



**STAFF REPORT  
COLLIER COUNTY PLANNING COMMISSION**

**TO:** COLLIER COUNTY PLANNING COMMISSION

**FROM:** COMMUNITY DEVELOPMENT & ENVIRONMENTAL SERVICES  
DIVISION, COMPREHENSIVE PLANNING DEPARTMENT

**HEARING DATE:** MARCH 5, 2007

**RE:** PETITION NO. CP-2005-12, NORTH BELLE MEADE SPECIAL USE  
AREA SUBDISTRICT  
GROWTH MANAGEMENT PLAN AMENDMENT  
[*TRANSMITTAL HEARING*]

**AGENT/APPLICANT/OWNERS:**

Agent: Richard D. Yovanovich  
Goodlette, Coleman & Johnson, P.A.  
4001 North Tamiami Trail, Suite 300  
Naples, FL 34103

Agent: D. Wayne Arnold, AICP  
Q. Grady Minor and Associates, P.A.  
3800 Via Del Rey  
Bonita Springs, FL 34134

Agent: John G. Vega  
201 Eighth Street South, Suite 207  
Naples, FL 34102

Applicant and Owner: Francis D. and Mary Pat Hussey, Jr.  
1350 Spyglass Lane  
Naples, FL 34102

**GEOGRAPHIC LOCATION:**

The subject property contains 950 acres more or less and is located approximately four miles east of Collier Boulevard (CR 951), lying north of I-75. The property lies within the Royal Fakapalm Planning Community in Sections 29, 31 and 32, Township 49 South, Range 27 East, Collier County, Florida. The subject property is commonly known as the HHH Ranch. (See Attachment "A")

**REQUESTED ACTION:**

This petition seeks to amend the Future Land Use Element (FLUE), Future Land Use Map (FLUM), and Conservation and Coastal Management Element (CCME) of the Collier County Growth Management Plan to [change the Rural Fringe Mixed Use District designation in order to] establish the **North Belle Meade Special Use Subdistrict** where earth mining, asphalt and concrete batch plants and their related activities, oil extraction and related processing could be conducted or operated in Rural Fringe Mixed Use District, Sending Lands, plus allowing other land uses permitted by right, other conditional uses, and other rights permitted on lands designated as Sending Lands, all as permitted uses – so as to accommodate a future rezone to allow such operations.

The proposed text change adds new Subdistrict language in the Rural Fringe Mixed Use District [showing the petitioner's proposed amendments in strike-through/underline format, while current Growth Management Plan language appears in plain text] as follows:

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**II. Agricultural/Rural Designation  
B. Rural Fringe Mixed Use District**

**4. North Belle Meade Special Use Area Subdistrict**

The North Belle Meade Special Use Subdistrict comprises approximately 950 acres located in Sections 29, 31 and 32, Township 49, Range 27 East. The North Belle Meade Special Use Area represents a transitional area located between lands designated sending and those designated Natural Resource Protection Area (NRPA) on the Future Land Use Map.

The North Belle Meade Special Use Area does contain environmentally sensitive lands; however, historic development and drainage due to development of Golden Gate Estates and I-75 have lessened the environmental sensitivity of these lands. The North Belle Meade Special Use Area contains significant deposits of hard limestone, which provides source material for road construction and building materials.

The intent of the North Belle Meade Special Use Area is to permit all uses permitted and conditional and rights permitted on lands designated as sending lands, as well as earth mining, oil extraction and related processing, asphalt and concrete batch-making plants, and related uses as permitted uses. A minimum of 40% of the native vegetation present on-site shall be retained in accordance with Policy 6.1.2 of the Conservation and Coastal Management Element.

**4.5. Exemptions from the Rural Fringe Mixed Use District Development Standards**

The proposed text amendment revises acreage figures for the North Belle Meade Overlay, as follows:

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**B. North Belle Meade Overlay**

**1. In General**

The North Belle Meade area is surrounded by Golden Gate Estates to the north, east, and west and I-75 to the south. This area, designated as the North Belle Meade Overlay, comprises ~~±24 ±22.5~~ sections of land (~~±15,552 ± 14,602~~ acres, depending on the size of individual sections) and is depicted on the Future Land Use Map and North Belle Meade Overlay Map. The...[unchanged to end of entry.]

This petition also seeks to amend the GMP's Conservation and Coastal Management Element (CCME) to reduce the amount of native vegetation retained specifically for land inside the North Belle Meade Special Use Area Subdistrict.

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**[CCME] Policy 6.1.2**

For the ***County's Rural Fringe Mixed Use District*** as designated on the FLUM, native vegetation shall be preserved on site through the application of the following preservation and vegetation retention standards and criteria:

Preservation and Native Vegetation Retention Standards:

a. Receiving Lands:

A minimum of 40% of the native vegetation present, not to exceed 25% of the total site area shall be preserved.

b. Neutral Lands:

A minimum of 60% of the native vegetation present, not to exceed 45% of the total site area shall be preserved, except that, for Section 24, Township 49 South, Range 26 East, located in the North Belle Meade Overlay, a minimum of 70% of the native vegetation present, not to exceed 70% of the total site area, shall be preserved.

c. Non-NRPA Sending Lands:

Calculated at the higher value of 80% of the native vegetation present, or as may otherwise be permitted under the Density Rating provisions of the FLUE;

d. NRPA Sending Lands:

Calculated at the higher value of 90% of the native vegetation present, or as may otherwise be permitted under the Density Blending provisions of the FLUE.

e. Provisions a. through d. above shall also be consistent with the wetland protection policies set forth under CCME Objective 6.2.

f. In order to ensure reasonable use and to protect the private property rights of owners of smaller parcels of land within lands designated Rural Fringe Mixed Use District on the Future

Land Use Map, including nonconforming lots of record which existed on or before June 22, 1999, for lots, parcels or fractional units of land or water equal to or less than five (5) acres in size, native vegetation clearing shall be allowed, at 20% or 25,000 square feet of the lot or parcel or fractional unit, whichever is greater, exclusive of any clearing necessary to provide for a 15-foot wide access drive up to 660 feet in length. For lots and parcels greater than 5 acres but less than 10 acres, up to 20% of the parcel may be cleared. This allowance shall not be considered a maximum clearing allowance where other provisions of this Plan allow for greater clearing amounts. These clearing limitations shall not prohibit the clearing of brush or under-story vegetation within 200 feet of structures in order to minimize wildfire fuel sources.

g. Within Receiving and Neutral lands where schools and other public facilities are collocated on a site, the native vegetation retention requirement shall be 30% of the native vegetation present, not to exceed 25% of the site.

h. North Belle Meade Special Use Overlay: A minimum of 40% of the native vegetation present.

