



January 18, 2013

D. Ray Eubanks, Plan Processing Administrator
Florida Department of Economic Opportunity
Division of Community Planning/Plan Review and Processing

107 East Madison Street – MSC 160
Caldwell Building
Tallahassee, Florida 32399-4120

*Subject: Transmittal of Adopted Growth Management Plan Amendments Pursuant to 2011 Evaluation & Appraisal Report, based upon 2012 Transmittal GMP Amendments, and in response to the July 6, 2012 Objections, Recommendations and Comments Report
DEO Amendment No. 12-1ER*

Dear Mr. Eubanks:

In accordance with the State Coordinated Review process pursuant to Section 163.3184(4), Florida Statutes, Collier County is transmitting three (3) copies of the 2011 Evaluation & Appraisal Report (EAR)-based Growth Management Plan (GMP) amendments (one paper copy and two electronic copies in Portable Document Format (PDF) on a CD ROM), including all support data, to the Department of Economic Opportunity.

These amendments were reviewed in advertised public hearings by the Collier County Planning Commission (local planning agency) on October 30 and 31, and November 15, 2012. The Collier County Board of County Commissioners reviewed these proposed GMP amendments in an advertised public hearing on January 8, 2013 and approved them for adoption, by adoption of Ordinance numbers 2013-03, Capital Improvement Element; 2013-04, Transportation Element; 2013-05, Sanitary Sewer Sub-Element of the Public Facilities Element; 2013-06, Potable Water Sub-Element of the Public Facilities Element; 2013-07, Drainage Sub-Element of the Public Facilities Element; 2013-08, Solid Waste Sub-Element of the Public Facilities Element; 2013-09, Natural Groundwater Aquifer Recharge Sub-Element of the Public Facilities Element; 2013-10, Housing Element; 2013-11, Recreation & Open Space Element; 2013-12, Conservation and Coastal Management Element; 2013-13, Intergovernmental Coordination Element; 2013-14, Future Land Use Element; 2013-15, Golden Gate Area Master Plan Element; 2013-16, Economic Element; and, 2013-17, Public Schools Facilities Element. Amendments to all GMP Elements are included in this Adoption transmittal, with one exception: the Immokalee Area Master Plan is not amended.



These amendments are not proposed to be adopted under a joint planning agreement – with the exception of the Housing Element (with the City of Naples).

Pursuant to Chapter 163.3184, *Florida Statutes*, the Collier County Board of Commissioners hereby requests that the Department of Economic Opportunity conduct a review of the adopted Plan amendments transmitted herewith, and issue the State’s subsequent final determination of compliance. These amendments are found in the Exhibit “A” attached to each adoption Ordinance. A summary of adopted amendments is provided in the Staff Report to the Collier County Planning Commission and the Executive Summary to the Board of County Commissioners.

One amendment that had been proposed in Transmittal has not been adopted – occurring in the Golden Gate Area Master Plan. In Transmittal, revisions were proposed to the “Conditional Uses Subdistrict” to expand a listing of specific essential services allowed there. The present list limits the essential services that may be allowed in the Golden Gate Estates area to services listed in the County’s Land Development Code (LDC) “Estates” zoning district.

County zoning officials have been involved with issuing Official Interpretations (OI) concerning certain disputed essential services in these zoning districts, and the formulation of a complete listing for Adoption has been delayed. The intent remains to complete this listing to encompass all relevant zoning districts in Golden Gate Estates, and the County commits to do so in a timely manner. The DEO has scheduled Collier County’s next Evaluation and Appraisal Review (EAR) for submittal in January 2014, with EAR-based amendments due within approximately one year. The Adoption of this proposed amendment will be a component of the County’s next EAR-based amendments.

No additional changes were made since the April 24, 2012 BCC Transmittal hearing on EAR-based amendments to the following GMP Elements: Economic Element; Sanitary Sewer Sub-Element; Potable Water Sub-Element; Solid Waste Sub-Element; Housing Element; and, Public Schools Facilities Element.

Additional changes made since the April 24, 2012 BCC Transmittal hearing on EAR-based amendments to the following elements are limited to DEO directed revisions throughout the GMP to reflect the repeal of Florida Administrative Code 9J-5 and associated changes: Golden Gate Area Master Plan; Intergovernmental Coordination Element; and, Recreation and Open Space Element. These Elements, along with those previously affected by EAR-based amendments, comprise the additional changes to the amendments that the DEO did not specifically, previously review. And though not specifically reviewed by the DEO, these additional changes relate to general direction provided by the DEO in their ORC Report. These entries are found under the Collier County Response to the ORC Report heading, Other Instances of References to Rule 9J-5, F.A.C., to be Revised.

However, a few amendments are not in response to the ORC Report, but in response to agency comments provided outside the formal ORC Report. These are also found in the “Collier County Response to the Objection, Recommendation and Comments Report” located behind the tab labeled “ORC Report/Response.” Also, some additional data and analysis may be contained in the Staff Reports to the Collier County Planning Commission.

No substantive revisions have been proposed or adopted since Transmittal. A significant portion of changes made in response to DEO and external agency Comments serve to technically improve GMP elements. Due to the technical nature of many of the changes, additional data and analysis is not deemed necessary to support them. In the few instances where support documentation is decidedly needed, it is identified in the County Response to the ORC Report.

Some EAR-based GMP amendments are applicable to the Big Cypress Area of Critical State Concern designated pursuant to Section 380.05, Florida Statutes, e.g. new paragraph (12) in Policy 6.1.2 of the Conservation and Coastal Management Element. The amendments are not related to a rural land stewardship area pursuant to Section 163.3248, Florida Statutes, or a sector plan pursuant to Section 163.3245, Florida Statutes, and are not proposed to be adopted under a joint planning agreement.

One copy of the complete Adoption package, including supporting data and analysis, is being submitted on the same date as this letter, to the Southwest Florida Regional Planning Council, South Florida Water Management District, Florida Department of Transportation District One, Florida Department of Environmental Protection, Florida Department of Agriculture & Consumer Services and, Florida Department of Education (re: a few amendments relating to public schools).

Collier County has previously sent its complete adopted comprehensive plan, including amendments and support documents, and its 2011 EAR, to all agencies identified in Section 163.3184(4), F.S. Finally, if you have questions or need additional information, please contact:

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Sincerely,



Nick Casalanguida, Administrator
Growth Management Division

Enclosure

cc: Board of County Commissioners

Leo Ochs, County Manager

William Lorenz, Jr., P.E., Director, Land Development Services Department

David Weeks, AICP, GMP Manager, Comprehensive Planning Section

Florida Department of Environmental Protection - w/ attachment

Southwest Florida Regional Planning Council - w/ attachment

FDOT District One - w/ attachment

South Florida Water Management District - w/ attachment

Florida Department of Agriculture & Consumer Services - w/ attachment

Florida Department of Education – w/ attachment