

ORDINANCE NO. 13- 12

AN ORDINANCE AMENDING ORDINANCE NUMBER 89-05, AS AMENDED, THE COLLIER COUNTY GROWTH MANAGEMENT PLAN FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA, BY AMENDING THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT TO PROVIDE FOR 2011 EVALUATION AND APPRAISAL REPORT (EAR) BASED AMENDMENTS TO THE GROWTH MANAGEMENT PLAN; BY PROVIDING FOR SEVERABILITY; AND BY PROVIDING AN EFFECTIVE DATE.

FILED  
2013 JAN 17 PM 2:59  
DEPT. OF ECONOMIC OPPORTUNITY OF FLORIDA

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

WHEREAS, Collier County has held public hearings to provide for and encourage public participation throughout the 2011-12 plan amendment process; and

WHEREAS, Collier County did submit the 2011-12 Growth Management Plan amendments to the Department of Economic Opportunity for preliminary review on May 03, 2012; and

WHEREAS, the Department of Economic Opportunity did review and did not make written objections to the amendments to the Growth Management Plan and transmitted the same in writing to Collier County within the time provided by law; and

WHEREAS, Collier County has 60 days from receipt of the Objections, Recommendations and Comments Report from the Department of Economic Opportunity to adopt, adopt with changes or not adopt the proposed amendments to the Growth Management Plan; and

WHEREAS, the Collier County Planning Commission held a public hearing on the adoption of the amendments to the Growth Management Plan on October 30, 2012; and

WHEREAS, the Board of County Commissioners of Collier County did take action in the manner prescribed by law and did hold public hearings concerning the adoption of the amendments to the Growth Management Plan on January 8, 2013; and

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

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

Words underlined are added; words struck through are additions; words with \*\*\* indicates a page break

SECTION ONE: ADOPTION OF AMENDMENTS TO THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT OF THE GROWTH MANAGEMENT PLAN.

The Board of County Commissioners hereby adopts the amendments to the Conservation and Coastal Management Element attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION TWO: SEVERABILITY.


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

SECTION THREE: EFFECTIVE DATE.

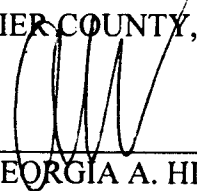
The effective date of these plan amendments, if the amendments are not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, these amendments shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on these amendments may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County this 9<sup>th</sup> day of January, 2013.

ATTEST:  
DWIGHT E. BROCK, CLERK

By:   
Attest as to Clerk's signature on 1/9/13.

BOARD OF COUNTY COMMISSIONERS  
COLLIER COUNTY, FLORIDA

BY:   
GEORGIA A. HILLER, ESQ.  
Chairwoman

Approved as to form and legal sufficiency:

Heidi A Cicko HIRAL  
Heidi Ashton-Cicko 12/14/12  
Managing Assistant County Attorney

Attachment: Exhibit "A"

This ordinance filed with the  
Secretary of State's Office the  
17<sup>th</sup> day of January, 2013  
and acknowledgement of that  
filing received this 25<sup>th</sup> day  
of January 2013  
By [Signature]  
Deputy Clerk

2011 EAR-BASED ADOPTION - CONSERVATION AND COASTAL MANAGEMENT ELEMENT  
Rev. 12/13/12

CP\12-CMP-00848\94

Exhibit "A"

As approved by CCPC on 10-30-12

EAR-based GMP Amendments

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**GOAL 1:**

[Revised text, page 4]

~~THE COUNTY SHALL CONTINUE TO PLAN FOR THE PROTECTION, CONSERVATION, MANAGEMENT AND APPROPRIATE USE OF ITS~~ THE COUNTY'S NATURAL RESOURCES.

**OBJECTIVE 1.1:**

[Revised text, page 4]

~~Collier County will e~~Continue to ~~develop and implement~~ maintain a comprehensive environmental management and conservation program, ~~which will~~ to ensure that ~~the~~ natural resources, including State and Federally listed animal species, ~~of within Collier the~~ County are properly, appropriately, and effectively identified, managed, and protected.

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**Policy 1.1.6:**

[Revised text, page 4]

In those areas of ~~Collier the~~ County where oil extraction and related processing is an allowable use, such use is shall be subject to applicable state and federal oil and gas permits and ~~Collier the~~ County's non-environmental site development plan review procedures. Directional-drilling and/or previously cleared or disturbed areas shall be utilized in order to minimize impacts to native habitats, where determined to be practicable. This requirement shall be deemed satisfied upon issuance of a state permit in compliance with the criteria established in Chapter 62C-25 through 62C-30, F.A.C., as those rules existed ~~on~~ as of January 13, 2005, the effective date of this amendment to the ~~Collier~~ County's Comprehensive Plan, and regardless of whether the activity occurs within the Big Cypress Watershed, as defined in Rule 62C-30.001(2), F.A.C. All applicable ~~Collier~~ County environmental permitting requirements shall be considered satisfied by evidence of the issuance of all applicable federal and/or state oil and gas permits for proposed oil and gas activities in ~~Collier the~~ County, so long as the state permits comply with the requirements of Chapter 62C-25 through 62C-30, F.A.C. For those areas of ~~Collier the~~ County outside the boundary of the Big Cypress Watershed, the applicant shall be responsible for convening the Big Cypress Swamp Advisory Committee as set forth in Section 377.42, F.S., to assure compliance with Chapter 62C-25 through 62C-30, F.A.C. even if outside the defined Big Cypress Watershed. All access roads to oil and gas uses shall be constructed and protected from unauthorized uses according to the standards established in Rule 62C-30.005(2)(a)(1) through (12), F.A.C.

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**OBJECTIVE 1.2:**

[Revised text, page 5]

Maintain the framework for an integrated, computer-based environmental resources data storage, analysis, and graphics system that is based on relevant, appropriate and professionally accepted data and annually update the databases based on previous year's analytical data in order to monitor the status of the County's natural resources and propose potential protection measures when appropriate.

**Policy 1.2.1:**

[Objective 1.2 reformatted, resulting in creation of Policy 1.2.1, page 5]

The County shall annually update the environmental resources databases based on the previous year's analytical data in order to monitor the status of the County's natural resources and propose potential protection measures when appropriate.

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**Policy 1.2.12:** [Renumbered text, page 5]

**Policy 1.2.23:** [Renumbered text, page 5]

**Policy 1.2.34:** [Renumbered and revised text, page 5]  
~~Non-GIS-based data~~ ~~Collected and/or compiled data will~~ shall be organized by established water-shed and sub-basin units.

**Policy 1.2.45:** [Renumbered text, page 5]

~~**Policy 1.2.5:** [Deleted text, page 5]  
Collier County's computerized environmental resources data storage, analysis and graphics system shall share information and resources with other Federal, State, Regional, local and private environmental management agencies and organizations and the general public. The County shall cooperate with these other entities when updating its system in order that the benefits of the updated system may be shared with all appropriate agencies and organizations.~~

**OBJECTIVE 1.3:** [Revised text, page 5]  
~~Pursuant to Administration Commission Final Order AC 99 002 dated June 22, 1999, the County has completed the phased delineation, data gathering, management guidelines and implementation of the Natural Resources Protection Area (NRPA) program as part of the required Collier County Rural and Agricultural Assessment. Through this Assessment, the County has determined that the NRPA program is not the only mechanism to protect significant environmental systems. Accordingly, within the Rural Lands Stewardship Area Overlay in the Future Land Use Element, the County has delineated Stewardship Sending Areas that will function to protect large environmental systems. Pursuant to the following policies, the County shall pProtect identified environmental systems through the Natural Resource Protection Area (NRPA) and Rural Lands Stewardship programs.~~

**Policy 1.3.1:** [Revised text, page 6]  
~~The purpose of t~~The NRPA program is to shall direct incompatible land uses away from significant environmental systems that exist at a landscape scale, contain large systems of connected wetland and upland habitats, and support a wide variety of listed species. The program ~~will~~ shall include the following:

- a. ~~Identification of the NRPA's in map form and mapping of NRPA's~~ as an overlay to the Future Land Use Map; (During the Assessment for the Rural Fringe area, the County has determined that CREW Trust lands, Belle Meade, a portion of the Northern Belle Meade shall be identified as NRPA's. The County also has determined that the South Golden Gate Estates is a NRPA. The specific boundaries have been identified as NRPA's on the Future Land Use Map.)
- b. A process for verifying the existence and boundaries of NRPA's during development permit applications;
- c. Guidelines and standards for development of NRPA's including conservation guidelines to protect natural resource values, to maintain ecologically functioning systems, and to restore or mitigate NRPA's already degraded. Allowable land uses, vegetation preservation standards, development standards, and listed species protection criteria for the NRPA's are those contained in the NRPA

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Overlay within the Future Land Use Element.

- d. A review process, integrated into the normal development application review, to ensure that the guidelines and standards are being met;
- e. A program to defer development of NRPA's. First consideration should be fee simple purchase (based on public referenda approving and funding purchases). Other options should include, but not be limited to, tax incentives and transfer of development rights;
- f. A program to pursue Delegation of Authority Agreements with State and Federal Permitting agencies for local regulation of activities that may alter the biological and physical characteristics of NRPA's;
- g. The County shall seek assistance from, and support, State (e.g. CARL, SOR) and/or Federal land acquisition programs for County areas qualifying as NRPA's.