**SURROUNDING LAND USE, ZONING AND FUTURE LAND USE MAP DESIGNATION:**

Existing Conditions:

The subject property is currently zoned A, Rural Agricultural - RFMUO, Rural Fringe Mixed Use Overlay District, Sending Lands - NBMO, North Belle Meade Overlay District.

The property contains 950 acres more or less located approximately three to four miles east of Collier Boulevard (CR 951), lying north of I-75. The property lies within the Royal Fakapalm Planning Community in Sections 29, 31 and 32, Township 49 South, Range 27 East, Collier County, Florida. The subject property is commonly known as the HHH Ranch.

The current Future Land Use Designation is Agricultural/Rural Designation, Rural Fringe Mixed Use District, Sending Lands, and North Belle Meade Overlay.

Surrounding Lands:

**N - ZONING:** A, Rural Agricultural - MHO, Mobile Home Overlay District - RFMUO, Rural Fringe Mixed Use Overlay District - NBMO, North Belle Meade Overlay District

**DESCRIPTION:** Undeveloped, Vacant & Residential Land Uses

**FLUM DESIGNATION:** Agricultural/Rural Designation, Rural Fringe Mixed Use District, Sending Lands, and, North Belle Meade Overlay

**S - ZONING:** A, Rural Agricultural - RFMUO, Rural Fringe Mixed Use Overlay District - NBMO, North Belle Meade Overlay District – NRPAO, Natural Resource Protection Area Overlay

**DESCRIPTION:** Blackburn Road, the north-side frontage road along I-75; I-75 roadway; then undeveloped & vacant lands

**FLUM DESIGNATION:** Agricultural/Rural Designation, Rural Fringe Mixed Use District, Sending Lands; Belle Meade Natural Resource Protection Area (NRPA), beyond

E - **ZONING:** A, Rural Agricultural - RFMUO, Rural Fringe Mixed Use Overlay District - NBMO, North Belle Meade Overlay District

**DESCRIPTION:** Undeveloped & Vacant Lands

**FLUM DESIGNATION:** Agricultural/Rural Designation, Rural Fringe Mixed Use District, Receiving Lands, part, and North Belle Meade Overlay; Rural Fringe Mixed Use District, Sending Lands, part, and North Belle Meade Overlay; North Belle Meade NRPA, beyond

W - **ZONING:** A, Rural Agricultural - MHO, Mobile Home Overlay District - RFMUO, Rural Fringe Mixed Use Overlay District - NBMO, North Belle Meade Overlay District

**DESCRIPTION:** Agricultural, Residential and Undeveloped Vacant Land Uses; The stub ends of Markley Avenue and Washburn Road meet the subject property, while Inez Road appears to run along a segment of its westerly boundary

**FLUM DESIGNATION:** Agricultural/Rural Designation, Rural Fringe Mixed Use District, Sending Lands, and North Belle Meade Overlay

**STAFF ANALYSIS:**

**COMPREHENSIVE PLAN AMENDMENT DATA AND ANALYSIS REQUIREMENT**

Chapter 9J-5, Florida Administrative Code, "Minimum Criteria for Review of Local Government Comprehensive Plans and Plan Amendments, Evaluation and Appraisal Reports, Land Development Regulations and Determinations of Compliance" sets forth the minimum data and analysis requirement for comprehensive plan amendments. More specifically, Section 9J-5.005 "General Requirements" delineates criteria for plan amendments in sub-section 9J-5.005 (2) "Data and Analysis Requirements."

Sub-section 9J-5.005(2) states in part that "All goals, objectives, standards, findings and conclusions within the comprehensive plan and its support documents, and **within plan amendments and its support documents**, shall be based upon relevant and appropriate data and analysis applicable to each element. To be based upon data means to react to it in an appropriate way and to the extent necessary indicated by the data available on that particular subject at the time of adoption of the plan or **plan amendment at issue**. . . the Department will review each comprehensive plan [amendment] for the purpose of determining whether the plan [amendment] is based on data and analyses described in this Chapter and whether data were collected and applied in a professionally acceptable manner."

It is incumbent upon all applicants requesting comprehensive plan amendments to provide supporting data and analyses in conjunction with any relevant support documents. It is not the responsibility of Collier County staff to generate data and analysis for the applicant, although it is staff's responsibility to identify any shortcomings in the data and analyses during the consistency review process and to request additional information that is deemed essential in the review of the submitted request for a plan amendment. Any outstanding deficiencies with respect to data and analyses that may remain at the time of any requisite public hearing are the

responsibility of the applicant. **A detailed synopsis of the adequacy of the data and analysis for the subject plan amendment is set forth with specificity below.**

ENVIRONMENTAL IMPACTS:

Natural Resources:

The Environmental Analysis of Alternatives to Rock Mining in Collier County submitted by Synecological Analysts, Inc. with this petition is dated November 2004 – is subtitled, Analysis of the Practicability of Non-Lee County Alternative Sources to Supply the Area’s Demand for Basic Construction Materials (see application packet Exhibit V.D.5, part). The analysis reports that, “[t]here are only a few locations in the State with geological formations that produce coarse crushed stone that meets FDOT specifications. The availability of Florida’s limestone deposits is diminished by urbanization, environmental restrictions, and public opposition to mining. All available deposits in Florida are presently being mined. From the standpoint of quality and yield per acre, Collier County is the most productive mining area locally. Alternative locations in the State could not economically replace Collier County production”.

The Analysis points out that, “[a]t this time, we know of no practicable technological alternatives to Collier County rock, and none have been suggested” and draws a lengthy conclusion. Their summarizing comments say that, “[p]remature curtailment of Collier mining would cause extreme disruption of southwest Florida’s construction industry and would vastly increase the cost of essential public and private infrastructure”.

In their Limerock Mining Resources in Collier County (see application packet Exhibit V.D.5, part), the petitioner provides an overview of ‘*what-if*’ scenarios for sources and availability of these materials. Application materials include a map series illustrating the distribution of mines and mine-able materials, planning and zoning constraints, and other supporting data.

