

MINUTES OF THE MEETING OF THE COLLIER COUNTY  
RURAL LANDS STEWARDSHIP AREA REVIEW COMMITTEE

**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 March 12, 2009 at 9:00 A.M. in REGULAR SESSION at the Community Development and Environmental Services Building, 2800 North Horseshoe Drive, Rooms 609/610, Naples, Florida, 34104, with the following members present:**

CHAIRMAN, Ron Hamel  
VICE CHAIRMAN: Neno Spagna  
Bill McDaniel  
Brad Cornell  
Gary Eidson  
David Farmer  
Tom Jones  
Tammie Nemecek

ALSO PRESENT: CDES staff members Thomas Greenwood and Leslie Persia of the Comprehensive Planning Department; Mac Hatcher of the Environmental Services Department; Heidi Ashton-Cicko, Land Use Section, Chief, Assistant County Attorney's office; and approximately 20 members of the public.

**I. Call Meeting to Order**

The meeting was called to order at 8:05 AM by *Chairman Ron Hamel*.

**II. Roll Call**

Roll call was taken, and a *quorum was established* as 8 of 11 members were present [Jim Howard, Fred Thomas, and David Wolfley were excused due to conflicting meetings].

**III. Approval of Agenda**

*David Farmer* moved and *Bill McDaniel* seconded to approve the agenda as distributed. Upon vote, the motion carried unanimously.

**IV. Approval of Minutes of the March 3, 2009 meeting**

*Brad Cornell* moved and *David Farmer* seconded to approve the Minutes of the March 3 meeting as distributed. pon vote the motion carried unanimously.

**V. Presentations**

Ron Hamel stated that he would like the Committee to weigh in on the following before finishing the Committee's review of the CCPC and EAC comments and recommendations:

**(A) Executive Summary and Report to the BCC.**

Following a discussion between staff and the Committee, the Committee directions were as follows:

- a. Committee wants to receive the same Executive Summary paperwork that goes to the BCC;
- b. Committee Report information to be substituted [Map 1 in Phase 1 Report] and appropriate pages in Sections 1, 2, and 4 of Volume 1 to reflect the changes that the Committee agrees to following its review of the CCPC and EAC comments and recommendations and any updates or corrections that have been aired and/or pointed out;

- c. Executive Summary needs to highlight the major proposed changes to the RLSA Overlay up front and those Policies and Areas where the Committee;
- d. Double underline areas where the Committee has agreed with CCPC recommendations;
- (B) Power Point Presentation to the BCC needs to be updated to include the following:**
  - a. The presentation needs to be updated to point out the major differences between the Committee and the CCPC;
  - b. The presentation needs to include modifications to the policy language [as agreed to by the Committee] and beef up the discussion on credits;
  - c. The presentation needs to point out the differences in 2002 between the total credits projection at the transmittal hearing [base credits only] and the adoption hearings [i.e. the addition of restoration and early entry bonus credits to the base credits and who caused these credit additions to be added];
  - d. The Power point presentation should be made by the same committee members who presented to the CCPC and EAC...McDaniel, Eidson, Cornell.

## VI. Old Business

- A. Review the Collier County Planning Commission and Environmental Advisory Council comments, issues, concerns, and recommendations provided during public meetings held in January/February and discussion of Committee presentation to the Board of County Commissioners on April 21/22, 2009.

The following attachments are a part of these minutes:

- **Attachment A.** Consent item for the March 5, 2009 Planning Commission meeting which is the CCPC comments with respect to Section 2 of the Phase 2 Report of the Five Year Review of the RLS Program.
- **Attachment B.** CCPC “Consent Attachment C” to RLSA Overlay
- **Attachment C.** Received from George Varnadoe at the end of the March 3 meeting for further discussion at the March 12 meeting....possible language to replace the Committee-recommended language contained in the last two sentences of Policy 3.11, paragraph 2.
- **Attachment D.** EAC comments approved on March 4, 2009
- **Attachment E.** Johnson Engineering “Eastern Collier County Water Resources Availability [revised...dated March 11, 2009]
- **Attachment F.** Proposed language from Elizabeth Fleming of Defenders of Wildlife defining for the purposes of Policy 5.5, what the meaning is of “species of special local concern” (SSLC) as coined by the CCPC.

***Staff Note: For the sake of brevity, these minutes include only final actions taken. A recording of the entire meeting is available upon request.***

## CONTINUATION OF REVIEW OF CCPC RECOMMENDATIONS DATED 3/5/09

[Attachment A to minutes]

The Committee began its review of the CCPC recommendations during its March 3 meeting.

**Policy 3.11:** *Brad Cornell* moved and *Tom Jones* seconded to include the language shown in **Attachment C** to these minutes as substitute language for the last two sentences currently contained in paragraph 2 of Policy 3.11. *Upon vote*, the motion carried unanimously.

**Policy 4.7.4:** *Tammie Nemecek* moved and *Brad Cornell* seconded to accept the language proposed by the CCPC. *Upon vote*, the motion carried unanimously.

**Policy 4.10:** *Bill McDaniel* moved and *Brad Cornell* seconded to accept the language proposed by the CCPC. *Upon vote*, the motion carried unanimously.

**Policy 4.14:** *Bill McDaniel* moved and *Tammie Nemecek* seconded to accept the language proposed by the CCPC. *Upon vote*, the motion carried unanimously.

**Policy 4.15.1:** *Bill McDaniel* moved and *David Farmer* seconded to accept the language proposed by the CCPC. *Upon vote*, the motion carried unanimously.

**Attachment C to the RLSA Overlay** [companion to Policy 4.15.1] and shown as **Attachment B** to these minutes:

Following the withdrawal of a motion by *Bill McDaniel* and second by *Gary Eidson*, *Tammie Nemecek* moved and *Bill McDaniel* seconded to accept Attachment C to the Overlay provided:

- The table shows “transient lodging” back in where it is shown as stricken and removed where it was placed by the CCPC opposite “Residential Housing Styles”;
- Add Hamlets and show as a strike through; and
- Insert under the town, village, and compact rural development columns the new uses shown in the appropriate respective policies.

*Upon vote*, the motion carried unanimously.

**Policy 4.16:** *Bill McDaniel* moved and *Tammie Nemecek* seconded to accept the language proposed by the CCPC. *Upon vote*, the motion carried unanimously.

**Policy 4.17:** *Bill McDaniel* moved and *David Farmer* seconded to accept the language proposed by the CCPC, but to add “of the Capital Improvements Element” directly following “Policy 1.1” in line 3. *Upon vote*, the motion carried unanimously.

**Policy 4.18:** *Tammie Nemecek* moved and *Bill McDaniel* seconded to accept the language proposed by the CCPC with the exception that the words, “including any related impact to Collier County outside of those directly generated by the SRA may” be stricken. *Upon vote*, the motion carried unanimously.

**Policy 4.20:** *Gary Eidson* moved and *Bill McDaniel* seconded to accept the language proposed by the CCPC. *Upon vote*, the motion carried unanimously.

**Policy 4.21:** *Bill McDaniel* moved and *David Farmer* seconded to accept the language proposed by the CCPC. *Upon vote*, the motion carried unanimously.

**Policy 4.23:** *Tammie Nemecek* moved and *Tom Jones* seconded to accept the language approved by the Committee for Policy 3.15. *Upon vote*, the motion carried unanimously.

**Policy 4.7.2:** *By consensus*, the Committee unanimously approved the addition of the following words following “greater than 500 acres” following “Villages” in the third to last line. This change was due to a correction made between the “Consent” and “CCPC” approved recommendations document.

**Policy 5.1:** *Bill McDaniel* moved and *Brad Cornell* seconded to accept the language proposed by the CCPC. *Upon vote*, the motion carried unanimously.

**Policy 5.3:** *Tammie Nemecek* moved and *Bill McDaniel* seconded to accept the language proposed by the CCPC. *Upon vote*, the motion carried unanimously.

**Policy 5.4:** *Brad Cornell* moved and *Tammie Nemecek* seconded to accept the language proposed by the CCPC. *Upon vote*, the motion carried unanimously.

**Policy 5.5:** *Bill McDaniel* moved and *Brad Cornell* seconded to accept the language proposed by the CCPC, but to add the definition of “species of special local concern” (SSLA) as outlined on **Attachment F** to these minutes as developed by Elizabeth Fleming of Defenders of Wildlife. *Upon vote*, the motion carried, 5-3, with Bill McDaniel, Gary Eidson, and David Farmer voting in the minority.

**Policy 5.6:** *Gary Eidson* moved and *Tom Jones* seconded to accept the language proposed by the CCPC with the exception that the language originally proposed by the Committee on page 28 [subparagraph f.iv.] would stay the same as proposed by the Committee. *Upon vote*, the motion carried unanimously.

**Policy 5.7:** *Tammie Nemecek* moved and *Bill McDaniel* seconded to use the language here as was used in Policy 3.15 with the exception of a minor Change specific to Group 5 policies. *Upon vote*, the motion carried unanimously.

#### **BREAK**

Chairman Hamel left the meeting at 10:00AM due to another commitment and Neno Spagna chaired the balance of the meeting.