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**Policy 1.3.4:**

[Deleted text, page 6]

~~Guided by the Technical Advisory Committee, designate and adopt management guidelines and performance standards for County natural resource protection areas. Implementation shall occur on an annual basis as NRPA's and their implementation criteria are developed.~~

**Policy 1.3.45**

[Renumbered text, page 6]

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**GOAL 2:**

[Revised text, page 4]

**THE COUNTY SHALL TO PROTECT ITS THE COUNTY'S SURFACE AND ESTUARINE WATER RESOURCES.**

**OBJECTIVE 2.1:**

[Revised text, pages 7, 8]

[Revised further per SFWMD Comments]

~~By January 2008, the County shall complete the prioritization and begin the process of preparing Watershed Management Plans, which contain appropriate mechanisms to protect the County's estuarine and wetland systems. The process shall consist of (1) an evaluation of areas for which Watershed Management Plans are not necessary based on current or past watershed management planning efforts, (2) an assessment of available data and information that can be used in the development of Watershed Management Plans, and (3) budget authorization to begin preparation of the first Watershed Management Plan by January 2008. A funding schedule shall be established to ensure that all Watershed Management Plans will be completed by 2010. In selecting the order of Plan completion, the County shall give priority to watersheds where the development growth potential is greatest and will impact the greatest amount of wetland and listed species habitats. The schedule and priorities shall also be coordinated with the Federal and State agency plans that address Total Maximum Daily Loads (TMDLs). Until the Watershed Management Plans are completed, the County shall apply the following as interim standards for development:~~

- a. All new development and re-development projects shall meet 150% of the water quality volumetric requirements of ~~Section 5.2.1(a)~~ of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District (February 2006 2012) ~~and the retention and detention requirements, or its successor, in effect at the time~~

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- of project approval, and the allowable off-site discharge rates required by ~~Drainage~~ Stormwater Management Sub-Element Policy 6.2 and 6.3, respectively;
- b. 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 adjacent to the impacted wetland.
  - c. Floodplain storage compensation shall be evaluated for developments within the designated Flood Hazard Area (flood zones starting with the letter "V" or "A", "AE", and "VE" as depicted on the Flood Insurance Rate Maps published by the Federal Emergency Management Agency with an effective date of ~~November 17, 2005~~ May 16, 2012. Floodplain storage compensation shall also be evaluated for areas known to be periodically inundated by intense rainfall or sheetflow conditions.
  - d. All development located within areas identified on Figure 1 shall be evaluated to determine impacts to natural wetlands, flowways, or sloughs. For this particular evaluation, natural wetlands, flowways, or sloughs shall be tentatively identified as contiguous lands having a continual preponderance of wetland or wet facultative plant species and a ground elevation through the major portion of the natural wetland, flowway, or slough at least one (1) foot lower than the ground at the edge of the natural wetland, flowway, or slough. The edge of the natural wetlands, flowways, or sloughs shall be identified by field determination and based upon vegetation and elevation differences from the adjacent uplands or transitional wetlands. The County shall require the applicant to avoid direct impacts to these natural wetlands, flowways, or sloughs or, when not possible, to ensure any direct impact is minimized and compensated for by providing the same conveyance capacity lost by the direct impact. The County shall adhere to the limiting discharge rates of each basin as outlined in Ordinance 2001-27, adopted May 22, 2001 which amended the County Water Management Policy and provided basin delineations where special peak discharge rates have been established. The limiting discharge rates will be reviewed as a part of the Watershed Management Plans, and modified according to the analyses and findings of the Watershed Management Plans.
  - e. All new development and re-development projects shall ensure surrounding properties will not be adversely impacted from the project's influence on stormwater sheet flow.
  - f. ~~Prior to the issuance of a final development order, the County shall require all commencement of development, the applicants of a development projects to~~ shall obtain ~~the~~ any necessary state and federal environmental permits.
  - g. Within one year of the effective date of these amendments, the County shall adopt land development regulations to require Best Management Practices of future development or re-development projects. Best Management Practices means structural and non-structural facilities or practices intended to reduce pollution either through source control or treatment of stormwater.

Figure 1. Restoration Project Areas Where Interim Development Standard 2.1.d is Applicable [See Figure 1 following CCME text]

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**Policy 2.1.7:**

[Revised text, page 9]

~~Collier~~ The County shall ~~take the~~ lead and promote ~~intergovernmental~~ coordination between ~~the County and~~ other governmental agencies involved with watershed planning, including, but not

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necessarily limited to, the municipalities of Marco Island, Naples and Everglades City, the Florida Department of Environmental Protection, the South Florida Water Management District, the Florida Fish and Wildlife Conservation Commission, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers and other governmental agencies. The County ~~will take the~~ shall continue to lead and oversee the preparation of the necessary watershed management plans, and ~~will rely upon~~ include in their review the work performed and/or data collected by other agencies, to the extent that these agencies have data and/or experience, which may be useful within the watershed basin planning and management process.

**OBJECTIVE 2.2:**

[Revised text, page 9]

Require ~~All~~ canals, rivers, and flow ways discharging into estuaries ~~shall~~ to meet all applicable Federal, State, or local water quality standards.

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**Policy 2.2.2:**

[Revised text, page 9]

In order to limit the specific and cumulative impacts of stormwater run-off, stormwater systems ~~should~~ shall be designed in such a way that discharged water does not degrade receiving waters and an attempt is made to enhance the timing, quantity and quality of fresh water to the estuarine system. Non-structural methods such as discharge and storage into wetlands are encouraged.

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**Policy 2.2.5:**

[Revised text, page 9]

[Revised further per SFWMD Comments]

The County will seek technical assistance from the South Florida Water Management District, and coordinate with the Florida Department of Environmental Protection, to develop and implement a plan to encourage ~~By December 31, 2008, and no less than every three years,~~ stormwater management systems ~~shall~~ be periodically inspected and, if feasible, certified by an licensed Florida ~~appropriate~~ professional ~~engineer~~ for compliance with their approved design, and any deficiencies ~~shall~~ be corrected.

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**OBJECTIVE 2.3:**

[Revised text, page 9]

Develop and implement a plan, in coordination with the Florida Department of Environmental Protection, to ensure ~~All~~ estuaries ~~shall~~ meet all applicable federal, state and local water quality standards.

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**Policy 2.3.4:**

[Revised text, page 10]

The County shall ~~Continue~~ to ~~implement and~~ refine a it's water quality and sediment monitoring program for the estuarine system.

Words underlined are added; words ~~struck through~~ are deleted.



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Policy 2.3.6:

[Revised text, page 10]

The County ~~will~~ shall only allow development activities which will not adversely impact coastal water resources. This ~~is~~ shall be implemented through the following mechanisms:

- a. Require all applicable Federal and State permits addressing water quality to be submitted to ~~Collier the County~~ before commencement of development ~~Collier County issues a Final Development Order.~~
- b. Excluding single family homes, any project impacting 5 acres or more of wetlands ~~must~~ shall provide a pre and post development water quality analysis to demonstrate no increase in nutrient, biochemical oxygen demand, total suspended solids, lead, zinc and copper loading in the post development scenario.
- e. ~~By January 2008, the County shall undertake an assessment of the current model used to evaluate pre and post development pollutant loadings referenced in (b) of this Policy. At a minimum, the purpose of this assessment will be to verify the accuracy of the model and to provide data evaluating stormwater management structure design. In reviewing the accuracy of the model, the County will include an evaluation of the reduction of lake depths with time and the corresponding loss of retention volume, the impact of lake stratification, and the need for aeration. The assessment will also include the sampling of runoff from undisturbed sites and from permitted stormwater outfalls for the parameters listed in Paragraph (b) of this Policy and pesticides. The results of the assessment and recommendations regarding the pollutant loading analysis, revisions to current model methodology, potential regulatory restrictions, and further monitoring shall be presented to the Board of County Commissioners for further direction.~~

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OBJECTIVE 2.4:

[Revised text, page 11]

~~Collier County shall continue to~~ Takeing a coordinated and cooperative approach with the Florida Department of Environmental Protection (FDEP) regarding environmental planning, management and monitoring programs for Rookery Bay and Cape Romano – Ten Thousand Islands Aquatic Preserves and their watersheds. (As part of this process, the County shall continue to notify FDEP of development projects within the watersheds of these preserve areas.)

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OBJECTIVE 2.5:

[Revised text, page 11]

~~The County will~~ eContinue with the to implementation of it's the estuarine management program by requiring development to meet its current standards addressing stormwater management, and the protection of seagrass beds, dune and strand, and wetland habitats.

Policy 2.5.1:

[Revised text, page 11]

The County shall continue to ~~identify~~ land use activities that have the potential to degrade the estuarine environmental quality.

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**Policy 2.5.2:**

[Revised text, page 11]

The estuarine management program shall incorporate information obtained from the various watershed management plans described elsewhere in this Element.

**Policy 2.5.3:**

[Revised text, page 11]

The estuarine management program shall, in part, continue to be based on the estuarine data analyses and management recommendations contained in the County's coastal management program's technical reports.