**Environmental:**

In their Mining Fact Sheet (see application packet Exhibit V.D.5, part), the petitioner lists the “positive effects of mining without development” as opportunities to:

- Ensure sufficient water supply for future generations
- Restore hydrology
- Create aquifer recharge areas
- Can reestablish historic natural sheet flow
- Protect land from development
- Create conservation lands, and
- Create habitat and food sources for all species

This Fact Sheet provides an overview of the supply and demand story for these materials. Application materials include a map series illustrating the distribution of mines and mine-able materials, planning and zoning constraints, and other supporting data (see application packet Exhibit V.D.5, following fact sheets).

**Listed Species:**

The Protected Species Survey (PSS) submitted by Hoover Planning and Development, Inc. with this petition is dated May 2006 (see application packet Exhibit V.C.1), representing field time logged from May 2004 to present. Particular attention was given to the presence or absence of wading birds, gopher tortoise, red cockaded woodpeckers, and Big Cypress fox squirrels.

Species observed on the subject property included: Little Blue Heron, Snowy Egret, White Ibis and Wood Stork, among wading birds; Red-Cockaded Woodpecker and American Kestrel among other birds; Big Cypress fox squirrels and Florida Black Bear (not directly observed) among mammals; Gopher Tortoise among reptiles; Common Wild Pine and Butterfly Orchids among plants.

Listed Species were observed utilizing the subject property, as follows: Red-Cockaded Woodpecker cavity trees and foraging habitat, with additional data collected on nesting activity and fledging; Gopher tortoise in an upland area; and, listed wading birds in the deeper wetlands.

FLUCCS communities identified on the site are:

- Approx. 53 acres of Hydric Unimproved Pasture
- Approx. 54 acres of Saw Palmetto
- Approx. 169 acres of Pine Flatwoods
- Approx. 25 acres of Pine Flatwoods with Cabbage Palm
- Approx. 45 acres of Dead Pines with Cabbage Palm
- Approx. 10 acres of Pop Ash & Willow Slough
- Approx. 12 acres of Hydric Melaleuca
- Approx. 144 acres of Cypress
- Approx. 88 acres of Cypress/Unimproved Pasture
- Approx. 19 acres of Brazilian Pepper Invaded Cypress
- Approx. 2 acres of Cypress with Cabbage Palm
- Approx. 301 acres of Pine-Cypress-Cabbage Palm
- Approx. 13 acres of Melaleuca Invaded Pine-Cypress-Cabbage Palm
- Approx. 1 acre of Freshwater Marsh
- Approx. 1 acre of Mixed Wetland Forest
- Approx. 4 acres of Disturbed Lands
- Approx. 6 acres of Hydric Disturbed Lands (Fence Lines)

These community acreage totals indicate only the quantity or distribution of habitat – and may not be indicative of the quality, or value, of certain habitat.

Environmental Services Department staff conducted an exhaustive review of the PSS (Exhibit V.C.1) along with its associated map set, the EIS (Exhibit V.C.2, part), the Wildlife and Habitat Management Plan, and the Animal Response (to mining activities) Considerations report (Exhibit V.C.2, part), provided by the petitioners, and commented on the most relevant aspects, as follows:

The parcels included in this petition link the western North Belle Meade Sending lands with the eastern North Belle Meade Natural Resource Protection Area (NRPA) Sending lands. The site represents approximately 9% of the North Belle Meade Sending Lands (NRPA and non-NRPA) and contains the largest undeveloped parcels in them.

Rural Fringe Sending Lands were designated as such because of their environmental sensitivity. From the Future Land Use Element (FLUE) of the Growth Management Plan:

“Sending Lands are those lands that have the highest degree of environmental value and sensitivity and generally include significant wetlands, uplands, and habitat for listed species. Sending Lands are located entirely within the Rural Fringe Mixed Use District.... Based upon their location, Sending Lands are the principal target for preservation and conservation.”

Objective 3 of the FLUE states,

“Land Development Regulations have been adopted to implement this Growth Management Plan pursuant to Chapter 163.3202, F.S. in order to ensure protection of natural and historic resources...” In order to implement that, Policy 3.1 states “Land Development Regulations have been adopted into the Land Development Code that contain provisions to implement the Growth Management Plan through the development review process and include the following provisions:

- b. Protect environmentally sensitive lands and provide for open space. This shall be accomplished in the Rural Fringe Mixed Use District through various Land Use Designations that restrict higher intensity land uses...”

CCME Policy 6.2.3(4)

“Incompatible land uses are directed away from the Rural Fringe Mixed Use District Sending Lands through an incentive based Transfer of Development Rights Program that allows land owners within these Sending Lands to transfer their residential density out of the Sending Lands to Rural Fringe Mixed Use District Receiving Lands. Incompatible land uses are also directed away from Sending Lands by restricting allowable uses. (*Reference FLUE Rural Fringe Mixed Use District.*) Finally, allowable uses within these lands are also subject to native vegetation retention and preservation standards of 80% to 90%. (*Reference CCME Policy 6.7.1*)”

Parcels included in this petition contain some of the largest tracts of wetlands remaining in the North Belle Meade which provide foraging habitat to many species of protected wading birds including wood storks. The vital uplands surrounding the wetlands are home to two active red-cockaded woodpecker (RCW) clusters, the last of five left in the North Belle Meade. Many other listed species also utilize the site including Florida black bear, gopher tortoise, Big Cypress fox squirrel and Florida panther. A total of eleven protected species of plants and animals are known to utilize the property.

Most of the additional uses requested (earth mining, asphalt and concrete batch-making plants, and related uses) are only allowed in Industrial and Rural Agricultural zoned areas throughout Collier County. These are highly intensive uses not suitable for environmentally sensitive areas. Among other concerns, there has not been much research, which staff is aware of, as to the effects of blasting near listed species. Also, Florida slash pine trees, which the red-cockaded woodpeckers depend on for nesting and foraging, are highly sensitive to disturbance.

Exhibit IV.B of the petition states “...historic development and drainage due to development of Golden Gate Estates and I-75 have lessened the environmental sensitivity of these lands.” According to the EIS provided, the majority of this site is native habitat and the amount of wetlands on site has not been formally determined by the permitting agencies, only the petitioner’s consultants. Therefore, without validation by State and Federal permitting agencies,



Comprehensive Planning staff point out that the exact impact on wetlands and associated habitat for certain species has not been ascertained with absolute certainty.