#### **COMMITTEE REVIEW OF EAC COMMENTS, DATED MARCH 5, 2009** [Attachment D to minutes]

- 1. Preservation of Agricultural Lands.** *Mitch Hutchcraft* stated that he needed to rebut the footnote #1. *Tom Jones* stated that the 28,000 acres of ag land in the footnote should only refer to ag land west of the ACSC, and does not include ag lands in the ACSC. *Mr. Jones* produced the March 11, 2009 revision of the “Eastern Collier County Water Resource Availability” study, which is an update of the February 15, 2008 study produced by Johnson Engineering (**Attachment E** to the minutes). He stated that if there is not sufficient water SFWMD will not issue a permit. *Mr. Jones* moved and *Bill McDaniel* seconded that the Committee go on record that it has already adequately addressed agriculture land and ag land preservation within the report. *Upon vote*, the motion carried unanimously.

2. **Program Caps.** *Judith Hushon* stated that there was not a consensus on Credit caps by the EAC and would like to see the Committee recommend the use of Credits outside of the RLSA. *Allen Reynolds* stated that footnote #2 is misleading as it does not give the genesis of the 16,800 acres of SRA footprint and was the SRA footprint projected using just the baseline credits which were the only credit source at the time the Overlay went through transmittal hearings in 2002 and that DCA subsequently advised to add restoration and early entry bonus credits, which then increased the potential credit total. *Mitch Hutchcraft* stated that the wording in footnote #2 gives the impression that the “greedy landowners” were pushing for the credits from restoration and early entry bonus. *Brad Cornell* stated that the #2 footnote also does not take into consideration the SRA recalibration from 8 credits to 10 credits to enable an acre of SRA footprint. *Tom Jones* moved and *Gary Eidson* seconded for the Committee to go on record that the Committee has adequately addressed the issue of Credits and SRA footprint within the Report. *Upon vote*, the motion carried unanimously.
3. **Direction of Development Away from Primary Panther Habitat.** *Tom Jones* stated that the original map addressed panther corridors conceptually and that the map should likely just show arrows. *Bill McDaniel* stated that he would like to see a map which just shows arrows. *Anita Jenkins* stated that the arrows should be shown on the Overlay Map and the Overlay map should also show public lands. *Mitch Hutchcraft* agreed that showing arrows on the map would be preferable to showing lines and stated that the #5 footnote leads one to believe that the alignment shown is “the alignment” when the alignment has not yet been determined. *Bill McDaniel* moved and *Tom Jones* seconded that the Committee go on record that it has adequately addressed this item in its Report. *Upon motion*, the motion carried unanimously.
4. **Golf Courses Should be Excluded from HSAs.** *Judith Hushon* stated that the EAC agreed on this item. *Bill McDaniel* stated that he disagrees with the EAC. *Tom Jones* stated that when HSAs were designated in the RLSA there were row crops in much of the HSA and the feeling that golf courses would be reasonable substitute for this use. *Bill McDaniel* moved and *Tom Jones* seconded that the Committee go on record that it has adequately addressed this subject in its Report. *Upon motion*, the motion carried unanimously.
5. **Transportation Infrastructure to Serve Future SRAs.** *George Varnadoe* reminded those present that there will be both transmittal and adoption hearings and the transportation planning issues will be addressed at that time. *Tom Jones* moved and *Bill McDaniel* seconded that the Committee go on record that it has adequately addressed this item in its Report. *Upon motion*, the motion carried unanimously.
6. **Water for Future SRAs.** *Tom Jones* stated that the Johnson Engineering reports of February 15, 2008 and March 11, 2009 address water needs for the RLSA and show that there will be plenty of water although SFWMD is directing that the lower Hawthorne aquifer be used which will require reverse osmosis to allow the water to be potable. He stated if there is no showing to SFWMD that water is available, no permits will be issued. He questioned footnote #6 reference to Ms. Wehle’s comments and wondered whether these were a quote and in what context the statement was made as he did not attend this seminar.

He stated that the FLUM has to be supported by documentation of adequate public facilities to meet the level of service standards. He stated that the Johnson Engineering report uses 110 gallons per day per person as potable and does not include irrigation water. He stated that some of the assertions made in footnotes are not correct. He stated that water in the RLSA is not going to be a problem. *David Farmer* stated the county uses 185 gallons per day per person as a level of service standard for water but his experience is that this figure is overstated based upon actual usage. *Al Reynolds* raised the question in footnote #6 as to why the Town of Big Cypress water consumption comment is there because the TOBC is only in a DRI sufficiency status and that one cannot conclude a problem with water based upon this level of review, but the footnote seems to draw conclusions of water inadequacy. *Bill McDaniel* moved and *Tom Jones* seconded that the Committee go on record that it has adequately addressed this item in its Report. *Upon motion*, the motion carried unanimously.

7. **CRDs and Development in the ACSC.** *Bill McDaniel* moved and *Tom Jones* seconded that the Committee go on record that it has adequately addressed this item in its Report. *Upon motion*, the motion carried unanimously.

8. **Other Comments**

**Policy 1.6.1:** *Bill McDaniel* moved and *Gary Eidson* seconded that the Committee go on record that it has adequately addressed this policy in its Report. *Upon motion*, the motion carried unanimously.

**Policy 3.9:** *Tammie Nemecek* moved and *Bill McDaniel* seconded to correct Policy 3.9 by striking the word “aquaculture”. *Upon motion*, the motion carried unanimously.

**Policy 5.5:** *Tom Jones* moved and *Bill McDaniel* seconded that the Committee go on record that it has adequately addressed this policy in its Report. *Upon motion*, the motion carried unanimously.

**Policy 5.7:** *Tammie Nemecek* moved and *Bill McDaniel* seconded that the Committee go on record that it has adequately addressed this policy in its Report. *Upon motion*, the motion carried unanimously.

**General Comment about SSA and SRA reviews by the EAC and CCPC.** *Tom Jones* moved and *Bill McDaniel* seconded that the Committee go on record that it has adequately addressed this policy in its Report. *Upon motion*, the motion carried unanimously.

*David Farmer* stated that he would like to discuss the GMPA process. *Bill McDaniel* stated that the Committee has requested a special GMPA cycle for the RLSA per the letter of the Committee dated January 5, 2009 and that will be asked of the BCC on April 21. No further discussion was held on this matter.

VII. **New Business** none

VIII. **Public Comments.** none

- IX. Next Meeting.** The Committee voted to hold a meeting at 9:00am on Thursday, March 26, 2009 in Rooms 609/610 to:
- Receive and review revised pages in the Committee Report based upon actions taken by the Committee;
  - Review a draft Executive Summary to accompany the Committee's presentation to the BCC on April 21; and
  - Review revised power point presentation for the April 21 presentation to the BCC.
- X. Adjournment**  
The meeting was adjourned by acclamation at 11:35A.M.

**Rural Lands Stewardship Area Review Committee**

\_\_\_\_\_  
**Ron Hamel, Chairman**

These minutes approved by the Committee on \_\_\_\_\_, as presented \_\_\_\_\_ or as amended \_\_\_\_\_

**SECTION 2**  
**ALL COMMITTEE-RECOMMENDED REVISIONS**  
**TO IMPROVE THE RURAL LANDS STEWARDSHIP AREA OVERLAY**

**Preface**

Section 2 of this Report includes the full RLSA Overlay Program as evaluated. The Review Committee determined that most of the policies in the RLSA Overlay did not require an amendment so often took action to "leave policy unchanged." Those policies that were amended, including those set forth in Section 1, and those with minor language corrections, are shown below with ~~strike through~~ and underlines.

In addition to all RLSA text, the following are attached with recommend amendments.

- Stewardship Overlay Map
- Attachment A – Stewardship Credit Worksheet
- Attachment B – Land Use Layers Matrix
- Attachment C – Stewardship Receiving Area Characteristics Table

**The RLSA Overlay Recommended Amendments**

**Goal (recommended amendment)**

Collier County seeks 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. Collier County's goal is to ~~protect~~ retain land for agricultural activities, ~~to prevent the premature conversion of agricultural land to non-agricultural uses,~~ to direct incompatible uses away from wetlands and upland habitat, to protect and restore habitat connectivity, to enable the conversion of rural land to other uses in appropriate locations, to discourage urban sprawl, and to encourage development that ~~utilizes~~ employs creative land use planning techniques and through the use of established incentives.

**Objective (recommended amendment)**

To meet the Goal described above, Collier County's objective is to 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(11), F.S. The Policies that will 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 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, Chapter 63.317(1) F.S. 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 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 (recommended amendment)**

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 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 (recommended amendment)**

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 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. 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 elsewhere herein.

**Policy 1.6.1 (recommended new policy)**

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").

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 SSA's 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 (recommended amendment)**

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 ~~no 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 the Florida Fish and Wildlife Conservation Commission, Department of Environmental Protection, Department of Agriculture and Consumer Services, South Florida Water Management District, or a recognized statewide land trust, 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.

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**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 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 part of a Stewardship 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 (recommended amendment)**

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-workforce 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 Chapter 163.3177 (11), F.S. and 9J-5.006(5)(1).

**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 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 (recommended amendment)**

The incentive based Stewardship Credit system relies on the projected demand for Credits ~~As~~ as the primary basis for permanent protection of agricultural lands, 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 (recommended amendment)**

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, 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 and the Department of Community Affairs upon the five-year anniversary of the adoption of the Stewardship District in the LDC, ~~as part of the Evaluation and Appraisal Report process~~. 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.
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.