**GOAL 3:**

[Revised text, page 12]

~~THE COUNTY SHALL TO PROTECT THE COUNTY'S GROUND WATER RESOURCES TO ENSURE THE HIGHEST WATER QUALITY PRACTICAL~~

**OBJECTIVE 3.1:**

[Revised text, page 12]

~~Ground water quality shall mMeet all applicable Federal and State ground water quality standards; and Ground water quality shall be monitored in order ground water quality to determine whether development activities are contributing to the its degradation of Collier County's ground water quality. Ground water data and land use activities will be assessed annually to determine long term trends and whether the County is meeting Federal and State regulatory standards for ground water quality. The County shall require ground water monitoring of land uses in accordance with Chapters 62-520, 62-550 and 62-777 of the Florida Administrative Code. Upon the detection of any ground water degradation determined through the monitoring process, the County will notify the appropriate regulatory agencies.~~

~~In a coordinated effort with the United States Geological Survey (USGS), or of its own accord, the County shall institute a groundwater monitoring network by 2008, including the comprehensive inventory of monitoring wells, an assessment of monitoring wells previously damaged, and policies appropriate well repairs and replacements.~~

**Policy 3.1.1:**

[Objective 3.1 reformatted, resulting in creation of Policy 3.1.1, page 12]

Ground water data and land use activities shall be assessed annually to determine long-term trends and whether the County is meeting Federal and State regulatory standards for ground water quality.

**Policy 3.1.2:**

[Objective 3.1 reformatted, resulting in creation of Policy 3.1.1, page 13]

The County shall require ground water monitoring of land uses in accordance with Chapters 62-520, 62-550 and 62-777 of the Florida Administrative Code. Upon the detection of any ground water degradation determined through the monitoring process, the County shall notify the appropriate regulatory agencies.

**Policy 3.1.3:**

[Objective 3.1 reformatted, resulting in creation of Policy 3.1.1, page 13]

The County shall maintain its groundwater monitoring network by coordinating with various state agencies and private land owners to create a comprehensive inventory of monitoring wells, an assessment of monitoring wells previously damaged, and provide for appropriate well repairs and replacements.

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**Policy 3.1.14:**

[Renumbered and Revised text, page 12]

Wellhead protection areas identified on the Future Land Use Map Series shall be protected as follows:

1. Wellhead protection areas shall consist of four (4) Wellfield Risk Management Zones defined as follows:
  - a) W-1 is the land area surrounding the identified potable water wellfield wellheads and extends to the five percent ground water capture zone boundary line (which approximates the one year ground water travel time to the wellfield).
  - b) W-2 is the land area between the W-1 boundary line and the ten percent ground water capture zone boundary line (which approximates the two year ground water travel time to the potable water wellfield).
  - c) W-3 is the land area between the W-2 boundary line and the twenty-five percent ground water capture zone boundary line (which approximates the five year ground water travel time to the potable water wellfield).
  - d) W-4 is the land area between the W-3 boundary line and the 100 percent ground water capture zone boundary line (which approximates the twenty year ground water travel time to the potable water wellfield).
2. Land uses are restricted within the wellfield risk management zones as follows:
  - a) Future solid waste disposal facilities: prohibited in all wellfield risk management zones.
  - b) Future solid waste transfer stations: prohibited in W-1, W-2, W-3.
  - c) Future solid waste storage, collection, and recycling storing hazardous products and hazardous wastes: prohibited in W-1, W-2, W-3.
  - d) Future non-residential uses involving hazardous products in quantities exceeding 250 liquid gallons or 1,000 pounds of solids: provide for absorption or secondary containment in W-1, W-2, W-3.
  - e) Future domestic wastewater treatment plants: prohibited in W-1.
  - f) Future land disposal systems: must meet high level disinfection standards as found in 40 CFR part 135.
  - g) Land application of domestic residuals: limit metal concentrations, nitrogen based on uptake ability of vegetation), and require a conditional use.
  - h) Future petroleum exploration and production and expansions of existing: prohibited in W-1 and W-2, conditional use required in W-3 and W-4.
  - i) Future on-site disposal systems (septic tanks) requiring a soil absorption area greater than 1,000 square feet are allowed to discharge in zone W-1 subject to complying with construction standards and provision of an automatic dosing device and a low-pressure lateral distribution.
  - j) On-site sewage disposal systems (septic tanks) serving existing industrial uses and subject to the thresholds in d) and e) above within wellfield zones W-1, W-2, and W-3 shall meet all construction and operating standards contained in 64E-10, F.A.C. as the rule existed on August 31, 1999 and shall implement a ground water monitoring plan.
3. Conditional uses referenced within this policy shall be granted only ~~in extraordinary circumstances and where~~ development impacts of the development will be isolated from the Surficial and Intermediate Aaquifers.

**Policy 3.1.5**

[New text, page 13]

The County shall coordinate with the South Florida Water Management District and the Big Cypress Basin in the development and implementation of a salt water intrusion monitoring program.

Words underlined are added; words ~~struck through~~ are deleted.

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OBJECTIVE 3.2

[Revised text, page 13]

The County shall implement a Continue the well construction compliance program under based upon criteria specified in the Collier County Well Construction Ordinance, which is designed to ensure proper well construction of wells and promote aquifer protection.

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OBJECTIVE 3.3:

[Provided for context only, no change to text, page 13]

Continue to identify, refine extents of, and map zones of influence and contribution around potable wellfields in order to identify activities that must be regulated to protect ground water quality near wellfields. (Refer to Objective 1.1 in the Natural Ground Water Aquifer Recharge Sub-Element.)

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OBJECTIVE 3.4

[Revised text, page 14]

Collect and evaluate data and information designed to monitor the quality of ground water in order to identify the need for additional protection measures. (Refer to Objective 4.3 in the Natural Ground Water Aquifer Recharge Sub-Element.)

Policy 3.4.1:

[Revised text, page 14]

Continue The existing water quality monitoring program shall continue to provide base-line data, evaluate long-term trends – including salinity trending, identify water quality problems, and evaluate the effectiveness of the County's ground water protection program.

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Policy 3.4.4:

[Revised text, page 14]

The County, in coordination with the South Florida Water Management District and the Big Cypress Basin, shall gather and use appropriate data to refine and improve the database used in the County's 3-dimensional ground water model.

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GOAL 4:

[Revised text, page 15]

THE COUNTY SHALL TO CONSERVE, PROTECT AND APPROPRIATELY MANAGE THE COUNTY'S FRESH WATER RESOURCES.

OBJECTIVE 4.1:

[Revised text, page 15]

Collect and evaluate data and information designed to more accurately determine water use in the Collier County such as the County's database tracking all permitted wells and wells having consumptive use permits.

Policy 4.1.1:

[Objective 4.1 reformatted, resulting in creation of Policy 4.1.1, page 15]

The County shall track all permitted wells and wells having consumptive use permits.

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**Policy 4.1.12:**

[Renumbered text, page 15]

**Policy 4.1.23:**

[Renumbered and Revised text, page 15]

The County, in coordination with the South Florida Water Management District, shall ~~W~~work with the agricultural community to devise a method for determining agricultural pumpage.

**Policy 4.1.34:**

[Renumbered text, page 15]

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**GOAL 5:**

[Revised text, page 16]

~~THE COUNTY SHALL~~ TO PROTECT, CONSERVE AND APPROPRIATELY USE ITS ~~THE~~ COUNTY'S MINERAL AND SOIL RESOURCES.

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**OBJECTIVE 5.3:**

[Revised text, page 16]

~~The Collier County Engineering Services Department shall~~ periodically assess the types, quantities and location of minable mineral resources within Collier the County.

**Policy 5.3.1:**

[Revised text, page 16]

The ~~Collier~~ County's Engineering Review Services ~~Department~~ Section shall work with the Florida Department of Environmental Protection, the Florida Geological Survey and local mining industry officials to inventory and assess the existing mineral reserves in Collier County. The inventory and assessment ~~will~~ shall incorporate use of a GIS-based database of all areas within the County that are permitted, either by right, or through a conditional use permit, to conduct mineral extraction operations as well as the volume of fill that is permitted to be removed for each such active mineral extraction operation.

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**GOAL 6:**

[Revised text, page 18]

~~THE COUNTY SHALL~~ TO IDENTIFY, PROTECT, CONSERVE AND APPROPRIATELY ~~USE ITS NATIVE VEGETATIVE COMMUNITIES AND WILDLIFE HABITAT.~~

**OBJECTIVE 6.1:**

[Revised text, page 18]

~~The County shall~~ protect native vegetative communities through the application of minimum preservation requirements. ~~The following policies provide criteria to make this objective measurable.~~ (These policies under this Objective shall apply to all of Collier County except for that portion of the County which is identified on the Countywide Future Land Use Map (FLUM) as the Rural Lands Stewardship Area Overlay.)

**Policy 6.1.1:**

[Revised text, page 18]

For the County's Urban Designated Area, Estates Designated Area, Conservation Designated Area, and Agricultural/Rural Mixed Use District, Rural-Industrial District and Rural-Settlement Area District as

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designated on the FLUM, native vegetation shall be preserved through the application of the following minimum preservation and vegetation retention standards and criteria, unless the development occurs within the Area of Critical State Concern (ACSC) where the ACSC standards referenced in the Future Land Use Element shall apply. Notwithstanding the ACSC requirements, this policy shall apply to all non-agricultural development except for single-family dwelling units situated on individual parcels that are not located within a watershed management conservation area identified in a Watershed Management Plan developed pursuant to policies supporting Objective 2.1 of this Element. For properties not previously within the Coastal High Hazard Area but now within the Coastal High Hazard Area due to adoption of a revised Coastal High Hazard Area boundary in 2012, the native vegetation preservation and retention standards of the Non-Coastal High Hazard Area shall continue to apply. (Reference the Coastal High Hazard Area Comparison Map in the Future Land Use Element.)