This project will impact approximately 250 acres of wetlands, if the consultant's evaluation is accurate. The petitioner plans on restoring the site to its natural condition, but two lakes totaling approximately 350 acres will remain which will offer little habitat benefit to the protected species currently utilizing the site. Comprehensive Planning staff adds that the lack of specificity lends itself to a high degree of discomfort when reviewing the totality of the petition and potential deleterious impacts on wetlands, habitat and species of concern.

The proposal does not confine the mining use to any specific area or limit its size. The environmental sections of the submittal discuss wildlife benefits but do not identify any specific preserve areas.

Reducing the Preservation requirement by half, as the petition proposes, would be closer to the Preservation requirements for Rural Fringe Mixed Use District, Receiving lands which were designated for more intense uses in less environmentally sensitive areas; hence a smaller amount of Preservation was required.

The trucks hauling the excavation material [are proposed to] be traveling west through the southern portion of the Sending lands, which will require expansion of existing roadways to accommodate the over 400 trips per day expected for the operation. The increase in traffic of large trucks to the south would most likely adversely impact the RCWs. The north-south traffic of large trucks would also likely reduce the habitat value of the lands to the west of the project that are designated primary habitat by USFWS to panthers.

The proposal shows locations of hard rock in Collier County, but the S.R. 846 mine has supposedly found hard rock on their site and this location is not represented on the graphics showing location of hard rock in the county. There could be other sources of hard rock in the county outside of the Rural Fringe Mixed Use District Sending Lands.

(Environmental Services) [s]taff recommends denial of this Growth Management Plan Amendment since it is in direct conflict with the creation and purpose of the Sending Lands designation and sections of the Conservation and Coastal Management Element (CCME).

Please note that the Environmental Services staff recommendation is based, in part, on the general premise that CCME Policy 1.1.6 specifies an equitable balance based on benefits and cost to public and private sector. There does not appear to be a balance of public and private interests in this proposal. The private interest of the gained use of mining does not seem to be offset by the permanent preservation and management of the un-mined portions of the property and potentially slightly less expensive source limestone for construction activities. This can only be viewed as a minor benefit to the public. It is directly of benefit in construction. This is not the only potential source, but is a practical source.

Upon submittal of an updated RCW habitat management plan, the Environmental Services Department staff review added:

Although it [management plan] will not be finalized until the time of development order issuance, The following comments for the resubmitted RCW habitat management plan are germane at this time, in consideration of CP-2005-12:

E. Mid-story control- This should include County prohibited exotics and the FLEPPC Category 1 list at a minimum.

G. Roads- This section should specify that roads shall not go through a cluster and that roads will not be built during nesting season.

H. Noise Control (2) No longer prohibits clearing within 400 feet of cavity trees.

Otherwise, the plan meets the GMP requirements for consistency with the USFWS South Florida Multi-Species Recovery Plan, May 1999 as required by CCME Policy 7.1.2(2)(e) and also meets the requirements of the latest USFWS Recovery Plan for RCW, Private Lands Guidelines and slightly exceeds them by providing artificial nesting cavities.

#### Traffic Capacity/Traffic Circulation Analysis:

The petitioner employed the firm of Q. Grady Minor & Associates, P.A. to conduct a Traffic Impact Analysis for the proposed amendment.

The subject property is located three to four miles east of Collier Boulevard, north of I-75, and proposes a hard rock earth mining operation. The project will produce an estimated 930 thousand cubic yards of excavated materials per year, during 250 days per year, hauled in trucks capable of holding 18 cubic yards per load. This calculates out to 414 daily gross new trips (2-way) and 10 PM Peak Hour gross new trips.

The findings concluded that the impact of project traffic volumes on the roadway network surrounding the project site is not significant ("significant impact" is defined in Capital Improvement Element (CIE) Policy 1.1.2 as any amendment to the Comprehensive Plan that will generate a volume of traffic equal to or greater than 3% of the LOS of the impacted roadway). Additionally, all segments will operate at LOS standard or better and have excess peak hour capacity greater than the projected trip generation for the subject property.

The TIS concludes that the roadway links analyzed, as part of the analysis, will not be significantly or adversely impacted by the resultant change to the Growth Management Plan and the Level of Service will not be degraded below acceptable standards for the roadway links analyzed. However, Transportation Planning staff provided the following Consistency Determination:

#### **Transportation Element Consistency Determination:**

Transportation planning staff has reviewed this petition's Traffic Impact Statement (TIS). The TIS indicates that the project's impacts are not significant on Collier Boulevard, both northbound and southbound at 0.6%. All links within the radius of development influence for the project will be below the significance test. (Significance test or significant impact is used as those terms are defined in the GMP.)

For the purpose of this analysis, Transportation staff focused on the segment of Collier Boulevard CR-951 from Rattlesnake Hammock Road to Pine Ridge Boulevard in order to determine significance since this segment fronts and provides for the project's only access point.

Transportation staff has determined that Petition CP-2005-12 is consistent with Transportation Element Policy 5.1 of the Growth Management Plan.

Public Facilities Impact:

The North Belle Meade Special Use Area Subdistrict property is not in the Collier County Water & Sewer District. Potable water and sanitary sewer services will not be provided by the District's systems. This project will not impact the County's existing Levels of Service Standards (LOSS). Development would use a private water well and on-site treatment system.

Application materials did not provide information regarding the existing Level of Service Standards (LOSS), or document the impact(s) the proposed GMP amendment will have on that Standard, for drainage, solid waste and community and regional parks.

Facilities review specialists with the Collier County Public Utilities Services reviewed application materials and provided the following comment:

The Subdistrict is outside the Collier County Water and Sewer District current and future service areas in the Rural Fringe sending area, and therefore has no impact concerns.

Appropriateness of Change:

APPLICABILITY OF CHAPTER 163, FLORIDA STATUTES AND RULE 9J-5, FLORIDA ADMINISTRATIVE CODE

Chapter 163.3177(6)(d) states, “[a] conservation element for the conservation, use, and protection of **natural resources** in an area, including air, water, water recharge areas, wetlands, waterwells, estuarine marshes, soils, beaches, shores, flood plains, rivers, bays, lakes, harbors, forests, fisheries and **wildlife**, marine **habitat**, **minerals**, and other **natural and environmental resources**. Local governments...” [Emphasis added.]

