

2.33 Economic Development – Immokalee Urban Boundary

A. Introduction & Background:

In accordance with the Letter of Understanding between Collier County and the Florida Department of Community Affairs (DCA), the Evaluation & Appraisal Report (EAR) is required to evaluate the success of implementation activities in attracting new businesses, permanent residents and financial investment to the Immokalee Area. There are two aspects to this requirement. One aspect is an evaluation as to whether the Immokalee Urban Boundary (i.e., the shape and size of the Immokalee Urban Area Designation) has had an impact on the area’s attraction of “new businesses, permanent residents and financial investment.” The second aspect of the requirement concerns the manner in which Growth Management Plan goals, objectives and policies relative to the Immokalee Area have been implemented, and the impact of such implementation “in attracting new businesses, permanent residents and financial investment to the Immokalee Area.”

B. Identification of Specific Goals, Objectives & Policies:

References to the Immokalee Urban area appear in the following Elements and Sub-Elements of the Collier County Growth Management Plan (GMP):

Public Facilities Element, Sanitary Sewer Sub-Element
Public Facilities Element, Potable Water Sub-Element
Public Facilities Element, Drainage Sub-Element
Public Facilities Element, Solid Waste Sub-Element
Housing Element
Recreation & Open Space Element
Conservation & Coastal Management Element
Intergovernmental Coordination Element
Future Land Use Element

This section of the EAR does not evaluate the successes and shortcomings of the Immokalee Area Master Plan (see Section 1.5.J of this report). For the Elements and Sub-Elements of the Collier County Growth Management Plan (GMP), the following Goals, Objectives, Policies and Future Land Use Designations reference the Immokalee Urban Area:

Sanitary Sewer Sub-Element Policy 1.5.1:

Discourage urban sprawl by permitting universal availability of central sanitary sewer systems only: in the Designated Urban Area, in the Designated Urban-Rural Fringe Transition Zone Overlay, in Receiving and certain Neutral Lands within the Rural Fringe Mixed Use District, and in the Rural Settlement District, all of which are depicted on the Future Land Use Map, and in Towns, Villages, Hamlets, and Compact Rural Developments within the Rural Lands Stewardship Area Overlay. These areas are further identified as: within the Collier County Sewer District Boundaries on Figure SS-1 of the

Sanitary Sewer Sub-element, except the outlying urban areas of Immokalee, Copeland, Chokoloskee, Plantation Island, and Port of the Islands; within the Rural Lands Stewardship Area Overlay, as each Town, Village, Hamlet and Compact Rural Development is designated; or within the Rural Transition Water and Sewer District Boundaries on Figure SS-2 of the Sanitary Sewer Sub-element; or in Sending Lands within the Rural Fringe Mixed Use District when Density Blending, as provided for in the Density Rating System of the Future Land Use Element, is utilized; and, in areas where the County has legal commitments to provide facilities and service outside the Urban Area as of the date of adoption of this Plan.

Within Section 15 (Township 48 South, Range 26 East) of the approved Mirasol PUD, which is designated Neutral, central sanitary sewer systems may be permitted. This area is depicted on the Rural Transition Water and Sewer District-Mirasol map (Map 2.33-1).

Potable Water Sub-Element Policy 1.2.4:

Permit development of potable water supply systems as follows: within the Designated Urban Areas of the Plan, including the outlying urban areas of Immokalee, Copeland, Chokoloskee, Plantation Island, and Port of the Islands; within the areas depicted on the Collier County Water District Boundaries (Map 2.33-2); within the Existing and Future Potable Water Service Areas map (Map 2.33-3), which includes the Rural Transition Water and Sewer District; within the Rural Transition Water and Sewer District – Mirasol (Map 2.33-1); in Sending Lands within the Rural Fringe Mixed Use District when Density Blending, as provided for in the Density Rating System of the Future Land Use Element, is utilized; in Towns, Villages, Hamlets and Compact Rural Developments within the Rural Lands Stewardship Area Overlay; and, in areas where the County has legal commitments to provide facilities and services as of the date of adoption of this Plan. For lands within an area to receive County water service, but in which County water service is not currently available, non-County potable water supply systems shall only be allowed on an interim basis until County service is available.

Individual potable water supply wells may be permitted within the areas depicted on the Collier County Water District Boundaries map (Map 2.33-2) on an interim basis until County water service is available; individual potable water supply wells may be permitted in all Urban designated areas outside of the areas depicted on Map 2.33-2 on an interim basis until a potable water supply system is available; [individual potable water supply wells may be permitted in the Rural Transition Water and Sewer District, depicted on the Existing and Future Potable Water Service Areas map (Map 2.33-3), on an interim basis until County water service is available; individual potable water supply wells may be permitted in Sending Lands within the Rural Fringe Mixed Use District when Density Blending, as provided for in the Density Rating System of the Future Land Use Element, is utilized, on an interim basis until County water service is available]; and, individual potable water supply wells may be permitted on lands outside of the Urban designated areas, outside of areas depicted on Map 2.33-2, and outside of Towns, Villages and those Compact Rural Developments greater than one hundred (100) acres in size within the Rural Lands Stewardship Area Overlay – all areas where potable water supply systems

are not anticipated. However, individual potable water supply wells may or may not be permitted within Compact Rural Developments one hundred (100) acres or less in size, depending upon the uses permitted within the Compact Rural Development. Also, in Towns, Villages, and those Compact Rural Developments greater than one hundred (100) acres in size, potable water supply wells are allowed to serve no more than 100 acres, on an interim basis only, until central service is available.