**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. (Recommended amendment)**

**Policy 2.1 (recommended amendment)**

~~Agricultural 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 allowed 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 (recommended amendment)**

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 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, these lands shall be assigned two (2.0) Stewardship Credits per acre outside of the Area of Critical State Concern (ACSC), and two and sixth tenths (2.6) Credits per acre within the ACSC or Open Lands determined to be primary panther habitat. All non-agriculture uses shall be removed and the remaining uses are limited to agriculture Land Use Levels 5, 6 and 7 on the Land Use Matrix. Each layer is discreet 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. Following approval of an Agricultural SSA, Collier County shall update the RLSA Zoning Overlay District Map to delineate the boundaries of the Agricultural SSA.

**~~Policy 2.3 (recommended deletion) Policy 2.3~~**

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~~Within one (1) year from the effective date of these amendments, Collier County will 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.~~

Within one (1) year from the effective date of these amendments, Collier County will 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.

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~~Policy 2.4 (recommended deletion)~~ **Policy 2.4**

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

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.

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**Policy 2.5.3 (recommended amendment)**

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.A (recommended amendment)**

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 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 96% score greater than 1.2 while 4% score 1.2 or less. The average Index score of FSA land is 1.8.

**Policy 3.2 (recommended amendment)**

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 49,000 ~~45,782~~ 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 ~~13,800~~ ~~15,156~~ acres of cleared agricultural fields located in HSAs. The average Index score of 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 18,200 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 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 (recommended amendment)**

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 Impact Statement (EIS) 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 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 (recommended amendment)**

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 [limited to Open Land designation only] 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 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 (recommended amendment)**

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 land for restoration activities within a FSA or HSA the Camp Keais Strand FSA or contiguous HSAs, four two 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 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 4 Credits per acre, or for flow way restoration at 4 Credits per acre, or for native habitat restoration at 6 Credits per acre. Within the area proposed for restoration, Land Use Layers 1-6 must 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 be willing to dedicate land for the purpose of establishing and maintaining the northern or southern panther corridor, 2 additional Stewardship Credits shall be assigned for each acre of land so dedicated. ~~Should an owner else effectively complete the corridor restoration, this shall be rewarded with 8 additional Credits per acre. Once an entire corridor meeting minimum criteria established for such corridor, is dedicated as SSA's and restoration of the entire corridor is completed by the land Owner(s), this shall be rewarded with 8 additional credits per acre.~~

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. Dedication of any area inside an FSA, HSA, or WRA for sub seasonal wetland restoration shall be rewarded with 2 additional Credits per acre.

Should the landowner successfully complete the restoration, an additional 6 Credits per acre shall be awarded.

Only one type of restoration shall be rewarded with these Credits for each acre designated for restoration and in no case shall greater 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 Reais 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 (recommended amendment)**

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 provide water management functions for properties within such SRA, but are not required to be

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designated as a SRA in such instances. However, if the WRA provides water treatment and retention exclusively for a SRA, the acreage of the WRA used as primary treatment for water management for the SRA shall be included in the SRA. 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 (new policy)**

Any development on lands not participating in the RLSA program shall be compatible with surrounding land uses. Within 1-year of the effective date of this policy LDC regulations shall be implemented for outdoor lighting using standards modeled from the Dark Sky ([www.darksky.org](http://www.darksky.org)) program 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 (recommended amendment)**

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. 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 Chapter 163.3177(11) F.S., the specific location, size and composition of each SRA cannot and need not be predetermined in the 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 18,300~~ 15,000 acres within the ACSC. Total SRA designation shall be a maximum creation of 315,000 stewardship credits 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 (recommended amendment)**

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. ~~Within one year from the effective date of this amendment, Collier County shall adopt LDC amendments 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 4.4**

Collier County will update the Overlay Map to delineate the boundaries of each approved SRA. Such updates shall not require an 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.

**Policy 4.5 (recommended amendment)**

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. ~~To the extent practicable, the SRA Master Plan shall be consistent with the County's then-adopted Long Range Transportation Plan (LRTP), the County Build Out Vision Plan as may be amended and referenced in Policy 3.7 of the Future Transportation Element, 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. 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 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.

**Policy 4.6**

SRA characteristics shall be based upon innovative planning and development strategies referenced in Chapter 163.3177 (11), F.S. and 9J-5.006(5)(l). 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 consideration of 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 County Build Out Vision 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 (recommended amendment)**

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 s~~ 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 Chapter 163.3177 (11), F.S. and 9J-5.006(5)(f). 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-workforce 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 (recommended amendment)**

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 ~~greater not less than 4,000~~ 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 have at least one community park with a minimum size of 200 square feet per dwelling unit in the Town.

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 are shall be included in the LDC Stewardship District. Towns shall not be located within the ACSC.

**Policy 4.7.2 (recommended amendment)**

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 greater not less than 100 acres and up to or more than 1,000 acres inside the Area of Critical State Concern and up to not more than 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 4.7.4 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 included in the LDC Stewardship District. Villages 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 (recommended deletion)~~**

~~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 (recommended amendment)**

~~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 associated with and needed to support research, education, convenience retail, tourism or recreation. ~~Appropriately scaled compatible uses described in Policy 4.7.4 may also be permitted in CRDs.~~ 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 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 the maximum of two units per gross acre. A CRD shall be a maximum size of 100 acres. An example of a CRD is an ecotourism village that

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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 are 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. There shall be no more than 5 CRDs of more than 100 acres in size. 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 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 may be approved prior to each subsequent Village or Town. The appropriateness of this limitation shall be reviewed in 5 years pursuant to Policy 1.22.

**Policy 4.7.4 (recommended new policy)**

~~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. Permitted uses shall include, but not be limited to environmental research, agricultural research, aviation and aerospace, health and life sciences, corporate headquarters, computer hardware, software and services, information technology, manufacturing, research & development, wholesale trade & distribution, technology commercialization and development initiatives, trade clusters, and similar uses.~~

**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 (recommended amendment)**

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, and HSAs, and WRAs. 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.

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**Policy 4.10 (recommended amendment)**

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 **but shall be counted as part of the SRA acreage.**

**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 (recommended amendment)**

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 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 County Build Out

Vision 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 ~~primary town or community~~SRA it serves. Signalized intersections within or adjacent to an SRA that serves the SRA shall be maintained by the ~~primary town or community~~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 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 that are anticipated to be expanded or constructed.

**Policy 4.15.1 (recommended amendment)**

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 (recommended amendment)**

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 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 1.1.2 of the Capital Improvement Element of the GMP **and public facilities pursuant to Policy 1.1 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 (recommended amendment)**

The SRA will be planned and designed to be fiscally neutral or positive to Collier County at the horizon year based on a cost/benefit fiscal impact analysis model acceptable to or as may be adopted by the County. The BCC may grant exceptions to this policy to accommodate affordable-workforce 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 analysis 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.

It is recognized in the event that a SRA development in the RLSA, including any related impacts to Collier County outside of those directly generated by the SRA, may generate surplus revenues to Collier County; and 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 (recommended amendment)**

Eight Credits shall be required for each acre of land included in a SRA, where such Credits were created from a Stewardship Sending Area deemed vested under the eight Credit ratio. Ten Credits per acre shall be required for each acre of land included in a SRA, where such Credits were created from any other Stewardship Sending Area, except for ~~Open space~~ Open space in excess of the required thirty-five percent as described in Policy 4.10 or for land that is designated for a public benefit use described in Policy 4.19 4.20 do not require 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 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 (recommended amendment)**

The acreage of ~~open space exceeding thirty five percent and a~~ public benefit use shall not count toward the maximum acreage limits described in Policy 4.7 but shall not count toward the consumption of Stewardship Credits. For the purpose of this policy, public benefit uses include: 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 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, Villages, and Hamlets subject to applicable zoning and permitting requirements.

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**Policy 4.21 (recommended amendment)**

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 1000 acres of SRA development in the form of Villages or CRDs however, that CRDs or 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 (recommended new policy)**

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

**Policy 4.23 (recommended new policy)**

Any development on lands not participating in the RLS program shall be compatible with surrounding land uses. Within 1-year of the effective date of this policy LDC regulations shall be implemented for outdoor lighting using standards modeled from the Dark Sky ([www.darksky.org](http://www.darksky.org)) program 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 (recommended amendment)**

To protect water quality and quantity and maintenance of the natural water regime in areas mapped as FSAs and designated Restoration Zones 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 supercede 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.

**Policy 5.4 (recommended amendment)**

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 developed within 12 months of the effective date of the Growth Management Plan Amendment and shall be incorporated into used-in-evaluating community, cultural and historical, and transportation planning for the RLSA, including all SRAs described in Group 4 Policies.

