



Rural Fringe Mixed-Use District Restudy White Paper

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Rural Fringe Mixed-Use District White Paper Section 1: Introduction

This White Paper provides a conceptual framework to address elements of the Rural Fringe Mixed Use District (RFMUD) restudy. The RFMUD restudy is the first of four restudies focused on eastern Collier County, as directed by the Board of County Commissioners (BCC) on February 10, 2015. Focus areas of all four restudies include complementary land uses, transportation and mobility, environmental stewardship and economic vitality. As the restudies unfold, relationships and synergies between the study areas are identified and maximized.

The Community Planning staff in the Zoning Division of the Growth Management Department provides this document as a first point of direct contact with elected officials to describe the history and status of the RFMUD (Section 2), the planning process, including outreach and sources of data and analysis (Section 3), and findings and initial recommendations (Section 4).

This paper is supplemented by appendices of importance at this juncture, final quarter of FY 2016. Appendix A contains summaries of public workshops as well as communications from stakeholders with their remarks subsequent to our distribution of a first draft of initial recommendations on July 13, 2016. Appendix B contains a memo from a TDR consultant on the provision of a County sponsored TDR Bank. Appendix C is the Phase 1 Feasibility Report for a Mitigation Bank in North Belle Meade.

One reason to bring the RFMUD restudy forward in report form is to lay the groundwork of information relating to the RFMUD, the Transfer of Development Rights (TDR) program and the ideas and perceptions of its stakeholders. Another important reason is that, given the complexity of the elements within the RFMUD and TDR program, a conceptual approach should be a preferred way to begin. Many elements or ideas for change are related to many other program elements. Often, a change in one aspect of the program echoes in other program elements. By considering the breadth and scope of potential changes together, a better understanding of these interrelationships emerges. Put another way, it is helpful in a program of this complexity to move from more general concepts at first to more specific proposals later.

As understood by staff at the beginning of this restudy in 2015, the original goals of the program should be maintained, deriving from the Final Order in 1999, through the assessment period and adoption of elements and regulations from 2002 to 2004. These include:

- Protect wetlands, wildlife and habitat from unrestrained growth

- Protect agricultural land from premature conversion to other uses
- Direct growth potential to appropriate locations
- Utilize creative land use planning techniques, including new towns, satellite communities, clustering, mixed use and open space

Along with retention of the original goals and the geographic (Sending/Neutral/Receiving) designations that were made, restudy goals also include:

- Improve the TDR credit system
 - Achieve proper balance of credits (optimize supply and demand)
 - Incentivize preservation and stewardship
 - Ensure reasonable demand for and availability of credits in Receiving areas
- Identify agencies or entities for long term ownership and maintenance
- Review and improve development uses, regulations and standards, based on:
 - Community values
 - Sustainability
 - Economic development
 - Consistency with area needs, other sub-area needs and County policies

Some of the coordination called for in the course of the restudy requires close collaboration with other County Departments or outside agencies, often at the expense of a strict adoption or implementation timetable. For example, planning for affordable housing, mobility, watershed and infrastructure require knowledge and recognition of parallel efforts, each moving along its own trajectory and timetable. Staff is mindful that interdepartmental and intergovernmental coordination help yield the optimal result.

The RFMUD contains approximately 77,000 acres; lands designated RFMUD are not contiguous. One of the interesting observations that emerged early on in the restudy is that there are significant differences in the character and status of the four main Sending areas and the four main Receiving areas.

For consistency, we have labeled the RFMUD sub-areas as follows (see Figure 1-1):

Sending:

- North
- North Belle Meade- NRPA
- North Belle Meade-West
- South Belle Meade

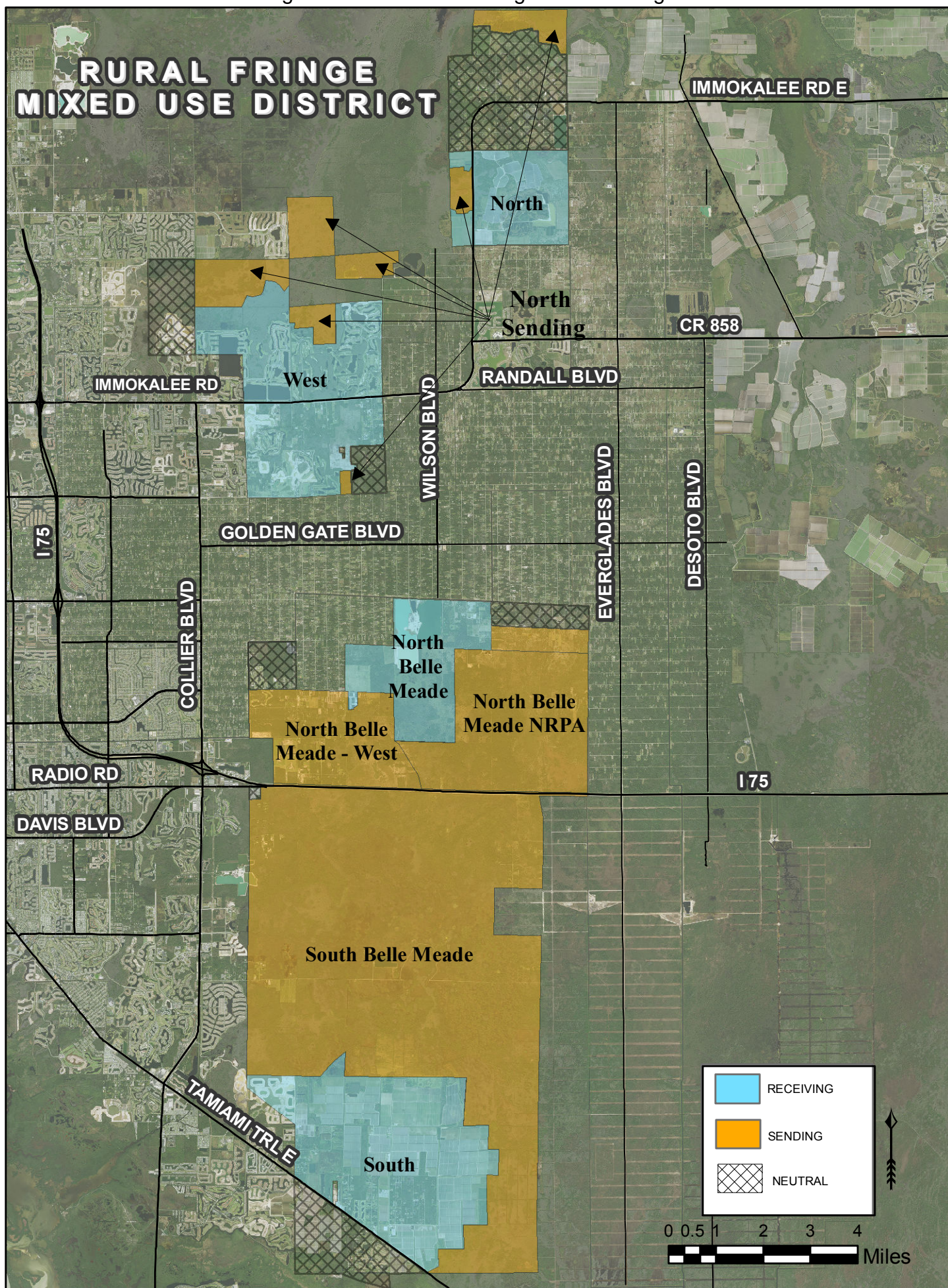
Receiving:

- North

- West
- North Belle Meade
- South

Note that the Findings and Initial Recommendations in Section 4 are conceptual and contain changes that would be suitable for the Growth Management Plan (GMP), the Land Development Code (LDC) or both. Following feedback and direction from White Paper presentations, staff, with consultation from the County Attorney's Office, will sort through the appropriate regulatory locations for proposed program changes, and return with specific amendment proposals for the Growth Management Plan first.

Figure 1-1 RFMUD Sending and Receiving Areas





Rural Fringe Mixed-Use District White Paper Section 2: Background

In June 1999, the State of Florida Final Order, Case ACC-99-002, found the County's Growth Management Plan lacking in protection for environmentally sensitive areas, failing to adequately discourage urban sprawl and failing to prevent the premature conversion of agricultural land. The Final Order required the following modifications to the GMP to address the issues within three specified areas.

1. Identify and propose measures to protect prime agricultural areas.
2. Direct incompatible uses away from wetlands and upland habitat in order to protect water quality and quantity and maintain the natural water regime as well as to protect listed animal species and their habitats.
3. Assess the growth potential of the Area by assessing the potential conversion of rural lands to other uses, in appropriate locations, while discouraging urban sprawl, directing incompatible land uses away from critical habitat and encouraging development that utilizes creative land use planning techniques including, but not limited to, public and private schools, urban villages, new towns, satellite communities, area-based allocations, clustering and open space provisions and mixed use development.

In order to address these concerns, the County created the Rural Fringe Mixed Use District. The Growth Management Plan was amended in 2002 to include the majority of today's RFMUD provisions and the basic structure of the TDR program. It was amended soon thereafter, to include bonus TDR provisions and provisions incorporating an intervener agreement known as the North Belle Meade Overlay. The implementing Land Development Code (LDC) provisions, reflecting and implementing all of these GMP amendments were adopted in 2004. Only miscellaneous amendments have been made since that time.

The RFMUD contains approximately 77,000 acres. It provides a transition between the Urban and Estates Designated lands, between the Urban and Rural Lands Stewardship Area (RLSA), and Conservation designated lands farther to the east.

The Rural Fringe Mixed Use District is separated into three specific areas, Sending Lands, Neutral Lands, and Receiving Lands. Sending Lands are those lands that have the highest degree of environmental value and sensitivity. These sending lands generally include significant wetlands, uplands, and habitat for listed species. The uses within the Sending Lands are limited

to a narrow list of permitted and conditional uses. The current regulations allow for the maximum density of one (1) dwelling unit per 40 acres or, one (1) dwelling unit per lot or parcel of less than 40 acres, which was recorded on or before June 22, 1999 (and non-conforming lots <5 acres which existed as of October 15, 1974 or January 5, 1982, depending upon location).

Receiving Lands are those lands within the Rural Fringe Mixed Use District that have been identified as being most appropriate for development and to which residential development units may be transferred from Sending Lands. These lands have a lesser degree of environmental or listed species habitat value than areas designated as Sending and generally have been disturbed through development, or previous or existing agricultural operations. Within the Receiving Lands the base residential density allowable is one (1) unit per five (5) gross acres (0.2 dwelling units per acre). The maximum (non-village) density achievable in Receiving Lands through the TDR process is one (1) dwelling unit per acre, with a minimum project size of 40 contiguous acres.

The RFMUD also allows Rural Villages in the Receiving areas. Rural Villages must be located where public infrastructure exists or is planned, including direct access to an arterial or collector roadway. With the creation a Rural Village, the sense of community and convenience can be increased, emphasizing mixed use, social and civic interaction and walkability. However, the current development standards for Rural Villages do not easily accommodate neighboring communities and Districts.

Neutral Lands have been identified for limited semi-rural residential development. Assessment data indicated that Neutral Lands have a higher ratio of native vegetation, and thus higher habitat values, than lands designated as Receiving Lands, but these values do not approach those of Sending Lands. Therefore, these lands are appropriate for limited development, if such development is directed away from existing native vegetation and habitat. A lower maximum gross density is prescribed for Neutral Lands when compared to Receiving Lands: 1 dwelling unit per 5 gross acres (0.2 units per acre).

The TDR program is a major component of the RFMUD, as it allows the transfer of development units from Sending parcels to Receiving parcels. The Collier program is somewhat unique in its structure, using a series of TDR credit types that can be sold and used for Receiving development. From a 5 acre area, an Owner might achieve 4 TDRs: Base credit; Early Entry credit; Restoration and Maintenance credit; and Conveyance credit.

As noted in the Table 2.1, the RFMUD Sending land is comprised of thousands of parcels, mostly 5 and 10 acres in size. Sending Land acreage, although 40,973 in total, yields only 16,643 privately held acreage, capable of earning and selling TDR credits.

Table 2.1 RFMUD Sending Parcel and Acreage Totals by Area

Sending Area	# of Parcels	# of Owners	Acres
South Belle Meade	353	227	5,905
North Belle Meade -NRPA	760	340	6,451
North Belle Meade-West	373	271	3,074
North	60	45	1,213
Private Owned Total	1,546	883	16,643
Government Owned	606	1	24,330
Private and Government Owned Total	2,152	884	40,973

Source: GIS rev. March 2016

Note: Government owned parcels stated separately; purchase or prior TDR Conveyance

The program set a minimum price point for the Base TDRs at \$25,000. The Early Entry expiration date was extended several times over the years, most recently to 2019. Although the concept of “conveyance TDRs” was intended to boost the number of TDR credits and transfer the property ownership into government hands, no governmental agency has been willing to accept Sending lands in North Belle Meade, or in Section 11 (T 48S; R 26 E) in the North Sending area.

Despite these issues and the intervening economic downturn, there have been TDR transfers and redemptions in both the West Receiving area and in the Urban Residential Fringe. To date, several developments have used the cluster residential development option in the form of gated communities. In the RFMUD, non-village density is capped at 1 unit per acre and includes the communities of Twin Eagles South, Lamorada, Mockingbird Crossing, and the Golf Club of the Everglades.

In the Urban Fringe, densities are generally capped at 2.5 units per acre and include entitled communities such as Naples Reserve, Hacienda Lakes, Lords Way, San Marino, Lido Isles and Rockledge. These developments have an approved total of 6,786 units; the majority of units are detached single family.

As shown in Table 2-2, approximately 3,953 TDR credits have been processed. These TDR credits were generated from approximately 6,532 acres.

Table 2-2 RFMUD TDR Credits Processed or Pending Process

	TDRs
Base Credits Processed	1,326.10
Early Entry Bonus Credits Processed	1,326.10
R&M Bonus TDR Credits Processed	905.32
Conveyance Bonus Credits Processed	395.82
TDRs Pending Process	658.40
Total	4,611.74

As shown in Table 2-3, under the current system, approximately 10,947 TDRs remain to be processed. These TDR credits are associated with approximately 16,363 acres of Sending Land. The theoretical credits under the present system both processed and outstanding, total approximately 15,558. Of this total, approximately 25% have been issued.

