
- 3 xii. Shall allow signs typically permitted in support of residential uses
- 4 including for sale, for rent, model home, and temporary construction
- 5 signs. Specific design and development standards shall be set forth
- 6 in the SRA document for such signs permitted in residential areas
- 7 or in conjunction with residential uses.
- 8
- 9 xiii. To the extent that section 5.05.08 is applicable within the Urban
- 10 designated area, SRA Architectural Design Standards shall comply
- 11 with the provisions of section 5.05.08, unless additional or different
- 12 design standards that deviate from section 5.05.08, in whole or part,
- 13 are submitted to the County as part of the SRA Development
- 14 Document or any amendment to the SRA Development Document.
- 15 See LDC section 4.08.07 ~~I.7.J.8~~ for the deviation requirements and
- 16 criteria.
- 17
- 18 xiv. To the extent that section 4.06.00 is applicable within the Urban
- 19 designated area, SRA Landscape Design and Installation
- 20 Standards shall comply with the provisions of section 4.06.00,
- 21 unless additional or different design and installation standards that
- 22 deviate from section 4.06.00, in whole or in part, are submitted to
- 23 the County as part of the SRA Development Document or any
- 24 amendment to the SRA Development Document. Please see LDC
- 25 section 4.08.07 ~~I.7.J.8~~ for the deviation requirements and criteria.
- 26
- 27 b. Transportation Network.
- 28
- 29 i. The transportation network shall provide for a high level of mobility
- 30 for all ~~travelers residents~~ through a design that ~~respects the~~
- 31 ~~pedestrian and~~ accommodates all means of multi-modal travel ~~the~~
- 32 ~~automobile.~~
- 33
- 34 ii. The transportation network shall be designed in an interconnected
- 35 system of streets, sidewalks, and pathways.
- 36
- 37 iii. A transfer station or park and ride area shall be appropriately
- 38 located within the Town to serve the connection point for internal
- 39 and external public transportation.
- 40
- 41 iv. The transportation network shall include vehicular,
- 42 bicycle/pedestrian, public transit, internal circulators, and other
- 43 modes of travel/movement within and between SRAs and areas
- 44 outside development and land uses.
- 45
- 46 v. Any mitigation measures required to offset an SRA's traffic impacts,
- 47 such as provisions for the construction and/or permitting of wildlife
- 48 crossings, environmental mitigation credits, right of way
- 49 dedication(s), water management and/or fill materials which may be
- 50 needed to expand the existing or proposed roadway network, shall

be memorialized in a developer contribution agreement. Actions shall be considered within the area of significant influence of the project traffic on existing or proposed roadways.

- c. Open space and Parks.
  - i. Towns shall have a minimum of 35 percent % open space.
  - ii. Towns shall have community parks that include sports fields and facilities with a minimum level of services of 200 square feet per dwelling unit in the Town, subject to level of service requirements.
  - iii. Towns shall have passive or active parks, playgrounds, public plazas or courtyards as appropriate within each ~~G~~context ~~Z~~zone.
- d. Context ~~Z~~zones. Context ~~Z~~zones are intended to guide the location of uses and their intensity and diversity within a Town~~;~~ and provide for the establishment of the urban to rural continuum.
  - i. Town Core. The Town Core shall be the civic center of a Town. It is the most dense and diverse zone, with a full range of uses within walking distance. The Core shall be a primary pedestrian zone with buildings positioned near the right-of-way, wide sidewalks shall be shaded through streetscape planting, awnings and other architectural elements. Parking shall be provided on street and off street in the rear of buildings within lots or parking structures. Signage shall be pedestrian scale and designed to complement the building architecture. The following design criteria shall apply within the Town Core, with the exception of civic or institutional buildings, which shall not be subject to the building height, building placement, building use, parking, and signage criteria below, but, instead, shall be subject to specific design standards set forth in the SRA development Document and approved by the BCC that address the perspective of these buildings' creating focal points, terminating vistas and significant community landmarks.
    - a) Uses - commercial, retail, office, civic, institutional, light industrial and manufacturing, essential services, residential, parks and accessory uses. Such uses may occur in shared use buildings or single use buildings.
    - b) The total building area within each block shall not exceed a floor area ratio of 3.
    - c) Retail and offices uses per block shall not exceed a floor area ratio of 0.5.
    - d) Civic uses per block shall not exceed a floor area ratio of 0.6.

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- 1 e) Light industrial and manufacturing uses per block shall not
- 2 exceed a floor area ratio of 0.45.
- 3
- 4 f) The density of transient lodging uses shall not exceed 26
- 5 dwelling units per Town Core gross acre.
- 6
- 7 g) The maximum building height shall be 6 stories, excluding
- 8 roofs and architectural features.
- 9
- 10 h) There shall be no minimum lot size.
- 11
- 12 i) The maximum block perimeter shall be 2,500 feet.
- 13
- 14 j) Minimum setbacks from all property boundaries shall be 0
- 15 feet and the maximum setback from the front boundary shall
- 16 be 10 feet. The maximum setback from the front boundary
- 17 may be increased in order to create public spaces such as
- 18 plazas and courtyards.
- 19
- 20 k) Overhead encroachments such as awnings, balconies,
- 21 arcades and the like, shall maintain a clear distance of 9 feet
- 22 above the sidewalk and 15 feet above the street.
- 23
- 24 l) Seating for outdoor dining shall be permitted to encroach
- 25 into the public sidewalks and shall leave a minimum 6-foot
- 26 clear pedestrian way between the outdoor dining and the
- 27 streetscape planting area.
- 28
- 29 m) Buildings within the Town Core shall be made compatible
- 30 through similar massing, volume, frontage, scale and
- 31 architectural features.
- 32
- 33 n) The majority of parking spaces shall be provided off-street
- 34 in the rear of buildings, or along the side (secondary
- 35 streets), organized into a series of small bays delineated by
- 36 landscape islands of varied sized. A maximum spacing
- 37 between landscape islands shall be ten (10) spaces.
- 38 Landscape islands and tree diamonds shall have a
- 39 minimum of one tree. Parking is prohibited in front of
- 40 buildings, except within the right-of-way. Parking structures
- 41 fronting on a primary street shall either include ground floor
- 42 retail or have a minimum ten (10) foot wide landscaped area
- 43 at grade, including one tree per five (5) square feet of
- 44 landscaped area. Parking structures fronting on a
- 45 secondary street shall have a minimum ten (10) foot wide,
- 46 densely landscaped area at grade, including one tree per
- 47 250 square feet of landscaped area or 25 linear feet on
- 48 center. The amount of required parking shall be
- 49 demonstrated through a shared parking analysis submitted
- 50 with an SRA designation application. Parking shall be

1 determined utilizing the modal splits and parking demands  
 2 for various uses recognized by ITE, ULI or other sources or  
 3 studies. The analysis shall demonstrate the number of  
 4 parking spaces available to more than one use or function,  
 5 recognizing the required parking will vary depending on the  
 6 multiple functions or uses in close proximity which are  
 7 unlikely to require the spaces at the same time. The shared  
 8 parking analysis methodology will be determined and  
 9 agreed upon by the County Transportation staff and the  
 10 applicant during the pre-application meeting. The shared  
 11 parking analysis shall use the maximum square footage of  
 12 uses proposed by the SRA development document.

13  
 14 o) Streets shall adhere to §.1.b. and Figures 1, 2, 3, or 4. At a  
 15 minimum all proposed streets shall include sidewalks on  
 16 both sides of the street, parallel to the right-of-way, and a  
 17 five (5) foot streetscape area between the back of curb and  
 18 the sidewalk. In these areas, sidewalk protection such as  
 19 root barriers, a continuous tree pit, and/or structural soils  
 20 shall be provided. streets shall maintain a minimum average  
 21 building height to street width ratio of 1:1, excluding  
 22 landmark buildings.

23  
 24 p) Landscaping minimums within the Town Core shall be met  
 25 by providing landscaping within parking lots as described,  
 26 and by providing a streetscape area between the sidewalk  
 27 and curb at a minimum of five (5) feet in width, with trees  
 28 planted forty (40) feet on-center. The five-foot minimum  
 29 wide of planting area may be reduced to three (3) feet if  
 30 sidewalk protection such as root barriers, continuous tree  
 31 pits, and/or structural soils are provided. The street tree  
 32 pattern may be interrupted by architectural elements such  
 33 as arcades and columns.

34  
 35 q) General signage standards. Signage requirements shall be  
 36 as provided for in section 5.06.00, the "Collier County Sign  
 37 Code."

38  
 39 ii. Town Center. The Town Center shall provide a wide range of uses  
 40 including daily goods and services, culture and entertainment,  
 41 within walking distance. Like the Town Core, the Town Center is the  
 42 primary pedestrian zone, designed at human scale to support the  
 43 walking environment. It is the Main street area of the Town.  
 44 buildings shall be positioned near the right-of-way line, wide  
 45 sidewalks shall be shaded by street trees and architectural  
 46 elements. The following design criteria shall apply within the Town  
 47 Center, with the exception of civic or institutional buildings, which  
 48 shall not be subject to the height, building placement, building use,  
 49 parking, and signage criteria below, but, instead, shall be subject to  
 50 specific design standards that address these buildings' creating



- 1 focal points, terminating vistas, and significant community
- 2 landmarks and that are set forth in the SRA Development
- 3 ~~development~~ Document and approved by the BCC.
- 4
- 5 a) Commercial, retail, office, civic, institutional, light industrial
- 6 and manufacturing, essential services, parks, residential
- 7 and schools and accessory uses shall be permitted. These
- 8 uses may occur in shared use buildings or single use
- 9 buildings.
- 10
- 11 b) The floor area ratio for the total building area within each
- 12 block shall not exceed 2.
- 13
- 14 c) The floor area ratio for retail and office uses per block shall
- 15 not exceed 0.5.
- 16
- 17 d) The floor area ratio for civic uses per block shall not exceed
- 18 0.6.
- 19
- 20 e) The floor area ratio for light industrial and manufacturing
- 21 uses per block shall not exceed 0.45.
- 22
- 23 f) The maximum density for transient lodging shall be 26
- 24 dwelling units per Town Center gross acre.
- 25
- 26 g) The maximum building height shall be 5 stories, excluding
- 27 roofs and architectural features.
- 28
- 29 h) The minimum lot area shall be 1,000 square feet.
- 30
- 31 i) The maximum block perimeter shall be 2,500 feet.
- 32
- 33 j) The minimum setbacks shall be 0 from all property
- 34 boundaries and the maximum setback shall be 10 feet from
- 35 the front right of way line.
- 36
- 37 k) Overhead encroachments such as awnings, balconies,
- 38 arcades and the like, must maintain a clear distance of 9
- 39 feet above the sidewalk and 15 feet above the street.
- 40
- 41 l) Seating for outdoor dining shall be permitted to encroach
- 42 the public sidewalks and shall leave a minimum 6-foot clear
- 43 pedestrian way between the outdoor dining and the
- 44 streetscape planting area.
- 45
- 46 m) Buildings within the Town Center shall be made compatible
- 47 through similar massing, volume, frontage, scale and
- 48 architectural features.
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- n) Streets shall adhere to §.1.b. and Figures 1, 2, 3, or 4. At a minimum all proposed streets must include sidewalks on both sides of the street, parallel to the right-of-way, and a 5 Ft. streetscape area between the back of curb and the sidewalk. streets shall maintain a minimum average building height to street width ratio of 1:1, excluding landmark buildings.
  - o) Parking space requirements and design are the same as in the Town Core.
  - p) Landscape minimums are the same as in the Town Core.
  - q) Signage requirements are the same as in the Town Core.
  - iii. Neighborhood General. Neighborhood General is predominately residential with a mix of single and multi-family housing. Neighborhood scale goods and services, schools, parks and open space diversify the neighborhoods. The interconnected street pattern is maintained through the Neighborhood General to disperse traffic. Sidewalks and streetscape support the pedestrian environment. The following design criteria shall apply within Neighborhood General:
    - a) Residential, neighborhood scale goods and services, civic, institutional, parks, schools and accessory uses shall be permitted.
    - b) The maximum allowable building height shall be 3.5 stories.
    - c) The maximum block perimeter shall be 3500 feet, except that a larger block perimeter shall be allowed where an alley or pathway provides through access, or the block includes water bodies or public facilities.
    - d) The SRA Development Document shall set forth the development standards for all allowable types of single-family development, which shall, at a minimum, adhere to the following:
      - i) The minimum lot area shall be 1,000 square feet.
      - ii) Parking space requirements and design are the same as in the Town Core, inclusive of garage spaces, with an additional parking space required if an accessory dwelling unit is built.
      - iii) Landscaping shall include a minimum of sixty (60) square feet of shrub planting per lot, on lots that are 3,000 square feet or less in area; eighty (80) square

1 feet on lots that are greater than 3,000 square feet  
 2 but less than 5,000 square feet in area; and 100  
 3 square feet for lots 5,000 square feet or larger in  
 4 area. Plantings shall be in identified planting areas,  
 5 raised planters, or planter boxes in the front of the  
 6 dwelling, with, at a minimum, turf grass for the  
 7 remainder of the property.  
 8

- 9 e) Multi-family residential uses shall adhere to the following:
  - 10 i) Lots shall be a maximum of 4 acres.
  - 11 ii) Front and side yard setbacks shall be a minimum of
  - 12 10 feet and rear yard setbacks shall be a minimum
  - 13 of 20 feet for the primary structure and 5 feet for any
  - 14 accessory structures.
  - 15 iii) Porches, stoops, chimneys, bays canopies,
  - 16 balconies and overhangs may encroach into the
  - 17 front yard a maximum of 3 ft. 6 in and a maximum of
  - 18 3 Ft. into side yards, but no element may encroach
  - 19 into a side yard such that the distance to the property
  - 20 line from the encroaching element is less than 3 Ft.
  - 21 2 In., except that overhangs may encroach no more
  - 22 than 2 Ft. into any yard.
  - 23 iv) Parking space requirements and design are the
  - 24 same as in the Town Core.
  - 25 v) A minimum of 100 Sq. Ft. of shrub planting shall be
  - 26 required for each 2,000 Sq. Ft. of building footprint,
  - 27 and one tree shall be required for each 4,000 Sq. Ft.
  - 28 of lot area, inclusive of street trees, with such
  - 29 plantings in planting areas, raised planters, or
  - 30 planter boxes in the front of the building and a
  - 31 minimum of turf grass for the remainder of the
  - 32 property.
- 33 f) Non-residential uses shall adhere to the following:
  - 34 i) All such uses shall be located at intersection corners
  - 35 or street bends and shall not be permitted at mid-
  - 36 block locations;
  - 37 ii) If the non-residential use is a restaurant, grocery
  - 38 store, or convenience store, it shall be located on an
  - 39 alley loaded site;
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- iii) The minimum distance between non-residential uses shall be 1,000 feet, as measured along the street frontage at the right-of-way line;
  - iv) The maximum square footage per use shall be 3,000 square feet and per location shall be 15,000 square feet;
  - v) The use shall have a minimum lot area of not less than the size of the smallest adjacent lot.
  - vi) The minimum setbacks shall be as follows: 0 feet from the front property boundary, a distance from the side property boundary that is equal to the setback of the adjacent property, and a minimum of 20 feet from the rear property boundary for the principal structure and 5 feet from the rear property boundary for any accessory structures.
  - vii) Parking space requirements and design are the same as in the Town Core, with on-street parking provided only along the lot street frontage. No off-street parking shall be permitted between the front façade and the front property line. No off-street parking shall be permitted between the side façade and the street side property line for corner lots. All off-street parking shall be screened from the street and adjacent property by wall, fence and/or landscaping.
  - viii) Landscaping shall include a minimum of 100 Sq. Ft. of shrub planting per 2,000 Sq. Ft. of building footprint, and one tree per 4,000 Sq. Ft. of lot area, inclusive of street trees. Plantings shall be in planting areas, raised planters, or planter boxes in the front of the building. Minimum of turf grass for the remainder of the property.
  - g) General signage requirements shall be as provided for in section 5.06.00.
  - h) Signage within Neighborhood Goods and Service Zones shall be as provided for in section 5.06.00.
  - i) Streets shall adhere to § 1.b and Figures 5, 6, 7, 8, or 10. At a minimum all proposed streets must include sidewalks on both sides of the street, parallel to the right-of-way, and a 5 Ft. streetscape area between the back of curb and the sidewalk.

- 1 iv. Neighborhood Edge (optional). Neighborhood Edge is
- 2 predominately a single-family residential neighborhood. This zone
- 3 has the least intensity and diversity within the Town. The mix of
- 4 uses is limited. Residential lots are larger and more open space is
- 5 evident. The Neighborhood Edge may be used to provide a
- 6 transition to adjoining rural land uses. The following standards shall
- 7 apply with the Neighborhood Edge:
- 8
- 9 a) The permitted uses within the Neighborhood Edge are
- 10 residential, parks, open space, golf courses, schools,
- 11 essential services, and accessory uses.
- 12
- 13 b) Building heights shall not exceed 2 stories.
- 14
- 15 c) Lots shall have a minimum area of 5,000 square feet with
- 16 lot dimensions and setbacks to be further defined with the
- 17 SRA development Document.
- 18
- 19 d) The perimeter of each block may not exceed 5,000 feet,
- 20 unless an alley or pathway provides through access, or the
- 21 block includes water bodies or public facilities.
- 22
- 23 e) Parking space requirements and design are the same as in
- 24 the Town Core, inclusive of garage spaces, with provision
- 25 for an additional parking space if an accessory dwelling unit
- 26 is built.
- 27
- 28 f) Landscaping shall include a minimum of 100 Sq. Ft. of shrub
- 29 planting per lot, with plantings in planting areas, raised
- 30 planters, or planter boxed in the front of the dwelling and a
- 31 minimum of turf grass for the remainder of the property.
- 32
- 33 g) Streets shall adhere to 1d.1.b. and to Figures 9, 11, 12, 13,
- 34 14, 15, 16, 17, or 18. At a minimum all proposed streets
- 35 must include a 10-foot pathway on one side of the street with
- 36 an 8-foot streetscape area between the edge of curb and
- 37 the pathway.
- 38
- 39 v. Special District (optional). The Special District is intended to provide
- 40 for uses and development standards not otherwise provided for
- 41 within the ~~C~~context ~~Z~~zones. Special Districts would be primarily
- 42 single use districts, such as universities, business parks, medical
- 43 parks and resorts that require unique development standards to
- 44 ensure compatibility with surrounding neighborhoods. The location
- 45 of Special Districts shall be illustrated on the SRA Master Plan, and
- 46 uses and development standards shall be defined in detail within
- 47 the SRA development application for review by Collier County staff.
- 48 Special Districts could be for uses such as Universities, business or
- 49 industrial parks, retirement communities, resorts, etc.
- 50

- 1           3. Village Design Criteria.
- 2
- 3           a. General criteria.
- 4
- 5           i. Villages are comprised of residential neighborhoods and shall
- 6           include a mixed-use village center to serve as the focal point for the
- 7           community's support services and facilities.
- 8
- 9           ii. Villages shall be designed in a compact, pedestrian-friendly form.
- 10
- 11          iii. Create an interconnected street system designed to disperse and
- 12          reduce the length of automobile trips.
- 13
- 14          iv. Offer a range of housing types and price levels to accommodate
- 15          diverse ages and incomes. Accessory dwelling units shall not count
- 16          towards the maximum allowed density.
- 17
- 18          v. Be developed in a progressive rural to urban continuum with the
- 19          greatest density, intensity and diversity occurring within the village
- 20          center, to the least density, intensity and diversity occurring within
- 21          the Neighborhood Edge.
- 22
- 23          vi. The SRA document shall demonstrate the urban to rural transition
- 24          occurring at the Villages limits boundary provides sufficient
- 25          transition to the adjoining use, such as active agriculture, pasture,
- 26          rural roadway, etc., and compatibility through the use of buffering,
- 27          open space, land use, or other means.
- 28
- 29          vii. Shall allow signs typically permitted in support of residential uses
- 30          including for sale, for rent, model home and temporary
- 31          constructions signs. Specific design and development standards
- 32          shall be set forth in the SRA document for such signs permitted in
- 33          residential areas or in conjunction with residential uses.
- 34
- 35          viii. To the extent that section 5.05.08 is applicable within the Urban
- 36          designated area, SRA Architectural Design Standards shall comply
- 37          with the provisions of section 5.05.08, unless additional or different
- 38          design standards that deviate from section 5.05.08, in whole or part,
- 39          are submitted to the County no later than when the first SRA Site
- 40          Development Document is submitted for approval.
- 41
- 42          ix. To the extent that section 4.06.00 is applicable within the Urban
- 43          designated area, SRA Landscape Design and Installation
- 44          Standards shall comply with the provisions of section 4.06.00,
- 45          unless additional or different design and installation standards that
- 46          deviate from section 4.06.00, in whole or in part, are submitted to
- 47          the County no later than when the first SRA Site Development
- 48          Document is submitted for approval.
- 49

- 1           b.       Transportation Network. The transportation network for a Village shall
- 2           adhere to the same standards provided for within a Town in accordance
- 3           with LDC section 4.08.07 I.2.b.
- 4
- 5           c.       Parks. A Village shall provide a range of active and passive parks, squares
- 6           and playgrounds as appropriate to be located within each ~~C~~context ~~Z~~zone
- 7           and Special District.
- 8
- 9           d.       Context ~~Z~~zones.
- 10
- 11           i.       General.
- 12
- 13           a)       Villages shall be designed to include a minimum of two
- 14           Context Zones: Village Center and Neighborhood General.
- 15
- 16           b)       Each Zone shall blend into the other without the
- 17           requirements of buffers.
- 18
- 19           c)       Villages may include the Context Zone of Neighborhood
- 20           Edge.
- 21
- 22           d)       Villages may include Special Districts to accommodate uses
- 23           that require use specific design standards not otherwise
- 24           provided for within the ~~C~~context ~~Z~~zones.
- 25
- 26           e)       The SRA Master Plan shall designate the location of each
- 27           ~~C~~context ~~Z~~zone and each Special District. The village center
- 28           shall be designated in one location. Neighborhood General,
- 29           Neighborhood Edge and Special District may be designated
- 30           in multiple locations.
- 31
- 32           f)       Context ~~Z~~zones are intended to guide the location of uses
- 33           and their intensity and diversity within a Village, and provide
- 34           for the establishment of the urban to rural continuum.
- 35
- 36           ii.      Village center.
- 37
- 38           a)       The allowable uses within a village center are commercial,
- 39           manufacturing/light industrial, research and development
- 40           businesses, retail, office, civic, institutional, essential
- 41           services, parks, residential and schools and accessory
- 42           uses.
- 43
- 44           b)       Uses may occur in shared use buildings or single use
- 45           buildings.
- 46
- 47           c)       The floor area ratio of any use shall not exceed 2 for the
- 48           total building area within each block, shall not exceed 0.5 for
- 49           retail and office uses per block shall not exceed 0.6 for civic
- 50           uses per block, manufacturing/light industrial, and research

- 1 and development businesses shall not exceed 0.45 per
- 2 block.
- 3
- 4 d) Transient Lodging - 26 dwelling units per village center
- 5 gross acre
- 6
- 7 e) Maximum building height - 5 Stories, excluding roofs and
- 8 architectural features.
- 9
- 10 f) Minimum lot area: 1,000 SF
- 11
- 12 g) Block Perimeter: 2,500 Ft. max
- 13
- 14 h) Front setbacks - 0 to 10 feet from the right-of-way line
- 15
- 16 i) Side setbacks - 0 feet
- 17
- 18 j) Rear setbacks - 0 feet
- 19
- 20 k) Overhead encroachments such as awnings, balconies,
- 21 arcades and the like, must maintain a clear distance of 9
- 22 feet above the sidewalk and 15 feet above the street.
- 23
- 24 l) Seating for outdoor dining shall be permitted to encroach
- 25 the public sidewalks and shall leave a minimum 6-foot clear
- 26 pedestrian way between the outdoor dining and the
- 27 streetscape planting area.
- 28
- 29 m) The design of civic or institutional buildings shall not be
- 30 subject to the specific standards of this subsection which
- 31 regulate building height, building placement, building use,
- 32 parking, and signage but, instead, shall be subject so
- 33 specific design standards that address the perspective of
- 34 these buildings' creating focal points, terminating vistas, and
- 35 significant community landmarks and that are set forth in the
- 36 SRA Development ~~development~~ Document and approved
- 37 by the BCC.
- 38
- 39 n) Buildings within the village center shall be made compatible
- 40 through similar massing, volume, frontage, scale and
- 41 architectural features.
- 42
- 43 o) Streets shall adhere to §.1.b. and Figures 1, 2, 3, or 4. At a
- 44 minimum all proposed streets shall include sidewalks on
- 45 both sides of the street, parallel to the right-of-way, and a 5
- 46 Ft. streetscape area between the back of curb and the
- 47 sidewalk. Streets ~~streets~~ shall maintain a minimum average
- 48 building height to street width ratio of 1:1, excluding
- 49 landmark buildings.
- 50



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- p) General parking criteria
- i) On-street parking spaces within the limits of the front property line, as projected into the right-of-way, shall count towards the required number of parking spaces.
  - ii) The majority of parking spaces shall be provided off-street in the rear of buildings, or along the side (secondary streets). Parking is prohibited in front of buildings.
  - iii) Parking areas shall be organized into a series of small bays delineated by landscape islands of varied sized. A maximum spacing between landscape islands shall be 10 spaces. Landscape islands shall have a minimum of one canopy tree.
  - iv) Parking lots shall be accessed from alleys, service lanes or secondary streets.
- q) The majority of parking spaces shall be provided off-street in the rear of buildings, or along the side (secondary streets), organized into a series of small bays delineated by landscape islands of varied sized. A maximum spacing between landscape islands shall be 10 spaces. Landscape islands and tree diamonds shall have a minimum of one tree. Parking is prohibited in front of buildings, except within the right-of-way. Parking lots shall be accessed from alleys, service lanes or secondary streets. Parking structures fronting on a primary street shall include ground floor retail. Parking structures fronting on a secondary street shall have a minimum 10 Ft. wide, densely landscaped area at grade, including one tree per 250 square feet of landscaped area or twenty-five (25) lineal feet on-center. The amount of required parking shall be demonstrated through a shared parking analysis submitted with an SRA designation application. Parking shall be determined utilizing the modal splits and parking demands for various uses recognized by ITE, ULI or other sources or studies. The analysis shall demonstrate the number of parking spaces available to more than one use or function, recognizing the required parking will vary depending on the multiple functions or uses in close proximity which are unlikely to require the spaces at the same time.
- r) Landscaping minimums within the village center shall be met by providing landscaping within parking lots as described, and by providing a streetscape area between the sidewalk and curb at a minimum of 5 Ft. in width. In these

- 1 areas, sidewalk protection such as root barriers, continuous
- 2 three pits, and/or structural soils shall be provided. Trees
- 3 shall be planted forty (40) feet on-center. The street tree
- 4 pattern may be interrupted by architectural elements such
- 5 as arcades and columns.
- 6
- 7 s) Signage standards within the village center shall comply
- 8 with those provided in the Town Center.
- 9
- 10 iii. Neighborhood General. Design standards for the Neighborhood
- 11 General within a Village shall be the same as defined within a Town.
- 12
- 13 iv. Neighborhood Edge (optional). Design standards for the
- 14 Neighborhood Edge within a Village shall be the same as defined
- 15 within a Town.
- 16
- 17 v. Special District (optional). The Special District is intended to provide
- 18 for uses and development standards not otherwise provided for
- 19 within the ~~C~~context ~~Z~~zones. Uses and development standards shall
- 20 be defined in detail within the SRA development application for
- 21 review by Collier County staff.
- 22

~~4. Hamlet Design Criteria.~~

~~a. General.~~

~~i. Hamlets are small rural residential areas with primarily single-family housing and limited range of convenience-oriented services.~~

~~ii. Hamlets may include the Context Zones of Neighborhood General and Neighborhood Edge.~~

~~iii. Non-residential uses shall be provided in one location, such as a crossroads, and designed to incorporate the community green.~~

~~b. Open spaces and parks. At a minimum, Hamlets shall provide a public green equal to a minimum of 1% of the total Hamlet gross acreage.~~

~~c. Context Zones. Context Zones are intended to guide the location of uses and their intensity and diversity within a Hamlet, and provide for the establishment of the urban to rural continuum.~~

~~i. Neighborhood General. Neighborhood General is predominately residential with a mix of single and multi-family housing. Neighborhood scale goods and services, schools, parks and open space diversify the neighborhoods. The street grid is maintained through the Neighborhood General to disperse traffic. sidewalks and streetscape support the pedestrian environment. The design criteria applicable within Neighborhood General are as follows:~~

- 1 a) ~~Uses residential, neighborhood scale goods and services,~~
- 2 ~~civic, institutional, parks and schools.~~
- 3
- 4 b) ~~Building height 3.5 Stories~~
- 5
- 6 c) ~~Block Perimeter: 3500 Ft. max. The maximum may be~~
- 7 ~~greater if an alley or pathway provides through access, or~~
- 8 ~~the block includes water bodies or public facilities.~~
- 9
- 10 d) ~~For single family residential uses:~~
- 11
- 12 i) ~~Minimum lot area: 1,000 SF~~
- 13
- 14 ii) ~~Setbacks and encroachments to be defined in the~~
- 15 ~~SRA development Document~~
- 16
- 17 iii) ~~Parking space requirements and design are the~~
- 18 ~~same as in the Town Core, with provision for an~~
- 19 ~~additional parking space if an accessory dwelling~~
- 20 ~~unit is built.~~
- 21
- 22 iv) ~~Landscaping Minimum of 60 Sq. Ft. of shrub~~
- 23 ~~planting per lot. Plantings shall be in planting areas,~~
- 24 ~~raised planters, or planter boxed in the front of the~~
- 25 ~~dwelling. Minimum of turf grass for the remainder of~~
- 26 ~~the property.~~
- 27
- 28 e) ~~For multi-family residential uses:~~
- 29
- 30 i) ~~Maximum lot area: 4 acres.~~
- 31
- 32 ii) ~~Front yard setbacks 10 Ft.~~
- 33
- 34 iii) ~~Minimum side yard setbacks 10 Ft.~~
- 35
- 36 iv) ~~Minimum rear yard setbacks 20 Ft. for primary~~
- 37 ~~structure, 5 Ft. for accessory structures~~
- 38
- 39 v) ~~Encroachments: Porches, stoops, chimneys, bays~~
- 40 ~~canopies, balconies and overhangs may encroach~~
- 41 ~~into the front yard 3 Ft. 6 In. These same elements~~
- 42 ~~may encroach 3 Ft. into side yards but no element~~
- 43 ~~may encroach into a side yard such that the distance~~
- 44 ~~to the property line from the encroaching element is~~
- 45 ~~less than 3 Ft. 2 In. except that overhangs may~~
- 46 ~~encroach 2 Ft. into any yard.vi) Parking space~~
- 47 ~~requirements and design are the same as in the~~
- 48 ~~Town Core.~~
- 49

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- ~~vii) Landscaping. Minimum of 100 Sq. Ft. of shrub planting per 2,000 Sq. Ft. of building footprint, and on tree per 4,000 Sq. Ft. of lot area, inclusive of street trees. Plantings shall be in planting areas, raised planters, or planter boxes in the front of the building. Minimum of turf grass for the remainder of the property.~~
  - ~~f) Non-residential uses:~~
    - ~~i) Location: at intersection corner. Mid-block locations are not allowed.~~
    - ~~ii) Maximum square footage per use is 5,000.~~
    - ~~iii) Maximum square footage per location is 20,000.~~
    - ~~iv) Min. lot area: No less than the min. lot area of the smallest adjacent lot.~~
    - ~~v) Front setbacks - Equal to the smallest utilized setback of the adjacent lot~~
    - ~~vi) Side setbacks - Equal to the smallest utilized setback of the adjacent lot~~
    - ~~vii) Rear setbacks - minimum 20 feet for the principal structure and 5 feet for any accessory use~~
    - ~~viii) Parking. Parking space requirements and design are the same as in the Town Core. On-street parking must be provided along the lot street frontage. No off-street parking shall be permitted between the front façade and the front property line. All off-street parking shall be screened from the street and adjacent property by wall, fence and/or landscaping.~~
    - ~~ix) Landscaping. Minimum of 100 Sq. Ft. of shrub planting per 2,000 Sq. Ft. of building footprint, and on tree per 4,000 Sq. Ft. of lot area, inclusive of street trees. Plantings shall be in planting areas, raised planters, or planter boxes in the front of the building. Minimum of turf grass for the remainder of the property.~~
    - ~~x) Signage within Neighborhood General shall comply with the standards provided in the Town Neighborhood General.~~

- 1 xi) ~~Streets shall adhere to J.1.b. and Figures 5, 6, 7, 8,~~
- 2 ~~or 10. At a minimum all proposed streets must~~
- 3 ~~include sidewalks on both sides of the street, parallel~~
- 4 ~~to the right of way, and a 5 foot streetscape area~~
- 5 ~~between the back of curb and the sidewalk.~~
- 6
- 7 ii. ~~Neighborhood Edge. Neighborhood Edge is predominately a~~
- 8 ~~single-family residential neighborhood. This zone has the least~~
- 9 ~~intensity and diversity. The mix of uses is limited. Residential lots~~
- 10 ~~are larger and more open space is evident. The Neighborhood~~
- 11 ~~Edge may be used to provide a transition to adjoining rural land~~
- 12 ~~uses.~~
- 13
- 14 a) ~~Uses – residential, parks, golf courses, schools, essential~~
- 15 ~~services~~
- 16
- 17 b) ~~Building height – 2 Stories~~
- 18
- 19 c) ~~Minimum lot area 5000 square feet~~
- 20
- 21 d) ~~Setbacks to be further defined within the SRA development~~
- 22 ~~Document~~
- 23
- 24 e) ~~Block Perimeter: 5000 feet max. The maximum may be~~
- 25 ~~greater if an alley or pathway provides through access, or~~
- 26 ~~the block includes water bodies or public facilities.~~
- 27
- 28 f) ~~Parking. Parking space requirements and design are the~~
- 29 ~~same as in the Town Core. Provision shall be made for an~~
- 30 ~~additional parking space if an accessory dwelling unit is~~
- 31 ~~built.~~
- 32
- 33 g) ~~Landscaping. Minimum of 100 Sq. Ft. of shrub planting per~~
- 34 ~~lot. Plantings shall be in planting areas, raised planters, or~~
- 35 ~~planter boxed in the front of the dwelling. Minimum of turf~~
- 36 ~~grass for the remainder of the property.~~
- 37
- 38 h) ~~Streets shall adhere to J.1.b and Figures 9, 11, 12, 13, 14,~~
- 39 ~~15, 16, 17, or 18. At a minimum all proposed streets must~~
- 40 ~~include a 10-foot pathway on one side of the street with an~~
- 41 ~~8-foot streetscape area between the edge of curb and the~~
- 42 ~~pathway.~~
- 43

45. Compact Rural Development ~~development~~ Criteria.

a. General criteria.

- i. Compact Rural Development ~~development~~ (CRD) is a form of SRA that is a maximum of 300 acres and intended to support and further Collier County’s valued attributes of agriculture, natural resources,

1 ~~and economic diversity will provide flexibility with respect to the mix~~  
2 ~~of uses and development standards, but shall otherwise comply~~  
3 ~~with the design standards of a Hamlet or Village.~~

4  
5 ii. Primary CRD uses shall be those associated with and needed to  
6 support agriculture, natural resources, research, education,  
7 convenience retail, tourism, or recreation.

8  
9 iii. Permanent ~~A CRD may include, but is not required to have~~  
10 ~~permanent~~ residential housing and the services and facilities that  
11 support permanent residents.

12  
13 iv.iii. Except as described above, a CRD will conform to the design  
14 standards of a Village or Hamlet as set forth herein based on the  
15 size of the CRD. As residential units are not a required use, those  
16 goods and services that support residents such as retail, office,  
17 civic, governmental and institutional uses shall also not be required,  
18 however for any CRD that does include permanent residential  
19 housing, the proportionate support services shall be provided in  
20 accordance with LDC section 04.08.07 I.1.

21  
22 b. Transportation Network Example. An example of a CRD is an ecotourism  
23 village that would have a unique set of uses and support services different  
24 from a traditional residential village. It would contain transient lodging  
25 facilities and services appropriate to eco-tourists, but may not provide for  
26 the range of services that necessary to support permanent residents.

27  
28 i. The transportation network shall provide for a high level of mobility  
29 for all travelers through a design that accommodates all means of  
30 multi-modal travel.

31  
32 ii. The transportation network shall be designed in an interconnected  
33 system of local roads and pathways.

34  
35 c. Parking.

36  
37 i. Parking for non-residential uses may be provided on-street, off-  
38 street, and within parking structures.

39  
40 ii. Parking shall be determined utilizing the modal splits and parking  
41 demands for various uses recognized by ITE, ULI or other sources  
42 or studies. The analysis shall demonstrate the number of parking  
43 spaces available to more than one use or function, recognizing the  
44 required parking will vary depending on the multiple functions or  
45 uses in close proximity which are unlikely to require the spaces at  
46 the same time.

47  
48 d. Landscaping and buffering. Landscaping and buffering shall be provided  
49 in accordance with LDC section 4.06.00, except a Type B Buffer shall also

- 1 be required around the perimeter of the CRD in accordance with LDC
- 2 section 4.06.02.
- 3
- 4 e. General signage standards. Signage requirements shall be as provided for
- 5 in LDC section 5.06.00.
- 6
- 7 f. Open space.
- 8
- 9 i. For CRDs that include residential:
- 10
- 11 a) A minimum of 35 percent of the gross acreage of the CRD
- 12 must be provided as open space within the CRD; and
- 13
- 14 b) A minimum of one percent of the gross acreage of the CRD
- 15 shall be provided as public green within neighborhoods.
- 16
- 17 ii. For CRDs with only non-residential uses, a minimum of 30 percent
- 18 of the gross acreage of the CRD must be provided as open space
- 19 within the CRD.
- 20
- 21 g. Primary non-residential CRD uses shall adhere to the following:
- 22
- 23 i. Non-residential uses are limited to business, industry, and uses
- 24 associated with and needed to support agriculture, natural
- 25 resources, research, education, convenience retail, tourism, or
- 26 recreation.
- 27
- 28 ii. Civic, institutional, and governmental uses are permitted.
- 29
- 30 iii. Uses may occur in shared use buildings or single use buildings.
- 31
- 32 iv. See LDC section 4.08.07.I, Table D.1. for maximum floor area
- 33 ratios.
- 34
- 35 v. The maximum building height shall be 4 stories, excluding roofs and
- 36 architectural features.
- 37
- 38 vi. Setbacks and allowable encroachments shall be further defined
- 39 within the SRA Development Document.
- 40
- 41 h. Residential and supporting non-residential uses shall adhere to the
- 42 following:
- 43
- 44 i. If permanent residential housing is included in the CRD, the number
- 45 of residential units shall be limited to be equivalent with the demand
- 46 generated by the primary CRD use but shall not exceed the
- 47 maximum of two (2) units per gross acre.
- 48

- 1                   ii. Retail and office uses may be permitted in conjunction with
- 2                   residential uses in the CRD but shall not exceed a floor area ratio
- 3                   of 0.5 per block.
- 4
- 5                   iii. Convenience goods and services may be permitted in conjunction
- 6                   with residential uses in the CRD but shall be built at a minimum of
- 7                   10 square feet of gross building area per residential dwelling unit
- 8                   within the CRD. Such uses shall be located at intersection corners
- 9                   or street bends and shall not be permitted at mid-block locations.
- 10
- 11                  iv. The maximum building height shall be 3 stories, but no greater than
- 12                  35 feet.
- 13
- 14                  v. Residential uses in the CRD shall be located abutting residentially
- 15                  zoned land where feasible.
- 16
- 17                  vi. Setbacks and allowable encroachments shall be based upon the
- 18                  most similar residential zoning district to the proposed residential
- 19                  use found in LDC section 04.02.01. For non-residential support
- 20                  services, the minimum setbacks shall be consistent with the least
- 21                  restrictive setbacks of the adjoining property.
- 22

**56.** Design Criteria Common to SRAs.

- 23
- 24
- 25           a.    Parcels of one (1) acre or more, with a Natural Resource Index rating
- 26           greater than 1.2, must be preserved as open space and maintained in a
- 27           predominantly naturally vegetated state, except the infrastructure
- 28           necessary to serve the permitted uses may be exempt from this restriction
- 29           if such infrastructure is designed to minimize the impacts to any such areas.
- 30
- 31           b.    A minimum of thirty-five (35) percent of the SRA land designated as Town
- 32           or Village shall be kept in open space.
- 33
- 34           c.    SRA design shall demonstrate that ground water table draw down or
- 35           diversion will not adversely impact the hydroperiods of adjacent FSA, HSA,
- 36           WRA or Conservation Land and will not adversely affect the water use
- 37           rights of either adjacent developments or adjacent agricultural operations
- 38           and will comply with the SFWMD Basis of Review. Detention and control
- 39           elevations shall be established to protect natural areas and be consistent
- 40           with surrounding land and project control elevations and water tables.
- 41
- 42           d.    Where an SRA adjoins an FSA, HSA, WRA or existing public or private
- 43           conservation land delineated on the RLSA Overlay Map, best management
- 44           and planning practices shall be applied to minimize adverse impacts to
- 45           such lands. Best management practices shall include the following:
- 46
- 47           i.    The perimeter of each SRA shall be designed to provide a transition
- 48           from higher density and intensity uses within the SRA to lower
- 49           density and intensity uses on adjoining property. The edges of
- 50           SRAs shall be well defined and designed to be compatible with the



1 character of adjoining property. Techniques such as, but not limited to  
2 to setbacks, landscape buffers, and recreation/open space  
3 placement may be used for this purpose.

4  
5 ii. Open space within or contiguous to an SRA shall be used to provide  
6 a buffer between the SRA and any adjoining FSA, HSA, or existing  
7 public or private conservation land delineated on the RLSA Overlay  
8 Map. open space contiguous to or within 300 feet of the boundary  
9 of an FSA, HSA, or existing public or private conservation land may  
10 include: natural preserves, lakes, golf courses provided no fairways  
11 or other turf areas are allowed within the first 200 feet, passive  
12 recreational areas and parks, required yard and set-back areas,  
13 and other natural or man-made open space. Along the west  
14 boundary of the FSAs and HSAs that comprise Camp Keais Strand,  
15 i.e., the area south of Immokalee Road, this open space buffer shall  
16 be 500 feet wide and shall preclude golf course fairways and other  
17 turf areas within the first 300 feet.

18  
19 e. Where a WRA is incorporated into the stormwater system of an SRA, the  
20 provisions of LDC section 4.08.06 A.4.b. ~~Section 4.08.04 A.4.b.~~ apply.

21  
22 f. Where existing agricultural activity adjoins an SRA, the design of the SRA  
23 must take this activity into account to allow for the continuation of the  
24 agricultural activity and to minimize any conflict between agriculture and  
25 SRA uses.

26  
27 g. An SRA or lands designated as Open Lands shall provide the opportunity  
28 for direct vehicular and pedestrian connections from said areas to the  
29 County’s arterial/collector roadway network as shown on MPO’s Long  
30 Range Transportation Needs Plan.

31  
32 h. Public and private roads within an SRA shall be maintained by the SRA it  
33 serves.

34  
35 i. To the extent required to mitigate an SRA’s traffic impacts, actions may be  
36 taken to include, but shall not be limited to, provisions for the construction  
37 and/or permitting of wildlife crossing, environmental mitigation credits, right  
38 of way dedication(s), water management and/or fill material which may be  
39 needed to expand the existing or proposed roadway network. Any such  
40 actions to offset traffic impacts shall be memorialized in a developer’s  
41 contribution agreement. These actions shall be considered within the area  
42 of significant influence of the project traffic on existing or proposed  
43 roadways that are anticipated to be expanded or constructed.

44  
45 **67.** Infrastructure Required. An SRA shall have adequate infrastructure available to  
46 serve the proposed development, or such infrastructure must be provided  
47 concurrently with the demand as identified in Chapter 6 of the LDC. The level of  
48 infrastructure required will depend on the type of development, accepted civil  
49 engineering practices, and the requirements of this Section.