Potable Water Sub-Element Policy 1.5.1:

Discourage urban sprawl by permitting universal availability of central potable water systems only: in the Designated Urban Area, in Receiving and certain Neutral Lands within the Rural Fringe Mixed Use District, in the Designated Urban-Rural Fringe Transition Zone Overlay, and in the Rural Settlement District, all of which are depicted on the Future Land Use Map, and in Towns, Villages, Hamlets and Compact Rural Developments within the Rural Lands Stewardship Area Overlay. These areas are further identified as: within the Collier County Water District Boundaries on Map 2.33-1 of the Potable Water Sub-element, except the outlying urban areas of Immokalee, Copeland, Chokoloskee, Plantation Island, and Port of the Islands; or within the Rural Transition Water and Sewer District Boundaries on Map 2.33-3 of the Potable Water Sub-element; or in Sending Lands within the Rural Fringe Mixed Use District when Density Blending, as provided for in the Density Rating System of the Future Land Use Element, is utilized; within the Rural Lands Stewardship Area Overlay, as each Town, Village, Hamlet, and Compact Rural Development is designated; and, in areas where the County has legal commitments to provide facilities and service outside the Urban Area as of the date of adoption of this Plan. Within Section 15 (Township 48 South, Range 26 East) of the approved Mirasol PUD, which is designated Neutral, central potable water systems may be permitted. This area is depicted on the Rural Transition Water and Sewer District-Mirasol map (Map 2.33-3).

Drainage Sub-Element Policy 1.1.5:

Three (3) detailed basin studies were planned within the 5-year planning time frame as follows:

Basin Starting Date Completion Date

Gordon River Extension FY 96/97 FY 98/99

Belle Meade FY 98/99 FY 2000/2001

Immokalee FY 2000/2001 FY 2002/2003

As the studies are completed, the results will be made available to the property owners located within the basin boundaries for their use in petitioning the Board of County Commissioners to create a taxing/assessment unit to fund the proposed implementation of the studies recommendations.

Drainage Sub-Element Policy 1.2.1:

The following levels of service for drainage are hereby adopted for the purpose of issuing development permits:

- A. Future "private" developments - water quantity and quality standards as specified in Collier County Ordinances 74-50 and 90-10 and Land Development Code Ordinance 91-102 as amended.
- B. Existing "private" developments and existing or future public drainage facilities - those existing Levels of Service identified (by design storm return frequency event) by the completed Water Management Master Plan as follows:

LEVELS OF SERVICE ATTAINED BY BASINS

BASIN LEVEL OF SERVICE

MAIN GOLDEN GATE SYSTEM

Main Golden Gate Canal Basin D
Cypress Canal Basin D
Harvey Canal Basin D
I-75 Canal Basin D
Green Canal Basin C
Airport Road Canal South Basin D
Corkscrew Canal Basin D
Orange Tree Canal Basin D
951 Canal Central Basin C

DISTRICT NO. 6 SYSTEM

Rock Creek Basin D
C-4 Canal Basin C3
Lely Main Canal Basin D
Lely Canal Branch Basin D
Lely Manor Canal Basin D
Haldeman Creek Basin D
Winter Park Outlet Basin D

COCOCHATCHEE RIVER SYSTEM

Cocohatchee River Basin D
Pine Ridge Canal Basin C
Palm River Canal Basin D
West Branch Cocohatchee River Basin C
East Branch Cocohatchee River Basin D

Airport Road Canal North Basin D
951 Canal North Basin D

GORDON RIVER EXTENSION

Gordon River Extension Basin D
Goodlette-Frank Road Ditch Basin D

HENDERSON CREEK BASIN

Henderson Creek Basin D

FAKA-UNION SYSTEM

Faka-Union Canal Basin D
Miller Canal Basin D
Merritt Canal Basin C
Prairie Canal Basin C

SOUTHERN COASTAL BASIN

US-41 Outfall Swale No. 1 Basin D
US-41 Outfall Swale No. 2 Basin D
Seminole Park Outlet Basin C

BARRON RIVER SYSTEM

Okaloacoochee Slough Basin D
Barron River Canal North Basin C
Urban Immokalee Basin C

MISCELLANEOUS INTERIOR WETLAND SYSTEMS

Corkscrew Slough Basin D

Solid Waste Sub-Element OBJECTIVE 1.1: (COLLECTION)

The maintenance of a safe, dependable and efficient solid waste collection system. Present Level of Service includes two (2) franchise collection areas and three transfer stations:

- a. Unincorporated County service area;
- b. Immokalee service area;
- c. Three (3) transfer stations;
 - 1. Naples Transfer Station
 - 2. Marco Transfer Station
 - 3. Carnestown Transfer Station

Housing Element Policy 4.6:

By June 1, 2001, Collier County will conduct an inventory to determine the number of non-conforming and sub-standard mobile home housing units in the Immokalee Urban Area and develop an incentive plan to upgrade these units through the following activities:

1. Assign a team of staff members from the following departments to implement the program: Code Enforcement, Building Review, Planning and Housing and Urban Improvement.
2. Coordinate with other agencies that monitor and inspect mobile home parks.
3. Create and incorporate into the Collier County Land Development Code, flexible development standards that will be based on minimum life and safety standards.
4. Provide economic incentives to encourage the replacement of sub-standard units.