Chapter 163.3177(11)(a) states, “[t]he Legislature recognizes the need for innovative planning and development strategies which will **address the anticipated demands of continued urbanization of Florida’s coastal and other environmentally sensitive areas**, and which will accommodate the development of less populated regions of the state which seek economic development and which have suitable land and water resources to accommodate growth in an environmentally acceptable manner. The Legislature further recognizes the substantial advantages of innovative approaches to development which may better **serve to protect environmentally sensitive areas, maintain economic viability of agricultural and other predominantly rural land uses, and to provide for the cost effective delivery of public facilities and services**. [Emphasis added.]

Chapter 163, is implemented by Florida Administrative Codes, and particularly Rule 9J-5.

CP-2005-12 Rule 9J-5 Analysis

The administration of Chapter 9J-5 is set forth in Section 9J-5.002, Florida Administrative Code (FAC). Section 9J-5.002(2) pertains to the application of Chapter 9J-5. Section 9J-5.002(2) acknowledges the varying complexities associated with local governments in Florida. The section enumerates a number of factors to assist local governments when applying the entirety of Chapter 9J-5 to specific situations, while taking into consideration the detail of the data and analyses, and the content of the goals, objectives and policies. In essence, the factors set forth provide local governments with some objective criteria without providing any weight for the factors in arriving at a final conclusion regarding a local government's comprehensive plan or a proposed plan amendment. Instead, Section 9J-5.002(2)(h) states "[w]hether the provision at issue constitutes substantial progress over existing provisions regarding consistency with and furtherance of Chapter 163, Part II [Florida Statutes] . . . ." Section 9J-5.002(2)(h) might appear to be a subjective balancing litmus test; however, arguably a provision at issue must be supported by adequate data and analysis.

The primary factor under consideration in CP-05-12, the North Belle Meade Special Use Area Subdistrict (Hussey), land use petition, involves natural resources in the Rural Fringe Mixed Use District (RFMUD) Sending Lands. More specifically, Section 9J-5.002(2)(c) requires a local government to evaluate "[t]he existence of natural resource features such as groundwater recharge areas, waterwells, wetlands, wildlife habitat, costal areas, areas subject to coastal flooding, and living marine resources."

The language "such as" is not all encompassing which warrants further analysis of the entirety of Chapter 9J-5 to determine what other natural resources can be considered under this provision. Section 9J-5.006(4)(b) indicates which natural resources must be included in a comprehensive plan's future land use map series. In addition to the natural resource features enumerated in Section 9J-5.002(2)(c), Section 9J-5.006(4)(b) requires a local government to include minerals and soils in its future land use map series. Furthermore, Section 9J-5.013(a)(3) pertaining to a local government's conservation element requires a local government to identify and analyze "known sources of commercially valuable minerals."

Section 9J-5.003(71) defines minerals as "all solid minerals, including clay, gravel, phosphate rock, **lime**, shells (excluding live shellfish), **stone**, sand, heavy minerals, and any other rare earths, which are contained in the soils or waters of the state." A sound and viable argument can be made that the lime rock deposits situated under the Hussey property fall under the definition of what constitutes a mineral in the State of Florida.

Therefore, the subject (Hussey) property has two competing natural resources. The first is habitat for the Red-Cockaded Woodpecker (RCW) and Florida Panther. The second competing natural resource is the large lime rock mineral deposits located beneath the subject property. Guidance in Chapter 9J-5 pertaining to what could be construed as competing natural resources is not provided with absolute certainty. Instead, Section 9J-5.006(2)(b) pertaining to land use analysis requirements, requires the future land use element to include an analysis of the character and magnitude of existing vacant and undeveloped land in order to determine its suitability, including where available, natural resources. Therefore, sound data and analysis is required to ascertain the proper land use for the subject property. The possibilities are as follows:

1. RFMUD Sending Lands with no changes – Retains habitat for the Red-Cockaded Woodpecker and Florida Panther.

2. RFMUD Sending Lands with lime rock mining as either a permitted or conditional use.
3. RFMUD Sending Lands with a hybrid solution negotiated between competing interests.

A sound argument can be made that any of the three aforementioned possibilities could be feasible if supported by substantive data and analysis. If sound data and analysis exists between competing natural resources, it is well within the authority of the Board of County Commissioners to make a policy decision as to which possibility best serves the interests of Collier County. Please note that this is a balancing test that is subjective and would be open to interpretation by reviewing agencies and any possible party that is adversely affected. Therefore, it is highly likely that any change to the existing RFMUD provisions would result in a challenge and an administrative hearing would follow. An Administrative Law Judge would then make the determination if the county's proposed change to the RFMUD was consistent with Chapter 9J-5, FAC.

Section 9J-5.013(1)(a)3 pertains to identifying and analyzing natural resources, where present within the [County], including "known sources of commercially valuable minerals". Subsection (1)(a)5(b) indicates that "the potential for conservation, use or protection" of these natural resources are to be identified.

Section 9J-5.013(2) pertains to conservation requirements for these natural resources. Subsection (2)(b)3 indicates that [the County] shall "conserve, appropriately use and protect minerals", and Subsection (2)(c) requires [the County] to address implementation activities for the "conservation, appropriate use and protection of areas suitable for extraction of minerals" **and** for the "restriction of activities known to adversely affect the survival of endangered and threatened wildlife". [ Emphasis added.]

A thorough evaluation of the appropriate use and protection of the North Belle Meade Special Use Area Subdistrict (Hussey) property for extraction of minerals must consider restricting activities which would adversely affect endangered and threatened species' survival.

### **GROWTH MANAGEMENT PLAN CONSISTENCY:**

#### **Future Land Use Element:**

CP-2005-12 seeks to combine new site-specific Subdistrict planning provisions with select provisions of the Rural Fringe Mixed Use District, particularly those pertaining to Sending Lands. This combination would reintroduce certain now-prohibited land uses as they were permitted before Collier County adopted the Rural Fringe Mixed Use District, District – including mining operations for extracting earth materials. Of particular interest is that part of the proposed amendment language which would allow **all Sending Lands uses** – whether previously allowed either as permitted uses by right or by conditional use – **as permitted uses** in the new Subdistrict. Of similar interest is the part of the proposal which **adds earth mining and related uses – as permitted uses**. This arrangement is a significant departure from present planning provisions. Though not presently allowed in Sending Lands, these uses require conditional use approval where they *are* allowed (e.g. RFMU Receiving Lands). [Emphasis added.]