	Coastal High Hazard Area		Non-Coastal High Hazard Area	
Residential and Mixed Use Development	Less than 2.5 acres	10%	Less than 5 acres.	10%
	Equal to or greater than 2.5 acres	25%	Equal to or greater than 5 acres and less than 20 acres.	15%
			Equal to or greater than 20 ac.	25%
Golf Course		35%		35%
Commercial and Industrial Development	Less than 5 acres.	10%	Less than 5 acres.	10%
	Equal to or greater than 5 acres.	15%	Equal to or greater than 5 acres.	15%
Industrial Development (Rural-Industrial District only)	50%, not to exceed 25% of the project site.		50%, not to exceed 25% of the project site.	

The following standards and criteria shall apply to the vegetation retention requirements referenced above.

- (1) For the purpose of this policy, "native vegetation" is defined as a vegetative community having 25% or more canopy coverage or highest existing vegetative strata of native plant species. The vegetation retention requirements specified in this policy are calculated based on the amount of "native vegetation" that conforms to this definition.

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- (2) The preservation of native vegetation shall include canopy, under-story and ground cover emphasizing the largest contiguous area possible, which may include connection to offsite preserves. The purpose for identifying the largest contiguous area is to provide for a core area that has the greatest potential for wildlife habitat by reducing the interface between the preserve area and development which decreases the conflicts from other land uses. Criteria for determining the dimensional standards of the preserve are to be set out in the Land Development Code.
- (3) Areas that fulfill the native vegetation retention standards and criteria of this policy shall be set aside as preserve areas. On-site and off-site preserve areas shall be protected by a permanent conservation mechanism to prohibit further development, consistent with the requirements of this policy. The type of permanent conservation mechanism, including conservation easements, required for a specific development may vary based on preserve area size, type of development approval, and other factors, as set forth in the County's land development regulations.
- (4) Selection of native vegetation to be retained as preserve areas shall reflect the following criteria in descending order of priority:
  - a. Wetland or upland areas known to be utilized by listed species or that serve as corridors for the movement of wildlife shall be preserved and protected in order to facilitate the continued use of the site by listed species or the movement through the site, consistent with the requirements of Policy 7.1.1 and 7.1.2 of this element.
  - b. Xeric Scrub, Dune and Strand, Hardwood Hammocks.
  - c. Onsite wetlands having functionality scores of at least 0.65 WRAP or 0.7 UMAM, unless permitted for impact pursuant to Policy 6.2.4 of this Element. WRAP means South Florida Water Management District's Wetland Rapid Assessment Procedures as described in Technical Publication Reg 001 (September 1997, as updated August 1999). UMAM means Uniform Wetland Mitigation Assessment Method as described in Chapter 62-345, F.A.C.
  - d. Any upland habitat that serves as a buffer to a wetland area as identified in Paragraph (4)c. above,
  - e. Dry Prairie, Pine Flatwoods, and
  - f. All other native habitats.
- (5) The uses allowable within preserve areas are limited to:
  - a. Passive recreational uses that do not impact the minimum required vegetation or cause a loss of function to the preserve area. Loss of function to the preserve area includes a reduction or a change in vegetation within the preserve and harming any listed species present in the preserve. More specific standards that implement this policy shall be set forth in the land development regulations and will address various types of construction that are compatible with the function of the preserve. The land development regulations will also provide criteria to define appropriate passive recreational uses. The criteria will be established to allow for passive recreational uses such as trails or boardwalks that provide for access within the preserves, providing the uses do not reduce the minimum required vegetation or cause harm to listed species.
  - b. Receipt of treated stormwater discharge where such use, including conveyance, treatment and discharge structures, does not result in adverse impacts the naturally occurring, native vegetation, to include the loss of the minimum required vegetation acreage and the harm to any listed species according to the policies associated with Objective 7.1, as determined by criteria set forth in land development regulations. Discharge to preserves having wetlands requires treatment that will meet water quality standards as set forth in Chapter 62-302.

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F.A.C. and will conform to the water quality criteria requirements set forth by the South Florida Water Management District.

- (6) A management plan shall be submitted for preserve areas identified by specific criteria in the land development regulations to identify actions that must be taken to ensure that the preserved areas will maintain natural diversity and will function as proposed. The plan shall include methods to address control and treatment of invasive exotic species, fire management, stormwater management (if applicable), and maintenance of permitted facilities. If applicable, a listed species monitoring program shall be submitted pursuant to Policy 7.1.2 (2) (i). State and federal management plans consistent with the requirements of the LDC will be accepted.
- ~~(7) Until the land development regulations addressed in Policy 6.1.1(11) are developed, exceptions, by means of mitigation in the form of increased landscape requirements shall be granted for parcels that cannot reasonably accommodate both the preservation area and the proposed activity. Criteria for allowing these exceptions include:~~
  - ~~(a) Where site elevations or conditions requires placement of fill thereby harming or reducing the survivability of the native vegetation in its existing locations;~~
  - ~~(b) Where the existing vegetation required by this policy is located where proposed site improvements are to be located and such improvements cannot be relocated as to protect the existing native vegetation;~~
  - ~~(c) Where native preservation requirements are not accommodated, the landscape plan shall re-create a native plant community in all three strata (ground covers, shrubs and trees), utilizing larger plant materials so as to more quickly re-create the lost nature vegetation.~~
- (7) All State and Federal parks, preserves and forests are subject to compliance with the minimum native vegetation retention requirements; however, such lands are not required to be designated as preserves, encumbered with conservation easements or subject to the establishment of preserve management plans.
- (8) Parcels that were legally cleared of native vegetation prior to January 1989 shall be exempt from this requirement.
- (9) Should the amount of wetland vegetation exceed the minimum vegetation requirements as specified herein, retention of wetland vegetation having significant habitat or hydrologic value is encouraged. Increased preservation shall be fostered through incentives including, but not limited to: clustered development, reduced development standards such as open space, setbacks, and landscape buffers, to allow for increased areas of preserved wetland vegetation. Significant habitat or hydrologic value is determined by wetland function, not the size of the wetland.
- ~~(10) Within one year of the effective date of these amendments,~~ ¶The County shall adopt land development regulations that allow for a process whereby a property owner may submit a petition requesting that all or a portion of the native vegetation preservation retention requirement to be satisfied by a monetary payment, land donation that contains native vegetative communities equal to or of a higher priority as described in Policy 6.1.1 (4) than the land being impacted, or other appropriate method of compensation to an acceptable land acquisition program, as required by the land development regulations. The monetary payment shall be used to purchase and manage native vegetative communities off-site. The land development regulations shall provide criteria to determine when this alternative will be considered. The criteria will be based upon the following provisions:
  - a. The amount, type, rarity and quality of the native vegetation on site;
  - b. The presence of conservation lands adjoining the site;

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- c. The presence of listed species and consideration of Federal and State agency technical assistance;
  - d. The type of land use proposed, such as, but not limited to, affordable housing;
  - e. The size of the preserve required to remain on site is too small to ensure that the preserve can remain functional; and
  - f. Right of Way acquisitions for all purposes necessary for roadway construction, including ancillary drainage facilities, and including utilities within the right of way acquisition area.
- The land development regulations shall include a methodology to establish the monetary value, land donation, or other appropriate method of compensation to ensure that native vegetative communities not preserved on-site will be preserved and appropriately managed off-site.
- (11) Right of Way acquisitions by any governmental entity for all purposes necessary for roadway construction, including ancillary drainage facilities, and including utilities within the right of way acquisition area, shall be exempt from mitigation requirements.
  - (12) Although the primary intent of this Policy is to retain and protect existing native vegetation, there are situations where the application of the retention requirements of this Policy is not possible. In these cases, creation or restoration of vegetation to satisfy all or a portion of the native vegetation retention requirements may be allowed. Within one year of the effective date of these amendments, the County shall adopt land development regulations to determine the circumstances for when creation or restoration is allowed and to specify criteria for creation and restoration.
  - (13) The County may grant a deviation to the native vegetation retention requirements of subsections 2, 4, 5, 10, and 12 of this Policy, and except for the Native Vegetation Retention Requirements Table, and provisions in Paragraphs 1, 2, 3, 6, and 7. ~~Within one year of the effective date of these amendments, the County~~ shall adopt land development regulations to set forth the process for obtaining a deviation. The regulations shall allow for the granting of a deviation by the appropriate review board after a public hearing, and for the granting of a deviation administratively. The County shall consider the amount and type of native vegetation and the presence of listed species in determining whether the granting of a deviation requires a public hearing, or may be granted administratively.  
The County may grant a deviation if:
    - a. County, Federal or State agencies require that site improvements be located in areas which result in an inability to meet the provisions of this Policy, or
    - b. On or off-site environmental conditions are such that the application of one or more provisions of this Policy is not possible or will result in a preserve area of lesser quality, or
    - c. The strict adherence to these provisions will not allow for the implementation of other Plan policies that encourage beneficial land uses.
  - (14) Industrial zoned parcels which, pursuant to the table within this Policy, would have a native vegetation retention requirement of 2 acres or less shall be exempt from this requirement. This exemption shall not apply to the overall native vegetation retention requirement for a PUD or subdivision used to create these parcels, unless the overall native vegetation retention requirement for the PUD or subdivision is 2 acres or less.