Housing Element Policy 4.7:

Within one year of inventory completion, the County shall complete a review of the residential density caps established in the Immokalee Area Master Plan to determine if and where it may be appropriate to increase such caps to encourage the development of new affordable housing units for farmworkers, very low and low income individuals.

Housing Element Policy 8.1:

The County will coordinate with the USDA and other State and Federal Agencies to provide technical and financial assistance, impact fee waivers and deferrals and increased density, consistent with the Immokalee Area Master Plan, for a 300 bed facility to provide housing for unaccompanied agribusiness workers.

Housing Element Policy 8.2:

The County will prepare a housing assessment of single family, multi-family, and mobile home units and mobile home parks in the Immokalee Urban Area to determine the number of units that do not meet health and safety codes and the minimum housing code and target affordable housing and code enforcement programs to correct the conditions.

Recreation & Open Space Element Objective 3.1

By the year 2010, the Parks and Recreation Department will develop a Community and Regional Park Plan to provide larger parks and recreational facilities as well as passive open space within a 15 to 20 minute drive of residents within the coastal Urban Designated Area, the Immokalee Urban Designated Area, and Northern Golden Gate Estates (this excludes Conservation designated areas, Agricultural/Rural designated areas,

Southern Golden Gate Estates, and the outlying Urban Designated Areas of Copeland, Port of the Islands, Plantation Island and Chokoloskee). This plan will include the identification of future community and regional park sites (or general areas), park improvements, cost estimates, and potential funding sources. The principles of Crime Prevention Through Environmental Design (CPTED) will be integrated into the planning and development of the Community and Regional Park sites.

Recreation & Open Space Element Policy 3.1.7

By the year 2010, the Parks and Recreation Department and the Transportation Operations Department will investigate the utilization of the existing canal and power line easements to create a greenway system throughout the coastal Urban Designated Area, the Immokalee Urban Designated Area, and Northern Golden Gate Estates (this excludes Conservation designated areas, Agricultural/Rural designated areas, Southern Golden Gate Estates, and the outlying Urban designated areas of Copeland, Port of the Islands, Plantation Island and Chokoloskee).

Conservation & Coastal Management Element Policy 6.2.3

Collier County shall implement a comprehensive process to ensure wetlands and the natural functions of wetlands are protected and conserved. The process outlined within this policy is primarily based on directing concentrated population growth and intensive development away from large connected wetland systems. These wetland systems have been identified based on their type, values, functions, sizes, conditions and locations within Collier County. These systems predominantly occur east of the Urban boundary. Many fall within public lands or lands targeted for acquisition. High quality wetlands systems located on private property are primarily protected through native vegetation preservation requirements, or through existing PUD commitments, conservation easements, or Stewardship Sending Area Designations, or via the NRPA or Sending designations in the Rural Fringe. Protection measures for wetlands and wetland systems located within the Eastern Lands portion of the County's Rural and Agricultural Assessment (depicted on the FLUM) will be adopted prior to November 1, 2002. Within the Urban and Estates designated areas of the County, the County will rely on the jurisdictional determinations made by the applicable state or federal agency. Where permits issued by such state or federal agencies allow for impacts to wetlands within Urban and Estates designated areas and require mitigation for such impacts, this shall be deemed to preserve and protect wetlands and their functions.

The large connected wetland systems that exist at the landscape scale in Collier County shall be protected through various Land Use Designations and Overlays that restrict higher intensity land uses and require specific land development standards for the remaining allowable land uses. Collier County shall direct incompatible land uses away from these large landscape scale wetland systems by the following mechanisms:

(1) Conservation Designation

Best available data indicates that 76% of all wetlands found in Collier County are contained within the boundary of the land designated as Conservation on the Future Land Use Map.

The overall purpose of the Conservation Designation is to conserve and maintain the natural resources of Collier County and their associated environmental, recreational, and economic benefits. The allowed land uses specified in the FLUE's Conservation Designation (Reference FLUE Land Use Designation Section IV.) will accommodate limited residential development and future non-residential development. These limitations support Collier County's comprehensive process to direct concentrated population growth and intensive land development away from large connected wetland systems.

(2) Big Cypress Area of Critical State Concern Overlay (ACSC)

Best available data indicates that 74% of the County's wetlands are within the Big Cypress Area of Critical State Concern Overlay. The land development regulations contained in the ACSC Overlay District on the Future Land Use Map provide standards that facilitate the goal of directing higher intensity land uses away from wetland systems. The development standards for the ACSC Overlay specifies that site alterations shall be limited to 10% of the total site. A large percentage of the land contained within the ACSC is also within the Conservation Designation and thus is subject to the land use limitations of that Land Use Designation. (Land Use Designation Section V.)