Whether the subject property remains eligible to participate in the Transfer of Development Rights (TDR) program, should be considered. Both earth mining as a conditional use and

subsequent residential development (at 1.d.u./5 ac.) when mining ceased would have been allowed before Rural Fringe Mixed Use provisions were adopted. The Rural Fringe Mixed Use District, now allows the transfer of that residential density thru the TDR program, but no longer allows the earth mining.

If left undeveloped, a maximum of 190 Base Severance TDR Credits could be derived from the 950 acre subject property, plus another 190 Early Entry TDR Bonus Credits. Then, up to 190 Environmental Restoration and Maintenance TDR Bonus Credits could be generated by applying a Restoration and Management Plan (RMP) to the property. Finally, up to 190 Conveyance TDR Bonus Credits could be generated by conveying land to a federal, state or local governmental agency. These TDR credits would be available to transfer to Rural Fringe Mixed Use District, Receiving Lands or lands within the Urban Designated planning area according to the County's Density Rating System.

Current Rural Fringe Mixed Use, Sending Lands provisions limit permitted uses to those most conducive to the degree of environmental value and sensitivity for significant wetlands, uplands, and habitat for listed species:

- Agricultural land uses consistent with Florida's Right to Farm Act
- Detached single-family residences at a one per forty-acre density
- Habitat preservation and conservation areas
- Passive parks and recreational uses
- Sporting and recreational camps
- Essential services necessary to ensure public safety, and to serve the other permitted uses
- Oil and gas exploration.

Conditional Uses which may be approved in Rural Fringe Mixed Use District, Sending Lands include:

- Other public facilities and essential services not permitted by right
- Commercial uses accessory to permitted uses
- Oil and gas field development and production

Conditional land uses must be planned with adequate protection of wetlands, listed species and their habitat.

Rural Fringe Mixed Use District, Sending Lands provisions further limit permitted uses where residential density is transferred away according to the TDR program to:

- Agricultural land uses consistent with Florida's Right to Farm Act
- Detached single-family residences at a one per forty-acre density (for portions not participating in TDR program)
- Habitat preservation and conservation areas
- Passive parks and recreational uses
- Essential services necessary to ensure public safety, and to serve the other permitted uses
- Oil extraction, and related processing, excluding earth mining

CP-2005-12 seeks to remove the 950 acre Subdistrict area from the North Belle Meade Overlay, as reflected by the proposed revisions to the In General section, repeated below:

## **B. North Belle Meade Overlay**

### **1. In General**

The North Belle Meade area is surrounded by Golden Gate Estates to the north, east, and west and I-75 to the south. This area, designated as the North Belle Meade Overlay, comprises ~~±24 ±22.5~~ sections of land (~~±15,552 ± 14,602~~ acres, depending on the size of individual sections) and is depicted on the Future Land Use Map and North Belle Meade Overlay Map. The...[unchanged to end of entry.]

If approved, this revision would be a clear matter of inconsistency. Staff finds that other subsections of the North Belle Meade Overlay will require similar acreage adjustments, if the In General section is amended. Subsection 4, Sending Areas, includes acreage figures, stating “[w]ithin the NBM Overlay are ± 4,598 acres of land that are identified as Sending Areas...”. These NBM Overlay “Sending Areas” are generally coterminous with RFMU District “Sending Lands”. Removing acreage from the NBM Overlay would effectively remove the subject property from RFMU District – including the rights and privileges associated with Sending Lands.

Given the construction of the Rural Fringe Mixed Use District and the North Belle Meade Overlay components of the FLUE, staff believes it is unnecessary to revise these acreage figures. Staff also believes that the unintended consequence of severing the subject property’s connection to Sending Lands provisions was not anticipated.

### **Conservation & Coastal Management Element:**

CP-2005-12 seeks to reduce the amount of native vegetation retained and preserved on the 950 acre property from 80% to 40%.

### **Neighborhood Information Meeting Synopsis:**

The Neighborhood Information Meeting (NIM) required by LDC Section 10.03.05 F was conducted January 24, 2007, after the agent/applicant duly noticed and advertised the meeting.

Approximately 35 people attended the NIM, held in the Oakridge Middle School cafeteria. Wayne Arnold from Q. Grady Minor represented the petitioner, giving an overview of the proposed Growth Management Plan amendment as well as the process. Attendees heard the following information:

Mining earth materials would have been allowed on the subject property as a Conditional Use before the Rural Fringe Mixed Use district was created.

Petitioners are well aware of the issues regarding Red-Cockaded Woodpeckers (RCW), Florida Panthers and other species, as well as the wetlands found on this property.

Trucks will haul loads westbound, onto CR 951 via the landfill frontage road [Utilities Drive/White Lake Drive/Blackburn Avenue].

When asked whether a “Subdistrict” can be sunsetted, the petitioner’s agent indicated the property would revert back to Sending Lands after being mined.

When asked whether any parts of the property could be used as retention areas, to help relieve the flooding problem in North Belle Meade, the petitioner's agent was noncommittal.

General information about the mining operation was given including: Total yield will be in the area of 45 million tons; anticipated number of truck trips per day is about 45 – ranging from zero trips on some days to as many as 300 on busier days.

Petitioner commented that 90 % of the rock used in Collier County comes from mining sites located outside the County.

Many of those in attendance strongly supported the proposed amendment.

*[Synopsis prepared by L. Koehler, Public Information Coordinator, and C. Schmidt, Principal Planner]*

*[Staff notes that one item of correspondence concerning CP-05-12 was received following this Neighborhood Information Meeting, with a copy attached hereto.]*

### **FINDINGS AND CONCLUSIONS:**

The petitioner has provided data and analysis in order to conduct the evaluation noted above, and staff review of these materials is reported herein. Based on our consideration the following factors are restated from above and summarized here:

- **Unsupportive Factors to Consider:**

- It is in direct conflict with the creation and purpose of the Sending Lands designation and sections of the Conservation and Coastal Management Element (CCME).
- The Subdistrict would reintroduce certain now-prohibited land uses as they were permitted before Collier County adopted the RFMU District while no information establishes justification for allowing all land uses as permitted uses.
- Species observed utilizing the subject property [included] red-cockaded woodpecker cavity trees and foraging habitat, ...gopher tortoise in an upland area, and listed wading birds in the deeper wetlands.
- Parcels included in this petition contain some of the largest tracts of wetlands remaining in the North Belle Meade which provide foraging habitat to many species of protected wading birds including wood storks. The vital uplands surrounding the wetlands are home to two active red-cockaded woodpecker (RCW) clusters, the last of five left in the North Belle Meade. Many other listed species also utilize the site including Florida black bear, gopher tortoise, Big Cypress fox squirrel and Florida panther. A total of eleven protected species of plants and animals are known to utilize the property.
- The increase in traffic of large trucks to the south would most likely adversely impact the RCWs... also likely reduce the habitat value of the lands to the west of the project that are designated primary habitat by USFWS to panthers.



