

**MINUTES OF THE MEETING OF THE COLLIER COUNTY GROWTH
MANAGEMENT DEPARTMENT PUBLIC WORKSHOP**

Naples, Florida, January 27, 2016

LET IT BE REMEMBERED, the Collier County Development Growth Management Department in and for the County of Collier, having conducted business herein, held a Public Workshop “Sending Land North Belle Meade Ownership, Transfer and Maintenance Issues” on this date at 6:30 P.M. at the University of Florida IFAS Extension Building, 14700 Immokalee Road, Naples, Florida.

ALSO PRESENT: Commissioner Tim Nance
Kris Van Lengen, Community Planning Manager (Staff Liaison)
Mike Bosi, Director, Planning and Zoning
Anita Jenkins, Principal Planner, Community Planning

1. Welcome and Meeting Objectives

Greg Ault, AECOM, consultant for the County addressed the attendees noting the Board of County Commissioners has directed Staff to develop changes to the Growth Management Plan including the Rural Fringe Mixed Use District (RFMUD). The purpose of the meeting, the second one of three to be held on this topic, is to obtain public input on the areas designated as Sending Lands under the Program. The third meeting will be held on February 16, 2016 at 6:30pm.

2. Summary of Last Meeting and Public Input

Mr. Van Lengen presented a Power Point “*Rural Fringe Mixed Use District (RFMUD) Sending Lands Focus: North Belle Meade 2nd of 3 Sending Meetings – 1/27/16*” and provided an overview of items covered at the January 6, 2016 including:

- The RFMUD was developed as a result of a 1999 Final Order stemming from litigation (by the Collier County Audubon Society, Inc. and the Florida Wildlife Federation) that addressed County land use planning issues including establishing the RFMUD.
- The goals of the Order were for the County to adequately preserve wetlands, protect critical species and wildlife habitat from unrestrained growth by directing it to appropriate locations within the County.
- One avenue implemented within the RFMUD District was a Transfer of Development Rights (TDR) program which identifies sending and receiving lands administered through a program of density credits.
- The credits for a parcel 5 acres in size are 1 base credit, 1 early entry credit, 1 Restoration and Maintenance credit, 1 conveyance credit, total potential = 4 credits.
- The credits for a parcel 40 acres in size are 8 base credits, 8 early entry credits, 8 Restoration and Maintenance credits, 8 conveyance credits, total potential = 32 credits.
- The restudy of the area will focus on the Program’s goal of establishing smarter development patterns, economic viability for those affected and protection of sensitive areas and species.
- An oversight committee has been formed to review the Program and provide recommendations to the Board of County Commissioners on proposed changes.
- Issues identified by the public at the previous meeting included:
 - *The need to create additional bonus categories.*
 - *The need to eliminate minimum process of \$25,000 for base credit.*
 - *Consideration be given to increasing the number of TDR’s per 5 acres.*
 - *Consideration be given to creating a TDR bank, improve market/exchange.*
 - *The need to increase the value of TDR’s so it’s more than assessed value.*
 - *Identification of a public entity to accept North Belle Meade properties.*
- A survey was developed with the following results so far:
 - *There have been 17 responses.*
 - *81 percent interested in program that provides more value/greater financial return.*
 - *67 percent think TDR process needs improvement/its cumbersome confusing.*
 - *75 percent think the TDR system needs adjustment/Marketplace not functioning.*

3. Overview of North Belle Meade; Unique Issues

The PowerPoint identified unique issues to be addressed for the area including the lack of an Agency to assume responsibility for the TDR parcels and many of the parcels in the Natural Resource Protection

Area (NRPA) are individually owned, small acreage parcels and the program needs to assist these owners. The remaining larger parcels controlled by 9 owners were used by developers for mitigation purposes.