(3) Natural Resource Protection Areas (NRPAs)

Major wetland systems and regional flow-ways were used as criteria to establish the NRPA Overlay District as shown on the Future Land Use Map. These areas identify high functioning wetland systems in the County and represent an additional 12%± of County wetlands that are not located in Conservation Lands. Based on the relatively high concentration of wetlands within NRPA designated lands, incompatible land uses shall be directed away from these areas. Allowable land uses for NRPAs are also subject to native vegetation and preservation standards of 90%. (Reference the NRPA Overlay in the FLUE.)

(4) Rural Fringe Mixed Use District Sending Lands

Best available data indicates that 16,000± acres of wetlands are contained within designated Sending Lands constituting 70%± of land cover in these areas. Incompatible land uses are directed away from the Rural Fringe Mixed Use District Sending Lands through an incentive based Transfer of Development Rights Program that allows land owners within these Sending Lands to transfer their residential density out of the Sending Lands to Rural Fringe Mixed Use District Receiving Lands. Incompatible land uses are also directed away from Sending Lands by restricting allowable uses. (Reference FLUE Rural Fringe Mixed Use District.) Finally, allowable uses within these lands are also

subject to native vegetation retention and preservation standards of 80% to 90%. (Reference CCME Policy 6.7.1)

(5) Flowway Stewardship Areas

Within the Rural Lands Stewardship Area (RLSA) Overlay as designated on the Future Land Use map, Flowway Stewardship Areas (FSAs) are primarily privately owned wetlands that are located within the Camp Keais Strand and Okaloacoochee Slough. These lands form the primary wetland flowway systems in the RLSA. The Overlay provides an incentive to permanently protect FSAs by the creation and transfer of Credits, elimination of incompatible uses, and establishment of protection measures.

Collier County shall allow for more intensive development to occur in Rural Fringe Receiving Lands, North Golden Gate Estates, the Rural-Settlement Area District, and the Urban Designated Areas subject to the land uses identified in the Future Land Use Element, the Immokalee Area Master Plan, and the Golden Gate Area Master Plan. These areas account for only 6% of Collier County's wetlands. Except for tidal wetlands within the coastal portion of the Urban Designated Area, the County finds that the wetland systems in these areas are more fragmented and altered than those systems located within the Conservation Lands, ACSC and NRPA overlays, and Rural Fringe Sending Lands.

On a project-specific basis, wetlands and wetland functions shall be protected through the following mechanisms:

- (1) Federal and State jurisdictional agency review and wetland permitting;
- (2) Vegetation preservation policies supporting CCME Objective 6.1;
- (3) Wetland protection policies supporting CCME Objective 6.2; and
- (4) Clustering provisions specified in the FLUE (Reference FLUE Rural Fringe Mixed Use District.).

Conservation & Coastal Management Element Policy 6.2.4:

Within the **Urban Designated** area, the County shall rely on the wetland jurisdictional determinations and permit requirements issued by the applicable jurisdictional agency. This policy shall be implemented as follows:

- (1) Where permits issued by such jurisdictional agencies allow for impacts to wetlands within this designated area and require mitigation for such impacts, this shall be deemed to meet the objective of protection and conservation of wetlands and the natural functions of wetlands within this area.
- (2) The County shall require the appropriate jurisdictional permit prior to the issuance of a final local development order permitting site improvements, except in the

case of single-family residences which are not part of an approved development or are not platted.

- (3) Collier County will work with the jurisdictional agencies and applicants to encourage mitigation to occur within targeted areas of the County including, but not limited to: Natural Resource Protection Areas (NRPAs); lands targeted for a acquisition by a public entity such as CREW lands; public or private mitigation banks; and other areas appropriate for mitigation, such as flow ways and areas containing habitat for listed species.
- (4) Within the Immokalee Urban Designated Area, there exists high quality wetland system connected to the Lake Trafford/Camp Keais system. These wetlands require greater protection measures and therefore the wetland protection standards set forth in Policy 6.2.5 shall apply in this area. As part of the County's Evaluation and Appraisal Report (EAR), the County shall identify this area and map its boundaries on the Future Land Use Map.

Intergovernmental Coordination Element GOAL 1:

PROVIDE FOR THE CONTINUAL EXCHANGE OF INFORMATION AND THE USE OF ANY INTERGOVERNMENTAL COORDINATION MECHANISMS WITH BROWARD, DADE, HENDRY, LEE AND MONROE COUNTIES, CITIES OF EVERGLADES AND NAPLES, COLLIER COUNTY SCHOOL BOARD, SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL, AND ANY OTHER LOCAL, STATE, OR FEDERAL AGENCY OR GOVERNMENTAL ENTITY, AND UTILITY COMPANIES SUCH AS BUT NOT LIMITED TO FLORIDA POWER AND LIGHT, LEE COUNTY ELECTRIC COOPERATIVE, SPRINT/UNITED TELEPHONE, IMMOKALEE WATER AND SEWER DISTRICT, PELICAN BAY SERVICE DIVISION (MSTU), FLORIDA WATER SERVICES, FLORIDA CITIES WATER COMPANY, MEDIA ONE, AND CABLEVISION INDUSTRIES, THAT MAY BE IMPACTED BY COLLIER COUNTY'S LAND, ROAD OR FACILITY PLANNING TO RESOLVE DIFFERENCES AND TO ACHIEVE COMPATIBLE AND COORDINATED PLANS.