- 1 a. The capacity of infrastructure serving the SRA must be demonstrated
- 2 during the SRA designation process in accordance with the provisions in
- 3 Chapter 6 of the LDC in effect at the time of SRA designation.
- 4
- 5 b. Infrastructure to be analyzed will include facilities for transportation, potable
- 6 water, wastewater, irrigation water, stormwater management, and solid
- 7 waste.
- 8
- 9 c. Centralized or decentralized community water and wastewater utilities are
- 10 required in Towns and; Villages, ~~and those CRDs exceeding 100 acres in~~
- 11 ~~size~~. Centralized or decentralized community water and wastewater utilities
- 12 shall be constructed, owned, operated and maintained by a private utility
- 13 service, the developer, a Community development District, other special
- 14 districts the Immokalee Water Sewer Service District, Collier County Water
- 15 and Sewer District, or other governmental entity. This Section shall not
- 16 prohibit innovative alternative water and wastewater treatment systems
- 17 such as decentralized community treatment systems provided that they
- 18 meet all applicable regulatory criteria.
- 19
- 20 d. Individual potable water supply wells and septic systems, limited to a
- 21 maximum of 100 acres of any Town or; Village ~~or CRD~~ are permitted on an
- 22 interim basis until services from a centralized/decentralized community
- 23 system are available.
- 24
- 25 e. Individual potable water supply wells and septic systems ~~are permitted in~~
- 26 ~~Hamlets and~~ may be permitted in CRDs ~~of 100 acres or less in size~~.
- 27

7~~8~~. Requests for Deviations from the LDC. The SRA Development Document or any amendments to the SRA Development Document may provide for nonprocedural deviations from the LDC, provided that all of the following are satisfied:

- 28 a. The deviations are consistent with the RLSA O ~~Overlay~~; and
- 29
- 30 b. It can be demonstrated that the proposed deviation(s) further enhance the
- 31 tools, techniques and strategies based on principles of innovative planning
- 32 and development strategies, as set forth in ~~§§~~ Florida Statutes section
- 33 163.3248~~163.3177 (11)~~, F.S.
- 34
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J~~K~~. SRA Public Facilities Impact Assessments. Impact assessments are intended to identify methods to be utilized to meet the SRA generated impacts on public facilities and to evaluate the self-sufficiency of the proposed SRA with respect to these public facilities. Information provided within these assessments may also indicate the degree to which the SRA is consistent with the fiscal neutrality requirements of Section 4.08.07 K~~L~~. Impact assessments shall be prepared in the following infrastructure areas:

- 39
- 40
- 41
- 42
- 43
- 44
- 45
- 46 1. Transportation. A transportation impact assessment meeting the requirements of
- 47 Chapter 10 of the LDC or its successor regulation or procedure, shall be prepared
- 48 by the applicant as component of an Impact Assessment Report that is submitted
- 49 as part of an SRA Designation Application package.
- 50

- 1 a. In addition to the standard requirements of the analyses required above,
- 2 the transportation impact assessment shall specifically consider, to the
- 3 extent applicable, the following issues related to the highway network:
- 4
- 5 (1) Impacts to the level of service of impacted roadways and
- 6 intersections, comparing the proposed SRA to the impacts of
- 7 conventional ~~B~~baseline ~~S~~standard development;
- 8
- 9 (2) Effect(s) of new roadway facilities planned as part of the SRA
- 10 Master Plan on the surrounding transportation system; and
- 11
- 12 (3) Impacts to agri-transport issues, especially the farm-to-market
- 13 movement of agricultural products.
- 14
- 15 (4) Consistency with the County's then-adopted Long Range
- 16 Transportation Plan (LRTP), Collier County Master Mobility Plan,
- 17 and Access Management procedures.
- 18
- 19 (5) Any mitigation measures required to offset an SRA's traffic impacts,
- 20 such as provisions for the construction and/or permitting of wildlife
- 21 crossings, environmental mitigation credits, right of way
- 22 dedication(s), water management and/or fill materials which may be
- 23 needed to expand the existing or proposed roadway network, shall
- 24 be memorialized in a developer contribution agreement. Actions
- 25 shall be considered within the area of significant influence of the
- 26 project traffic on existing or proposed roadways.
- 27
- 28 b. The transportation impact assessment, in addition to considering the
- 29 impacts on the highway system, shall also consider that further the
- 30 objectives of the Collier County Master Mobility Plan, such as vehicular,
- 31 bicycle/pedestrian, public transit, internal circulators, and other modes of
- 32 travel/movement within and between SRAs and areas outside
- 33 development and land uses ~~public transportation (transit) and bicycle and~~
- 34 ~~pedestrian issues to the extent applicable.~~
- 35
- 36 c. No SRA shall be approved unless the transportation impact assessment
- 37 required by this Section has demonstrated through data and analysis that
- 38 the capacity of County/State collector or arterial road(s) serving the SRA to
- 39 be adequate to serve the intended SRA uses in accordance with Chapter
- 40 6 of the LDC in effect at the time of SRA designation.
- 41
- 42 2. Potable Water. A potable water assessment shall be prepared by the applicant as
- 43 a component of an Impact Assessment Report that is submitted as part of an SRA
- 44 Designation Application package. The assessment shall illustrate how the
- 45 applicant will conform to either Florida Administrative Code for private and limited
- 46 use water systems, or for Public Water Systems. In addition to the standard
- 47 requirements of the analyses required above, the potable water assessment shall
- 48 specifically consider, to the extent applicable, the disposal of waste products, if
- 49 any, generated by the proposed treatment process. The applicant shall identify the
- 50 sources of water proposed for potable water supply.

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3. Irrigation Water. An irrigation water assessment shall be prepared by the applicant as a component of an Impact Assessment Report that is submitted as part of an SRA Designation Application package. The assessment shall quantify the anticipated irrigation water usage expected at the buildout of the SRA. The assessment shall identify the sources of water proposed for irrigation use and shall identify proposed methods of water conservation.
  4. Wastewater. A wastewater assessment shall be prepared by the applicant as a component of an Impact Assessment Report that is submitted as part of an SRA Designation Application package. The assessment shall illustrate how the applicant will conform to either Standards for Onsite Sewage Treatment and Disposal Systems, contained in Florida Administrative Code for systems having a capacity not exceeding 10,000 gallons per day or for wastewater treatment systems having a capacity greater than 10,000 gallons per day. In addition to the standard requirements of the analyses required above, the wastewater assessment shall specifically consider, to the extent applicable, the disposal of waste products generated by the proposed treatment process.
  5. Solid waste. A solid waste assessment shall be prepared by the applicant as a component of an Impact Assessment Report that is submitted as part of an SRA Designation Application package. The assessment shall identify the means and methods for handling, transporting and disposal of all solid waste generated including but not limited to the collection, handling and disposal of recyclables and horticultural waste products. The applicant shall identify the location and remaining disposal capacity available at the disposal site.
  6. Stormwater Management. A stormwater management impact assessment shall be prepared by the applicant as a component of an Impact Assessment Report that is submitted as a part of an SRA Designation Application Package. The stormwater management impact assessment shall, at a minimum, provide the following information:
    - a. An exhibit showing the boundary of the proposed SRA including the following information:
      - (1) The location of any WRA delineated within the SRA, and if all or part of the WRA provides stormwater quality treatment for an SRA, the pro rata acreage of the WRA shall be required to consume SRA credits but shall not be included within the SRA acreage;
      - (2) A generalized representation of the existing stormwater flow patterns across the site including the location(s) of discharge from the site to the downstream receiving waters;
      - (3) The land uses of adjoining properties and, if applicable, the locations of stormwater discharge into the site of the proposed SRA from the adjoining properties.
    - b. A narrative component to the report including the following information:

- 1
- 2
- 3 (1) The name of the receiving water or, if applicable, FSA or WRA to
- 4 which the stormwater discharge from the site will ultimately outfall;
- 5
- 6 (2) The peak allowable discharge rate (in cfs/acre) allowed for the SRA
- 7 per Collier County Ordinance No. 90-10 or its successor regulation;
- 8
- 9 (3) If applicable, a description of the provisions to be made to accept
- 10 stormwater flows from surrounding properties into, around, or
- 11 through the constructed surface water management system of the
- 12 proposed development;
- 13
- 14 (4) The types of stormwater detention areas to be constructed as part
- 15 of the surface water management system of the proposed
- 16 development and water quality treatment to be provided prior to
- 17 discharge of the runoff from the site; and
- 18
- 19 (5) If a WRA has been incorporated into the stormwater management
- 20 system of an SRA, the report shall demonstrate compliance with
- 21 provisions of Section 4.08.04 A.4.b.

22 7. Public Schools. The applicant shall coordinate with the Collier County School  
 23 Board to provide information and coordinate planning to accommodate any  
 24 impacts that the SRA has on public schools. As part of the SRA application, the  
 25 following information shall be provided:

- 26
- 27 a. School Impact Analysis (SIA) for a determination of school capacity only
- 28 (refer to section 10.04.09 for SIA requirements); and
- 29
- 30 b. The potential for locating a public educational facility or facilities within the
- 31 SRA, and the location(s) of any site(s) that may be dedicated or otherwise
- 32 made available for a public educational facility.
- 33

34 ~~K.L.~~ SRA Economic Assessment. An Economic Assessment meeting the requirements of this  
 35 Section shall be prepared and submitted as part of the SRA Designation Application  
 36 Package. At a minimum, the analysis shall consider the following public facilities and  
 37 services: transportation, potable water, wastewater, irrigation water, stormwater  
 38 management, solid waste, parks, law enforcement, emergency medical services, fire, and  
 39 schools. Development phasing and funding mechanisms shall address any adverse  
 40 impacts to adopted minimum levels of service pursuant to Chapter 6 of the LDC.

- 41
- 42 1. Demonstration of Fiscal Neutrality. Each SRA must demonstrate that its
- 43 development, as a whole, will be fiscally neutral or positive to the Collier County
- 44 tax base. This demonstration will be made for each unit of government responsible
- 45 for the services listed above, using one of the following methodologies:
- 46
- 47 a. Collier County Fiscal Impact Model. The fiscal impact model officially
- 48 adopted and maintained by Collier County.
- 49

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- b. Alternative Fiscal Impact Model. If Collier County has not adopted a fiscal impact model as indicated above, the applicant may develop an alternative fiscal impact model using a methodology approved by Collier County. The BCC may grant exceptions to this policy of fiscal neutrality to accommodate affordable or workforce housing.
- 2. Imposition of Special Assessments. If the Report identifies a negative fiscal impact of the project to a unit of local government referenced above, the landowner will accede to a special assessment on his property to offset such a shortfall or in the alternative make a lump sum payment to the unit of local government equal to the present value of the estimated shortfall. The BCC may grant a waiver to accommodate affordable housing.
- 3. Special Districts Encouraged in SRAs. The use of community development districts (CDDs), Municipal Service Benefit Units (MSBUs), Municipal Service Taxing Units (MSTUs), or other special districts shall be encouraged in SRAs. When formed, the special districts shall encompass all of the land designated for development in the SRA. Subsequent to formation, the special district will enter into an Interlocal Agreement with the County to assure fiscal neutrality. As outlined above, if the monitoring reveals a shortfall of net revenue, the special district will impose the necessary remedial assessment on lands in the SRA.

**LM.** The BCC may, as a condition of approval and adoption of an SRA development, require that suitable areas for parks, schools, and other public facilities be set aside, improved, and/or dedicated for public use. When the BCC requires such a set aside for one or more public facilities, the set aside shall be subject to section 2.03.06, in the same manner as are public facility dedications required as a condition of PUD rezonings.

# # # # # # # # # # # # #

**10.02.06 – Requirements for Permits**

\* \* \* \* \*

C. Agricultural land clearing.

\* \* \* \* \*

2. Agricultural clearing notice. No later than 60 days prior to vegetation removal as part of agricultural operations that fall within the scope of ~~F.S. §§~~ Florida Statutes section 163.3162(4) or 823.14(6), the property owner shall provide notice to the County Manager or designee that the removal will occur.

a. The Administrative Code shall establish the submittal requirements for the agricultural clearing notice, including the following:

\* \* \* \* \*

ii. If the land is outside the Rural Lands Stewardship Area Zoning Overlay District ~~RLSA~~, a signed agreement acknowledging that, if

# DRAFT

Text underlined is new text to be added

~~Text strikethrough is current text to be deleted~~

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the land being cleared for agricultural operations is converted to a non-agricultural uses within 25 years after the clearing occurs, the property shall become subject to the requirements of LDC section 3.05.07, as provided in LDC section 3.05.02.

\* \* \* \* \*  
# # # # #

# Exhibit A – Changes to Administrative Code

## Chapter 12. Acronyms

A – Rural Agricultural Zoning District  
ACOE – Army Corps of Engineers  
ACP – Agricultural Clearing Permit  
ACSC – Area of Critical State Concern  
ADT – Average Daily Trips  
ASI – Area of Significant Influence  
BCC – Board of Collier County Commissioners  
BD – Boat Dock Petition  
BZO – Bayshore Zoning Overlay District  
BP – Business Park District  
BZA – Board of Zoning Appeals  
C-1 – Commercial Professional General Office District  
C-2 – Commercial Convenience District  
C-3 – Commercial Intermediate District  
C-4 – General Commercial District  
C-5 – Heavy Commercial District  
CCME – Conservation and Coastal Management Element  
CCPC – Collier County Planning Commission  
CCSL(P) – Coastal Construction Setback Line (Permit)  
CDD – Community Development District  
CEB – Code Enforcement Board  
CF – Community Facility  
CIE – Capital Improvement Element  
CIP – Capital Improvement Program  
CMO – Corridor Management Overlay  
C.O. – Certificate of Occupancy  
CON – Conservation Zoning District  
CRD – Compact Rural Development  
CSP – Conceptual Site Plan  
CU – Conditional Use  
DBH – Diameter at Breast Height  
DEO – Department of Economic Opportunity  
D.O. – Development Order  
DRI – Development of Regional Impact  
DSWT – Dry Season Water Table  
E – Estates Zoning District  
EAC – Environmental Advisory Council  
EIS – Environmental Impact Statement  
EPA – Environmental Protection Agency  
EXP – Excavation Permit  
FAC – Florida Administrative Code  
FDEP – Florida Department of Environmental Protection  
FDOT – Florida Department of Transportation  
FFWCC – Florida Fish & Wildlife Conservation Commission  
FIAM – Financial Impact Analysis Module

FIHS – Florida Interstate Highway System  
FLUCFCS - Land Use Cover and Forms Classification System  
FLUE – Future Land Use Element  
FLUM – Future Land Use Map  
FP – Final Plat  
FS – Florida Statutes  
FSA – Flow way Stewardship Area  
GC – Golf Course  
GGAMP – Golden Gate Area Master Plan  
GGPPOCO – Golden Gate Pkwy Professional Office Commercial Overlay District  
GMP – Growth Management Plan  
GPCD – Gallons Per Capita per Day  
GT – Gopher Tortoise  
GTZO – Gateway Triangle Zoning Overlay District  
GWP – Ground Water Protection Zone  
GZO – Goodland Zoning Overlay  
HSA – Habitat Stewardship Area  
I – Industrial Zoning District  
ICBSD – Immokalee Central Business Subdistrict  
LDC – Land Development Code  
LOS – Level of Service  
LPA – Local Planning Agency  
LSPA – Littoral Shelf Planting Area  
M/F – Multi-family Use or Zoning  
MH – Mobile Home  
MHO – Mobile Home Overlay  
MLW – Mean Low Water  
MPP – Manatee Protection Plan  
NBMO – North Belle Meade Overlay  
NC – Neighborhood Commercial District  
NRPA – Natural Resource Protection Area  
O.C. – On Center  
P – Public Use District  
PPL – Plans and Plat  
PSI – Pounds Per Square Inch  
PSP – Preliminary Subdivision Plat  
PUD – Planned Unit Development  
RSF – Residential Single-Family Districts  
RCW – Red Cockaded Woodpecker  
RFMU – Rural Fringe Mixed Use District  
RLS – Request for Legal Service  
RLSA(O) – Rural Lands Stewardship Area [Zoning](#)  
~~(Overlay)~~[District](#)  
RMF – Residential Multi-Family Districts  
RNC – Residential Neighborhood Commercial Subdistrict  
R.O.W. – Right of Way  
RSF – Residential Single-Family  
SBCO – Santa Barbara Commercial Overlay District  
SBR – School Board Review



# Exhibit B – Summary of Proposed Changes

## Multiple LDC sections

- Updating obsolete code references of the Florida Statutes and Florida Administrative Code and properly referencing the Florida Fish and Wildlife Conservation Commission (FFWCC) throughout the RLSA provisions.
- Requiring compliance with “dark sky” lighting principles as a baseline standard, to conform with GMP Policies 3.15, 4.23, and 5.7.
- Removing Hamlets as an allowable form of SRA development, to conform with GMP Policy 4.7.

## LDC section 4.08.01

- Amending the definitions that are specific to the RLSA, by creating new definitions for *Agricultural Stewardship area (ASA)* and *Walkable*, redefining *Compact Rural Development (CRD)*, deleting *Hamlet*, and updating *Stewardship Credits*, to conform to GMP Policies 2.2, 4.7.3 and 4.19 and the Community Character Plan.

## LDC section 4.08.04

- Changing the required comprehensive review of stewardship credits from 5 years to 7 years, as well as establishing a Stewardship Credit Cap at 404,000 to entitle no more than 45,000 acres of Stewardship Receiving Areas (in LDC section 4.08.04), to conform with GMP Policies 1.21 and 1.22.

## LDC section 4.08.05

- Including Restoration Areas so they have the same restrictions as FSAs, to conform to GMP Policy 5.1.
- Prohibiting conditional use essential services and governmental essential services, except those described in LDC section 2.01.03 G.2., to conform to GMP Policy 5.1.
- Exempting “agricultural purposes” from the 40% native vegetation preserve requirement in the RLSA for sites having evidence of species of special concern and changing the method for determining if such species are present by deleting the “directly observed” requirement and relying solely upon evidence, such as denning, foraging, or other indications, to conform with GMP Policy 5.5.
- Deleting open space and vegetation preservation requirements as a means for establishing buffer areas between human and wildlife habitats, to conform with GMP Policy 5.5.
- Updated wildlife habitat management plan requirements to include determination within each SRA by the authority having jurisdiction over wildlife crossing locations to conform with GMP Policy 5.4.
- Updating wildlife habitat management plan requirements to include provisions to minimize human and wildlife interactions and strategies for disseminating information to residents and visitors to encourage the responsible coexistence with such wildlife, to conform with GMP Policies 4.5 and 5.5.
- Updating the monitoring program requirements for sites 10 acres or larger, to utilize the current guidelines of the FFWCC and USFWS and deleting the existing references in the LDC, to conform with GMP Policy 5.5.
- Updating the wildlife protection standards to further stipulate that the County will not consider any recommendations from the FFWCC or USFWS that reduces the minimum standards for wildlife protection, to conform with GMP Policy 5.5.3.
- Updating the golf course standards by requiring that golf courses be designed in accordance with the

## **Exhibit B – Summary of Proposed Changes**

Audubon Cooperative Sanctuary Program for Golf and requiring the use of pesticides follow Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses, FDEP, to conform to GMP Policy 3.7.

- Including upland buffers that are contiguous to wetlands to be considered for preservation, to conform with GMP Policy 5.6.
- Allows the removal of exotic plant species to be an acceptable form of wetland mitigation, to conform with GMP Policy 5.6.
- Requiring compliance with SFWMD standards prior to the issuance of a development order, to conform with GMP Policy 5.6.

### **LDC section 4.08.06**

- Updating SSA to prohibit conditional use and governmental essential services, other than those necessary to service permitted uses or public safety within Restoration Areas, to conform to GMP Policy 5.1.
- Changing EIS to “Environmental Data,” in HSA Delineated Lands, to conform to GMP Policy 3.7.
- Updating Restoration Area Delineated Lands by referencing the appropriate layers in the GMP Policy 5.1.
- Updating SSA Credit Generation to accurately reference SSA Credit Agreement in GMP Policy 1.6.
- Deleting language that refers to earning early entry bonus credits since the availability period to award bonus credits has ended.
- Adding provisions for Agricultural Stewardship Area in Open Lands to include two Stewardship Credits per acre in lieu of using the NRI, to conform to GMP Policy 2.2.
- Adding provisions for Panther Corridor Credits, to conform to GMP Policy 3.11.2.
- Adding provisions for Wetland Wading Bird Habitat Restoration Credits, to conform to GMP Policy 3.11.3.
- Updating Restoration Areas Index Score Upgrade to reference Layers 5-8 on the Land use Matrix, to conform to GMP Policy 3.12.
- Restricting only one type of restoration shall be rewarded toward Restoration Stewardship and allowing up to 10 credits per acre, to conform to GMP Policies 3.11 and 3.11.4.
- Adding 1 additional Stewardship Credit per acre for lands identified as Restoration I and 2 additional credits per acre for the dedication of lands inside an FSA, HAS, or WRA. A landowner who successfully completes restoration shall be awarded up to eight additional credits, to conform to GMP Policies 3.11.1 through 3.11.3.
- Removing “Aquaculture for native species and non-native species” from the Land Use Matrix under the SSA, because it was stricken from the Land Use Matrix in the GMPA approved in July 2021.
- Updated SSA Easement Agreement by capitalizing “Easement” and specifying easement shall be in favor of Collier County and the FFWCC, to conform to GMP Policies GMP 1.6 and 1.7.
- Creating a conditional period of 5 years when a stewardship easement is established in the SSA, to conform to GMP Policy 1.6.1.

### **LDC section 4.08.07**

- Adding a provision that if all or part of the WRA provides stormwater quality treatment for an SRA,

## Exhibit B – Summary of Proposed Changes

the pro rata acreage of the WRA shall be required to consume SRA credits but shall not be included within the SRA acreage, to conform to GMP Policies 3.13, 4.2, and 4.9. This will be reflected in the requirements for Master Plan Content.

- Updating SRA to prohibit conditional use and governmental essential services, unless such service is deemed necessary for public safety or to minimize impacts to natural resources, to conform to GMP Policy 4.9. Infrastructure necessary to serve permitted uses may be exempt from this restriction, if designs seek to minimize the extent of impacts to any such areas.
- Deleting the 35% minimum open space requirement for “those CRDs exceeding 100 acres,” to conform with GMP Policy 4.10.
- Requiring an SRA to include land uses that reduce vehicle trip lengths and long distance travel, to conform to GMP Policy 4.6.
- Requiring direct pedestrian/vehicular connections from an SRA to a County arterial or collector roadway (when lands adjoin), to conform to GMP Policy 4.14.
- Requiring a Mobility Plan in an SRA, including strategies to encourage mass transit, to conform to GMP Policy 4.6.
- Adding mitigation provisions to offset the traffic impacts of an SRA, to conform to GMP Policy 4.14.
- Modifying Stewardship Credit Exchange provisions by allowing a total of 10 stewardship credits per gross acre that may be used where such credits were created from other SSAs and to exempt infrastructure deemed necessary for public safety and minimize impacts to natural resources on lands having a Natural Resource Index value of greater than 1.2, to conform with GMP Policies 4.9 and 4.19. Deleting “Any such lands within an SRA located outside of the ACSC exceeding the required thirty-five (35) percent shall not be required to consume Stewardship Credits,” to conform to GMP Policy 4.10.
- Updating Public Benefit Uses provisions to require them to count toward the maximum acreage limits of an SRA (except those approved prior to July 13, 2021) but not counting against the consumption of Stewardship Credits in an SRA, to conform to GMP Policy 4.20. In addition, affordable housing will now be considered as a public benefit use.
- Updating Mixed Land Use Entitlement provisions to indicate Towns and Villages shall be “the preferred locations for business and industry, including environmental research, agricultural research, aviation and aerospace, health and life sciences, corporate headquarters, computer hardware, software and services, information technology, manufacturing, research and development, wholesale trade and distribution and similar uses, including Florida Qualified Target Industries,” to conform to GMP Policy 4.7.4.
- Adding affordable housing provisions to an SRA, to conform to GMP Policy 4.7.5.
- Increasing the minimum size of a Town from 1,000 acres 1,500 acres and the maximum size from 4,000 acres to 5,000 acres, requiring the Town transportation network be based on an internal mobility plan, requiring a transfer station or park-and-ride area, and including research and development companies as allowable uses, to conform to GMP Policies 4.6 and 4.7.1.
- Increasing the minimum size of a Village from 100 acres to 300 acres and the maximum size shall be 1,000 acres (in the ACSC) and 1,500 acres (outside the ACSC), requiring an internal mobility plan when Villages are greater than 500 acres, which includes a transfer station or park-and-ride, to conform to GMP Policy 4.7.2
- Increasing the maximum allowable size of Compact Rural Development from 100 acres to 300 acres,

## Exhibit B – Summary of Proposed Changes

updating the purpose and intent of a CRD, and limiting the number of dwelling units to be equivalent to the demand generated by the primary CRD use (and no greater than 2 d/u per acre), and stipulating that no more than five CRDs may be approved prior to the approval of a Village or Town, to conform to GMP Policy 4.7.3.

- Updating Stewardship Credit Use and Reconciliation Application to indicate, “An accounting acreage associated with Credits that were created from an SSA submitted for review or approved prior to July 13, 2021, under the eight (8) credit allocation and the acreage associated with Credits created from any other SSA under the ten (10) credit allocation,” to conform to GMP Policy 4.19.
- Updating SRA Designation Application Package to include “SRA Mobility Plan,” which includes vehicular, bicycle/pedestrian, public transit, internal circulators, and other modes of travel/movement within and between SRAs and areas of outside development and land uses. The Mobility Plan shall provide mobility strategies such as bus subsidies, route sponsorship, or other incentives to encourage the use of mass transit services. The Mobility Plan shall also consider the needs identified in the MPO Long Range Transportation Needs Plan, and plan land uses to accommodate services that would increase internal capture and reduce trip length and long-distance travel. Such development strategies are recognized as methods of discouraging urban sprawl, encouraging alternative modes of transportation, increasing internal capture, and reducing vehicle miles traveled.
- Updating Master Plan content to include consistency with Long Range Transportation Plan and Access Management procedures and to require a Wildlife Management Plan, to conform to GMP Policy 4.5.
- Updating Development Document to include an inventory of historic or cultural resources, to conform to GMP Policy 4.22.
- Deleting the provision for SRAs as an allowable part of a Development of Regional Impact.
- Updating Town Characteristic Chart to (1) indicate a proposed minimum and maximum acreages, (2) indicate the maximum FAR is based on a “per use” basis and that research companies be assigned a maximum FAR of 0.45, (3) increase the minimum Goods and Services from 65 square feet to 170 square feet of gross building area per dwelling unit and include “Research and Development companies” as an allowable use under this category [to conform to GMP Policies 4.7.1 and 4.7.4], (4) amend community parks under Recreation and Open Space by indicating “subject to level of service requirements” [to conform to GMP Policy 4.7.1], (5) update Civic, Governmental and Institutional Uses to specify a minimum of 15 square feet of gross land area is required per each dwelling unit, and (6) include a transfer station or park-and-ride as a required use under Transportation [to conform to GMP Policy 4.7.1].
- Updating Village Characteristic Chart to (1) indicate the minimum acreage be 300 acres and a maximum of 1,000 acres inside the ACSC and 1,500 acres outside the ACSC [to conform to GMP Policy 4.7.2], (2) indicate the maximum FAR is based on a “per use” basis, (3) increase the minimum Goods and Services from 25 square feet to 53 square feet of gross building area per dwelling unit and include “Corporate Office, Manufacturing and Light Industrial, and Research and Development companies: appropriately scaled” as an allowed use under Goods and Services [to conform to GMP Policies 4.7.2 and 4.7.4], and (4) include a transfer station or park-and-ride as a required use and delete “county transit access” as an allowable use under Transportation.
- Updating CRD Chart to (1) change the maximum acreage from 100 acres to 300 acres, (2) delete the note regarding density, (3) indicate the maximum FAR is based on a “per use” basis and that “Business, industry and uses associated with and needed to support research, education, tourism or recreation be a

## Exhibit B – Summary of Proposed Changes

required use with a maximum FAR of 0.6,” (4) stipulate that retail and office uses are allowed “in conjunction with residential units proposed within the CRD,” (5) include “Business, industry and uses associated with and needed to support research, education, convenience retail, tourism or recreation, appropriately scaled” as a required use under Goods and Services [to conform to GMP Policies 4.7.2 and 4.7.3] and that “Convenience Goods and Services\*: Minimum 10 SF gross building area per DU” in conjunction with residential units proposed within the CRD be an allowable use under the same category, (6) delete public green space for neighborhoods but include a minimum open space of 30% of the SRA as a required use, (7) include “Public Green Space for Neighborhoods\* (minimum 1% of gross acres)” and “Open Space Minimum 35% of SRA\*” “in conjunction with residential units proposed within the CRA” as an allowable use under Recreation and Open Space, and (8) allowing “County Transit station or a park and ride facility” as an allowing use under the Transportation category.

- Adding new standards to CRDs relative to parking, landscaping, signage, open space, and uses. The new parking standard, which indicates, “Parking for non-residential uses may be provided on-street, off-street, and within parking structures” was modeled after the Babcock Mixed Use Residential Commercial (MURC) Subdistrict in Charlotte County, Florida. In addition, new standards, which are duplicated in the Village Center criteria, include parking requirements based on modal splits and demands from reputable industry leaders, such as the ITE, ULI, or other source or study. The new sign standards were modeled after the Town Core criteria. The standards relative the uses were modeled upon Table D.1 and the Babcock MURC. The new maximum building height of 4 stories was developed as a comprise between the old Hamlet limitation (3.5 stories) and the Village Center limitation (5 stories). The new setbacks standards were developed using the old Hamlet Neighborhood Edge criteria. The new standards relative to residential and supporting non-residential uses were developed by using Table D.1. and the old Town Neighborhood General criteria from Hamlets. The maximum building height of 3 stories was derived as a compromise between old Hamlet criteria (3.5 stories) and RSF-1 and RSF-2 standards (35 feet). The “Residential uses in the CRD shall be located abutting residentially zoned lands where feasible” reflects strategic opportunity signs subdistricts standards in a newly proposed and independent GMP amendment.
- Updating Design Criteria Common to SRAs relative to infrastructure, vehicular and pedestrian connections, roads and signalized intersections, and the mitigation of traffic impacts are being added, to conform to GMP Policy 4.14.
- Updating SRA Public Facilities Impact Assessments by requiring consistency between the LRTP and Access Management procedures, to conform to GMP Policy 4.5 and adding mitigation measures, to conform to GMP Policy 4.14. Updating the transportation impact assessment to consider the inclusion of mobility strategies, to conform to GMP Policy 4.6.

## Exhibit C – GMP Policy Direction Chart

Policy	5-Year Review Recommendation	2019 Proposed LDC Revision	Updated LDC Revision based on 2021 Adopted GMP
Goal	Recommended amendment	Housekeeping revisions	Same
Objective	Recommended amendment	Housekeeping revisions	Same
Group 1	Unchanged	n/a	Same
Policy 1.1	Recommended amendment	n/a	Same
Policy 1.2	Unchanged	n/a	Same
Policy 1.3	Unchanged	Housekeeping revisions	Same
Policy 1.4	Unchanged	n/a	Same
Policy 1.5	Recommended amendment	Housekeeping revisions	Same
Policy 1.6	Recommended amendment	Housekeeping: revise references to Stewardship <u>Sending Area Credit</u> Agreement throughout 4.08.00. <i>note: reference to EAR based amendment process</i>	Periodically updating the Future Land Use Map to indicate SSAs now done periodically as initiated by the County.  Ensure all references to Stewardship <u>Sending Area Credit</u> Agreement are updated as noted.
<b>Policy 1.6.1</b>	<b>Recommended new policy</b>	<b>Add language introducing new concept of a 5-year “Conditional Period” and Conditional Stewardship Easement for Sending Areas (SSAs) subject to terms and conditions for termination or conversion to a Permanent Stewardship Easement.</b>	Same
Policy 1.7	Recommended amendment	Revision to specify that SSA easement is to be in favor of Collier County <u>and the Florida Fish and Wildlife Conservation Commission.</u>	Same
Policy 1.8	Unchanged	n/a	Same
Policy 1.9	Unchanged	n/a	Same
Policy 1.10	Unchanged	n/a	Same

## Exhibit C – GMP Policy Direction Chart

Policy	5-Year Review Recommendation	2019 Proposed LDC Revision	Updated LDC Revision based on 2021 Adopted GMP
Policy 1.11	Unchanged	n/a	Same
Policy 1.12	Unchanged	n/a	Same
Policy 1.13	Unchanged	Housekeeping revisions	Same
Policy 1.14	Recommended amendment (renumber)	Housekeeping revisions	Same
Policy 1.15	Unchanged	n/a	Same
Policy 1.16	Unchanged	Housekeeping revisions – <i>note: reference to F.S. and 9J-5</i>	Same
Policy 1.17	Unchanged	n/a	Same
Policy 1.18	Unchanged	n/a	Same
Policy 1.19	Unchanged	n/a	Same
Policy 1.20	Unchanged	n/a	Same
Old Policy 1.21	Recommended amendment	n/a	Policy deleted.
Old Policy 1.22 New Policy 1.21	Recommended amendment	n/a – <i>note: reference to horizon year of 2025; reference to DCA and EAR process</i>	Changed review cycle to every 7 years (vs 5 years). Horizon year deleted. References to DEO/DCA stricken since state review is not required. Bullet 8 deleted. (n/a no reference in LDC) Language added that additional review measures be considered at the direction of the BCC. (n/a no reference in LDC)
New Policy 1.22	n/a	n/a	New policy added capping the number of Stewardship Credits and acreage.
Group 2	Recommended amendment	n/a	Same

## Exhibit C – GMP Policy Direction Chart

Policy	5-Year Review Recommendation	2019 Proposed LDC Revision	Updated LDC Revision based on 2021 Adopted GMP
Policy 2.1	Recommended amendment	n/a	Same
<b>Policy 2.2</b>	<b>Recommended amendment</b>	<b>Insert language introducing new option to designate an Agricultural SSA in Open Lands, with 2 Stewardship Credits per acre outside of ACSC and 2.6 Credits per acre within the ACSC in lieu of using the NRI.</b>	<b>Policy was revised to assign 2.0 Credits for any Agricultural Stewardship Area in Open Lands regardless of location (2.6 Credits per acre deleted).</b> <b>Added the sentence: “SSA’s created under this Policy will be known as an Agricultural Stewardship Area (ASA).” Add definition to LDC.</b> <b>Revised to state: “Following approval of an Agricultural Stewardship Area, Collier County shall <u>periodically</u> update...” (n/a no reference in LDC)</b>
Policy 2.3	Recommended deletion	n/a – eliminates the Agriculture Advisory Council	Removed “Within one (1) year from the effective date of these amendments,” (n/a no reference in LDC)
Policy 2.4	Recommended deletion	n/a	Same
Policy 2.5	Re-number	n/a	Same
Policy 2.6	Re-number	n/a	Same
Group 3	Unchanged	n/a	Same
Policy 3.1	Unchanged	n/a (acreages of FSAs, range and average Index score of FSA land)	Same
Policy 3.2	Recommended amendment	n/a (acreages of HSAs, cleared agricultural fields in HSAs & average Index score of HSA land and vegetated areas)	Same
Policy 3.3	Unchanged	n/a (acreages of WRAs, range and average Index score of WRA land)	Same
Policy 3.4	Unchanged	n/a	Same



## Exhibit C – GMP Policy Direction Chart

Policy	5-Year Review Recommendation	2019 Proposed LDC Revision	Updated LDC Revision based on 2021 Adopted GMP
Policy 3.5	Unchanged	n/a	Same
Policy 3.6	Unchanged	n/a	Same
Policy 3.7	Recommended amendment	n/a (references golf courses in HSAs complying with Audubon)	Change “EIS” to “Environmental Data”. Reference to “International’s Gold Program” updated to “Cooperative Sanctuary Program (ASCP)”.
Policy 3.8	Unchanged	n/a	Same
Policy 3.9	Recommended amendment	Revise list of Ag 1 group activities: aquaculture [ <u>limited to Open Land designation only</u> ]	Recommended language aquaculture [ <u>limited to Open Land designation only</u> ] was not adopted so it is not added to the LDC.
Policy 3.10	Unchanged	n/a	Same
<b>Policy 3.11</b>	<b>Recommended amendment</b>	<b>Revise Restoration Stewardship Credits language per the species specific restoration credits, including: “The specific process for assignment of additional restoration Credits shall be included in the Stewardship District of the LDC.”</b>	<b>Additional Stewardship Credits for designating land for restoration activities within a FSA or HSA revised <u>one</u> additional Credit for each acre.</b> <b>Credits for exotic control/burning revised to <u>five</u> per acre, flow way restoration revised to <u>five</u> per acre, and native habitat restoration revised to <u>seven</u> per acre.</b> <b>Language added to assign <u>eight</u> additional Credits for each acre that completes panther corridor restoration improvements. Policy states that procedures shall be set forth in the LDC.</b> <b>Credits for successful completion of restoration of shallow wetland wading bird</b>

## Exhibit C – GMP Policy Direction Chart

Policy	5-Year Review Recommendation	2019 Proposed LDC Revision	Updated LDC Revision based on 2021 Adopted GMP
			<p>foraging habitat revised to <u>eight per acre</u>.</p> <p>Changed “caracara restoration” to “caracara habitat restoration” in LDC.</p> <p>Reorganize section in the LDC to identify the assignment of credits for lands dedicated for restoration separately from credits for owner-completed restoration, Restoration I and Restoration II identified on the Restoration Lands Map.</p>
Policy 3.12	Unchanged	n/a	Same
Policy 3.13	Recommended amendment	Update multiple code references to WRAs in SRAs to reflect new policy: “If the WRA provides water treatment and retention exclusively for a SRA, the acreage of the WRA shall be included in the SRA.”	This was updated to include a prorata acreage of a WRA if “all or part” of it is within the SRA and used to meet water quality treatment volume and reference to the section of the SFWMD handbook.
Policy 3.14	Unchanged	n/a	Same
Policy 3.15	n/a	n/a	Language added that any development on lands participating in the RLSA Overlay shall be compatible with surrounding land uses and regulations shall be implemented for outdoor lighting to protect the nighttime environment, conserve energy, and enhance safety and security.
Group 4	Unchanged	n/a	Same
Policy 4.1	Unchanged	n/a	Same
Policy 4.2	Recommended amendment	n/a - Revisions to acreages eligible for SRA designation, and new policy defining maximum SRA area of 45,000 acres.	This was updated to allow WRAs providing stormwater quality treatment for an SRA then the acreage of the WRA

## Exhibit C – GMP Policy Direction Chart

Policy	5-Year Review Recommendation	2019 Proposed LDC Revision	Updated LDC Revision based on 2021 Adopted GMP
			used for treatment for the SRA shall be included in the SRA. Horizon year deleted. (n/a no reference in LDC) Updated F.S. references (n/a no reference in LDC)
Policy 4.3	Recommended amendment	n/a – deleted: LDC to establish the procedures and submittal requirements for designation as a SRA, to include provisions for consideration of impacts, including environmental and public infrastructure impacts, and provisions for public notice of and the opportunity for public participation in any consideration by the BCC of such a designation.	Policy was not deleted. (No change to LDC is required)
Policy 4.4	Unchanged	n/a	Revised to allow for delineation of SRA boundaries on the adopted Overlay Map by amendment as “periodically initiated by the <u>County</u> ”, rather than at the time of EAR amendments. (n/a – There are no LDC regulations detailing when the Overlay may be updated.)
Policy 4.5	Recommended amendment	<b>Add criteria for SRA Master Plan consistency with LRTP, Transportation Element Policy 3.7, and Access Management standards. Add Master Plan requirement of a Management Plan for minimizing human-wildlife interactions including specified techniques.</b>	<b>Compliance with County Build-out Vision Plan has been removed.</b>  Language revised to add “... <u>Florida Fish and Wildlife Conservation Commission</u> guidelines and regulations...”
Policy 4.6	Recommended amendment	<b>Add SRA requirement for a mobility plan for within and between SRAs and areas outside development and land uses. Also plan land uses that would increase internal capture, and reduce trip length.</b>	<b>Compliance with County Build-out Vision Plan has been removed.</b>

## Exhibit C – GMP Policy Direction Chart

Policy	5-Year Review Recommendation	2019 Proposed LDC Revision	Updated LDC Revision based on 2021 Adopted GMP
		<i>note: reference to F.S. and 9J-5</i>	
<b>Policy 4.7</b>	<b>Recommended amendment</b>	<b>Eliminate numerous references in LDC to Hamlets as a form of SRA.</b> <i>note: reference to F.S. and 9J-5</i>	<b>References to Hamlet need to be stricken.</b> <b>Added new Compact Rural Development (CRD) development standards.</b>
Policy 4.7.1	Recommended amendment	Town size adjusted to 1,500 – 5,000 acres; add that Towns include an internal mobility plan and include a transfer station or a park and ride area; add <u>research, development companies</u> as allowable use.	Revised to add “subject to Level of Service requirements” regarding park size.
Policy 4.7.2	Recommended amendment	Village size adjusted to 1,500 acres outside the ACSC.	Language stricken that referred to villages as “primarily residential” communities. Village size adjusted to not less than 300 acres and up to 1,000 acres inside the ACSC and up to 1,500 acres outside the ACSC.
<b>Policy 4.7.3</b>	<b>Recommended deletion</b>	<b>Elimination of Hamlets</b>	<b>References to Hamlet need to be stricken.</b> <b>Added new Compact Rural Development (CRD) development standards.</b>
Old Policy 4.7.4 New Policy 4.7.3	<b>Recommended amendment (renumbered)</b>	<b>CRD purpose updated to support agriculture, natural resources and economic diversity. Uses shall be associated with research, education, tourism or recreation. Housing up to 2 du/ gross acre, and maximum CRD size of 100 acres.</b>	<b>Convenience retail was added to the list of primary CRD uses.</b> <b>Maximum size of CRD revised from 100 acres to 300 acres.</b>
New Policy 4.7.4	<b>Recommended new policy (renumbering)</b>	<b>Add business and industry permitted uses in Urban areas, Towns and Villages, including research, corporate headquarters, technology, manufacturing, distribution, etc.</b>	<b>Language added: “The business and industry use allowed includes, but is not limited to, those as defined as Florida Qualified Target Industries. The appropriate scale and compatibility of</b>

## Exhibit C – GMP Policy Direction Chart

Policy	5-Year Review Recommendation	2019 Proposed LDC Revision	Updated LDC Revision based on 2021 Adopted GMP
			these uses within a Town or Village will be addressed during SRA application process.” Add including <u>Florida Qualified Target Industries.</u> ”
New Policy 4.7.5	n/a	n/a	New policy added regarding accommodation of Affordable Housing in a Town or Village, providing for several options.
Policy 4.8	Unchanged	n/a	Updated to strike language stating “without requiring the WRA to be designated as a SRA”. (n/a no reference in LDC)
Policy 4.9	Recommended amendment	Additional allowance for development in SRA lands with NRI score over 1.2: <u>Infrastructure necessary to serve permitted uses may be exempt from this restriction, provided that designs seek to minimize the extent of impacts to any such areas.</u>	Language added to allow SRAs in WRAs if it “...is being used to provide water quality treatment...” (refer to Policy 3.13)
Policy 4.10	Recommended amendment	Delete reference to SRA location <i>outside of ACSC</i> for relief from consuming Stewardship Credits for open space in excess of 35%.	Entire sentence was deleted, not just reference to “outside of ACSC”.
Policy 4.11	Unchanged	n/a	Same
Policy 4.12	Unchanged	n/a	Same
Policy 4.13	Unchanged	n/a	Same
<b>Policy 4.14</b>	<b>Recommended amendment</b>	<b>Additional criteria for transportation network, access, interconnection, maintenance, and mitigation for traffic and environmental impacts of roadways.</b>	<b>Compliance with County Build-out Vision Plan has been removed.</b>

## Exhibit C – GMP Policy Direction Chart

Policy	5-Year Review Recommendation	2019 Proposed LDC Revision	Updated LDC Revision based on 2021 Adopted GMP
Policy 4.15.1	Recommended amendment	n/a	Same
Policy 4.15.2	Unchanged	n/a	Same
Policy 4.15.3	Unchanged	n/a	Same
Policy 4.16	Recommended amendment	n/a	Same
Policy 4.17	Unchanged	n/a	Same
Policy 4.18	Recommended amendment	n/a – recognizing potential for surplus revenues, which County may allocate for economic development purposes	Same
<b>Policy 4.19</b>	<b>Recommended amendment</b>	<b>Update to reflect vested Credit calculation for SRA development at 8 Credit ratio, and updated calculation to 10 Credits per acres</b>	<b>No change except revised to include GMP adoption date.</b>
Policy 4.20	Recommended amendment	Public benefit uses changed to <i>count</i> toward max. acreage, but <i>not count</i> against consumption of Stewardship Credits.	Additional exception added if the public benefit use was approved as part of an SRA approved prior to the date of the adoption of the ordinance.  Affordable housing was added as a listed public benefit. Update LDC to refer to LDC definition of affordable housing.
Policy 4.21	Recommended amendment	n/a	same
<b>New Policy 4.22</b>	<b>Recommended new policy</b>	Add provisions for addressing historic or cultural resources identified through the SRA designation process.	Added references to LDC section regarding historic or culturally significant resources.
<b>New Policy 4.23</b>	n/a	n/a	Language added that any development on lands participating in the RLSA Overlay shall be compatible with surrounding land uses and regulations shall be implemented for outdoor lighting to protect the

## Exhibit C – GMP Policy Direction Chart

Policy	5-Year Review Recommendation	2019 Proposed LDC Revision	Updated LDC Revision based on 2021 Adopted GMP
			nighttime environment, conserve energy, and enhance safety and security.
Group 5	Unchanged	n/a	Same
Policy 5.1	Recommended amendment	Add that designated Restoration Zones are subject to same use restriction as FSAs, and that conditional uses are no longer allowed in FSAs.	“Restoration Zones” changed to “Restoration Areas:”  Added references to LDC section 2.01.03.G.S to clarify conditional use essential services
Policy 5.2	Unchanged	n/a	Same
Policy 5.3	Unchanged	n/a	Same
Policy 5.4	Recommended amendment	Map of wildlife crossings to be developed and used for planning purposes. Add master plan or design criteria requiring applicant to show compliance with the wildlife crossing map	A Wildlife Management Plan is required.  Updated to state that crossings will be determined by the authority having jurisdiction over wildlife crossing locations.
<b>Policy 5.5</b>	<b>Recommended amendment</b>	<b>Addition of “or protected species”</b> <b>Add reference to use of most current and complete guidelines and regulations for preparing wildlife management plans. Delete specific document references.</b> <b>Add requirement that management plans shall include provisions for minimizing human and wildlife interactions...</b> <b>Delete species-specific standards.</b> <b>Add language asserting wildlife protection policies may be strengthened through FWCC and FWS technical assistance, but not reduced.</b>	<b>The phrase “or protected species” was not adopted. Instead, “species of special local concern (SSC), as defined by Florida Fish and Wildlife Conservation Commission...”.</b> <b>Update LDC to use this language.</b>  <b>Sentence that ties open space and vegetation preservation requirements to the establishment of buffer areas was deleted. Update LDC to strike language.</b>
Policy 5.6	Recommended amendment	Add reference to preserve of upland buffers contiguous to wetlands.	Change “wetlands permits” to “Environmental Resource

## Exhibit C – GMP Policy Direction Chart

Policy	5-Year Review Recommendation	2019 Proposed LDC Revision	Updated LDC Revision based on 2021 Adopted GMP
		Add that exotics removal may be acceptable as mitigation.	<p>Permit". (n/a – no LDC reference)</p> <p>The phrase "or protected species" was not adopted. Instead, "species of special local concern (SSC), as defined by Florida Fish and Wildlife Conservation Commission...". Update LDC to use this language.</p> <p>Remove reference to September 1997, and add "as amended". (n/a – no LDC reference)</p> <p>Change "EIS" to "Environmental Data".</p> <p>Update paragraph reference and reference to "FWMD standards".</p>
Policy 5.7	Recommended new policy	<p><b>Add that development outside the RLS program must be compatible with surrounding land uses.</b></p> <p><b>Add that outdoor lighting shall be managed.</b></p>	Language added that any development not participating in the RLSA program shall be compatible with surrounding land uses and regulations shall be implemented for outdoor lighting to protect the nighttime environment, conserve energy, and enhance safety and security.
Policy 5.8	Recommended new policy	Add provisions for addressing historic or cultural resources identified within the RLSA.	This policy was not adopted in this section. See Policy 4.22



**ORDINANCE NO. 2021- 28**

**AN ORDINANCE AMENDING ORDINANCE 89-05, AS AMENDED, THE COLLIER COUNTY GROWTH MANAGEMENT PLAN OF THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA, RELATING TO THE RURAL LANDS STEWARDSHIP AREA OVERLAY RESTUDY SPECIFICALLY TO AMEND THE RURAL LANDS STEWARDSHIP AREA OVERLAY OF THE FUTURE LAND USE ELEMENT, TO CHANGE ACREAGES, STEWARDSHIP CREDITS, DEVELOPMENT STANDARDS AND PROGRAM REQUIREMENTS; DIRECTING TRANSMITTAL OF THE ADOPTED AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. [PL20190002292]**

WHEREAS, Collier County, pursuant to Section 163.3161, *et. seq.*, Florida Statutes, the Community Planning Act, formerly the Florida Local Government Comprehensive Planning and Land Development Regulation Act, was required to prepare and adopt a comprehensive plan; and

WHEREAS, the Collier County Board of County Commissioners adopted the Collier County Growth Management Plan on January 10, 1989; and

WHEREAS, the Community Planning Act of 2011 provides authority for local governments to amend their respective comprehensive plans and outlines certain procedures to amend adopted comprehensive plans; and

WHEREAS, staff has prepared an amendment to the Rural Lands Stewardship Area Overlay of the Future Land Use Element of the Growth Management Plan; and

WHEREAS, Collier County transmitted the Growth Management Plan amendment to the Department of Economic Opportunity for preliminary review on December 11, 2020, after public hearings before the Collier County Planning Commission and the Board of County Commissioners; and

WHEREAS, the Department of Economic Opportunity reviewed the amendment to the Growth Management Plan and transmitted its comments in writing to Collier County within the time provided by law; and

WHEREAS, Collier County has 180 days from receipt of the Comments Report from the Department of Economic Opportunity to adopt, adopt with changes or not adopt the proposed amendment to the Growth Management Plan; and

WHEREAS, Collier County has gathered and considered additional information, data and analysis supporting adoption of these amendment, including the following: the Collier County Staff Report, the documents entitled Collier County Growth Management Plan Amendment and other documents, testimony and information presented and made a part of the record at the public hearings of the Collier County Planning Commission held on May 6, 2021, and the Collier County Board of County Commissioners held on July 13, 2021; and

WHEREAS, all applicable substantive and procedural requirements of the law have been met.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:

SECTION ONE: ADOPTION OF AMENDMENT TO THE RURAL LANDS STEWARDSHIP AREA OVERLAY OF THE FUTURE LAND USE ELEMENT OF THE GROWTH MANAGEMENT PLAN

The amendment to the Rural Lands Stewardship Area Overlay of the Future Land Use Element, attached hereto as Exhibit “A” and incorporated herein by reference, is hereby adopted in accordance with Section 163.3184, Florida Statutes, and shall be transmitted to the Florida Department of Economic Opportunity.