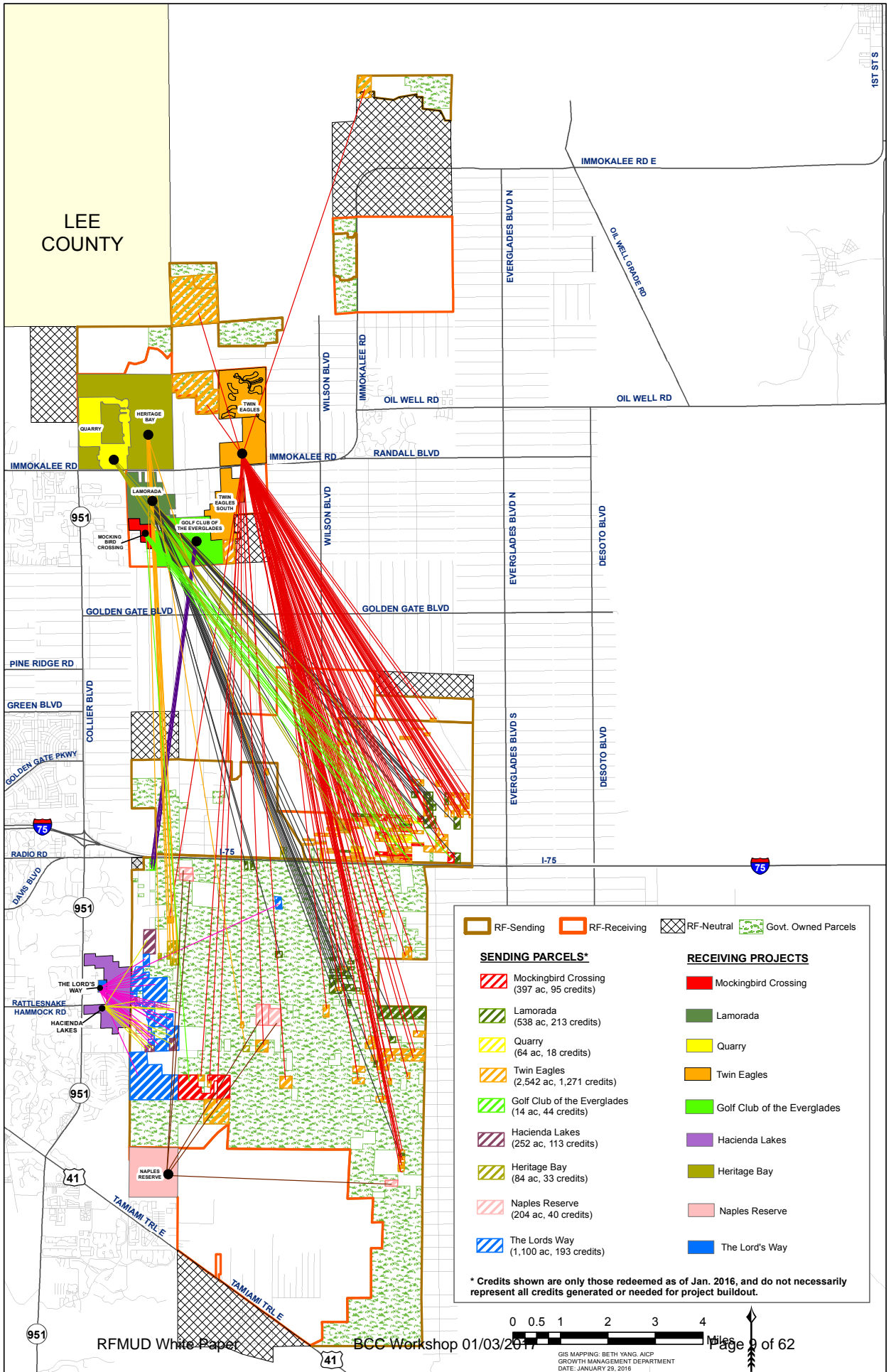
Table 2-3 Outstanding TDR Credits

	Outstanding TDR Credits
Base TDR Credits	2,403.67
Early Entry Bonus TDR Credits	2,403.67
R&M Bonus TDR Credits	2,804.67
Conveyance Bonus Credits	3,335.02
Total	10,947.03

To date, approximately 2,129 TDRs have been redeemed to support the increased density found in the Receiving area development projects. These transactions between Sending Lands and Receiving Lands are shown on Figure 2-1.

Given the activity that has occurred to date, the greatest development potential in Receiving Lands will be the North, North Belle Meade and South Receiving areas, where the majority of the changes adopted as part of the RFMUD restudy will occur.

Based on the difficulty for Sending owners to generate the restoration and maintenance credit, or the conveyance credit, TDR supply under the current system is estimated to be far less than shown in Table 2-3. Staff's assessment estimates a more realistic credit supply of approximately 5,500 TDRs. The demand assessment prepared by staff assumes one village each in the North Receiving area, the North Belle Meade Receiving area, and the South receiving area, along with about 60 percent of the remaining vacant property using the cluster provisions. This scenario would require approximately 13,443 TDR credits. This significant difference between the TDR supply and likely demand demonstrates an imbalance in the program.





Rural Fringe Mixed-Use District White Paper Section 3: The Planning Process

In early 2015, the Board of County Commissioners (BCC) directed staff to initiate a restudy of the Rural Fringe Mixed-Use District (RFMUD), along with three other master plans east of County Road 951: Golden Gate Area Master Plan (GGAMP); Rural Land Stewardship Area (RLSA); and the Immokalee Area Master Plan (IAMP).

To support the RFMUD planning effort, the BCC initiated the public participation process through the adoption Resolution 2015-111 establishing a 7 member Growth Management Oversight Committee (GMOC). The functions, powers, and duties of the GMOC are to aid and assist the public participation phase of the regulatory review. This includes:

1. Assist in determining the most effective venues and dates to hold the public presentations:
2. Assist in composing the information materials to be presented to the public at community meeting at various locations throughout the study area.
3. Assist in determining the agendas for public meetings;
4. Assist in providing consistency between the planning efforts.

In reviewing proposals for program change, the GMOC scope will be “high level and non-granular, emphasizing consistency, sustainability and economic vitality.”

The GMOC set their schedule to meet quarterly throughout the restudies planning timeframe. They met three times through June, 2016 providing input to staff on community outreach schedule and presentation materials. With the guidance of the GMOC, this restudy process was a focused, stakeholder effort. All interested parties were encouraged to participate in public workshops, on-line surveys and in direct communication with staff.

Public Outreach

To engage landowner participation in the RFMUD restudy, letters were mailed to over 800 RFMUD property owners informing them of the restudy and the public workshop schedule. A total of six public workshops were held from January, 2016 through May, 2016. A summary of each meeting is attached as Appendix A, Public Outreach Summary.

The first three public workshops were held during evening hours at the IFAS Center and focused on the RFMUD Sending Lands. Fifty to sixty people attended each workshop. During the first workshop there was strong sentiment among Sending Land owners that the program should

not have been devised in the way it was; many thought that the RFMUD governing provisions should be abandoned altogether. Through the public workshop process, some came to understand that the program was created as a result of litigation and the State's Final Order; that the program has been in place for over ten years; that TDR credits have been redeemed and converted to density; and that the County needs to move forward and not back. The public workshops for the Sending Lands focused on the important issues to the landowners including improving the economic viability of the program, promoting smarter development patterns and protecting natural resources. Staff continuously encouraged owner input on how to improve the program. Several techniques were used for this outreach: public presentations; comment cards; breakout group exercises; on-line surveys; telephone calls; and individual meetings. The public was encouraged to explore resources on the website, including a library of materials and video-taped meetings.

The first public meeting was introductory in nature. Staff summarized the history and current status of the RFMUD and the TDR program. Participants were encouraged to express opinions on the rules adopted over a decade earlier, and staff outlined the anticipated progression of the study and the public involvement phase going forward. The meeting summary can be found in Appendix A, Public Workshop #1.

The second public workshop focused on issues related to the Sending Lands in North Belle Meade. A panel of local experts was seated to discuss possible solutions for the Sending Lands long-term ownership and maintenance. The full discussion, questions and responses are found in Appendix A, Public Workshop #2.

The third and final public workshop focusing on Sending Lands topics included two major components. First, staff provided an overview of the economic considerations involved in TDR transfers; and second, a list of changes suggested by the public was vetted using breakout group approach. Each group discussed the potential changes, ranked their agreement and reported back to the entire group. The full discussion, questions and responses are found in Appendix A, Public Workshop #3.

In summary, through the public workshop process, Sending Land participants agreed upon the following:

- Add TDR credits to all sending lands regardless of location or attributes, such as higher natural resource values or watershed improvement potential.
- Eliminate the \$25,000 minimum price for a base TDR credit.
- Allow TDR Credits to be used outside of the RFMUD, but agreement to where to use the credits was not defined.
- Reduce or eliminate TDR application fees.

- County staff should offer free workshop assistance to complete TDR application process.
- Improve the link between buyers and sellers through an improved listing or a TDR bank.
- Create a TDR bank.
- Allow TDR credits for agriculture preservation.
- Allow additional family home if agricultural land owner has over 20 acres.
- Collier County should be managing entity of Sending Lands.
- Long term maintenance cost should be paid for by a County mitigation program.

Following the Sending Lands workshops, staff focused on the Neutral and Receiving Lands. Approximately sixty residents attended the workshops, of which about half had not attended the Sending Lands workshops. Staff presented the future development potential allowed under the current program, including vacant land, allowed land uses, density and intensity. Break out groups were invited to provide feedback on several key questions including: specific issues and concerns about future development; improvements or changes for the Receiving Lands; what is liked best about the Receiving Lands; and opinions about the Neutral Lands. All responses to the questions are included in Appendix A, Public Workshop #4. Members of Collier County's consultant team, AECOM, wrapped up this workshop with a primer on different kinds of development models with a focus on sustainability. This presentation was well received by participants with many asking for copies of the PowerPoint slides.

The fifth workshop built on the previous workshop discussion of development potential and patterns. Participants were invited to vision future development through a "framework mapping" exercise. Two of the RFMUD Receiving areas were used as examples for participants. The exercise allowed participants to experience how these areas might be planned by identifying destinations, development areas, street networks and green infrastructure. The results demonstrated the values expressed in previous workshops: more village mixed-use development and less single-use gated community development. The mapping exercises are included in Appendix A, Public Workshop #5.

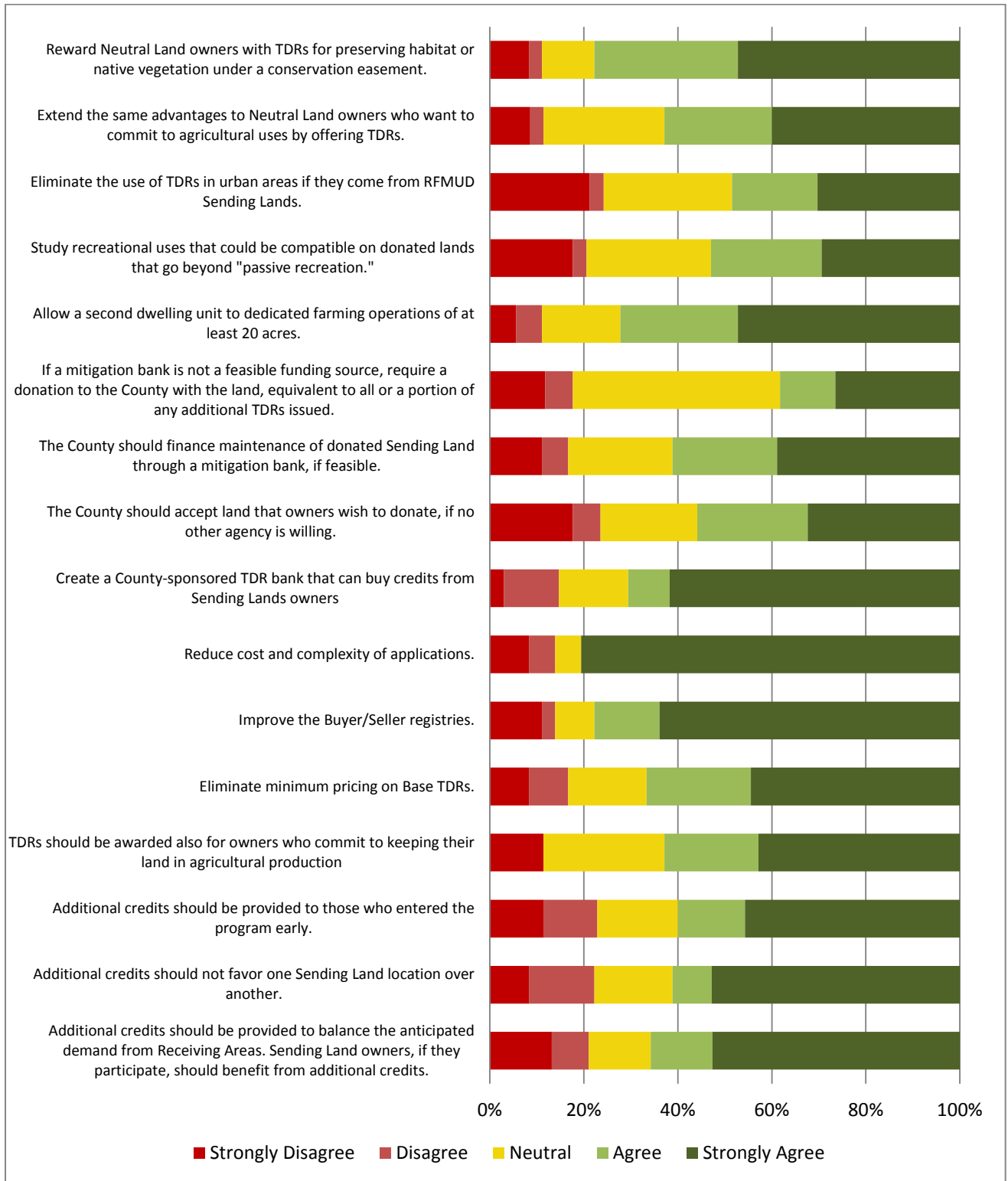
The final workshop provided a forum for residents and stakeholders to review ideas provided by the public through previous workshops, surveys, and correspondence, which were incorporated into the staff's initial recommendations. Each initial recommendation was presented and discussed. Participants were then asked to rank each one from strongly disagree to strongly agree. The survey results are shown in Figure 3-1.

In conclusion, the public workshops were dynamic and well attended. Participants were fully engaged in identifying issues, concerns and potential solutions. Many of the initial recommendations included in this white paper stemmed from public input. The survey results

Figure 3-1

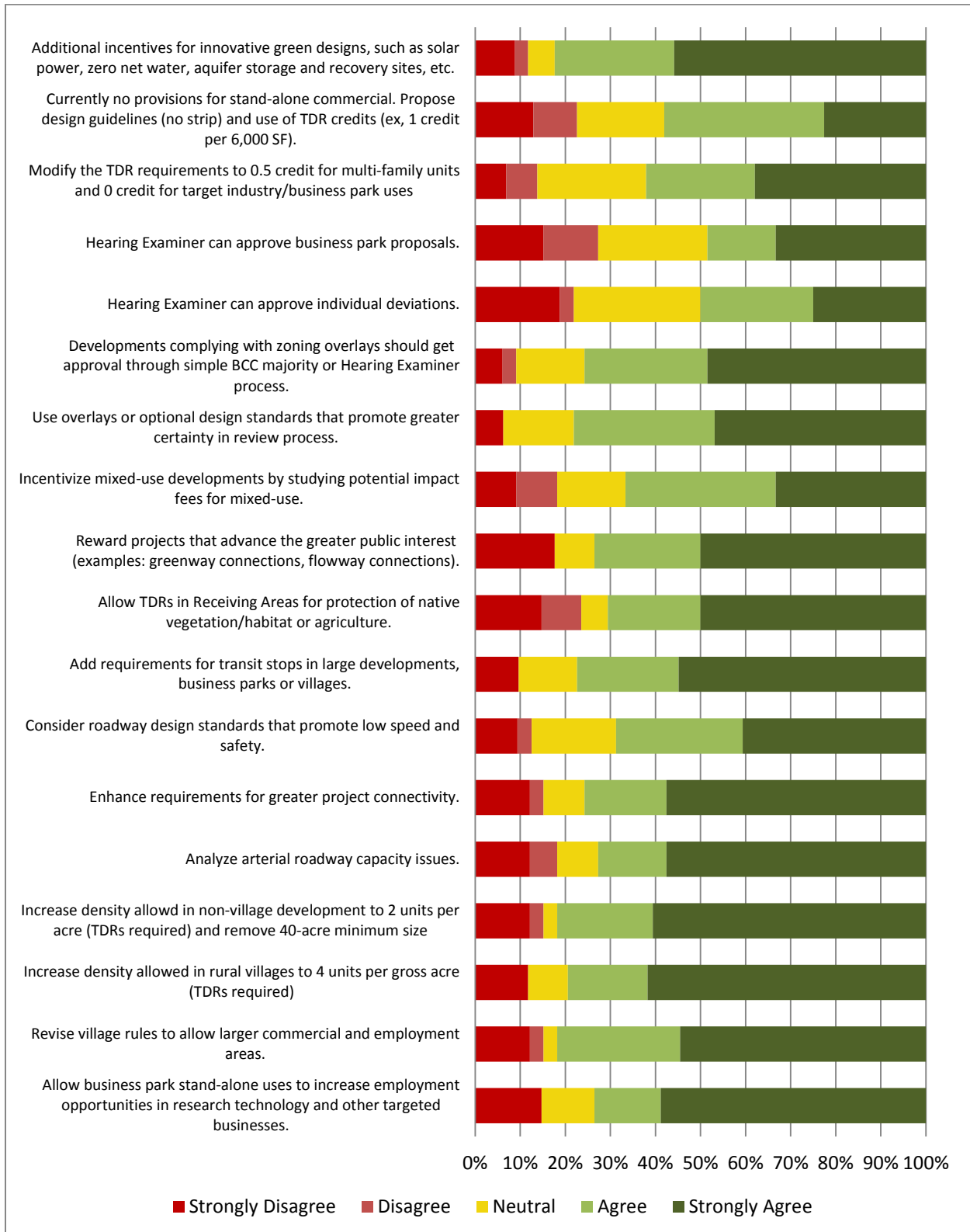
Sending and Neutral Lands Recommendations Survey Results

26-May, 2016



Receiving Lands Recommendations Survey Results

26-May, 2016



show, through the public outreach process, that consensus was reached on the initial recommendations put forward in the final workshop.