- Supportive Factors to Consider:
- [Petitioners' study of alternatives to mining in Collier County indicates] there are only a few locations in the State with geological formations that produce coarse crushed stone that meets FDOT specifications.
- [The same study states] from the standpoint of quality and yield per acre, Collier County is the most productive mining area locally. Alternative locations in the State could not economically replace Collier County production.
- At this time, we [the Petitioners] know of no practicable technological alternatives to Collier County rock, and none have been suggested.
- Premature curtailment of Collier mining would cause extreme disruption of southwest Florida's construction industry and would vastly increase the cost of essential public and private infrastructure.
- CCME Policy 1.1.6 specifies an equitable balance based on benefits and cost to public and private sector.
- The "positive effects of mining without development" are opportunities to:
  - Ensure sufficient water supply for future generations
  - Restore hydrology
  - Create aquifer recharge areas
  - Reestablish historic natural sheet flow
  - Protect land from development
  - Create conservation lands, and
  - Create habitat and food sources for all species
- The traffic generated by the proposed land use does not significantly impact Collier Boulevard and adjacent roadway segments.
- Chapter 163, F.S. ...recognizes the need for innovative planning and development strategies which will address the anticipated demands of continued urbanization of Florida's coastal and other environmentally sensitive areas, protect environmentally sensitive areas... and provide for the cost effective delivery of public facilities and services.
- Section 9J-5, F.A.C. ...indicates that [the County] shall conserve, appropriately use and protect minerals, and areas suitable for extraction of minerals, and [restrict] activities known to adversely affect the survival of endangered and threatened wildlife.
- The appropriate use and protection of the North Belle Meade Special Use Area Subdistrict property... must consider restricting activities which would adversely affect endangered and threatened species' survival.
- Particular attention was given to the presence or absence of wading birds, gopher tortoise, red-cockaded woodpeckers, and Big Cypress fox squirrels.

- The RCW habitat management plan should include [mid-story control of] County prohibited exotics, roads [that do] not go through a cluster and [will not] be built during nesting season, and [noise control by prohibiting] clearing within 400 feet of cavity trees.
- The [RCW habitat management] plan meets requirements for consistency with the... Florida Multi-Species Recovery Plan... and the latest USFWS Recovery Plan for RCW, Private Lands Guidelines and slightly exceeds them.
- The exact impact on wetlands and associated habitat for certain species has not been ascertained with absolute certainty.
- Sending Lands provisions limit permitted uses to those most conducive to the degree of environmental value and sensitivity for significant wetlands, uplands, and habitat for listed species.
- Conditional land uses must be planned with adequate protection of wetlands, listed species and their habitat.

**LEGAL CONSIDERATIONS:**

This Staff Report has been reviewed and approved by the County Attorney's Office.

**STAFF RECOMMENDATION:**

Staff recommends denial of CP-2005-12 as proposed. Sound planning principles and practices however, indicate that a proper balance of appropriate uses could be achieved between an earth mining operation and the sensitive natural areas and habitat it would impose upon, provided with the appropriate set of revisions, stipulations and conditions.

If the Planning Commission wishes to make a recommendation for approval of the North Belle Meade Special Use Area Subdistrict, staff recommends the following revisions and stipulations:

The revised text amendment [showing the staff's revisions in double strike-through/double underline format], to read as follows:

(part 1 of 3)

[page 69]

**II. Agricultural/Rural Designation  
B. Rural Fringe Mixed Use District**

**4. North Belle Meade Special Use Area Subdistrict**

The North Belle Meade Special Use Area Subdistrict comprises approximately 950+ acres located in Sections 29, 31 and 32, Township 49 South, Range 27 East. The ~~North Belle Meade Special Use Area~~ Subdistrict represents a Sending Lands transitional area located between lands designated ~~Se~~ending and those designated Natural Resource Protection Area (NRPA) on the Future Land Use Map.

The North Belle Meade Special Use Area Subdistrict does contain environmentally sensitive lands; however, historic development land uses and drainage due to development of Golden Gate Estates and I-75 may have lessened the environmental sensitivity of these lands. The North Belle Meade Special Use Area Subdistrict contains significant deposits of hard limestone, which provides source material for road construction and building materials.

The intent purpose of the North Belle Meade Special Use Area Subdistrict is to permit allow all uses permitted by right, and by conditional use, and rights permitted on lands designated as Seeding Lands, as well as The Subdistrict also allows earth mining, oil extraction and related processing, asphalt and concrete batch-making plants, and related uses as permitted conditional uses. A minimum of 40% of the nNative vegetation present on site shall be retained, and mitigated for, in accordance with Policy 6.1.2 of the Conservation and Coastal Management Element.

Earthmining, asphalt and concrete batch-making plants in this Subdistrict shall be subject to the following requirements and limitations:

- a. All residential development shall be prohibited in the entire Subdistrict.
- b. Participation in the Transfer of Development Rights (TDR) program shall be prohibited.
- c. At the time of Conditional Use submittal, specific details shall be provided as to the areas to be mined, areas to be preserved, and listed species management plans (including the Red-Cockaded Woodpecker).
- d. The area utilized for mining and mining-related activities, and any other land use(s) requiring conditional use approval, shall be limited to 350 acres total.
- e. During the conditional use review, the County shall consider:
  - (1) regulatory limitations which inhibit mining operations in some manner – such as providing methods to allow **limited and controlled** mining of desirable materials that underlie the standard, wide, undisturbed buffer strips lying equidistant from property boundaries where significant wetlands, uplands or habitat for listed species will not be disturbed.
  - (2) requiring over-mitigation and over-restoration, and better than no-net-loss results, with focus on minimizing both short-term and long-term impacts of mining operations.
  - (3) requiring innovative operating strategies, such as: choosing and using haul routes carefully; prohibiting night hauling [no to or from, empty or loaded, trips before sunrise or after sunset]; requiring additional “shelf” at mine edges preserved for eventual littoral zone when excavations become lakes; requiring provision of artificial cavity structures to encourage continued/additional nesting opportunities for the red-cockaded woodpecker.
  - (4) requiring innovative restoration strategies, such as: requiring operators to introduce and re-introduce increased populations of prey species, where displaced species will be encouraged to return to altered mine areas; requiring oversized littoral zones to be established when excavations become lakes; requiring the stocking of certain fish or other food sources where birds and mammals will eventually return to feed/forage;

requiring the planting of certain food sources/foraging opportunities as returning wildlife attractors.