SECTION TWO: SEVERABILITY.

If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION THREE: EFFECTIVE DATE.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commenced before it has become effective.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 13<sup>th</sup> day of July, 2021.

ATTEST:  
CRYSTAL K. KINZEL, CLERK

BOARD OF COUNTY COMMISSIONERS  
COLLIER COUNTY, FLORIDA

By: *Crystal Kinzel*  
Deputy Clerk

By: *Penny Taylor*  
Penny Taylor, Chairman

Approved as to form and legality:

*Heidi Ashton-Cicko* *HIFAC 5-11-21*  
Heidi Ashton-Cicko  
Managing Assistant County Attorney

Attachment: Exhibit A – Rural Lands Stewardship Area Overlay Future Land Use Element

This ordinance filed with the  
Secretary of State's Office on  
19<sup>th</sup> day of July 2021  
and acknowledgement of that  
filing received this 19<sup>th</sup> day  
of July 2021  
By: *Crystal Kinzel*  
Deputy Clerk

Future Lands Use Element  
Rural Lands Stewardship Area Overlay Amendments – BCC Adoption Draft

**COLLIER COUNTY  
GROWTH MANAGEMENT PLAN**

**FUTURE LAND USE ELEMENT**

Prepared by  
Collier County Planning and Zoning Department  
Comprehensive Planning Section

Prepared for  
COLLIER COUNTY BOARD OF COUNTY COMMISSIONERS  
Adopted October, 1997

Text underlined is added; text ~~strike through~~ is deleted.  
Rows of Asterisks (\*\* \*\*\*) denotes break in text.

Future Lands Use Element  
Rural Lands Stewardship Area Overlay Amendments – BCC Adoption Draft

## II. IMPLEMENTATION STRATEGY

### GOALS, OBJECTIVES AND POLICIES

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## V. OVERLAYS AND SPECIAL FEATURES

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### D. Rural Lands Stewardship Area Overlay

#### Goal:

To address the long-term needs of residents and property owners within the Immokalee Area Study boundary of the Collier County Rural and Agricultural Area Assessment by ~~protecting~~ retaining agricultural activities, ~~preventing the premature conversion of agricultural land to non-agricultural uses~~, directing incompatible uses away from wetlands and upland habitat, enabling the conversion of rural land to other uses in appropriate locations, discouraging urban sprawl, and encouraging development that implements employs creative land use planning techniques through the use of established incentives.

#### Objective:

Create an incentive based land use overlay system, herein referred to as the Collier County Rural Lands Stewardship Area Overlay, based on the principles of rural land stewardship as defined in Chapter ~~163.3177(14)~~ 163.3248, F.S. The Policies that implement this Goal and Objective are set forth below in groups relating to each aspect of the Goal. Group 1 policies describe the structure and organization of the Collier County Rural Lands Stewardship Area Overlay. Group 2 policies relate to agriculture, Group 3 policies relate to natural resource protection, and Group 4 policies relate to conversion of land to other uses and economic diversification. Group 5 are regulatory policies that ensure that land that is not voluntarily included in the Overlay by its owners shall nonetheless meet the minimum requirements of the Final Order pertaining to natural resource protection.

#### Group 1 – General purpose and structure of the Collier County Rural Lands Stewardship Area Overlay

##### Policy 1.1:

To promote a dynamic balance of land uses in the Collier County Rural Lands Stewardship Area (RLSA) that collectively contributes to a viable agricultural industry, protects natural resources, and enhances economic prosperity and diversification, Collier County hereby establishes the Rural Lands Stewardship Area Overlay (Overlay). The Overlay was created through a collaborative community-based planning process involving county residents, area property owners, and representatives of community and governmental organizations under the direction of a citizen oversight committee.

##### Policy 1.2:

The Overlay protects natural resources and retains viable agriculture by promoting compact rural mixed-use development as an alternative to low-density single use development, and provides a system of compensation to private property owners for the elimination of certain land uses in order

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to protect natural resources and viable agriculture in exchange for transferable credits that can be used to entitle such compact development. The strategies herein are based in part on the principles of Florida's Rural Lands Stewardship Act, Section 163.3248, Florida Statutes. The Overlay includes innovative and incentive based tools, techniques and strategies that are not dependent on a regulatory approach, but will complement existing local, regional, state and federal regulatory programs.

**Policy 1.3:**

This Overlay to the Future Land Use Map is depicted on the Stewardship Overlay Map (Overlay Map) and applies to rural designated lands located within the Immokalee Area Study boundary of the Collier County Rural and Agricultural Area Assessment referred to in the State of Florida Administration Commission Final Order No. AC-99-002. The RLSA generally includes rural lands in northeast Collier County lying north and east of Golden Gate Estates, north of the Florida Panther National Wildlife Refuge and Big Cypress National Preserve, south of the Lee County Line, and south and west of the Hendry County Line, and includes a total of approximately ~~195,846~~ 185,935 acres, ~~of which approximately 182,334 acres is privately owned.~~ The Overlay Map is an adopted overlay to the Future Land Use Map (FLUM).

**Policy 1.4:**

Except as provided in Group 5 Policies, there shall be no change to the underlying density and intensity of permitted uses of land within the RLSA, as set forth in the Baseline Standards, as defined in Policy 1.5, unless and until a property owner elects to utilize the provisions of the Stewardship Credit System. It is the intent of the Overlay that a property owner will be compensated for the voluntary stewardship and protection of important agricultural and natural resources. Compensation to the property owner shall occur through one of the following mechanisms: creation and transfer of Stewardship Credits, acquisition of conservation easements, acquisition of less than fee interest in the land, or through other acquisition of land or interest in land through a willing seller program.

**Policy 1.5:**

As referred to in these Overlay policies, Baseline Standards are the permitted uses, density, intensity and other land development regulations assigned to land in the RLSA by the ~~GMP~~ Growth Management Plan (GMP), Collier County Land Development Regulations (LDRs) and Collier County Zoning Regulations in effect prior to the adoption of Interim Amendments and Interim Development Provisions referenced in Final Order AC-99-002. The Baseline Standards will remain in effect for all land not subject to the transfer or receipt of Stewardship Credits, except as provided for in Group 5 Policies. No part of the Stewardship Credit System shall be imposed upon a property owner without that ~~owners~~ owner's consent.

**Policy 1.6:**

Stewardship Credits (Credits) are created from any lands within the RLSA that are to be kept in permanent agriculture, open space or conservation uses. These lands will be identified as Stewardship Sending Areas or SSAs. All privately owned lands within the RLSA are a candidate for designation as a SSA. Land becomes designated as a SSA upon petition by the property owner seeking such designation and the adoption of a resolution by the Collier County Board of County Commissioners (BCC), which acknowledges the property owner's request for such designation and assigns Stewardship Credits or other compensation to the owner for such designation. Collier County will update the Overlay Map to delineate the boundaries of each approved SSA. Designation as an SSA shall be administrative and shall not require an

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amendment to the Growth Management Plan, but shall be retroactively incorporated into the adopted Overlay Map during the EAR based amendment process when it periodically occurs by amendment as may be periodically initiated by the County, or sooner at the discretion of the Board of County Commissioners. A Stewardship Sending Area Credit Agreement shall be developed that identifies those allowable residential densities and other land uses which remain. Once land is designated as a SSA and Credits or other compensation is granted to the owner, no increase in density or additional uses unspecified in the Stewardship Sending Area Credit Agreement shall be allowed on such property unless the SSA is terminated as provided in Policy 1.6.1.

**Policy 1.6.1**

Notwithstanding any provision herein to the contrary, upon initial approval of a Stewardship Sending Area (“SSA”), the Stewardship Easement shall be established for a term of five years (“Conditional Period”) and shall be deemed a Conditional Stewardship Easement. The Conditional Period may be extended for one additional year at the option of the owner by providing written notice to the County prior to the expiration of the initial five-year period. All conditions and restrictions of the Stewardship Easement related to maintaining the existing property conditions, including all management obligations of the owner of the SSA lands, shall be in full force throughout the Conditional Period. If at any time during the Conditional Period any of the following events occur, then the Conditional Stewardship Easement shall become a Permanent Stewardship Easement which shall be final, perpetual and non-revocable in accordance with the terms set forth therein:

1. Stewardship Credits from the SSA have been assigned to entitle an approved Stewardship Receiving Area (“SRA”), and the SRA has received all necessary final and non-appealable development orders, permits, or other discretionary approvals necessary to commence construction, including subdivision plat and site development plan approval, but not building permits. If Stewardship Credits from the SSA have been assigned to more than one SRA, then the receipt of all necessary governmental final and non-appealable development orders, permits, or other discretionary approvals necessary to commence construction of any SRA shall automatically cause the Conditional Stewardship Easement to become a Permanent Stewardship Easement;
2. The owner of the SSA lands has sold or transferred any Stewardship Credits to another person or entity, including a Stewardship Credit Trust as described in Policy 1.20, the closing has occurred, and the owner has received the consideration due from such sale or transfer, but not expressly excluding:
  - (a) a sale or transfer of the Stewardship Credits ancillary to the sale or transfer of the underlying fee title to the land, or
  - (b) instances where a landowner establishes an SSA for a specific SRA, whether the SRA is owned or developed by a separate or related entity, and the Stewardship Credits are transferred as required by the Growth Management Plan or Land Development Code for SRA approval; or
3. The owner of the SSA lands has received in exchange for the creation of the Stewardship Easement Agreement other compensation from local, state, federal or private revenues (collectively, the “Events”).

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The LDC shall specify how, assuming a Notice of Termination (as hereafter described) has not been recorded, the Conditional Stewardship Easement shall automatically convert to a Permanent Stewardship Easement upon the earliest to occur of (a) any of the foregoing Events during the Conditional Period, or (b) 180 days after the last day of the Conditional Period, as and to the extent extended hereunder. In the event that none of the foregoing events has occurred during the Conditional Period, then the owner of the SSA lands may within 180 days after the last day of the Conditional Period terminate the Conditional Stewardship Easement by recording a Notice of Termination. In addition, if a challenge and/or appeal of a necessary development order, permit or other discretionary approval is filed, the owner of the SSA lands may elect to extend the Conditional Period until the challenge or appeal is finally resolved. If the challenge or appeal is not resolved such that the construction may commence under terms acceptable to the owner of the SSA lands, the owner of the SSA lands may within 180 days of the final disposition of the challenge or appeal record a Notice of Termination. Upon the recording of such Notice of Termination, the Stewardship Easement Agreement and corresponding Stewardship Sending Area Credit Agreement shall expire and terminate, the Stewardship Credits generated by the SSA shall cease to exist, the rights and obligations set forth in the Stewardship Easement shall no longer constitute an encumbrance on the property, and the SSA Memorandum shall be revised accordingly. The owner of the SSA lands shall provide a copy of the Notice of Termination to the County.

In the event that the Stewardship Credits from an SSA have been used to obtain one or more SRA approvals, but none of the foregoing events has occurred during the Conditional Period, then the Notice of Termination shall also provide for termination of any SRAs that have been assigned credits from the SSA, unless the SRA owner has obtained sufficient Stewardship Credits from another source and such Stewardship Credits have been applied to the SRA. In the event that a Notice of Termination does terminate an SRA, the owner of the SRA lands shall join in the Notice of Termination.

In the event that a Conditional Stewardship Easement is terminated, all benefits, rights, privileges, restrictions and obligations associated with the SSA shall be null and void, and the land shall revert to its underlying zoning classification, free and clear of any encumbrance from the Conditional Stewardship Easement and SSA Credit Agreement. If requested by the owner of the SSA lands, Collier County and the other grantees under the Stewardship Easement Agreement shall provide a written release and termination of easement and credit agreements for recording in the public records within 15 days of request from the owner of the SSA lands. Collier County shall update the overlay map to reflect the termination of any SSA or SRA.

This policy shall be implemented in the LDC within 12 months after adoption hereof.

For SSAs approved prior to this Policy 1.6.1 being adopted but have not changed ownership in whole or part since the creation of the SSA and have not transferred, sold or utilized Credits generated from the SSA, the property owner may withdraw the SSA designation provided an application for such withdrawal is implemented within 6 months of the adoption of this Policy 1.6.1.

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**Policy 1.7:**

The range of Stewardship Credit Values is hereby established using the specific methodology set forth on the Stewardship Credit Worksheet (Worksheet), incorporated herein as Attachment A. This methodology and related procedures for SSA designation will also be adopted as part of the Stewardship Overlay District in the Collier County Land Development Code (LDC). Such procedures shall include but not be limited to the following: (1) All Credit transfers shall be recorded with the Collier County Clerk of Courts; (2) a covenant or perpetual restrictive easement shall also be recorded for each SSA, shall run with the land and shall be in favor of Collier County, and Florida Fish and Wildlife Conservation Commission and one of the following: Department of Environmental Protection, Department of Agriculture and Consumer Services, South Florida Water Management District, or a recognized statewide land trust; and (3) for each SSA, the Stewardship Sending Area Credit Agreement will identify the specific land management measures that will be undertaken and the party responsible for such measures.

**Policy 1.8:**

The natural resource value of land within the RLSA is measured by the Stewardship Natural Resource Index (Index) set forth on the Worksheet. The Index established the relative natural resource value by objectively measuring six different characteristics of land and assigning an index factor based on each characteristic. The sum of these six factors is the index value for the land. Both the characteristics used and the factors assigned thereto were established after review and analysis of detailed information about the natural resource attributes of land within the RLSA so that development could be directed away from important natural resources. The six characteristics measured are: Stewardship Overlay Designation, Sending Area Proximity, Listed Species Habitat, Soils/Surface Water, Restoration Potential, and Land Use/Land Cover.

**Policy 1.9:**

A Natural Resource Index Map Series (Index Map Series) indicates the Natural Resource Stewardship Index value for all land within the RLSA. Credits from any lands designated as SSAs, will be based upon the Natural Resource Index values in effect at the time of designation. Any change in the Characteristics of land due to alteration of the land prior to the establishment of a SSA that either increases or decreases any Index Factor will result in an adjustment of the factor values and a corresponding adjustment in the credit value. The Index and the Index Map Series are adopted as a part of the RLSA Overlay.

**Policy 1.10:**

In SSAs, the greater the number of uses eliminated from the property, and the higher the natural resource value of the land, the higher the priority for protection, the greater the level of Credits that are generated from such lands, and therefore the greater the incentive to participate in the Stewardship Credit System and protect the natural resources of the land.

**Policy 1.11:**

The Land Use Matrix, Attachment B, lists uses and activities allowed under the A, Rural Agricultural Zoning District within the Overlay. These uses are grouped together in one of eight separate layers in the Matrix. Each layer is discrete and shall be removed sequentially and cumulatively in the order presented in the Matrix, starting with the residential layer (layer one) and ending with the conservation layer (layer eight). If a layer is removed, all uses and activities in that layer are eliminated and are no longer available. Each layer is assigned a percentage of a base credit in the Worksheet. The assigned percentage for each layer to be removed is added

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together and then multiplied by the Index value on a per acre basis to arrive at a total Stewardship Credit Value of the land being designated as a SSA.

**Policy 1.12:**

Credits can be transferred only to lands within the RLSA that meet the defined suitability criteria and standards set forth in Group 4 Policies. Such lands shall be known as Stewardship Receiving Areas or SRAs.

**Policy 1.13:**

The procedures for the establishment and transfer of Credits and SRA designation are set forth herein and ~~will also be adopted as a~~ are part of the Rural Lands Stewardship Area Zoning Overlay District in the LDC (District) LDRs ~~creating the District will be adopted within one (1) year from the effective date of this Plan amendment.~~

**Policy 1.14:**

Stewardship Credits will be exchanged for additional residential or non-residential entitlements in a SRA on a per acre basis, as described in ~~Policy 4.18~~ 4.19. Stewardship density and intensity will thereafter differ from the Baseline Standards. The assignment or use of Stewardship Credits shall not require a GMP Amendment.

**Policy 1.15:**

Land becomes designated as an SRA upon the adoption of a resolution by the Collier County Board of County Commissioners (BCC) approving the petition by the property owner seeking such designation. Any change in the residential density or non-residential intensity of land use on a parcel of land located within a SRA shall be specified in the resolution reflecting the total number of transferable Credits assigned to the parcel of land. Density and intensity within the RLSA or within an SRA shall not be increased beyond the Baseline Standards except through the provisions of the Stewardship Credit System, the Affordable Housing Density Bonus as referenced in the Density Rating System of the FLUE, and the density and intensity blending provision of the Immokalee Area Master Plan.

**Policy 1.16:**

Stewardship Receiving Areas will accommodate uses that utilize creative land use planning techniques and Credits shall be used to facilitate the implementation of innovative and flexible development strategies described in ~~Section 163.3168(2)~~ 163.3248, Florida Statutes.

**Policy 1.17:**

Stewardship Credits may be transferred between different parcels or within a single parcel, subject to compliance with all applicable provisions of these policies. Residential clustering shall only occur within the RLSA through the use of the Stewardship Credit System, and other forms of residential clustering shall not be permitted.

**Policy 1.18:**

A blend of Local, State, Federal and private revenues, such as but not limited to Florida Forever, Federal and State conservation and stewardship programs, foundation grants, private conservation organizations, local option taxes, general county revenues, and other monies can augment the Stewardship program through the acquisition of conservation easements, Credits, or land that is identified as the highest priority for natural resource protection, including, but is not limited to, areas identified on the Overlay Map as Flow way Stewardship Areas (FSAs), Habitat

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Stewardship Areas (HSAs), Water Retention Areas (WRAs) and land within the Big Cypress Area of Critical State Concern (ACSC).

**Policy 1.19:**

All local land or easement acquisition programs that are intended to work within the RLSA Overlay shall be based upon a willing participant/seller approach. It is not the intent of Collier County to use eminent domain acquisition within this system.

**Policy 1.20:**

The County may elect to acquire Credits through a publicly funded program, using sources identified in Policy 1.18. Should the County pursue this option, it shall establish a Stewardship Credit Trust to receive and hold Credits until such time as they are sold, transferred or otherwise used to implement uses within Stewardship Receiving Areas.

**Policy 1.21:**

~~The incentive based Stewardship Credit system relies on the projected demand for Credits As the primary basis for permanent protection of flowways, habitats and water retention areas. The County recognizes that there may be a lack of significant demand for Credits in the early years of implementation, and also recognizes that a public benefit would be realized by the early designation of SSAs. To address this issue and to promote the protection of natural resources, the implementation of the Overlay will include an early entry bonus to encourage the voluntary establishment of SSAs within the RLSA. The bonus shall be in the form of an additional one Stewardship Credit per acre of land designated as a HSA located outside of the ACSC and one-half Stewardship Credit per acre of land designated as HSA located inside the ACSC. The early entry bonus shall be available for five years from the effective date of the adoption of the Stewardship Credit System in the LDC. The early designation of SSAs, and resulting protection of flowways, habitats, and Water retention areas does not require the establishment of SRAs or otherwise require the early use of Credits, and Credits generated under the early entry bonus may be used after the termination of the bonus period. The maximum number of Credits that can be generated under the bonus is 27,000 Credits, and such Credits shall not be transferred into or used within the ACSC.~~

**Policy 1.22 1.21:**

~~The RLSA Overlay was designed to be a long-term strategic plan, with a planning horizon Year of 2025. Many of the tools, techniques and strategies of the Overlay are new, Innovative, and incentive based, and have yet to be tested in actual implementation. A Comprehensive review of the Overlay shall be prepared for and reviewed by Collier County every seven (7) years beginning [date of adoption of this Ordinance], and the State land planning agency (presently, the Department of Economic Opportunity) upon the five year anniversary of the adoption of the Stewardship District in the LDC. The purpose of the review shall be to assess the participation in and effectiveness of the Overlay implementation in meeting the Goal, Objective and Policies set forth herein. The specific measures of review shall be as follows:~~

1. The amount and location of land designated as FSAs, HSAs, WRAs and other SSAs.
2. The amount and location of land designated as SRAs.
3. The number of Stewardship Credits generated, assigned or held for future use.
4. A comparison of the amount, location and type of Agriculture that existed at the time of a Study and time of review.
5. The amount, location and type of land converted to non-agricultural use with and without participation in the Stewardship Credit System since its adoption.

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- 6. The extent and use of funding provided by Collier County and other sources Local, State, Federal and private revenues described in Policy 1.18.
- 7. The amount, location and type of restoration through participation in the Stewardship Credit System since its adoption.
- 8. ~~The potential for use of Credits in urban areas.~~

At the direction of the Board of County Commissioners, additional review measures may be considered.

**Policy 1.22**

The total number of Stewardship Credit shall be capped at 404,000 to entitle no more than 45,000 acres of Stewardship Receiving Areas. Generating Stewardship Credits does not presume approval of Stewardship Receiving Areas.

**Group 2 – Policies to protect agricultural lands from premature conversion to other uses and retain land for agricultural activities through the use of established incentives in order to continue the viability of agricultural production through the Collier County Rural Lands Stewardship Area Overlay.**

**Policy 2.1:**

~~Agriculture landowners will be provided with lands will be protected from premature conversion to other uses by creating incentives that encourage the voluntary elimination of the property owner’s right to convert agriculture land to non-agricultural uses in exchange for compensation as described in Policies 1.4 and 2.2 and by the establishment of SRAs, as the form of compact rural development in the RLSA Overlay. Analysis has shown that SRAs will allow the projected population of the RLSA in the Horizon year of 2025 to be accommodated on approximately 10% of the acreage otherwise required if such compact rural development were not allowed due to the flexibility afforded to such development. The combination of stewardship incentives and land efficient compact rural development will minimize two of the primary market factors that cause premature conversion of agriculture.~~

**Policy 2.2:**

Agriculture lands protected through the use of Stewardship Credits shall be designated as Stewardship Sending Areas (SSAs) as described in Policy 1.6. The protection measures for SSAs are set forth in Policies 1.6, 1.7, 1.10 and 1.17. In addition to protecting agriculture activities in SSAs within FSA, HSA, and WRA, as further described in Policies 3.1, 3.2 and 3.3, additional incentives are desired to retain agriculture within Open Lands as an alternative to conversion of such lands to other uses, using Baseline Standards as described in Policy 1.5. Open Lands are those lands not designated SSA, SRA, WRA, HSA, FSA, or public lands on the Rural Lands Stewardship Area Overlay Map. Open Lands are those lands described in Policy 4.2. Therefore, in lieu of using the Natural Resource Index on land designated Open Lands, these lands shall be assigned two (2.0) Stewardship Credits per acre. All non-agriculture uses shall be removed from Open Lands and the remaining uses are limited to agriculture Land Use Levels 5, 6 and 7 on the Land Use Matrix. Each layer is discrete and shall be removed sequentially and cumulatively in the order presented in the Matrix. If a layer is removed, all uses and activities in that layer are eliminated and no longer available. SSA’s created under this Policy will be known as an Agricultural SSA. Following approval of an Agricultural SSA, Collier County shall periodically update the RLSA Zoning Overlay District Map to delineate the boundaries of the Agricultural SSA.

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**Policy 2.3:**

~~Within one (1) year from the effective date of these amendments, Collier County will~~ may establish an Agriculture Advisory Council comprised of not less than five nor more than nine appointed representatives of the agriculture industry, to advise the BCC on matters relating to Agriculture. The Agriculture Advisory Council (AAC) will work to identify opportunities and prepare strategies to enhance and promote the continuance, expansion and diversification of agriculture in Collier County. The AAC will also identify barriers to the continuance, expansion and diversification of the agricultural industry and will prepare recommendations to eliminate or minimize such barriers in Collier County. ~~The AAC will also assess whether exceptions from standards for business uses related to agriculture should be allowed under an administrative permit process and make recommendations to the BCC.~~

**Policy 2.4:**

The BCC will consider the recommendations of the AAC and facilitate the implementation of strategies and recommendations identified by the ACC that are determined to be appropriate. The BCC may adopt amendments to the LDC that implement policies that support agriculture activities.

**Policy 2.5:**

Agriculture is an important aspect of Collier County's quality of life and economic well-being. Agricultural activities shall be protected from duplicative regulation as provided by the Florida Right-to-Farm Act.

**Policy 2.6:**

Notwithstanding the special provisions of Policies 3.9 and 3.10, nothing herein or in the implementing LDRs, shall restrict lawful agricultural activities on lands within the RLSA that have not been placed into the Stewardship program.

**Group 3 – Policies to protect water quality and quantity and maintain the natural water regime, as well as listed animal and plant species and their habitats by directing incompatible uses away from wetlands and upland habitat through the establishment of Flow way Stewardship Areas, Habitat Stewardship Areas, and Water Retention Areas, where lands are voluntarily included in the Rural Lands Stewardship Area program.**

**Policy 3.1:**

Protection of water quality and quantity, and the maintenance of the natural water regime shall occur through the establishment of Flowway Stewardship Areas (FSAs), as SSAs within the RLSA Overlay. FSAs are delineated on the Overlay Map and contain approximately ~~31,100~~ 30,869 acres. FSAs are primarily privately owned wetlands that are located within the Camp Keais Strand and Okaloacoochee Slough. These lands form the primary wetland flowway systems in the RLSA. The Overlay provides an incentive to permanently protect FSAs by the creation and transfer of Credits, elimination of incompatible uses, and establishment of protection measures described in Group 1 Policies. Not all lands within the delineated FSAs are comparable in terms of their natural resource value; therefore the index shall be used to differentiate higher value from lower value lands for the purpose of Overlay implementation. Analysis of the Index Map Series shows that FSA lands score within a range of 0.7 to 2.4; approximately 98% score greater than 1.2 while 4% score 1.2 or less. The average Index score of FSA land is 1.8.

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**Policy 3.2:**

Listed animal and plant species and their habitats shall be protected through the establishment of Habitat Stewardship Areas (HSAs), as SSAs within the RLSA Overlay. HSAs are delineated on the Overlay Map and contain approximately ~~40,000~~ 39,991 acres. HSAs are privately owned agricultural areas, which include both areas with natural characteristics that make them suitable habitat for listed species and areas without these characteristics. These latter areas are included because they are located contiguous to habitat to help form a continuum of landscape that can augment habitat values. The Overlay provides an incentive to permanently protect HSAs by the creation and transfer of Credits, resulting in the elimination of incompatible uses and the establishment of protection measures described in Group 1 Policies. Not all lands within the delineated HSAs are comparable in terms of their habitat value; therefore, the index shall be used to differentiate higher value from lower value lands for the purpose of Overlay implementation. Analysis of the Index Map Series shows that HSA lands score within a range of 0.6 to 2.2. There are approximately ~~43,800~~ 15,156 acres of cleared agricultural fields located in HSAs. The average Index score of ~~HAS~~ HSA designated lands is 1.3, however, the average index score of the naturally vegetated areas within HSAs is 1.5.

**Policy 3.3:**

Further protection for surface water quality and quantity shall be through the establishment of Water Retention Areas (WRAs), as SSAs within the RLSA Overlay. WRAs are delineated on the Overlay Map and contain approximately ~~48,200~~ 18,428 acres. WRAs are privately owned lands that have been permitted by the South Florida Water Management District to function as agricultural water retention areas. In many instances, these WRAs consist of native wetland or upland vegetation; in other cases they are excavated water bodies or may contain exotic vegetation. The Overlay provides an incentive to permanently protect WRAs by the creation and transfer of Credits, elimination of incompatible uses, and establishment of protection measures described in Group 1 Policies. Not all lands within the delineated WRAs are comparable in terms of their natural resource value; therefore the index shall be used to differentiate higher value from lower value lands for the purpose of Overlay implementation. Analysis of the Index Map Series shows that WRA lands score within a range of 0.6 to 2.4; approximately 74% score greater than 1.2 while 26% score 1.2 or less. The average Index score of WRA land is 1.5.

**Policy 3.4:**

Public and private conservation areas exist in the RLSA and serve to protect natural resources. Corkscrew Marsh and Okaloacoochee Slough State Forest include approximately 13,500 acres. Analysis shows that they score within an Index range of 0.0 to 2.2; with an average Index score of 1.5. Because these existing public areas, and any private conservation areas, are already protected, they are not delineated as SSAs and are not eligible to generate Credits, but do serve an important role in meeting the Goal of the RLSA.

**Policy 3.5:**

Residential uses, General Conditional uses, Earth Mining and Processing Uses, and Recreational Uses (layers 1-4) as listed in the Matrix shall be eliminated in FSAs in exchange for compensation to the property owner as described in Policy 3.8. Conditional use essential services and governmental essential services, other than those necessary to serve permitted uses or for public safety, shall only be allowed in FSAs with a Natural Resource Stewardship Index value of 1.2 or less. Where practicable, directional-drilling techniques and/or previously cleared or disturbed

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areas shall be utilized for oil and gas extraction in FSAs in order to minimize impacts to native habitats. Other layers may also be eliminated at the election of the property owner in exchange for compensation. The elimination of the Earth Mining layer shall not preclude the excavation of lakes or other water bodies if such use is an integral part of a restoration or mitigation program within a FSA.

**Policy 3.6:**

Residential Land Uses listed in the Matrix shall be eliminated in Habitat Stewardship Sending Areas in exchange for compensation to the property owner as described in Policy 3.8. Other layers may also be eliminated at the election of the property owner in exchange for compensation.

**Policy 3.7:**

General Conditional Uses, Earth Mining and Processing Uses, and Recreational Uses shall be allowed only on HSA lands with a Natural Resource Stewardship Index value of 1.2 or less. Conditional use essential services and governmental essential services, other than those necessary to serve permitted uses or for public safety, shall only be allowed in HSAs with a Natural Resource Stewardship Index value of 1.2 or less. Asphaltic and concrete batch making plants are prohibited in all HSAs. Where practicable, directional-drilling techniques and/or previously cleared or disturbed areas shall be utilized for oil and gas Extraction in HSAs in order to minimize impacts to native habitats. In addition to the requirements imposed in the LDC for approval of a Conditional Use, such uses will only be approved upon submittal of ~~an EIS~~ Environmental Data which demonstrates that clearing of native vegetation has been minimized, the use will not significantly and adversely impact listed species and their habitats and the use will not significantly and adversely impact aquifers. As an alternative to the foregoing, the applicant may demonstrate that such use is an integral part of an approved restoration or mitigation program. Golf Course design, construction, and operation in any HSA shall comply with the best management practices of Audubon International's ~~Gold Program~~ Cooperative Sanctuary Program (ASCP) for Golf and the Florida Department of Environmental Protection. Compliance with the following standards shall be considered by Collier County as meeting the requirement for minimization of impact:

- Clearing of native vegetation shall not exceed 15% of the native vegetation on the parcel.
- Areas previously cleared shall be used preferentially to native vegetated areas.
- Buffering to Conservation Land shall comply with Policy 4.13.

**Policy 3.8:**

Compensation to the property owner may occur through one or more of the following mechanisms: creation and transfer of Stewardship Credits, acquisition of conservation easements, acquisition of less than fee interest in the land, or through other acquisition of land or interest in land through a willing seller program.

**Policy 3.9:**

1. Agriculture will continue to be a permitted use and its supporting activities will continue to be permitted as conditional uses within FSAs and HSAs, pursuant to the Agriculture Group classifications described in the Matrix. The Ag 1 group includes row crops, citrus, specialty farms, horticulture, plant nurseries, improved pastures for grazing and ranching, aquaculture and similar activities, including related agricultural support uses. In existing Ag 1 areas within FSAs and HSAs, all such activities are permitted to continue, and may

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convert from one type of Agriculture to another and expand to the limits allowed by applicable permits. Once the Stewardship Credit System is utilized and an owner receives compensation as previously described, no further expansion of Ag 1 will be allowed in FSAs and HSAs beyond existing or permitted limits within property subject to a credit transfer, except for incidental clearing as set forth in Paragraph 2 below.

2. In order to encourage viable Ag 1 activities, and to accommodate the ability to convert from one Ag 1 use to another, incidental clearing is allowed to join existing Ag 1 areas, square up existing farm fields, or provide access to or from other Ag 1 areas, provided that the Ag 1 Land Use Layer has been retained on the areas to be incidentally cleared, and the Natural Resource Index Value score has been adjusted to reflect the proposed change in land cover. Incidental clearing is defined as clearing that meets the above criteria and is limited to 1% of the area of the SSA. In the event said incidental clearing impacts lands having a Natural Resource Index Value in excess of 1.2, appropriate mitigation shall be provided.

**Policy 3.10:**

Ag 2 includes unimproved pastures for grazing and ranching, forestry and similar activities, including related agricultural support uses. In existing Ag 2 areas within FSAs and HSAs, such activities are permitted to continue, and may convert from one type of Agriculture to another and expand to the limits allowed by applicable permits. Once the Stewardship Credit System is utilized and an owner receives compensation as previously described, no further expansion of Ag 2 or conversion of Ag 2 to Ag 1 will be allowed in FSAs or HSAs beyond existing or permitted limits within property subject to a credit transfer.

**Policy 3.11:**

1. In certain locations there may be the opportunity for flow-way or habitat restoration. Examples include, but are not limited to, locations where flow-ways have been constricted or otherwise impeded by past activities, or where additional land is needed to enhance wildlife corridors. ~~Priority shall be given to restoration within the Camp Keais Strand FSA or contiguous HSAs.~~ Should a property owner be willing to dedicate/designate land for restoration activities within a FSA or HSA ~~the Camp Keais Strand FSA or contiguous HSAs,~~ four one additional Stewardship Credits shall be assigned for each acre of land so dedicated. ~~An additional two Stewardship credits shall be assigned for each acre of land dedicated for restoration activities within other FSAs and HSAs.~~ The actual implementation of restoration improvements is not required for the owner to receive such credits and the costs of restoration shall be borne by the governmental agency or private entity undertaking the restoration. Should an owner also complete restoration improvements, this shall be rewarded with ~~four~~ additional Credits for each acre of restored land upon demonstration that the restoration met applicable success criteria, as defined in the Land Development Code as determined by the permit agency authorizing said restoration. The additional Credits shall be rewarded for either caracara restoration at 2 Credits per acre, or for exotic control/burning at 5 Credits per acres, or for flow way restoration at 5 Credits per acre, or for native habitat restoration at 7 Credits per acre. Within the area proposed for restoration, Land Use Layers 1-6 must

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be removed. The specific process for assignment of additional restoration Credits shall be included in the Stewardship District of the LDC.

2. In certain locations, as generally illustrated in the RLSA Overlay Map, there may be opportunities to create, restore, and enhance a northern panther corridor connection and a southern panther corridor connection. Should a property owner in a federally approved corridor designate the required property for such corridor, 2 Stewardship Credits shall be assigned for each acre of land so designated. Should an owner also complete panther corridor restoration improvements, this shall be rewarded with ~~four~~ 8 additional Credits for each acre of restored land upon demonstration that the restoration met applicable success criteria as determined by the federal permit agency authorizing said restoration. Issuance of the 8 restoration implementation credits may be phased to coincide with a phased implementation process in accordance with the federal permit. The procedures shall be set forth in the LDC
3. In order to address a significant loss in Southwest Florida of seasonal, shallow wetland wading bird foraging habitat, restoration of these unique habitats will be incentivized in the RLSAO. Designation of any area inside an FSA, HSA, or WRA for such seasonal wetland restoration shall be rewarded with 2 additional Credits per acre. Should the landowner successfully complete the restoration, an additional 8 Credits per acre shall be awarded upon demonstration that the restoration met applicable success criteria as determined by the permit agency authorizing said restoration.
4. Only one type of restoration shall be rewarded with these Credits for each acre designated for restoration and in no case shall more than 10 Credits be awarded per acre.

This Policy does not preclude other forms of compensation for restoration which may be addressed through public-private partnership agreement such as a developer contribution agreement or stewardship agreement between the parties involved. Also not precluded are various private and publicly funded restoration programs such as the federal Farm Bill conservation programs. The specific process for assignment of additional restoration credits shall be included in the Stewardship District of the LDC.

**Policy 3.12:**

Based on the data and analysis of the Study, FSAs, HSAs, WRAs, and existing public/private conservation land include the land appropriate and necessary to accomplish the Goal pertaining to natural resource protection. To further direct other uses away from and to provide additional incentive for the protection, enhancement and restoration of the Okaloacoochee Slough and Camp Keais Strand, all land within 500 feet of the delineated FSAs that comprise the Slough or Strand that is not otherwise included in a HSA or WRA shall receive the same natural index score (0.6) that a HSA receives if such property is designated as a SSA and retains only agricultural, recreational and/or conservation layers within the matrix.

**Policy 3.13:**

Water Retention Areas (WRAs) as generally depicted on the Overlay Map have been permitted for this purpose and will continue to function for surface water retention, detention, treatment and/or conveyance, in accordance with the South Florida Water Management District (SFWMD) permits applicable to each WRA. WRAs can also be permitted to provide such functions for new uses of land allowed within the Overlay. WRAs may be incorporated into a SRA master plan to

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provide water management functions for properties within such SRA, but are not required to be designated as a SRA in such instances. However, if all or part of a WRA provides stormwater quality treatment for a SRA, the prorata acreage of the WRA used to meet the water quality treatment volume required per Section 4.2 of the SFWMD Environmental Resource Permit Applicant's Handbook Volume II shall be included in the SRA credit calculation and the calculation of total SRA acreage. WRA boundaries are understood to be approximate and are subject to refinement in accordance with SFWMD permitting.

**Policy 3.14:**

During permitting to serve new uses, additions and modifications to WRAs may be required or desired, including but not limited to changes to control elevations, discharge rates, storm water pre-treatment, grading, excavation or fill. Such additions and modifications shall be allowed subject to review and approval by the SFWMD in accordance with best management practices. Such additions and modifications to WRAs shall be designed to ensure that there is no net loss of habitat function within the WRAs unless there is compensating mitigation or restoration in other areas of the Overlay that will provide comparable habitat function. Compensating mitigation or restoration for an impact to a WRA contiguous to the Camp Keais Strand or Okaloacoochee Slough shall be provided within or contiguous to that Strand or Slough.

**Policy 3.15**

Any development on lands participating in the RLSA Overlay shall be compatible with surrounding land uses. By [1 year of the date of adoption of the ordinance], LDC regulations shall be initiated for outdoor lighting to protect the nighttime environment, conserve energy, and enhance safety and security.

**Group 4 – Policies to enable conversion of rural lands to other uses in appropriate locations, while discouraging urban sprawl, and encouraging development that utilizes creative land use planning techniques by the establishment of Stewardship Receiving Areas.**

**Policy 4.1:**

Collier County will encourage and facilitate uses that enable economic prosperity and diversification of the economic base of the RLSA. Collier County will also encourage development that utilizes creative land use planning techniques and facilitates a compact form of development to accommodate population growth by the establishment of Stewardship Receiving Areas (SRAs). Incentives to encourage and support the diversification and vitality of the rural economy such as flexible development regulations, expedited permitting review, and targeted capital improvements shall be incorporated into the LDC Stewardship District.

**Policy 4.2:**

All privately owned lands within the RLSA which meet the criteria set forth herein are eligible for designation as a SRA, except land delineated as a FSA, HSA, WRA or land that has been designated as a Stewardship Sending Area. The exception, consistent with Policy 3.13, is when a WRA provides stormwater quality treatment for an SRA, then the acreage of the WRA used for stormwater quality treatment for the SRA shall be included in the SRA. Land proposed for SRA designation shall meet the suitability criteria and other standards described in Group 4 Policies. Due to the long-term vision of the RLSA Overlay, ~~extending to a horizon year of 2025,~~ and in accordance with the guidelines established in Section ~~463.3468(2)~~ 163.3248, Florida Statutes, the specific location, size and composition of each SRA cannot and need not be predetermined in the

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GMP. In the RLSA Overlay, lands that are eligible to be designated as SRAs generally have similar physical attributes as they consist predominately of agriculture lands which have been cleared or otherwise altered for this purpose. Lands shown on the Overlay Map as eligible for SRA designation include approximately ~~74,500~~ 72,000 acres outside of the ACSC and ~~approximately 48,300~~ 15,000 acres within the ACSC. Total SRA designation shall be a maximum of 45,000 acres. Approximately 2% of these lands achieve an index score greater than 1.2. Because the Overlay requires SRAs to be compact, mixed-use and self sufficient in the provision of services, facilities and infrastructure, traditional locational standards normally applied to determine development suitability are not relevant or applicable to SRAs. Therefore the process for designating a SRA follows the ~~principles of the Rural Lands Stewardship Act as further described~~ procedures set forth herein and the adopted RLSA Zoning Overlay District.