In addition to public workshops, public outreach included numerous interviews, meetings and telephone calls with citizens, agency representatives, stakeholders and media. In fact, prior to public workshops, at least 15 one on one interviews were conducted to obtain factual information and initial opinion. Ultimately, staff met 3 times with the Rural Fringe Coalition (development group), and twice with representatives from Conservancy, Florida Wildlife Federation, Greater Naples Chamber of Commerce and Collier Citizens Council. Necessarily, horizontal communication within the County Managers agency was frequent.

Data Analysis

Staff was directed to address four major topic areas through this planning effort:

- 1) Environment;
- 2) Land Use;
- 3) Transportation and Mobility; and
- 4) Economic Vitality.

Through the first several months of the planning process, staff gathered and analyzed data relative to the major topics from several sources with the intent to understand and coordinate major planning efforts, recent or on-going, in the County including, but not limited to:

- Current RFMUD Comprehensive Plan and Land Development Code sections
- The Master Mobility Plan (2012)
- MPO Long Range Transportation Plan (2015)
- TDR Activity Log and Comprehensive Planning data (2016)
- East of CR 951 Final Report (2008)
- Collier Interactive Growth Model (2008)
- Picayune Restoration Plan (2008)
- Watershed Management Plan (2011)
- North Golden Gate Estates Flowway Restoration Study (2013)
- Utility Master Plans (2008, 2015)
- Towards Better Places: Collier County Community Character Plan (2001)
- Wellfield Protection Zones; Aquifer Recharge Areas
- Greater Naples Chamber of Commerce “Opportunity Naples” (2014)
- Current national planning studies

During the past decade, many studies and efforts have addressed Collier County’s environment, transportation, land use, and economic vitality. Many of the recommendations found in previous studies relate to and can be implemented in the RFMUD. National planning studies,

like those conducted in Collier County, continue to focus on implementing planning policy toward sustainability, smart growth and multi-modal principles.

Environment

The seminal documents relating to environmental issues are the very subject of this restudy: the *Growth Management Plan RFMUD provisions and related LDC provisions*. The RFMUD, as indicated in Section 2, Background, was designed following challenges to the County's existing and proposed plans for eastern Collier County, and was necessitated due to State action.

Specifically with respect to Sending Lands downzoning and TDR incentives, environmental goals were intended to fulfill the directives of the *Final Order*: "Direct incompatible uses away from wetlands and upland habitat in order to protect water quality and quantity and maintain the natural water regime as well as to protect listed animal and plant species and their habitats." The core RFMUD provisions, now nearly 15 years old, are a major area of focus in this restudy.

In 2015 and 2016, Collier's RFMUD regulations were vetted through public meetings with residents and stakeholders, as described above. Feedback from staff and public resulted in the need to bring quantitative and technical analysis to bear on environmental issues.

As watershed planning is one of the major components of environmental restoration in Sending Lands, the County's *Watershed Management Plan (2011)* emerges as a key source of data and analysis for environmental aspects of the RFMUD. In turn, that plan resulted in the appointment of the *Golden Gate Watershed Improvement Plan (GGWIP) Technical Ad Hoc Advisory Committee* and its successor, the current *Comprehensive Watershed Management Plan (CWIP) Technical Ad Hoc Advisory Committee*. RFMUD restudy staff has attended and participated in those committee meetings since September, 2015.

There are many important issues centric to both RFMUD regulations and watershed improvement programs. For example, the *RESTORE grant funding initiative* presents a specific opportunity to balance water surplus and water deficits within the watersheds in RFMUD and Golden Gate Estates planning areas; staff has attended and participated in numerous meetings with Project Managers, state and federal agency officials and consultants. The RESTORE initiative informs priorities and coordination of effort within RFMUD Sending areas.

In order to further incentivize TDR program participation and at the same time recommend sustainable long-term management and protection of environmentally important Sending Lands, a *Phase 1 North Belle Meade Mitigation Bank Feasibility Study* was commissioned. If feasible, adoption of a ROMA or similar program could allow a means for County ownership with long term funding that could favor transportation budgeting, and incentivize Sending owner participation.

Collier County has had success in the past in mitigating its own impacts. The Caracara Prairie Preserve Conservation Bank (and successor Trust Fund) saved the County \$346,100 (26%) in Panther Habitat Unit (PHU) costs, as compared to a private mitigation bank, in permitting its Resource Recovery Business Park in 2014. A discussion of the North Belle Meade mitigation bank concept is included in Section 4 and the Phase 1 Report is attached as Appendix B. Staff will look to the BCC for direction in carrying this study forward to its next phase.

Related to all aspects of the major topic areas is the *ongoing economic modelling* that addresses the balance of credits from Sending Lands to Receiving Lands. Scenario modelling is applied to assure appropriate credit supply and demand so that additional credits can incentivize Sending participation and allow adequate credit resourcing for future development. It is understood by our consultant that additional credits will be recommended, but that the number of credits and their distribution rely on a myriad of factors, making scenario modelling an important tool in restudy data and analysis. These scenarios will become a part of the CCPC and BCC presentations and will ultimately help answer the quantitative question regarding additional credits within the system.

Finally, additional consultation is underway with respect to TDR banks. *TDR bank analysis* will provide the pros and cons of entering into a banking system for the purpose of assuring confidence and liquidity in the TDR transfer system. The first deliverable is attached as Appendix C. The concepts are further discussed in this paper in Section 4, (C.3).

Transportation

Every day more than 116,000 auto work trips are completed within Collier County. Many of these trips are generated in eastern Collier County as residents make the commute to jobs in the coastal area.

The *Collier 2040 Long Range Transportation Plan* (LRTP) is Collier County's guiding transportation document. The purpose of the LRTP is to assist Collier County in cultivating its transportation vision through the next 20 years. It identifies needed improvements to the network, and provides a long-term investment framework that addresses current and future transportation challenges.

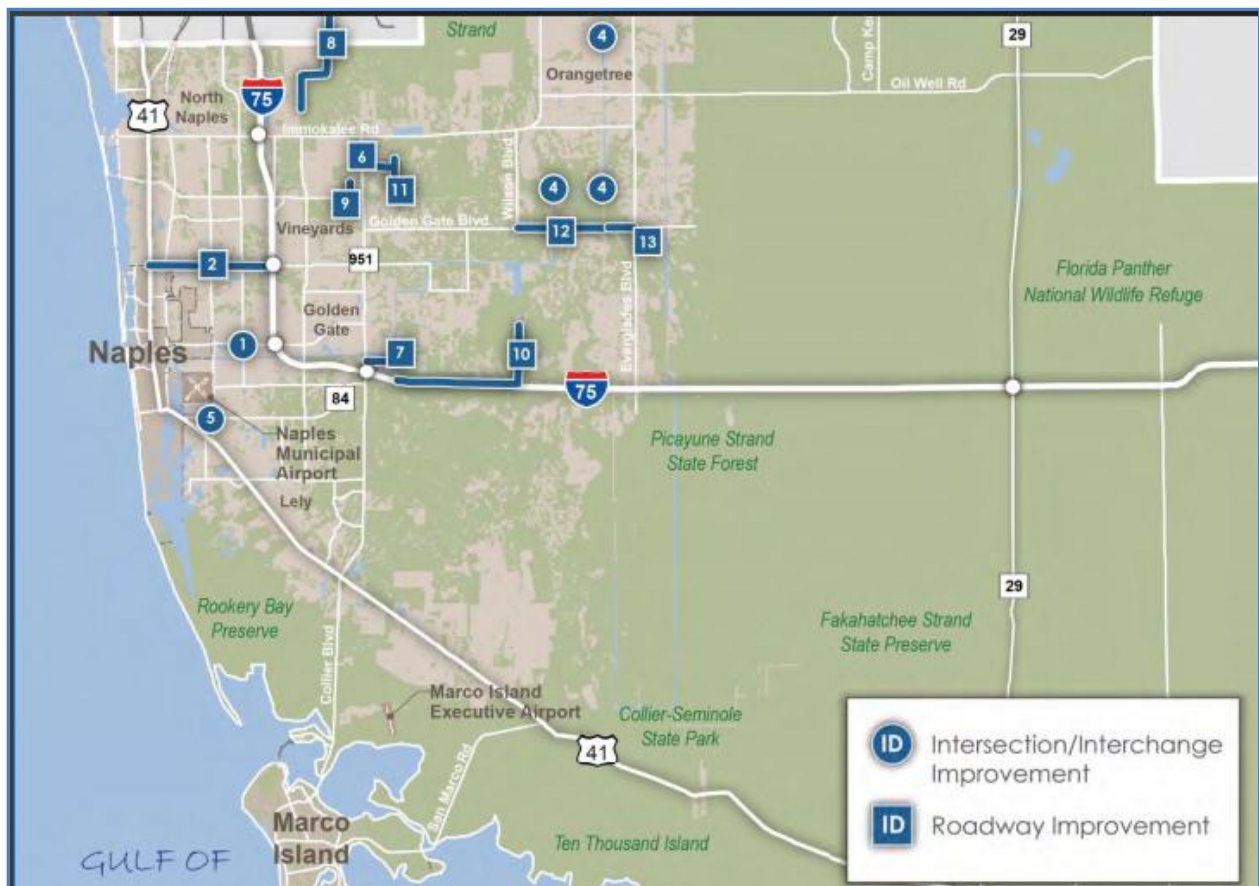
LRTP goals are:

- Ensure the Security of Transportation System for Users
- Protect Environmental Resources
- Improve System Continuity and Connectivity
- Reduce Roadway Congestion
- Promote Freight Movement

- Increase the Safety of the Transportation System for Users
- Promote Multi-modal Solutions
- Promote the Integrated Planning of Transportation and Land Use

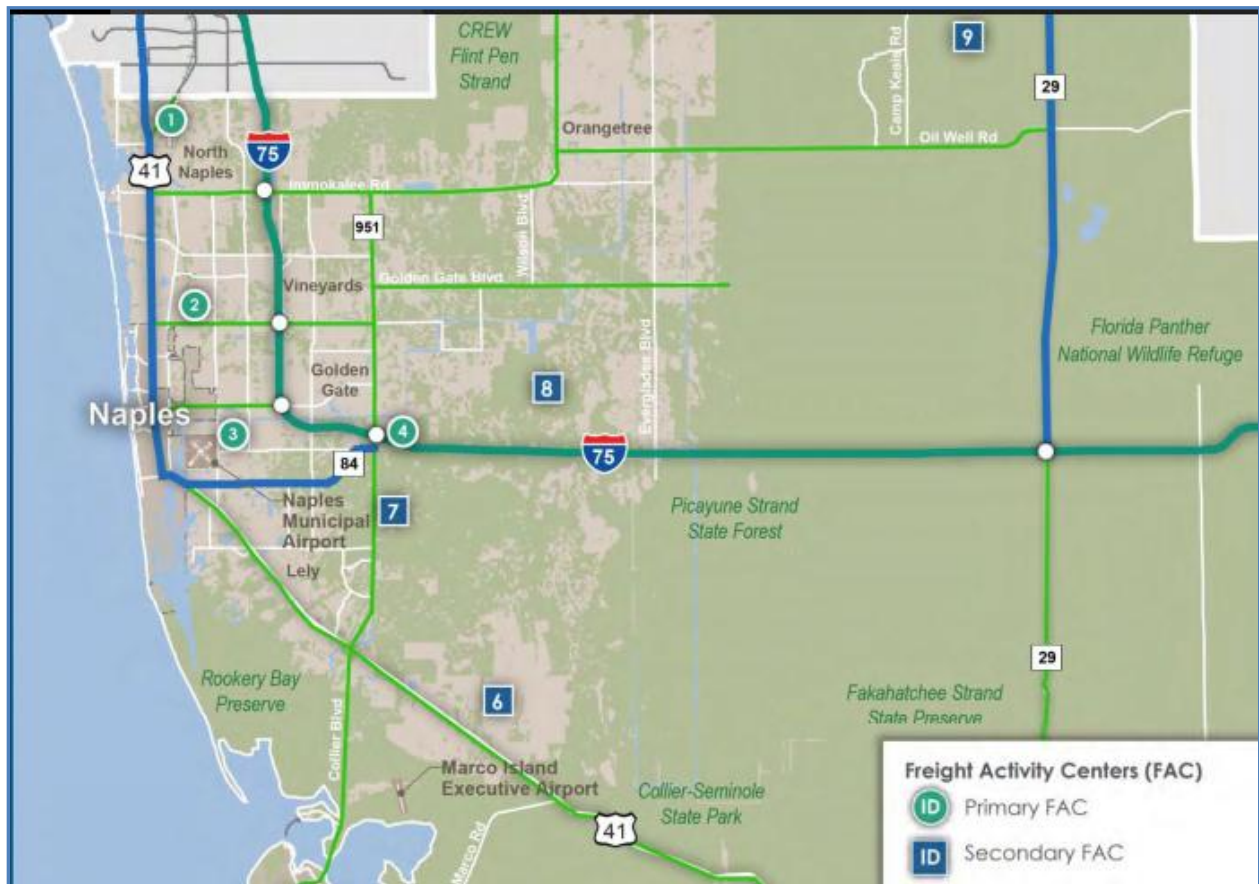
The LRTP stresses, the key to enhancing mobility for users of the transportation system is to improve connectivity and continuity through the system, and especially across all modes. The MPO recognized the importance of prioritizing projects that enhance connectivity by including system continuity and connectivity as two of the several project selection criteria. Connectivity and continuity are also important for bicycle, pedestrian and transit modes. Users of the transit system rely on bicycle, pedestrian or park-and-ride facilities in order to “make the connection.” Connectivity and system continuity is about advancing an interconnected multi-modal transportation system. The LRTP committed highway projects for construction by 2020 are nearly all located in eastern Collier County, and several are within Receiving Lands (Figure 3-2).

Figure 3-2 Committed Highway Projects for Construction by 2020



Freight Activity Centers (FACs) and Network are also identified in the LRTP. The growing importance of freight movement has been reflected in the latest federal transportation authorizing legislation, MAP-21. Recognizing the contribution that the movement of freight makes to the State’s economy, the Florida Department of Transportation (FDOT) created the Office of Freight Logistics and Passenger Operations to establish policies and plans investments that enhance Florida’s economic development efforts. As a result, special attention was given to freight movement and is reflected in the needs assessment. These FACs contribute to the economic well-being of Collier County. As shown on Figure 3-3, two Receiving Areas, which include significant mining and agricultural operations, are designated as secondary freight activity centers numbers 6 and 8.