4. Visioning: Panel Members

Mr. Ault reported a panel of professionals was available to provide input on a series of question. The panel consists of Robert Mulhere, Director of Planning, Hole Montes, Nancy Payton, Florida Wildlife Federation and Tim Durham, Sr. Ecologist, Passarella and Assoc. The following 5 questions were posed to the panel:

1. *In Sending areas (where development rights have been removed), what should be the fulfillment of goals as conceived in the RFUMD look like, say in 20 years?*

Ms. Payton – the NRPA should be placed under the responsibility of Conservation Collier, re-hydration of the area without the use of reservoirs, installation of wildlife crossings, provision of passive recreation opportunities (non ATV use).

Mr. Mulhere – single entity for management of the area, establishing hydro connectivity of the area, establishing wildlife corridors, establishing connectivity of ownership/management of parcels, provision of passive recreation opportunities including hiking, camping, fishing.

Mr. Durham – provision of active recreation opportunities including horseback riding, camping fishing, ensuring the program is deemed fair and equitable.

2. *If the current pattern of fragmented ownership and maintenance continues, what issues would persist?*

Ms. Payton – The Program’s goals would not be met, diminished value of wildlife and their habitat.

Mr. Mulhere – no connectivity of managed parcels, exotic infestation, lack of compensation for lost property rights.

Mr. Durham – no restoration of hydrologic features of the area, no economies of scale for management of area.

3. *What alternatives can you suggest to achieve the vision you first described? (e.g., ownership alternatives; management alternatives?)*

Ms. Payton – County should accept TDR lands and bank them until management opportunities are available.

Mr. Mulhere – ensure it is economically viable for an owner of a small parcel to utilize the Program (costs more to utilize the program than financial benefit received).

Mr. Durham – ensure adequate compensation for owners, simplify the program.

4. *What funding mechanisms can you envision that might be feasible to allow consolidation of responsibility for restoration and maintenance? (e.g. more TDR credits, grants, mitigation banking, etc.).*

Ms. Payton – increase the availability of TDR credits, revive Conservation Collier land acquisition activity, consider establishing a green utility fee.

Mr. Mulhere – establish a value for the resources, consider mitigation bank for Collier County.

Mr. Durham – consideration of a ROMA (Regional Off Site Mitigation Program).

5. *Do you have a preferred alternative for ownership and long term maintenance, among the ideas that have been suggested?*

Ms. Payton – Ownership by Collier County.

Mr. Mulhere – All options remain open including recreational opportunities.
Mr. Durham – Collier County or State Park ownership.

5. Visioning: Public Forum

During public discussions, the following items were noted:

- Consideration be given to expanding the receiving areas.
- Consider establishing restoration programs outside of existing regulatory structures; mitigation banks can be expensive and complicated.
- Ensure this process considers all input with no “pre disposed notions” as in its current format “makes no sense.”
- Eliminate those lands misidentified as “environmentally sensitive.”
- Consider an eminent domain option as program as currently exists has been stagnant.
- Allow use of TDR’s in other areas of County outside receiving areas.
- Concern the program in its current format, in order to succeed requires one developer with a large scale project to acquire all credits.
- Concern this re-study will be a long drawn out process over a series of years - *Staff’s timeline for the process is to submit a draft report to the Board of County Commissioners by the end of 2016 with proposed amendments to the Growth Management Plan to follow within one year.*

6. Public Questions and Answers

Commissioner Nance addressed the attendees noting there will be 4 major plans reviewed County wide (*Rural Fringe Mixed Use District, Golden Gate Master Plan, Rural Lands Stewardship Area, Immokalee Area Master Plan*) with this being the first step. He owns property in the area and the program needs to be driven by the free market, not eminent domain. The key is increasing the demand for sending land TDR credits for those owners who retain lands in the receiving areas.

7. Wrap-up and Next Steps

Mr. Van Lengen noted the next public meeting is scheduled for February 16, 2016 at 6:30pm.

There being no further business for the good of the County, the meeting was adjourned at 8:23pm.