**Policy 4.3:**

Land becomes designated as a SRA upon petition by a property owner to Collier County seeking such designation and the adoption of a resolution by the BCC granting the designation. The petition shall include a SRA master plan as described in Policy 4.5. The basis for approval shall be a finding of consistency with the policies of the Overlay, including required suitability criteria set forth herein, compliance with the LDC Stewardship District, and assurance that the applicant has acquired or will acquire sufficient Stewardship Credits to implement the SRA uses. The County has adopted LDC amendments to establish the procedures and submittal requirements for designation as a SRA, providing for consideration of impacts, including environmental and public infrastructure impacts, and for public notice of and the opportunity for public participation in any consideration by the BCC of such a designation.

**Policy 4.4:**

Collier County will update the Overlay Map to delineate the boundaries of each approved SRA. Such updates shall be incorporated into the adopted Overlay Map ~~during the EAR based by amendment process when it periodically~~ initiated by the County occurs, or sooner at the discretion of the Board of County Commissioners.

**Policy 4.5:**

To address the specifics of each SRA, a master plan of each SRA will be prepared and submitted to Collier County as a part of the petition for designation as a SRA. The master plan will demonstrate that the SRA complies with all applicable policies of the Overlay and the LDC Stewardship District and is designed so that incompatible land uses are directed away from wetlands and critical habitat identified as FSAs and HSAs on the Overlay Map. The SRA Master Plan shall comply with the County's then-adopted MPO Long Range Transportation Plan (LRTP), and Access Management procedures.

Each SRA master plan shall include a Management Plan with provisions for minimizing human and wildlife interactions. Low intensity land uses (e.g. passive recreation areas, golf courses) and vegetation preservation requirements, including agriculture, shall be used to establish buffer areas between wildlife habitat areas and areas dominated by human activities. Consideration shall be given to the most current Florida Fish and Wildlife Commission guidelines and regulations on techniques to reduce human wildlife conflict. The management plans shall also require the dissemination of information to local residents, businesses and governmental services about the presence of wildlife and practices that enable responsible coexistence with wildlife, while minimizing opportunities for negative interaction, such as appropriate waste disposal practices.

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**Policy 4.6:**

SRA characteristics shall be based upon innovative planning and development strategies referenced in Section ~~463.3168(2)~~163.3248, Florida Statutes. These planning strategies and techniques include urban villages, new towns, satellite communities, area-based allocations, clustering and open space provisions, and mixed-use development that allow the conversion of rural and agricultural lands to other uses while protecting environmentally sensitive areas, maintaining the economic viability of agricultural and other predominantly rural land uses, and providing for the cost-efficient delivery of public facilities and services. The SRA shall also include a mobility plan that includes vehicular, bicycle/pedestrian, public transit, internal circulators, and other modes of travel/movement within and between SRAs and areas of outside development and land uses. The mobility plan shall provide mobility strategies such as bus subsidies, route sponsorship or other incentives which encourage the use of mass transit services. The development of SRAs shall also consider the needs identified in the MPO Long Range Transportation Needs Plan, and plan land uses to accommodate services that would increase internal capture and reduce trip length and long-distance travel. Such development strategies are recognized as methods of discouraging urban sprawl, encouraging alternative modes of transportation, increasing internal capture and reducing vehicle miles traveled.

**Policy 4.7:**

There are ~~four~~ three specific forms of SRA permitted within the Overlay. These are Towns, Villages, ~~Hamlets~~, and Compact Rural Development (CRD). The Characteristics of Towns, Villages, ~~Hamlets~~, and CRD are set forth in Attachment C and are generally described in Policies 4.7.1, 4.7.2, ~~and 4.7.3 and 4.7.4~~. ~~Collier County shall establish more~~ Specific regulations, guidelines and standards within the LDC Stewardship District to guide the design and development of SRAs to include innovative planning and development strategies as set forth in Section ~~463.3168(2)~~163.3248, Florida Statutes. The size and base density of each form shall be consistent with the standards set forth on Attachment C. The maximum base residential density as set forth in Attachment C may only be exceeded through the density blending process as set forth in density and intensity blending provision of the Immokalee Area Master Plan or through the affordable housing density bonus as referenced in the Density Rating System of the Future Land Use Element. The base residential density is calculated by dividing the total number of residential units in a SRA by the overall area therein. The base residential density does not restrict net residential density of parcels within a SRA. The location, size and density of each SRA will be determined on an individual basis during the SRA designation review and approval process.

**Policy 4.7.1:**

Towns are the largest and most diverse form of SRA, with a full range of housing types and mix of uses. Towns have urban level services and infrastructure that support development that is compact, mixed use, human scale, and provides a balance of land uses to reduce automobile trips and increase livability. Towns shall be ~~not less than 1,000 greater than 1,500 acres and up to or more than 4,000-5,000 acres~~ and are comprised of several villages and/or neighborhoods that have individual identity and character. Towns shall have a mixed-use town center that will serve as a focal point for community facilities and support services. Towns shall be designed to encourage pedestrian and bicycle circulation by including, an interconnected sidewalk and pathway system serving all residential neighborhoods. Towns shall include an internal mobility plan, which shall include a transfer station or park and ride area that is appropriately located within the town to serve the connection point for internal and external public transportation. Towns shall

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have at least one community park with a minimum size of 200 square feet per dwelling unit in the Town, subject to Level of Service requirements.

Towns shall also have parks or public green spaces within neighborhoods. Towns shall include both community and neighborhood scaled retail and office uses, ~~in a ratio as provided described~~ in Policy ~~4.15~~ 4.15.1. Towns may also include those compatible corporate office, research, development companies, and light industrial uses such as those permitted in the Business Park and Research and Technology Park Subdistricts of the FLUE and those included in Policy 4.7.4. Towns shall be the preferred location for the full range of schools, and to the extent possible, schools and parks shall be located abutting each other to allow for the sharing of recreational facilities and as provided in Policies 4.15.2 and 4.15.3. Design criteria for Towns ~~shall be are~~ included in the LDC Stewardship District. Towns shall not be located within the ACSC.

**Policy 4.7.2:**

Villages are ~~primarily residential~~ communities with a diversity of housing types and mix of uses appropriate to the scale and character of the particular village. Villages shall be not less than ~~400~~ 300 acres and up to or more than 1,000 acres inside the Area of Critical State Concern and up to 1,500 acres outside the Area of Critical State Concern. Villages are comprised of residential neighborhoods and shall include a mixed-use village center to serve as the focal point for the community's support services and facilities. Villages shall be designed to encourage pedestrian and bicycle circulation by including an interconnected sidewalk and pathway system serving all residential neighborhoods. Villages shall have parks or public green spaces within neighborhoods. Villages shall include neighborhood scaled retail and office uses, in a ratio as provided in Policy 4.15. Appropriately scaled uses described in Policy 4.7.3 4.7.3 shall also be permitted in Villages. Villages are an appropriate location for a full range of schools. To the extent possible, schools and parks shall be located adjacent to each other to allow for the sharing of recreational facilities. Design criteria for Villages ~~shall be are~~ included in the LDC Stewardship District. Villages greater than 500 acres shall include an internal mobility plan which shall include a transfer station or park and ride area that is appropriately located within the village to serve the connection point for internal and external public transportation.

**Policy 4.7.3:**

~~Hamlets are small rural residential areas with primarily single family housing and limited range of convenience oriented services. Hamlets shall be not less than 40 or more than 100 acres. Hamlets will serve as a more compact alternative to traditional five acre lot rural subdivisions currently allowed in the baseline standards. Hamlets shall have a public green space for neighborhoods. Hamlets include convenience retail uses, in a ratio as provided in Attachment C. Hamlets may be an appropriate location for pre-K through elementary schools. Design criteria for Hamlets shall be included in the LDC Stewardship District. To maintain a proportion of Hamlets to Villages and Towns, not more than 5 Hamlets, in combination with CRDs of 100 acres or less, may be approved as SRAs prior to the approval of a Village or Town, and thereafter not more than 5 additional Hamlets, in combination with CRDs of 100 acres or less, may be approved for each subsequent Village or Town.~~

**Policy 4.7.4 4.7.3:**

Compact Rural Development (CRD) is a form of SRA that ~~will provide flexibility with respect to the mix of uses and design standards, but shall otherwise comply with the standards of a Hamlet or Village.~~ shall support and further Collier County's valued attributes of agriculture, natural resources and economic diversity. CRDs shall demonstrate a unique set of uses and support services necessary to further these attributes within the RLSA. Primary CRD uses shall be those

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~~associated with and needed to support research, education, convenience retail, tourism or recreation. A CRD may include, but is not required to have permanent residential housing and the services and facilities that support permanent residents, and the services that support permanent residents. The number of residential units shall be equivalent with the demand generated by the primary CRD use but shall not exceed the maximum of two units per gross acre. A CRD shall be a maximum size of 300 acres. An example of a CRD is an ecotourism village that would have a unique set of uses and support services different from a traditional residential village. It would contain transient lodging facilities and services appropriate to eco-tourists, but may not provide for the range of services that necessary to support permanent residents. Except as described above, a CRD will conform to the characteristics of a Village or Hamlet as set forth on Attachment C based on the size of the CRD. As residential units are not a required use, those goods and services that support residents such as retail, office, civic, governmental and institutional uses shall also not be required, however for any CRD that does include permanent residential housing, the proportionate support services listed above shall be provided in accordance with Attachment C. To maintain a proportion of CRDs of 100 acres or less to Villages and Towns, not more than 5 CRDs of 100 acres or less, in combination with Hamlets, may be approved as SRAs prior to the approval of a Village or Town, and thereafter not more than 5 additional CRDs of 100 acres or less, in combination with Hamlets, may be approved for each subsequent Village or Town. To maintain a proportion of CRDs of 300 acres or less to Villages and Towns, not more than 5 CRDs of 300 acres or less may be approved as SRAs prior to the approval of a Village or Town, and thereafter not more than 5 additional CRDs of 300 acres or less may be approved prior to each subsequent Village or Town. There shall be no more than 5 CRDs of more than 100 acres in size. The appropriateness of this limitation shall be reviewed in 5 years pursuant to Policy 1.22.~~

**Policy 4.7.4**

Existing urban areas, Towns and Villages shall be the preferred location for business and industry within the RLSA, to further promote economic sustainability and development, diversification and job creation. The business and industry use allowed includes, but is not limited to, those as defined as Florida Qualified Target Industries. The appropriate scale and compatibility of these uses within a Town or Village will be addressed during SRA application process.

**Policy 4.7.5**

To address the accommodation of Affordable Housing in a Town or Village, the SRA applicant shall utilize one of the following options:

- 1) Affordable Housing Land Reservation
  - a) Reservation of one or more site(s) within the SRA or within a proximal SRA in the RLSAO with densities and development standards that accommodate Affordable Housing residential uses at a minimum density of 10 units per acre, for acquisition by either Collier County, a Community Land Trust, a private developer or any other affordable housing provider.
  - b) The aggregate acreage of such site(s) shall be equal to or greater than 2.5% of the gross area of the SRA.
  - c) The acreage of land reserved for Affordable Housing will be considered as a Public Benefit Use and not require the consumption of Stewardship Credits but shall be included in the calculation of total SRA acreage.
  - d) The County shall verify the site(s) is/are appropriate and approve the site(s) at time of SRA approval, subject to standards to be established in the LDC.

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- e) Affordable Housing units shall be excluded from the Traffic Impact Statement or trip cap for the SRA in which they are located.
- 2) Alternatives proposed by the SRA Applicant
  - a) While compliance with the Land Reservation described above shall be deemed to satisfy affordable housing requirements, other options may be proposed by the SRA applicant and approved by the Board of County Commissioners to address housing affordability issues in the subject SRA.
- 3) The process and procedures to implement this policy, including a definition to be used to determine "proximal SRA" and specific guidelines and standards in those instances in which alternative options may be proposed, shall be set forth in the Rural Lands Stewardship Area Overlay Zoning District.

**Policy 4.8:**

An SRA may be contiguous to a FSA or HSA, but shall not encroach into such areas, and shall buffer such areas as described in Policy 4.13. A SRA may be contiguous to and served by a WRA ~~without requiring the WRA to be designated as a SRA in accordance with Policy 3.12 and 3.13.~~

**Policy 4.9:**

A SRA must contain sufficient suitable land to accommodate the planned development in an environmentally acceptable manner. The primary means of directing development away from wetlands and critical habitat is the prohibition of locating SRAs in FSAs, HSAs, and WRAs unless the WRA is being used to provide water quality treatment volume as referenced in Policy 3.13, in which case the WRA shall retain its WRA Overlay classification and be included in the SRA acreage total. To further direct development away from wetlands and critical habitat, residential, commercial, manufacturing/light industrial, group housing, and transient housing, institutional, civic and community service uses within a SRA shall not be sited on lands that receive a Natural Resource Index value of greater than 1.2. In addition, conditional use essential services and governmental essential services, with the exception of those necessary to serve permitted uses and for public safety, shall not be sited on lands that receive a Natural Resource Index value of greater than 1.2. Infrastructure necessary to serve permitted uses may be exempt from this restriction, provided that designs seek to minimize the extent of impacts to any such areas. The Index value of greater than 1.2 represents those areas that have a high natural resource value as measured pursuant to Policy 1.8. Less than 2% of potential SRA land achieves an Index score of greater than 1.2.

**Policy 4.10:**

Within the RLSA Overlay, open space, which by definition shall include public and private conservation lands, underdeveloped areas of designated SSAs, agriculture, water retention and management areas and recreation uses, will continue to be the dominant land use. Therefore, open space adequate to serve the forecasted population and uses within the SRA is provided. To ensure that SRA residents have such areas proximate to their homes, open space shall also comprise a minimum of thirty-five percent of the gross acreage of an individual SRA Town, or Village, ~~or those CRDs exceeding 100 acres.~~ Lands within a SRA greater than one acre with Index values of greater than 1.2 shall be retained as open space except for the allowance of uses described in Policy 4.9. ~~As an incentive to encourage open space, such uses within a SRA, located outside of the ACSC, exceeding the required thirty five percent shall not be required to consume Stewardship Credits.~~

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**Policy 4.11:**

The perimeter of each SRA shall be designed to provide a transition from higher density and intensity uses within the SRA to lower density and intensity uses on adjoining property. The edges of SRAs shall be well defined and designed to be compatible with the character of adjoining property. Techniques such as, but not limited to setbacks, landscape buffers, and recreation/open space placement may be used for this purpose. Where existing agricultural activity adjoins a SRA, the design of the SRA must take this activity into account to allow for the continuation of the agricultural activity and to minimize any conflict between agriculture and SRA uses.

**Policy 4.12:**

Where a SRA adjoins a FSA, HSA, WRA or existing public or private conservation land delineated on the Overlay Map, best management and planning practices shall be applied to minimize adverse impacts to such lands. SRA design shall demonstrate that ground water table draw down or diversion will not adversely impact the adjacent FSA, HSA, WRA or conservation land. Detention and control elevations shall be established to protect such natural areas and be consistent with surrounding land and project control elevations and water tables.

**Policy 4.13:**

Open space within or contiguous to a SRA shall be used to provide a buffer between the SRA and any adjoining FSA, HSA, or existing public or private conservation land delineated on the Overlay Map. Open space contiguous to or within 300 feet of the boundary of a FSA, HSA, or existing public or private conservation land may include: natural preserves, lakes, golf courses provided no fairways or other turf areas are allowed within the first 200 feet, passive recreational areas and parks, required yard and set-back areas, and other natural or man-made open space. Along the west boundary of the FSAs and HSAs that comprise Camp Keais Strand, i.e., the area south of Immokalee Road, this open space buffer shall be 500 feet wide and shall preclude golf course fairways and other turf areas within the first 300 feet.

**Policy 4.14:**

The SRA must have either direct access to a County collector or arterial road or indirect access via a road provided by the developer that has adequate capacity to accommodate the proposed development in accordance with accepted transportation planning standards. At the time of SRA approval, an SRA proposed to adjoin land designated as an SRA or lands designated as Open Lands shall provide for the opportunity to provide direct vehicular and pedestrian connections from said areas to the County's arterial/collector roadway network as shown on the MPO's LRTP Needs Plan so as to reduce travel time and travel expenses, improve interconnectivity, increase internal capture, and keep the use of county arterial roads to a minimum when traveling between developments in the RLSA.

Public and private roads within an SRA shall be maintained by the SRA it serves. Signalized intersections within or adjacent to an SRA that serves the SRA shall be maintained by the SRA it serves. No SRA shall be approved unless the capacity of County collector or arterial road(s) serving the SRA is demonstrated to be adequate in accordance with the Collier County Concurrency Management System in effect at the time of SRA designation. A transportation impact assessment meeting the requirements of Section 2.7.3 of the LDC, or its successor regulation shall be prepared for each proposed SRA to provide the necessary data and analysis. To the extent required to mitigate an SRA's traffic impacts, actions may be taken to include, but shall not be limited to, provisions for the construction and/or permitting of wildlife crossings, environmental mitigation credits, right of way dedication(s), water management and/or fill material

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which may be needed to expand the existing or proposed roadway network. Any such actions to offset traffic impacts shall be memorialized in a developer contribution agreement. These actions shall be considered within the area of significant influence of the project traffic on existing or proposed roadways.

**Policy 4.15.1:**

SRAs are intended to be mixed use and shall be allowed the full range of uses permitted by the Urban Designation of the FLUE, as modified by Policies 4.7, 4.7.1, 4.7.2, and 4.7.3, 4.7.4 and Attachment C. An appropriate mix of retail, office, recreational, civic, governmental, and institutional uses will be available to serve the daily needs and community wide needs of residents of the RLSA. Depending on the size, scale, and character of a SRA, such uses may be provided either within the specific SRA, within other SRAs in the RLSA or within the Immokalee Urban Area provided the capacity of those adjoining area's facilities as described in Attachment C to be utilized by the newly created SRA can demonstrate sufficient capacity exists for their desired uses per the standards of Attachment C. By example, each Village or Town shall provide for neighborhood retail/office uses to serve its population as well as appropriate civic and institutional uses, however, the combined population of several Villages ~~and Hamlets~~ may be required to support community scaled retail or office uses in a nearby Town. Standards for the minimum amount of non-residential uses in each category are set forth in Attachment C, and shall be also included in the Stewardship LDC District.

**Policy 4.15.2:**

The Board of County Commissioners (BCC) may, as a condition of approval and adoption of an SRA development, require that suitable areas for parks, schools, and other public facilities be set aside, improved, and/or dedicated for public use. When the BCC requires such a set aside for one or more public facilities, the set aside shall be subject to the same provisions of the LDC as are applicable to public facility dedications required as a condition for PUD rezoning.

**Policy 4.15.3:**

Applicants for SRA designation shall coordinate with Collier County School Board staff to allow planning to occur to accommodate any impacts to the public schools as a result of the SRA. As a part of the SRA application, the following information shall be provided:

1. Number of residential units by type;
2. An estimate of the number of school-aged children for each type of school impacted (elementary, middle, high school); and
3. The potential for locating a public educational facility or facilities within the SRA, and the size of any sites that may be dedicated, or otherwise made available for a public educational facility.

**Policy 4.16:**

A SRA shall have adequate infrastructure available to serve the proposed development, or such infrastructure must be provided concurrently with the demand. The level of infrastructure provided will depend on the form of SRA development, accepted civil engineering practices, and LDC requirements. The capacity of essential services and infrastructure necessary to serve the SRA at build-out must be demonstrated during the SRA designation process. Infrastructure to be analyzed includes but not limited to, transportation, potable water, wastewater, irrigation water, stormwater management, and solid waste. Transportation infrastructure is discussed in Policy 4.14. Centralized or decentralized community water and wastewater utilities are required in

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Towns, ~~and Villages, and those CRDs exceeding one hundred (100) acres in size,~~ and may be required in CRDs ~~that are one hundred (100) acres or less in size,~~ depending upon the permitted uses approved within the CRD. Centralized or decentralized community water and wastewater utilities shall be constructed, owned, operated and maintained by a private utility service, the developer, a Community Development District, the Immokalee Water Sewer Service District, Collier County, or other governmental entity. Innovative alternative water and wastewater treatment systems such as decentralized community treatment systems shall not be prohibited by this Policy provided that they meet all applicable regulatory criteria. Individual potable water supply wells and septic systems, limited to a maximum of 100 acres of any Town, Village or CRD of 100 acres are permitted on an interim basis until services from a centralized/decentralized community system are available. Individual potable water supply wells and septic systems ~~are permitted in Hamlets and~~ may be permitted in CRDs of 100 acres or less in size.

**Policy 4.17:**

The BCC will review and approve SRA designation applications in accordance with the provisions of Policy 1.4-2 of the Capital Improvement Element of the GMP and public facilities pursuant to Policy 1.1 of the Capital Improvement Element in addition to the following: jails, law enforcement, emergency medical services, fire service, government buildings and libraries. ~~for Category A public facilities.~~ Final local development orders will be approved within a SRA designated by the BCC in accordance with the Concurrency Management System of the GMP and LDC in effect at the time of final local development order approval.

**Policy 4.18:**

The SRA will be planned and designed to be fiscally neutral or positive to Collier County at the SRA horizon year based on a public facilities impact assessment, as identified in LDC 4.08.07.K. The BCC may grant exceptions to this Policy to accommodate affordable housing, as it deems appropriate. Techniques that may promote fiscal neutrality such as Community Development Districts, and other special districts, shall be encouraged. At a minimum, the assessment shall consider the following public facilities and services: transportation, potable water, wastewater, irrigation water, stormwater management, solid waste, parks, law enforcement, and schools. Development phasing, developer contributions and mitigation, and other public/private partnerships shall address any potential adverse impacts to adopted levels of service standards.

In the event that an SRA development, generates surplus revenues to Collier County, Collier County may choose to allocate a portion of such surplus revenues to ensure that sufficient resources are available to allow Collier County to respond expeditiously to economic opportunities and to compete effectively for high-value research, development and commercialization, innovation, and alternative and renewable energy business projects.

**Policy 4.19:**

Eight (8) credits shall be required for each acre of land included in a SRA, where such Credits were created from a Stewardship Sending Area submitted for review or approved prior to (the adoption date of this Ordinance). ~~Ten Credits per acre shall be required for each acre of land included in an SRA, where such Credits were created from any other Stewardship Sending Area, except for open space in excess of the required thirty five percent as described in Policy 4.10 or for IL~~ and that is designated for a public benefit use described in Policy 4.20 do not require the use of Credits. In order to promote compact, mixed use development and provide the necessary support facilities and services to residents of rural areas, the SRA designation entitles a full range of uses, accessory uses and associated uses that provide a mix of services to and

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are supportive to the residential population of a SRA, as provided for in Policies 4.7, ~~4.15~~ 4.15.1 and Attachment C. Such uses shall be identified, located and quantified in the SRA master plan.

**Policy 4.20:**

The acreage of a public benefit use shall ~~not~~ count toward the maximum acreage limits of an SRA, unless such public benefit uses were approved as part of an SRA approved prior to [adoption date of this Ordinance] in which case such public benefit uses shall continue to be excluded from the maximum acreage limitation pursuant to the policy in effect at the time of approval, described in Policy 4.7, but Public benefit uses shall not count toward the consumption of Stewardship Credits. For the purpose of this Policy, public benefit uses include: affordable housing as defined in the LDC, public schools (preK-12) and public or private post secondary institutions, including ancillary uses; community parks exceeding the minimum acreage requirements of Attachment C, municipal golf courses; regional parks; and governmental facilities excluding essential services as defined in the LDC. The location of public schools shall be coordinated with the Collier County School Board, based on the interlocal agreement, Section 163.3248~~163.3177~~ F.S. and in a manner consistent with 235.193 F.S. Schools and related ancillary uses shall be encouraged to locate in or proximate to Towns, and Villages, and Hamlets, subject to applicable zoning and permitting requirements.

**Policy 4.21:**

Lands within the ACSC that meet all SRA criteria shall also be restricted such that credits used to entitle a SRA in the ACSC must be generated exclusively from SSAs within the ACSC. Further, the only form of SRA allowed in the ACSC east of the Okaloacoochee Slough shall be ~~Hamlets and CRDs~~ of 100 acres or less and the only form of SRA allowed in the ACSC west of the Okaloacoochee Slough shall be CRDs and Villages and ~~CRDs~~ of not more than 300 acres ~~and Hamlets~~. Provided, not more than 1,000 acres of SRA development in the form of Villages or CRDs ~~however, that two Villages or CRDs of not more than 500 acres each,~~ exclusive of any lakes created prior to ~~the effective date of this amendment~~ June 30, 2002 as a result of mining operations, shall be allowed in areas that have a frontage on State Road 29 and that, ~~as of the effective date of these amendments,~~ had been predominantly cleared as a result of Ag Group I or Earth Mining or Processing Uses. This Policy is intended to assure that the RLSA Overlay is not used to increase the development potential within the ACSC but instead is used to promote a more compact form of development as an alternative to the Baseline Standards already allowed within the ACSC. No policy of the RLSA Overlay shall take precedence over the Big Cypress ACSC regulations and all regulations therein shall apply.

**Policy 4.22**

When historic or cultural resources are identified within the RLSA through the SRA designation process, the applicant in conjunction with the Florida Division of Historic Resources will assess the historic or cultural significance and explore the educational and public awareness opportunities regarding significant resources.

**Policy 4.23**

Any development on lands participating in the RLS Program shall be compatible with surrounding land uses. Within one year of the effective date of this Policy LDC regulations shall be implemented for outdoor lighting to protect the nighttime environment, conserve energy, and enhance safety and security.

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**Group 5 – Policies that protect water quality and quantity and the maintaining of the natural water regime and protect listed animal and plant species and their habitats on land that is not voluntarily included in the Rural Lands Stewardship Area program.**

**Policy 5.1:**

To protect water quality and quantity and maintenance of the natural water regime in areas mapped as FSAs ~~and designated Restoration Areas as shown on the Overlay Map~~ prior to the time that they are designated as SSAs under the Stewardship Credit Program. Residential Uses, General Conditional Uses, Earth Mining and Processing Uses, and Recreational Uses (layers 1-4) as listed in the Matrix shall be eliminated in FSAs. Conditional use essential services and governmental essential services, except those necessary to serve permitted uses or for public safety, shall ~~only~~ not be allowed in FSAs. Infrastructure necessary to serve permitted uses may be exempt from this restriction, provided that designs seek to minimize the extent of impacts to any such areas. ~~with a Natural Resource Stewardship Index value of 1.2 or less.~~ Where practicable, directional-drilling techniques and/or previously cleared or disturbed areas shall be utilized for oil or gas extraction in FSAs in order to minimize impacts to native habitats. Asphaltic and concrete batch making plants shall be prohibited in areas mapped as HSAs. The opportunity to voluntarily participate in the Stewardship Credit Program, as well as the right to sell conservation easements or a free or lesser interest in the land, shall constitute compensation for the loss of these rights.

**Policy 5.2:**

To protect water quality and quantity and maintenance of the natural water regime and to protect listed animal and plant species and their habitats in areas mapped as FSAs, HSAs, and WRAs on the Overlay Map that are within the ACSC, all ACSC regulatory standards shall apply, including those that strictly limit non-agricultural clearing.

**Policy 5.3:**

To protect water quality and quantity and maintenance of the natural water regime and to protect listed animal and plant species and their habitats in areas mapped as FSAs, HSAs, and WRAs on the Overlay Map that are not within the ACSC, if a property owner proposes to utilize such land for a non-agricultural purpose under the Baseline Standards referenced in Policy 1.5 and does not elect to use the Overlay, ~~these Group 5 policies following regulations are applicable,~~ shall be incorporated into the LDC, and shall supersede any comparable existing County regulations that would otherwise apply. These regulations shall only apply to non-agricultural use of land prior to its inclusion in the Overlay system:

1. Site clearing and alteration shall be limited to 20% of the property and nonpermeable surfaces shall not exceed 50% of any such area.
2. Except for roads and lakes, any nonpermeable surface greater than one acre shall provide for release of surface water runoff, collected or uncollected, in a manner approximating the natural surface water flow regime of the surrounding area.
3. Revegetation and landscaping of cleared areas shall be accomplished with predominantly native species and planting of undesirable exotic species shall be prohibited.
4. An Environmental Impact Statement shall be prepared by the applicant and reviewed by Collier County in accordance with County regulations.
5. Roads shall be designed to allow the passage of surface water flows through the use of equalizer pipes, interceptor spreader systems or performance equivalent structures.

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**Policy 5.4:**

Collier County will coordinate with appropriate State and Federal agencies concerning the provision of wildlife crossings at locations determined to be appropriate. A map of these potential crossing locations will be initiated by [12 months of the adoption of this Ordinance], updated periodically, and shall be incorporated into community, cultural and historical, and transportation planning for the RLSA, including all SRAs described in Group 4 Policies.

**Policy 5.5:**

For those lands that are not voluntarily included in the Rural Lands Stewardship program, non-agricultural development, excluding individual single family residences, shall be directed away from the listed species and species of special local concern (SSLC), as defined by Florida Fish and Wildlife Commission, and their habitats by complying with the following guidelines and standards.

1. A wildlife survey shall be required for all parcels when listed species or SSLC are known to inhabit biological communities similar to those existing on site or where listed species or SSLC are utilizing ~~directly observed on the site~~. The survey shall be conducted in accordance with the requirements of the Florida Fish and Wildlife Conservation Commission (FFWCC) and U.S. Fish and Wildlife Service (USFWS) guidelines. The County shall notify the FFWCC and USFWS of the existence of any listed species or SSLC that may be discovered.
2. Wildlife habitat management plans for listed species or SSLC and for those protected species identified below shall be submitted for County approval. A plan shall be required for all projects where the wildlife survey indicates listed species or SSLC or the protected species identified below are utilizing the site, or the site contains potential habitat for listed species. These plans shall describe how the project directs incompatible land uses away from listed species or SSLC and their habitats. Management plans for new preserves shall also outline a public awareness program to educate residents about the on-site preserve and the need to maintain habitat within the preserve for listed species and those protected species identified below.
  - a. Management plans for new preserves shall incorporate proper techniques to protect listed species, or SSLC and those protected species identified below, and their habitats from the negative impacts of proposed development. The most current and completed data and local, state, and federal guidelines and regulations shall be utilized to prepare the required management plans. ~~Open space and vegetation preservation requirements shall be used to establish buffer areas between wildlife habitat areas and areas dominated by human activities.~~ Provisions such as fencing, walls, or other obstructions shall be provided to minimize development impacts to the wildlife and to facilitate and encourage wildlife to use wildlife corridors. Appropriate roadway crossings, underpasses and signage shall be used where roads must cross wildlife corridors. Mitigation for impacting listed species or SSLC habitat shall be considered in the management plans, as appropriate.
  - i. Management guidelines contained in publications used by the FFWCC and USFWS for technical assistance shall be used for developing required management plans.

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- (XIII) ii. The County shall consider any other techniques recommended by the USFWS and FFWCC, subject to the provision of paragraph 3 of this Policy.
- (XIII) iii. When listed species or SSLC are utilizing a ~~directly observed on-site~~ or indicated by evidence, such as denning, foraging, or other indications, a minimum of 40% of native vegetation on site shall be retained, with the exception of clearing for agricultural purposes. The County shall also consider the recommendation of other agencies, subject to the provisions of paragraph 3 of this Policy.
- b. Management plans shall include provisions for minimizing human and wildlife interactions. Low intensity land uses (e.g. parks, passive recreation areas, golf courses) and vegetation preservation requirements, including agriculture, shall be used to establish buffer areas between wildlife habitat areas and areas dominated by human activities. Consideration shall be given to the most current Florida Fish and Wildlife Commission guidelines and regulations on techniques to reduce human wildlife conflict. The management plans shall also require the dissemination of information to local residents, businesses and governmental services about the presence of wildlife and practices (such as appropriate waste disposal methods) that enable responsible coexistence with wildlife, while minimizing opportunities for negative interaction, such as appropriate waste disposal practices.
- c. The Management Plans shall contain a monitoring program for developments greater than ten acres.
- ~~b. For parcels containing gopher tortoises (Gopherus polyphemus), habitat management plans are required and shall give priority to protecting the largest most contiguous gopher tortoise habitat with the greatest number of active burrows, and for providing a connection to off site adjacent gopher tortoise preserves.~~
- ~~c. Habitat preservation plans for the Florida scrub jay (Aphelocoma coerulescens) are required and shall provide for a maintenance program and specify appropriate fire or mechanical protocols to maintain the natural scrub community.~~
- ~~d. For the bald eagle (Haliaeetus leucocephalus), habitat management plans are required and shall establish protective zones around the eagle nest restricting certain activities. The plans shall also address restricting certain types of activities during the nest season.~~
- ~~e. For the red-cockaded woodpecker (Picoides borealis), habitat protection plans are required and shall outline measures to avoid adverse impacts to active clusters and to minimize impacts to foraging habitat. Where adverse effects cannot be avoided, measures shall be taken to minimize on-site disturbance and compensate or mitigate for impacts that remain.~~
- ~~f. In areas where the Florida black bear (Ursus americanus floridanus) may be present, management plans are required and shall require that garbage be placed in bear-resistant containers where such containers are available and accepted for use by Collier County, or containers stored in locations not easily accessible to bears. The management plan shall also identify methods to inform local residents of the concerns related to interaction between black bears and humans.~~

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- ~~g. For projects located in Priority I or Priority II Panther Habitat areas, management plans are required and shall discourage the destruction of undisturbed, native habitats that are preferred by the Florida panther (*Felis concolor coryi*) by directing intensive land uses to currently disturbed areas. Preferred habitats include pine flatwoods and hardwood hammocks. In turn, these areas shall be buffered from the most intense land uses of the project by using low intensity land uses (e.g., parks, passive recreational areas, golf courses). Golf courses within the Rural Lands Area shall be designed and managed using standards found within this Overlay. The management plans shall identify appropriate lighting controls for these permitted uses and shall also address the opportunity to utilize prescribed burning to maintain fire adapted preserved vegetation communities and provide browse for white-tailed deer.~~
- ~~h. The Management Plans shall contain a monitoring program for developments greater than ten (10) acres.~~
3. The County shall, consistent with applicable policies of this Overlay, consider and utilize recommendations and letters of technical assistance from the Florida Fish and Wildlife Conservation Commission and recommendations from the US Fish and Wildlife Service in issuing development orders on property containing utilized by listed species or SSLC. It is recognized that these agency recommendations, on a case by case basis, may ~~change~~ strengthen the requirements contained within these wildlife protection policies and any such change shall be deemed consistent with the Growth Management Plan. However, no reduction of the wildlife protection policies of Policy 5.5 will be considered as these shall constitute minimum standards for wildlife protection.

**Policy 5.6:**

For those lands that are not voluntarily included in the Rural Lands Stewardship program, Collier County shall direct non-agricultural land uses away from high functioning wetlands by limiting direct impacts within wetlands. A direct impact is hereby defined as the dredging or filling of a wetland or adversely changing the hydroperiod of a wetland. This Policy shall be implemented as follows:

1. There are two (2) major wetlands systems within the RLSA, Camp Keais Strand and the Okaloacoochee Slough. These two systems have been mapped and are designated as FSA's. Policy 5.1 prohibits certain uses within the FSA's, thus preserving and protecting the wetlands functions within those wetland systems.
2. The other significant wetlands within the RLSA are WRA's as described in Policy 3.3. These areas are protected by existing SFWMD, ~~wetlands permits~~ Environmental Resource Permit for each area.
3. FSAs, HSAs and WRAs, as provided in Policy 5.3, and the ACSC have stringent site clearing and alteration limitations, nonpermeable surface limitations, and requirements addressing surface water flows which protect wetland functions within the wetlands in those areas. Other wetlands within the RLSA are isolated or seasonal wetlands. These wetlands will be protected based upon the wetland functionality assessment described below, and the final permitting requirements of the South Florida Water Management District.

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- a. The County shall apply the vegetation retention, open space and site preservation requirements specified within this Overlay to preserve an appropriate amount of native vegetation on site. Wetlands shall be preserved as part of this vegetation requirement according to the following criteria:
  - i. The acreage requirements specified within this Overlay shall be met by preserving wetlands with the highest wetland functionality scores. Wetland functionality assessment scores shall be those described in paragraph b of this Policy. The vegetative preservation requirements imposed by Policies 5.3 and 5.5 shall first be met through preservation of wetlands having a WRAP functionality assessment score of 0.65 or a Uniform Wetland Mitigation Assessment Method score of 0.7, or greater. The County shall apply specific criteria in the LDC to be used to determine those instances in which wetlands with a WRAP functionality assessment score of 0.65 or a Uniform Wetland Mitigation Assessment Method score of 0.7, or greater must be preserved in excess of the preservation required by Policy 5.3.
  - ii. Wetlands and contiguous upland buffers that are used by listed species or SSLC, or serving as corridors for the movement of listed species or SSLC, shall be preserved on site. Wetland flowway functions through the project shall be maintained.
  - iii. Proposed development shall demonstrate that ground water table drawdowns or diversions will not adversely change the hydoperiod of preserved wetlands on or offsite. Detention and control elevations shall be set to protect surrounding wetlands and be consistent with surrounding land and project control elevations and water tables. In order to meet these requirements, projects shall be designed in accordance with Sections 10.2.2.4 of the *Environmental Resource Permit Applicant's Handbook Volume I*, and Sections 3.11 and 3.12 of the *Environmental Resource Permit Applicant's Handbook Volume II for use within the Geographic Limits of the South Florida Water Management District* (2014). Upland vegetative communities may be utilized to meet the vegetative, open space and site preservation requirements of this Overlay when the wetland functional assessment score is less than 0.65.
- b. In order to assess the values and functions of wetlands at the time of project review, applicants shall rate functionality of wetlands using the South Florida Water Management District's Wetland Rapid Assessment Procedure (WRAP), as described in Technical Publication Reg-001, dated ~~September 1997~~, and updated August 1999 as amended, or the Uniform Wetland Mitigation Assessment Method, identified as F.A.C. Chapter 62-345. The applicant shall submit to County staff agency-accepted WRAP scores, or Uniform Wetlands Mitigation Assessment scores. County staff shall review this functionality assessment as part of the County's ~~EIS-Environmental Data~~ provisions and shall use the results to direct incompatible land uses away from the highest functioning wetlands according to the requirements found in paragraph 3 above.
- c. All direct impacts shall be mitigated for pursuant to the requirements of paragraph (f) of this Policy.
- d. Single family residences shall follow the requirements contained within Policy 6.2.7 of the Conservation and Coastal Management Element.

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- e. The County shall separate preserved wetlands from other land uses with appropriate buffering requirements. The County shall require a minimum 50-foot vegetated upland buffer abutting a natural water body, and for other wetlands a minimum 25-foot vegetated upland buffer abutting to the wetland. A structural buffer may be used in conjunction with a vegetative buffer that would reduce the vegetative buffer width by 50%. A structural buffer shall be required abutting wetlands where direct impacts are allowed. Wetland buffers shall conform to the following standards:
- i. The buffer shall be measured landward from the approved jurisdictional line.
  - ii. The buffer zone shall consist of preserved native vegetation. Where native vegetation does not exist, native vegetation compatible with the existing soils and expected hydrologic conditions shall be planted.
  - iii. The buffer shall be maintained free of Category I invasive exotic plants, as defined by the Florida Exotic Pest Plant Council.
  - iv. The following land uses are considered to be compatible with wetland functions and are allowed within the buffer:
    - (1) Passive recreational areas, boardwalks and recreational shelters;
    - (2) Pervious nature trails;
    - (3) Water management structures;
    - (4) Mitigation areas;
    - (5) Any other conservation and related open space activity or use which is comparable in nature with the foregoing uses.
  - v. A structural buffer may consist of a stem-wall, berm, or vegetative hedge with suitable fencing.
- f. Mitigation shall be required for direct impacts to wetland in order to result in no net loss of wetland functions.

Mitigation Requirements:

- i. "No net loss of wetland functions" shall mean that the wetland functional score of the proposed mitigation equals or exceeds the wetland functional score of the impacted wetlands. Priority shall be given to mitigation within FSA's and HSA's.
- ii. Loss of storage or conveyance volume resulting from direct impacts to wetlands shall be compensated for by providing an equal amount of storage or conveyance capacity on site and within or abutting the impacted wetland.
- iii. Protection shall be provided for preserved or created wetland or upland vegetative communities offered as mitigation by placing a conservation easement over the land in perpetuity, providing for initial exotic plant removal (Class I invasive exotic plants defined by the Florida Exotic Plan Council) and continuing exotic plant maintenance, or by appropriate ownership transfer to a state or federal agency along with sufficient funding for perpetual management activities.
- iv. Exotics removal or maintenance may be considered acceptable mitigation.

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- v.iv. Prior to issuance of any final development order that authorizes site alteration, the applicant shall demonstrate compliance with paragraphs ~~(f) f. i, ii, and iii~~ of this Policy and SFWMD standards. If agency permits have not provided mitigation consistent with this Policy, Collier County will require mitigation exceeding that of the jurisdictional agencies.
- g. Wetland preservation, buffer areas, and mitigation areas shall be identified or platted as separate tracts. In the case of a Planned Unit Development (PUD), these areas shall also be depicted on the PUD Master Plan. These areas shall be maintained free from trash and debris and from Category I invasive exotic plants, as defined by the Florida Exotic Pest Plant Council. Land uses allowed in these areas shall be limited to those listed above (3.e.iv.) and shall not include any other activities that are detrimental to drainage, flood, control, water conservation, erosion control or fish and wildlife habitat conservation and preservation.
4. All landowners shall be encouraged to consider participating in any programs that provide incentives, funding or other assistance in facilitating wetland and habitat restoration on private lands including, but not limited to, federal farm bill agricultural conservation programs, private or public grants, tax incentives, easements, and fee or less than fee sale to conservation programs.

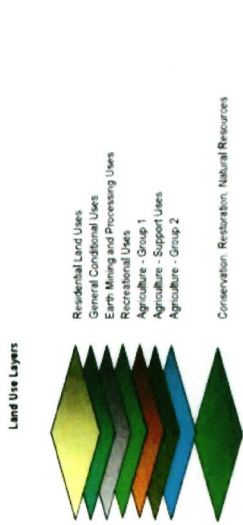
**Policy 5.7**

Any development not participating in the RLS Program shall be compatible with surrounding land uses. Within one year of the effective date of this Policy, LDC regulations shall be implemented for outdoor lighting to protect the nighttime environment, conserve energy, and enhance safety and security.

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## Collier County Rural Lands Stewardship Overlay Stewardship Credit Worksheet

05/10/21



**Stewardship Credit Matrix**

Land Use Layers	Base Credits	Stewardship Overlay Designation	Proximity	Limited Species Habitat	Salt & Surface Water	Land Use Stewardship Overlay	Land Use (FLUGCS)	Total Index Score	Credits After Stewardship Overlay Removed	Layers Eliminated (X)	Stewardship Credits for Land Use Layers Removed
Residential Land Uses	0.2						0.0	0.0	0.0		0.0
General Conditional Uses	0.2						0.0	0.0	0.0		0.0
Earth Mining and Processing Uses	0.1						0.0	0.0	0.0		0.0
Recreational Uses	0.1						0.0	0.0	0.0		0.0
Agriculture - Group 1	0.2						0.0	0.0	0.0		0.0
Agriculture - Support Uses	0.1						0.0	0.0	0.0		0.0
Agriculture - Group 2	0.1						0.0	0.0	0.0		0.0
<b>Total of all Layers</b>	<b>1.0</b>						<b>0.0</b>	<b>0.0</b>	<b>0.0</b>		<b>0.0</b>

Step #2

The calculation number of Stewardship Credits for each layer is calculated based on the acres of land within the parcel that the layer covers. Stewardship Credits are granted for each layer removed.