**Policy 5.5 (recommended amendment)**

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) (SSLC's to be defined in the LDC within 1-year of adoption of this policy) 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's are known to inhabit biological communities similar to those existing on site or where listed species or SSLC's or protected species 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'S protected species that may be discovered.
2. Wildlife habitat management plans for listed species or SSLC'S shall be submitted for County approval. A plan shall be required for all projects where the wildlife survey indicated listed species or SSLC'S are utilizing the site, or the site is capable of supporting wildlife and can be anticipated to be occupied by listed species or SSLC'S. These plans shall describe how the project directs incompatible land uses away from listed species or SSLC'S protected species and their habitats.
  - a. Management plans shall incorporate proper techniques to protect listed species or SSLC'S listed species 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. The following references shall be used, as appropriate, to prepare the required management plans:
      1. South Florida Multi-Species Recovery Plan, USFWS, 1999.
      2. Habitat Management Guidelines for the Bald Eagle in the Southeast Region, USFWS, 1987.
      3. 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.
      4. 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.

~~5. 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.~~

- ~~i. ii. The County shall consider any other techniques recommended by the USFWS and FFWCC, subject to the provision of paragraph 3 of this policy.~~
- ~~ii. iii. When listed species or SSLC'S 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 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 waster disposal methods) that enable responsible coexistence with wildlife, while minimizing opportunites 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), 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.~~
- ~~e. 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. The required management plan shall also provide for a maintenance program and specify an appropriate fire or mechanical protocols to maintain the natural scrub community. The plan shall also outline a public awareness program to educate residents about the on-site preserve and the need to maintain the scrub vegetation. These requirements shall be consistent with the UFWS South Florida Multi-Species Recovery Plan, May 1999, subject to the provisions of paragraph (3) of this policy.~~
- ~~d. 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 UFWS South Florida Multi-Species Recover Plan, May 1999, subject to the provisions of paragraph (3) of this policy.~~
- ~~e. For the red-cockaded woodpecker (Picoides borealis), the required habitat protection plan shall outline measures to avoid adverse impacts to active elusters and to minimize impacts to foraging habitat. Where adverse effects can not 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 UFWS South Florida Multi-Species Recovery Plan, May 1999, subject to the provision of paragraph 3) of this policy.

f. 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.

g. 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). 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. These requirements shall be consistent with the UFWS South Florida Multi-Species Recover Plan, May 1999, subject to the provisions of paragraph (3) of this policy. The Multi-Species Recovery Plan (1999) shall constitute minimum wildlife protection standards for the RLSA.

h. The Management Plans shall contain a monitoring program for developments greater than 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's. 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 (recommended amendment)**

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 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.
  - 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 functionality assessment score of 0.65 or a Uniform Wetland Mitigation Assessment Method score of 0.7, or greater. Within one year from the effective date of this Amendment, the County shall develop 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 utilized by listed species or SSLC's, or serving as corridors for the movement of listed species or SSLC's, 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 hydroperiod 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 4.2.2.4.6.11 and 6.12 of SFWMD's Basis of Review, January 2001. 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, 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 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.
- 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 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 ed. 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 also be considered acceptable mitigation, for the loss of wetlands or listed species habitat if those lands if those lands are placed under a perpetual conservation easement with perpetual maintenance requirements.
  - v. ~~iv~~ v. Prior to issuance of any final development order that authorizes site alteration, the applicant shall demonstrate compliance with paragraphs (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.

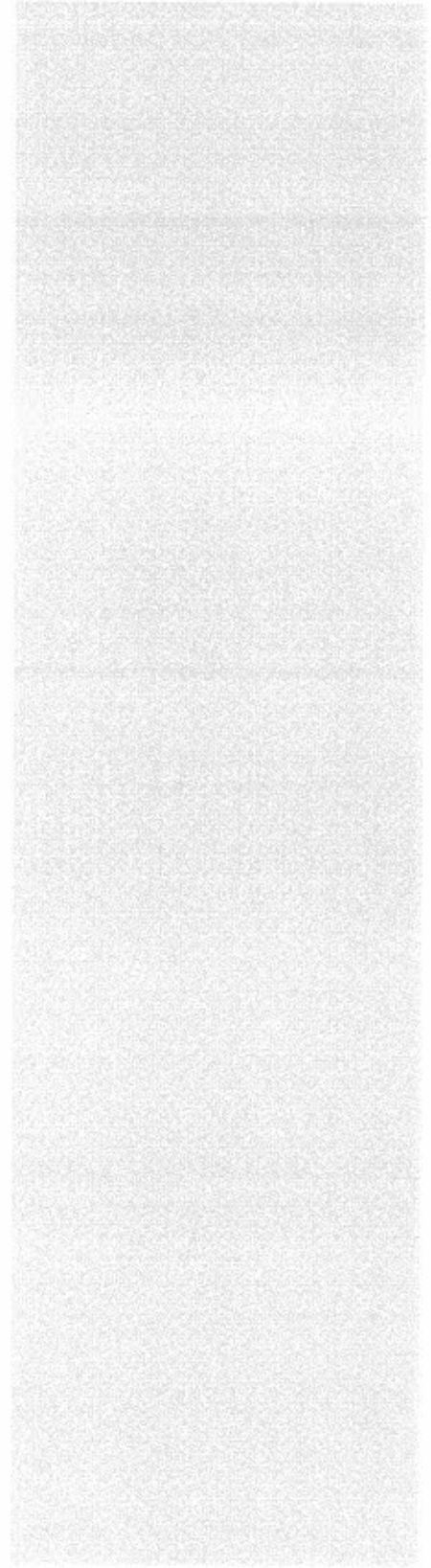
**Policy 5.7 (recommended new Policy)**

Any development on lands not participating in the RLS program shall be compatible with surrounding land uses. Within 1-year of the effective date of this policy, CDC regulations shall be implemented for outdoor lighting using standards modeled from the Dark Sky ([www.darksky.org](http://www.darksky.org)) program. Outdoor lighting shall be reasonably managed to protect the nighttime environment, conserve energy, and enhance safety and security.

**Policy 5.8 (recommended new Policy)**

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

CONSENT











ATTACHMENT B-LAND USE LAYERS (series through is proposed deletion)  
 4.00.00 U.S. A.C. LAND USE LAYERS (Proposed Amendment: C.U. Conditional Use)

(Layer 1)	(Layer 2)	(Layer 3)	(Layer 4)	(Layer 5)	(Layer 6)	(Layer 7)	(Layer 8)
Residential Land Uses	General Conditional Uses	Earth Mining and Processing Uses	Educational Uses	Agriculture Group 1	Agriculture - Support Uses	Agriculture Group 2	Commercial, Recreative and Retail Functions
Single-family dwelling, incl. mobile home (P)	Family care facilities (P)	Manufacturing, processing, assembling and repair assembly and production (C1)	Self storage, other self storage (C2)	Employment, professional, health care, production, growth, research, improved facilities (P)	Farm labor housing (A)	Unimproved pasture and grazing, forestry (P)	Waste management, plan and utility construction, refuse and recycling (P)
Multi-family (P) INDP, Convent, (A) or temporary use (C1)	Production and transfer sites for resource recovery (C1)	High rise and concrete batch mixing plants (C1)	Spa, recreational schools and camps (C1)	Animal breeding (other than livestock), poultry, hunting, training or boarding (P)	Plant site of herb, Ungroomed agricultural products, grown primarily on the property (A)	Planting, growing, raising (P)	Waste management, groundwater recharge (P)
Private health care and education, hotel, school or university use (A)	Veterinary clinic (P)		Sporting and recreational crops (C1)	Caring, boarding, profit and all production, milk production (P)	Retail food markets (C1)	Harvesting, raising (P)	Education, religion (P)
Recreational facilities, programs in residential development, club, golf course, clubhouse, community center building and tennis facilities, parks, playgrounds and athletic (A)	Child care centers and other day care centers		Agribusiness facilities, specialty (P) and non-specialty (C1)	Packaging or other agricultural products produced on the property (A)	Dairies, educational, or commercial facilities and their related uses of transporting, processing, storage or other, less operations, such as, but not limited to, research, testing, display, storage and other modes of transportation (C1)	Water supply, well fields (P), oil and gas exploration (P)	
Manufactures (A)	Gas, oil, natural gas, or other mineral products, or other similar uses (C1)		The extraction, production, refining or loading of crude oil (C1)	Research (C1)	Engraving and related processing incidental to (A)	Chemicals, natural gas (P)	
	Chemical and other plants of various (C1)		Wholesale supply, loading and related non-commercial (P) and warehouse (C1)			Mineral resources or extraction (P)	
	Child day care centers (P)(C1)					Research services (P and C1)	
	Medical care facilities (C)					Oil and gas field development and production (C)	
	Private lending sites for general utility (C1)						
	Composites (C1)						
	Offices (C1)						
	Drop care facilities, etc. (C1)						

Note to Attachment B: The removal of land use layers yields Stewardship Credits measured on a per acre basis.