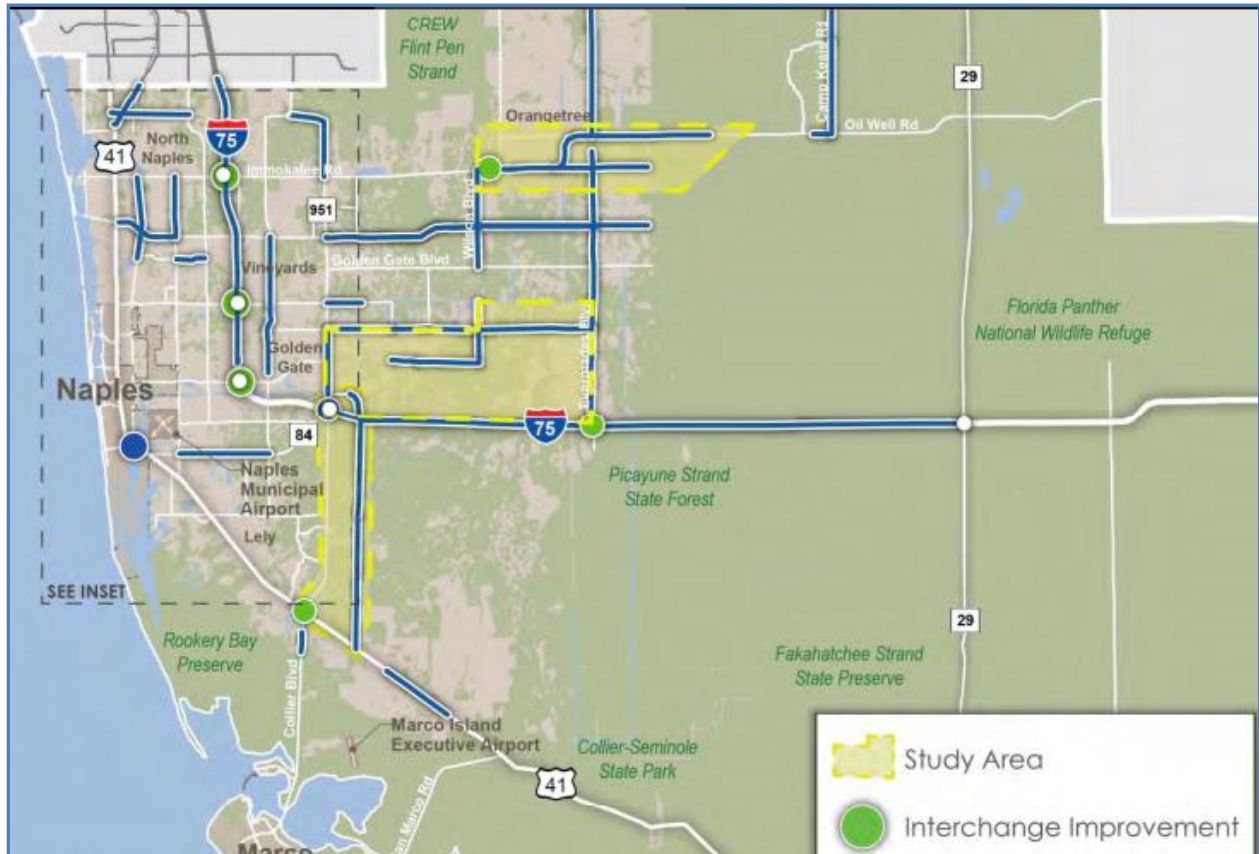
Figure 3-3 Freight Activity Centers



The LRTP also identifies future study areas to further define and clarify the scope of improvements needed in the area. Three study areas were identified, and one serves the RFMUD. The Green Boulevard Extension/North Belle Meade Study Area extends eastward from CR-951 to surround the North Belle Meade Area from Golden Gate Estates to I-75 and eastward

to Everglades Boulevard. The purpose of the study is to define future collector road network in this area. A number of corridors that would enhance circulation throughout the area have been identified, as illustrated on Figure 3-4. The study effort would determine the feasibility and preferred alignment for the identified corridors or alternatives that may be developed during the course of the study.

Figure 3-4 Transportation Study Areas



Additionally, in the North Belle Meade Receiving area, following the recommendations of the East of 951 Bridge Study, Collier County has programmed several bridges. Two bridges within the North Belle Meade Receiving Area are identified for construction.

Bicycle, pedestrian and transit needs are identified within the LRTP, however these are specific to existing network infrastructure. Planning for multi-modal needs within the RFMUD will be guided by the Receiving Area development standards, along with the Collier County *Master Mobility Plan (MMP)*.

A major effort in understanding Collier County’s mobility was the *Master Mobility Plan (2011)*. The MMP considered six planning sub-areas, including the RFMUD. The MMP developed a long-term vision to aid in planning for the county’s mobility, land use, and infrastructure needs

at population buildout. The primary goal of the MMP is to reduce greenhouse gas emissions and traffic demands specifically by reducing Vehicle Miles Traveled and Vehicle Hours Traveled while at the same time protecting habitats, environmentally sensitive lands and agriculture.

The Board of County Commissioners on January 24, 2012, reviewed and accepted the MMP strategies developed in cooperation with the Collier County Planning Commission through an enhanced public involvement process. Related to the RFMUD, the MMP recommends a new multi-modal Mobility Analysis, done at the time of development application, to create the needed linkage between land use and transportation policy.

A Mobility Analysis would expand the current methodology found in a Transportation Impact Statement (TIS) by addressing not only the automobile, but also including analysis of transit, bicycle and pedestrian mobility. Components of a Mobility Analysis measure the reduction in number or length of external automobile trips.

Mobility Analysis Components
Mixed Use Trip Generation Model (or similar technique) to calculate external trips (internal capture), external walk trips, external transit trips, etc.
For single-use development, a demonstration of what VMT-reduction strategies/techniques are to be used
An analysis of current and proposed transit access
An analysis of local street connectivity
An analysis of non-motorized travel suitability

Further addressing the need for a multi-modal network, in 2014, the Florida Department of Transportation adopted a *Complete Streets* policy. The goal is to implement policy that promotes safety, quality of life, and economic development. FDOT specifically recognized that Complete Streets are context-sensitive and requires design that considers local land development patterns and built form.

The overall intent of a *Complete Streets* policy is to provide safe access for all road users—pedestrians, cyclists, public transit users, and motorists—of all ages and abilities. Although design features vary based on local context, basic elements should include wide sidewalks, well-marked or raised crosswalks, traffic calming measures, protected bike lanes, and pedestrian safety islands. Complete Streets can help reduce costs and improve health by significantly reducing crash rates, injuries, and fatalities.

Congested transportation networks are generally caused by low density, single-use development with sparse connectivity and the majority of users on the network during the same peak hours. Collier County's transportation planning efforts and FDOT are in agreement to enhance mobility it is critical to plan for a multi-modal system that serves all users of all ages, is interconnected, and with continuity.

Transportation planning efforts have identified several efforts within the RFMUD including new corridors, bridges, FAC designations, and areas for further study. This signifies considerable attention is being given to the transportation network surrounding the RFMUD.

Land Use

Growth is sustainable when it diversifies our economy, provides a more affordable lifestyle through housing and transportation choices, fosters design that encourages social, civic, and physical activity, and preserves a thriving natural environment and agriculture lands. The RFMUD land use policies support guiding sustainable principles, but as identified through the public outreach process and this restudy, there is room for improvement.

There are three land use designations in the RFMUD; Sending, Receiving, and Neutral. The overall goal of the program is to protect the natural resources within Sending Lands by directing future growth to the Receiving Lands. Upon the full realization of the program, the Sending Lands will remain substantially undeveloped, supporting quality habitat for listed species and functioning to improve the watershed and quality of surrounding estuaries and bays. Neutral Lands will remain low density as large estates lots able to support some agriculture uses, open space and habitat. Receiving Lands, determined to be those most suitable to accommodate future growth, will be developed.

The current RFMUD development standards, summarized in Table 3-1, allows for three development options: 1) base rights development; 2) clustering; and 3) mixed-use village.

To date, several developments have occurred in the western Receiving area. Each of these developments, Golf Club of the Everglades, Mockingbird Crossings, Lamarado, Heritage Bay and Twin Eagle used the clustering option with 1 unit per acre. These developments are marketed as "active adult communities" or "private gated communities." Each development is generally single-family residential, was planned independently of the other, and has little or no connection to neighboring development.

Table 3-1 RFMUD Development Characteristics

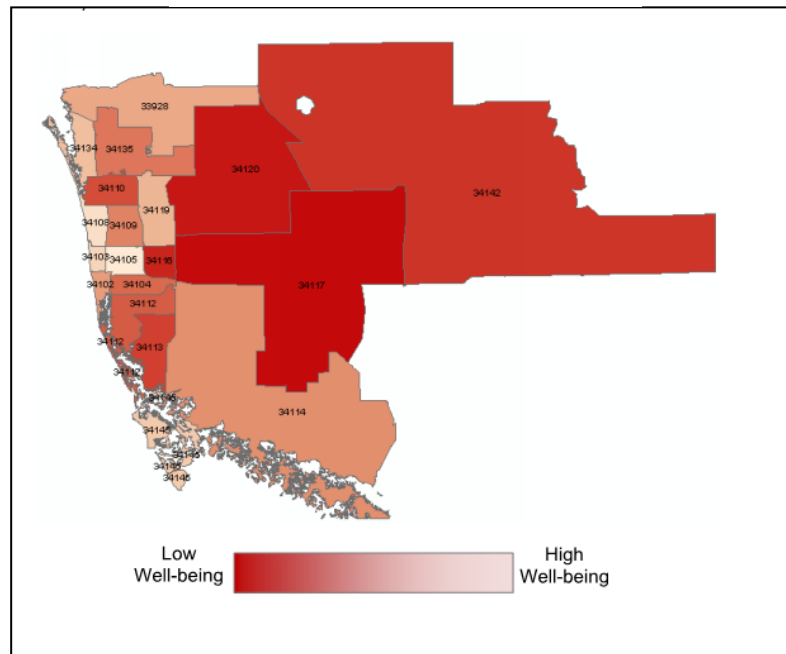
Typical Characteristics	RFMUD Base Rights	RFMUD Clustering	RFMUD Village
Size	Minimum 5 acres	Minimum 40 acres	300-2,500 acres
Residential Gross Density	1 unit per 5 acres	1 unit per acre	Minimum 2 Maximum 3 units per acre
Land Use*	<ul style="list-style-type: none"> • Ag • SF and MF • Staff housing • Family Care Facilities • Farm labor housing • Sporting and Recreation camps • Essential Services • Golf Courses 	<ul style="list-style-type: none"> • Ag • SF and MF • Staff housing • Family Care Facilities • Farm labor housing • Sporting and Recreation camps • Essential Services • Golf Courses 	<ul style="list-style-type: none"> • Diversity of SF and MF with a minimum of 2 neighborhoods • Neighborhood Center max 10 acres, 8,500 SF leasable floor area/ac • Village Center max 10% total village area, 10,000 SF leasable floor area/ac • Research & Technology park max 4% total village acreage • Civic and public parks min 10% total village acreage
Recreation and Open Space	N/A	Min 70% of gross acres	<ul style="list-style-type: none"> • 40% open space • Green belt 300' average width
Transportation	N/A	N/A	<ul style="list-style-type: none"> • Formal grid design • Pedestrian paths and bikeways for access and connectivity

*Bold denotes required

During the public workshops, participants stated they prefer that the RFMUD develop with more mixed-use development and less gated communities as has been occurring in the RFMUD. *Towards Better Places, The Community Character Plan for Collier County, Florida* (2001) states, “creating new neighborhoods with interconnectivity and greater density is the only way to avoid the worst-case scenario presented by the sprawl approach. New neighborhoods should be based on a sound pattern of streets and lots. A wider variety of housing choices should be made available by reintroducing traditional neighborhood concepts as an alternative to balance the many gated subdivisions that have been built over the past 20 years.”

The body of national research on negative impacts of sprawl continues to grow. Studies have expanded beyond the interest of transportation and land use professionals to the Community Health Departments across the nation. A growing body of research indicates mixed-use, appropriate placement of buildings, easy-to-reach parks, multi-modal transportation have an extraordinary impact on community health. “One of the strongest health/land use correlations is between obesity and the automobile: one California study showed each additional hour spent in a car per day is associated with a 6 percent increase in body weight, whereas every kilometer (0.6miles) walked each day is associated with a 5 percent decrease, according to a study in British Columbia.”¹

Figure 3-5 Collier Well-Being Index



This correlates with the local Blue Zones well-being assessment of Collier County where the lowest well-being indicators were found in areas east of CR-951 surrounding the RFMUD including, Golden Gate Estates, areas of low density and longer commutes (Figure 3-5).

The Urban Land Institute, (ULI) has been using health studies to promote healthy communities through design. Physical design affects human behavior at all scales—buildings, neighborhoods, communities, and regions. The places in which we live, work, and play can affect both our mental and physical well-being. Our built environment offers both opportunities for and barriers to improving public health and increasing active living.¹

The Florida Department of Health in Collier County is also advocating healthy communities principles, striving to educate the community on the link between health and the built environment. They are working to promote community design that will increase active living and healthy lifestyles by advocating for a network of connected bike and pedestrian pathways, accessible transit and places where people can age in place.

In ULI's *Ten Principles for Building Healthy Places*, they advocate "All comprehensive plans should incorporate health. It provides the opportunity to make explicit the connection between development and health, to elevate health among planning considerations, and to lay the groundwork for a healthy community for generations to come. A tool to use as a guide to measuring health impacts is the health impact assessment (HIA). An HIA helps evaluate the potential health effects of a plan, project, or policy before it is built or implemented. HIAs bring potential public health impacts and considerations to the decision-making process for plans, projects, and policies that fall outside the traditional public health arenas, such as transportation and land use. It is a "health lens" that can help increase positive health outcomes and minimize adverse health outcomes. San Francisco has been an early adopter of HIAs, using the tool on diverse projects, such as neighborhood plans, affordable housing, and highway projects. The development community, local government, or both in cooperation can develop HIAs. This guidance helps communities make informed choices about improving public health through community design." Collier County may consider the HIA as an option in measuring the effectiveness of developments increasing positive health outcomes.

Mixed-use development has dimensions beyond land use. Healthy places are also found to provide for mix incomes, generations, and housing type. This relates directly to affordable housing. The RFMUD currently requires approximately 10 percent of residential units in villages to be affordable. The issue of the need for affordable housing within the RFMUD was clearly stated in Mr. William Poteet's letter to staff dated June 6, 2016, "The future Rural Fringe plans must include specific opportunities for affordable housing for our entire workforce, not just first time responders or those classified as "work force housing." Affordable housing must include a mix of apartments, multi-family and possibly single family opportunities." While, Collier County's current comprehensive affordable housing study may provide greater guidance on principles to include in the RFMUD, the program can be improved through this process through greater density and removing the TDR credits currently required for affordable housing.

To meet the public's ideals of more mixed-use villages, the RFMUD should incentivize mixed-use development and villages using a variety of tools to entice desired mixes and densities. Incentives that are currently used include higher density, more intense uses, and bonus TDRs, however these incentives have not yet produced a village within the RFMUD. Current density

for a village is now limited to 3 units per acre. Density is arguably the most powerful tool controlled by Collier County to create a more sustainable development. Density that is well designed and assembled makes transit and retail more viable, and supports more services close to homes. Studies agree, density needed to support viable transit is 7 units per acre.² Higher densities also make walkability possible, and great design makes it enjoyable. Density necessarily requires a high percentage of multifamily homes in a neighborhood thereby providing a greater range of residential units, increasing affordable housing opportunities. For example, the image from the Lincoln Institute of Land Policy, Visualizing Density, shows a new project in Huntersville, NC. This new neighborhood is 6.3 units per acre and will offer a robust mix of residential units.



Well-designed density is vital to a strong economic foundation in any neighborhood as it brings a critical mass of local employees and customers to support a variety of community needs. Increasing density in the RFMUD was well supported through the public outreach process. By strategically increasing the number of dwelling units per acre, Collier County will go a long way toward meeting the sustainable housing and transportation objectives within the RFMUD.

In addition to higher density, incentives being used in other areas include a mixed-use impact fee index. The County's transportation impact fee consultants from Tindall Oliver shared with staff that this type of impact fee has been found to encourage mixed-use by lowering overall project impact fees by 10 to 30 percent.

The measure for mixed-use villages is found to be different in Collier County's eastern lands. The RFMUD and the Rural Lands Stewardship Area (RLSA) have different standards for measuring the mix. Table 3-2 shows the RFMUD establishes guidance for maximum village center and leasable square feet, and a minimum size for civic and public parks. The RLSA measures the mix of uses with direct correlation of residential unit, such as goods and services minimum 25 square feet per residential unit. Another difference between the RFMUD and the

RLSA is allowed development patterns. The RLSA policies provide only for the village or town option, with the exception of a small 40 acre hamlet. The RFMUD has no such requirement so single-use, residential development can consume 40 acres or 4,000 acres. The RFMUD guidelines for measuring mixed-use and village size could be improved by bringing consistency between the standards found in these two TDR plans.