**Policy 6.1.2:**

[Revised text, page 21]

For the County's Rural Fringe Mixed Use District, as designated on the FLUM, native vegetation shall be preserved on site through the application of the following minimum preservation and vegetation retention standards and criteria: Additionally, for the Lake Trafford/Camp Keais Strand System

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located within the Immokalee Urban Designated Area, native vegetation shall be preserved on site through the application of the Neutral Lands standards in "b" below, on an interim basis, until such time as a study is completed to determine if different standards are appropriate for this area.

Preservation and Native Vegetation Retention Standards:

a. Receiving Lands:

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

b. Neutral Lands:

A minimum of 60% of the native vegetation present, not to exceed 45% of the total site area shall be preserved, except as provided in the North Belle Meade Overlay in the Future Land Use Element for Section 24, Township 49 South, Range 26 East.

c. Non-NRPA Sending Lands:

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

d. NRPA Sending Lands:

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

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

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

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

- (1) For the purpose of this policy, "native vegetation" is defined as a vegetative community having 25% or more canopy coverage or highest existing vegetative strata of native plant species. The vegetation retention requirements specified in this policy are calculated on the amount of "native vegetation" that conforms to this definition.
- (2) The preservation of native vegetation shall include canopy, under-story and ground cover, emphasizing the largest contiguous area possible, which may include connection to offsite preserves. The purpose for identifying the largest contiguous area is to provide for a core area that has the greatest potential for wildlife habitat by reducing the interface between the preserve area and development which decreases the conflicts from other land uses. Criteria for determining the dimensional standards of the preserve are to be set out in the Land Development Code.
- (3) Areas that fulfill the native vegetation retention standards and criteria of this policy shall be set aside as preserve areas. On-site and off-site preserve areas shall be protected by a permanent

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conservation mechanism to prohibit further development, consistent with the requirements of this policy. The type of conservation mechanism, including conservation easements, required for a specific development may vary based on preserve area size, type of development approval, and other factors, as set forth in the County's land development regulations.

- (4) Selection of native vegetation to be retained as preserve areas shall reflect the following criteria in descending order of priority:
- a. Wetland or upland areas known to be utilized by listed species or that serve as corridors for the movement of wildlife shall be preserved and protected in order to facilitate the continued use of the site by listed species or the movement of wildlife through the site. This criterion shall be consistent with the requirements of Policy 7.1.1 and 7.1.2 of this element.
  - b. Xeric Scrub, Dune and Strand, Hardwood Hammocks.
  - c. Onsite wetlands preserved pursuant to Policy 6.2.5 of this Element;
  - d. Any upland habitat that serves as a buffer to a wetland area, as identified in (4)c. above.
  - e. Dry Prairie, Pine Flatwoods, and
  - f. All other native habitats.
- (5) The uses allowable within preserve areas are limited to:
- a. Passive recreational uses that do not impact the minimum required vegetation or cause a loss of function to the preserve area. Criteria identifying what constitutes a loss of function shall be set forth in the land development regulations and will address various types of construction that are compatible with the function of the preserve. The land development regulations will also provide criteria to define appropriate passive recreational uses. The criteria will be established to allow for passive recreational uses such as trails or boardwalks that provide for access within the preserves, providing the uses do not reduce the minimum required vegetation or cause harm to listed species.
  - b. Receipt of treated stormwater discharge where such use, including conveyance, treatment and discharge structures, does not result in adverse impacts on the naturally occurring, native vegetation, to include the loss of the minimum required vegetation and the harm to any listed species according to the policies associated with Objective 7.1, as determined by criteria set forth in the land development regulations. Discharge to preserves having wetlands requires treatment that will meet water quality standards as set forth in Chapter, 62-302 F.A.C. and will conform to the water quality criteria requirements set forth by the South Florida Water Management District.
- (6) A management plan shall be submitted for all preserve areas identified by specific criteria in the land development regulations to identify actions that must be taken to ensure that the preserved areas will function as proposed. The plan shall include methods to address control and treatment of invasive exotic species, fire management, stormwater management (if applicable), and maintenance of permitted facilities. If applicable, a listed species monitoring program shall be submitted pursuant to Policy 7.1.2 (2)(i).
- (7) Off-site preservation shall be allowed to provide flexibility in the project design.
- a. Within Receiving and Neutral Lands, off-site preservation shall be allowed for up to 50% of the vegetation retention requirement.
    1. Off-site preservation areas shall be allowed at a ratio of 1:1 if such off-site preservation is located within designated Sending Lands or at a ratio of 1.5:1 anywhere else.
    2. Like for like preservation shall be required for Tropical Hardwood and Oak Hammock vegetative communities.

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- b. Within non-NRPA Sending Lands, off-site preservation shall be allowed for up to 25% of the site preservation or vegetative retention requirement, whichever is controlling.
  - 1. Off-site preservation areas shall be contiguous to designated Sending Lands and shall be allowed at a ratio of 3:1.
- c. Off-site preservation shall not be allowed in NRPA Sending Lands.
- (8) Density Bonus Incentives shall be granted to encourage preservation amounts greater than that required in this policy, as provided for in the FLUE for Receiving Lands and Rural Villages. Within one (1) year of the effective date of these amendments, Collier County shall adopt specific land development regulations to implement this incentive program.
- (9) On-site preservation areas shall also conform to the Open Space requirements as specified in the Future Land Use Element. These preservations shall be part of and counted towards the Open Space requirements.
- (10) Existing native vegetation that is located contiguous to the natural reservation shall be preserved pursuant to Policy 6.5.2 of this element. Natural reservation is defined as that specified in CCME Objective 6.5 of this element;
- (11) Should the amount of wetland vegetation exceed the minimum vegetation requirements as specified herein, retention of wetland vegetation having significant habitat or hydrologic value is encouraged. Increased preservation shall be fostered through incentives including, but not limited to: clustered development, reduced development standards such as open space, setbacks, and landscape buffers, to allow for increased areas of preserved wetland vegetation. Significant habitat or hydrologic value is determined by wetland function, not the size of the wetland.
- (12) All State and Federal parks, preserves and forests are subject to compliance with the minimum native vegetation retention requirements; however, such lands are not required to be designated as preserves, encumbered with conservation easements or subject to the establishment of preserve management plans.
- (13) Industrial zoned parcels which, pursuant to the table within Policy 6.1.1, would have a native vegetation retention requirement of 2 acres or less shall be exempt from this requirement. This exemption shall not apply to the overall native vegetation retention requirement for a PUD or subdivision used to create these parcels, unless the overall native vegetation retention requirement for the PUD or subdivision is 2 acres or less.

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**Policy 6.1.6:**

[Revised text, page 24]

~~Exemptions from the native vegetation retention requirements of CCME Policy 6.1.2~~ – The minimum native vegetation retention requirements of Policy 6.1.2 shall not apply to, affect or limit the continuation of existing uses. Existing use shall be defined as: those uses for which all required permits were issued prior to June 19, 2002; or, projects for which a Conditional Use ~~or Rezone petition~~ was approved by the County prior to June 19, 2002; or, projects for which a Rezone petition has been approved by the County prior to June 19, 2002 – inclusive of all lands not zoned A, Rural Agricultural; ~~or~~, land use petitions for which a completed application was submitted prior to June 19, 2002. The continuation of existing uses shall include on-site expansions of those uses if such expansions are consistent with, or clearly ancillary to, the existing uses.

Hereafter, such previously approved developments shall be deemed to be consistent with the Plan's Goals, Policies and Objectives for the Rural Fringe area, and they may be built out in accordance with

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their previously approved plans. Changes to these previous approvals shall also be deemed to be consistent with the Plan's Goals, Objectives and Policies for the Rural Fringe Area as long as they do not result in an increase in development density or intensity. On the County owned land located in Section 25, Township 26 E, Range 49 S (+/-360 acres), the native vegetation retention and site preservation requirements may be reduced to 50% if the permitted uses are restricted to the portions of the property that are contiguous to the existing land fill operations; exotic removal will be required on the entire +/- 360 acres.

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**OBJECTIVE 6.2:**

[Revised text, page 25]

~~The County shall p~~Protect and conserve wetlands and the natural functions of wetlands pursuant to the appropriate policies under Goal 6. ~~The following policies provide criteria to make this objective measurable.~~ (The County's wetland protection policies and strategies shall be coordinated with the Watershed Management Plans as required by Objective 2.1 of this Element.)

**Policy 6.2.1:**

[Revised text, page 26]

~~As required by Florida Administrative Code 9J5-5.006(1)(b), w~~Wetlands identified by ~~the 1994-95 the~~ current SFWMD land use and land cover inventory are mapped on the Future Land Use Map series. For a proposed project identified on this map series, These areas shall be verified by a jurisdictional field delineation, subject to Policy 6.2.2 of this element, at the time of project permitting to determine the exact location of jurisdictional wetland boundaries shall be verified by a jurisdictional field delineation, subject to Policy 6.2.2 of this Element, at the time of Environmental Resource Permitting.

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**Policy 6.2.4:**

[Revised text, page 29]

Within the *Urban Designated* area, the County shall rely on the wetland jurisdictional determinations and permit requirements issued by the applicable jurisdictional agency, except for wetlands that are part of a Watershed Management Plan preserve area. The County shall direct impacts away from such wetlands.