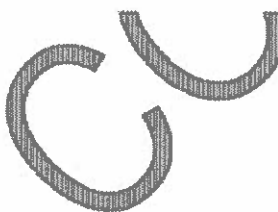


**Attachment C-Stewardship Receiving Area Characteristics  
(Final and approved)**

Attachment C  
Coller County GLSA Overlay  
Stewardship Receiving Area Characteristics

System Description	TYPE I	TYPE II	TYPE III	Consolidated Parcel Description	
Open Space Areas	100% Open Space	100% Open Space	100% Open Space	100% Open Space	100% Open Space
Development Limits (DUL) per gross acre	1.4 DUL per gross acre	1.4 DUL per gross acre	1.4 DUL per gross acre	1.4 DUL per gross acre	1.4 DUL per gross acre
Generalized Housing Types	Single-Family Detached, Single-Family Attached, Multi-Family	Single-Family Detached, Single-Family Attached, Multi-Family	Single-Family Detached, Single-Family Attached, Multi-Family	Single-Family Detached, Single-Family Attached, Multi-Family	Single-Family Detached, Single-Family Attached, Multi-Family
Maximum Floor Area Ratio or Density	0.25 FAR	0.25 FAR	0.25 FAR	0.25 FAR	0.25 FAR
Stands and Rowlines	Stands and Rowlines	Stands and Rowlines	Stands and Rowlines	Stands and Rowlines	Stands and Rowlines
Signs and Signage	Signs and Signage	Signs and Signage	Signs and Signage	Signs and Signage	Signs and Signage
Parking and Open Space	Parking and Open Space	Parking and Open Space	Parking and Open Space	Parking and Open Space	Parking and Open Space
Other Land-Use and Infrastructure Features	Other Land-Use and Infrastructure Features	Other Land-Use and Infrastructure Features	Other Land-Use and Infrastructure Features	Other Land-Use and Infrastructure Features	Other Land-Use and Infrastructure Features
Regulation	Regulation	Regulation	Regulation	Regulation	Regulation

\* Type I and II are consistent with the ACCF, per Section 7.2 of the GLSA. Type III is consistent with the ACCF, per Section 7.2 of the GLSA.  
 \*\* Where a Stand, Rowline, or Signage is not specified, the Stand, Rowline, or Signage shall be consistent with the ACCF, per Section 7.2 of the GLSA.  
 \*\*\* Density may be determined for multi-family residential use based on the maximum density allowed in the applicable zoning district, per Section 7.2 of the GLSA.  
 \*\*\*\* Type III DUL may be determined for multi-family residential use based on the maximum density allowed in the applicable zoning district, per Section 7.2 of the GLSA.  
 \*\*\*\*\* Other Land-Use and Infrastructure Features shall be consistent with the ACCF, per Section 7.2 of the GLSA.



**Attachment C-Stewardship Receiving Area Characteristics  
[Recommended Amendment]**

[Proposed]

Typical Characteristics	Rural	Village	Compact Rural Development
Site Open Acres <sup>1</sup>	1,000-6,000 acres	400-1,200 acres <sup>2</sup>	150 Acres or less <sup>3</sup>
Residential Units (DU) per gross acre base density	1-3 DUs per gross acre <sup>4</sup>	3-10 DUs per gross acre <sup>5</sup>	15-20 DU per gross acre <sup>6</sup>
Residential Housing Style	Full range of single family and sub-family housing types, styles, lot sizes	Density of single family and sub-family housing types, styles, lot sizes	Single family, row house, duplex <sup>7</sup>
Maximum Floor Area Ratio at Density	Small L Density - .5 Cluster/semi-detached/rowhouse - .8 Mid-density/rowhouse - .8 Rowhouse - .8 Townhouse - .8 Townhouse - .8 up to .8	Small L Density - .5 Cluster/semi-detached/rowhouse - .8 Density - .8 Townhouse - .8 Townhouse - .8 up to .8	Small L Density - .5 Cluster/semi-detached/rowhouse - .8 Density - .8 Townhouse - .8 Townhouse - .8 up to .8
Goods and Services	Farm Center with Community and Neighborhood Goods and Services in Rural and Village Centers. Minimum 50 SF gross building area per DU. Community Center, Fire Station, and Post Office	Village Center with Neighborhood Goods and Services in Village Centers. Minimum 25 SF gross building area per DU	Resource, Education/Journal & Recreational Community Goods and Services. Minimum 15 SF gross building area per DU
Water and Wastewater	Centralized or decentralized community treatment system	Centralized or decentralized community treatment system	Individual Well and Septic System, Centralized or decentralized community treatment system
Recreation and Open Space	Community Parks (200 SF/DA) Parks & Public Open Spaces with landscaping Active Recreational Open Space Open Space Minimum 30% of DA	Parks & Public Open Spaces with landscaping (minimum 1% of gross area) Active Recreational Open Space Lakes Open Space Minimum 30% of DA	Public Open Space for Neighborhoods (minimum 1% of gross area)
Chc., Government and Institutional Services	Wide Range of Services - minimum 15 SF/DA Full Range of Schools	Wide Range of Services - minimum 10 SF/DA Full Range of Schools	Limited Services Full Range of Schools
Transportation	Auto - interconnected system of collector and local roads, required connection to collector or arterial Interconnected network and pathway system County Transit Access	Auto - interconnected system of collector and local roads, required connection to collector or arterial Interconnected network and pathway system Interconnected Road County Transit Access	Auto - interconnected system of local roads Interconnected Road County Transit Access

<sup>1</sup> - These are prohibited within the ACSC, per policy 4.7.1 of the Rural, Openness, and Access  
<sup>2</sup> - Village and Compact Rural Developments within the ACSC are subject to location and site criteria, per policy 4.2, and are subject to Chapter 26.20, PAC.  
<sup>3</sup> - Density can be increased beyond the base density through the Affordable Housing Density Bonus or through the density transfer provisions, per policy 1.7.  
<sup>4</sup> - These CRDs that include single or sub-family residential units shall include proportionate support services.  
 Underlines are not required uses.

Revised

Attachment C  
Collier County RLSA Overlay  
Stewardship Receiving Area Characteristics

[Proposed]

Typical Characteristics	Town*	Village	Compact Rural Development
Size (Gross Acres)	<del>Greater than 1,500 up to 5,000 acres</del>	<del>Greater than 100 up to 1,500 acres**</del>	100 Acres or less**
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***
Residential Housing Styles	Full range of single family and multi-family housing types, styles, lot sizes, <del>Transient Lodging - 26 uua net</del> Retail & Office - .5 Civic/Governmental/Institution - .6 Manufacturing/Light Industrial - .45 Group Housing - .45 <del>Transient Lodging - 26 uua net</del>	Diversity of single family and multi-family housing types, styles, lot sizes, <del>Transient Lodging - 26 uua net</del> Retail & Office - .5 Civic/Governmental/Institution - .6 Group Housing - .45 <del>Transient Lodging - 26 uua net</del>	Single Family and limited multi-family*** <del>Transient Lodging - 26 uua net</del> Retail & Office - .5 Civic/Governmental/Institution - .6 Group Housing - .45 <del>Transient Lodging - 26 uua net</del>
Maximum Floor Area Ratio or Intensity per Use			
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	Research, Education, Tourism & Recreation; Convenience Goods and Services- Minimum 10 SF gross building area per DU
Water and Wastewater	Centralized or decentralized community treatment system <del>Interim Well and Septic</del>	Centralized or decentralized community treatment systems <del>Interim Well and Septic</del>	Individual Well and Septic System; <del>Centralized or decentralized community treatment system</del>
Recreation and Open Spaces	Community Parks (200 SF/DU) Parks & Public Green Spaces with Neighborhoods <del>Active Recreation/Golf Courses</del> Lakes Open Space Minimum 35% of SRA	Parks & Public Green Spaces with Neighborhoods (minimum 1% of gross area) <del>Active Recreation/Golf Courses</del> Lakes Open Space Minimum 35% of SRA	Public Green Space for Neighborhoods (minimum 1% of gross acres)
Civic, Governmental and Institutional Services	Wide Range of Services - minimum 15 SF/DU <del>Full Range of Schools</del>	Moderate Range of Services - minimum 10 SF/DU; <del>Full Range of Schools</del>	<del>Limited Services</del>
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 <del>Equestrian Trails</del> County Transit Access	Auto - interconnected system of local roads Pedestrian Pathways <del>Equestrian Trails</del> County Transit Access

\* - Towns are prohibited within the ACSC, per policy 4.7.1 of the Goals, Objectives, and Policies.  
 \*\* - Villages and Compact Rural Developments within the ACSC 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.

ATT. B



# *ATT. C.*

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 dedicated. 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.

**COMMENTS BY THE ENVIRONMENTAL ADVISORY COUNCIL (EAC) OF  
COLLIER COUNTY  
RELATED TO THEIR REVIEW OF THE  
JANUARY, 2009 REPORT OF THE RLSA ADVISORY COMMITTEE REPORT ENTITLED  
“FIVE YEAR REVIEW OF THE RURAL LANDS STEWARDSHIP PROGRAM”**

**FINAL March 10, 2009 AS APPROVED REPORT OF THE EAC**

The Rural Lands Stewardship Program Review Committee has done a fine job of addressing many areas where the program can be improved. It is evident from their work that the issue of how to properly use the credits generated by sending areas while preserving the rural and natural features of the remaining lands has been considered; however, we do not believe that an adequate answer to this problem has been arrived at yet. The EAC at their February 27, 2009 meeting was not able to reach a consensus on the best way to manage growth in the RLSA. The general opinion was that there is no need to move so quickly that we cannot wait the results of several ongoing studies that would greatly improve the ability to make decisions, including the ECPO panther study, the USFWS Habitat Conservation Plan, the Future Transportation Plan, and the Build-out Vision Plan. These are the comments we have been able to agree on to as of March 2009.