Table 3-2: Measuring the Mix in the RFMUD Village and RLSA Village

Typical Characteristics	RFMUD Village	RLSA Village
Size	300-2,500 acres	100-1,000 acres
Density	2-3 UPA	1-4 UPA
Land Use*	<ul style="list-style-type: none"> • Diversity of SF and MF with a minimum of 2 neighborhoods • Neighborhood Center max 10 acres, 8,500 SF leasable floor area/ac • Village Center max 10% total village area, 10,000 SF leasable floor area/ac • Research & Technology park max 4% total village acreage • Civic and public parks min 10% total village acreage 	<ul style="list-style-type: none"> • Diversity of SF and MF • Goods and Services Minimum 25 SF/DU. Max FAR .5 • Civic/Institutional Min 10 SF/DU Max FAR .6 • Group Housing FAR .45 • Lodging 26 UPA net

***bold is required**

The village option, over the sprawl option, will be far more beneficial to Collier County, including Golden Gate Estates. Villages will increase tax revenue, support jobs, goods and services needed in eastern Collier County, and reduce commute times for some now traveling to the coastal area. Research shows, “mixed-use, walkable downtown developments generate ten times as much tax revenue per acre, save almost 40 percent on up front infrastructure costs, and result in about 10 percent lower costs for service delivery than sprawl development.”³

Economic Vitality

Achieving prosperity in eastern Collier County challenges consideration for land use and transportation strategies to balance environmental, social and economic interests. Guidance for the RFMUD is found in *Opportunity Naples* (2014), an economic development strategy that will advance economic opportunity for all residents of Greater Naples. The process for *Opportunity Naples* leveraged the thoughts and opinions of Greater Naples residents and leaders. Public input and stakeholder perspectives, along with a thorough analysis of the Collier

County's competitive position, directly informed the process. Several identified challenges can be directly related to the RFMUD:

- Workforce growth trends;
- Site availability; and
- Impact fees.

Opportunity Naples found, "growth trends in Collier County's age dynamics risk the future sustainability of the local workforce. Collier County's 25 to 44 year old population is proportionally smaller than every comparison area except Sarasota County, as is Collier's percentage of 0 to 19 year old residents. Without an influx of younger workers migrating to the County or a spike in birth rates, Greater Naples could face a significant shortfall of replacement workers for future retirees. Likewise there will be an occupational shortage in Collier County if qualified workers aged 24 to 44 are not recruited to the area to replace retirees."

This age group, and most specifically the millennials, is one of the most sought-after market segments. So how can Collier County's RFMUD land use policy support the attraction and retention of this demographic? Study after study shows millennials are increasingly choosing vibrant, healthy, walkable communities and rejecting the automobile-centric land use patterns of the generations before them. Further supporting mixed-use and integrating health into planning and development policy can become an economic development strategy—a tool to attract a skilled workforce and to build a sustainable economic base. Incentivizing mixed-use, healthy communities within the RFMUD is critical to attract the workforce needed to diversify and sustain eastern Collier County's economy.

A mixed-use, healthy community can provide economic advantage by appealing to millennials who, as a generation, place more value on active lifestyles. In fact, The Rockefeller Foundation and Transportation for America commissioned a survey in 2014, through which 80 percent of millennials reported that they wanted to live in a walkable neighborhoods.⁴ Similarly, a 2011 AARP survey found that the vast majority of seniors want to live within a half mile of common daily goods and services such a grocery stores, drug stores and doctor's offices.⁵ Developers can create enduring value by meeting these demands.

Mixed-use places will gain a competitive advantage, using healthy community design as a way to attract investment in the community, foster growth, and increase revenues. This point of view is backed up by serious research. Today, prospective office tenants prefer amenity-rich mixed-use centers (also known as "live-work-play" locations) over single-use office parks by a margin of 83 to 17 percent, according to a 2014 study by the NAIOP Research Foundation, which represents the commercial real estate industry in the US. The report's bottom line: "...

any company wanting to attract and retain young educated workers who prefer live, work, play locations needs to locate in a compact, mixed-use, walkable place, either downtown or in the suburbs."

Countless other studies have explored how physical design and walkability impact the economic prosperity and growth of a community. For example, in Asheville, NC, it was found that property taxes for downtown mixed-use development projects yield an 800 percent greater return on a per-acre basis than large, single use projects near city limits.⁶ And, in the 30 largest metro regions in the U.S., office space located within the more walkable urban parts of the metro commands an average of 74 percent more rent-per square-foot than elsewhere in the metro.⁷

Collier County has a limited supply of land available for new development and there is high competition for residential land uses. The development trend in the RFMUD has been gated residential communities. In fact, nearly all of the "West" Receiving area has built out in this pattern, leaving little room for future business uses. This is one of the largest challenges *Opportunity Naples* found to Collier County's economic diversity - "suitable, large-scale, pad-ready development sites."

Under the current RFMU policies, businesses would only be allowed within the Village option. Therefore, at this time, any business willing to locate within the RFMUD would need to find residential partners to go through a rezoning process to create a Village in order for the business to locate within the RFMUD. For Collier County's competitive edge, land use policies within the RFMUD need to provide greater flexibility for business development. Allowing stand-alone business parks and light industrial uses that are designated in zoning overlays would provide more sites readily available for development. This would directly address the business community's identified barrier, a lack of certainty in the rezoning process. At the same time, by allowing businesses as permitted uses, shorter approval times may be realized. This can be accomplished through business park zoning overlays or by establishing criteria similar to the conditional use process where compatibility can be determined by the Hearing Examiner.

The last item, impact fees, is always up for debate in Collier County. There are processes in place that can provide businesses impact fee credits or waivers and other incentives to address this issue. At the same time, as discussed under the land use incentives, a new mixed-use impact fee has the potential to reduce development impact fees within a mixed-use project by 10 to 30 percent. This type of impact fee may provide the reduced fees sought by the business community.

To support economic vitality in the RFMUD Collier County needs to leverage the mixed-use, healthy community advantage to stay competitive and relevant to the new generations needed for the workforce. This means supporting land use policy that incentivizes mixed-use development and villages within the RFMUD. “Many businesses are increasingly making their expansion, relocation, and new business development decisions based on which communities are most walkable.”⁸ The villages within the RFMUD should be designed to accommodate the desires of both businesses and their workforce – a focus on vibrant, mixed-use communities that support transportation choices and health lifestyles. While villages may take years to come to fruition in RFMUD, land use policy should also be able to rapidly respond to business opportunities that are ready to locate in the RFMUD. This is accomplished by allowing business uses outside of a village in appropriate locations, with approvals as promptly as possible. These steps will support the economic diversification of eastern Collier County.

Footnotes

¹ULI. 2013. *Ten Principles for Building Healthy Places*.

<http://www.uli.org/wp-content/uploads/ULI-Documents/10-Principles-for-Building-Healthy-Places.pdf>

² Peter Newman and Jeffrey Kenworthy. 2006. "Urban Design to Reduce Automobile Dependence." *Opolis: An International Journal of Suburban and Metropolitan Studies*. Vol. 2, Issue 1, Article 3.

³ Mariel Alfonzo. 2015. "Making the Economic Case for More Walkability." Urban Land. Urban Land Institute. <http://urbanland.uli.org/sustainability/houston-economic-case-walkability/>

⁴ Global Strategy Group. 2014. *Rockefeller Millennials Survey. Transportation for America*. <https://www.rockefellerfoundation.org/about-us/news-media/access-public-transportation-top/>

⁵ AARP. 2012. *2011 Boomer Housing Survey*. http://www.aarp.org/content/dam/aarp/research/surveys_statistics/il/2012/2011-Boomer-Housing-Survey-AARP.pdf

⁶ Badger, Emily. 2010. "The Simple Math that can Save Cities from Bankruptcy." *The Atlantic: City Lab*. <http://www.citylab.com/work/2012/03/simple-math-can-save-cities-bankruptcy/1629/>

⁷ Gary Pivo and Jeffrey D. Fisher. 2001. "The Walkability Premium in Commercial Real Estate Investments". *Real Estate Economics* 39.2. 185-219. http://www.u.arizona.edu/~gpivo/Walkability%20Paper%208_4%20draft.pdf

⁸ Public Sector Consultants. 2016. *Creating 21st Century Communities: Making the economic case for place*. <http://smartgrowth.org/creating-21st-century-communities-making-economic-case-place/>



Rural Fringe Mixed-Use District White Paper Section 4: Findings and Initial Recommendations

Last revised: 12/17/16

The findings and initial recommendation below emerged from the public engagement, data and analysis discussed in Section 3. These are initial recommendations and reflect an approach that begins with general principles. Once settled in broad concept, more specificity will be brought forward as the process moves to Growth Management Plan amendments and Land Development Code amendment processes. The issue topics discussed herein are organized under the areas of:

SENDING LANDS:

- A. TDR Credit System
- B. Credits and Areas Outside of the RFMUD
- C. TDR Program Management
- D. Sending Land Management
- E. Other Program Suggestions

NEUTRAL LANDS

RECEIVING LANDS:

- A. Land Use and Economic Vitality
- B. Transportation and Mobility
- C. Development Standards and Process

For ease of use, this Section includes different ink color. The different ink colors reflect:

Issue identification and background

Bold narrative is public input

Staff's initial recommendations

Impacts to stakeholder interests

For simplicity, throughout this section, owners of parcels within RFMUD Sending Lands will be denoted as "Sending owners"; owners of parcels within RFMUD Neutral Lands will be denoted as "Neutral owners"; owners of parcels within RFMUD Receiving Lands will be denoted as "Receiving owners".

SENDING LANDS

A: TDR CREDIT SYSTEM

1. Minimum Sales Price, Buyer and Seller

One of the most frequently heard recommendations related to TDR credits is **the elimination of the minimum \$25,000 sales price for Base TDR credits**. Since the adoption of the Bonus credit system in late 2004, there have been two classes of credits in the system: Base TDR credits, which are subject to the minimum sales price, and Bonus TDR credits, which are not.

The TDR system was designed to be “market driven”; however, minimum pricing requirements interferes with willing buyer/willing seller free market principles. A true market rate should be maintained so that credit sale prices reflect actual market conditions. With the possible exception of a County TDR bank, market price should be left solely to market forces.

The present requirement creates distortion in the market price of bonus credits compared to base credits, frequently selling for just a fraction of the base price. **The Rural Fringe Coalition reports combining a base TDR with a bonus TDR results in a current market average price of \$13,500 per TDR**. A single market price for all credit types requires the elimination of separate treatment for base credits compared to bonus credits.

A corollary of a unified TDR value is the elimination of any use restriction (based on TDR credit type) as presently interpreted in village development. (See staff recommendations: Receiving/Village).

Staff initial recommendation:

Eliminate the minimum \$25,000 price per base TDR.

All groups generally support this provision: the Coalition, Sending owners, interested citizen groups and environmental advocates have supported this elimination. In the opinion of staff, no interest group would be adversely affected by this change.

2. Additional Credits to Sending Owners

An analysis of likely credit availability and likely (long term) credit demand reveals an imbalance between supply and demand. Under its “likely case” scenario, County staff estimated that demand would ultimately be more than double the supply under the current program structure. Further economic analysis provides scenario planning to address proper balance and suggest additional credits for Sending owners. Alternatives may need to be considered because

changes in Receiving Lands rules will also affect the balance. Use of credits for incentivized development and increase in allowed density in Receiving Lands must be factored into the equation.

For purposes of this White Paper, recommended minimum and maximum densities in Receiving Lands provide the analytical framework for scenario testing, provided in Appendix D: “TDR Economic Analysis”. The County’s consultants illustrate the provision of four (4) additional TDR credits to Sending owners, along with collateral bonuses and credits, as a test of market penetration under increased density and credit recommendations. As further guidance refines density and additional credit goals, economic scenario testing will be adjusted and refined. At present time, the illustration provided in Appendix D should be reviewed as an example and as a platform for further discussion.

It was suggested by some individuals that **credit balance could be achieved by allowing the same credits (existing credit structure) to count more favorably in the hands of Receiving owners for development purposes.** It is true that a mathematical application could result in the same economic balance by using this approach. On the other hand, by using a combination of approaches, a more tailored result is possible. Thus, additional TDRs can be used both as compensation to Sending owners and as incentives to Receiving owners.

With respect to the application of additional credits for the benefit of Sending Land owners, a number of recommendations have been made by stakeholders, including **prioritization (more bonus credits) for: NRPA lands; parcels that are 10 or 20 acres or greater; lands that require higher level of restoration; lands that remain in private ownership with agreements with Forestry Service for controlled burns; lands that remain in private ownership with agreements for flow ways across property; lands that retain agriculture activity; lands that are donated to accommodate flow ways; lands that are donated where habitat value is highest; or, all sending lands regardless of attributes.** Many of these recommendations were made in the Rural Fringe Coalition’s “White Paper” (January, 2015); many were echoed in correspondence, surveys and public meetings.

Meeting participants were more favorable to the “all Sending Lands equally” approach than to all others listed above. Staff is highly supportive of this approach due to simplicity and equity in application. Staff also anticipates that this general preference may yield to some limited exceptions, such as a scenario in which no governmental or other entity can be established to own and maintain environmentally sensitive properties (see D.2, below).

Additional TDR credits to add liquidity to the supply/demand balance is a central and fundamental change to the existing TDR program. By providing more potential credits to Sending owners, they will derive more compensation through the program than presently

possible. At the same time, the additional liquidity will place downward pressure on TDR price, thus making credits slightly less expensive for development.

As described in Appendix D, the ultimate recommended number of additional bonus credits will depend on adopted TDR incentives in the Receiving Lands, the minimum and maximum densities applicable to Receiving villages and non-village development, and additional or contingent incentives applied to specific areas within Sending Lands. A final true-up of the credit system, and therefore additional credit needs in Sending Lands, must necessarily await consideration of density availability in Receiving Lands. A “what if” scenario tool has been completed by a consulting economist, and will help inform the discussion.

Staff is confident that overall credit demand from Sending Lands will not diminish due to adopted changes following the restudy. Therefore, staff is confident that at least two (2) additional TDR credits per 5 acres should be anticipated for Sending program activity; and that more may be possible, depending on support for recommended changes in the Receiving Lands.

Staff initial recommendation:

Provide additional TDR credits to Sending owners. Where possible, additional TDR credits should be apportioned equally to all Sending owners regardless of location or property attributes.

The addition of 2 or possibly more credits available for Sending owner TDR participation will result in more affordable credits for development and a greater overall return to Sending owners. This was a fundamental tenant suggested by the Rural Fringe Coalition and well received by Sending owners in meetings and by survey. To the extent that a greater financial return incentivizes Sending owners to enter the program, conservation groups have been enthusiastic. All groups benefit from this proposed change.

Sending owners had many different points of view on distribution of additional credits; the notion that all sending area owners would be subject to the same TDR availabilities was favored by five out of six groups in the Public Workshop break-out table exercise. Because of the nature of the various options, it is clear that “equity” is favored over parochial interests of owners. Thus, all Sending owners would benefit equally.

3. Agricultural Uses

Under current rules, parcels located in Sending Lands are eligible for TDR severance credits. However, TDR severance is abated for 25 years “from any parcel, or portion thereof...cleared for agricultural purposes after June 19, 2002”.

The Final Order, dated June 22, 1999, directed the County to conduct assessments that included, at a minimum, provisions to “protect prime agricultural areas” and to “prevent the premature conversion of agricultural lands to other uses” (p.11). In addition, uses remaining in NRPA areas were limited to single family dwellings per parcel and agricultural uses (p. 14).

There is no specific directive in the Final Order to encourage new agricultural uses other than the protection of “prime agricultural land” in general. The extent to which this language applies to RFMUD Sending Lands could be debated. On the other hand, nothing in the Final order would prohibit the County from removing disincentives, or in incentivizing appropriate agricultural activity.

The RFMUD rules adopted in 2003 and 2004 discourage agriculture on Sending Lands by eliminating the possibility of creating TDR credits for any land put in agricultural use after 2002. The rationale for this provision may have been based on the concept that agricultural operations were more widespread and established in the RLSA; by comparison, a relatively small amount of agricultural activity was found in RFMUD Sending areas. However, there may be agricultural activities that are consistent and compatible with environmental goals. For example, land managers in the area have maintained that passive agriculture, specifically grazing, is a cost-effective way to reduce invasive plants.

The suitability of the environment for agricultural activity beyond grazing is limited. It is possible that an owner will find that a non-NRPA property is suitable for growing certain crops or landscape materials given the specific location. Further reduction of density in western North Belle Meade may be a desirable trade-off for the allowance of more active agricultural uses in that location. However, an administrative or conditional use review may be appropriate to avoid conflicts with large scale land management practices such as prescribed burns or with water management initiatives.