This policy shall be implemented as follows:

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- (2) The County shall require the appropriate jurisdictional permit prior to commencement of development ~~to the issuance of a final local development order permitting site improvements~~, except in the case of single-family residences, which are not part of an approved development or are not platted, unless the residences are within a watershed management conservation area identified in a Watershed Management Plan developed pursuant to policies supporting Objective 2.1 of this Element, in which case the appropriate jurisdictional permit is required prior to commencement of development ~~the issuance of a final local development order permitting site improvements~~.

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**Policy 6.2.5:**

[Revised text, page 29]

Within the Rural Fringe Mixed Use District, and that portion of the Lake Trafford/Camp Keais Strand System which is contained within the Immokalee Urban Designated Area, Collier County shall direct land uses away from higher functioning wetlands by limiting direct impacts within wetlands based upon the vegetation requirements of Policy 6.1.2 of this element, the wetland functionality assessment described in paragraph (2) below, and the final permitting requirements of the South Florida Water Management District. 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) The County shall apply the vegetation retention requirements of Policy 6.1.2 of this element for the Rural Fringe Mixed Use District, and Policy 6.1.2.b. of this element for the Lake Trafford/Camp Keais Strand System, in order 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:
  - a. The acreage requirements of Policy 6.1.2 of this element shall be met by preserving wetlands with the highest wetland functionality scores. Wetland functionality assessment scores shall be those described in paragraph (2) of this policy. Wetlands having a WRAP score of at least 0.65 or a Uniform Wetland Mitigation Assessment Method score of 0.7 shall be preserved on site. This policy is not intended in all cases to require preservation of wetlands exceeding the acreage required by Policy 6.1.2 of this element. Within one year, the County shall develop specific criteria to be used to determine when wetlands having a WRAP score greater than 0.65 or a Uniform Wetland Mitigation Assessment Method score of greater than 0.7 shall be required to be retained exceeding the acreage required by Policy 6.1.2 of this element.
- (2) 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, F.A.C. Chapter 62-345. The applicant shall submit to County staff, agency accepted WRAP scores or Uniform Wetland Mitigation Assessment Method 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 (1) above.
- (3) All direct impacts shall be mitigated for pursuant to the requirements of paragraph (6) of this policy.
- (4) Single family residences shall follow the requirements contained within Policy 6.2.7 of this element.
- (5) 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 adjacent to a natural water body, and for other wetlands a minimum 25-foot vegetated upland buffer adjacent to the wetland. A structural buffer may be used in conjunction with a vegetative buffer that would reduce the vegetative buffer width by 50%. A structural buffer shall be required adjacent to wetlands where direct impacts are allowed. Wetland buffers shall conform to the following standards:
  - a. The buffer shall be measured landward from the approved jurisdictional line.

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- b. 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.
  - c. The buffer shall be maintained free of Category I invasive exotic plants, as defined by the Florida Exotic Pest Plant Council.
  - d. 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.
  - e. A structural buffer may consist of a stem-wall, berm, or vegetative hedge with suitable fencing.
- (6) Mitigation shall be required for direct impacts to wetlands in order to result in no net loss of wetland functions.
- a. Mitigation Requirements:
    - 1. "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. However, in no case shall the acreage proposed for mitigation be less than the acreage being impacted.
    - 2. 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 adjacent to the impacted wetland.
    - 3. 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 Pest Plant Council) and continuing exotic plant maintenance.
    - 4. Prior to issuance of any final development order that authorizes site alteration, the applicant shall demonstrate compliance with paragraphs (6)a.1, (6)a.2, and (6)a.3 of this policy. If agency permits have not provided mitigation consistent with this policy, Collier County will require mitigation exceeding that of the jurisdictional agencies.
    - 5. Mitigation requirements for single-family lots shall be determined by the State and Federal agencies during their permitting process, pursuant to the requirements of Policy 6.2.7 of this element.
  - b. Mitigation Incentives:
    - 1. Collier County shall encourage certain types of mitigation by providing a variety of incentives in the form of density bonuses and credits to open space and vegetation retention requirements. Density bonuses shall be limited to no more than 10% of the allowed density.
    - 2. Preferred mitigation activities that would qualify for these incentives include, but are not limited, to the following:
      - (a) Adding wetland habitat to or restoring wetland functions within Rural Fringe Mixed Use District Sending Lands,

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(b) Creating, enhancing or restoring wading bird habitat to be located near wood stork, and/or other wading bird colonies.

~~3. Within one (1) year of the effective date of these amendments, Collier County shall adopt specific criteria in the LDC to implement this incentive program, and to identify other mitigation priorities.~~

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**Policy 6.2.7:**

[Revised text, page 33]

Within the *Estates Designated Area and the Rural Settlement Area*, the County shall rely on the wetland jurisdictional determinations and permit requirements issued by the applicable jurisdictional agency, except for wetlands that are part of a Watershed Management Plan preserve area. The County shall direct impacts away from such wetlands. This policy shall be implemented as follows:

- (1) For single-family residences within Southern Golden Gate Estates or within the Big Cypress Area of Critical State Concern, the County shall require the appropriate federal and state wetland-related permits prior to commencement of development ~~before Collier County issues a building permit.~~
- (2) Outside of Southern Golden Gate Estates and the Big Cypress Area of Critical State Concern, Collier County shall inform applicants for individual single-family building permits that federal and state wetland permits may be required prior to commencement of development construction unless the proposed residence is within a watershed management conservation area identified in a Watershed Management Plan developed pursuant to policies supporting Objective 2.1 of this Element, in which case the appropriate jurisdictional permit ~~is~~ shall be required prior to commencement of development ~~the issuance of a building permit.~~ The County shall also notify the applicable federal and state agencies of single-family building permits applications in these areas.
- (3) Within North Golden Gate Estates and the Rural Settlement Area, Collier County shall incorporate certain preserved and/or created wetlands and associated uplands into the County's approved watershed management plans, as per Objective 2.1 of this Element. The size and location of wetlands incorporated into the watershed management plans will be based upon the approved requirements for such plans. The County may issue single-family building permits within or adjacent to such wetlands, subject to appropriate mitigation requirements, which preserve the functionality of the wetland within the applicable watershed management plan. For a proposed residence which is to be located within a watershed management conservation area identified in a Watershed Management Plan developed pursuant to policies supporting Objective 2.1 of this Element, the appropriate jurisdictional permit ~~is~~ shall be required prior to commencement of development ~~the issuance of a building permit.~~
- (4) Collier County shall continue to work with federal and state agencies to identify properties that have a high probability of wetlands and animal listed species occurrence. The identification process will be based on hydric soils data and other applicable criteria. Once this identification process is complete, the County will determine if the process is sufficiently accurate to require federal and state wetland approvals prior to commencement of development ~~the issuance of a building permit within these areas.~~ The County shall use information on wetland and/or listed

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species occurrence to inform property owners of the potential existence of wetlands and/or listed species on their property.

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GOAL 7:

[Revised text, page 35]

~~THE COUNTY SHALL~~ TO PROTECT AND CONSERVE IT'S ~~THE COUNTY'S FISHERIES AND WILDLIFE.~~

OBJECTIVE 7.1:

[Revised text, page 35]

~~The County shall~~ Direct incompatible land uses away from listed animal species and their habitats. (The County relies on the listing process of State and Federal agencies to identify species that require special protection because of their endangered, threatened, or species of special concern status. Listed animal species are those species that the Florida Fish and Wildlife Conservation Commission has designated as endangered, threatened, or species of special concern, in accordance with Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C. and those species designated by various federal agencies as Endangered and Threatened species published in 50 CFR 17.)

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Policy 7.1.2

[Revised text, page 36]

Within areas of Collier County, excluding the lands contained in the RLSA Overlay, non-agricultural development, excluding individual single family residences, shall be directed away from listed species and their habitats by complying with the following guidelines and standards:

- (1) A wildlife survey shall be required for all parcels when listed species are known to inhabit biological communities similar to those existing on site or where listed species are 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 that may be discovered.
- (2) Wildlife habitat management plans for listed species shall be submitted for County approval. A plan shall be required for all projects where the wildlife survey indicated listed species are utilizing the site, or the site contains potential habitat for listed species. These plans shall describe how the project directs incompatible land uses away from listed species and their habitats.
  - (a) Management plans shall incorporate proper techniques to protect listed species and their habitat from the negative impacts of proposed development. Developments shall be clustered to discourage impacts to listed species habitats. 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
    - 1. Management guidelines contained in publications utilized by the FFWCC and USFWS as their technical assistance shall be used for developing required management plans. The following references shall be used, as appropriate, to prepare the required management plans;
      - a. ~~South Florida Multi-Species Recovery Plan, USFWS, 1999.~~

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- ~~b. Habitat Management Guidelines for the Bald Eagle in the Southeast Region, USFWS, 1987.~~
- ~~e. 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.~~
- ~~d. Ecology and Development Related Habitat Requirements of the Florida Scrub Jay (*Aphelocoma coerulescens*), Technical Report No. 8, Florida Game and Fresh Water Fish Commission, 1991.~~
- ~~e. 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.~~
2. The County shall consider any other techniques recommended by the USFWS and the FFWCC, subject to the provisions of paragraph (3) of this policy.
  3. When listed species are directly observed on site or indicated by evidence, such as denning, foraging or other indications, priority shall be given to preserving the listed species habitats first, as a part of the retained native vegetation requirement contained in Policy 6.1.1 and Policy 6.1.2 this element. The County shall also consider the recommendations of other agencies, subject to the provisions of paragraph (3) of this policy.
- (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.
- (c) 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 nesting season. 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.
- (e) For the red-cockaded woodpecker (*Picoides borealis*), the required habitat protection plan shall outline measures to avoid adverse impacts to active clusters and to minimize impacts to foraging habitat. Where adverse effects cannot be avoided, measures shall be taken to minimize on-site disturbance and compensate or mitigate for impacts that remain. These requirements shall be consistent with the UFWS South Florida Multi-Species Recovery Plan, May 1999, subject to the provisions 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.