Step #1

Enter X for the Appropriate Factor (Only one for each Index)

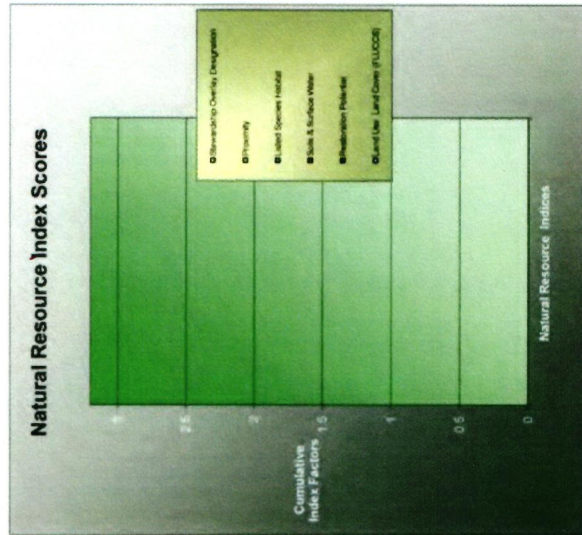
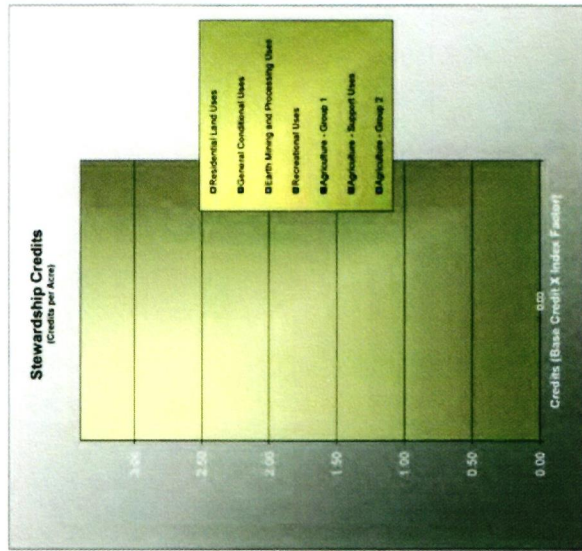
**Stewardship Natural Resource Index Factors**

Proximity to Stewardship Area (ESA)	0.1
Proximity to Stewardship Area (HSA)	0.1
Proximity to Stewardship Area (HSA) within 300 feet of public or private preserved land	0.2
None of the above	0.0
<b>Proximity Index</b>	<b>0.4</b>
Excessed by FSA, HSA, or WSA	0.3
Within 300 feet of FSA or HSA	0.2
Within 300 feet of public or private preserved land	0.2
None of the above	0.0
<b>Land Species Habitat Index</b>	<b>0.8</b>
Parish occupied habitat (restored and preserved) plus other listed species	0.5
Parish occupied habitat (restored and preserved)	0.4
Other documented listed species habitat	0.0
None of the above	0.0
<b>Sensitivity Index</b>	<b>0.4</b>
Open Water and MCA Depression soils	0.4
Sand Depression soils	0.4
Flats (Transitional) soils	0.2
Non-hydric soils	0.0
<b>Restoration Potential Index</b>	<b>0.0</b>
Large natural corridor restoration areas	0.0
Connecter wetlands and towery restoration areas	0.0
Wading bird restoration areas	0.4
Other listed species restoration areas	0.0
None of the above	0.0
<b>Land Use - Land Cover Index</b>	<b>0.4</b>
FLUGCS Code Group 1	0.4
FLUGCS Code Group 2	0.3
FLUGCS Code Group 3	0.2
FLUGCS Code Group 4	0.0

The index is a Stewardship Index score for each layer, based on the acres of land within the parcel that the layer covers. Stewardship Credits are granted for each layer removed.

Step #1

Enter X for the Appropriate Factor (Only one for each Index)



- WORKSHEET INSTRUCTIONS**
1. Select a parcel with a single homogeneous land cover-type to be analyzed and select one appropriate factor from each category in the list of Natural Resource Index Factors (i.e. Stewardship Overlay Designation, Proximity Index, etc.)
  2. Select the individual Land Use Layers (X) to be eliminated from the parcel to yield the Stewardship Credits to be granted for each layer removed.
  3. Enter the number of acres being analyzed. The worksheet multiply the total Credits per acre by the number of acres in the parcel to yield the total Stewardship Credits.

**Attachment B  
Collier County Rural Lands Stewardship Overlay  
Land Use Matrix**

Residential Land Uses	General Conditional Uses	Earth Mining and Processing Uses	Recreational Uses	Agriculture Group 1	Agricultural Support Uses	Agricultural Group 2	Conservation, Restoration and Natural Resources
Single-family dwelling (P)	Family care facilities (P)	Excavation, extraction or earthmoving and related processing and production (CU)	Golf courses and/or golf driving ranges (CU)	Crop raising, horticulture; fruit and nut production; groves; nurseries; improved pasture (P)	Farm labor housing (A)	Unimproved pasture and grazing; forestry (P)	Wildlife management, plant and wildlife conservancies, refuges and sanctuaries (P)
Mobile homes (P in MH Overlay; A as temporary use)	Collection and transfer sites for resource recovery (CU)	Asphaltic and concrete batch making plants (CU)	Sports instructional schools and camps (CU)	Animal breeding (other than livestock), raising, training, stabling or kenneling (CU)	Retail sale of fresh, unprocessed agricultural products, grown primarily on the property (A)	Ranching; livestock raising (P) (CU)	Water management, groundwater recharge (P)
Private boathouses and docks on lake, canal or waterway lots (A)	Veterinary clinic (CU)		Sporting and recreational camps (CU)	Dairying; poultry and egg production; milk production (P) (CU)	Retail plant nurseries (CU)	Hunting cabins (CU)	Restoration, mitigation (P)
Recreational facilities integral to residential development, e.g. golf course, clubhouse, community center building and tennis facilities, parks, playgrounds and playfields (A)	Child care centers and adult day care centers (CU)			Aquaculture for native species (P) and non-native species (CU)	Packinghouse or similar agricultural processing of farm products produced on the property (A)	Cultural, educational, or recreational facilities and their related modes of transporting, viewers or patrons; tour operations, such as; but not limited to airboats, swamp buggies, horses and similar modes of transportation (CU)	Water supply, wellfields (P); oil and gas exploration (P)
Guesthouses (A)	Zoo, Aquarium, aviary, botanical garden, or other similar uses (CU)			The commercial production, raising or breeding of exotic animals (CU)	Sawmills (CU)	Excavation and related processing incidental to Ag (A)	Boardwalks, nature trails (P)
	Churches and other places of worship (CU)			Wholesale reptile breeding and raising – non-venomous (P) and venomous (CU)			Natural resources not otherwise listed (P)
	Communication towers (P) (CU)			Beekeeping (P)			Essential services (P and CU)
	Social and fraternal organizations (CU)						Oil and gas field development and production (CU)
	Private landing strips for general aviation (CU)						
	Cemeteries (CU)						
	Schools (CU)						
	Group care facilities, ALF (CU)						

Uses as listed in the Collier County Land Development Code – A, Rural Agricultural District; specific restrictions, conditions or limitations are set forth in the Land Development Code. (P) Principal Use, (A) Accessory Use, (CU) Conditional Use.

RILSAO Attachment B Final Adoption  
08/03/2020

CCPC Transmittal Hearing

08-710-31-02

Page 33 of 38

Collier County RLSA Overlay: Attachment B Proposed

Land Use Matrix

Layer 1 Residential Land Uses	Layer 2 General Conditional Uses	Layer 3 Earth Mining and Processing Uses	Layer 4 Recreational Uses	Layer 5 Agriculture Group 1	Layer 6 Agriculture Support Uses	Layer 7 Agriculture Group 2	Layer 8 Conservation, Restoration and Natural Resources
Single-family dwelling, incl mobile home (P)	Family care facilities (P)	Excavation, extraction or earthmoving and related processing and production (CU)	Golf courses and/or golf driving ranges (CU)	Crop raising, horticulture, fruit and nut production, groves, nurseries, improved pasture	Farm labor housing (A)	Unimproved pasture and grazing, forestry	Wildlife management, plant and wildlife conservancies, refuges and sanctuaries
Mobile homes (P in MH Overlay, A as temporary use)	Collection and transfer sites for resource recovery (CU)	Asphaltic and concrete batch making plants (CU)	Sports instructional schools and camps (CU)	Animal breeding (other than livestock), raising, training, stabling or kenneling	Retail sale of fresh, unprocessed agricultural products, grown primarily on the property (A)	Ranching, livestock raising	Water management, groundwater recharge
Private bathhouses and docks on lake, canal or waterway lots (A)	Veterinary clinic (CU)		Sporting and recreational camps (CU)	Dairying, beekeeping, poultry and egg production, milk production	Retail plant nurseries (CU)	Hunting cabins (CU)	Restoration, mitigation
Recreational facilities integral to residential development, e.g., golf course, clubhouse, community center building and tennis facilities, parks, playgrounds and playfields (A)	Child care centers and adult day care centers (CU)			<del>Agriculture for non-toxic species (P) and non-toxic species (CU)</del>	Packhouse or similar agricultural processing of farm products produced on the property (A)	Cultural, educational, or recreational facilities and their related modes of transporting participants, viewers or patrons, tour operations such as, but not limited to, airboats, swamp buggies, horses and similar modes of transportation (CU)	Water supply, wellfields, oil and gas exploration
Guesthouses (A)	Zoo, aquarium, aviary, botanical garden, or other similar uses (CU)			The commercial production, raising or breeding of exotic animals (CU)	Sawmills (CU)	Excavation and related processing incidental to Ag (A)	Boardwalks, nature trails
	Churches and other places of worship (CU)			Wholesale reptile breeding and raising - non-venomous (P) and venomous (CU)			Natural resources not otherwise listed
	Communications towers (P) (CU)						Essential services (P and CU)
	Social and fraternal organizations (CU)						Oil and gas field development and
	Private landing strips for general aviation (CU)						
	Cemeteries (CU)						
	Schools (CU)						
	Group care facilities, ALF (CU)						

Uses as listed in Collier County Land Development Code - Rural Agricultural District (P) Principal Use, (A) Accessory Use, (CU) Conditional Use

Attachment C

Collier County RLSA Overlay  
Stewardship Receiving Area Characteristics

Typical Characteristics	Town*	Village	Hamlet	Compact/Rural Development
Size (Gross Acres)	1,000-4,000 acres	100-1,000 acres**	40-100 acres**	Greater Than 100 Acres**
Residential Units (DUs) per gross acre base density	1-4 DUs per gross acre***	1-4 DUs per gross acre***	1/2 - 2 DU per gross acre***	1-4 DUs per gross acre***
Residential Housing Styles	Full range of single family and multi-family housing types, styles, lot sizes	Diversity of single family and multi-family housing types, styles, lot sizes	Single Family and limited multi-family	Single Family and limited multi-family****
Maximum Floor Area Ratio or Intensity	Retail & Office - .5 Civic/Governmental/Institution - .6 Manufacturing/Light Industrial - .45 Group Housing - .45 Transient Lodging - .26 upa net	Retail & Office - .5 Civic/Governmental/Institution - .6 Group Housing - .45 Transient Lodging - .26 upa net	Retail & Office - .5 Civic/Governmental/Institution - .6 Group Housing - .45 Transient Lodging - .26 upa net	Retail & Office - .5 Civic/Governmental/Institution - .6 Group Housing - .45 Transient Lodging - .26 upa net
Goods and Services	Town Center with Community and Neighborhood Goods and Services in Town and Village Centers: Minimum 65 SF gross building area per DU, Corporate Office, Manufacturing, and Light Industrial	Village Center with Neighborhood Goods and Services in Village Centers: Minimum 25 SF gross building area per DU	Convenience Goods and Services: Minimum 10 SF gross building area per DU	Village Center with Neighborhood Goods and Services in Village Centers: Minimum 25 SF gross building area per DU
Water and Wastewater	Centralized or decentralized community treatment system Interim Well and Septic	Centralized or decentralized community treatment systems Interim Well and Septic	Individual Well and Septic System; Centralized or decentralized community treatment system	Centralized or decentralized community treatment systems Interim Well and Septic
Recreation and Open Spaces	Community Parks (200 SF/DU) Parks & Public Green Spaces w/n Neighborhoods Active Recreation/Golf Courses Lakes Open Space Minimum 35% of SRA	Parks & Public Green Spaces w/n Neighborhoods (minimum 1% of gross acreage) Active Recreation/Golf Courses Lakes Open Space Minimum 35% of SRA	Public Green Space for Neighborhoods (minimum 1% of gross acres)	Active Recreation/Golf Courses Lakes Open Space Minimum 35% of SRA
Civic, Governmental and Institutional Services	Wide Range of Services - minimum 15 SF/DU Full Range of Schools	Moderate Range of Services - minimum 10 SF/DU Full Range of Schools	Limited Services Pre-K through Elementary Schools	Moderate Range of Services - minimum 10 SF/DU Pre-K through Elementary Schools
Transportation	Auto - interconnected system of collector and local roads; required connection to collector or arterial Interconnected sidewalk and pathway system County Transit Access	Auto - interconnected system of collector and local roads; required connection to collector or arterial Interconnected sidewalk and pathway system Equestrian Trails County Transit Access	Auto - interconnected system of local roads Pedestrian Pathways Equestrian Trails	Auto - interconnected system of collector and local roads; required connection to collector or arterial Interconnected sidewalk and pathway system Equestrian Trails County Transit Access

\* - Towns are prohibited within the ACS, per policy 4.7.1 of the Goals, Objectives, and Policies.  
 \*\* - Villages, Hamlets, and Compact Rural Developments within the ACS are subject to location and size limitations, per policy 4.21, and are subject to Chapter 28-25, FAC.  
 \*\*\* - Density can be increased beyond the base density through the Affordable Housing Density Bonus or through the density blending provision, per policy 4.7.  
 \*\*\*\* - Those CRDs that include single or multi-family residential uses shall include proportionate support services.  
 Underlined uses are not required uses.

Attachment C

Collier County RLSA Overlay: Attachment C Proposed Stewardship Receiving Area Characteristics

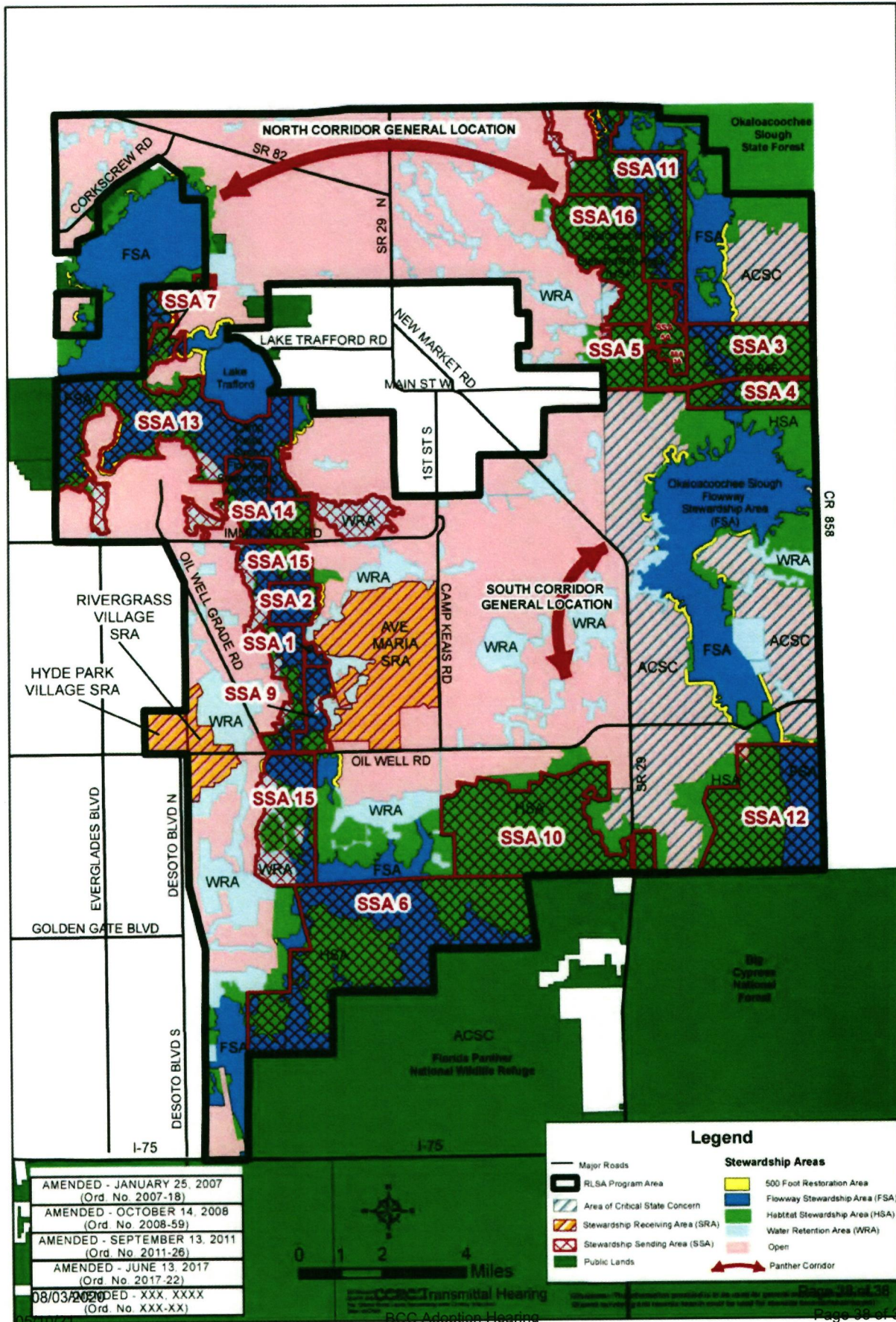
Typical Characteristics	Town*	Village	Hamlet	Compact Rural Development
Size (Gross Acres)	1,000-4,000 acres 1,500 - 5,000 acres	100-1,000 300-1,500 acres**	40-100 acres**	<b>Greater Than 100 Acres**</b>
Residential Units (DUs) per gross acre base density	1-4 DUs per gross acre***	1-4 DUs per gross acre***	1/2 - 2 DU per gross acre***	1-4 DUs per gross acre***
Residential Housing Styles	Full range of single family and multi-family housing types, styles, lot sizes	Diversity of single family and multi-family housing types, styles, lot sizes	Single Family and limited multi-family	Single Family and limited multi-family
Maximum Floor Area Ratio or Intensity	Retail & Office - .5 Civic/Governmental/Institution - .6 Manufacturing/Light Industrial - .45 Group Housing - .45 Transient Lodging - .26 upa net	Retail & Office - .5 Civic/Governmental/Institution - .6 Group Housing - .45 Transient Lodging - .26 upa net	Retail & Office - .5 Civic/Governmental/Institution - .6 Group Housing - .45 Transient Lodging - .26 upa net	Retail & Office - .5 Civic/Governmental/Institution - .6 Group Housing - .45 Transient Lodging - .26 upa net
Goods and Services	Town Center with Community and Neighborhood Goods and Services in Town and Village Centers: Minimum 66-170 SF gross building area per DU; Corporate Office, Manufacturing, Research, and Light Industrial	Village Center with Neighborhood Goods and Services in Village Centers: Minimum 26 SF gross building area per DU	Convenience Goods and Services: Minimum 10 SF gross building area per DU; Leisure, education, tourism/recreation	Village Center with Neighborhood Goods and Services in Village Centers: Minimum 26 SF gross building area per DU
Water and Wastewater	Centralized or decentralized community treatment system Interim Well and Septic	Centralized or decentralized community treatment systems Interim Well and Septic	Individual Well and Septic System; Centralized or decentralized community treatment system	Centralized or decentralized community treatment systems Interim Well and Septic
Recreation and Open Spaces	Community Parks (200 SF/DU), subject to Level of Service Requirements Parks & Public Green Spaces w/in Neighborhoods Active Recreation/Golf Courses Lakes Open Space Minimum 35% of SRA	Parks & Public Green Spaces w/in Neighborhoods (minimum 1% of gross acres) Active Recreation/Golf Courses Lakes Open Space Minimum 35% of SRA	Public Green Space for Neighborhoods (minimum 1% of gross acres)	Parks & Public Green Spaces w/in Neighborhoods (minimum 1% of gross acres) Active Recreation/Golf Courses Lakes Open Space Minimum 35% of SRA
Civic, Governmental and Institutional Services	Wide Range of Services - minimum 15 SF of gross land area /DU Full Range of Schools	Moderate Range of Services - minimum 10 SF/DU; Full Range of Schools	Limited Services; Pre-K through Elementary Schools	Moderate Range of Services - minimum 10 SF/DU Pre-K through Elementary Schools
Transportation	Auto - interconnected system of collector and local roads; required connection to collector or arterial Interconnected sidewalk and pathway system County Transit Access Station or Park and Ride Facility	Auto - interconnected system of collector and local roads; required connection to collector or arterial Interconnected sidewalk and pathway system Equestrian Trails County Transit Access Station or Park and Ride Facility	Auto - interconnected system of local roads Pedestrian Pathways Equestrian Trails County Transit Access	Auto - interconnected system of collector and local roads; required connection to collector or arterial Interconnected sidewalk and pathway system Equestrian Trails County Transit Access

\* - Towns are prohibited within the ACSC, per policy 4.7 of the Goals, Objectives, and Policies.  
 \*\* - Villages, Hamlets, and Compact Rural Developments located within the ACSC shall be no greater than 10% of the total site size and are subject to Chapter 28-25, FAC.  
 \*\*\* - Density can be increased through the Affordable Housing Density Bonus or through the density blending provisions.  
 \*\*\*\* - Those CRDs that include single or multi-family residential uses shall include proportionate support services.  
 Underlined /italicized uses are not required uses.  
 Text underlined is added, text in strikethrough is deleted.





# RURAL LANDS STEWARDSHIP AREA OVERLAY MAP



Note: The official designated titles of SSAs can be found within SSA Credit Agreements.



**FLORIDA DEPARTMENT *of* STATE**

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

July 19, 2021

Ms. Martha Vergara, BMR & VAB Senior Deputy Clerk  
Office of the Clerk of the Circuit Court  
& Comptroller of Collier County  
3329 Tamiami Trail E, Suite #401  
Naples, Florida 34112

Dear Ms. Vergara:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 2021-28, which was filed in this office on July 19, 2021.

Sincerely,

Anya Grosenbaugh  
Program Administrator

AG/lb

## JohnsonEric

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**From:** BosiMichael  
**Sent:** Thursday, May 12, 2022 2:06 PM  
**To:** JohnsonEric  
**Subject:** FW: Conservancy Comments and Recommendations to Improve the RLSAs Land Development Code Section 4.08.00  
**Attachments:** Attachment A - USFWS Fish and Wildlife Concerns re Longwater and Bellmar 3-1-21.pdf; Attachment B - Memo - 4-24-08 Hatcher-Roys to Greenwood.pdf; FW: Data & Analysis Requirements for the RLSA 5-Year ; 3-4-2022 RLSA LDC Amendment recommendations Conservancy.pdf

For the file

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**From:** FrenchJames <James.French@colliercountyfl.gov>  
**Sent:** Friday, March 4, 2022 6:32 PM  
**To:** ScottTrinity <Trinity.Scott@colliercountyfl.gov>  
**Cc:** PattersonAmy <Amy.Patterson@colliercountyfl.gov>; GuitardDonna <Donna.Guitard@colliercountyfl.gov>; LynchDiane <Diane.Lynch@colliercountyfl.gov>; BosiMichael <Michael.Bosi@colliercountyfl.gov>; CookJaime <Jaime.Cook@colliercountyfl.gov>  
**Subject:** FW: Conservancy Comments and Recommendations to Improve the RLSAs Land Development Code Section 4.08.00

FYI

Respectfully,  
Jamie

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James C. French  
Growth Management Department, Community Development  
2800 N. Horseshoe Drive, Naples, Florida 34104  
Office (239) 252-5717



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**From:** April Olson <[AprilO@conservancy.org](mailto:AprilO@conservancy.org)>  
**Sent:** Friday, March 4, 2022 10:47 AM  
**To:** BosiMichael <[Michael.Bosi@colliercountyfl.gov](mailto:Michael.Bosi@colliercountyfl.gov)>; CookJaime <[Jaime.Cook@colliercountyfl.gov](mailto:Jaime.Cook@colliercountyfl.gov)>; FrenchJames <[James.French@colliercountyfl.gov](mailto:James.French@colliercountyfl.gov)>  
**Cc:** nicole johnson <[nicolej@conservancy.org](mailto:nicolej@conservancy.org)>  
**Subject:** Conservancy Comments and Recommendations to Improve the RLSAs Land Development Code Section 4.08.00

**EXTERNAL EMAIL:** This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Dear Mr. Bosi, Ms. Cook, and Mr. French,

We are pleased to provide you with the "Conservancy's Recommendations to improve RLSA's Land Development Code Section 4.08.00", dated 3-4-2022. Also, included with this email are three Attachments referenced in our comment letter.

Please do not hesitate to contact us with any questions, or if you would like a follow up meeting, we are happy to schedule one with you.

Best regards,

**April**

**April Olson**  
Senior Environmental Planning Specialist  
Conservancy of Southwest Florida  
1495 Smith Preserve Way  
Naples, FL 34102  
(239) 262-0304, Ext 250



Protecting Southwest Florida's unique natural environment  
and quality of life...now and forever.

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Under Florida Law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by telephone or in writing.



*Protecting Southwest Florida's unique natural environment and quality of life ... now and forever.*

March 4, 2022

Michael Bosi, Planning Director  
Jamie Cook, Director Development Review  
Jamie French, Deputy Department Head  
Collier County Growth Management Department  
2800 North Horseshoe Drive  
Naples, FL 34104

RE: Conservancy's Recommendations to improve the RLSA's Land Development Code Section 4.08.00

Dear Mr. Bosi, Ms. Cook, and Mr. French:

Although the Rural Lands Stewardship Area (RLSA) Overlay is twenty years old, only recently has the program's effectiveness as a stewardship program truly been put to the test. Prior to the 5-Year Review (2007-2009), the RLSA had only one approved Stewardship Receiving Area (SRA), the Town of Ave Maria. However, as you know, during the second restudy (2018-2021), several more SRA applications were submitted to Collier County and were approved.<sup>1</sup> In addition, the County recently approved several Stewardship Sending Area (SSA) applications. These recent applications provide a wealth of information and reveal what is working and what improvements are necessary for the program to achieve its goals of wetland and habitat protection, retention of agricultural lands, and smart growth.

Through our in-depth reviews of these recent SSA and SRA applications, we discovered flaws within the RLSA program that will result in ineffective restoration plans and impacts to listed species habitat, *even* within the preserves (SSAs). Although there are these serious issues, the applications still generated substantial stewardship credits toward development.

Many of the issues boil down to loopholes and weak language within the Land Development Code (LDC). While, the Conservancy has solutions to improve the LDC, we understand that our recommendations may be outside of staff's scope of work, as the LDC amendments are only to implement the 2021 GMP RLSA Amendments. Unfortunately, because the adopted 2021 RLSA GMP Amendments are modeled after the outdated 2009

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<sup>1</sup> Rivergrass and Hyde Park Villages approved in 2020, followed Longwater and Bellmar Villages in 2021.

“5-Year Review Amendments,” the 2021 RLSA GMP amendments failed to address many of the current issues we raise in this document.

This document explains some of the ways in which recent SRA and SSA applications fail to align with the RLSA’s goals and objectives for habitat protection and restoration. Following each issue we present, we provide our recommendations to improve policies within Collier County’s LDC Section 4.08.00. If staff believes our recommendations to be outside of the scope this LDC Amendment process, we ask that staff consider our recommendations for the upcoming amendment cycle or the EAR.

In this document, we present the following issues:

- ISSUE #1: Restoration Plans that do not achieve stated outcomes.
- ISSUE #2: SSA Applications may still generate large numbers of restoration credits while providing minimal restoration work.
- ISSUE #3: The LDC should require measurable success criteria based on specific environmental outcomes instead of completed tasks.
- ISSUE #4: SSA Agreements and Easements must include perpetual maintenance agreements to manage and control exotic species.
- ISSUE #5: Although the Planning Commission acts as the County’s Environmental Advisory Committee, they do not review or hold hearings for SSA applications.
- ISSUE #6: SRAs may reduce habitat functionality in adjacent SSAs.
- ISSUE #7: LDC 4.08.01Q fails to conform to the RLSA’s goal.
- ISSUE # 8: Scores for Listed Species Habitat Indices must be increased to protect the endangered Florida panther.
- ISSUE #9: Issues with the proposed location of panther corridors. Conservancy provides recommendations for location of wildlife crossings.

While these issues are not all encompassing, we believe these to be the most significant issues pertaining to restoration and protection of natural resources. Following the explanation of each issue, **we provide our recommendation** for LDC Section 4.08.00 in **BLUE**.

### **ISSUE #1 - Restoration Plans that do not achieve stated outcomes:**

SSA15’s Amended restoration plan, approved by the BCC in 2021, provides an example of a restoration plan that does not measure up to its stated goals. SSA15 lands are within an important regional wetland flowway that connects National Audubon Society’s Corkscrew Swamp Sanctuary to Florida Panther National Wildlife Refuge and Fakahatchee Strand State Preserve. These lands are part of a large regional mammal corridor, called Camp

Keais Strand Corridor, for the endangered Florida panther and other mammals. Florida Forever targets Camp Keais Strand for protection and states in their five year plan *“the large, interconnected swamps of Southwest Florida must be preserved if such wildlife as the Florida panther and black bear are to survive.”*<sup>2</sup>

The applicant’s goal for SSA15’s Amended restoration plan is *“to return the natural/historic functions to degraded and altered habitats, which will in turn provide regional benefits for surface water flow and wildlife.”*<sup>3</sup> While the goal sounds promising, experts concluded that SSA15’s restoration plan would not fully restore Camp Keais Strand to natural and historic conditions. This is because the applicant withdrew their commitment of significant work to restore two large farm fields that impede flows within Camp Keais Strand to wetlands, even though the work was included in a 2016 version of the SSA15 Amendment application for the Town of Rural West.<sup>4</sup> Furthermore, the restoration plan failed to demonstrate significant hydrological benefits to SSA15 lands because the applicant did not provide an updated flowway restoration analysis *after* the applicant removed the significant farm field restoration work from the plan.<sup>5</sup>

Kevin Godsea, Refuge Manager of U.S. Fish and Wildlife Services’ Florida Panther National Wildlife Refuge (FPNWR), explained in a letter to Collier County his concerns that SSA15’s restoration plans would not achieve its stated goals of flowway restoration and landscape connectivity. Mr. Godsea stated:

*Secondly, the application does not address the need for hydrologic restoration of the adjacent Camp Keais Strand Flowway Stewardship Area. Hydrological restoration of the Camp Keais Strand was identified as a unique functional group within Southwest Florida Comprehensive Watershed Management Plan, which the County and Service both participated in.*

*During this effort, members of local and state agencies, NGOs, and the Federal government made every effort to take a holistic approach to hydrological restoration. We implore the County and other regulatory authorities to require the applicants to include wetland restoration activities identified within the Southwest Florida Comprehensive Watershed Management Plan, especially those within the Camp Keais Strand functional group.*

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<sup>2</sup> Florida Department of Environmental Protection. Division of State Lands (May 2020) 2020 Florida Forever Five-Year Plan. Summary of Recommendations and Status as of December 2019. Corkscrew Regional Ecological Watershed. P. 173 of 889. [https://floridadep.gov/sites/default/files/FLDEP\\_DSL\\_OES\\_FF\\_CorkscrewRegionalEcosystemWatershed.pdf](https://floridadep.gov/sites/default/files/FLDEP_DSL_OES_FF_CorkscrewRegionalEcosystemWatershed.pdf)

<sup>3</sup> Stewardship Sending Area 15 Collier County Restoration Plan, Revised Oct. 2019, Exhibit F to Easement Agreement p. 1

<sup>4</sup> Stewardship Sending Area 15 Amendment Application dated January 2016. Exhibit 4-1: Aerial with Restoration Designation Areas p. 40/241 of pdf includes restoration work of two large farm fields.

<sup>5</sup> The 2016 SSA15 Amendment application included the “Rural Lands West Camp Keais Strand Flow Way Restoration Analysis”, which was never updated after restoration work for two large farm fields was removed. Page 52/241 of pdf

*Hydrologic restoration of the Camp Keais Strand is clearly a component of the RLSA Stewardship Sending Areas, and is critically important for downstream conservation lands such as the FPNWR. Currently two farm fields restrict the flowway to a few culverts in a span of 100 yards, whereas restoring these farm fields back to wetlands would result in a nearly 1 mile wide flowway immediately adjacent to the proposed Longwater development. The applicant's original plans for the Town of Rural Lands West included restoring these approximately 935 acres of farmland in the middle of the Camp Keais Strand Stewardship flowway in SSA15, to benefit the hydrology of downstream conservation lands. This wetland restoration was not included in the plans for Rivergrass Village, Longwater Village or Belmar Village, and we believe that it should, as this type of wetland restoration was clearly the intent when the RLSA was established.*

*If properly implemented, Camp Keais Strand hydrological restoration activities could ultimately benefit one of the most biodiverse forested wetlands in the state of Florida (i.e., Fakahatchee Strand), as well as the Picayune Strand. (Letter - Attachment A)*

In addition, the Conservancy hired Michael Frankenberger, Certified Professional Ecologist and President of Natural Resources Services, Inc., to review SSA15's 2016 and 2019 restoration plans. Mr. Frankenberger found similar concerns with SSA15's amended plan, as was stated by Mr. Godsea. At the January 28, 2020 Board of County Commission adoption hearing for SSA15 Mr. Frankenberger stated:

*They [applicant] don't provide any data, no hydrological data to support their assumption that this is going to provide great environmental benefit and hydrological improvements. . . . They [applicant] provide no data except in '16 they did do a hydrological monitoring plan, but that is irrelevant because they took out most of the restoration, and it doesn't identify all the additional development around the sloughs.*

The restoration work removed from the plan that Mr. Frankenberger referenced was the work to restore the two large farm fields.

Mr. Frankenberger also stated the following in a report to the Conservancy<sup>6</sup> upon his review of Amended SSA15 Amendment application:

*The application flow-way restoration plan includes an unsupported assumption that the two identified areas of flow-way work, totaling 4.5 acres will significantly improve Strand flow-way functions far beyond the proposed work site, including the >8 mile length of the strand within SSA15. However, there is no supporting documentation to support this extended reach of existing road impact or potential benefit.*

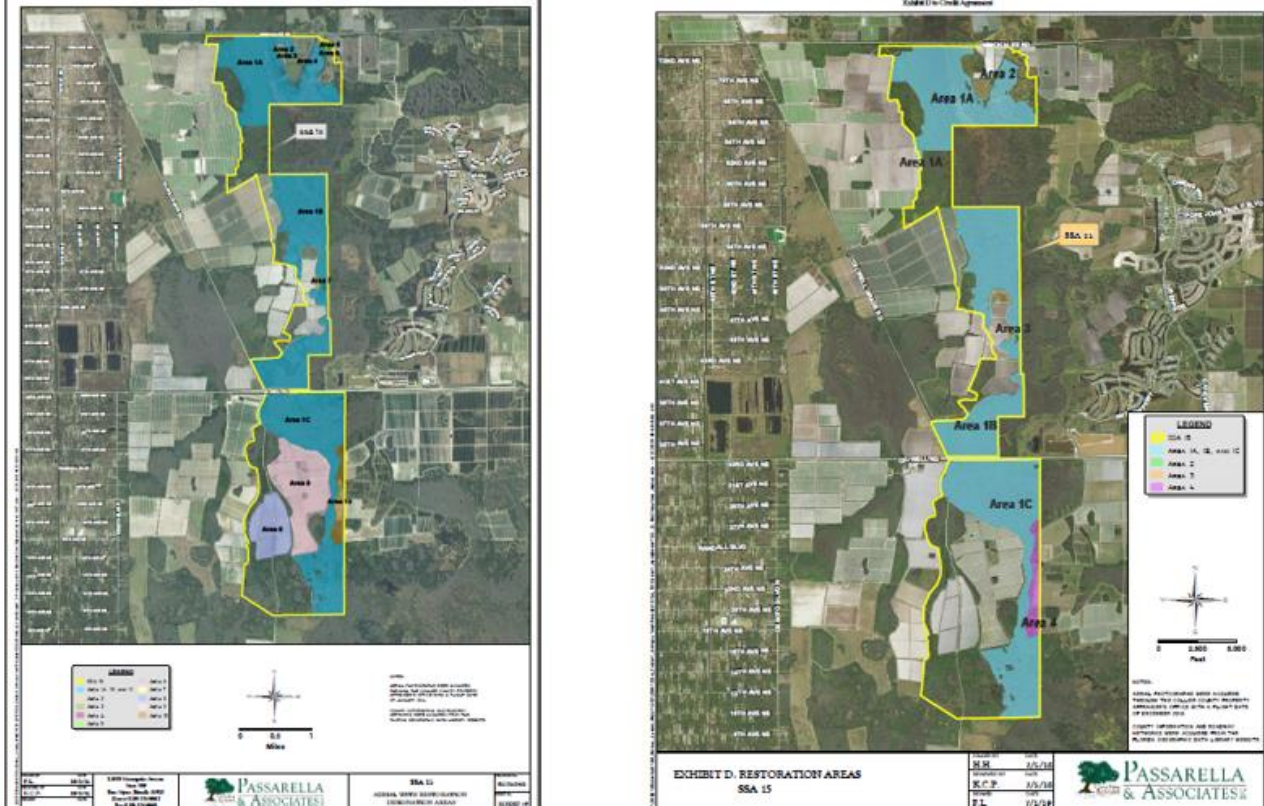
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<sup>6</sup> Natural Resources Services, Inc. Outside Review and Comment on the SSA 15 Natural Resource Index Assessment and SSA 15 Proposed Restoration Plan.



Figure 1 provides a side-by-side comparison of SSA15's restoration areas from 2016 (left) and 2019 (right).

**Figure 1: 2016 and 2019 Restoration Areas within SSA15**



The 2016 plan, on the left, includes restoration work for two large farm fields (Areas 8 and 9 depicted in light purple and pink). The 2019 plan, on the right, shows that restoration for the two farm fields has been removed.

The 2016 Plan states:

*The restoration of Areas 8 and 9 will contribute significantly to the hydrologic improvement of Camp Keais Strand. The removal of the perimeter berms and ditches and re-grading of Areas 8 and 9 will aid in restoring historic sheet flow conditions within Camp Keais Strand.<sup>7</sup>*

Because restoration of the two farm fields was so important to the hydrologic restoration of Camp Keais Strand, the restoration work should *not* have been removed from the plan, unless the hydrologic modeling was updated after removal of the significant farm field

<sup>7</sup> SSA 15 Amendment Application January 2016. Stewardship Sending Area 15 Restoration Analysis and Report p. 37/241

restoration and the modeling supported the assumption that regional surface water flows and wildlife habitats would be restored to natural/historic function, as was promised by SSA15's goal.

**RECOMMENDATION 1:** Language within LDC 4.08.06.C.5.j.(4) and (5) must be strengthened for flowway restoration plans. As part of the "Restoration Analysis and Report", require applicants to provide site-specific data and a hydrological study to identify how the restoration work will result in significant and measurable hydrological improvements. Applicants shall provide pre and post hydrological data as part of the success criteria to demonstrate improvements associated with each restoration activity. Furthermore, if prior to approval of an SSA application, or as part of an amendment to an approved SSA, the applicant modifies the amount and type of restoration work, the applicant shall provide the county with an updated Restoration Analysis and Report. The report must include an updated hydrological study demonstrating that the modified restoration plan still achieves the restoration goals provided in the plan, or the SSA agreement shall not be approved.

**RECOMMENDATION 2:** If prior to approval of an SSA application, or as part of an amendment to an approved SSA, the applicant modifies the amount and type of restoration work to be provided *for any type of restoration stated in Policy 3.11*, (i.e. wading bird habitat restoration, panther corridor restoration, caracara habitat restoration, etc.) the applicant must provide an updated Restoration Analysis and Report that demonstrates how the modified plan would still achieve a functional enhancement of the restoration area.

**RECOMMENDATION 3:** Camp Keais Strand and Okaloacoochee Slough are part of the Big Cypress Basin and a large interconnected natural system of wetlands and habitat corridors that connect with surrounding public lands. However, the letter from FPNWR manager suggests that some landowner-proposed restoration projects for SSAs are designed piecemeal, without considering whether the restoration project would benefit surrounding public lands. The LDC should be updated to require that applicants who apply for Restoration Credits (R-1 and R-2) must first consult with wildlife agencies and land managers of adjacent, downstream and/or connecting public lands to ensure that the proposed restoration activities are based on a holistic approach to benefit the entire watershed and habitat types. In addition, restoration plans within Camp Keais Strand or Okaloacoochee Slough must be consistent with Southwest Florida Comprehensive Watershed Management Plan (SWFCWP). The SWFCWP was created through a large coordinated effort to "restore surface water hydrology (getting the right quantity of water to the right place, at the right time),

improve water quality, restore landscape connectivity for wildlife, and restore the health of the estuaries.”

**ISSUE #2 - SSA Applications may still generate a large number of restoration credits while providing minimal restoration work:**

Collier County Planning Staff clearly understood that restoration credits may not always be commensurate with restoration work provided, which is why they provided the following RLSA White Paper Recommendations.

*Structure restoration credits so that needed restoration is assured in return for the maximum credit and acreage footprint of SRA development (draft LDC Amendment)*

*Restructure the timing of R-1 credits: only half of R-1 credits awarded at time of permit approval through the ERP process (or County permit if no ERP required): the remaining “R-1” credit(s) would be awarded only after the owner successfully complete all phases of R-2 restoration. (draft LDC Amendment)*

Restoration credits represent the lion’s share of stewardship credits earned to date and are the primary type of credits that are expected to be earned in the future.<sup>8</sup> We believe that the relationship between restoration credits and restoration work provided should always be proportional. In other words, the applicant should provide extensive environmental restoration work toward restoring habitats, flowways, and corridors, if the number of restoration credits is substantial.

The SSA15 Amendment Application provides an example of how restoration work was not commensurate with the number of credits the applicant received. SSA15’s Amended and Adopted restoration plan provided restoration work over only 116 acres, a mere 2% of the SSA’s total 5,253 acres.<sup>9</sup> Nonetheless, their application generated 21,428 restoration credits. At ten credits per acre, the restoration credits alone entitle them to 2,142 acres of SRA development, which may be applied toward any combination of SRAs.<sup>10</sup> As example, **21,428 restoration credits may be applied toward two 1,000-acre villages or even a 2,142-acre town.** A 2,142-acre SRA could easily add far more than 12,800 new residents to Collier County.<sup>11</sup> These new residents will increase demands on traffic, water, sewer,

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<sup>8</sup> Collier County Stewardship Credit Analysis August 2020; Collier County May 2019 White Paper

<sup>9</sup> Stewardship Sending Area 15 Collier County Restoration plan provide that there will be 104.23 acres of farm field restoration, 8.15 acres of exotics removal, 3.47 acres to remove trail south of Oil Well (5,400ft x 28ft), and .22 acre section road removal to alleviate pinch point (500ft x 20 ft.). The total lands where restoration work will occur is 116.07 acres. Resolution 2020-25, p. 2.

<sup>10</sup> Policy 4.19 requires ten credits per acre, so 21,428 stewardship credits = 2,142 acres of SRAs.

<sup>11</sup> SRAs can build up to 4 homes per acre. Even if we assume the 2,142 acres will be developed at a lower density of 3 homes per acre and at 2.5 persons per household, we get a population of 16,065. Assuming a vacancy rate of 20% = 12,852

fire, police, and impacts to water quality and wildlife in the area. Thus, the increase in development rights just from SSA15's restoration credits is *very* substantial.

Ultimately, SSA15's applicant offered a faulty restoration plan, as we saw in the previous section, consisting of only 116 acres of restoration work, in exchange for substantial developer entitlements. We do not believe this ever was the intended purpose of restoration credits. Unfortunately, this seems to be a pattern with more recent SSA agreements, as we found a similar case with SSA14's restoration plan where there was little restoration work provided in exchange for considerable restoration credits.

While the Board in 2021 did take a step in the right direction by reducing R-1 dedication credits, for *some* of the categories, to one credit per acre, we believe that applicants will continue to provide little restoration in exchange for an abundance of restoration credits. This is because there is little incentive to provide costly restoration work for two reasons:

- a. Lands restored through costly restoration activities generate the same credits as lands that may benefit indirectly from restoration.
- b. Less costly types of restoration, that provide fewer benefits to wildlife or wetlands, generate the same number of credits as costly restoration that provide much greater benefits.

**a. Lands restored through costly restoration activities generate the same credits as lands that may benefit indirectly from restoration:**

Environmental restoration work can be very costly, especially when the site includes large farm fields restored to wetlands or forested areas. However, the applicant of SSA15 discovered that, even if they removed major restoration work, they could still generate copious restoration credits. Before the SSA15 Amendment was adopted, the applicant removed 88%<sup>12</sup> of the restoration work that was provided in the 2016 application, yet the total restoration credits were only reduced by 25% in the final adopted application.<sup>13</sup>

How could the applicant generate so many restoration credits while removing most of the restoration work? A review of SSA15's restoration plan shows that the bulk of restoration credits were generated for *potential indirect benefits* of the restoration work. Although the actual restoration work was planned for only 116 acres, the applicant claimed that 2,678 acres would benefit from the restoration work.<sup>14</sup>

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<sup>12</sup> The 2016 SSA15 Amended application provided 942 acres of restoration. While the adopted SSA15 Amendment provided only 116 acres. Thus, 826 acres of restoration was removed or 88% of the total restoration work.

<sup>13</sup> The 2016 SSA15 Amended application proposed to generate 28,357 restoration credits (p. 18/241), while the adopted SSA15 Amended Application generated 21,428 restoration credits. Thus, a reduction of credits of about 25%.