When asked about views concerning agricultural incentives, five of six groups at break-out table exercises (Public Workshop #2) concluded that TDR credits should be provided to incentivize agricultural activity in Sending Lands. Our first on-line survey indicated that a majority of respondents had plans to continue or commence agriculture on their properties. 76% of persons attending the final Public Workshop #6 agreed that TDRs should be awarded for owners who keep property in agricultural production.

Staff initial recommendation:

Make TDR credits available to Sending owners who wish to begin or expand a bone fide agricultural operation. In NRPA locations, only passive agricultural operations, excluding aquaculture, would qualify. Passive agricultural uses may be considered for Restoration and Maintenance TDRs through an approved Restoration and Maintenance Plan.

Incentivized agricultural use of Sending Land provides a viable alternative to owners who wish to retain a beneficial interest in their properties. If compatible with environmental interests, including water quality, there do not appear to be negative consequences for any stakeholder interest group, so long as a review process is established to assure compatibility.

4. Parcels smaller than 5 acres

RFMUD properties smaller than 5 acres are eligible for the TDR program today if legally non-conforming (LNC). That is, a property less than 5 acres created before October 14, 1974, the establishment of the Agricultural Zoning District, Coastal Area, enjoys development rights and, as provided in the GMP, TDR incentives. For example, a full base TDR is available regardless of the size of the LNC lot. Conversely, illegal non-conforming lots enjoy no development rights and no TDR availability.

In response to an individual petition in 2008, the Comprehensive Planning Department researched the extent of illegal lots and brought various options to the BCC for consideration. It found 189 non-conforming lots in Sending areas, of which 126 were deemed LNC; 51 were found to be illegal non-conforming and 12 inconclusive, due to lack of available data from Property Appraiser's Office.

An integral part of the analysis concerning non-conforming parcels relates strictly to parcel size. Parcels slightly less than 5 acres can be determined to be legal lots, regardless of date of creation, if the owner can prove that a portion is attributed to ROW taking at some point in time. Of the 51 illegal non-conforming lots and the 12 inconclusive determinations, 24 exceed 4.5 acres in size.

Illegal non-conforming parcels enjoy no development rights and this principle should continue. However, a cornerstone RFMUD program goal is the accumulation of parcels and ultimate ownership in a governmental (or other qualified) agency for long term environmental, unified stewardship. Proportional TDR availability would foster that result and provide a reasonable exit strategy for owners of such parcels. Documents associated with this transaction would clearly reflect the lack of current development rights and the public purpose for creating the TDR availability. For example, an owner of a 2 acre illegal non-conforming parcel would be eligible for 40% of the TDR credits otherwise available to a 5 acre parcel. When drafting the GMP amendment, a requirement of conveyance would be applied in order to achieve any TDR value from legal non-conforming lots.

Further, any property in excess of 4.5 acres should be deemed to be a 5 acre parcel for purposes of this program. Again, actual development rights to be exercised outside of the TDR program would require an LNC determination, as is presently the case. However, as an

incentive to enter the program by eliminating a sometimes onerous or inconclusive determination, such parcel would be granted 1 full credit for each base and bonus TDR.

Staff initial recommendation:

Allow TDR participation for illegal non-conforming properties based on public policy goals, and waive requirements related to proof of LNC status if greater than 4.5 acres in size.

This change benefits owners who do not have access or means to achieve proof of LNC status where the property is greater than 4.5 acres in size. It also benefits owners of non-conforming properties created after 1974, by allowing them an exit strategy. There are no known stakeholders who are adversely affected.

5. Retroactivity of Suggested Program Changes

As discussed under A-2, *Additional Credits to Sending Owners*, 2 or more additional TDRs may be provided to further incentivize participation and balance supply with anticipated demand. Approximately one quarter of all Sending acreage has previously entered the program at the Base and Early Entry levels. Of the 6,532 acres where base rights have been severed, 1,979 acres (30%) have been conveyed to a governmental agency.

Land owners who have previously entered into a Limitation of Development Rights agreement should be allowed to apply for any additional TDR credits made available as a result of program changes. This would provide an equitable solution to owners who entered the program earlier in time and have not transferred ownership.

The supply side of the TDR credit system will be impacted to a significant degree. (Under Scenario 1, Appendix D, 1,863 additional credits would be created retroactively; the actual number will depend on the number of additional bonus credits approved). This additional supply is added to the dynamic analysis at a macro level.

Staff initial recommendations:

Allow landowner's who have generated TDRs but have not conveyed their land to participate in any applicable program changes.

The proposition benefits owners who faithfully earned Base TDR credits prior to the current restudy and economic analysis of overall credit needs. One possible inequity could be perceived by prior Sending owners who transferred properties to a governmental agency or third party in the past; they no longer have a nexus to the land. No other stakeholder group would be adversely affected.

6. Early Entry TDR Credits

Early Entry TDR credits were adopted as part of the 2004 RFMUD Amendments providing bonus credits to help balance the system. At the time, the Early Entry Bonus was seen as a means to jump-start the program: Sending owners who severed TDRs in the early years would be rewarded for their trust in the program and belief in the likelihood of a successful negotiation and sale.

The Early Entry Bonus TDR, when first enacted, was set to expire in three years (2007). It has since been extended several times and is now set for expiration in 2019, 15 years after the start of the program.

The time period associated with early participation expired a number of times. Incentives for participation should be monetary, and can fairly reflect the fact that the reference to “early” has become *de facto* permanent.

Staff initial recommendation:

Replace the reference to Early Entry Bonus TDRs and simply provide 2 TDRs for base severance of dwelling unit rights, subject to any additional credits assigned as discussed in A.2, above.

No stakeholders will be adversely impacted; this change provides more clarity to the program. The BCC would abandon one potential program “tool”- the potential of non-extension of the Early Entry Bonus credit that exists today.

7. TDR Credits from Receiving Land

Within the Receiving Land there are opportunities to further the goals of environmental protection and agriculture preservation. In fact, some of the most valuable agriculture land in Collier County is located in the RFMUD Receiving Land. Collier County has had success in preserving agriculture lands through a system of TDR-like incentives in the Rural Lands Stewardship Area. Additionally, there are some limited natural resources found in Receiving areas that are valuable for preservation. Recognizing this, and the need for greater incentives in the RFMUD, stakeholders support the ideas to **allow Receiving Lands to generate TDR credits for the purpose of retaining agricultural uses/rights and/or where greater environmental protection is demonstrated.**

Staff initial recommendation:

Allow TDRs to be generated from Receiving Lands for agriculture preservation, or native vegetation and habitat protection beyond minimum requirements, secured by appropriate easements in favor of Collier County.

Preserving agriculture in Collier County will benefit the overall agriculture economy, and the stakeholders involved in agricultural operations. Preserved areas will not be available for future development.

B: TDR CREDITS AND AREAS OUTSIDE THE RFMUD

1. Urban Residential Fringe and the One Mile Rule

Development within the Urban Residential Fringe (URF), mile-wide buffer between the urban area and the RFMUD, has a base density for development of 1.5 units per acre. Given its location, the GMP describes its purpose: “to provide transitional densities between the Urban Designated Area and the Agricultural/Rural Area” to the east. Additional density can be added through the purchase of TDRs from Sending Lands located within one mile of the URF. Up to 1 unit per acre can be added in this way, although specific properties were granted slightly higher allocations through private plan amendment petitions. Also as a result of private plan amendment petitions, the requirement of obtaining TDRs from Sending Lands within one mile, in order to increase density, was modified for the Naples Reserve PUD and the San Marino PUD.

Private GMP Amendments have established the precedent to derive TDRs from the Sending Lands beyond 1 mile, reflecting Board direction. The vast majority of URF acreage is now entitled for Planned Unit Developments. Of the total 5,500 acres, only 371 acres remain in agricultural zoning.

Regardless of policy considerations for or against this geographical allowance, a change to the Urban Residential Fringe rules to reflect this Board direction would provide consistency for the remaining areas that have not been entitled and may wish to increase density through the TDR mechanism.

Staff initial recommendation:

Eliminate the one mile boundary from which TDRs must be derived for Urban Rural Fringe.

This change favors the majority of Sending owners whose holdings are outside the one mile band, although the additional demand is very small. It negatively impacts Sending owners whose holdings are within the one mile band, and may have purchased such property in expectation of higher return for sale of those TDRs. Again, looking forward, this potential demand is very small.

2. The Urban Residential Infill Bonus Provision

The Residential Infill Bonus (Density Rating System, Future Land Use Element) encourages infill within urban areas, outside of the Coastal High Hazard Area. Parcels less than 20 acres are eligible, under certain conditions, for 3 additional dwelling units. The first of these must be derived from the purchase of a TDR from the RFMUD.

This density bonus provision is intended to incentivize compatible in-fill development in the Urban Mixed Use District, but has been seldom used. Removal of the TDR component would eliminate a barrier to what is intended as an incentive to foster in-fill development; likewise, it would eliminate a minor demand uncertainty in calculating the supply/demand ratio in the RFMUD.

Staff initial recommendation:

Eliminate the requirement to purchase a TDR in the Urban Residential Infill bonus provision.

The community at large would benefit from urban infill development at appropriate locations; no other stakeholders are significantly affected.

3. Golden Gate Estates TDRs for Environmental Protection

Unlike allowable *uses* of TDRs outside of the RFMUD, no locations outside of the RFMUD currently provide additional *sources* of TDRs for use within RFMUD. The Comprehensive Watershed Improvement Plan (CWIP) Ad Hoc Advisory Committee (CWIP Committee) is currently studying the technical implications of various goals and strategies associated with wetland areas in Northern Golden Gate Estates. The Watershed Management Plan (2011) identifies an area within Golden Gate Estates as North Golden Gate Estates Flowway Restoration Area. This area, as well other low-lying areas in Golden Gate Estates could be considered as additional Sending locations related to the RFMUD TDR program. In-holdings within Red Maple Swamp and Winchester Head (managed by Conservation Collier) or other important areas could also be considered.

The Ordinance creating the Growth Management Oversight Committee included within the Committee's scope an evaluation of consistency among restudies. Watershed issues are one of the topic areas where consistency and coordination have been frequently mentioned.

Historically, the Rookery Bay watershed started in the North Golden Gate Estates area, sheetflowed through North Belle Meade and South Belle Meade, then outflowed into the Rookery Bay estuaries.

The historic Rookery Bay watershed has been heavily influenced by the Golden Gate canal, and various stormwater projects have been identified by the Watershed Management Plan, accepted by the BCC in 2011, to address the problem. Diversion or attenuation of stormwater before it reaches the Golden Gate canal is one of those projects, and continues to be the subject of discussion at the CWIP Ad Hoc Advisory Committee.

Any extension of TDR Sending credits to an area outside of the RFMUD must be cautiously considered. Additional Sending areas should be limited in acreage and prioritized for wetland or flowway preservation, as determined by the BCC. Staff recommends coordination and accommodation of this concept through various incentives and programs, including the TDR program, only for select and high value (wetland/flowway) parcels. By allowing a number of parcels to receive TDR credit allowance under the program, watershed goals can be more easily met.

One important consideration is the volume of donations made possible through the TDR program within Golden Gate Estates. The RFMUD and its TDR program has been a relatively “closed” program, particularly from the Sending or supply side. It is important to consider the effect on value if additional supply is added. Staff believes, for example, that a program limited to 400 acres in total, derived from property owners of the most valuable parcels (from a water attenuation perspective) would be appropriate. It would equate to a roughly 2-3% impact in total supply (depending on program details), and could be considered a *de minimis* impact to TDR price, according to the economic consultant for this restudy.

It is important to note that this concept will be vetted in the context of the Golden Gate Area Master Plan Restudy as well. The TDR concept is related to, and will be affected by, a parallel initiative that would provide incentives for combining smaller lots into larger lots in North Golden Gate Estates- an initiative that will reduce some of the floodplain impacts of smaller lots and aid in aquifer recharge.

Staff initial recommendation:

Accommodate implementation measures recommended by the CWIP committee and the Watershed Management Plan that are consistent with TDR program success. Where TDRs are used as an incentive, limit the number of credits for critical wetland parcels to avoid significant impacts to the TDR credit system.

C: TDR PROGRAM MANAGEMENT

1. General Administration

Under the current program, the Comprehensive Planning Section, Zoning Division administers the TDR program. Administration includes the intake of applications and related requirements for severance of development rights (Base and Early Entry TDRs), Restoration and Maintenance TDRs, Conveyance TDRs, transfers of credits, redemptions of credits and lost certificates. Administration reflects the private sector basis of the program- willing sellers and willing buyers who plan and arrange their purchase and sale transactions. At the same time, it is designed to protect system integrity and accuracy through a carefully maintained Activity Log, tracking each parcel and related credits through time, including final use during the platting process when redemption of identified credits are recorded.

In addition to these functions, the Division maintains both a Buyers List and a Sellers list, to facilitate identification for interested parties. While some new listings have occurred recently, the County understands that these lists have not worked well in the past.

The Buyer and Seller lists have provided names, phone numbers and numbers of credits sought or available for sale. However, the listings typically lack an offering price by either buyer or seller. In addition, these lists have been difficult for some parties to easily locate on the County's website. There is room for improvement based on the needs of the parties.

Staff initial recommendation:

At a minimum, an improved exchange program should be designed with input from potential buyers and sellers.

County staff would not incur additional expense in improving communications for the benefit of all parties. No stakeholders are negatively affected.

2. Cost Components for Sending Owners

Cost components for Sending owners include application fees as well as other out of pocket costs associated with obtaining Base and Bonus TDRs.

- Application fees for Base TDR severance with early Entry Bonus: \$250 plus \$25 per TDR issued
- Application fee for Restoration and Maintenance TDR: \$250
- Application fee for Transfer of TDRs: \$250

- Application fee for redemption of TDRs: \$250
- Restoration and Maintenance TDR: Private Land Management Plan (LMP) requires surety bond
- Professional work product:
 - Legal sketch and description (Base TDR)
 - Title search for CEs or other land use restrictions (Base TDRs)
 - Preparation of LMP, qualified biologist (Private R&M plan)
 - Title work, preparation of deed, doc stamps (Conveyance TDRs)
 - Title insurance (Conveyance TDRs)
 - Negotiation with Governmental agency (Conveyance TDRs)
 - Potential brokerage fees for sale of the TDRs
 - “The County recommends that you consult with an attorney” (Base TDR application form)

Application fees fall disproportionately on small Sending owners. An owner of a 5 acre tract would pay \$775 in application fees for 5 acres, in order to obtain all 4 TDRs. This fee is in addition to professional fees associated with the work.

To obtain Base and Early Entry TDRs, a title search is required, along with sketch and description. Legal advice is recommended in the process. More substantial work is involved in a private Land Management Plan for the Restoration and Maintenance TDR. Professional real estate services are typically required for the conveyance TDR, since the receiving entity will require a standard title search and documentary stamps will be required.

There are limited possibilities for additional County staff assistance with some processes, in the future. For example, staff could supply a legal sketch and description through its GIS Section or other appropriate Division. A standard or model Land Management Plan could be developed by the Environmental Planning Section to reduce professional fees.

Collier County devised a sophisticated and important program to protect environmentally sensitive lands in the RFMUD Sending areas, allowing Sending owners to “choose” to participate, but providing TDRs as an incentive and as just compensation for the change in FLUE designation and zoning. Costs and complexity to Sending owners cannot be eliminated; however, where possible, these should be reduced. The recommendation regarding a TDR Bank, below, would take this concept further.

Staff initial recommendation:

Application fees should be reduced or eliminated for Sending owners; work product required for TDRs should be evaluated for cost effectiveness and in limited instances, provided by County staff.

The reduction or elimination of application fees would result in an impact to taxpayers, since the administration would not have an enterprise fund component. Likewise, additional work assignments for County staff would be borne by County taxpayers. Sending owners would benefit from these changes by reducing cost and complexity in the process of obtaining TDR credits. All stakeholders would benefit from increased participation by Sending owners.