**1. Preservation of Agricultural Lands**

- (1) **General comment:** Based upon data presented, the revised program will result in a 56.5% reduction of cultivated farm lands within RLSA. This is contradictory to the stated purpose of the program.<sup>1</sup>
- (2) **Policy 2.2 Inclusion of agricultural credits:** The EAC agrees with the inclusion of agricultural credits. It is stated that the purpose of this plan is to preserve agriculture. The County should preserve its agricultural capacity in any way possible.
- (3) **Policies 2.3 and 2.4** The EAC voted to retain the sections calling for formation of an Agricultural Advisory Council.

**2. Program Caps**

The EAC discussed whether acres or credits should be capped and could not reach a consensus. What they did want to convey were the following concerns:

- (1) There are too many credits floating around in the revised Overlay – this could devalue existing credits.<sup>2</sup>
- (2) There is a potential to generate more credits than would be used to entitle 45,000 acres of development.<sup>3</sup>

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<sup>1</sup> According to the RLSA Phase I Technical Review, in 2007, there were 64,469 acres under cultivation consisting of citrus, row crops and specialty (See RLSA Phase I Technical Review Table 4-A (p.11)). In a Johnson Engineering report dated February 15, 2008 to Mr. Tom Jones of the Barron Collier Companies (and a member of the RLSA Review Committee), the introductory paragraph makes the following statement: “...using assumptions provided by the Barron Collier Companies....(there will be) approximately 28,000 acres of agricultural land under cultivation (at build out).” This represents a loss of 36,469 acres or 56.5% of presently cultivated acreage.

<sup>2</sup> Six years ago the Rural Land Stewardship Area (RLSA) Review Committee told the Collier County Commissioners (CCBC) and the Florida Department of Community Affairs (DCA) that the GMP Amendments proposed for the RLSA would result in a potential development of 9-10 percent of the encompassed land area or about 16,800 acres, plus additional acreage required for services. Since that time, largely due to the addition of restoration credits and the way they were valued, the estimated number of credits has risen to 315,000 and developable acreage, based on those credits, has grown to 43,312 acres. (Wilson Miller, Inc., Collier County Rural Land Stewardship Five Year Review Supporting documentation, pp 74-76.) Now, six years later we are being asked to consider a proposal that allows for potentially far more than 315,000 credits.

- (3) There was a general consensus that to avoid an overload of development credits, changes to the GMP and LDC should be explored that would allow use of credits generated in the RLSA to be used in other unincorporated areas of the County or be applied to increase the density within developments beyond the currently approved base level.

### 3. Direction of Development Away from Primary Panther Habitat

**Policy 3.11** It is the obligation of the County to protect primary panther habitat and to direct development away from this area.<sup>4</sup> We are currently lacking the Panther Technical Review Team and the USFWS Habitat Conservation Plan for the RLSA that are directly applicable to this decision. Without these studies in hand, it seems prudent to direct development away from these areas. The following are areas where the EAC was able to reach consensus and make recommendations:

- (1) The panther corridors as shown on the Wilson Miller Transportation map do not appear to meet the currently recommended guidelines.<sup>5</sup>
- (2) The more appropriately sized pathways will generate far more than the 2300 credits mentioned in the Wilson Miller supporting documentation, therefore meaning many more panther corridor credits will be generated.
- (3) The Environmental Advisory Council recommends that lands within a Panther Corridor as designated by the United States Fish and Wildlife Service be awarded 2 bonus credits when they are placed in a Stewardship Sending Area (SSA) and an additional 8 bonus credits once all lands within the Corridor have been restored and placed in SSA's.

### 4. Golf Courses Should be Excluded from HSAs

**Policies 3.7 and 4.13:** Golf courses should not be considered passive recreation areas and should not be allowed in HSAs.

- (1) Throughout the RLSA report, golf courses are considered "low intensity land uses" and are lumped in with "parks and passive recreation areas," yet in Attachments B and C are listed as "active recreation areas." This appears to be contradictory.

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<sup>3</sup> Additional credits are envisioned through the introduction of agricultural credits (Policy 2.2), increased restoration credits (Policy 3.11(1)), and most importantly panther corridor credits (Policy 3.11(2)). If insufficient credits are generated under the system, the 45,000 acre cap could be regarded as a commitment binding Collier County to allow development up to that level. There is the possibility that a landowner not part of the RLSA credit system could come to the county with an SRA application and, if denied, would then make a claim that the proposed SRA falls within the 45,000 acre entitlement.

<sup>4</sup> There has been much debate about Florida panther habitat. The Florida panther Recovery Plan of the U. S. Fish and Wildlife Service (3<sup>rd</sup> revision) states: "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, quality and spatial extent of habitat within the Primary Zone. The continued loss of habitat functionality through fragmentation and loss of spatial extent poses 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 only current scientifically peer-reviewed designation of habitat is Randy Kautz, et al: *How much is enough? Landscape-scale conservation for the Florida panther*. Biological Conservation 130 (2006), pp. 118-133.

<sup>5</sup> The current Florida Panther Recovery Plan recommends a panther corridor of a minimum 1 mile in width for a pathway of this proposed length (USFWS, Florida Panther Recovery Plan, 3<sup>rd</sup> revision, p. 30, 2008.) As to the *location* of the pathways, Florida Fish and Wildlife Commission's Technical Report, authored by Kathleen Swanson, Darrel Land, Randy Kautz and Robert Kawula in 2008 in Figure 12 (p. 14) and Appendix 4a (p. 42) clearly map out the least cost pathways for the northern and the OK Slough pathways. These do not correspond to the pathways shown on the attachments to the RLSA Review Committee's report.



## 5. Transportation Infrastructure to Serve Future SRAs

Not enough attention has been paid to the secondary impacts (roads, other infrastructure) required to support this expanded development footprint. The Build-out Vision Plan and the Transportation Plan are essential elements to this RLSA Process and will not be available for at least a year.

## 6. Water for Future SRAs

- (1) **Comment on Policies 4.2, 5.1, 5.2, 5.3:** The RLSA has not focused enough effort on determining future water quality and availability. The EAC has concerns that the potential exists for adverse effects on water quality and availability for current users and that there will be a significant increase in County expense to provide potable water in the future.<sup>6</sup>
- (2) **Comment on Policies 3.13 and 4.8:** The use of preserves and preserve-type areas for storm water treatment has been a concern of the Environmental Advisory Council for years. This policy explicitly allows that practice but does not always count the affected acreage against the SRA entitlement.
  - (a) A primary objective of the revised RLSA Overlay should be to **avoid** the use of WRAs as part of storm water management systems for SRAs. This should be clearly stated in the document.
  - (b) If absolutely no other option is available for storm water treatment of an SRA, WRAs designated to receive storm water need to be carefully evaluated for their functionality as part of both flow ways and aquifer recharge. If any part of a WRA is incorporated into the

<sup>6</sup> South Florida Water Management District (SFWMD) Executive Director Carol Wehle, at an Everglades Conference in January 2009 said this: *counties and municipalities are overly dependent on the SFWMD to preserve and protect their water supplies. You must be more proactive in creating explicit elements within your comprehensive and growth management plans. We can only use what you give us to make decisions. You must take control of your own futures.* In repeated and duplicative comments, counsel for the Eastern Collier Property Owners (ECPO) defers to SFWMD permitting. This is not an adequate response, given Ms. Wehle's comments above. The revisions to the RLSA program need to proactively protect the water supplies for our citizens. ECPO counsel repeatedly makes the following statement: "In most cases, the conversion of land from agriculture to SRA uses reduces the consumption of groundwater by a significant percentage." This assertion cannot go unexamined: water consumption estimates are based upon a Johnson Engineering study dated which uses the Town of Ave Maria as the data base. The study estimates 110 gallon per capita usage. The United States Geological Survey (USGS), in a study entitled "Public supplied population, water use, withdrawals, and transfers in Florida by county 2005," indicates water consumption in Collier County was 246 gallons per capita. This serious contradiction needs to be resolved. Underlying assumptions in the Johnson study need to be revealed and tested, primarily the question of whether, in the case of the Ave Maria water system, are we dealing with projected usage or actual usage? In discussion at the February 10, 2009 Environmental Advisory Council (EAC) meeting, Mr. Jones stated that drinking water was "not a problem" in the RLSA. It is available by withdrawal from the Lower Hawthorn aquifer. However, in a January 16, 2009 review of the Development of Regional Impact proposal (DRI) for Town of Big Cypress (within the RLSA), the SFWMD made this comment: "...the response did not address the potential impacts to the water resource availability of the Lower Hawthorn aquifer. District staff is aware that this aquifer is under increased use." The report continues: "...chloride levels in public wellfields in this aquifer have increased more substantially than anticipated. These increases could degrade the resource and may require modifications to reverse osmosis treatment plants to handle increased salinity. Please provide additional information to demonstrate withdrawals from the Lower Hawthorn aquifer for the Town of Big Cypress will have no impact upon other users (underlining mine)." The RLSA Review Committee has not adequately addressed this issue to the fullest extent. The Johnson Engineering study asserts: "(t)here are few competing users of the Floridian aquifer in eastern Collier County since traditional supplies are abundant and meet existing demands." (p. 5) The Floridian aquifer is geologically below the Lower Hawthorn and separated by a confining layer (although some sources regard the Lower Hawthorn as the uppermost layer of the Floridan). Why then, is the SFWMD concerned that "...chloride levels ...have increased more substantially than anticipated" when reviewing Big Cypress? Aren't we looking at an enormous public works project, at taxpayers' expense, if the Lower Hawthorn is compromised? Or is there consideration of attempting to withdraw from below the intermediate aquifer system (of which the Lower Hawthorn is a part)? None of this is covered in the RLSA proposals.