Future Land Use Element Policy 4.2:

A detailed Master Plan for the Immokalee has been developed and was incorporated into this Growth Management Plan in February, 1991. The Master Plan addresses Natural Resources, Future Land Use, Public Facilities, Housing, Urban Design, Land Development Regulations and other considerations. Major purposes of the Master Plan shall be coordination of land use and transportation planning, redevelopment or renewal of blighted areas and elimination of land uses inconsistent with the community's character.

Future Land Use Element Future Land Use Designation Description Section:

I. URBAN DESIGNATION

Urban Designated Areas on the Future Land Use Map include two general portions of Collier County: areas with the greatest residential densities, and areas in close proximity, which have or are projected to receive future urban support facilities and services. It is intended that Urban Designated Areas accommodate the majority of population growth and that new intensive land uses be located within them. Accordingly, the Urban Area will accommodate residential uses and a variety of non-residential uses. The Urban Designated Area, which includes Immokalee and Marco Island, represents less than 10% of Collier County's land area.

The boundaries of the Urban Designated Areas have been established based on several factors, including: patterns of existing development; patterns of approved, but unbuilt, development; natural resources; water management; hurricane risk; existing and proposed public facilities; population projections and the land needed to accommodate the projected population growth.

Urban Designated Areas will accommodate the following uses:

- a. Residential uses including single family, multi-family, duplex, and mobile home. The maximum densities allowed are identified in the Districts, and Subdistricts and Overlays that follow.
- b. Non-residential uses including:
 1. Essential services as defined by the most recent Land Development Code.
 2. Parks, open space and recreational uses;
 3. Water-dependent and water-related uses (see Conservation and Coastal Management Element, Objective 10.1 and subsequent policies and the Collier County Manatee Protection Plan (NR-SP-93-01), May 1995;
 4. Child care centers;
 5. Community facilities such as churches group housing uses, cemeteries, schools and school facilities co-located with other public facilities such as parks, libraries, and community centers, where feasible and mutually acceptable;
 6. Safety service facilities;
 7. Utility and communication facilities;
 8. Earth mining, oil extraction, and related processing;
 9. Agriculture;
 10. Travel trailer recreational vehicle parks, provided the following criteria are met:
 - (a) The density is consistent with that permitted in the Land Development Code;
 - (b) The site has direct principal access to a road classified as an arterial in the Transportation Element, direct principal access defined as a driveway and/or local roadway connection to the arterial road, provided the portion of the local roadway

intended to provide access to the RV park is not within a residential neighborhood and does not service a predominately residential area; and

- (c) The use will be compatible with surrounding land uses.
- 11. Support medical facilities such as physicians' offices, medical clinics, treatment, research and rehabilitative centers, and pharmacies provided the dominant use is medical related and located within ¼ mile of existing or approved hospitals or medical centers which offer primary and urgent care treatment for all types of injuries and traumas, such as, but not limited to, North Collier Hospital. The distance shall be measured from the nearest point of the tract that the hospital is located on or approved for, to the project boundaries of the support medical facilities. Approval of such support medical facilities may be granted concurrent with the approval of new hospitals or medical centers which offer primary and urgent care treatment for all types of injuries and traumas. Stipulations to ensure that the construction of the support medical facilities are concurrent with hospitals or medical centers shall be determined at the time of zoning approval. Support medical facilities are not allowed under this provision if the hospital or medical center is a short-term leased facility due to the potential for relocation.
- 12. Commercial uses subject to criteria identified in the Urban - Mixed Use District, PUD Neighborhood Village Center Subdistrict, Office and Infill Commercial Subdistrict, Residential Mixed Use Neighborhood Subdistrict, Orange Blossom Mixed-Use Subdistrict, Goodlette/Pine Ridge Commercial Infill Subdistrict, Buckley Mixed Use Subdistrict, Vanderbilt Beach/Collier Boulevard Commercial Subdistrict, Commercial Mixed Use Subdistrict, Henderson Creek Mixed Use Subdistrict; and, in the Urban Commercial District, Mixed Use Activity Center Subdistrict, Interchange Activity Center Subdistrict, Livingston/Pine Ridge Commercial Infill Subdistrict, Livingston Road/Eatonwood Lane Commercial Infill Subdistrict, Livingston Road Commercial Infill Subdistrict, and Commercial Mixed Use Subdistrict, and in the Bayshore/Gateway Triangle Redevelopment Overlay.
- 13. Commercial uses accessory to other permitted uses, such as a restaurant accessory to a golf course or retail sales accessory to manufacturing, so long as restrictions or limitations are imposed to insure the commercial use functions as an accessory, subordinate use. Such restrictions or limitations could include limiting the size and/or location of the commercial use and/or limiting access to the commercial use.
- 14. Industrial uses subject to criteria identified in the Urban - Industrial District, in the Urban - Mixed Use District, and in the Urban Commercial District, certain quadrants of Interchange Activity Centers.