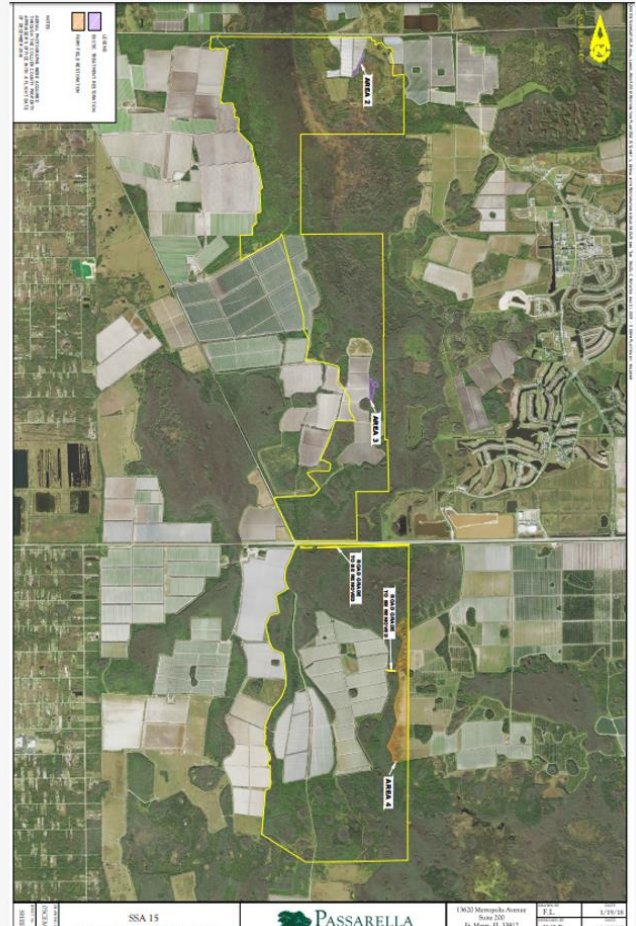
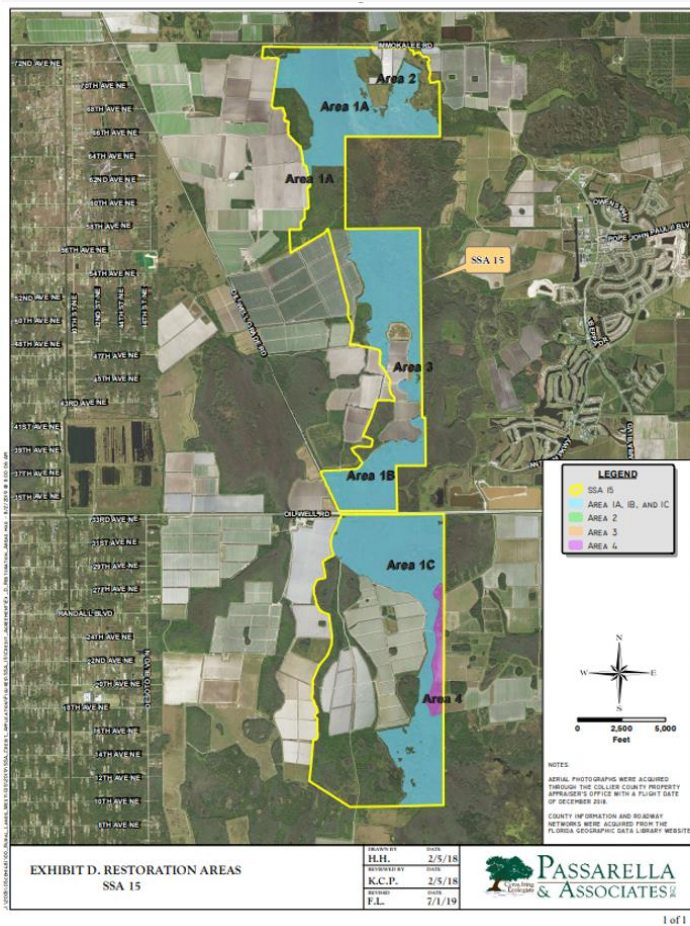
<sup>14</sup> Stewardship Sending Area 15 Collier County Restoration Plan, Revised Oct. 2019, Exhibit G, p. 1 Stewardship Sending Area 15 Restoration Analysis and Report. Revised October 2019. Exhibit G.

Figure 2 shows maps provided by the applicant’s consultant. The map on the left shows, in blue and pink, the 2,678 acres where the applicant earned restoration credits. The map on the right shows, in orange and purple, the exact location where 116 acres of restoration work or restoration activities are planned.

**Figure 2:** Map on left shows areas where R-1 and R-2 credits are generated. Map on right show locations of actual restoration activities.

**2,678 acres of restoration areas**

**116 acres of restoration work**



While we agree that flowway restoration work, when done right, can benefit downstream lands, we also believe the framers intended to award Restoration credits *only* for restoration work or for “restoration activities” as stated in the LDC.<sup>15</sup> Furthermore, the paltry restoration work of 116 acres, provided by the applicant, is likely why principal ecologist Michael Frankenberger and FPNWR Refuge Manager Kevin Godsea voiced

<sup>15</sup> LDC policies 4.08.06.B.3f (1) (2), and (5) all state that Restoration Stewardship Credits shall be generated for “restoration activities.”

concerns that SSA15's restoration plan would provide little hydrological benefit to Camp Keais Strand flowway and downstream conservation lands.

**b. Less costly types of restoration, that provide fewer benefits to wildlife or wetlands, generate the same number of credits as costly restoration that provide much greater benefits:**

Besides removing extensive restoration work altogether, the applicant discovered that they could provide less expensive types of restoration with cheaper, less effective types of restoration, and not be penalized. As example, the 2016 SSA15 application provided planting of native wetland and upland species for each restoration area. However, the final adopted application removed all plantings in lieu of natural recruitment, even for the largest project, restoration of a 104-acre farm field. Michael Frankenberger stated concerns that natural recruitment may not work for large areas. He stated:

*It should be noted that the condition to let a large agricultural area restore vegetation naturally is very risky as long-term agricultural management has likely significantly reduced native seed bank and we would recommend that the applicant modify the plan to including seeding planting prior to first rainy season after grade restoration.*

Frankenberger also stated concerns that more costly restoration activities that provide greater benefits to wildlife and hydrology generate the same credits as activities that yield less environmental benefits:

*It appears that an error was made on the assignment of credits for flow-way work and farm field work. The amount of restoration work/expense for the restoration of farm fields and the potential wetland/flow-way/wildlife benefits for the farm field restoration is in order of magnitude greater than the cost/benefits associated with the road removal (flow-way restoration). The credits allotted should be more justifiably be assigned with the 70% to the farm fields and the  $\pm 25\%$  for the road removal.*

If changes are not made to the newly adopted GMP Policy 3.11, the issue of awarding an extensive amount of restoration credits in exchange for minimal restoration could become even worse, as the new policy increases the ways in which restoration credits may be earned.

**RECOMMENDATION 4:**

**The *only* way to incentivize significant restoration work is to award R-2 restoration credits *only* for the areas where the actual restoration work is to occur, not for the lands that have the potential to be indirectly restored. As example, R-2 credits may be generated on lands where there is a road removal, grading, removal of berms, planting of native species, seeding, exotics removal, etc. However, R-2 credits shall be awarded *only* after all specified environmental outcomes are achieved. R-1**

credits may be awarded for lands that may benefit indirectly from restoration; however, Land Use Layers 1-6 shall first be removed.

It should be noted that under the existing Stewardship Credit Matrix, base credits may be generated for lands having "Restoration Potential". This is yet another way landowners may generate credit for lands that may indirectly benefit from restoration, and another reason why R-2 credits should only be granted for the actual restoration work.

Furthermore, the program should encourage planting of native vegetation and/or seeding, rather than natural recruitment to earn R-2 credits. If an application provides for natural recruitment, then restoration credits should be held until natural recruitment is successful, as determined by permitting agency.

**ISSUE #3 -The LDC should require measurable success criteria based on specific environmental outcomes instead of completed tasks:**

Principal Ecologist Michael Frankenberger, who reviewed SSA15's restoration plans, suggested that the plan lacked measurable success criteria for environmental outcomes. The success criteria provided within SSA15 Amendment was not based on whether the restoration work resulted in measurable environmental goals such as desired habitat types with dominant native species or achieved targeted hydroperiods, instead, the success criteria was whether the applicant completed restoration activities or tasks. As example, SSA15's Amended Restoration Plan provided the following success criteria for flow-way restoration:

*The following are the success criteria for flow-way restoration: (1) removal of the old road grade designated for removal as part of the SSA 14 restoration plan will be completed; (2) removal of road grade south of Oil Well Road will be completed; (3) removal of the pinch point farm road will be completed; (4) if two years after removal of the road grades natural recruitment of native vegetation within the footprint of the old road grades has not occurred, then planting/seeding will be completed; and (6) the restored areas will be free from exotic vegetation immediately following a maintenance activity and will consist of no more than five percent cover for exotic species. A total of 10,264.5 Stewardship Credits shall be available upon the achievement of these success criteria.*

The statement demonstrates that the plan's success is entirely measured upon whether the work is completed, not if or how the restoration work would benefit water quality or quantity within the strand or whether certain habitat types are enhanced for listed species or wildlife. The LDC should be updated to require that success criteria demonstrates

significant and measurable enhancements of specific habitat types with specific tree or vegetative cover and/or targeted hydroperiods or water quality improvements.

The 2021 adopted RLSA GMP amendments added several new ways in which applicants may earn restoration credits, so now is the time for the language to include specific success criteria based on environmental outcomes.<sup>16</sup> As example, for crested caracara habitat restoration, the success criteria could be whether the restoration work results in the creation or enhancement of suitable caracara habitat, such as open dry or wet prairies consisting of scattered cabbage palms or lightly wooded areas with saw palmettos, cypress, and/or scrub oak.<sup>17</sup>

Mr. Frankenberger provided examples of measurable success criteria for SSA15, which we incorporated in the following recommendation to improve restoration plans.

**RECOMMENDATION 5:**

**Add specificity to require that the Restoration Plan provide clearly defined and measurable expectations on what defines successful fulfillment of the restoration goals. Success criteria goals for habitat restoration should include desired dominant native species and minimum appropriate vegetative cover by habitats (i.e. deep marsh, marsh, wet prairie, hydric pine flatwoods, hardwood wetlands, cypress, pine uplands, palmetto uplands, etc.).**

**For each of these systems, targeted habitats and hydroperiods (i.e. time period of saturation/inundation, average season high water depth, maximum seasonal high water) needs to be defined to allow post assessment and management adjustments.**

**For forested and upland systems, in addition to identifying appropriate native tree composition (species and dominance), minimum trees per acre and minimum tree height/canopy closure should be provided to define level of success.**

**The Conservancy is happy to provide language for success criteria, specific to each restoration type listed in Amended Policy 3.11, per the request of planning staff.**

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<sup>16</sup> The 2021 amendments to Policy 3.11 provide landowners with additional opportunities to earn restoration credits for caracara habitat restoration, exotic control/burning, panther corridor enhancements, and restoration of shallow wetland wading bird foraging habitat. This is in addition to credits for flowway and native habitat restoration, which existed prior to the 2021 amendments.

<sup>17</sup> U.S. Fish and Wildlife Service South Florida Multi-Species Recovery Plan. Audubon's Crested Caracara. *Polyborus plancus audubonii*. <https://www.fws.gov/verobeach/MSRPPDFs/AudubonsCrestedCaracara.pdf>



## **ISSUE #4 - SSA Agreements and Easements must include a perpetual maintenance agreement to manage and control exotic species:**

One of the benefits of the RLSA program often touted by RLSA landowners is that SSAs will be preserved and maintained in perpetuity at no cost to the taxpayers. ECPO's presentation at the March 28, 2019 RLSA Workshop stated:

*Total conservation land has grown to 50,000 acres (from 16,000 in 2002) that are **permanently preserved, protected and managed at no cost to Collier County taxpayers** – land that is valued at more than \$500,000,000. (Emphasis added)*

However, a review of SSA15's Application documents, reveal ambiguous maintenance obligations that appear to end after only a few years. While there are annual inspections, the SSA Easement Agreement or Restoration plan does not state how long the inspections are to last and does not provide any maintenance requirements for the restoration areas. What happens if after ten years, much of the area becomes infested with exotics or nuisance species? There is nothing in the Stewardship Agreement to require the applicant to maintain the restoration areas.

The LDC currently provides loose standards for maintenance and control of exotic species and for monitoring success of all restoration work. The LDC only requires the following:

*When the restoration is to be undertaken by the applicant, a Restoration Plan that addresses, at a minimum, the following elements: (f) annual management, maintenance and monitoring.<sup>18</sup>*

*Stewardship easement Agreement shall identify the specific land management measures that will be undertaken and the party responsible for such measures.<sup>19</sup>*

*Identification of the proposed land management measures that will be undertaken and the party responsible for such measures.<sup>20</sup>*

Language within Stewardship Easement Agreements should require minimum standards for controlling exotic species and for prescribed burning and should state that annual management is perpetual.

### **RECOMMENDATION 6:**

***Write policy based on staff's White Paper recommendation: "Add specific exotic vegetation control measures to the SSA agreement and easement and require***

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<sup>18</sup> 4.080.06.C.5.j.(5) (SSA Designation Application)

<sup>19</sup> 4.080.06.C.8.b (SSA Designation Application Package)

<sup>20</sup> 4.080.06.D.1.d. (SSA Application Review Process)

*maintenance that assures no greater infestation than that existing at time of SSA designation.” The plan should identify perpetual exotic control and other management measures as a requirement for Stewardship Easement Agreements. In addition to providing control measures for Category I and Category II exotic species, nuisance species such as cattail, dog fennel, and pasture grasses, shall not be allowed to flourish and count toward successful vegetation establishment.*

**RECOMMENDATION 7:** We agree with staff’s recommendation that “*additional specific maintenance standards [] should be included in all future SSA agreements and easements (draft LDC Amendment).*” In addition, the agreements and easements must identify the long-term management entity who will maintain SSAs. Insuring funding for long-term management is essential. A suggested approach would be for each credit received, the owner would set aside monies into a long-term management endowment fund to be used solely for management of the property. This applies after all phases meet substantial success and ensures costs shall not be borne by taxpayers.

**ISSUE # 5 - Although the Planning Commission acts as the County’s Environmental Advisory Committee, they do not review or hold hearings for SSA applications.**

Although the Collier County Planning Commission (CPCC) acts as the County’s only Environmental Advisory Committee (EAC), the LDC does not provide for the CCPC-EAC to review Stewardship Sending Area (SSA) applications, they only review the Stewardship Receiving Area (SRA) applications. This lack of review by CCPC-EAC is completely illogical, as SSA applications are incredibly complex and include a plethora of important reports and analyses related to preservation and restoration including: Restoration Plans, Natural Resource Index Assessments, SSA Credit Agreements, Restoration Analysis and Report, and SSA Easement Agreement. The Restoration Plan report *alone* includes numerous important sections warranting an in-depth review by the CCPC-EAC, including restoration goals, the description of work to be performed, entity responsible for the work, work schedule, success criteria, and management and maintenance.<sup>21</sup> Below are just some of the reasons why an additional layer of review by the CCPC-EAC is necessary:

1. A review of SSA applications by CCPC-EAC would provide better assurances that SSA applications adhere to complex GMP and LDC rules for SSAs.
2. To ensure restoration plans are designed to achieve stated outcomes.
3. To ensure restoration credits are commensurate with restoration work provided.

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<sup>21</sup> LDC 4.08.08.C.5.j(5)

4. To ensure that habitat within SSAs will not be impacted by adjacent SRAs.
5. So that the CCPC-EAC fully understands the entirety of a developer's project.

Not surprisingly, Eastern Collier Property Owner's (ECPO) opposes a review of SSA applications by the CCPC-EAC for reasons that do not add up.<sup>22</sup> The reality is that ECPO simply wants little oversight of SSA applications because SSA Applications are the instrument by which RLSA landowners earn stewardship credits. Stewardship credits are the currency of the program and they substantially increase density and the value of their lands. Furthermore, ECPO understands that without a review and public hearing by the CCPC-EAC, there is less scrutiny of restoration plans and restoration work proposed.

However, having only half the information of a development plan makes the CCPC-EAC susceptible to false claims and misinformation regarding what the applicant proposes for the preserve (SSA) and the number of credits generated. As example, the developer for the Town of Big Cypress, which includes Rivergrass, Longwater, and Bellmar, claimed the following:

*Collier Enterprises will preserve more than 12,000 environmentally sensitive acres as part of the plan for the Town of Big Cypress and the Villages of Rivergrass, Longwater, and Bellmar.*<sup>23</sup>

When the statement is taken at face value, it seems like a great deal for Collier County. The applicant is setting aside 12,000 acres in exchange for 3,500 acres of development.<sup>24</sup>

However, the whole truth is that the SSA lands that make up the 12,000-acre preserve will generate 52,295 stewardship credits, which are enough credits to allow for approximately 6,425 acres of SRAs, not 3,500 acres as they claim.<sup>25</sup> An accurate statement would have been:

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<sup>22</sup> Section 4 Public Participation and Comments, Committee Deliberations, Committee Actions Regarding Recommended Amendments to the Rural Lands Stewardship Overlay, p. 100

<https://www.colliercountyfl.gov/home/showpublisheddocument/23857/635883137282070000>

<sup>23</sup> TownofBigCypress.com

<sup>24</sup> Rivergrass, Longwater, and Bellmar total approximately 3,000 acres. Per the Town Agreement, the Town of Big Cypress core area equals 515 acres. Thus, the total development area = 3,515 acres.

<sup>25</sup> The 12,372 acres of preserve that Collier Enterprises agreed to set aside for Town of Big Cypress is for SSA14, SSA 15, SSA 17, and SSA18. (SSA14 = 1,713 acres; SSA 15 = 5,253 acres; SSA 17 = 3,148 acres; SSA 18 = 2,258 acres; total preserve = 12,372 acres). These SSAs generated 52,295 stewardship credits for setting aside SSA14, SSA15, SSA17, and SSA18.

(SSA14 = 12,893 credits; SSA 15 = 31,367 credits; SSA 17 = 4,528 credits; SSA 18 = 3,507 credits). **The total SRA acreage from 52,295 credits = 6,425 SRA acres.** (3,000 acres of SRAs for Longwater, Rivergrass, Bellmar; 515 acres of SRA for Town Core; plus credits left over to develop 2,909 acres of SRAs)

**MATH:** The developer is using credits right now from those SSAs toward three villages totaling 3,000 acres: Rivergrass, Longwater, and Bellmar. Rivergrass Resolution 2020-024 shows that 6,198 credits were used; Longwater's Submittal 5 - SRA Credit agreement shows that 6,697 credits will be used; Bellmar's Submittal 6 - SRA Credit agreement shows that 6,742 credits will be used. Total Credits applied toward 3,000 acres for those three villages = 19,637. The proposed Town Core would consume an estimated 3,559 credits (515.1 acres - 159.2 acres for public benefit acres which do not consume credits Per Amendment 4.20 = 355.9 acres); 355.9 acres x 10 credits per acre = 3,559 credits). Credits used for the three villages = 19,637 + estimated 3,559 credits used per Town Core = 23,196 total estimated credits to be consumed if Town Core is approved. Therefore, there are 29,099 remaining credits (52,295 - 23,196 = 29,099 remaining credits.) Based on

*“Collier Enterprises will preserve more than 12,000 environmentally sensitive acres as part of the plan for the Town of Big Cypress and the Villages of Rivergrass, Longwater, and Bellmar. In addition, **we may develop three more villages at nearly 1,000-acres each or we may use the credits from the preserve toward an additional 2,909 acre town.**”*

We believe the CCPC-EAC may not have understood this, as they were not tasked with review of the SSA agreements. Furthermore, they may not have been aware that approximately 86% or 10,625 acres of the 12,000-acre preserve was already protected from development, because of the RLSA’s Group 5 policies.<sup>26</sup>

Grandiose claims of high preservation to development ratio may have been a primary reason for the CCPC to recommend approval of Longwater and Bellmar and for the Board to vote to approve the villages, even when the Conservancy demonstrated that the projects did not achieve the RLSA’s requirements for design, fiscal neutrality, or traffic impacts.

Since SSA applications are the vehicle to generate stewardship credits, which entitle development and, ultimately, the need for infrastructure and services provided by Collier County, it is *irresponsible* to prohibit a review and public hearing by the CCPC-EAC.

It is our hope, that by adding another layer of review and a public hearing for SSA applications, restoration plans will yield better environmental outcomes, applicants will be granted restoration credits proportionate to extent of restoration work provided, and the public and the Board will have an accurate understanding of the true development-to-preservation ratios.

### **RECOMMENDATION #8:**

**We recommend that the Collier County Planning Commission (CCPC), which is also Collier County’s Environmental Advisory Committee (EAC), becomes an integral part**

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the adopted RLSA Amendments, 10 credits per SRA acre would be required. So 29,099 credits / 10 credits per acre = 2,909 remaining SRA acres. **This means that from the 12,300 acres of preserves there are enough credits for an additional 2,909-acre Town or three additional 970-acre villages, this is in addition to Longwater, Bellmar, and Rivergrass and the 515-Town Core.** (Data found in SSA application materials and Town SRA agreement).

<sup>26</sup> **MATH:** SSA14, 15, 17, and 18 = 5,057.2 acres of WRAs; 4,260.4 acres of FSAs; and 2,996.4 acres of HSAs = 12,314 acres. Policy 5.1 prohibits development and mining within all FSAs, unless the acre has an NRI score of 1.2 or less. There are 77 acres within the acres of FSAs that score 1.2 or less. Thus, 4,183 acres of the total 4,260.4 acres of FSAs is protected. Policy 5.3.1 prohibits site clearing and alteration in FSAs, WRAs, and HSAs within 80% of the property, unless lands are to be used for agriculture. Since FSAs are already protected, then we will apply Policy 5.3.1 to the remaining 8,053 acres of WRAs and HSAs.  $8,053 \times 80\% = 6,442$  acres. Thus, there are approximately 6,442 acres of WRAs and HSAs which are protected, plus 4,183 acres of FSAs = 10,625. Thus, 86% of the 12,372 site is already protected simply by being located within the RLSA. ( $10,625 / 12,372 = 86\%$ ).  $12,372$  acre preserve – 10,625 protected from development = 1,747 acres vulnerable to development. These protection measures were the trade-off, when the program was created, for the County granting landowners the opportunity to increase density 20-fold on RLSA lands and build compact cost efficient SRAs. (SSA data provided in SSA application materials).

**of the approval process for Stewardship Sending Areas (SSA). We recommend that LDC 4.08.06.C.6, 4.08.06.E, and 10.03.06 are amended to require the CCPC-EAC to review all SSA applications, including Stewardship Sending Area Credit Agreements and Restoration Plans. In addition, the CCPC-EAC should hold a public hearing for each SSA agreement and provide a recommendation for approval, denial, or approval with conditions to the BCC.**

### **ISSUE #6 – SRAs may reduce habitat functionality in adjacent SSAs:**

Staff's 2019 RLSA White Paper includes a very important recommendation aimed at better protections for preserves (SSAs). The recommendation, under the "Environmental Protection" section, states:

*Require applicants to address the effect of potential SRA development on adjacent SSA values when SSAs are proposed (draft LDC Amendment).*

The Conservancy was pleased to see the recommendation in the White Paper, because we raised the issue in our 2018-2019 RLSA Comment letter.<sup>27</sup> We do not believe that the framers of the RLSA program ever considered that an SRA's design could cause a *reduction* of listed species habitat value within an SSA preserve, however, we discovered that this could happen if the project is poorly designed.

The Town of Rural Lands West's (RLW) application, which is another iteration of Collier Enterprises' villages, provides a good example of what could happen to listed species habitat values when a SRA is designed to surround an adjacent SSA (SSA17). Although the applicant withdrew RLW's application from Collier County in 2019, in lieu of the villages and the amended Town of Big Cypress, the applicant continues to seek state and federal approvals for the same lands within RLW's development footprint (Figure 3).<sup>28</sup> The applicant's habitat conservation plan, for their federal incidental take permit application, states that preserves, which includes SSA17, "*will be managed to preserve their existing ecological functions.*"<sup>29</sup> Contrary to this claim by the applicant, an analysis conducted by Dr. Robert Frakes, discussed below, demonstrates that RLW's design will actually *reduce* the ecological function of SSA17.

SSA17, like other WRAs, provides high quality wetlands and habitat for listed species, which is why the GMP identifies WRAs, along with FSAs and HSAs, as lands with "the

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<sup>27</sup> Conservancy of Southwest Florida (January 2019) Critique and Recommendation of Collier County's Rural Lands Stewardship Area Program: 2018-2019 RLSA Restudy. "Flaw VI: Developments May Result in Reduced Habitat Functionality in Adjacent Sending Areas."

<sup>28</sup> The landowner-developer has an Environmental Resource Permit conceptual approval for lands within the RLW footprint from the South Florida Water Management District. In addition, they continue to seek approvals for the RLW footprint through a Clean Water Act Section 404 permit through the Florida Department of Environmental Protection, and under a federal incidental take permit application with the US Fish and Wildlife Service

<sup>29</sup> Stantec Consulting Services, Inc. Eastern Collier Multiple Species Habitat Conservation Plan, Revised 2018. For submittal to: U.S. Fish and Wildlife Service.

highest priority for natural resource protection.”<sup>30</sup> SSA17 WRA consists of 3,148 acres of an ecologically important wetland system, providing habitat for **11 listed species**, including, among others, the Florida sandhill crane, Big Cypress fox squirrel, wood stork, limpkin, and the endangered Florida panther.<sup>31</sup> Shaggy Cypress Swamp is a large wetland area, within SSA17, that received high rankings for Natural Resource Index Values (NRI) because of its importance for providing listed species habitat and wetlands.<sup>32</sup>

The applicant designed RLW to surround Shaggy Cypress with neighborhoods, a golf course, and the town center.<sup>33</sup> Dr. Robert Frakes analyzed RLW’s proposed site plan, using the *landscape-scale adult panther habitat model*.<sup>34</sup> Applying Dr. Frakes’ model to RLW’s plans, Figure 3 illustrates how RLW would adversely affected Adult Breeding panther habitat (panthers three years or older).

The left side of Figure 3 shows the current adult breeding panther habitat value, and the right side shows the Frakes et al. (2015) model re-run with the Rural Lands West project in place. The diagonal lines depict the proposed location of Rural Lands West, which are mostly farm fields today, but include many of the same lands within the approved Longwater Village and Rivergrass Village. The warmer the color, as depicted with reds, oranges, and yellows, the higher the value to adult breeding panthers. Gray and white colors depict lower value habitat for adult breeding panthers.

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<sup>30</sup> Collier County Future Land Use Element, RLSA Overlay Policy 1.18

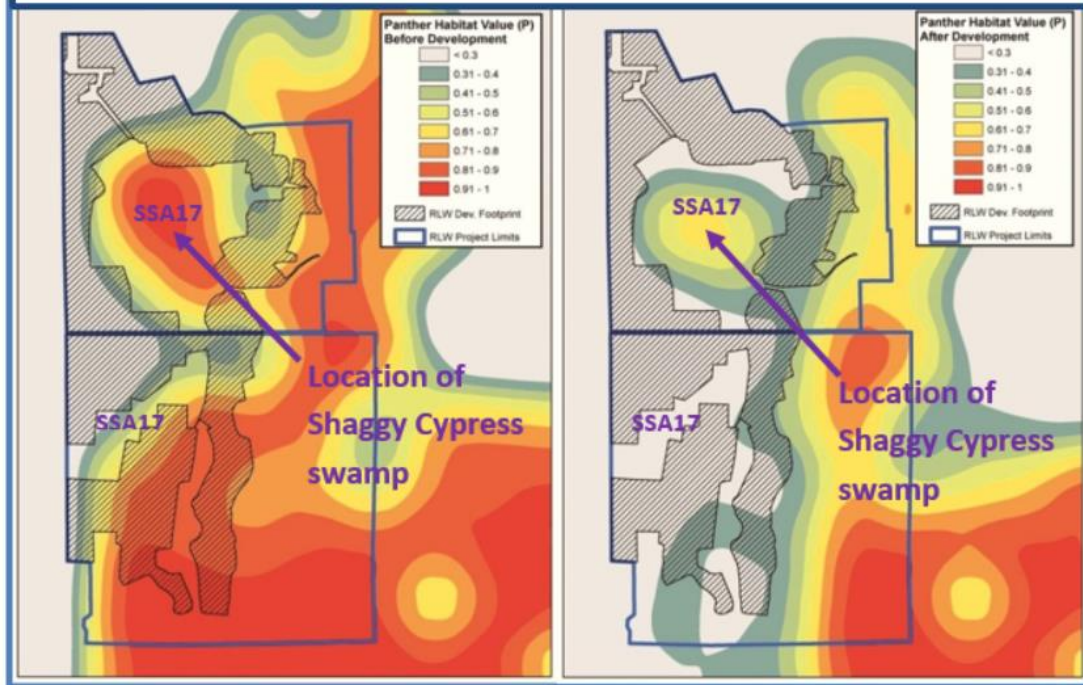
<sup>31</sup> Passarella and Associates. Stewardship Sending Area 17 NRI Assessment Listed Species Occurrence Map (July 2018). p. 1 and 10; and Passarella and Associates. Stewardship Sending Area 17 NRI Assessment Revised August 2020, p. 2 provides acreage of SSA17.

<sup>32</sup> Passarella and Associates. Natural Resource Index Assessment Stewardship Sending Area 17. Revised August 2020. SSA17 2020 NRI Score Map, p. 17 of 17.

<sup>33</sup> The same applicants are pursuing a permit through the Clean Water Action Section 404 permit for the same lands as RLW, in which Shaggy Cypress is proposed to be encircled by development.

<sup>34</sup> Frakes RA, Beldon RC, Wood BE, James FE. (2015). Landscape Analysis of Adult Florida Panther Habitat. *PLoS ONE*, 10(7).

**Figure 3:** rakes (2018). Panther Habitat Value Before and After Rural Lands West Development



The Frakes et al. (2015) model demonstrates that there would be a significant decrease in adult panther breeding habitat value, not only within the Shaggy Cypress, but within all of SSA17 lands, should those lands be developed. Disturbances from the surrounding neighborhoods—light, noise, pets, and traffic—would deter the Florida panther and other species from occupying SSA17 lands. Furthermore, SSA17 lands south of Oil Well Road, adjacent to the approved Rivergrass and Longwater, would also be subject to a significant reduction in habitat value for adult breeding panthers. Making matters worse, Dr. Frakes’ analysis shows that RLW would decrease habitat value within Camp Keais Strand Flowway Stewardship Area (FSA). This is unfortunate, because Camp Keais Strand is a primary wetland flowway system and designated by the RLSA program as lands critical for protection. It is also one of only two major south-to-north corridor for the panther and provides primary habitat.

The U.S. Fish and Wildlife Service had similar concerns regarding another iteration of RLW, the 2008 version of the Town of Big Cypress DRI, which also would have surrounded preserves within SSA17’s lands. Upon review of the development proposal, the U.S. Fish and Wildlife Service stated in a letter to the U.S. Army Corp of Engineers:

*Although there are internal waters and habitat preserves being proposed within the current development design, **the overall development has been designed in such a way to discourage use by panthers and other large animals** (see discussion below). **Therefore, the entire development will be considered as being***

***converted into habitat that is of no value to the panther. Please consider this when conducting your panther habitat analysis.***<sup>35</sup> (Emphasis added)

Ironically, under the applicant's current federal incidental take permit application, they claim SSA17 as mitigation lands for panther impacts from their proposed "covered activities" (development)<sup>36</sup>

The developers approved villages of Rivergrass and Longwater are also designed to surround SSA17's lands. Despite the fact that habitat values with SSA17 will be diminished due to the development's design, the developer still generated 4,527 Stewardship Credits from Collier County for "preserving" Stewardship Sending Area 17 (SSA17).<sup>37</sup>

While the land development code allows SRAs to surround WRAs for water management activities,<sup>38</sup> the code further explains that when additions and modifications to the WRA result in a net loss of habitat function within the WRA, then mitigation and restoration that "provide[s] comparable habitat function" to other areas of the RLSA district is required. However, the required mitigation and restoration are *only* for impacts related to water management activities. There are no LDC policies to address loss of habitat function or value within a WRA as a result an SRA's design, which is why staff's White Paper recommendation is important and why the LDC must be improved.

#### **RECOMMENDATION #10:**

**We believe the LDC should be strengthened to better protect panther habitat within WRAs and SSAs from the impacts of nearby development. In order to preserve habitat values and connectivity for the endangered Florida panther, we recommend language is added to state that SRAs are prohibited from surrounding or partially surrounding a WRA or SSA, when the WRA or SSA consists of adult breeding habitat or primary panther zone habitat.**

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<sup>35</sup> Letter from U.S. Fish and Wildlife Service to U.S. Army Corps of Engineers, dated November 18, 2008. Corps Application No. SAJ-2008-210 (IP-MAE). Project: Town of Big Cypress.

<sup>36</sup> The developer's lands are part of a habitat conservation plan (HCP) to obtain a federal incidental take permit under the Endangered Species Act. Figure 2-1 of the HCP depicts SSA17 lands as a "Preservation." The "Preservation" areas are set aside as mitigation for impacts to the permitted areas. The HCP states: "*As residential/commercial and earth-mining activities are approved and implemented in the area designated for Covered Activities, commensurate acreages within the lands designated for Preservation/Plan-Wide Activities and Very Low Density Use will be placed under perpetual conservation easements to compensate for permitted impacts.*" . . . "*The lands designated for Preservation/Plan-Wide Activities and Very Low Density Use **will be managed to preserve their existing ecological functions.***"

<sup>37</sup> Resolution 2021-083 for Stewardship Sending Area 17, p. 2

<sup>38</sup> Collier County LDC 4.08.06.A.1 and LDC 4.08.06.A.4.b.



**ISSUE #7 - LDC 4.08.01Q fails to conform to the RLSA's goal:**

Despite a concerted effort by many to create a planning program for eastern Collier County that protects listed species and their habitats, and regardless of the RLSA's goal of "directing incompatible uses away from wetlands and upland habitats" Collier County recently approved three developments directly within prime habitat of a critically endangered listed species. (Figure 4)

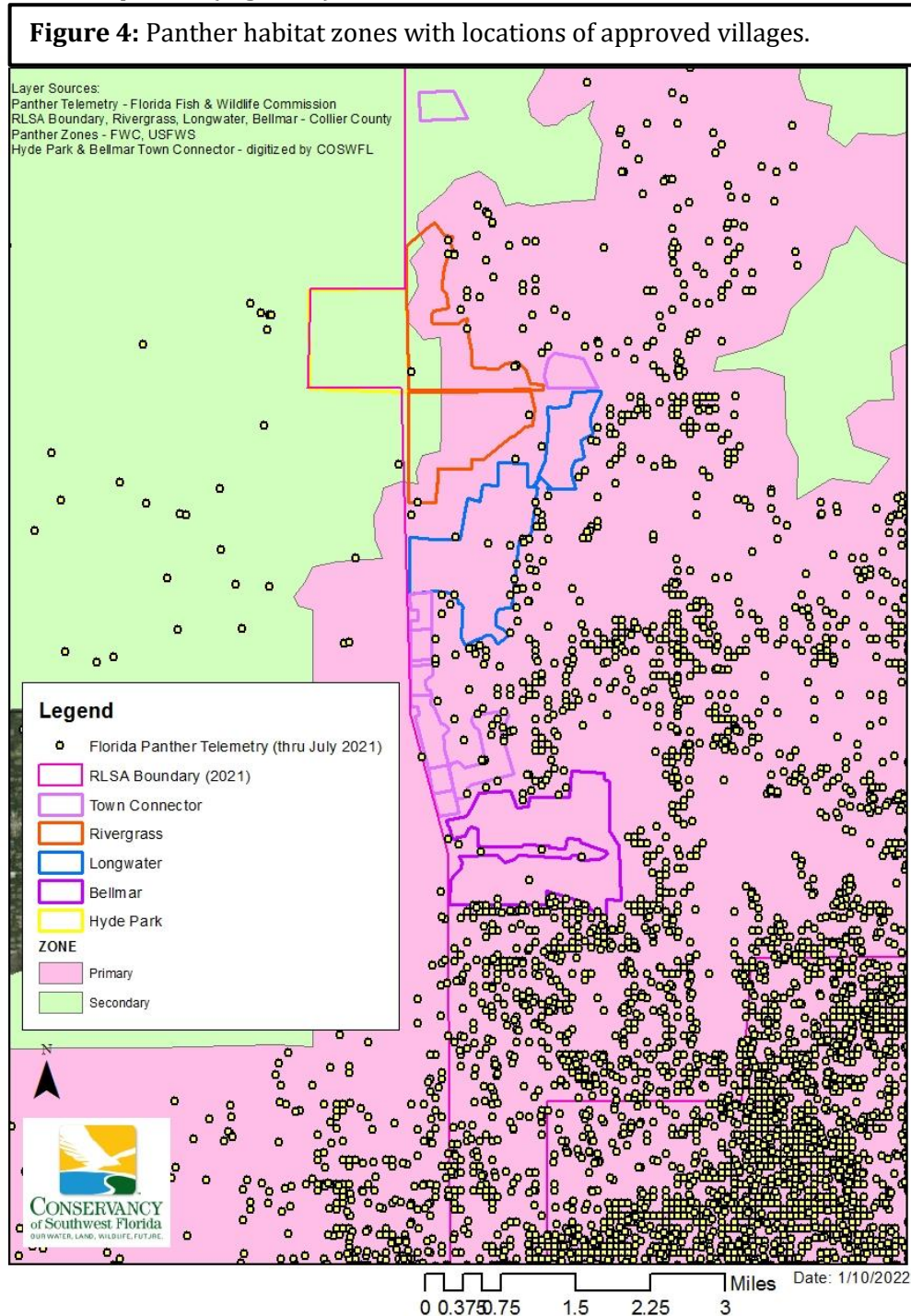


Figure 4 shows that both 1,000-acre sites for Longwater and Bellmar Villages are located *entirely* within primary zone habitat of the endangered Florida panther. The proposed 515-acre town connector is also 100% within primary zone panther habitat. In addition, over 700 acres, or about 70% of Rivergrass Village’s site, is within Primary Zone panther habitat. Hyde Park Village is within secondary zone panther habitat. The Collier County Board of County Commissioners approved all projects, except for the town connector, in 2020 to 2021.

Clearly, the County is not adhering to the RLSA’s goal of directing incompatible uses from upland habitat. This is incredibly concerning as the situation for the panther is getting dire. There are only 120 to 230 Florida adult panthers left in the wild and the panther is restricted now to only 5% of its historic range.<sup>39</sup> Furthermore, new evidence shows that the panther population may be declining.<sup>40</sup>

At the hearings for the villages, Collier County planning staff was questioned as to why they would recommend approval of projects that are mostly or entirely within primary habitat of an endangered species. Staff’s response was that they were following LDC 4.08.01.Q requirements, which limit “preferred and tolerated” panther habitat to specific land cover FLUCFCS codes. LDC 4.08.01.Q states:

*Listed Species Habitat Indices: One of the indices comprising the Natural Resource Index Value, with values assigned based upon the habitat value of the land for listed species. Index values are based on documentation of occupied habitat as established by the intersect of documented and verifiable observations of listed species with land cover identified as preferred or tolerated habitat for that species. Land mapped, using FLUCFCS, as 310, 321, 411, 425, 428, 434, 617, 6172, 621, 6218, 6219, 624, and 630 is deemed to be preferred or tolerated habitat for panthers for the purpose of assigning a value for these indices. An intersection of at least one data point establishing the presence of a listed species within a geographic information system (GIS) polygon of preferred or tolerated habitat for that species shall result in the entire polygon being scored as occupied habitat.*

Yet, the land cover types considered “preferred and tolerated” for the panther, as provided in LDC 4.08.01.Q, are outdated. Data from late 1990’s to 2000 informed the FLUCFCS for

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<sup>39</sup> Florida Fish and Wildlife Conservation Commission. <http://myfwc.com/panther>; Frakes RA, Beldon RC, Wood BE, James FE. (2015). *Landscape Analysis of Adult Florida Panther Habitat*. *PLoS ONE*, 10(7).

<sup>40</sup> Presentation by FWC at August 4, 2021 Commissioners meeting: “Staff are tracking all indicators of changes in the panther population, and for the first time since the genetic restoration efforts, and decline was detected in the motor vehicle mortality model. Similar dips were seen in the number of depredations. It is unclear if this is a sign of a stabilizing population or indicates a more widespread impact of FLM or other threats.”

4.08.01.Q.<sup>41</sup> In addition, the same out-of-date data sets determined the locations of the RLSA's habitat stewardship areas.

While data used for the report was current during the creation of the Immokalee Area Study, Wilson Miller, the report's author, acknowledged that science would continue to evolve, especially regarding the understanding of habitat use and needs of the endangered Florida panther. The report stated:

*The analysis involving panther habitat for the Study will be complemented by ongoing computer modeling of potential habitat and development of an **updated panther recovery plan** by interagency committees led by the U.S. Fish and Wildlife Service. . . .*

*Exhibit 12A shows the same telemetry point data set at the scale of the study area. The data can be used within the study area for a variety of analyses involving panther occurrence and habitat utilization. **Again, these analyses may be complemented by ongoing efforts by governmental interagency committees.**<sup>42</sup> (Emphasis added)*

Although the US. Fish and Wildlife Service (USFWS) completed their panther recovery plan in 2008,<sup>43</sup> the RLSA program **was not updated** with the USFWS' modeling of panther habitat. Since 2002, the RLSA's adoption date, there have been three major discoveries regarding panther habitat relevant to the program: the location and importance of the *Primary Zone* (Figure 5), the realization that agricultural fields are important to panthers and thusly included in the Primary Zone designations, and the delineation of *Adult Breeding Habitat* (Figure 6).

### What is Primary Zone Panther Habitat?

Using all records of panther telemetry available from 1981 to 2001, land use cover data, satellite imagery, and GIS information, a group of eleven panther scientists, Kautz et al. (2006), identified regions that are most important for conservation of Florida panther habitat (Figure 5). Kautz et al. (2006) describes *Primary Zone* panther habitat as the minimum space needed to "support a population that is barely viable demographically as long the habitat base remains stable" and lands that are "essential to the long-term viability and survival of the Florida panther."<sup>44</sup> The *Secondary Zone* is important to transient sub-adult males and may support expanding panther populations if habitat restoration were to occur.

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<sup>41</sup> Report and Recommendations of the Collier County Rural Lands Assessment Area Oversight Committee for the Immokalee Area Study, Wilson Miller May 2002, Table 1: Data Sets and Publications Obtained for Use in the Immokalee Area Study.

<sup>42</sup> Wilson Miller, December 2000, The Immokalee Area Study Stage 1 Report. p. 14

<sup>43</sup> US Fish and Wildlife Service, 2008. Florida Panther Recovery Plan, 3<sup>rd</sup> Revision.

<sup>44</sup> Kautz, et al. (2006) How much is enough? Landscape-scale conservation for the Florida panther. *Biological Conservation* 130, p. 122

Most importantly, the U.S. Fish and Wildlife Service considers Kautz et al. (2006) to be current best available science for prioritizing for panther protections, as it has been wrapped into the agency's recovery plan and Panther Habitat Assessment Methodology. The USFWS Florida Panther Recovery Plan states that habitat as identified by Kautz et al. (2006) should be maintained in order to maintain the existing population. Below is a quote from the USFWS 2008 Florida Panther Recovery Plan, 3<sup>rd</sup> Revision:

*"The Primary Zone supports the only breeding panther population. To prevent further loss of population viability, habitat conservation efforts should focus on maintaining the total available area, quality, and spatial extent of habitat within the Primary Zone. The continued loss of habitat functionality through fragmentation and loss of spatial extent pose serious threats to the conservation and recovery of the panther. Therefore, conserving lands within the Primary Zone and securing biological corridors are necessary to help alleviate these threats."* p. 89

The Primary Zone included other land cover types that are not included in LDC 4.08.01.Q, such as row crops, pasture, orchards, and marsh as primary habitat for the endangered panther.

### Why are Agricultural Lands within Primary Zone Important?

In addition to forested areas, agricultural lands are necessary to meet daily needs and support the prey on which the panther depends.<sup>45</sup> Many agricultural areas contain important natural landscape connections that support panther home ranges, panther reproduction, dispersal movements, and availability of large prey.<sup>46</sup> The Primary Zone consists partly of agricultural lands. USFWS Florida Panther Recovery Plan and other best available science acknowledge the importance of agricultural lands as habitat not only for the Florida panther, but also for the eastern indigo snake, crested caracara, and the Florida bonneted bat.<sup>47</sup>

### What is Adult Breeding Panther Habitat?

Frakes et al. (2015) found that conservation of Adult Breeding Habitat south of the Caloosahatchee River is also essential to the recovery and survival of the Florida panther.<sup>48</sup>

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<sup>45</sup> Kautz, et al. (2006) How much is enough? Landscape-scale conservation for the Florida panther. *Biological Conservation* 130, p. 118-133; Pienaar E. F. and Rubino E. C (2014) Habitat Requirements of the Florida Panther. *Department of Wildlife Ecology and Conservation UF/IFAS Extension*.

<sup>46</sup> Cominsky et al (2002). Panthers and Forests in South Florida an Ecological Perspective. *Conservation Ecology* Vol 6, No. 1

<sup>47</sup> Kautz, et al, 2006. How much is enough? Landscape-scale conservation for the Florida panther. *Biological Conservation*: Vol. 130, p. 118-133; Jackson, S., 2013. Home Range Size and Habitat Use of the Eastern Indigo Snake at a Disturbed Agricultural Site in South Florida: A Thesis Presented to Florida Gulf Coast University; Morrison and Humphrey, 2001. Conservation Value of Private Lands for Crested Caracaras in Florida. *Conservation Biology*, Vol. 15, No. 3, Pages 675-684. Bailey et al., 2017. Impact of Land Use and Climate on the Distribution of the Endangered Florida Bonneted Bat.