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- (g) For projects located in Priority I and 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 Fringe Mixed Use District shall be designed and managed using standards found in that district. 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 vegetative communities and provide browse for white-tailed deer. 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.
  - (h) In order to protect loggerhead (*Caretta caretta*) and other listed sea turtles that nest along Collier County beaches, projects within 300 feet of the MHW line shall limit outdoor lighting to that necessary for security and safety. Floodlights and landscape or accent lighting shall be prohibited. These requirements shall be consistent with the UFWS South Florida Multi-Species Recovery Plan, May 1999, subject to the provisions of Policy 7.1.2(3).
  - (i) The Management Plans shall contain a monitoring program for developments greater than 10 acres.
- (3) The County shall, consistent with applicable GMP policies, 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 listed species. It is recognized that these agency recommendations, on a case by case basis, may change the requirements contained within these wildlife protection policies and any such change shall be deemed consistent with the Growth Management Plan.

**Policy 7.1.3**

[Revised text, page 38]

~~For the County's Rural Lands Stewardship Area (RLSA) Overlay, as designated on the FLUM, listed species within the Rural Lands Stewardship Area (RLSA) shall be protected pursuant to the RLSA Overlay RLSA policies found within the Future Land Use Element.~~

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**Policy 7.1.6:**

[Revised text, page 38]

The County shall continue to evaluate the need for the protection of listed plants and ~~within one (1) year of the effective date of this amendment~~ adopt land development regulations, as needed, addressing the to protection of listed plants.

**OBJECTIVE 7.2**

[Revised text, page 38]

~~Historical data from 1990-1996 shows that the average number of manatee deaths in Collier County due to incidents with watercraft is approximately 3.2 per year per 10,000 boats. Through Policies 7.2.1 through 7.2.3, the County's objective is to m~~Minimize the number of manatee deaths due to boat related incidents. (Historical data from 1990-1996 shows that the average number of manatee deaths in Collier County, due to incidents with watercraft, is approximately 3.2 per year per 10,000 boats.)

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**OBJECTIVE 7.3:**

[Revised text, page 39]

~~Analysis of historical data from 1996–1999 shows that the average number of sea turtle disorientations in Collier County is approximately equal to 5% of the hatchlings from all nests in the County. Through the following policies, the County’s objective is to m~~  
Minimize the number of sea turtle disorientations. (Analysis of historical data from 2005 – 2009 shows that the average number of sea turtle disorientations is approximately equal to 4% of the hatchlings from all nests in the County.)

**Policy 7.3.1:**

[Revised text, page 39]

The County shall apply the lighting criteria contained in Policy 7.1.2(2)(i)(h) of this eElement in order to protect sea turtle hatchlings from adverse lighting conditions.

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**OBJECTIVE 7.4:**

[Revised text, page 39]

~~The County shall e~~Continue to improve marine fisheries productivity by enhancing existing artificial reefs and building additional artificial reefs.

**Policy 7.4.1:**

[Revised text, page 39]

The County ~~should shall~~ continue to apply for reef construction grants and/or other available or similar funding and annually place more materials on the existing permitted sites.

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**GOAL 9:**

[Revised text, page 41]

~~THE COUNTY SHALL~~ TO APPROPRIATELY MANAGE HAZARDOUS MATERIALS AND WASTE TO PROTECT THE COUNTY'S POPULOUS AND NATURAL RESOURCES AND TO ENSURE THE HIGHEST ENVIRONMENTAL QUALITY.

**OBJECTIVE 9.1:**

[Revised text, page 41]

~~The County shall implement~~ Maintain and update biennially a hazardous materials emergency response element as part of ~~its~~ the County’s Comprehensive Emergency Management Plan.

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**Policy 9.1.6:**

[Revised text, page 41]

An emergency response training program shall be ~~developed~~ maintained for emergency response personnel.

**Policy 9.1.7:**

[Revised text, page 41]

The Collier County Bureau of Emergency Services Management Department shall be responsible for developing, implementing, and evaluating the effectiveness of the Comprehensive Emergency Management Plan, including periodic updates.

**OBJECTIVE 9.2:**

[Revised text, page 41]

~~The County shall v~~Verify the management and disposal practices of identified businesses that are potential generators of hazardous waste, at a rate of 20% of these businesses per year.

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Policy 9.2.3:

[Revised text, page 42]

The Collier County Pollution Control and Prevention Department shall work with the Florida Department of Environmental Protection (FDEP) to establish maintain its a new cooperative agreement with the Florida Department of Environmental Protection between the County and FDEP. The purpose of this agreement shall be to ensure an additional layer of regulatory oversight in enforcing businesses to be compliant with federal, state and local hazardous waste management regulations.

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OBJECTIVE 9.4:

[Revised text, page 42]

The County shall continue to implement it's Maintain the County's local storage tank compliance program.

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Policy 9.4.3:

[Revised text, page 42]

All storage tank systems in Collier the County shall adhere to the provisions of Section 62-761 or 62-762, Florida Administrative Code (F.A.C.) as applicable. Unless otherwise provided for within Section 62-761, F.A.C., individual storage tank systems shall adhere to the provisions of Section 62-761, F.A.C., in effect at the time of approval of the storage tank system.

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GOAL 10:

[Revised text, page 43]

THE COUNTY SHALL TO PROTECT, CONSERVE, MANAGE, AND APPROPRIATELY USE IT'S THE COUNTY'S COASTAL BARRIERS INCLUDING SHORELINES, BEACHES AND DUNES AND WILL PLAN FOR, AND WHERE APPROPRIATE, WILL RESTRICT ACTIVITIES WHERE SUCH ACTIVITIES WILL DAMAGE OR DESTROY COASTAL RESOURCES.

OBJECTIVE 10.1:

[Revised text, page 43]

Priorities for shoreline land use shall be given to water dependent uses over water related land uses and shall be based on type of water-dependent use, adjacent land use, and surrounding marine and upland habitat considerations. (The Collier County Manatee Protection Plan (NR-SP-93-01) May 1995 restricts the location of marinas and may limit the number of wet slips, the construction of dry storage facilities, and boat ramps, based upon the Plan's marina siting criteria.)

Policy 10.1.1:

[Revised text, page 43]

The County shall Pprioritizes for water-dependent and water-related uses as follows shall be:

- a. Public recreational facilities over private recreational facilities;
- b. Public Bboat Rramps;
- c. Marinas

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- 1. Commercial (public) marinas over private marinas;
- 2. Dry storage over wet storage;
- d. Commercial fishing facilities;
- e. Other non-polluting water-dependent industries or utilities;
- f. Marine supply/repair facilities;
- g. Residential development.

**Policy 10.1.2:**

[New text, page 43]

Identify recreational and commercial working waterfronts and then investigate strategies for possible implementation, as feasible, to ensure protection and preservation of those waterfronts.

**Policy 10.1.23:**

[Renumbered text, page 43]

**Policy 10.1.34:**

[Renumbered text, page 43]

**Policy 10.1.45:**

[Renumbered text, page 43]

~~**Policy 10.1.5:**~~

[Deleted text, page 44]

~~Marinas and all other water dependent and water related uses shall conform to all applicable regulations regarding development in marine wetlands. Marinas and water dependent/water related uses that propose to destroy wetlands shall provide for general public use.~~

~~**Policy 10.1.6:**~~

[Deleted text, page 44]

~~All new marinas, water dependent and water related uses that propose to destroy viable, naturally functioning marine wetlands shall be required to perform a fiscal analysis in order to demonstrate the public benefit and financial feasibility of the proposed development.~~

**Policy 10.1.76:**

[Renumbered text, page 44]

**OBJECTIVE 10.2:**

[Revised text, page 44]

~~The County shall continue to~~ Ensure that access to beaches, shores and waterways remain available to the public and continue with it's the County's program to expand the availability of such access and a method to fund its acquisition.

**Policy 10.2.1:**

[Revised text, page 44]

Existing ~~access for the public to the beach~~ access shall be maintained by new development. New beachfront development shall show on their site-plans existing beach access ways and the proposed development shall continue that access way, relocate it on the site as deemed appropriate by the County, or donate it to the County.

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**OBJECTIVE 10.3:**

[Revised text, page 45]

Maintain Undeveloped coastal barriers, mapped as part of the Federal Coastal Barrier Resources System, shall be maintained predominantly in their natural state and protect, maintain and enhance their natural function ~~shall be protected, maintained and enhanced.~~

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OBJECTIVE 10.4: [Revised text, page 46]
Developed coastal barriers and developed shorelines shall be continued to be restored and then maintained, when appropriate, developed coastal barriers and developed shorelines, by establishing mechanisms or projects which limit the effects of development and which help in the restoration of the natural functions of coastal barriers, including and affected beaches and dunes.

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OBJECTIVE 10.5: [Revised text, page 48]
For undeveloped shorelines, provide improved opportunities for recreational, educational, scientific, and aesthetic enjoyment of coastal resources. This shall be accomplished by protecting beaches and dunes and by utilizing existing construction standards, or where necessary, establishing new construction standards, which will minimize the impact of manmade structures on the beach and dune systems.