Several  
Feb 2009  
no mention  
of Terry  
Banks  
said there  
was no.

storm water management system of an SRA, it should be counted against the acreage entitlement of the SRA.

- (c) The conversion of water storage locations from agricultural uses to development should be counted against SRA entitlement. There is no provision to analyze the effects of such conversion on water quality.

## **7. CRDs and Development in the ACSC**

*Policy 4.7.3* Hamlets should be eliminated as non-viable.

*Policy 4.7.2.* Development should be directed away from the ACSC. CRDs should be the only type of SRA considered there and the number of CRDs should be limited to five. Guidance should be included regarding how closely they can be located to one another.

## **8. Other Comments**

*Policy 1.6.1* The EAC is in favor of allowing landowners to retract SSA designations within 5 years. However, the detail in this policy retiring SSAs should be included in the LDC, not the GMP. If there are changes required in the future, they will be harder to make.

*Policy 3.9* The references to aquaculture are inconsistent. It was eliminated in Attachment B and should probably be removed here.

*Policy 5.5* Throughout this policy, it should read “listed and protected species” and a definition should be added.

*Policy 5.7* There needs to be a more effective reference to lighting standards compatible with rural development in this policy as well as in Group 4 policies on SRAs. The LDC will need to define appropriate luminosity as well as down-shielding guidance.

*General comment:* SSA and SRA approvals should go through the normal recommendation process of EAC and CCPC review, before final BCC approval.

*General comment:* The EAC would like to see some focus on encouraging “green construction” concepts and LEED certified buildings in the RLSA’s SRAs as well as more attention to encouraging compliance with “smart growth” goals in community development within the RLSA.

After years of effort, the latest RLSA concept plan has it “almost right”. Take the time now to reach consensus through consideration of all stakeholders (including those who speak for the children who will inherit this system in the future) so that those environmental elements so valued in the past, and which contributed greatly to the desirability of this region, shall not be relegated to a history book! This can be done with fair return to the investors in these lands as well as for the many who rely upon the proper husbanding of these lands in benefit to future generations.

END

TO: Tom Jones, V.P. Government Affairs  
Barron Collier Companies

DATE: revised March 11, 2009

FROM: David L. Hoffman, P.G.

RE: Eastern Collier County Water Resource  
Availability

Introduction

This paper provides an overview of water supplies available to meet future residential development and agriculture demands in eastern Collier County. This assessment was made using assumptions provided by the Barron Collier Companies and information contained in the Phase I Technical Report, including: a projected population of 234,572 persons at build-out, a conversion of approximately 45,000 acres of existing agricultural land to residential development to accommodate the projected population, and approximately 40,000 acres of agricultural lands remaining under cultivation. The intent of this assessment is to enable the user to visualize the "big picture" of present-day and future water supply demands and availability in eastern Collier County.

This assessment discusses the surplus of traditional water supplies (*i.e.*, shallow fresh groundwater from the Surficial Aquifer System) made available by conversion of 45,000 acres of agriculture to residential development, documented neutral water resource impact of residential development, as well as the use of alternative water supplies (*i.e.*, brackish groundwater, reclaimed water, and storage) to serve future residential developments. This assessment assumes that future water supply approaches will be subject to present-day South Florida Water Management District (SFWMD, 2007) rules and regulations.

Existing Agricultural Water Supply Use

Consumptive water use in agricultural irrigation is that water consumed by the crop through evapotranspiration (ET) and through harvesting (removal of fruit and vegetable). The Modified Blaney-Criddle irrigation model (SFWMD, 2003) was used in this assessment to approximate consumptive use through irrigated crop ET. The volume of water removed through harvesting is considered minimal (<1% of consumptive use) and not quantified in this assessment. The Modified Blaney-Criddle irrigation model is used by the SFWMD to establish irrigation allocations in water use permits based on irrigated acreage, crop type, evapotranspiration, effective rainfall, irrigation system efficiency, under 1-in-10 drought conditions (a drought with a return frequency of once in 10 years). Based on the Phase I Technical Report there are approximately 90,000 acres of agricultural land of which approximately 65,000 acres is irrigated (citrus, vegetable, and specialty crops) and 25,000 acres is not irrigated (fallow land and pasture/rangeland). The 65,000 acres of irrigated acreage consists of approximately 38,233 acres of citrus, 25,035 acres of vegetables, and 1,201 acres of specialty crops. If full conversion to the potential Stewardship Receiving Area (SRA) footprint of 45,000 acres were to occur we would estimate approximately 40,000 acres of irrigated agriculture (20,000 acres of citrus and 20,000 acres of vegetable) to remain. Therefore, approximately 24,469 acres of agriculture will no longer be irrigated including 18,233 acres of citrus, 5,035 acres of vegetable, and 1,201 acres of specialty crop.



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Based on the irrigation model and parameters given, irrigated ET for 18,233 acres of citrus, 5,035 acres of vegetable, and 1,201 acres of specialty crop cultivation is approximately 68, 11, and 5 mgd, respectively (84 mgd total). Two growing seasons, each four months in length, were used to estimate irrigated ET for vegetable crops. Turf was used for the specialty crop. Based on the Blaney-Criddle irrigation model, the average effective rainfall (that portion of total rainfall that is used by the plant to meet ET demand) is approximately 25, 12, and 26 inches for citrus, vegetable, and specialty crops, respectively, at the Immokalee rain station. This average effective rainfall equals approximately 34, 5, and 2 mgd for citrus, vegetable, and specialty crop, respectively (41 mgd total). Therefore, the total irrigated ET demand met by supplement irrigation is approximately 43 mgd (84 mgd – 41 mgd).

Irrigation water to serve existing agricultural uses in eastern Collier County is withdrawn from traditional supplies, mainly shallow aquifers located within the Surficial Aquifer System (*i.e.*, water-table and lower Tamiami). These shallow aquifers yield large volumes of good quality groundwater, provided the production wells have been constructed properly. There have been no documented occurrences of significant impacts to other existing legal users, wetlands, or the resource from historical (>50 years) withdrawals from these aquifers.

The SFWMD established maximum developable limits (MDLs) for semi-confined aquifers in Section 3.2.4 of the Basis of Review for Water Use Permit Applications (SFWMD, 2007) to provide reasonable assurances that the proposed withdrawals will not cause harmful drawdown. The MDL are aquifer specific and represent an elevation above which corresponding aquifer water levels must be maintained. The SFWMD set the MDLs at 20 feet above the top of the uppermost geologic strata that comprises the aquifer at any point during a 1-in-10 drought condition. The point of compliance for the MDLs is 50 feet from a pumping well. For example, if the uppermost geologic strata (*i.e.*, permeable limestone) marking the top of the aquifer is located at 75 feet below land surface (bls), the MDL would be set at 55 feet bls. There are no reported exceedances of the MDLs in eastern Collier County, thus indicating an adequate water supply is present that historically has supported agriculture.

A good explanation of why water levels in the water-table and lower Tamiami aquifers have exhibited a statistically significant lack of change or slight increase in southwest Florida is provided by Maliva and Hopfensperger (2007). The authors indicate that the 11-fold population increase (1960 to 2004) in southwest Florida and concomitant increase in water use had an overall neutral impact on water levels in the water table aquifer because ET of residential communities is comparable to that of native vegetation and less than that of most agricultural land uses. The authors present evidence supporting their findings using United States Geological Survey (USGS) recorded water levels located throughout southwest Florida. The evidence also shows that water levels in local aquifers recover to near background levels each summer wet season because rainfall exceeds ET during the wet season.

The Surficial Aquifer System consists of the water table and lower Tamiami aquifers (primary sources of irrigation water in eastern Collier County). An existing agricultural water use demand of 43 mgd for 24,469 acres of crop ET is equivalent to yield 1.1 mgd/square mile from Surficial Aquifer System. This yield/area is documented to be sustainable by lack of impacts on water levels.

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Present day SFWMD (2006) regulation requires the storage of storm water runoff on-site and thus prevention of over drainage of the developed land. Storage is accomplished through interconnected lake systems (e.g., wet detention). The result is storm water flow across impervious surfaces to the lake systems, minimization of ET consumption, and increase in water table water levels. Johnson Engineering, Inc. is actively engaged in the study of long-term discharge of storm water management systems in existing residential developments throughout southwest Florida. Preliminary results indicate that discharge from some storm water lake systems can be considerably lower than anticipated and that significant recharge to the water table aquifer occurs.

#### Future Residential Water Supply Demands

Residential water supply demands will include potable and irrigation water. According to the Collier County 10-Year Water Supply Facilities Work Plan (CDM, 2007), the Ave Maria Utility Company, LLLP (AMUC) level of standard service includes a per capita water demand standard of 110 gallons per capita per day (gpcd). Ave Maria has a centralized irrigation water (reuse) system that eliminates the need to irrigate with drinking (potable) water. It is assumed that future residential developments will also have a similar standard. The average annual daily demand for finished water based on a projected population of 234,572 persons each using 110 gallons per day amount to approximately 26 mgd.

