

EXECUTIVE SUMMARY**Objective:**

To update the Conservation Collier Land Acquisition Advisory Committee (CCLAAC) regarding the status of Conservation Collier evaluation of acceptance of lands under the Transfer of Development Rights (TDR) Program, to discuss the potential for accepting lands in North Belle Meade and make recommendation to the Board of County Commissioners (BCC) for an upcoming March 25th BCC meeting.

Considerations:**Background**

The Conservation Collier Ordinance, Policy and Rules (OPR) Subcommittee met throughout the spring of 2007 to develop a policy recommendation to the BCC for acceptance of lands conveyed to Conservation Collier under the TDR program. In May 2007, a draft resolution was developed by the OPR subcommittee. It was reviewed by the County Attorney and brought forward to the full CCLAAC at its September 10, 2007 meeting (Copy draft Resolution attached – *note it has been updated to reflect current year date*). At that meeting, the CCLAAC unanimously approved the draft resolution with one change (Section II., (C) line 2, - exotic and solid waste removal, to “**exotic, solid waste and hazardous materials** removal”). Staff prepared to move the resolution forward to the BCC but was delayed by the late submission of the Pepper Ranch proposal, end of cycle work and a problem relating to the scope of the proposed template management plan that staff had agreed to prepare for owners. Additionally, in January, Conservation Collier staff received a notice regarding proposed changes to the Land Development Code (LDC) involving the transfer of lands to Conservation Collier as offsite preserves (Sec. 3.05.07 Preservation Standards, B.3.h.). Staff scheduled another meeting of the OPR subcommittee to review this proposed LDC change with the proposed TDR conveyance policy to make they were consistent.

At that time, there was a group of property owners known as the Benfield Road group seeking to convey lands to Conservation Collier under the TDR Program. Staff had agreed to assist the landowners in developing a management plan. At that time, it was thought that a management plan similar to Conservation Collier’s Interim Management Plan would be sufficient. However, subsequent meetings with Environmental Services Staff better determined the scope of a plan that was acceptable under the Land Development Code Requirements. Staff has been working on a template management plan acceptable to the County, specifically for the Benfield Road parcels, and this is nearly complete. Several weeks ago, however, the Transportation Department requested that Conservation Collier not consider accepting the Benfield Road properties due to future plans for a road widening project there.

Current Status:

At its regular public meeting on February 26, 2008, under Agenda Item 10C, the BCC heard the following:

Recommendation that the BCC evaluate the feasibility of a Rural Fringe Mixed-Use District Transfer of Development Rights program applicant proposal relative to severance eligibility in relation to the attainment of the Environmental Restoration & Maintenance and Conveyance bonus credit to a CDD. (Joe Thompson, Senior Planner, Comprehensive Planning Department, CDES)

The applicant, represented by Doug Lewis, attorney, stated that no public agency, including Conservation Collier, could be found to accept assembled "Sending" lands in the North Belle Meade (NBM) under the TDR program and requested approval to form a Community Development District (CDD) to which it could transfer these lands under the TDR program to obtain the 4th TDR for lands conveyed, managing these lands in perpetuity with assessment dollars from the development receiving benefit from the transferred TDRs. The NBM "Sending" lands encompass approximately 8,000 acres north of I-75 and west of North Golden Gate Estates. The specific acreage under discussion at the BCC meeting was 110 acres, however at this time the exact location of those acres is unknown. Best information at this point is that there are eight (8) separate properties comprising the 110 acres, with many properties not contiguous. Staff is assembling a map and will provide this at the March 10th CCLAAC meeting. In the meantime, a general location map for NBM "sending" lands is attached. (See Map Exhibit attached).

In response to the applicant's petition, the BCC requested to have other agencies, including Conservation Collier, appear at an upcoming March 25, 2008 BCC meeting and discuss acceptance of these lands. Particular mention was made of Conservation Collier as a potential acceptor agency. Staff would point out that Conservation Collier has not been approached by other than the Benfield Road property owners requesting to convey lands under the TDR program. Additionally, staff understood that the lands in North Belle Meade were in process to be accepted by the Collier Soil and Water Conservation District (CSWCD) under the TDR program and were part of a CSWCD water management project.

Recommendation:

For the CCLAAC to review the attached draft Resolution, have discussion, and make a recommendation to the BCC that can be provided at the March 25th BCC meeting on the general topic of acceptance of lands conveyed under the TDR program, with any relevant comments regarding the specific NBM lands under discussion by the applicant at the February 26th BCC meeting.