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OBJECTIVE 10.6: [Revised text, page 49]
The County shall conserve the habitats, species, natural shoreline and dune systems contained within the County's coastal zone.

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Policy 10.6.2: [Revised text, page 50]
The owners of For shoreline development projects where that require an EIS is required, shall provide an analysis shall that demonstrates that the project will remain fully functional for its intended use after a six-inch rise in sea level.

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GOAL 12: [Revised text, page 52]
THE COUNTY SHALL TO MAKE EVERY REASONABLE EFFORT TO ENSURE THE PUBLIC SAFETY, HEALTH AND WELFARE OF PEOPLE AND PROPERTY FROM THE EFFECTS OF HURRICANE STORM DAMAGE.

OBJECTIVE 12.1: [Revised text, page 52]
The County will maintain hurricane evacuation clearance times as required by state law. An evacuation clearance time shall be defined as having residents and visitors in an appropriate refuge away from storm surge prior to the arrival of sustained Tropical Storm force winds, i.e., winds equal to or greater than 39 mph. To further these objectives, for future mobile home developments located outside of the storm surge zone, such development shall include on-site sheltering or retro-fitting of an adjacent facility. The Collier County Bureau of Emergency Services Management Department shall

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seek opportunities to increase shelter facilities and associated capacities under the direction of the Department of the Florida Division of Emergency Management.

**Policy 12.1.1:**

[Revised text, page 52]

~~Collier~~ The County ~~will shall develop~~ continue to enhance and maintain a comprehensive public awareness program. The program will be publicized prior to May 30<sup>th</sup> of each year. Evacuation zones, public shelters and evacuation routes shall be ~~printed in~~ provided to each local newspaper, displayed on the Collier County Bureau of Emergency Services' Management website, and the availability of this information will be discussed on local television newscasts. This information shall also be made readily available to all hotel/motel guests.

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**Policy 12.1.3:**

[Revised text, page 52]

The County shall continue to identify and maintain shelter space for 32,000 persons by 2012~~06~~ and 45,000 by 2015~~10~~. Shelter space capacity ~~will~~ shall be determined at the rate of 20 square feet per person.

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**Policy 12.1.5:**

[Revised text, page 52]

On-site shelters within mobile home parks or mobile home subdivisions shall be elevated to a minimum height equal to or above the worst case Category 3 hurricane flooding level, based upon the ~~most~~ current National Oceanic and Atmospheric Administration's storm surge model, known as Sea, Lake, and Overland Surges from Hurricanes (SLOSH). The wind load criteria for buildings and structures designated as "essential facilities" in the latest Florida Building Code, shall guide the design and construction of the required shelters. Shelters shall be constructed with emergency electrical power and potable water supplies; shall provide glass protection by shutters or other approved material/device; and shall provide for ventilation, sanitary facilities and first aid equipment. A telephone, automatic external defibrillator (AED) and battery-operated radio with NOAA weather Specific Area Message Encoded capability are also required within the shelter.

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**Policy 12.1.7:**

[Revised text, page 53]

The County, in coordination with the municipalities within the County, shall update the hurricane evacuation portion of the Collier County Comprehensive Emergency Management Plan prior to June 1<sup>st</sup> of each year by integrating all appropriate regional and State emergency plans in the identification of emergency evacuation routes.

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**Policy 12.1.9:**

[Revised text, page 53]

~~Collier~~ The County through its Local Mitigation Working Group shall annually update its approved ~~Hazard~~ Local Mitigation Strategy Plan, formerly known as the "~~Local Hazard Mitigation Strategy~~"

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through the identification and review of new or ongoing local hazard mitigation projects ~~and including~~ identifying the appropriate funding sources for such projects.

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**Policy 12.1.11:**

[Revised text, page 53]

The County ~~will~~ shall continue to coordinate with Collier County Public Schools to ensure that all new public schools outside of the Coastal High Hazard Area are designed and constructed to meet the Public Shelter Design Criteria, as contained in "State Requirements for Educational Facilities" (~~1999~~ 2007).

**Policy 12.1.12:**

[Revised text, page 53]

The County ~~will~~ shall continue to work with the Board of Regents of the State University System to ensure that all new facilities in the State University System that are located outside of the Coastal High Hazard Area are designed and constructed to meet the Public Shelter Design Criteria, as contained in "State Requirements for Educational Facilities" (~~1999~~ 2007) and the Florida Building Code.

**Policy 12.1.13:**

[Revised text, page 53]

The County ~~will~~ shall continue to mitigate previously identified shelter deficiencies through mitigation from Developments of Regional Impact, Emergency Management Preparedness and Enhancement grants, Hazard Mitigation and Pre-disaster Mitigation Grant Programs funding, and ~~from~~ available funds identified in the State's annual shelter deficit studies.

**Policy 12.1.14:**

[Deleted text, page 53]

~~Prior to adoption of the 2007 Annual Update and Inventory Report (A.U.I.R.), Collier County shall evaluate whether to include hurricane shelters in the 5-year schedule of Capital Improvements.~~

**Policy 12.1.145:**

[Revised text, page 55]

All new nursing homes and assisted living facilities that are licensed ~~for more than 15 clients will~~ shall have a core area to shelter residents and staff on site. The core area will be constructed to meet the Public Shelter Design Criteria that is required for new public schools and public community colleges and universities ("State Requirements for Educational Facilities," 2007 ~~1999~~). Additionally this area shall be capable of ventilation or air conditioning provided by back-up generator for a period of no less than ~~48~~ 72 hours.

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**Policy 12.1.167:**

[Revised text, page 54]

~~Collier County is conducting a Hurricane Evacuation Study.~~ If warranted by the results of ~~that study,~~ Hurricane Evacuation Studies that are periodically conducted by the State of Florida and/or Federal Authorities, further restriction on development may be proposed.

**OBJECTIVE 12.2:**

[Revised text, page 54]

~~The County shall~~ Ensure that publicly funded buildings and publicly funded development activities are carried out in a manner that demonstrates best practice to minimize the loss of life, property, and

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re-building cost from the effects from hurricanes, flooding, natural and technological disaster events. Best practice efforts may include, but are not limited to:

- a. Construction above the flood plain;
- b. maintaining a protective zone for wildfire mitigation;
- c. installation of on-site permanent generators or temporary generator emergency connection points;
- d. beach and dune restoration, re-nourishment, or emergency protective actions to minimize the loss of structures from future events;
- e. emergency road repairs;
- f. repair and/or replacement of publicly owned docking facilities, parking areas, and sea walls, etc.

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Policy 12.2.5:

[Revised text, page 55]

The County shall consider the Coastal High Hazard Area as a geographical area lying below the elevation of ~~within~~ the Category 1 storm surge line zone as presently defined in the 2011 ~~2004~~ Southwest Florida Regional Planning Council's Hurricane Evacuation Study, or subsequently authorized storm surge or evacuation planning studies coordinated by the Collier County Emergency Management Department and approved by the Board of County Commissioners.

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OBJECTIVE 12.3:

[Revised text, page 55]

~~The County shall~~ develop and maintain a task force that will plan and guide a unified County response to post-hurricane disasters.

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Policy 12.3.2:

[Revised text, page 55]

~~After a hurricane that necessitated an evacuation,~~ The Board of County Commissioners shall meet to hear preliminary damage assessments after a hurricane that has necessitated an evacuation. ~~This will be done prior to re-entry of the population.~~ At that time, the Commission ~~will~~ may activate the recovery task force and consider a temporary moratorium on building activities not necessary for the public health, safety and welfare.

Policy 12.3.3:

[Revised text, page 55]

The Recovery Task Force shall include the Sheriff ~~of Collier County,~~ the Community Development and Environmental Services Growth Management Division Administrator, the Comprehensive Planning Director, ~~the Zoning and~~ Land Development Services Review Director, the Bureau of Emergency Services Management Director and other members as directed by the Board of County Commissioners, such as. ~~The Board should also include~~ representatives from municipalities within Collier ~~the~~ County that have received damage from the a storm ~~to become members of the Recovery Task Force.~~

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OBJECTIVE 12.4:

[Revised text, page 56]

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The County shall make every reasonable effort to meet the emergency preparedness requirements of ~~people~~ Persons with ~~s~~Special ~~n~~Needs such as the elderly, handicapped, the infirmed and those requiring transportation from a threatened area. In the event of a countywide emergency, such as a hurricane or other large-scale disaster, the County Emergency Management Department in coordination with the County Health Department and other officials shall open and operate one or more refuges for persons listed on the County's Special Needs Registry and their caregivers. Medical and support equipment at such refuges will include, but not necessarily be limited to, respirators, oxygen tanks, first aid equipment, disaster cots and blankets, and defibrillators.

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STATE OF FLORIDA)

COUNTY OF COLLIER)

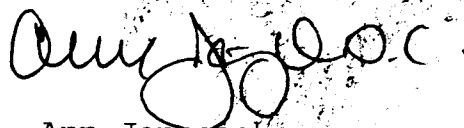
I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

**ORDINANCE 2013-12**

which was adopted by the Board of County Commissioners on the 9th day of January, 2013, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 14th day of January, 2013.

DWIGHT E. BROCK  
Clerk of Courts and Clerk  
Ex-officio to Board of  
County Commissioners



By: Ann Jennejohn,  
Deputy Clerk