The irrigated acreage of a typical residential community in southwest Florida is approximately 30% of the total acreage. Using the Modified Blaney-Criddle irrigation model and assuming 13,500 irrigated acres of turf grass, the irrigated ET is 59 mgd. Based on the Blaney-Criddle irrigation model, the average effective rainfall is approximately 26 inches at the Immokalee rain station. This average effective rainfall equals approximately 27 mgd. Additionally, approximately 90% of the potable water supply (23 mgd) will be treated and reused for irrigation of the turf grass. Therefore, the total irrigated turf grass ET demand met by supplement irrigation is approximately 9 mgd (59 mgd – 27 mgd from effective rainfall – 23 mgd from reuse water).

Another potential consumptive water use of residential communities is evaporation from constructed lakes. Approximately 15% of typical residential communities are constructed as lakes and evaporation is approximately 53 inches per year (FSU, 1984), which from 6,750 acres of lakes is approximately 27 mgd. The average rainfall is 50.46 inches at the Immokalee rain station, which is equal to approximately 25 mgd when applied to the lake area. Thus, the net evaporative loss from the constructed lakes is approximately 2 mgd (27 mgd – 25 mgd).

The net consumptive use of water for future residential is approximately 37 mgd (26 mgd potable + 9 mgd for supplement irrigation + 2 mgd for evaporation), which is roughly equivalent to 0.5 mgd/square mile from Surficial Aquifer System. This is yield/area is less than that of existing agriculture, thus further demonstrating sustainable traditional sources of water.

The following is a summary of average residual irrigation requirements (that supplemental water needed for irrigation in addition to rainfall) needed to meet the 24,469 acres of agricultural crop ET demands. The summary also provides net consumptive use for future residential development, which includes potable water use and evaporation from the surface water

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management lake system. Finally, the reduction in consumptive water use resulting from the conversion of agriculture to residential land use is shown. The results demonstrate that consumptive water use (ET) will decline when agriculture is converted to residential land use.

**Converted Irrigated Agriculture (24,469 acres)  
Average Residual Irrigation Requirement**

Annual Average Daily Demand (mgd)	43
Annual Demand (million gallons)	15,695

**Net Consumptive Use for Residential Development (45,000 acres)  
Potable, Lake Evaporation, and Average Residual Irrigation  
Requirement**

Annual Average Daily Demand (mgd)	37
Annual Demand (million gallons)	13,505

**Reduction in Consumptive Water Use**

Annual Average Daily (mgd)	6
Annual (million gallons)	2,190

**Alternative Water Supplies**

Another abundant source of water is referred to by the SFWMD as alternative water supplies. The alternative water supplies that can meet the future residential demands in eastern Collier County include brackish groundwater, reclaimed water, and storage. The Floridan aquifer underlies all of Florida and is characterized as moderately to highly productive in southwest Florida. This deep, brackish aquifer occurs beneath the shallow freshwater aquifers typically utilized in eastern Collier County. The Floridan aquifer is primarily recharged in central Florida (e.g., Polk County). The Floridan aquifer is prolific and stores a tremendous volume of moderate to poor quality water that is available for withdrawal but requires advanced treatment, at increased cost, such as reverse osmosis. The SFWMD points out that other than some water quality deterioration associated with pumping of the Floridan aquifer, no other environmental impacts have been identified in association with use of this resource (SFWMD 2005-2006 Lower West Coast Water Supply Plan). Water quality deterioration associated with Floridan aquifer withdrawals is localized near the wellfield and is not a regional issue. The SFWMD raises concern about water quality deterioration so that the utility can design its treatment works in anticipation of the change.

The SFWMD (2002) initiated a hydrogeologic study of the Floridan aquifer near Immokalee to support future water supply planning. The study consisted of exploratory well construction, aquifer testing, and long-term monitoring of water quality and aquifer water levels. According to the SFWMD, a long-duration (71.6 hours) aquifer performance test was conducted to determine the hydraulic performance of a test zone (1,050 to 1,160 feet bls) of the upper Floridan aquifer at the test site. A high transmissivity value of 268,000 gallons/day/foot was calculated by the SFWMD for the test zone. After nearly 3 days (71.6 hours) of continuous pumping at 1,100 gallons per minute (gpm: 1.6 mgd), only 3 feet of aquifer water level drawdown was observed in



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the Floridan aquifer at a distance of 240 feet from the pumping well. Based on the SFWMD information, withdrawals of 1 mgd/square mile from the Floridan aquifer is feasible, which totals approximately 70 mgd on the 45,000 acres converted from agriculture to residential. Withdrawals of 1 mgd can also occur from the 40,000 acres remaining under agricultural production to provide an additional 63 mgd water supply for future residential use. The total available water supply for future residential use from the Floridan aquifer is in excess of 133 mgd. The SFWMD promotes the use of the Floridan aquifer and provides funding from its alternative water supply funds to encourage its use. There are few competing users of the Floridan aquifer in eastern Collier County since traditional supplies are abundant and meet existing demands.

**Available Floridan Aquifer Withdrawals**

Annual Average Day (mgd)	133
Annual (million gallons)	48,545

Use of reclaimed water for residential irrigation is an alternative water supply that further reduces the overall irrigation water use demand from traditional supplies for future residential developments. Approximately 90% of the average annual daily demand for potable water is returned to a wastewater treatment plant and treated for use as irrigation. Therefore, approximately 23 mgd of reclaimed water is available for residential irrigation.

While traditional supplies, brackish groundwater and reclaimed water will be readily available to meet future irrigation ET losses, storage represents one of the greatest solutions for future water supply needs. Southwest Florida gets upwards of 65% of its total rainfall during a four month (June – September) rainy season when most of this water is quickly lost to evapotranspiration and surface water flows to tide. At the same time, agriculture and residential (potable and irrigation) water use are correspondingly at their lowest. The solution is multi-year storage of water during the rainy season until times of demand (*i.e.*, dry season) or prolonged demand (*i.e.*, drought).

Aquifer storage recovery (ASR) is the storage of water (*i.e.*, drinking water, storm water, and/or reclaimed water) in a deep aquifer during times of excess and withdrawal (recovery) during times of demand. ASR has proven successful in southwest Florida due to the limited land surface area (< 1 acre) required to store hundreds of millions of gallons and thus minimized land costs and environmental impacts as opposed to a large surface water reservoir. Furthermore, water stored in a confined aquifer is not subject to evaporative losses. Existing ASR programs in southwest Florida include Bonita Springs Utilities, Lee County Utilities, Collier County Utilities, and City of Cape Coral. The St. Johns River Water Management District (SJRWMD: 2004) prepared a position paper in support of ASR that discusses recovery efficiency of ASR wells. Recovery efficiency is an indication of the amount of mixing that occurs between the stored water and native groundwater in the aquifer system. Acceptable recovery efficiency ranges between 70 and 100 percent. SJRWMD (2004) indicates that ASR recovery efficiency in Florida generally improves with successive operating cycles due to the freshening of the storage zone and that virtually all ASR wells operating for five years or more have reached acceptable and economically viable levels of recovery efficiency. Permitted daily storage in a single ASR well

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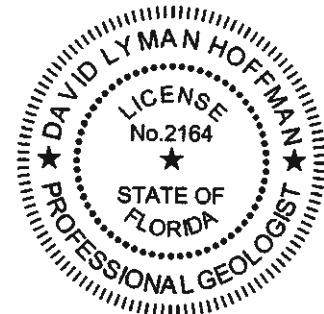
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in Florida typically ranges between 1 and 3 mgd. The spacing of ASR wells is dependent on aquifer characteristics and stored water volume. Thirty ASR wells each storing 3 mgd during the 120 day rainy season (storage cycle) would result in the storage of approximately 10,800 million (10.8 billion) gallons. An ASR recovery efficiency of 80% will result in approximately 8,600 million (8.6 billion) gallons or 35 mgd if withdrawn over the remaining 245 days of the year (recovery cycle).

Summary

Historical agricultural water use from traditional sources is significant with no documented impacts. Conversion of land from agriculture to residential will result in a decrease in water use due to decreased ET. The traditional sources have served agriculture well and their continued use should be pursued in the future. Studies of USGS measured water levels indicate a neutral water resource impact of residential development not only because residential irrigation ET is less than agriculture, but also that residential ET is similar to that of natural systems. Also, water levels are maintained each year as rainfall exceeds ET during the wet season.

Alternative water supplies are proven and promoted by the SFWMD in southwest Florida. A large sustainable volume (113 mgd) of brackish groundwater is available from the Floridan aquifer from land area (1 mgd/square mile) referenced in this paper. A large reclaimed water volume of approximately 23 mgd would be available for residential irrigation. Finally, capture of abundant water during the wet season and storage via ASR wells represents a sustainable and drought-proof technology. Recovery from thirty ASR wells during a 245 day recovery cycle would provide approximately 35 mgd. In summary, the abundance of traditional and alternative water supplies discussed in this paper clearly demonstrates that future land uses are not limited by water supplies in eastern Collier County.



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# ATT. F

Language Policy 5.5 (first)

Species that have been delisted but  
for which there <sup>remain</sup> federal, state and/or  
local protections and/or management  
plans specifying guidelines for their  
protection.