15. Hotels/motels consistent by Policy 5.9, 5.10, and 5.11, or as permitted in the Immokalee Area, Golden Gate Area and Marco Island Master Plans, and as permitted in the Bayshore/Gateway Triangle Redevelopment Overlay.
16. Business Park uses subject to criteria identified in the Urban-Mixed Use District, Urban Commercial District and Urban-Industrial District.
17. Research and Technology Park uses subject to criteria identified in the Urban - Mixed Use District, Urban Commercial District and Urban-Industrial District.

Future Land Use Element Future Land Use Designation Description Section:

DENSITY RATING SYSTEM

This Density Rating System is only applicable to areas designated: Urban, Urban – Mixed Use District, as identified on the Future Land Use Map, and those properties specifically identified within the Urban Residential Fringe Subdistrict, which are eligible to apply for an Affordable Density Bonus only, and exclusive of Urban areas encompassed by the Immokalee Area Master Plan, Golden Gate Area Master Plan, and Marco Island Master Plan; and, Agricultural/Rural, as provided for in the Rural Lands Stewardship Area Overlay for the Affordable Housing Density Bonus only. The Density Rating System is applicable to the Urban Coastal Fringe Subdistrict to the extent that the residential density cap of 4 dwelling units per acre is not exceeded, except for the density bonus for Affordable Housing and Transfer of Development Rights, and except as provided for in the Bayshore/Gateway Triangle Redevelopment Overlay.

Within the applicable Urban Designated Areas, a base density of 4 residential dwelling units per gross acre is permitted, though not an entitlement. This base level of density may be adjusted depending upon the location and characteristics of the project. For purposes of calculating the eligible number of dwelling units for a project (gross acreage multiplied by eligible number of dwelling units per acre), the total number of dwelling units may be rounded up by one unit if the dwelling unit total yields a fraction of a unit .5 or greater. Acreage to be used for calculating density is exclusive of the commercial and industrial portions of a project, except where authorized in a Subdistrict, such as the Orange Blossom Mixed-Use Subdistrict, and except for mixed residential and commercial uses as provided for in the C-1 through C-3 zoning districts in the Collier County Land Development Code, via conditional use.

This Density Rating System only applies to residential dwelling units. This Density Rating System is not applicable to accessory dwellings that are not intended and not designed for permanent occupancy and not intended for rental or other commercial use; such accessory dwellings include guest houses, servants quarters, mother-in-law's quarters, cabanas, guest suites, and the like.

Future Land Use Element Future Land Use Designation Description Section:

V. OVERLAYS AND SPECIAL FEATURES

D. Rural Lands Stewardship Area Overlay

Goal

Collier County seeks to address the long-term needs of residents and property owners within the Immokalee Area Study boundary of the Collier County Rural and Agricultural Area Assessment. Collier County's goal is to protect agricultural activities, to prevent the premature conversion of agricultural land to non-agricultural uses, to direct incompatible uses away from wetlands and upland habitat, to enable the conversion of rural land to other uses in appropriate locations, to discourage urban sprawl, and to encourage development that utilizes creative land use planning techniques.

Rural Lands Stewardship Area Overlay Policy 1.15:

Land becomes designated as an SRA upon the adoption of a resolution by the Collier County Board of County Commissioners (BCC) approving the petition by the property owner seeking such designation. Any change in the residential density or non-residential intensity of land use on a parcel of land located within a SRA shall be specified in the resolution reflecting the total number of transferable Credits assigned to the parcel of land. Density and intensity within the RLSA or within an SRA shall not be increased beyond the Baseline Standards except through the provisions of the Stewardship Credit System, the Affordable Housing Density Bonus as referenced in the Density Rating System of the FLUE, and the density and intensity blending provision of the Immokalee Area Master Plan.

Rural Lands Stewardship Area Overlay Policy 4.7:

There are four specific forms of SRA permitted within the Overlay. These are Towns, Villages, Hamlets, and Compact Rural Development (CRD). The Characteristics of Towns, Villages, Hamlets, and CRD are set forth in Map 2.33-4 and are generally described in Policies 4.7.1, 4.7.2, 4.7.3 and 4.7.4. Collier County shall establish more specific regulations, guidelines and standards within the LDC Stewardship District to guide the design and development of SRAs to include innovative planning and development strategies as set forth in Chapter 163.3177 (11), F.S. and OJ-5.006(5)(1). The size and base density of each form shall be consistent with the standards set forth on Map 2.33-4. The maximum base residential density as set forth in Map 2.33-4 may only be exceeded through the density blending process as set forth in density and intensity blending provision of the Immokalee Area Master Plan or through the affordable housing density bonus as referenced in the Density Rating System of the Future Land Use Element. The base residential density is calculated by dividing the total number of residential units in a SRA by the overall area therein. The base residential density does not restrict net residential density of parcels within a SRA. The location, size and density of each SRA will be determined on an individual basis during the SRA designation review and approval process.