<sup>48</sup> Frakes RA, Belden RC, Wood BE, James FE (2015) Landscape Analysis of Adult Florida Panther Habitat. *PLoS ONE* 10(7): e0133044. doi:10.1371/journal.pone.0133044

Ninety-three percent of panther’s adult breeding habitat lies within the Primary Zone (Figure 6). Frakes et al. (2015) developed a distribution map for resident breeding panthers, ages 3 and up, by using telemetry of 87 adult panthers from 2004 to 2013. They concluded that, “protection of the remaining breeding habitat in south Florida is essential to the survival and recovery of the subspecies and should receive the highest priority by regulatory agencies.”<sup>49</sup>

The RLSA and LDC 4.08.01.Q does not account for Primary Zone or Adult Breeding habitat nor does it consider the importance of agricultural lands to the Florida panther. Without a modification to the LDC to protect these important habitat areas, panther habitat will continue to be vulnerable to development and road impacts in the RLSA, contrary to the Overlay’s very goal.

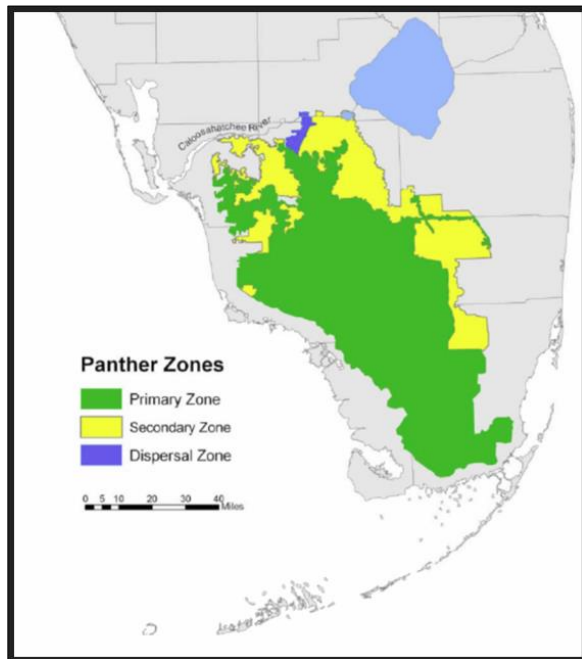


Figure 5 Kautz et al. Primary Zone

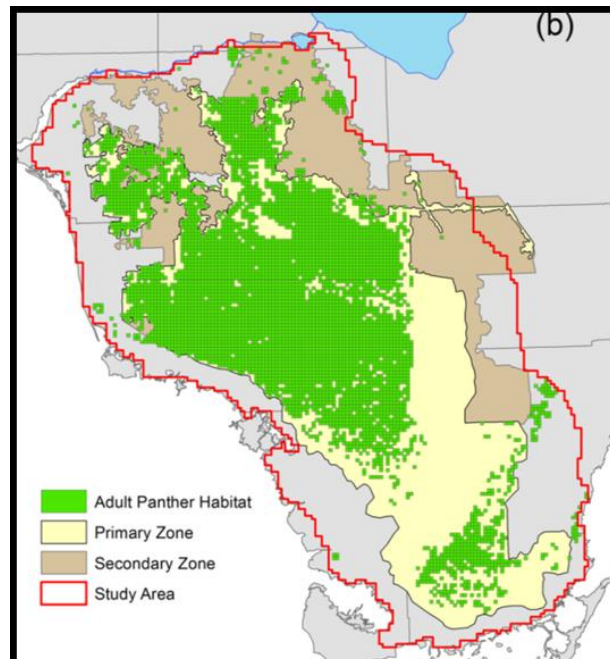


Figure 6 Frakes et al. Adult Breeding Habitat

Even though Collier County did not update the program with current panther data, the County’s Legal Counsel, during the 5-Year Review, stated that amendments to the RLSA must be based on current data.<sup>50</sup>

<sup>49</sup> *Ibid*, p. 15-16

<sup>50</sup> Carlton Fields Memorandum, March 1, 2010. Analysis of Data Analysis requirements to support RLSA Review Committee recommended comprehensive plan amendments.

*Data relied upon must be the best available data. If a more recent analysis or study is available, then that analysis must be considered. p. 3*

*For all data used to support this proposed amendment the studies must be the most up-to-date version available at the time the amendment is adopted by the Commission. Any relevant analysis that has been conducted since the Report was finalized should also be used as supporting documentation. p. 5*

Even Collier County Planning Staff stated that the RLSA Overlay should be updated with new panther studies and data. In 2008, during the first review of the RLSA program, staff from the Environmental Services Department wrote a memo to Tom Greenwood, Principal Planner who was responsible for coordinating the County's RLSA's 5 Year Review Committee, explaining that the land cover codes assigned in 2002 that determine preferred and tolerated panther habitat were outdated and should be updated. Below is that statement from a 2008 Memorandum:<sup>51</sup> (Attachment B)

*What is considered to be habitat utilized by the Florida Panther has changed since 2002. The FLUE AND LDC use FLUCCS codes to define "preferred and tolerated" panther habitat as 310 (dry prairie), 321 (palmetto prairie), 411 (pine flatwoods), 425 (temperate hardwoods), 428 (cabbage palm), 434 (hardwood – conifer mixed) 617 (mixed wetlands), 6172 (mixed wetland shrubs), 621 (cypress), 6218 (cypress melaleuca), 6219 (cypress wet prairie), 624 (cypress pine, cabbage palm), and 630 (wetland forest mix).*

***The USFWS habitat types include marsh, pasture, row crops, orchards, and exotic plants that are not included in the current RLSA description.***

*Utilization of the descriptive habitat types for listed species solves the issues of incomplete FLUCCS lists and minor interpretation differences. (Emphasis added)*

In addition, Collier County planning staff, in a 2011 email, requested that Stantec (formerly WilsonMiller) provide an analysis of newer panther studies and a re-evaluation of land cover types deemed as panther habitat.<sup>52</sup> Stantec's consultant, Al Reynolds, who represented ECPO landowners, pushed back on this request. Mr. Reynolds likely knew that if the program was updated to reconsider habitat areas of the endangered panther based on newer panther studies, then his clients (ECPO) would have to modify their development plans. Instead, he claimed that when a property owner applies for a SSA or SRA application panther data is updated. Here is what was stated in that email: (Attachment C)

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<sup>51</sup> Memorandum from Collier County Environmental Staff to Tom Greenwood, April 24, 2008. (RLSA Restudy Phase 2 – Policy Comments, Environmental Services Department Draft)

<sup>52</sup> Email between Al Reynolds, Stantec and Michelle Mosca, Collier County, November 30, 2011, Subject: Data and Analysis Requirements for the RLSA 5-Year

Michelle Mosca, Collier County Planning Staff:

*A comparative analysis of current data/reports is needed to determine any changed conditions since the RLSA committee's review and recommendations. County staff is requesting that Stantec staff prepare an analysis/evaluation of the new SFWMD Land Use and Cover as well as new (since BCC consideration) panther habitat use studies and provide comments regarding changed conditions.<sup>53</sup>*

Al Reynolds, Stantec:

*One of the basic principles of the RLSA is that there will always be more recent and more site specific data available as the program is implemented, and this is best addressed at the time a property owner and the county evaluate a specific application for an SSA or SRA, or when a property owner uses their baseline uses. This is all spelled out in detail in the GMP and LDC. As such, there is no need to continuously amend the GMP Overlay Map. Similarly, Panther information is always in a state of flux, as new telemetry is generated and new studies are performed.”*

Mr. Reynold's suggestion to rely only on a review of the site-specific panther data under the rules of the existing LDC policies, does nothing to protect panther habitat. Rivergrass, Longwater, and Bellmar's approvals are proof of this. The environmental consultant for the applicant of those three villages, Passarella and Associates, *did* update the site-specific data for all three SRA applications, per LDC rules. However, because Passarella utilized the same outdated FLUCFCS codes to determine “preferred and tolerated” panther habitat, as provided in the LDC, all three projects scored nothing or next to nothing for panther habitat within the “Listed Species Habitat Indices.” Which is absurd, because all three sites are located mostly or entirely within Primary Zone panther habitat, according to U.S. Fish and Wildlife Service GIS layers.<sup>54</sup> The LDC has an egregious loophole that must be corrected.

While the program has not been updated yet with recent panther habitat studies, it is still possible to protect primary panther habitat, and better protect habitat of other listed species by amending the LDC. However, there are three necessary changes to the LDC, provided in Recommendations 11, 12 and 13.

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<sup>53</sup> Email between Al Reynolds, Stantec and Michelle Mosca, Collier County, November 30, 2011, Subject: Data and Analysis Requirements for the RLSA 5-Year

<sup>54</sup> Passarella and Associates. Bellmar Village SRA Natural Resource Index Assessment. Revised August 2020. Prepared for Collier Enterprises Management. p. 5 and Exhibit 9A; Passarella and Associates. Longwater Village SRA Natural Resource Index Assessment. Revised May 2020. Prepared for Collier Enterprises Management. p. 5 and Exhibit 9A; Passarella and Associates. Rivergrass Village SRA Natural Resource Index Assessment. Revised September 2019. Prepared for Collier Enterprises Management. (The NRI assessment for Rivergrass did not include an exhibit for Listed Species Habitat Indices, as it should have; however, the overall low NRI scores from Exhibit 7 illustrate that panther habitat was not scored).

**RECOMMENDATION #11:** We recommend the following amendment to protect primary panther habitat and align the RLSA program with its stated Goal of “directing incompatible uses away from wetlands and upland habitats”:

Update LDC 4.08.01.Q to remove incorrect FLUCFCS codes and any reference to “preferred or tolerated” panther habitat. Replace language to instead state: “Lands mapped as Primary Zone<sup>55</sup> panther habitat, per U.S. Fish and Wildlife Service’s GIS shape files, shall be utilized for the purpose of assigning a value under the ‘Listed Species Habitat Indices’.”

**ISSUE #8 - Scores for Listed Species Habitat Indices must be increased to protect the endangered Florida panther:**

In addition to updating LDC 4.08.01Q to incorporate the Primary Zone, the Stewardship Matrix for scores within “Listed Species Habitat Indices” must also be increased (Figure 7).

**Figure 7: Six Indices that make up the Natural Index Score of RLSA land**

Stewardship Natural Resource Index Factors		Enter X for the Appropriate (Only one for each Index)	
<b>Stewardship Overlay Designation</b>			
Flowway Stewardship Area (FSA)	0.7	<input type="checkbox"/>	<input type="checkbox"/>
Habitat Stewardship Area (HSA)	0.6	<input type="checkbox"/>	<input type="checkbox"/>
Water Retention Area (WRA)	0.6	<input type="checkbox"/>	<input type="checkbox"/>
Area of Critical State Concern (ACSC)	0.4	<input type="checkbox"/>	<input type="checkbox"/>
None of the above	0.0	<input type="checkbox"/>	<input type="checkbox"/>
<b>Proximity Indices</b>			
Enclosed by FSA, HSA, or WRA	0.4	<input type="checkbox"/>	<input type="checkbox"/>
Within 300 feet of FSA or HSA	0.3	<input type="checkbox"/>	<input type="checkbox"/>
Within 300 feet of public or private preserve land	0.2	<input type="checkbox"/>	<input type="checkbox"/>
None of the above	0.0	<input type="checkbox"/>	<input type="checkbox"/>
<b>Listed Species Habitat Indices</b>			
Panther occupied habitat (preferred and tolerated) plus other listed species	0.8	<input type="checkbox"/>	<input type="checkbox"/>
Panther occupied habitat (preferred and tolerated)	0.5	<input type="checkbox"/>	<input type="checkbox"/>
Other documented listed species habitat	0.4	<input type="checkbox"/>	<input type="checkbox"/>
None of the above	0.0	<input type="checkbox"/>	<input type="checkbox"/>
<b>Soils/Surface Water Indices</b>			
Open Water and Muck Depression soils	0.4	<input type="checkbox"/>	<input type="checkbox"/>
Sand Depression soils	0.3	<input type="checkbox"/>	<input type="checkbox"/>
Flats (Transitional) soils	0.2	<input type="checkbox"/>	<input type="checkbox"/>
Non-hydric soils	0.0	<input type="checkbox"/>	<input type="checkbox"/>
<b>Restoration Potential Indices</b>			
Large mammal corridor restoration areas	0.5	<input type="checkbox"/>	<input type="checkbox"/>
Connector wetlands and flowway restoration areas	0.5	<input type="checkbox"/>	<input type="checkbox"/>
Wading bird restoration areas	0.4	<input type="checkbox"/>	<input type="checkbox"/>
Other listed species restoration areas	0.3	<input type="checkbox"/>	<input type="checkbox"/>
None of the above	0.0	<input type="checkbox"/>	<input type="checkbox"/>
<b>Land Use - Land Cover Indices</b>			
FLUCCS Code Group 1	0.4	<input type="checkbox"/>	<input type="checkbox"/>
FLUCCS Code Group 2	0.3	<input type="checkbox"/>	<input type="checkbox"/>
FLUCCS Code Group 3	0.2	<input type="checkbox"/>	<input type="checkbox"/>
FLUCCS Code Group 4	0.0	<input type="checkbox"/>	<input type="checkbox"/>

<sup>55</sup> Primary Zone panther habitat areas are described in US Fish and Wildlife Service, 2008 Florida Panther Recovery Plan, 3<sup>rd</sup> Revision.



Figure 7 shows the Stewardship Natural Index Factors for the RLSA program set forth on the Stewardship Matrix Worksheet. Wilson Miller, working on behalf of ECPO, designed the NRI scoring and stewardship credit matrix system. There appears to be no rhyme or reason for selecting the scores for each of the six indices. Although the Conservancy requested a copy of the methodology for the NRI scoring from Collier County, during the 2018-2021 RLSA Amendment process, we were never provided with it.

It appears that Collier County also does not have access to the methodology. Either a methodology that determined the NRI scores on the matrix was never created based on sound science, or Stantec (WilsonMiller) is just not willing to provide it. Without the methodology, we can only assume that WilsonMiller specifically chose 1.3 as the minimum score necessary for an acre to be protected from development. In addition, we can only assume that WilsonMiller designed the NRI system to ensure that their clients, Eastern Collier Property Owners, were assured an enormous footprint of lands that, no matter how the NRI values were applied, those lands would always score under 1.3, and therefore would always be eligible for intensification as SRAs, regardless of any updated best available science.<sup>56</sup>

The Conservancy conducted a GIS analysis on Open lands within the Primary Zone areas of the RLSA. Unless the scores under “Listed Species Habitat Indices” are increased, there is virtually no way to protect Primary Zone panther habitat under the RLSA’s rules. This is so even if the outdated “preferred and tolerated” FLUCFCS were replaced with Primary Zone GIS files and there are panther telemetry points present.<sup>57</sup> This is why values for “Primary Zone” must be increased to 1.3 and values for “Primary Zone plus other species” must be increased to 1.6.

In that 2008 letter from the Environmental Services Department to Tom Greenwood, during the 5-Year Review, staff urged changes to the NRI scoring because panther habitat within Open Areas was not protected. They stated the following: (Attachment B)

*Protection of listed species and wildlife habitat from intense land uses is one of the requirements in the Growth Management statutes. The HSAs were delineated to protect listed species and their habitat. During the first 5 years of the RLSA program there have been several instances of listed species in Open areas. The HSAs alone do not provide adequate protection to listed species. Additionally the 2002 definition of panther habitat is very limited compared to habitat valuation matrix utilized by USFWS now.*

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<sup>56</sup> RLSA Overlay Policy 4.9 states that “a SRA shall not be cited on lands that receive a Natural Resource Index value of greater than 1.2.”

<sup>57</sup> Policy 4.08.01Q states: “An intersection of at least one data point establishing the presence of a listed species within a geographic information system (GIS) polygon of preferred or tolerated habitat for that listed species shall result in the entire polygon being scored as occupied habitat.”

*In addition to the FSA and HSA areas the NRI score was intended to protect important natural resources. The NRI was not intended to specifically provide protection for listed species, it is intended to direct development away from important natural resources. The NRI score necessary to prevent conversion to high intensity uses is 1.3. In the “Open Areas,” only areas with panthers and other listed species or panthers in wetlands with muck soils will score an NRI of 1.3 or greater. The weighting is inadequate for the NRI alone to contribute significantly to natural resource protection.*

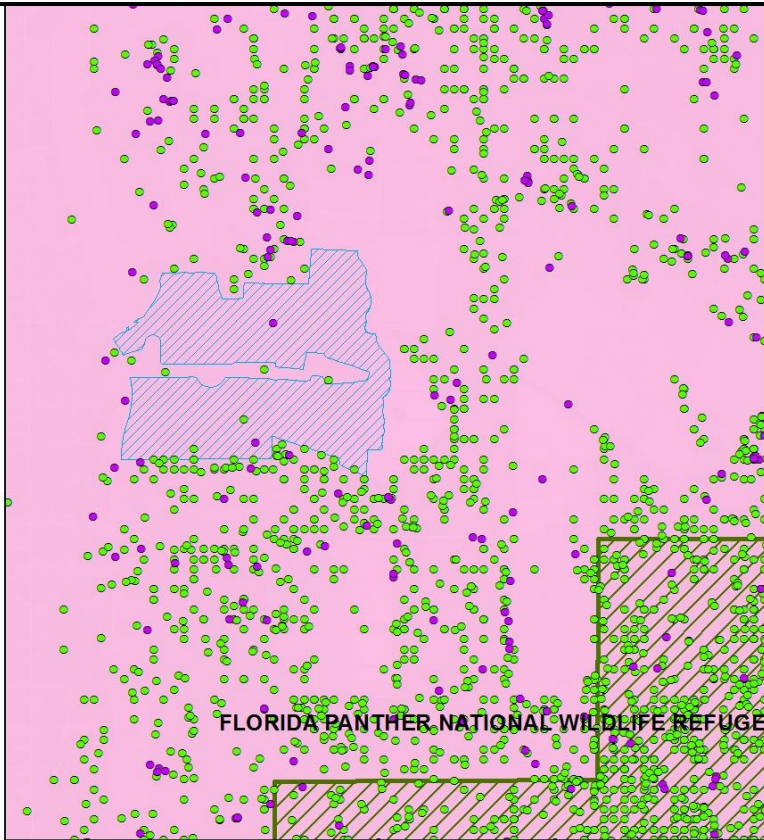
*The listed species that depend on large amounts of dry prairie like sand hill cranes, burrowing owls, and caracara now utilize pasture lands and fallow areas also.*

*Although some of these areas were included as HSAs the NRI scoring is not weighted to provide protection outside of Stewardship or ACSC areas. (Emphasis added)*

The NRI valuing system has failed. Without the changes we propose, it is *highly likely* that many more developments will be approved within primary panther habitat. It is also likely that habitat of other listed species, which all score under 1.3 on the matrix, will also be converted to development. Bellmar Village provides a perfect example of the failing of the NRI scoring.

Sources: Panther Focus Areas - U. S. Fish and Wildlife Service & Florida Fish and Wildlife Conservation Commission-Fish and Wildlife Research Institute  
 Panther Telemetry - Florida Fish and Wildlife Conservation Commission  
 GPS Panther Telemetry - Land et al. Florida Panther Habitat Selection, The Journal of Wildlife Management, 2008  
 Date: 2/24/2022

**Figure 8: Bellmar Village site with panther telemetry and habitat data**



**Legend**

- Panther telemetry - GPS
- Panther telemetry thru July 2021
- Florida Panther National Wildlife Refuge
- Bellmar Village
- Primary Panther Zone

**CONSERVANCY of Southwest Florida**  
 OUR WATER, LAND, WILDLIFE, FUTURE

0 0.1 0.35 0.7 1.05 1.4 Miles

Bellmar's site is only about 1.5 miles from the Florida Panther National Wildlife Refuge and it is located *entirely* within Primary Zone panther habitat (Figure 8). Even though few panthers have been collared and the green and purple telemetry points represent only a small sample size of panthers, there are still numerous telemetry points near the site, which indicates that the Bellmar site is heavily traveled by panthers.

Although the site is considered primary panther habitat and the area is heavily travelled, Bellmar scored a *zero* value for Listed Species Habitat Indices for most of the site. Only a small portion of the site scored a value of 0.4 NRI for listed species. Furthermore, because Bellmar scored low for all other indices and not one single acre achieved the 1.3 threshold, nothing could protect Bellmar from qualifying as a SRA, under Collier County's faulty rules.

The issue all boils down to a faulty NRI scoring system and a refusal to update the program with current best available science, even though the landowner's own representative stated that the program *would* be updated with habitat modeling from the USFWS's Panther Recovery Plan.

Now is the time to update the LDC to protect this critically endangered species. **Under ECPO's "Habitat Conservation Plan," they propose to destroy 17,500 to 19,600 acres of primary panther habitat** within the RLSA for uses such as development and mining!<sup>58</sup> However, **every single acre of Primary Zone panther habitat could be avoided and ECPO could still build the 91,480 dwelling units they propose, and more!**<sup>59</sup> There are approximately 36,881 acres of "Open" areas within the RLSA that are outside of primary panther habitat (Figure 9: Conservancy Vision Map -pink areas on map). The RLSA program allows up to four units per acre for towns and villages. Thus, even if they build at an average density of 2.5 units, per acre, they could build 92,202 homes ***without touching***

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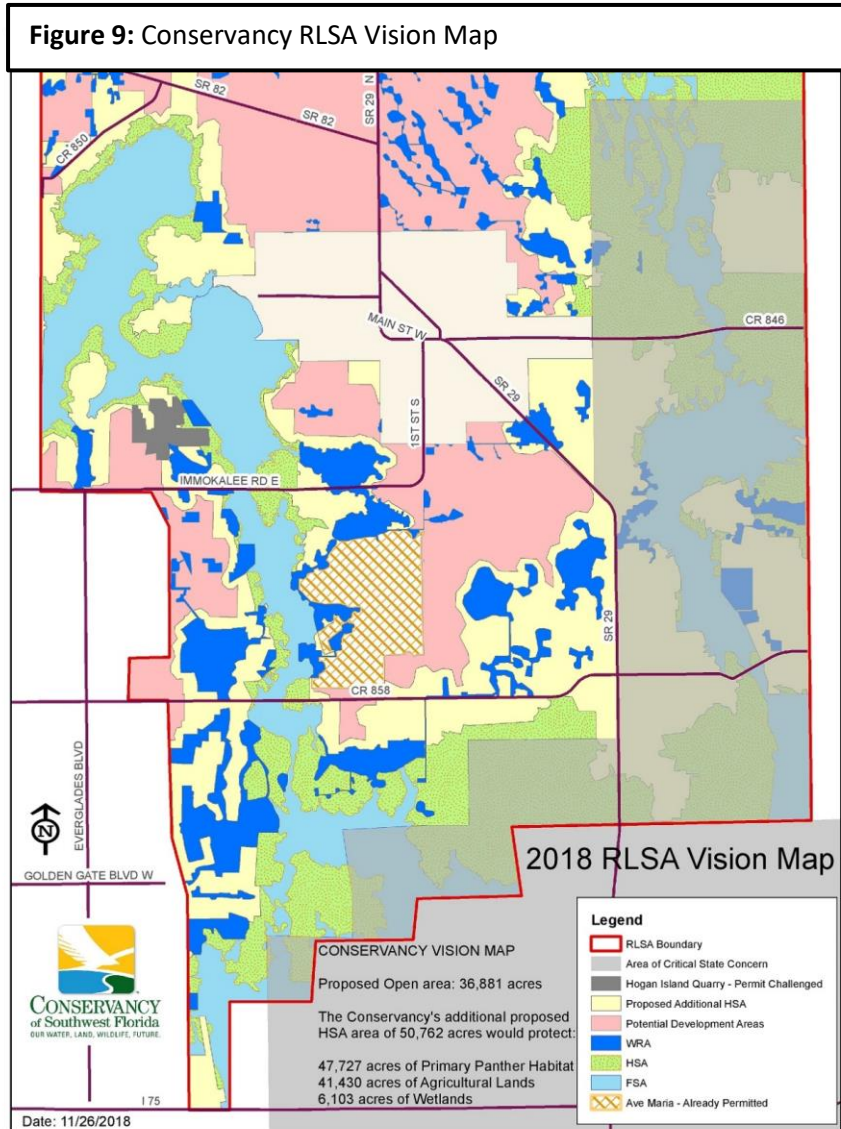
<sup>58</sup> Stantec Consulting Services, Inc. Eastern Collier Multiple Species Habitat Conservation Plan (HCP), Revised 2018. For submittal to: U.S. Fish and Wildlife Service. Table 4-1 and 4-3

<sup>59</sup> Ibid, p. iii

**one acre of Primary Zone panther habitat.** If they increase the average density beyond 2.5, they could build even more homes.

In addition, because the development areas would be more compact and closer to an existing road network and infrastructure, the costs to Collier County for providing infrastructure and services would be far less.

Collier County cannot assume that wildlife agencies will protect the panther. From 1984 to



2012, the US Fish and Wildlife Service permitted 97,000 acres of panther habitat for development, mining, transportation projects, and other projects.<sup>60</sup>

Collier County *can* modify the program to achieve the goal of listed species habitat protection. During the 2003 hearings for creation of the LDC policies, Collier County’s outside legal counsel, Nancy Linnan, stated the following at a planning commission meeting.<sup>61</sup>

*“First of all, you can amend the comprehensive plan at any time assuming you do it during the twice a year state so you have that ability to see it getting out of whack. You have five year period where*

*there is a mandatory check with certain requirements that you have to look at. You also have your EARs where you are going to be doing it and it doesn’t preclude you from*

<sup>60</sup> Information from multiple US Fish and Wildlife Service consultation logs from FOIA. Some of the losses were prior to the delineation of panther habitat zones as defined by Kautz et al 2006, as the “line” of panther habitat was well westward of where it currently stands today.

<sup>61</sup> Collier County Audio Tapes from May 1, 2003, Tape 1A. Conversation starts approximately 40 min 52 seconds.

*asking at any point please bring us up to speed on where we are, give us an accounting on where we are on the credits. And so you will be seeing all of the SSAs coming in, you will be seeing all of the SRAs coming in, so you will have a pretty good idea of what is going on out there.”*

**Dwight Richardson (Planning Commissioner) replied:** *“So we can change the rules at that time if it’s not working?”*

**Nancy Linnan:** *“Yes.”*

**RECOMMENDATION #12:** We recommend the following amendment to align the RLSA program with its stated Goal of *“directing incompatible uses away from wetlands and upland habitats.”* Modify *Listed Species Habitat Indices* within the Stewardship Credit Matrix by:

- Replacing language that states, “Panther occupied habitat (preferred and tolerated)” with “Primary Zone panther habitat.” Increase value from 0.5 to 1.3.
- Replacing language that states, “Panther occupied habitat (preferred and tolerated) plus other listed species” with “Primary Zone panther habitat plus other listed species.” Increase value from 0.8 to 1.6.

**RECOMMENDATION #13:** Additional habitat protections for other listed species are necessary. If an acre of land scores zero for five of the six indices (Figure 7), but scores 0.4 for “Other documented listed species habitat” then that species’ habitat is vulnerable to development. We recommend, for other listed species, that the LDC is updated to require habitat buffers found in Florida Fish and Wildlife Conservation Commission (FWC) or U.S. Fish and Wildlife Services’ (FWS) Species Conservation Measures and Guidelines.<sup>62</sup> As example, FWS recommends a 985 feet buffer around a caracara nest.<sup>63</sup> FWC recommends a 400 feet buffer around a sandhill crane’s nest and 575 feet around a big cypress fox squirrel nest.<sup>64</sup>

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<sup>62</sup> U.S. Fish and Wildlife Service Guidance Documents: <https://www.fws.gov/guidance/> and Florida Fish and Wildlife Conservation Commission Species Conservation Measures and Permitting Guidelines. <https://myfwc.com/wildlifehabitats/wildlife/species-guidelines/>

<sup>63</sup> U.S. Fish and Wildlife Service South Florida Ecological Services Office DRAFT April 20, 2004. Species Conservation Guidelines South Florida Audubon’s Crested Caracara, p. 3

<sup>64</sup> Florida Fish and Wildlife Conservation Commission (FWC) Florida Sandhill Crane Species Conservation Measures and Permitting Guidelines, p. 6 <https://myfwc.com/media/11565/florida-sandhill-crane-guidelines.pdf>; FWC Big Cypress Fox Squirrel Species Conservation Measures and Permitting Guidelines, p. 6,7 <https://myfwc.com/media/11559/big-cypress-fox-squirrel-guidelines.pdf>

**ISSUE #9 –Issues with the proposed location for panther corridors.**  
**Conservancy provides recommendations for location of wildlife**  
**crossings.**

**PROPOSED PANTHER CORRIDORS:**

The recently amended Policy 3.11.3 provides up to ten Stewardship Credits per acre for designation and restoration of lands within a northern or southern panther corridor. The policy states that the credits shall be granted for lands within a “federally approved corridor.” The Conservancy is unaware of any federally approved corridor near or within the proposed “North Corridor General Location” and “South Corridor General Location” as identified by the red arrows on the RLSA Overlay map. Furthermore, there are serious issues with the County’s proposed general locations of the corridors and policy language, including the following:

1. Two approved projects are located squarely within the area of the proposed “North Corridor General Location.” Figure 10 shows the location of Immokalee Sand Mine,<sup>65</sup> an 897 acre-mining project, and the 578-acre approved Immokalee Solar project for Florida Power and Light (FPL).<sup>66</sup> Clearly a panther corridor is not appropriate for areas where there are permitted uses. Furthermore, while we are aware that FPL has the capacity to use panther permeable fencing, FPL has provided no evidence that panthers will access or utilize solar sites once panels and fencing have been installed. It is our understanding that FPL has been collecting data on other sites utilizing this panther friendly fencing in Hendry County for many years, but has not provided data to confirm that panthers continue to use these sites after the solar panels have been installed.
2. Collier County purchased 1,046 acres near the “South Corridor General Location” (Figure 10). Although, the proposed use has yet to be decided, ideas for the parcel provided by staff include a new location for the county fairground, EMS/fire, parks and recreation, hurricane debris management and horticulture processing, and/or workforce housing.<sup>67</sup> Any proposed panther corridor should avoid proximity to the Collier County site, as any of those uses would add considerable traffic near the proposed corridor.

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<sup>65</sup> Collier County City View. Conceptual Conditional Use Re-Review Plans for Immokalee Sand Mine. July, 2020

<sup>66</sup> Collier County City View. Immokalee Solar CU, Site Plan.

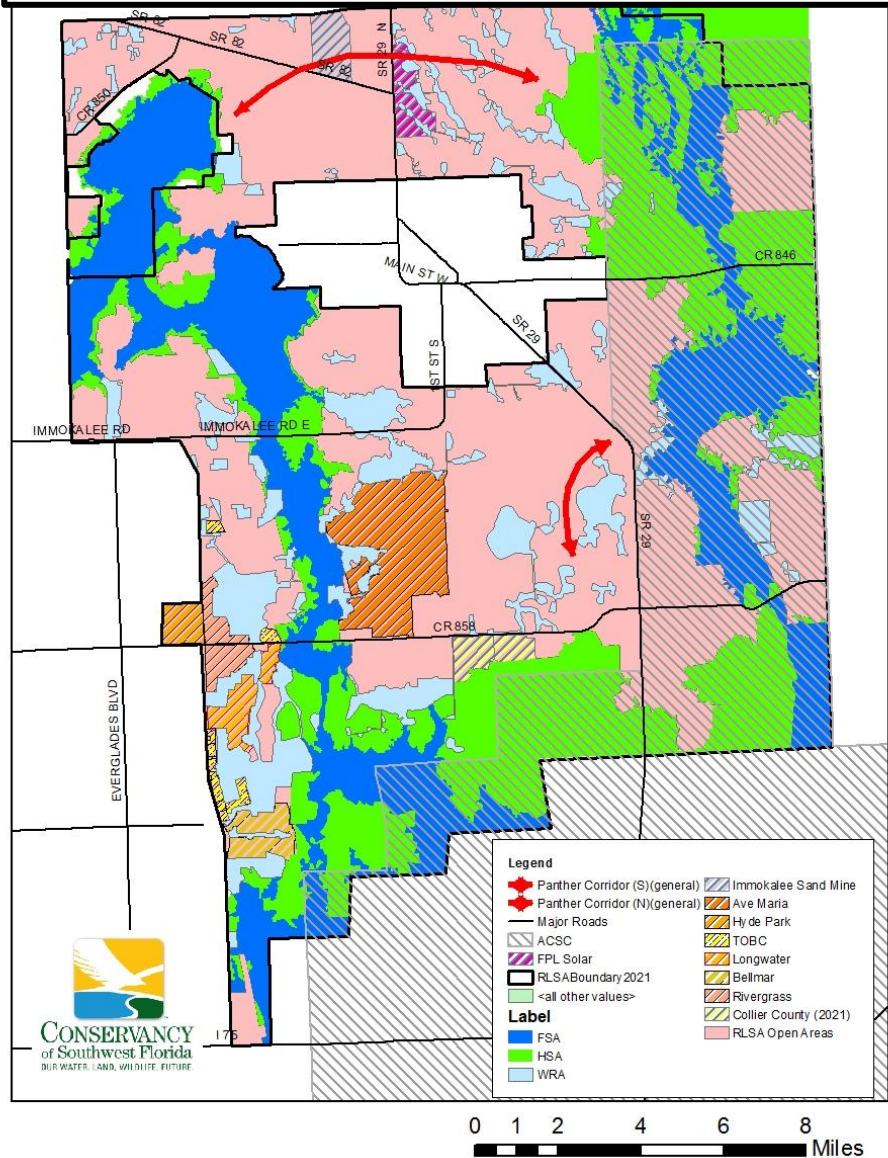
<sup>67</sup> Collier County BCC Agenda Item 11B, March 9, 2021.

- Although Policy 3.11.3 provides landowners with the opportunity to generate substantial credits for panther corridors, there are no assurances that all landowners within the corridors will participate. If *just one* landowner within the proposed corridors chooses not to participate, and instead chooses to develop their lands, then the corridor will be fragmented and will not be viable. We believe that no credits shall be issued until all landowners within the corridor have committed to set aside their lands as a panther corridor.

**RECOMMENDATION #14:** We provide the following recommendations for panther corridors:

- The proposed corridor locations are relocated to areas where there are no permitted uses that are more intensive than existing agriculture.
- Credits for “designating” property within a panther corridor shall not be issued until the corridor is complete, where *all* landowners within the proposed corridors have designated their lands to a panther corridor.
- The SSA Agreements must stipulate that land use layers within the panther corridors are removed to an Agriculture or Conservation layer.

**Figure 10:** RLSA Overlay map with proposed north and south corridor locations. Immokalee Sand Mine and FPL Solar project are located within path of proposed north corridor. County parcel is near location of proposed southern corridor.



**The U.S. Fish and Wildlife Services’ Florida Panther Recovery Plan, 3<sup>rd</sup> Edition (p. 30-31), provides specifications for panther corridor widths depending on the length. The document states that corridors extending between 0.6 miles to 4 miles in length should be more than 1,312 feet wide (Beier, 1995), perhaps up to 1 mile (Noss, 1992), 5 (Beier, 1995), or even 10 miles (Harrison, 1992) wide. As this is a landscape corridor covering a great distance, the Conservancy has previously targeted a 1 mile width for these corridors. “**

**Once the County provides more information for the proposed corridor locations, the Conservancy may provide additional comments and/or recommendations.**

#### **RECOMMENDATIONS FOR WILDLIFE CROSSINGS:**

Roads are one of the greatest threats to wildlife. Currently, the RLSA has a limited road network. However, Eastern Collier Property Owners’ (ECPO) plans show that they would like Collier County to add approximately 200 miles of new and expanded road projects to the RLSA, to connect the many developments they would like built.<sup>68</sup> This road network would add approximately 800,000 daily vehicle trips to Collier County’s road network,<sup>69</sup> dramatically increasing the risks to of vehicle strikes and roadkills to all of the RLSA’s wildlife.

The recently amended Policy 4.14 provides for *“provisions for the construction and/or permitting of wildlife crossing”* as one of the ways in which landowner-developers may mitigate or offset a SRA’s traffic impacts. However, wildlife crossings must be strategically located and appropriately designed to better protect the RLSA’s many threatened and endangered species.

**RECOMMENDATION #15: Three important studies have already been conducted to determine where wildlife crossings are most needed, due to the highest incidents of wildlife mortalities. To reduce road mortalities of wildlife and listed species, the Conservancy recommends that Collier County select the locations of wildlife crossings and fencing based on results of these studies, including crossing locations and designs for large mammal crossings:**

- **Florida Department of Transportation District One. Florida Panther Recovery Implementation Team. Transportation Subteam. June 2020. Southwest Florida Road Hot Spots 2.0. (Figure 11) This report is updated typically annually, so please refer to the most up-to-date information.**  
**[https://www.fws.gov/verobeach/FloridaPantherTransportation/20210127\\_SouthwestFloridaPantherHotSpotsReportRevised2020.pdf](https://www.fws.gov/verobeach/FloridaPantherTransportation/20210127_SouthwestFloridaPantherHotSpotsReportRevised2020.pdf)**

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<sup>68</sup> Conservancy analysis of WilsonMiller 2008 Conceptual Build-out Roadway Network Map.

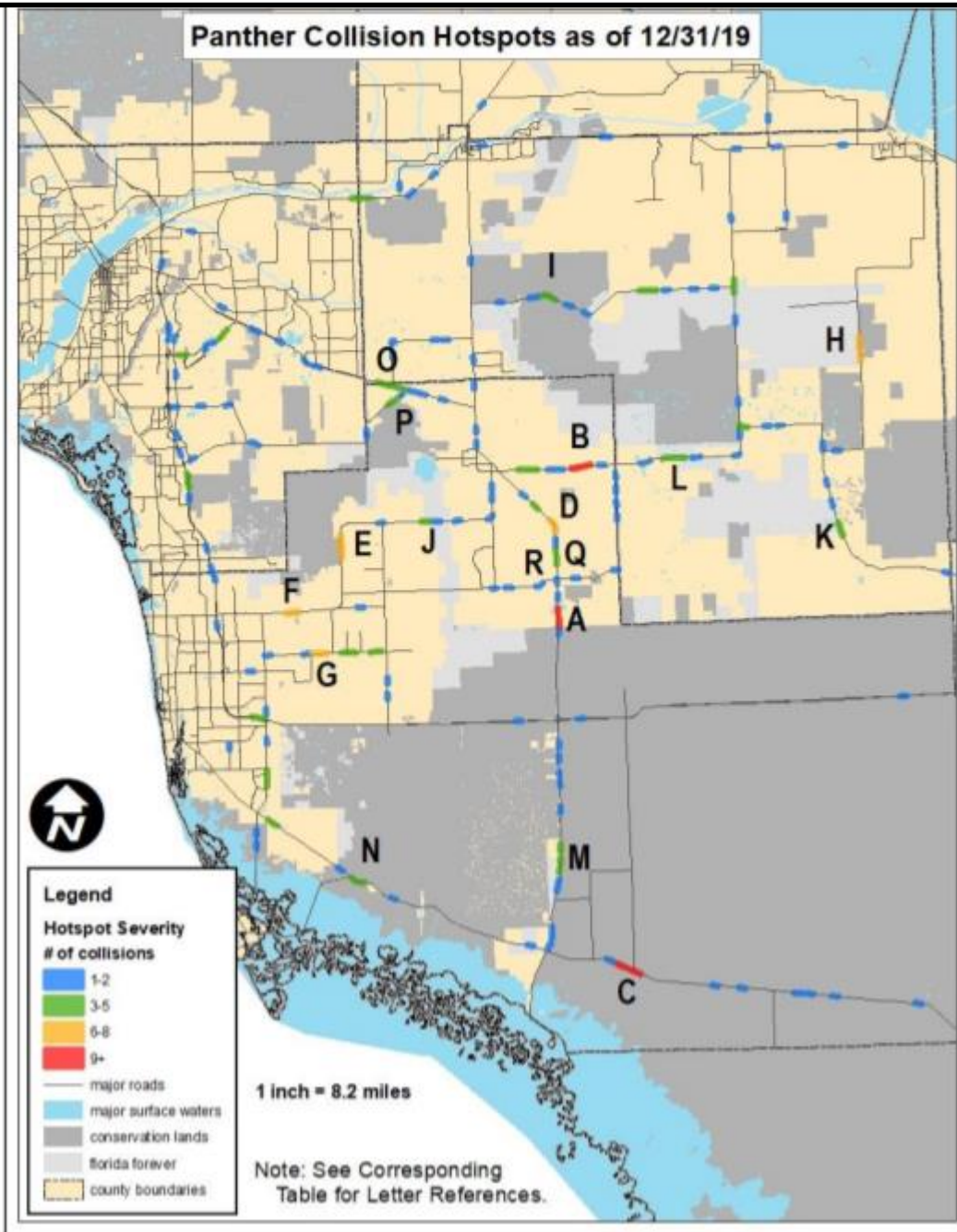
<sup>69</sup> Panther Review Team (2009, October 15). Technical Review of the Panther Protection Program Proposed for the Rural Lands Stewardship Area of Collier County, Florida. Prepared for Rural Landowners and Conservation Organizations a Parties to a Memorandum of Understanding dated June 2, 2008.. Table 6.3-1 and 6.3-1 continued.



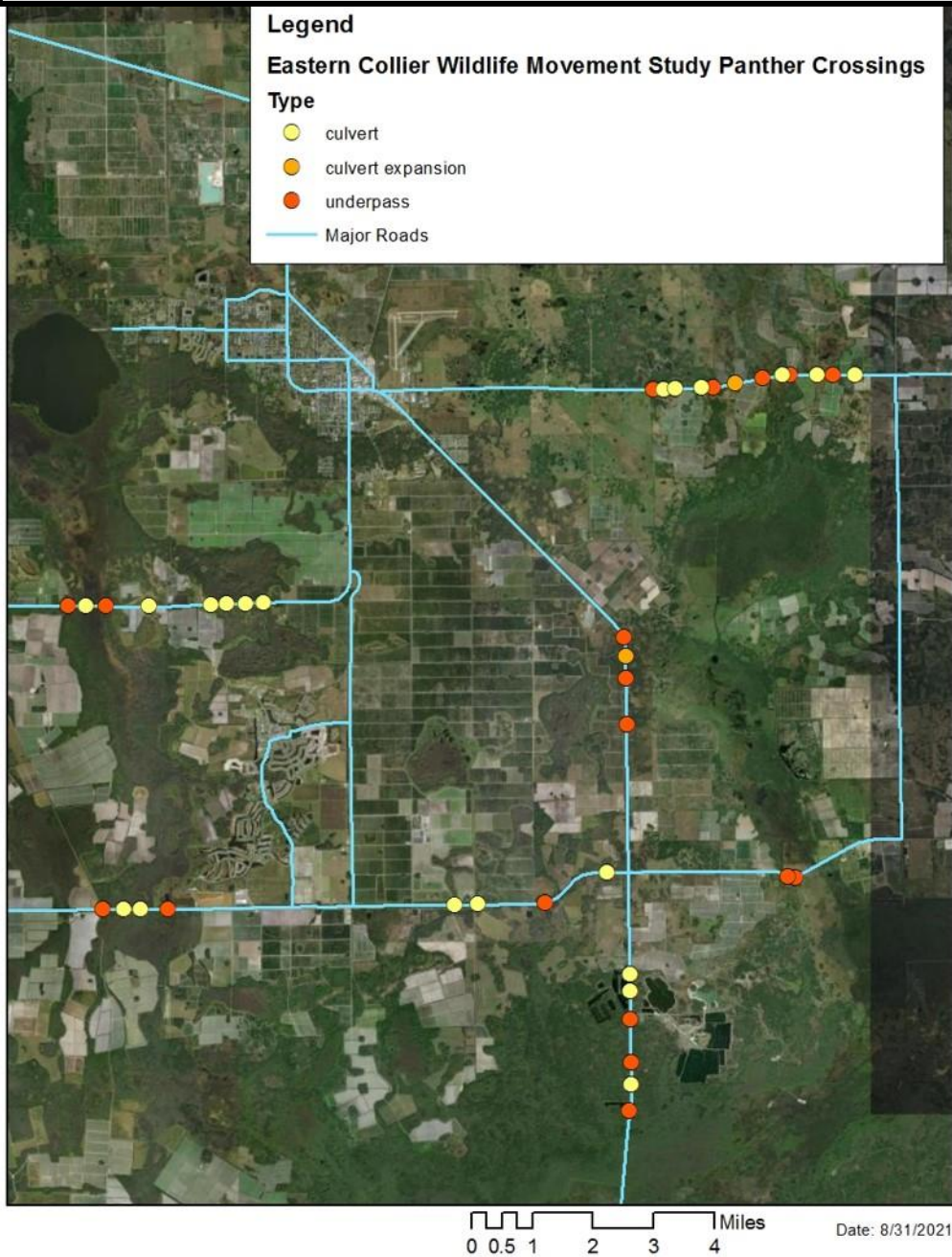
- **Smith et al. 2006. Eastern Collier County Wildlife Movement Study: SR29, CR846, and CR858 Wildlife Crossing Project Final Report (Figure 12)**  
[https://conservationcorridor.org/cpb/Smith\\_Noss\\_Main\\_2016.pdf](https://conservationcorridor.org/cpb/Smith_Noss_Main_2016.pdf)
- **Florida Department of Transportation District One. December 2021. Wildlife Crossing Feasibility Study. SR 29 North of Florida Panther Wildlife Refuge**  
[http://www.swflroads.com/us29/northofpantherrefuge/images/449143-1\\_SR\\_29\\_Wildlife\\_Crossing\\_Feasibility\\_Study\\_Final\\_12-13-21.pdf](http://www.swflroads.com/us29/northofpantherrefuge/images/449143-1_SR_29_Wildlife_Crossing_Feasibility_Study_Final_12-13-21.pdf)

**Once the County provides more information about this section of the LDC, the Conservancy may provide additional comments and/or recommendations.**

**Figure 11:** Southwest Florida Road Hot Spots Report. Florida Panther Recovery Implementation Team Transportation Subteam. Adopted by USFWS. Map of panther vehicle collisions.