(5) requiring introduction of innovative *mitigation* strategies: requiring operators to introduce and re-introduce increased populations of prey species, where off-site mitigation occurs; same for other elements of mitigation such as roosting and nesting, bedding, foraging or feeding, habitat and structure.

(6) requiring introduction of Regional or Countywide strategies and practices aimed at reducing the impact of such mining operations such as: reduce speed limits on roadways wherever nocturnal species range; providing incentives for operators to establish projects and provide earth materials for other environmentally significant projects, such as sand appropriate for beach re-nourishment; providing incentives for operators to establish projects and provide otherwise to-be-recycled materials for other environmentally significant projects, such as concrete bridge or building components appropriate for artificial reefs, off-shore fishing structure, shrimp & crab habitat, and hurricane protection devices & barriers; providing incentives for operators to provide earth materials, final product or otherwise to-be-recycled materials appropriate for other projects, such as bridges, weir, locks, dams, inland storm shelters, park-n-ride transfer lots, shallow water ports and rail bed.

*Note: If the CCPC considers recommending limited participation in the County's TDR program, instead of staff's recommended prohibition [paragraph b., above], staff suggests an alternate paragraph b., as follows:*

*b. Participation in the Transfer of Development Rights (TDR) program shall be prohibited where mining or mining-related activities occur.*

-OR-

*b. Participation in the Transfer of Development Rights (TDR) program shall only be allowed where mining or mining-related activities do not occur.*

#### **4.5. Exemptions from the Rural Fringe Mixed Use District Development Standards**

(part 2 of 3)

[page 75]

### **B. North Belle Meade Overlay**

#### **1. In General**

[removed double s-t of entire entry & made applicable only to petitioner's text]

The North Belle Meade area is surrounded by Golden Gate Estates to the north, east, and west and I-75 to the south. This area, designated as the North Belle Meade Overlay, comprises  $\pm$  24 ~~22.5~~ sections of land ( $\pm$  15,552 ~~14,602~~ acres, depending on the size of individual sections) and is depicted on the Future Land Use Map and North Belle Meade Overlay Map.

The...[unchanged to end of entry.]

(part 3 of 3)

[page 17]

**[CCME] Policy 6.1.2**

For the ***County's Rural Fringe Mixed Use District*** as designated on the FLUM, native vegetation shall be preserved on site through the application of the following preservation and vegetation retention standards and criteria:

Preservation and Native Vegetation Retention Standards:

a. Receiving Lands:

A minimum of 40% of the native vegetation present, not to exceed 25% of the total site area shall be preserved.

b. Neutral Lands:

A minimum of 60% of the native vegetation present, not to exceed 45% of the total site area shall be preserved, except that, for Section 24, Township 49 South, Range 26 East, located in the North Belle Meade Overlay, a minimum of 70% of the native vegetation present, not to exceed 70% of the total site area, shall be preserved.

c. Non-NRPA Sending Lands:

Calculated at the higher value of 80% of the native vegetation present, or as may otherwise be permitted under the Density Rating provisions of the FLUE;

d. NRPA Sending Lands:

Calculated at the higher value of 90% of the native vegetation present, or as may otherwise be permitted under the Density Blending provisions of the FLUE.

e. Provisions a. through d. above shall also be consistent with the wetland protection policies set forth under CCME Objective 6.2.

f. In order to ensure reasonable use and to protect the private property rights of owners of smaller parcels of land within lands designated Rural Fringe Mixed Use District on the Future Land Use Map, including nonconforming lots of record which existed on or before June 22, 1999, for lots, parcels or fractional units of land or water equal to or less than five (5) acres in size, native vegetation clearing shall be allowed, at 20% or 25,000 square feet of the lot or parcel or fractional unit, whichever is greater, exclusive of any clearing necessary to provide for a 15-foot wide access drive up to 660 feet in length. For lots and parcels greater than 5 acres but less than 10 acres, up to 20% of the parcel may be cleared. This allowance shall not be considered a maximum clearing allowance where other provisions of this Plan allow for greater clearing amounts. These clearing limitations shall not prohibit the clearing of brush or under-story vegetation within 200 feet of structures in order to minimize wildfire fuel sources.

g. Within Receiving and Neutral lands where schools and other public facilities are collocated on a site, the native vegetation retention requirement shall be 30% of the native vegetation present, not to exceed 25% of the site.

h. North Belle Meade Special Use Area Subdistrict:

(1) For earth mining, with or without related uses; asphalt and concrete batch-making plants, with or without related uses; or a combination of earth mining and asphalt and

concrete batch-making plants, with or without related uses: A minimum of 40% of the native vegetation present, and an additional 40% shall be mitigated off-site according to a mitigation plan approved by the County, and which must equal or exceed – both in quantity and quality – the site area where habitat or native vegetation is disturbed and would otherwise be retained or preserved.

(2) All other uses: As required for Non-NRPA Sending Lands in Policy 6.1.2c.

Prepared By: \_\_\_\_\_ Date: \_\_\_\_\_  
Corby L. Schmidt, Principal Planner  
Comprehensive Planning Department

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
David C. Weeks, AICP, Planning Manager  
Comprehensive Planning Department

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
Randall J. Cohen, AICP, Director  
Comprehensive Planning Department

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
Marjorie M. Student-Stirling  
Assistant County Attorney  
Office of the Collier County Attorney

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
Joseph K. Schmitt, Administrator  
Community Development and Environmental Services Division

PETITION NO.: CP-2005-12  
Staff Report for the March 5, 2007 CCPC Meeting.

NOTE: This petition has been scheduled for the June 4, 2007 BCC Meeting.

COLLIER COUNTY PLANNING COMMISSION:

\_\_\_\_\_  
Mark P. Strain, Chairman