Rural Lands Stewardship Area Overlay Policy 4.15:

SRAs are intended to be mixed use and shall be allowed the full range of uses permitted by the Urban Designation of the FLUE, as modified by Policies 4.7, 4.7.1, 4.7.2, 4.7.3, 4.7.4 and Map 2.33-4. An appropriate mix of retail, office, recreational, civic, governmental, and institutional uses will be available to serve the daily needs and community wide needs of residents of the RLSA. Depending on the size, scale, and character of a SRA, such uses may be provided either within the specific SRA, within other SRAs in the RLSA or within the Immokalee Urban Area. By example, each Village or Town shall provide for neighborhood retail/office uses to serve its population as well as appropriate civic and institutional uses, however, the combined population of several Villages and Hamlets may be required to support community scaled retail or office uses in a nearby Town. Standards for the minimum amount of non-residential uses in each category are set forth in Map 2.33-4, and shall be also included in the Stewardship LDC District.

Rural Lands Stewardship Area Overlay Policy 4.16:

A SRA shall have adequate infrastructure available to serve the proposed development, or such infrastructure must be provided concurrently with the demand. The level of infrastructure provided will depend on the type of development, accepted civil engineering practices, and LDC requirements. The capacity of infrastructure serving the SRA must be demonstrated during the SRA designation process in accordance with the Collier County Concurrency Management System in effect at the time of SRA designation. Infrastructure to be analyzed includes transportation, potable water, wastewater, irrigation water, stormwater management, and solid waste. Transportation infrastructure is discussed in Policy 4.14. Centralized or decentralized community water and wastewater utilities are required in Towns, Villages, and those CRDs exceeding 100 acres in size. Centralized or decentralized community water and wastewater utilities shall be constructed, owned, operated and maintained by a private utility service, the developer, a Community Development District, the Immokalee Water Sewer Service District, Collier County, or other governmental entity. Innovative alternative water and wastewater treatment systems such as decentralized community treatment systems shall not be prohibited by this policy provided that they meet all applicable regulatory criteria. Individual potable water supply wells and septic systems, limited to a maximum of 100 acres of any Town, Village or CRD of 100 acres are permitted on an interim basis until services from a centralized/decentralized community system are available. Individual potable water supply wells and septic systems are permitted in Hamlets and may be permitted in CRDs of 100 acres or less in size.

C. Data Assessment:

1. Immokalee Urban Boundary Considerations:

Any consideration of the impact of the current Immokalee Urban Boundary upon the Immokalee Community must begin with an understanding of how and why the boundary was established in the manner that it was.

Collier County adopted its first comprehensive plan on May 8, 1979. As part of that plan, the County also adopted a series of maps depicting “desired long range uses of the land” within Collier County (forerunners of the County’s Future Land Use Map). These maps divided the County into seven Work Study Areas (WSAs). The WSAs were based upon section, township and range boundaries.

When the comprehensive plan was updated in 1983, it was determined that the WSA system was inefficient in allowing County staff to analyze the needs of the various portions of the county with regard to housing, population, future development, essential services, and other factors. Therefore, the 1983 Plan divided the County into 11 Planning Communities, based upon 1980 U.S. Census Tract Boundaries. The current delineation of the Immokalee Urban Area appears to date from the 1983 Comprehensive Plan.

However, a 1980 Census Tract Map in the possession of the County Comprehensive Planning Department appears to conflict with the 1983 Plan’s assertion that the Immokalee Planning Area Boundary was based upon census tracts. This map shows an Immokalee Boundary that is unlike the current boundary. The 1980 map may be based upon State Highway Maps depicting a generalized “Immokalee Designated Place.” To further compound the confusion, the 1990 Census Tract Map for Collier County shows no Immokalee Boundary.

Meanwhile, in 1989, Collier County adopted the current format for its local government comprehensive plan (the Collier County Growth Management Plan, or GMP). Prior to 1989, the County operated under the plan format adopted in 1983. Provisions within the 1989 GMP required the County to begin the process of developing area master plan elements for Marco Island, Golden Gate and Immokalee. As a result of these provisions, the Board of County Commissioners adopted the Immokalee Area Master Plan in 1991.

Between 1989 and 1991, the Immokalee Area was considered part of the Countywide Future Land Use Map (FLUM), but the 1989 GMP did not contain any reference to a separate Immokalee Urban Boundary. Accordingly, the Immokalee Area was not designated on the FLUM until after adoption of the Immokalee Area Master Plan (IAMP) in 1991. The urban boundaries designated within the 1991 IAMP appear to be based upon the 1983 Planning Community boundaries. It thus appears that changes to the existing boundaries have never been considered.

Finally, the 2000 Census Tract Map shows the Immokalee Urban Boundary, as identified within the Immokalee Area Master Plan and the Countywide Future Land Use Map. The

map continues to show little or no obvious relationship between the Urban Boundary and Census Tract boundaries.