**Figure 12:** Conservancy map providing the locations of the recommended crossings from Smith et. al.



In conclusion, the Conservancy is hopeful that you will consider these recommendations as the basis for amendments to section 4.08.00 of the Land Development Code, or if you believe the recommendations to be outside your current scope of work, please consider our recommendations for the next amendment cycle and EAR.

If you would like to discuss these matters further, you may reach us at (239) 262-0304.

Sincerely,



April Olson  
Senior Environmental Planning Specialist  
(239) 262-0304, ext. 250  
AprilO@Conservancy.org



Nicole Johnson  
Director of Environmental Policy  
(239) 403-4220  
NicoleJ@Conservancy.org

Attachments:

- A. U.S. Fish and Wildlife Service Letter to Collier County Planning Commission re: Longwater and Bellmar SRAs, dated March 1, 2021.
- B. Memorandum from Collier County Environmental Staff to Tom Greenwood, April 24, 2008. (RLSA Restudy Phase 2 – Policy Comments, Environmental Services Department Draft)
- C. Email between Al Reynolds, Stantec and Michelle Mosca, Collier County, November 30, 2011, Subject: Data and Analysis Requirements for the RLSA 5-Year

# Memorandum

**To:** Tom Greenwood, Principal Planner

**From:** Laura Roys, Senior Environmental Specialist  
Mac Hatcher, Senior Environmental Specialist

**Date:** April 24, 2008

**Subject:** RLSA Study Phase 2 – Policy Comments, Environmental Services  
Department DRAFT

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**Preliminary suggested changes from the Environmental Services Department:**

**Listed Species Protection**

Protection of listed species and wildlife habitat from intense land uses is one of the requirements in the Growth Management statutes. The HSAs were delineated to protect listed species and their habitat. During the first 5 years of the RLSA program there have been several instances of listed species in Open areas. The HSAs alone do not provide adequate protection to listed species. Additionally the 2002 definition of panther habitat is very limited compared to the habitat valuation matrix utilized by USFWS now.

**VII) Policy 3.2**

Listed animal and plant species and their habitats shall be protected through the establishment of Habitat Stewardship Areas (HSAs), as SSAs within the RLSA Overlay. HSAs are delineated on the Overlay Map and contain approximately 40,000 acres. HSAs are privately owned agricultural areas, which include both areas with natural characteristics that make them suitable habitat for listed species and areas without these characteristics. These latter areas are included because they are located contiguous to habitat to help form a continuum of landscape that can augment habitat values. The Overlay provides an incentive to permanently protect HSAs by the creation and transfer of Credits, resulting in the elimination of incompatible uses and the establishment of protection measures described in Group 1 Policies. Not all lands within the delineated HSAs are comparable in terms of their habitat value; therefore the index shall be used to differentiate higher value from lower value lands for the purpose of Overlay implementation. Analysis of the Index Map Series shows that HAS lands score within a range of 0.6 to 2.2. There are approximately 13,800 acres of cleared agricultural fields located in HSAs. The average Index score of HAS designated lands is 1.3, however, the average index score of the naturally vegetated areas within HSAs

In addition to the FSA and HSA areas the NRI score was intended to protect important natural resources. The NRI score was not intended to specifically

**provide protection for listed species, it is intended to direct development away from important natural resources. The NRI score necessary to prevent conversion to high intensity uses is 1.3. In the "Open Areas" only areas with panthers and other listed species or panthers in wetlands with muck soils will score an NRI of 1.3 or greater. The weighting is inadequate for the NRI alone to contribute significantly to natural resource protection.**

**The listed species that depend on large amounts of dry prairie like sand hill cranes, burrowing owls, and caracara now utilize pasture lands and fallow areas also. Although some of these areas were included as HSAs the NRI scoring is not weighted to provide protection outside of Stewardship or ACSC areas.**

(VII) Policy 1.8

The natural resource value of land within the RLSA is measured by the Stewardship Natural Resource Index (Index) set forth on the Worksheet. The Index established the relative natural resource value by objectively measuring six different characteristics of land and assigning an index factor based on each characteristic. The sum of these six factors is the index value for the land. Both the characteristics used and the factors assigned thereto were established after review and analysis of detailed information about the natural resource attributes of land within the RLSA so that development could be directed away from important natural resources. The six characteristics measured are: Stewardship Overlay Designation, Sending Area Proximity, Listed Species Habitat, Soils/Surface Water, Restoration Potential, and Land Use/Land Cover.

**Approximately 6 % of the panther telemetry points (through 12/2007) in the RLSA are in "Open" areas (Figure 1). There are 8 documented panther deaths in or on the edge of open areas. There are 5 Florida scrub jay families and 1 rookery and an eagle nest in Open areas. I don't have GIS data for caracaras, sand hill cranes, gopher tortoises, or burrowing owls but they have all been observed in these areas also.**

LDC 4.08.01 Specific Definitions Applicable to RLSA District

Q. Listed Species Habitat Indices. One of the indices comprising the Natural Resource Index Value, with values assigned based upon the habitat value of the land for listed species. Index values are based on documentation of occupied habitat as established by the intersect of documented and verifiable observations of listed species with land cover identified as preferred or tolerated habitat for that species. Land mapped, using FLUCFCS, as 310, 321, 411, 425, 428, 434, 617, 6172, 621, 6218, 6219, 624, and 630 is deemed to be preferred or tolerated habitat for panthers for the purpose of assigning a value for these indices. An intersection of at least one data point establishing the presence of a listed species within a geographic information system (GIS) polygon of preferred or tolerated habitat for that species shall result in the entire polygon being scored as occupied habitat.

**The scoring range is 0.8 for panther and other listed species, 0.5 for panther, and 0.4 for other listed species. No FLUCCS codes are listed for any other species.**

What is considered to be habitat utilized by the Florida Panther has changed since 2002. The FLUE AND LDC use FLUCCS codes to define "preferred or tolerated" panther habitat as 310 (dry prairie), 321 (palmetto prairie), 411 (pine flatwoods), 425 (temperate hardwoods), 428 (cabbage palm), 434 (hardwood – conifer mixed), 617 (mixed wetlands), 6172 (mixed wetland shrubs), 621 (cypress), 6218 (cypress melaleuca), 6219 (cypress wet prairie), 624 (cypress, pine, cabbage palm), and 630 (wetland forest mix). The USFWS uses the following habitat types that occur in the RLSA to value panther habitat for compensation assessments:

Habitat Type	Assigned value
Xeric oak scrub	10
Hardwood forest	10
Freshwater marsh	9
Bottomland hardwood	9
Bay swamp	9
Hardwood swamp	9
Cypress swamp	9
Sand pine scrub	9
Sandhill	9
Hardwood-pine forest	9
Pine forest	9
Grassland/pasture	7
Dry prairie	6
Shrub swamp	5
Shrub and brush	5
STA	4.5
Crop land	4
Orchards/groves	4
Exotic plants	3
Reservoir	1.5

The USFWS habitat types include marsh, pasture, row crops, orchards, and exotic plants that are not included in the current RLSA description. Utilization of descriptive habitat types for listed species solves the issues of incomplete FLUCCS lists and minor interpretation differences. I suggest we utilize the same list for black bears; native wetland and natural water bodies for alligators and wading birds; pastures, prairies, and fallow agriculture for sand hill cranes, caracara, and burrowing owls; native uplands for gopher tortoise; and a 660 ft buffer for an eagle nest. For any other listed species the land cover shall be identified in a state or federal management plan as utilized by that species.

#### Protection of natural resources

To provide protection to the areas providing significant habitat value to listed species in Open areas I suggest changing the scoring to :

Endangered species with other listed species 0.9;

Endangered species or Threatened and other listed species 0.8;

**Threatened species, Eagle nest, or rookery 0.7; and  
Species of Special Concern 0.6.**

**To provide some flexibility to property owners and benefit to listed species mitigation of areas with NRI values greater than 1.3 can occur off-site in similar habitat or restoration areas within or contiguous to Camp Keais or Okaloacoochee sloughs at a ratio of at least 1:1 with a management plan and conservation easement.**

**Proposed change to LDC:**

LDC 4.08.01 Specific Definitions Applicable to RLSA District

- Q. **Listed Species Habitat Indices.** One of the indices comprising the Natural Resource Index Value, with values assigned based upon the habitat value of the land for listed species. Index values are based on documentation of occupied habitat as established by the intersect of documented and verifiable observations of listed species with land cover identified as ~~preferred or tolerated~~ habitat for that species. ~~Land mapped, using FLUCPCS, as 310, 321, 411, 425, 428, 434, 617, 6172, 621, 6218, 6219, 624, and 630 is deemed to be preferred or tolerated~~ Oak scrub, hardwood forest, freshwater marsh, bay swamp, hardwood swamp, cypress swamp, sand pine scrub, hardwood-pine forest, pine forest, grassland/pasture, dry prairie, shrub swamp, or shrub and brush shall be used as habitat for bears and panthers for the purpose of assigning a value for these indices. The following habitat types shall be used in the indices. Native wetland and natural water bodies for alligators and wading birds; pastures, prairies, and fallow agriculture for sand hill cranes, caracara, and burrowing owls; native uplands for gopher tortoise; and a 660 ft buffer for an eagle nest. An intersection of at least one data point establishing the presence of a listed species within a geographic information system (GIS) polygon of ~~preferred or tolerated~~ habitat for that species shall result in the entire polygon being scored as occupied habitat. The scoring for the Listed Species Habitat Indices shall be:  
Endangered species with other listed species 0.9;  
Endangered species or Threatened and other listed species 0.8;  
Threatened species, Eagle nest, or rookery 0.7; and  
Species of Special Concern 0.6.

**Other Comments/Concerns:**

**NRI score, Group 3 Policies, LDC 4.08.06.B.3**

- **There should be an update of the initial mapping. Not all land use/land cover codes are included and there could be more areas like Lake Trafford Ranch and Half Circle Ranch that were improperly designated.**



### **Habitat Stewardship Areas (HSA) Policy 3.2**

- **The current acreage for all HSAs provided in the FLUE is incorrect. Acreage was added between Transmission and Adoption of the RLSA and needs to be updated.**

### **Stewardship Sending Areas (SSA):**

- **Continuing agricultural use in the SSAs should be with Best Management Practice (BMP) standards, at a minimum.**

#### **Policy 3.9**

- **No exotic removal and maintenance is required for SSA designation. Staff has observed substantial amounts of exotic pest plants, and are concerned that their growth will continue to decrease the habitat value in the years to come. The presence of high concentrations of exotic plants in the sub-canopy has long been recognized as deleterious to native species, both plants and animals. This would not be a concern where management of the exotics were part of a restoration plan. Goal 3 and LDC 4.08.06 SSA Designation**

### **Restoration - Policies 3.11 and 3.12, LDC 4.08.06.C.5.j**

- **Any level of restoration or maintenance receives the same amount of credits. The credit value should be tied to the functional lift and there should be levels of credit that could be earned.**
- **The Management Plan should be required with the Stewardship Easement to ensure enforceability.**
- **The management plan should include more than the 12 exotic plants listed by County Code (FLEPPC Category 1). Various other exotics have been observed.**
- **The LDC should define more specific requirements on what management plans entail.**
- **Restoration should be to a native habitat.**

### **Development in the RLSA:**

- **SRA:  
LDC 4.08.07 SRA Designation**

- **Soil sampling and other relevant information that is normally required for submittal of an Environmental Impact Statement (EIS) should be required. Unless it is a DRI, staff can not request an EIS or even parts of the EIS.**
- **Full, detailed wildlife surveys should be submitted at the time of SRA review. This information can be used to confirm the SSAs being used for development of the SRA are offsetting the impacts development of the SRA will have on listed species.**
- **EAC hearing should be required for all SRAs. (LDC 4.08.07.F.1.a.)**
- **Need detailed habitat management plans or information regarding species to be relocated, etc.**

**Jmh/Lrg**

**C: ESD File: G:\RLSA\RLSA\_5\_year\_review Enviro 032808-draft.doc**

May 6, 2008

**MINUTES OF THE MEETING OF THE COLLIER COUNTY  
RURAL LANDS STEWARDSHIP AREA REVIEW COMMITTEE**

Ave Maria, Florida, May 6, 2008

LET IT BE REMEMBERED, that the Collier County Rural Lands Stewardship Area Review Committee in and for the County of Collier, having conducted Business herein, met on this date at 9:00 A.M. in REGULAR SESSION at the Ave Maria University Academic Building 07 Conference Room 5, 5050 Ave Maria Boulevard, Ave Maria, Florida, with the following members present:

**CHAIRMAN: Ron Hamel**  
**VICE CHAIRMAN: Neno Spagna**  
Brad Cornell  
Zach Floyd Crews  
Gary Eidson  
David Farmer  
Tom Jones  
David Woodley  
Bill McDaniel  
Timothy Nance  
Fred Thomas

**ALSO PRESENT:** Thomas Greenwood, AICP, Principal Planner, Comprehensive Planning Department  
Michael J. DeRuntz, Principal Planner, Comprehensive Planning Department  
Laura Roys, Senior Environmental Specialist, Engineering and Environment Services Department

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May 6, 2008

Approximately 20 members of the public

**I. Call Meeting to Order**

The meeting was called to order at 9:07 AM by Chairman Hamel.

**II. Roll Call**

Roll call was taken, and a quorum was established.

**III. Approval of Agenda**

*Mr. Hamel requested that Item IX be move up in front of Item VI.*

*Mr. McDaniel moved to approve the agenda as amended, Second by Mr. Farmer.*

*Voice Vote - Unanimously Approved 11-0.*

**IV. Approval of Minutes: February 5, 2008**

*Mr. Thomas moved to approve the minutes of the February 5, 2008 committee meeting, as amended, Second by Mr. McDaniel. Voice Vote - Unanimously Approved 11-0.*

**V. Presentation – Mr. Draper was on his way**

**B. Clarence Tears, Jr., South Florida Water Management District**

Mr. Tears stated that the most important thing that needs to be accomplished from the South Florida Water Management District's perspective for the RLSA Program would be to help keep and improve the flowway of the Kamp Keais Strand and Okaloacoochee Slough open and flowing. He stated that local utilities are using reverse osmosis for their supply of potable water and it is becoming increasing important to provide all means to recharge aquifers. He added that the RLSA program in Collier County has been a huge success in establishing SSAs within the Kamp Keais Strand, and to a lesser degree the Okaloacoochee Slough.

One of the District's goals is to work with property owners to develop "Regional Land Stewardship Flow Restoration." The District, at the request and support of the property owners in the Kamp Keais Strand, completed modeling for the Kamp Keais Strand drainage area. Through this model, restrictions to the flowway were identified and plans for the reduction and elimination of restrictions and environmental restoration were developed. Those plans included structural improvements, the enhancement of the CR 846 bridge, new CR 858 bridge, replacement of existing culverts, and the removal of old railroad grade. Non-structural measures were also included such as the eradication of non-native vegetation through a grant sponsored by the Soil & Water Conservation District.

Mr. Tears added that the District is working with property owners in the Okaloacoochee Slough to try to re-introduce natural seed sources in existing grazing areas.

Mr. McDaniel asked if Mr. Tears could share his definition of disturbed, and what could this Committee do to work together to find answers to the many water resource issues that exist within the RLSA. Mr. Tears stated that soil data and remnant

May 6, 2008

vegetation provide clues of historic flowways. From that information they look at the human impact to the area to distinguish the extent of flowway alterations. The continuation of this program and the cooperation of the land owners will be a tremendous aid to improving water quantity, water quality and environmental conservation.

**Gary Eidson** questioned whether the potential build out of this area will impede natural flowways. **Mr. Tears** stated that, with each development that occurs in the RLSA, the developer will be required to identify the watershed, flowways, the proposed impervious area, and provide storm water detention, structural and non-structural improvements to an extent that no net impact occurs and, where possible, provide for the enhancement of the existing storm water system.

**Mr. Thomas** suggested that the committee consider the general location of roadway corridors during this review to lessen the impact to the flowways, the environment, and agricultural activities.

**Mr. Jones** asked if **Mr. Tears** could cite further examples of successes of how the RLSA program has furthered the District's goals. **Mr. Tears** stated that, with the establishment of each of the SSA's, conservation easements are established which contain preservation and management plans. Through this process, the unique flowway area is captured, and as these are linked together, the slough flowway area is preserved.

**Mr. Hamel** asked if **Mr. Tears** would be kind enough to remain for further questions, and asked **Mr. Draper** of the Audubon Society to begin his presentation.

**A. Eric Draper, Florida Chapter of the Audubon Society**

**Mr. Draper** stated that his presentation will focus on the State's perspective on the Collier County's RLSA program. The State Chapter is very supportive of any furtherance of wildlife species protection. Funding for land acquisition is becoming tighter with constraints on the State Budget, but the Florida Forever Bill did pass, which included a continuation of \$300,000 for land acquisition and land use easements over agricultural land for conservation and preservation. While the list of identified lands targeted for acquisition far exceed the funding that is available, programs such as Collier County's RLSA further the objectives of the Audubon Society and support compact development, watershed restoration, wildlife conservation, recreation, transportation, and food and agricultural production.

**Mr. Jones** asked if **Mr. Draper** could provide any suggestion to the Committee. **Mr. Draper** stated that the loss of agricultural lands should be taken very seriously, and that the area of development should be compressed to the greatest degree possible.

**Mr. Hamel** asked **Mr. Draper** to provide some perspective on the land use easement initiative for agricultural properties. **Mr. Draper** stated that this type of program is much more cost effective than buying the property outright, and that several states have

May 6, 2008

similar programs. He had heard some discussion that this may not be well received by the land owners in Florida, but time will tell.

*Mr. Hamel stated that the Committee would be recessed for 5 minutes.*

**IX. Next Meeting/future extra meeting to meet Committee schedule**

*Mr. Greenwood* informed the Committee that the Board of County Commissioners (BCC) appointed this Committee for a one year term, which will end on September 11, 2008 [actually October 24, 2008]. He stated that with the present schedule and issues to be addressed, he suggested that the Committee may wish to recommend to the BCC that the sunset date be extended. He also suggested that the Committee may wish to consider having meetings twice a month to address the many policies in the Phase II Report.

*Mr. McDaniel* made a motion to double up the Committee meetings, with the first meeting taking place at Ave Maria and the second meeting to take place at the CDES Building in Naples. The meeting time would remain at 9 AM. to 12 Noon. The Committee also recommends that the BCC approve a 6 month extension to the Committee. *Mr. Thomas* second the motion. Voice Vote: 10 – Yes, 1 – No. APPROVED. *Mr. Neno* opposed the extension because he believed that the tasks could be completed within the allotted time frame.

*Mr. Jones* stated that hoped the staff would be able to provide a listing of the received comments and suggestions with the related policies for the Committee to review at the next meeting.

**VI. Old Business**

**A. Phase I – Technical Review**

*Mr. Hamel* thanked the six Committee members that attended the Collier County Planning Commission (CCPC) for the presentation of the Phase I – Technical Review on May 1, 2008. He stated that the presentation made by the staff was well done.

1. *Mr. Greenwood* stated that the CCPC recommended approval of the Phase I – Technical Review with a stipulation that the nine page list of comments and suggestions be addressed by the Committee during the Phase II review. This list was distributed during the meeting.

*Mr. Neno* also thought that the staff's presentation was very good.

*Mr. McDaniel* questioned if the Committee was required to address the list of comments. *Mr. Greenwood* stated that the Committee should try their best to address this list of comments and suggestions, but the supporting data and analysis needs to be provided to justify any substantial changes.

2. *Mr. Greenwood* reviewed the "Working Paper," which summarized the build-out potential for the RLSA with the existing regulations.

May 6, 2008

*Mr. Cornell* thanked staff for the overview of the "Working Paper." He requested the staff to prepare an analysis of the program incorporating agricultural preservation credits.

**B. RLSA Review Committee, Phase II [Group 2 Agricultural]**

1. *Ms. Payton* stated that she was not expecting to speak, but she would like to have an opportunity to meet with staff to help in the coordination of the "Comments and Suggestion" with the RLSA policies. *Mr. Greenwood* stated that he would coordinate a meeting with the authors of the "Comments and Suggestions."
2. *Mr. Nance* stated that his comments were provided to ask the question: "How would the Committee address comments from DCA's "RLSA Report to the State Legislation." If particular comments are not identified by any existing policies, how should the Committee address them? *Mr. Greenwood* suggested that the Committee focus on addressing policy related comments first, and then unrelated policy comments at the end of the report if the Committee desires.

*Mr. Jones* stated that the format for addressing all the comments and suggestions should consist of the Committee's recommendation being stated first, and then the staff's recommendation would follow.

*Mr. McDaniel* commented that the County's RLSA program may not be perfect but it is working.

**VII. New Business**

**A. RLSA Review Committee, Phase II...Review of Group 3 and 5 Policies of the Rural Land Stewardship area Overlay [Environmental]**

*Laura Roys* stated that the copy of the concerns from the Environmental Services Department that was provided in the agenda was an early draft and a comprehensive report of the Department's concerns will be provided.

**VIII. Public Comments**

*Mr. Reynold* stated that 5-Year Review requirement by the Department of Community Affairs (DCA) and the Growth Management Plan (GMP) applied only to the Phase I Review. The review was to provide a measured assessment of the program. He reviewed a memo that he prepared (See Attachment) in which he shared some observations and suggestions.

*Ms. Ryan* stated that the Conservancy had provided comments to the County when the RLSA program was enacted and were told that there would be time to address their concerns when the review process occurred. During the Phase I Review the Conservancy was told that their concerns would be addressed during the Phase II review. She added that the Conservancy would be glad to meet with County staff to coordinate the positioning the concerns with the specific policy for the Committee's review.

**IX. Staff Comments**

May 6, 2008

*Mr. Greenwood* stated that he would contact those interested parties to coordinate a meeting date and time to facilitate the positioning of concerns with the related RLSA policies.

**X. Adjournment**

*Mr. McDaniel* moved to adjourn the meeting, second by *Mr. Jones*.

*Voice Vote - Unanimously Approved 11-0. Adjournment 12:02PM.*

**Rural Lands Stewardship Area Review Committee**

  
\_\_\_\_\_  
**Ron Hamel, Chairman**

These minutes approved by the Committee on 6-3-2008,  
as presented  or as amended \_\_\_\_\_.

Attachment: WilsonMiller memorandum May 6, 2008



# Wilson Miller

**TO:** Rural Land Stewardship Area Review Committee Members  
**FROM:** Alan Reynolds, AICP  
**DATE:** May 6, 2008  
**SUBJECT:** RLSAO Five-Year Review Process - Phase 2

First, my compliments to the Rural Land Stewardship Review Committee and County Staff for preparing a comprehensive Phase 1 Technical Report that is has been well received and accepted by both the Collier County Environmental Advisory Council and the Collier County Planning Commission.

As the Committee begins substantive work on the second phase of the 5-year review process, I would offer a few observations and suggestions on the process going forward. My point of reference is my role as the Principal Planner involved in the Immokalee Area Study that led to the creation of the RLSAO, and as one of the primary authors of the actual RLSAO implementing language. I have also been closely involved in the majority of the actual implementation of the program on behalf of participating property owners since it was adopted, so I have both detailed knowledge and experience to support my perspective.

Policy 1.22 was very specific regarding the purpose of the Five Year Review: "to assess the participation in and the effectiveness of the Overlay implementation in meeting the Goal, Objective and Policies set forth herein. The specific measures of review shall be as follows..." The Phase 1 Technical Report has documented each of the 8 specific items required and demonstrates both a level of both participation and effectiveness that is far beyond expectations for such a new and innovative program. In my thirty years of experience as a professional planner in Florida, I cannot point to any other such program in the State that has come so far, so quickly, in accomplishing its stated goal and objective.

As an example, the implementation of the RLSAO was expected to take approximately 25 years to protect the estimated 89,300 acres of agricultural and natural resource lands depicted on the Overlay Map as FSAs, HSAs, and WRAs. At this five year anniversary, approximately 27% of such land is now within approved SSAs, and an additional 36% of such land is included in pending SSA applications. Clearly the level of participation in the RLSAO is exceeding its goal.

With respect to effectiveness, one need only to look at the maps contained in the Report to recognize the significant progress that has been made toward permanently protecting the two major environmental systems in the region, the Camp Keais Strand and the Okaloacoochie Slough. In addition, the approval of the Town of Ave Maria SRA has enabled the realization of another major goal, accommodating growth and economic diversification within the RLSA in a more innovative, sustainable, mixed-use pattern.

942

While some have criticized the provision of the RLSAO that protects a property owner's baseline zoning rights as an alternative to use of the RLSAO, it must be noted that since its inception, not a single new platted lot or rural subdivision has been proposed or approved in the entire 300 square mile area.

Phase 2 is not a required part of the GMP mandated process; it was proposed prior the beginning of the Five Year Review in anticipation that there would be certain changes that may be necessary and appropriate to correct issues "in the participation and effectiveness of the Overlay" that may become evident based on the factual data from Phase 1. As the Committee considers and deliberates on the ever increasing amount of public input in the form of comments, questions, and suggestions for changes, I would suggest the following approach be used:

1. All comments, questions and suggested changes should be referenced to a specific policy in the adopted RLSAO, to facilitate effective discussions and decision-making by the Committee. County staff can facilitate this process.
2. The old axiom "if it isn't broken, don't fix it" should be used as a qualifier for making substantive changes to the RLSAO. Recommendations for changes should cite specific data and analysis in Phase 1 Technical Report, or documented examples from approved SSAs and SRAs that support the need for such change.
3. Whenever possible, specific language should be proposed and alternatives explored that best target the specific issue in question and cause the least amount of collateral changes to the overall program. This will hopefully prevent unintended consequences from disrupting the program.
4. As has been pointed out by several property owners and committee members, the RLSAO program relies on a voluntary, incentive-based approach and a balance between competing uses of land. It also requires a sound basis in market based economics and deference to private property rights. There is a point at which regulatory changes could compromise the acceptance of the program, and the Committee should be mindful not to disrupt the careful balance that has been realized by the proven utilization of the current program.
5. Finally, bear in mind that a collaborative process extending over three years and involving thousands of hours of meetings, hearings and deliberations was needed to create the adopted RLSAO. At the end of this process, there was unanimous approval by the County Commission and universal support for the adopted program by the stakeholders.

We must also keep in mind that the RLSAO does not operate in a vacuum; it does not supplant any of the myriad regulatory procedures and requirements that apply to land development activities. Proposed development in the RLSAO must obtain the same permits that all other development must, including Development of Regional Impact review, jurisdictional wetland permitting, surface water management and groundwater resource permits, site development plan approvals and plats, and other local, state and federal requirements.

943

While some have made reference to the Department of Community Affairs – 2007 Annual Report to the Legislature, and the need to respond to specific points of criticism about the Collier County RLSAO therein, I would point out the following:

1. The Collier County RLSAO is not subject to the State RLS Statute (although it is a model for it).
2. The DCA Report was prepared prior to the Collier County Phase 1 Technical Report.
3. The DCA Report was prepared without any substantive input from the stakeholders and organizations that participated in the creation of the RLSAO, or the participating land owners in the RLSAO. DCA never sought out input or factual information from those most familiar with the program.
4. The DCA found the Collier County RLSAO in full compliance with all applicable Growth Management Laws upon its final adoption in 2002.
5. Until the recent change in administration, DCA strongly promoted RLS and hailed Collier County for its innovative approach to good planning.
6. The Collier County RLSAO has won numerous recognitions and awards from Statewide organizations including:
  - a. 1000 Friends of Florida
  - b. Council for Sustainable Florida
  - c. Florida Chapter American Planning Association
  - d. Florida Planning and Zoning Association

In closing, I would urge the Committee to continue with its thoughtful and measured evaluation of the RLSAO, and to continue to encourage broad-base participation by interested citizens. Part of the value of this review is to further the level of understanding and awareness of the program, and to that end, the process of receiving input and responding to questions and comments is healthy. I am convinced that the more people understand about this innovative program, the more supportive they will be.

The challenge for the Committee will be to identify those specific changes that are essential to maintaining and improving the effectiveness of the RLSAO without compromising its effectiveness, and separating out well-intended suggestions for changes that are not essential.

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## JohnsonEric

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**From:** Al Reynolds  
**Sent:** Friday, December 02, 2011 3:37 PM  
**To:** MoscaMichele  
**Subject:** FW: Data & Analysis Requirements for the RLSA 5-Year

Thanks Michelle - I've noted a couple of clarifications below, please advise if you concur. Thanks for your help.

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**From:** MoscaMichele [<mailto:MicheleMosca2@colliergov.net>]  
**Sent:** Wednesday, November 30, 2011 11:00 AM  
**To:** Reynolds, Al  
**Cc:** Perry, Margaret; BosiMichael; WeeksDavid; HatcherMac; LenbergerSteve  
**Subject:** Data & Analysis Requirements for the RLSA 5-Year

Al:

You requested that staff provide a listing of any additional data and analysis needed to support the RLSA 5-year review amendments to the Growth Management Plan (GMP), so that you can prepare a Scope of Services for ECPO members *prior to* the formal GMP amendment submittal and the BCC's discussion of RLSA amendments scheduled for December 13, 2011. As we previously discussed, staff has conducted a limited review of the data and analysis contained within the RLSA 5-Year Review Phase I and Phase II Reports and the Carlton Fields Memorandum, dated March 1, 2010, to generally determine if additional data and analysis may be needed to move forward with these amendments.

The following is a summary of the data and analysis commitments that were discussed by telephone on November 17, 2011 and the additional data and analysis needed to support the GMP amendments to the RLSA based on staff's limited review. It should be noted that after receipt of the "repackaged"/formal submittal, staff will evaluate the GMP amendment package to determine if additional supporting data and analysis is needed. If staff determines that additional data and analysis is needed, preparation of that additional data and analysis may or may not require the assistance of Stantec staff.

Once we have a draft package of our items prepared, we would anticipate one round of review with you and the county staff team to address any gaps or clarifications. We would then give you our completed documents in electronic format, so they can be incorporated into the full package. We are not proposing to make a "formal submittal" as the documents will be part of the larger GMP package that staff will be preparing. As we are proposing to act in a technical capacity only, based on the recommendations of the BCC accepted Committee Report, we need to keep all of our work product strictly objective and quantifiable.

### **Carlton Fields Memorandum:**

- **Issue #1 – Identify the purpose and need for each amendment as determined by the RLSA committee.** *Stantec* to provide "repackaging" of amendments to include concise explanation of each change, including narrative of issue(s) raised by the RLSA committee and cross reference(s) to support documentation, including original data source and date.
- **Issue#2 (ref. 163.3177(1)(f), F.S.) – Use best available data to support proposed amendments.** A comparative analysis of current data/reports is needed to determine any changed conditions since the RLSA committee's review and recommendations. County staff is requesting that *Stantec staff* prepare an analysis/evaluation of the new SFWMD Land Use and Cover as well as new (since BCC consideration) panther habitat use studies and provide comments regarding changed conditions. **With respect to SFWMD land cover mapping, we will compare the most recent mapping (2011) to that used in 2001-2002 to evaluate whether there have been any macro level changes that would affect the RLSA Overlay Map, i.e. delineation of FSAs, HSAs and WRAs. We can accomplish this by sampling various areas, as was done in the initial program, as opposed to a complete analysis of the entire RLS, which is well beyond our scope. One of the basic principles of the RLSA is that there will always be more recent and more site specific data available as the program is implemented, and this is best addressed at the time a property owner and the county evaluate a specific application for SSA or SRA, or when a property owner uses their baselines uses. This is all spelled out in detail in the GMP and LDC. As such, there is no need to continuously amend the GMP Overlay Map. Similarly, Panther information is always in a state of flux, as new telemetry is generated and new studies are performed. We will identify any pertinent data sources or studies that we are aware of and comment accordingly, but keep in mind that the basis for our work is the BCC accepted Committee Report, and we do not intend to propose any modifications to those conclusions and recommendations.**

- County staff will review relevant population and transportation studies to evaluate changed conditions.
- **Issue #3 (ref. 163.3177(6)(a), F.S.) – Include a comprehensive land use analysis to support any changes to the amount of credits and SRA acreage in the program.** *Stantec* staff to provide comprehensive land use analysis. Analysis should include existing and proposed development scenarios [that were considered during the five year review process](#).
- **Issue #4 (ref. 163.3177(6)(a) 9.a.(v), F.S.) – Provide data and analysis to demonstrate program will not result in a premature conversion of agricultural lands.** *Stantec* staff to provide data and analysis. Data and analysis to include detailed explanation of the proposed agricultural credit and comparative tables (existing vs. proposed maximum development scenarios).

**Additional Data and Analysis Needed to Support RLSA Changes:**

- Table of existing and proposed RLSA *maximum* credit generation by category (e.g. restoration, agricultural, early entry, etc.). If this information is already contained within the five-year review documents, please provide the locational reference.

Please contact me should you have questions.

Michele

Michele R. Mosca, AICP  
Principal Planner  
Growth Management Division/Planning and Regulation  
Land Development Services Department  
Comprehensive Planning Section  
2800 N. Horseshoe Drive, Naples, FL 34104  
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# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Southwest Florida Gulf Coast Refuge Complex  
Florida Panther National Wildlife Refuge  
12085 State Road 29S.  
Immokalee, Florida 34142  
PH: 239-657-8001 FAX: 239-657-8002

March 1, 2021

Collier County Planning Commission  
2800 North Horseshoe Drive  
Naples, FL 34104

RE: PL20190001836 and PL20190001837, Longwater and Bellmar Village SRA Resolutions respectively

Dear Collier County Planning Commissioners,

The Florida Panther National Wildlife Refuge (FPNWR) is 26,609 acres adjacent to the Rural Land Stewardship Area (RLSA) and approximately 1.25 miles southwest of the proposed Bellmar Village. Administered by the US Fish and Wildlife Service, the FPNWR was established in 1989 to assist in the recovery of endangered species such as the Florida Panther. FPNWR staff have worked cooperatively with the applicants and other landowners within the RLSA for many years to assist in habitat management activities across the FPNWR's boundary lines, and more generally, in discussions on how to keep landscape connectivity for far ranging species like the Florida panther and black bear.

Both of the villages of Longwater and Bellmar are currently under federal review for a more comprehensive planning approach in the Eastern Collier Multi-Species Habitat Conservation Plan (ECMSHCP), which would lead to the protection of 106,000 acres within the RLSA. It is preferable to delay permitting individual developments in the ECMSHCP development area until the Environmental Impact Statement and Endangered Species Act Section 10 review for the ECMSHCP is completed. In addition, the County should complete the adoption of the RLSA 5 year review amendments prior to approving developments within the RLSA so that the County's development permit and RLSA requirements are not contradictory to the mitigation requirements proposed by the ECMSHCP.

Separate and apart from the Service's work considering the ECMSHCP, the Service has concerns about the proximity of these developments to the FPNWR that the planning commission should address with the applicant prior to approval of Longwater and Bellmar villages.

First, the future development within the RLSA, including both Longwater and Bellmar, will encroach upon several current conservation areas such as the FPNWR. These conservation lands are intensely managed using prescribed burning to manage the fire-adapted ecosystems for the benefit of wildlife and to reduce high fuel loads, the latter of which contributes to more catastrophic harmful wildfires. The Stewardship Sending Areas within the RLSA and adjacent to the proposed developments include fire-adapted habitats that will need to be managed with silvicultural activities such as prescribed fire and exotic invasive plant control.

This encroachment toward conservation lands can complicate the appropriate management of the FPNWR. For instance, the refuge's southern boundary is 1-75, and eastern boundary is State Road 29. As such, we often have to burn habitats on the refuge with a prevailing southerly or easterly wind direction. These prescriptions are in place to mitigate risk of serious traffic accidents on those major roads, and cannot be changed, leaving the locations for high-density residential and commercial developments in the RLSA directly in the path of our current smoke management protocols. On some prescribed burns, we will not have the ability to redirect smoke away from the location of these future developments.

We recommend that all existing and future landowners and leaseholders (e.g., residents, businesses, health care providers, and homeowner associations) within the RLSA sign an acknowledgement notice within their deed or lease agreement that recognizes and accepts the use of prescribed fire to manage the adjacent habitats on both public and private conservation lands. We believe this indemnification is necessary for fire managers to be held harmless for any adverse impacts from the inconveniences of smoke produced by prescribed fires, and to ensure that this critically important management tool is not further limited by new developments.

The Florida Forest Service's *Prescribed Fire in Florida Strategic Plan 2013-2020* identified two objectives to facilitate this action:

*4-2 states: "Introduce Smoke Disclosure Language in deed transfers and homeowner association agreements with county planning,"*

*4-3 states: "Develop a smoke easement template."*

There are a few examples of these Indemnifications being used in other states. I look forward to working with the Planning Commission, Collier County Commissioners and the Florida Forest Service to construct the appropriate language for such an instrument prior to any further development of the RLSA.

Secondly, the application does not address the need for hydrologic restoration of the adjacent Camp Keais Strand Flowway Stewardship Area. Hydrological restoration of the Camp Keais Strand was identified as a unique functional group within Southwest Florida Comprehensive Watershed Management Plan, which the County and Service both participated in.

During this effort, members of local and state agencies, NGOs, and the Federal government made every effort to take a holistic approach to hydrological restoration. We implore the County and other regulatory authorities to require the applicants to include wetland restoration activities identified within the Southwest Florida Comprehensive Watershed Management Plan, especially those within the Camp Keais Strand functional group.

Hydrologic restoration of the Camp Keais Strand is clearly a component of the RLSA Stewardship Sending Areas, and is critically important for downstream conservation lands such as the FPNWR. Currently two farm fields restrict the flowway to a few culverts in a span of 100 yards, whereas restoring these farm fields back to wetlands would result in a nearly 1 mile wide flowway immediately adjacent to the proposed Longwater development. The applicant's original plans for the Town of Rural Lands West included restoring these approximately 935 acres of farmland in the middle of the Camp Keais Strand Stewardship flowway in SSA15, to benefit the hydrology of downstream conservation lands. This wetland restoration was not included in the plans for Rivergrass Village, Longwater Village or Belmar Village, and we believe that it should, as this type of wetland restoration was clearly the intent when the RLSA was established.



If properly implemented, Camp Keais Strand hydrological restoration activities could ultimately benefit one of the most biodiverse forested wetlands in the state of Florida (i.e., Fakahatchee Strand), as well as the Picayune Strand.

In conclusion, we believe the planning commission should take a pause in considering developments within the RLSA on an individual project approach, and implement a more comprehensive planning approach. By incorporating our recommendations, we believe that they will: 1) Minimize impacts to one of the most important land management tools in the state of Florida (i.e., fire); 2) Protect important habitats; 3) Provide for critically important wetland restoration within hydrologic flowways such as Camp Keais Strand; 4) Improve the quality and quantity of water entering the FPNWR; and 5) Address the landscape connectivity needs of wildlife such as the Florida panther and black bear.

Sincerely,

Kevin Godsea  
Refuge Manager  
Southwest Florida Gulf Coast Refuges

Cc: Ray Bellows, Planning Commission Liaison  
Nancy Gundlach, Principle Planner  
Corby Schmidt, Principle Planner  
Matthew McLean, Director, Development Review  
Kirsten Wilkie, Environmental Services Manager  
Jamie Cook, Principal Environmental Specialist  
James Sabo, AICP, Principal Planner  
Michael Sawyer, Principal Planner

## JohnsonEric

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**From:** Pat Utter <PUtter@collierenterprises.com>  
**Sent:** Tuesday, September 20, 2022 2:14 PM  
**To:** JohnsonEric  
**Cc:** Valerie Pike; Bob Mulhere (BobMulhere@hmeng.com)  
**Subject:** DSAC Meeting Wednesday  
**Attachments:** FInal.pdf

**EXTERNAL EMAIL:** This email is from an external source. Confirm this is a trusted sender and use extreme caution when opening attachments or clicking links.

Dear Eric,

In preparation for the DSAC meeting on Wednesday, September 21, 2022 regarding the RLSA Amendments to the LDC, Collier Enterprises provides the following input:

1. Section 4.08.01-WW (See screen shot below) – First and foremost, the term “destination” is not a defined term, therefore the language is open to interpretation and unclear. Secondly, CE objects to the arbitrary use of the quarter-mile radius to define walkability. In addition to studies showing walkability greater than quarter mile, there are existing county standards that exceed one-quarter mile (i.e. CAT uses a three-quarter mile rule, and the school district does not pick-up students within two miles of the school).  
22 [WW. Walkability. The suitability for pedestrians to walk safely and comfortably within a](#)  
23 [community or distinct neighborhood to a destination, generally within a quarter-mile radius.](#)  
24 [Walkable communities are typically characterized by sidewalks and curbs and/or](#)  
25 [roadways designed to protect pedestrians from moving traffic, including the use of street](#)  
26 [trees separating the street from the sidewalk.](#)
2. Section 4.08.05.3a.ii (See screen shot below) – There are state and federal agencies already responsible for establishing and regulating mitigation criteria and species management. It is CE’s position the County should not be involved in these activities.  
46 [iii. Roadways crossings, underpasses, and signage shall be used](#)  
47 [where roads must cross wildlife corridors as determined by the](#)  
48 [authorities governing crossing locations.](#)
3. Section 4.08.05.3.b.v (See screen shot below) – Mitigation for impacted listed species is already provided for by other agencies. CE objects to the County involving itself in mitigation that is already governed by other state and federal agencies.  
31 [v. Mitigation for impacting listed species or SSC habitat shall be](#)  
32 [considered in the management plan, as appropriate.](#)
4. Section 4.08.05.c (See screen shot below) – Same comment as items 2 and 3 above applies to this section.

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c. The most current and completed data and local, state, and federal guidelines and regulations shall be utilized to prepare the required management plans. Management guidelines contained in publications used by the FFWCC and USFWS for technical assistance shall be used for developing required management plans, but the County shall consider any other techniques recommended by the FFWCC and the USFWS, consistent with LDC section 4.08.05 J.4. ~~The following references shall be used, as appropriate, to prepare the wildlife habitat management plan:~~

5. Section 4.08.05.K.2.b. (See screen shot below) – CE proposes Wastewater Treatment or surface water lakes could be used for golf course irrigation, where affluent is not available or not cost effective.

41 b. As available, golf courses shall utilize treated effluent reuse water  
42 consistent with Wastewater Treatment ~~Sanitary-Sewer~~ Sub-Element  
43 Objective ~~4.4~~ and its policies.;

6. Section 4.08.05.M.8.d (See screen shot below) – Collier Enterprises is concerned the County is opening the door to govern mitigation already governed by other agencies – CE has the same concerns as expressed in items 2, 3, and 4 above. In addition, the term, “may be” is subjective. CE proposes something more definite.

14 d. The removal of exotics may be considered as acceptable mitigation as  
15 determined by the County Manager or designee or by the applicable  
16 permitting agencies.

In addition to the comments above, Collier Enterprises has concerns regarding two other items in the RLSA Amendment review package. Regarding the Conservancy of Southwest Florida’s letter dated, March 4, 2022, Collier Enterprises concurs with Mike Bosi and County staff, the content of the Conservancy’s comments are outside the scope of this particular RLSA Review process.

Regarding Kevin Godsea’s comments in the letter dated March 1, 2021, on U.S. Department of Interior/Fish and Wildlife Service letterhead, Collier Enterprises has addressed his concern regarding the use of prescribed burns for the management of wildlife habitat in Longwater and Bellmar Villages. Collier Enterprises has agreed to a prescribed burn disclosure at closing, for both Longwater and Bellmar Village. The commitment is in section 13.d of the Town Agreement. (See screen shot below.)

d. All residents will be provided and required to acknowledge by signature a notice of prescriptive burns that will occur not only within the adjacent Stewardship Sending Area(s), but also at the Panther Refuge.

Any questions regarding this information, feel free to reach out.

Warm regards,  
Patrick

**Patrick L. Utter**  
**Senior Vice President of Real Estate**  
**Collier Enterprises Management, Inc.**  
**999 Vanderbilt Beach Road, Suite 507**  
**Naples, FL 34108**  
**239-434-4015**

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# **2022 Land Development Code Amendments - Public Meeting -**

Development Services Advisory Committee -  
Land Development Review Subcommittee

**Wednesday, September 21, 2022  
2:00 p.m.**

**2800 N. Horseshoe Dr., Naples, FL  
Growth Management Community Development Department Building  
Conference Room 609/610**

## ***Agenda:***

1. Call to Order
2. Approve Agenda
3. Old Business
4. New Business
  - a. PL20220003445 RLSA Updates
  - b. Discussion of Landscape/Buffer and Miscellaneous Sections in the LDC
5. Public Comments
6. 2022 DSAC-LDR Subcommittee schedule reminder
  - a. December 14, 2022
7. Potential Special Meeting in October
8. Adjourn