3. TDR Bank

The recommendation for a TDR Bank may be the single-most powerful recommendation made by staff. As many important community members have expressed the concern that **“the TDR system is broken,”** a bank would provide confidence in the system on many levels. It would demonstrate that the County is committed to the program and its success. It would provide assurance to small Sending owners that TDR severance will result in a monetary return within a reasonable timeframe, thus spurring program participation. It would provide assurance to the development community that TDRs will be available when needed, so that locating, structuring and executing numerous small transactions can be avoided.

The current GMP provisions covering the TDR process state “...the County shall consider the feasibility of establishing a ‘TDR Bank’, to be administered by the County or some other not-for-profit governmental or quasi-governmental public agency established for this purpose” (FLUE, Designation Description Section: B.1 (D)(2)). In its White Paper dated January, 2015, the Rural Fringe Coalition included **the recommendation to consider a TDR bank to help foster the program. Its rationale included the high cost to developers to aggregate smaller parcels to derive TDRs or to purchase from many uncertain sellers. Likewise, the Golden Gate Estates Area Civic Association recommends its use to facilitate the process.**

A TDR bank is an intermediary between seller and buyer, which can be designed in many different ways. Either a division within the County Manager’s agency or a non-profit organization can serve in this role. It typically requires a substantial fund to allow purchase of land or purchase of credits from Sending owners. The fund becomes replenished through the sale of credits to Receiving entities, which must possess the necessary credits in order to obtain a development order (plat or SDP).

The creation of the initial fund may come from dedicated tax revenue, general revenue, sale of credits derived from County-owned property, TDRs provided to the County through the program, or other means.

In the TDR Bank Capitalization report (Pruetz and Gunnells: “Placeworks”; Appendix C; dated December, 2016), Rick Pruetz, FAICP, a nationally recognized TDR program expert, outlines the many possible ways to create a TDR bank in Collier County. This report is included as Appendix C. It covers the advantages and disadvantages of using a bank in the context of the RFMUD program, noting that its chief importance lies in the fact that the County wishes to promote significant Sending land severance in the short term while expecting demand over a lengthy period of time. This “time lag” points to the importance of a bank in achieving environmental success and Sending owner fairness; at the same time, it requires a significant holding period before the County could sell its inventory, costing taxpayer dollars.

Pricing of Banked TDRs would support a separate market-driven (direct Sending/Receiving) exchange and price point. The bank would not purchase TDRs for more than the market rate, and should consider a higher resale rate so as not to frustrate non-bank sales.

For reasons stated in this analysis, Mr. Pruetz favors a capitalization approach using bonded dedicated millage to create an account of sufficient size to purchase TDRs, holding them until demanded. Once a point of equilibrium is reached, the fund becomes self-sustaining- TDRs sold to the development community provide funds to purchase more. Ultimately, fund principal is recovered in the bank and can be used to support other environmental initiatives or returned to taxpayers through reduced millage. The Placeworks Capitalization report illustrates the funding required over an initial 5 year period when the Bank would be actively buying a substantial number of credits, and a 30 year period during which the credits would be sold and the bank funding returned.

Other funding means are available, and could be supported without the use of public dollars for capitalization; however, none of these options addresses the “time lag” issues. These options include the use of County owned land to derive initial TDRs for the bank or the issuance of TDRs to the County as a component of the severance process (see related, D.2).

Community support for a bank is vital. A fund created for its purpose may serve related purposes, such as funding restoration and management of lands that are not within a state acquisition or potential ROMA mitigation area, Conservation Collier restoration and maintenance funding or capital and O&M related to important hydrological projects. The community would need to recognize and appreciate the value of the conservation involved, its

County-wide ecological impact, opportunities for recreation and the value of publicly-owned preserves as a legacy for grandchildren.

Staff initial recommendation:

The County should consider the appeal of a publicly funded TDR bank and a dedicated assessment and/or bonding for the program, based on an evaluation of costs and benefits.

As an indication of stakeholder impact, there was broad support for the TDR bank concept among Sending owners and the development community. Sending owners would enjoy a significant incentive to participate in the TDR program, knowing that compensation for severed credits may be more readily obtained. A bank would shift some of the administrative burden to the County, and administration cost must be considered in addition to capitalization costs. Taxpayers would bear the burden of the time value of the funds along with additional administrative costs. Residents and visitors would benefit from an asset that might otherwise be diminished without intermediary funding, and from the County-wide hydrological benefits that can be achieved.

D. SENDING LAND MANAGEMENT:

Land management strategies for environmentally sensitive areas, including preserves and open spaces, can take several different forms. One point of agreement among environmentalists, land managers and planners is that management does not happen by itself. As discussed by a panel of experts at Public Workshop #2, **the prospect of a “do nothing” scenario following Restriction of Development Rights agreement and the issuance of TDRs, would result in much more extensive infestation of exotic plants and a compromise of viable habitat for important species. Ultimately, the cost to restore lands unattended for a long period of time can increase significantly.** Private Land Management Plans are possible, but very difficult because of small and fragmented ownership patterns that do not support a coordinated effort.

At the present time, the 4th TDR (bonus credit), “donation to a public agency”, cannot be obtained in several locations, including North Belle Meade and Section 11 (T48S/R26E). For those locations, there are no public agencies that have stated an intention to accept donations.

Staff had previously made inquiry to the Division of State Lands, FDEP, to determine whether the State could take title to, and responsibility for, donated parcels in North Belle Meade. **The agency described the fact that this area was outside of its acquisition authority under the**

Florida Forever (Picayune Strand) acquisition program, even if the parcels were donated. Similarly, SFWMD was contacted regarding both North Belle Meade and Section 11 properties, but declined any involvement beyond an advisory role.

In contrast, the South Belle Meade area is situated within the Picayune Stand State Forest acquisition area, where donated lands can be held by The Internal Improvement Trust Fund (TIITF) and managed by Florida Forestry Service and Florida Fish and Wildlife Conservation Commission. Here, Sending owners obtain the Restoration and Maintenance bonus credit along with the Conveyance bonus credit by donating the parcel(s) to the state along with a modest fee for restoration and perpetual maintenance. This serves the interests of the State because it is much easier to restore and manage large contiguous land areas than individual parcels.

The fragmented pattern of ownership in North Belle Meade and Section 11 is similar to the pattern in South Belle Meade, prior to State acquisition. Again, the most effective means of long term management would be under a unified plan administered by a single agency (or coordinated agencies) for each geographic area. It is not practical or effective to encourage numerous small owners to create or implement plans to maintain or even restore 5, 10 and 20 acre tracts individually, particularly because plans may not be implemented in the same timeframe as neighboring properties. Eradicating and managing nuisance and exotic vegetation requires large scale coordination and timing.

For this reason, coupling the Restoration and Maintenance TDR with the Conveyance TDR results in a more effective framework and a simplification for Sending owners. As presently structured in South Belle Meade, two TDRs can be provided for these dual purposes, simply by conveying the property along with an appropriate endowment sum.

Finally, rehydration of parts of North Belle Meade has been on the list of priorities listed in the Watershed Management Plan (2011). The potential projects in North Belle Meade for wetland restoration or rehydration should be coordinated with restudy recommendations. Accommodation of such activity would be clearly demonstrated by maximizing the transfers of private parcels into public or quasi-public ownership, thus minimizing the potential for conflict with an otherwise successful watershed program in the future.

Options to address this problem, by order of priority; also consider the *combination* of two or more options in concert:

1. Option One- North Belle Meade Mitigation Bank:

During Public Workshop #2, a panel of subject matter experts was convened to discuss North Belle Meade land management in particular, given the lack of interest from State agencies and given the fragmented ownership pattern. The panelists indicated **a preference for coordinated ownership and management by a single entity, and agreed that Collier County should take direct responsibility, if no other state or federal agency would accept ownership or management responsibility.** Public-private partnerships were also discussed. It was noted that **County ownership would provide some County benefits, such as potential recreational opportunities.**

More specifically, panelists discussed **the advantage of creating a mitigation bank option in order to finance the restoration and long term maintenance.** The same concept had been suggested previously by an informal scoping meeting with agency peers.

In April, 2016, staff launched an initial feasibility study to determine the viability of creating a mitigation bank of any kind. The idea of using mitigation funds from the County's own transportation or other capital projects was part of the conceptual framework. If the County could act as project manager for a mitigation bank while saving money over an extended time period, this option would be feasible and program design could be recommended. The advantage of such a program would be threefold: (1) aid Sending owners in their efforts to obtain all available TDRs, including Conveyance, thus furthering program participation; (2) provide a cost-effective means to County ownership and long-term maintenance of parcels; (3) provide a more cost-effective and coordinated long term approach for mitigation of County projects that impact wetlands or habitat.

The initial "Phase 1" Feasibility Study for the creation of a mitigation area is attached as Appendix B. Conceptually, the bank would complement existing mitigation activities in this area under private ownership. The plan would be adopted by agreement of both state (FDEP) and federal (ACOE) permitting agencies, encompassing the necessary requirements of each. At this time there is a reasonable expectation of approval and financial viability of a Regional Offsite Mitigation Area/In-Lieu Fee program ("ROMA") in North Belle Meade.

Funding to provide restoration, maintenance and management of the ROMA area would come from required mitigation of County-owned infrastructure projects. Notably, the 2040 LRTP cost-feasible plan estimates approximately \$11 million and \$7 million for wetland mitigation and panther compensation units respectively, associated with construction of new or expanded roadways. The ROMA plan would allow for a competitive use of these mitigation dollars, in turn fostering the preservation and maintenance of parcels within the North Belle Meade Area.

The Phase 1 study of the North Belle Meade area for potential use as wetland mitigation or habitat compensation indicates the area will not likely yield sufficient cost-effective wetland credits or habitat compensation to be competitive on an open market (sales to private interests). However, it concludes that a ROMA “is potentially feasible and cost-effective, based on broad characterizations of North Belle Meade and a range of reasonable assumptions.” Background data, for example, was derived from National Wetlands Inventory (NWI) and Florida Land Use, Cover and Forms Classification System (FLUCFCS).

In short, the Phase 1 Feasibility report concludes that: “A Collier County single-user ROMA/ILF project within North Belle Meade appears to be a cost-feasible generator of wetland mitigation credits and panther habitat compensation if the ROMA/ILF is of sufficient size and properly located to assure long-term support for the Florida panther.”

Based on the reasonable expectation of approval and financial viability in Phase 1, a Phase 2 Feasibility Study has commenced to study the ROMA concept in finer grain. Field work will more closely correlate the levels of exotic infestation to site specific areas in North Belle Meade. A mitigation analysis tool, developed for this project, will provide more detailed analysis of the credit generation potential (revenue) and mitigation costs. Additional meetings with all permitting and review agencies will be completed, including USACOE, USFWS, FDEP, and FFWCC. Timelines will be associated with cost and revenue streams, allowing for pro-forma financial analysis of the ROMA and comparison to private mitigation bank costs for County capital projects.

In light of the fact that there are a significant number of private permittee responsible mitigation (PRM) parcels in the North Belle Meade area, coordination of activities in a broad geographic area may be an important consideration for permitting agencies as well as the County. To this end, consideration of a public private partnership (PPP), trust agreement or third party monitoring might be considered for umbrella cooperation. Staff has identified only one experienced Land Trust operating in Collier County: Southwest Florida Land Preservation Trust. This entity has been contacted and began initial discussions with staff; it is not clear at this time whether this Land Trust will wish to play a role in a potential ROMA/umbrella agreement.

While the Phase 2 Feasibility Study will provide the County greater assurance of program success, it will not guarantee approval from the permitting agencies. The timeframe for permitting a program of this kind may be up to two (2) years in duration. Because of this factor, a GMPA recommendation would state the options listed here in priority order rather than mandatory implementation.

Staff initial recommendation:

Complete Phase 2 Feasibility Analysis for a County to County mitigation bank program (ROMA/ILF) to establish a higher confidence of a successful mitigation program that can benefit the TDR program, the environment and Collier County capital spending.. Explore options involving Permittee Responsible Mitigation (PRM) parcels to achieve coordinated or umbrella management options for greater overall land management efficiency.

County government would assume responsibilities inherent in a ROMA agreement, although the operation and administrative functions could be assigned under contract. County taxpayers could anticipate some cost savings in the use of a ROMA over more conventional mitigation banking approaches. Taxpayers would also be gaining an asset: ownership of large land areas, ecologically stable, that could be used for passive recreational purposes. Residents and visitors would gain from improved hydrological functionality, providing watershed gains and balances between sheds and in associated groundwater and aquifers. Sending owners in that area would be on equal footing with counterparts in South Belle Meade so as to enjoy the better availability of the Restoration/Maintenance and Conveyance TDR credits. The environmental community would gain assurance that this valuable resource is managed and protected, both for watershed and for important plant and animal species. Receiving owners would know that the number of TDRs necessary for future projects can be made more readily available, both through the additional credits and through increased Sending owner participation. To the extent that grant funding becomes available for structural rehydration projects in North Belle Meade, additional wetland credits could be realized, resulting in further taxpayer benefits.

2. Option 2- Additional TDR for funding in North Belle Meade and Section 11:

It is possible to design an additional TDR only for those properties intended for County ownership. This “County TDR” could supplement other funding. It could be used for “seed money” for purposes of the ROMA engagement, or could form a portion of the funds necessary to create an endowment for County owned and managed areas without a ROMA. Additional contributions should be required, similar to the program in South Belle Meade.

For example, if the program changes include ~~two~~ additional TDRs for each 5 acres of Sending Lands, an additional TDR could be assigned where other (non-County) governmental agencies will not take ownership. Instead, the County would assume ownership of the last TDR or equivalent, as part of the conveyance application to the County. Proceeds from the additional TDR would go to the County to partially fund the restoration and long term maintenance of the

property, to provide seed money for a ROMA/ILF bank and/or to provide seed money for a TDR bank.

Along with the value of the last TDR, the County could assess a fee for donation roughly equivalent to that amount required, on average, in South Belle Meade by the Florida Forestry Service. In this way, there would be rough parity between owners in North Belle Meade, South Belle Mead and Section 11.

Staff initial recommendation:

Establish a special TDR for the benefit of the County where no other entity has been established to take ownership. Also require donors of Sending lands to the County to convey a sum of money or other consideration to partially fund a long term endowment.

This concept would be an exception to issuing additional TDRs to all Sending lands regardless of location. However, the end goal would be to put equal numbers of TDRs in Sending owners' pockets at the same expense. When considering the opportunity provided to South Belle Meade Sending owners by State acquisition, this provision would be in line with equitable treatment or rough equivalence. Sending Owners would benefit from knowing that the conveyance TDR is available to them, along with any other bonus TDRs. Receiving owners would benefit from the availability of TDRs in general, based on added market liquidity. Financial return to participating Sending owners would be equivalent regardless of location.

3. Option 3- Green Utility Fee/ County Environmental Separate Fund

An idea presented by a panelist at Public Workshop #2 was a **"Green Utility Fee."** This could be a fee determined on the basis of land use and applied Countywide. No doubt, it could be designed in many different ways. One purpose, like the two Options listed above, would be to provide a fund from which properties donated to the County could be restored and maintained.

If initiated by referendum, dedicated millage could fund several environmentally based and related needs from a special fund, allowing the BCC to make annual budget determinations according to annual priorities. For example, the dedicated millage could serve a stormwater utility in its efforts to restore or improve watershed projects in different locations within the County's sub-basins, could be used to fund perpetual maintenance of Conservation Collier holdings, and could be used for TDR bank capitalization. As noted in the TDR bank discussion (Appendix C), the bank will ultimately realize a return of initial capital, which could then be

allocated by the BCC for perpetual maintenance of County holdings such as Conservation Collier Lands or Sending Lands, to additional hydrologic projects, or to other environmental initiatives.

Staff initial recommendation:

Study the idea of a Collier Environmental Fund and consider whether it should be the subject of a County-wide referendum. Allow various complementary uses of the dedicated fund to support County environmental initiatives.

Given its close association with hydrology issues, the concept might also be part of the Stormwater Utility Fee currently under study; revenue could apply to green infrastructure that benefits water quantity, quality, recharge or flood control. Additionally, the green utility fee might encompass a dedicated millage for both County-wide “green” initiatives and the TDR bank capitalization discussed at Sending (C.3).

4. Option 4- Model Land Management Plan and Private Ownership

There are circumstances where a private Land Management Plan would be optimal. Some owners **do not wish to give up ownership of their land, although they wish to engage in the TDR process up to that point.** For example, land holdings are planned as natural amenities of nearby development areas in the western part of South Belle Meade, adjacent to the Urban Residential Fringe. Another example is land maintained for a hunting lodge, where TDRs have been severed from all but 5 acres to make it possible, but no conveyance TDRs are issued.

Although applicants for Restoration and Maintenance TDR credits would be required to submit or commission an environmental consultant, the basics of the Land Management Plan and required elements would be in place, eliminating uncertainty and reducing costs to the applicant.

Staff initial recommendation:

Provide a standard or model Land Management Plan for adoption by owners who wish to provide Restoration and Maintenance activities in return for TDR credits.

Private owners would save time, cost and uncertainty in instances where they wish to maintain ownership in their Sending land and also participate in the TDR process.

E. OTHER PROGRAM SUGGESTIONS

1. Adjust property appraisal for tax benefit on TDR severed lands.

Staff reviewed the taxable values associated with Sending Lands where TDRs have been severed. It was found that the land use code assigned to these lands, and the associated value, varies greatly. Collier County Property Appraiser's Office, a Constitutional branch of County Government, agrees in principle to review market value appraisals where base TDRs are severed. Given the limitation of development rights on such privately maintained land, its lower market value may result in lower tax assessments.

Staff has discussed this issue with the Property Appraisers Offices and stands ready to assist with any data needed by that agency.

Staff initial recommendation:

Staff should provide any data needed to the Property Appraiser's Office in support of its efforts to review tax assessments based on appraised land values and resulting tax assessments in Sending Lands.

Improved assessment outcomes are favorable to Sending owners who have severed development rights but have not transferred ownership. No parties are adversely affected.

2. Allow County-owned (post-conveyance) Sending land to be used for recreational uses.

Currently, approved Land Management Plans include only passive recreational uses, consistent with the permitted uses after severance in Sending Lands. The GMP could conceivably contain conditional uses that expand the range of recreational uses, where the County takes ownership, such as North Belle Meade.

In general, permitted uses limit recreation to "passive parks and passive recreation uses". By definition, passive recreation is "characterized by natural resource emphasis and non-motorized activities". There may be appropriate instances where motorized uses are consistent with environmental preservation. For example, the County may wish to create a modest eco-tourism site for residents and visitors, allowing some off-road transport to and from different locations, or accommodating persons with disabilities to visit some locations.

Staff initial recommendation:

County-owned land in North Belle Meade should qualify for conditional use approval for expanded recreational uses, if compatible with environmental goals. Definitions of "active" and "passive" recreation will require further vetting.

County residents may enjoy greater use of and access to natural areas. No known negative impacts on stakeholder groups.

3. Allow clustering of density on large tracts of land

Where parcels or assemblages allow for more than one dwelling unit under base density (1 unit per 40 acres), owners may wish to cluster the units in closer proximity to each other, to infrastructure, etc. Currently, there is no opportunity to create a better development plan than 1 unit per 40 (separate) acres.

Allow large land owners to cluster dwelling units, retaining the 1 unit per 40 acre standard, but also allowing 1 additional clustered unit for each additional 40 acres retained.

Where development rights are retained on large parcels, owners would enjoy better design alternatives. No stakeholders would be adversely affected.

NEUTRAL LANDS:

1. Allow for some participation in the TDR program as allowed in Sending area.

Neutral Lands typically enjoy the same uses and restrictions under the RFMUD as were enjoyed under the base agricultural zoning prior to TDR program and RFMUD adoption. However, unlike Sending owners, Neutral owners have no ability to generate and sell TDR credits.

Parcels in the Neutral lands can be subdivided into 5 acre parcels, allowing for greater residential density than would be allowed in the Sending Lands. Other non-residential uses are allowed, including agriculture and conservation.

Permanent agricultural use or permanent conservation easements are appropriate in Neutral Lands where the quality of the conserved use is demonstrated. In fact, these additional reservations should be encouraged.

County staff could make administrative review and approval of applications based on environmental criteria in the Land Development Code. Conservation areas would remain in private ownership and would require conservation easements. Likewise, agricultural uses can be encouraged on Neutral Lands by generating TDRs for permanent agricultural easements, as was suggested for Sending areas.

Staff initial recommendation:

Allow TDR credits for agriculture and conservation uses where the uses are secured by perpetual easements.

Neutral owners of larger parcels would be provided with a viable choice in preservation of land instead of 5 acre development. The total additional TDRs generated from this change would be very small in comparison to all likely Sending TDRs, and so would not impact Sending owner expectations to any significant degree.

2. Minimum Project Size

One additional right provided to Neutral owners within the RFMUD is the ability to “cluster” development. For example, a 40 acre parcel could be subdivided into eight 5 acre parcels; or, using the clustering rules, could place 8 dwelling units on the parcel in closer proximity to one another, fostering the possibility of greater efficiency in infrastructure, among other advantages.

Like the recommended change within Receiving Lands, advantages to clustered development would appear to apply to parcels smaller than 40 acres. Efficiency in shared resources as well as social advantages are possible. No increase in overall density would result.

Staff initial recommendation:

Remove the 40 acre minimum project size for clustered development.

This recommendation would benefit Neutral owners of properties 10 acres or greater by providing alternative design possibilities. No other stakeholder group is affected.

RECEIVING LANDS

A: LAND USE AND ECONOMIC VITALITY

Growth presents a tremendous opportunity for progress. It also presents many challenges. What, where and how we build have major impacts to our community and resident’s quality of life. The Receiving lands within the RFMUD total 28,054 acres, of which, 14,531 acres remain vacant and undeveloped. This is where growth will occur in the RFMUD.

Currently, the RFMUD provides for an increase in development rights with the use of TDRs within Receiving lands. Density can be increased using two forms of development, 1) cluster residential, and 2) villages. To date, the only development pattern occurring in the Fringe is cluster residential development in the form of gated communities such as Naples Reserve, Hacienda Lakes, Lords Way, San Marino, Lido Isles, Rockledge (in Urban Fringe at 2.5 units per acre), Twin Eagles South, Lamorada, Mockingbird Crossing, and the Golf Club of the Everglades (in RFMUD at 1 unit per acre). These developments have an approved total of 6,786 units, the majority single family. While these communities are attractive, this single-dimensional

development pattern furthers Collier County's challenges of diversifying the economy, providing affordable housing and financing an overburdened roadway network.

During the public workshops participants were clear; **the preference for new development in the limited available land in the Receiving area is something different than gated communities.** Participants were more favorable towards standalone business/commercial, and mixed-use development. They want to see employment, goods and services, and a mix of housing types in the Receiving areas.

One of the most common suggestions for program improvement was to allow employment and goods and services outside of the Village concept. Currently, commercial uses in Receiving lands are limited to locations within approved Villages with a maximum of 10% of the total village area and 10,000 SF leasable floor area per acre. Consensus was found in the need to change the requirements to promote commercial uses within the Receiving lands, not only to support the residents within the Receiving lands, but also for the surrounding area. It was suggested that **Rural villages envisioned within receiving areas don't provide sufficient commercial capacity, and the design criteria for commercial locations within the villages isolate them from major transportation corridors making them infeasible. There should be greater incentives for employment, industrial uses, agriculture research, and technology development.**

While consensus demonstrated the RFMUD should better support commercial uses, it was also suggested by one commenter that the **RFMUD plan is not compatible with the Golden Gate Area Master Plan; it eliminates functionality because it creates lost commercial opportunities for the Estates in the RFMUD Plan.** The members of the Golden Gate Estates Area Civic Association expressed their thoughts by letter dated April 19, 2016 saying, **it is imperative that changes in land use in the RFMUD which borders the Estates be permitted to provide services and employment to compliment the build out of the Estates. The RFMUD can also provide opportunities for employment, economic development, and needed recreational activities to Collier County as a whole.**

In addition to the suggested changes to commercial uses, many participants expressed desired adjustments to residential uses. The RFMUD clustering provisions currently requires minimum of 40 acres to allow a density increase from 1 unit per 5 acres, to 1 unit per acre. It was suggested to **increase base rights for properties less than 40 acres, or to all together eliminate the 40 acre minimum.** Some participants thought base rights should **increase to 1 unit per 2.5 acres for 5 acre tracts,** others thought **is should go up to 2 units per acre.**

Changes in Village density were also suggested and highly supported by the data and analysis referenced in Section 3 of this white paper. "Smart growth" principles support sustainable

development patterns that are multi-dimensional, provide for a demographic mix, and support transportation choices; density should be an optimum of 7 units per acre. Increasing the density in the RFMUD will allow greater diversity in residential product, greater efficiency in providing infrastructure and services and lower development costs.

Participants were supportive of increased density, and they were passionate about the need to address affordable housing saying, **it needs to be a much higher priority in the discussion [of the RFMUD]. The Rural Fringe Mixed-Use District plan must have a dynamic affordable housing component built into the plan to avoid both the affordable housing and future workforce crisis. Without it our community will suffer.** Currently, the RFMUD addresses affordable housing only in the village concept; “A minimum of 0.2 units per acre in a village shall be affordable housing, which at least 0.1 units per acres shall be workforce housing.” These units are required to use 0.5 TDR credits. Affordable and workforce housing is an on-going challenge for Collier County. Collier County has just initiated the first comprehensive housing plan to address the needs for affordable housing. This plan is reported to be completed by September, 2017. Community Planning staff will closely follow this planning effort and bring forward recommendations implementable through the Comprehensive Plan.

Robert Hickey, Senior Research Associate at the Center for Housing Policy, suggested a few methods currently being utilized to work towards broadening housing affordability during a workshop sponsored by United Way. One of the suggested methods can be implemented in the RFMUD and that is “allowing mixed housing such as apartments/condos, manufactured homes, cottage housing and micro homes. This widens the diversity in housing markets, allowing residents to have more affordable alternative options when looking for housing.” Participants in the RFMUD restudy have supported the idea of a mix of housing with particular focus on **reducing the required size of units.** With the positive national trend in “tiny” or micro homes, the RFMUD can support affordable housing by promoting the acceptance of the size limitations of 600 sq ft. found in the residential zoning districts. Additional recommendations addressing affordable housing may be incorporated into the RFMUD amendments as influenced by the comprehensive affordable housing plan.

Staff initial recommendations

1. Promote economic vitality in the RFMUD by allowing employment uses outside of Villages as defined in the industrial and business park zoning district (with exceptions) in locations with access to major collector or arterial roads.
2. Within a Village, remove the maximum acres and leasable floor area limitation of the Village Center and the Research and Technology Park.
3. Explore designating Receiving areas as Innovation Zones.
4. Eliminate the maximum size of a Village.

5. Consider new measures for mixed-use standards, such those found in RLSA
6. Modify residential density standards:
 - Clustering – remove 40 acre minimum, increase density to 2 units per acre; (higher density for affordable/workforce only projects)
 - Village – increase density to 7 units per acre
 - Change minimum Village density to 4 units per acre
7. Development over 300 acres shall use the Village option.
8. Modify the TDR requirements:
 - a. Change from 1 TDR to .75 TDR for multifamily unit.
 - b. Change from .5 to 0 TDR for affordable housing
 - c. Density over 4 units per acre requires 0 TDRs.
 - d. No TDRs for industrial/business park uses.

“Opportunity Naples” is a report that heightens the awareness for the need to diversify the economy, particularly in eastern Collier County. The report found that Collier County needs more suitable, large-scale, pad-ready development sites. Collier County as a whole will benefit from recommended changes allowing business uses in the RFMUD.

Increasing density, improving mixed-use requirements and adjusting the TDR credits will promote a diverse and more affordable community, expand mobility choices and engage a healthy and active lifestyle – the development trends sought after by employers, employees and baby boomers.

B: TRANSPORTATION AND MOBILITY

The RFMUD is served by a congested arterial network with limited funding for improvements. While development will help pay for impacts to the network, promoting a mix of land uses that shorten trips into the urban area, and is served by transit, will help offset the ever increasing roadway needs.

A majority of public comments on transportation emphasized the need to **increase roadway network connectivity surrounding the Receiving areas, at the same time keep speed low (< 36 mph). Low speed along with additional wildlife crossings is essential for wildlife preservation.** Connectivity is important not only within the Receiving lands, but also connecting surrounding areas to destinations within the Receiving areas such as future employment, goods and services. Other transportation comments support **including transportation alternatives such as bus transit.**

There is considerable attention given to transportation planning in eastern Collier County. The transportation study surrounding North Belle Meade will further inform the transportation network needed to support the RFMUD. Further consideration and implementation of the techniques identified in the Master Mobility Study will advance Collier County's goals to achieve a multi-modal community.

Staff initial recommendations

1. Analyze arterial roadway and utility capacity issues surrounding Receiving Lands.
2. Review roadway design standards and suggest changes if necessary to support Complete Streets and low speed.
3. Add provisions for transit stops and park and ride facilities within Villages and business parks.
4. Develop a methodology for a Mobility Analysis including a standard of measuring a development's level of interconnectivity such as a "link-node" ratio, and the transit, bicycle and pedestrian coverage and connectivity with a project and surrounding destinations.

The community as a whole will benefit from a multi-modal system that provides for all users, reduces trip lengths and supports greater efficiency in our transportation network. Stakeholders with development interests in the RFMUD should participate in the development of any new methodology created for a Mobility Analysis.

C: DEVELOPMENT STANDARDS AND PROCESS

During the public workshops participants were clear; within the Receiving lands they want to **create more than houses, a defined place, a live, work, play approach to promote thoughtful community design**. Some were so specific to say **limit gated communities**. The finding of this report and the community input supports greater incentives for village development to promote mixed-use in the RFMUD.

To incentivize mixed-use development and business park uses, the development community shared ideas that are process related. Overall, the idea is to find ways to reduce the risk associated with mixed-use development while also providing greater flexibility. Suggestions included, **maximize opportunities to develop in Receiving lands through the mostly administrative SDP or Planning processes (subject to compliance with adopted design and development standards)**. Establish maximum flexibility and administrative or hearing examiner approval process for LDC deviations, and modify the process to follow the SRA

designation process where an application for a Receiving Area Village is approved by simple majority vote by BCC. Other participants support the idea to ensure that the current public hearing process for approval of new development within the RFMUD is retained.

Specific design standards should be kept to a minimum and should be placed in the LDC, only as guidelines or in some cases as baseline standards. Wherever possible, provide for incentives rather than regulations to achieve design objectives. Create opportunities for additional flexibility in designing mixed-use projects within receiving lands.

Recognizing the distinct differences and potential for each of the Receiving Areas, participants support the idea to **establish separate overlays for each of the four distinct Rural Fringe development areas, similar to the North Belle Meade Overlay which has its own set of development standards.** This could be accomplished through Land Development Code amendments. At a minimum, specific design standards found in the Growth Management Plan should be moved to the implementing LDC, and the LDC standards should be carefully reviewed and amended to support the design concepts identified herein.

Developers and industry leaders report that a hurdle to more intense, mixed-use development design is the added cost of impact fees. As stated in Section 3 of this white paper, other communities' successful implementation of a mixed-use impact fee has shown a ten to thirty percent reduction in impact fees. This reduction could be another strategy to incentivize the type of development desired in eastern Collier County.

Staff initial recommendations

1. Consider adoption of zoning overlays, or separate area design standards to provide greater certainty for developers
2. Allow BCC simple majority approval when complying with zoning overlays.
3. Require a housing analysis with a Village application that demonstrates a percentage of employees within the village will have housing accommodations within the village.
4. Initiate study to create an impact fee index for mixed-use.
5. Explore with Collier County Health Department the creation of Health Assessment Index.
6. Review and modify design standards within the Growth Management Plan and Land Development Code for greater flexibility while supporting the intent of employment zones and mixed-use development, suggest modifications to standards e.g., remove greenbelt requirement.
7. Develop further incentives for innovative features such as solar power, zero net water use, aquifer storage and recovery systems.

The adoption of zoning overlays could allow both the developer and the public greater certainty in the development standards for Receiving Areas. Modifying some approval processes could allow complying projects to proceed with minimal delay. The intent of the modifications is to diversify the mix of uses including residential product, provide greater certainty, and to support economic development in eastern Collier County.