During the current analysis of the Immokalee Area Master Plan (see Section 1.5.J of this report), which is being undertaken by the County in conjunction with preparation of the Evaluation & Appraisal Report, it has become apparent that the original 1983 Immokalee Planning Area Boundary was based upon the Immokalee Water & Sewer District Service Area, with some deviations to incorporate the boundaries of the Immokalee Regional Airport and certain outlying areas. This boundary was later incorporated into the Immokalee Area Master Plan (IAMP) in 1991, and has remained unchanged since that time. The currently identified Immokalee Urban Area appears on both the IAMP and Countywide Future Land Use Maps.

During the current update of the IAMP, the County considered both contracting and expanding the current Immokalee Urban Boundary. The designated Immokalee Urban Area is considerably larger than the historic Immokalee core area and street grid. The current population projection for the Immokalee Area (as of April of 2002) is 22,394. The projected buildout population (based strictly upon the size of the current Urban Area) exceeds 100,000 persons. This indicates that the Urban Area has significant unrealized growth potential.

However, the currently recognized Immokalee Urban Area is consistent with the Collier County Future Land Use Element's (FLUE's) definition of an urban area, which is:

“Urban Designated Areas on the Future Land Use Map include two general portions of Collier County: areas with the greatest residential densities, and areas in close proximity, which have or are projected to receive future urban support facilities and services. It is intended that Urban Designated Areas accommodate the majority of population growth and that new intensive land uses be located within them. Accordingly, the Urban Area will accommodate residential uses and a variety of non-residential uses. The Urban Designated Area, which includes Immokalee and Marco Island, represents less than 10% of Collier County's land area.”

The Immokalee Urban Area meets these criteria because it has or is projected to receive future urban support facilities and services, in the sense that the Urban Designation is almost entirely encompassed by the Immokalee Water & Sewer District Boundaries. Therefore, despite the area's “unrealized growth potential,” it does not seem prudent or necessary to contract the Urban Boundaries.

The County has also considered the potential for expanding the current Urban Boundary. In part, the consideration of an Urban Boundary expansion arose because the Immokalee Water & Sewer District is in the process of expanding its service area. Some portions of the proposed expanded service area would extend beyond the current Urban Boundary. The District is an independent governmental district that was created by a Special Act of the State Legislature in 1978. The District has its own governmental board, whose members are appointed by the Governor of Florida. While the District must coordinate with County Agencies, and it is subject to County LOS Standards, its board is otherwise not regulated by the Collier County Board of County Commissioners.

While it is necessary to coordinate future land uses with adequate public facilities, there is no requirement in State Law that requires the Immokalee Community to conform to the shape of the Immokalee Water & Sewer District's Service Area. It is not unusual for utility service areas (even public utilities) to be larger or smaller than the primary urban areas they serve. As an example, the service area for City of Punta Gorda Utilities (in Charlotte County) is larger than the geographic area of the City of Punta Gorda, while the service area for Cape Coral Utilities (in Lee County) is currently much smaller than the City of Cape Coral.

A number of other factors support the conclusion that the Immokalee Urban Boundary should not be expanded:

1. The County's Rural Lands Stewardship Area (RLSA) Overlay (see Section 1.5.H of this report) has only recently (February 2004) been implemented through County Land Development Code (LDC) changes. An extension of the Urban Boundary would require an amendment to the RLSA provisions.
2. Immediately to the east of the Immokalee Urban Area is the Big Cypress Area of Critical State Concern (ACSC). Only limited residential and agricultural development is allowed within the ACSC, and it is not appropriate for urban designation.
3. To the west and northwest of Immokalee are wetland areas associated with Lake Trafford and the Corkscrew Regional Ecosystem Watershed. These areas are also within the RLSA. Expansion of the Urban Designation into these areas would be inappropriate.
4. North and south of Immokalee are largely vacant agricultural areas, with only limited population. In addition to being within the RLSA, these areas lack sufficient population to warrant extension of the Urban Designation. Likewise, there are no public utilities currently planned for these areas.

However, other factors appear to support the expansion of the Urban Boundary. These include:

1. As noted previously, the Immokalee Water & Sewer District is in the process of expanding outside of the current Urban Boundary. The County Future Land Use Element's definition of areas to be included within the Urban Designation includes "areas in close proximity (to existing urbanized areas), which have or are projected to receive future urban support facilities and services." Thus, the District expansion area could be considered an "urban" area.
2. The federally designated Enterprise Zone for the Immokalee Area includes a four-census tract area. While this area includes the existing Urban Area, large portions of the Enterprise Zone (particularly to the north) are outside of the Urban Boundary.

3. As development occurs in the surrounding Rural Lands Stewardship Area (RLSA), it may be necessary to expand existing transportation corridors between the RLSA and Immokalee, and to create new corridors. It is also feasible to regard the Immokalee Community as a potential source of goods and services to the RLSA developments.
4. Some large natural systems that are protected through the RLSA designation also extend through the current Immokalee Urban Area. Expansion of the Urban Boundary could be a means of ensuring that these systems receive consistent protection both within the RLSA and within the Urban Boundary.

In consideration of both the positive and negative aspects of an Immokalee Urban Boundary expansion, the County proposes a compromise solution. The current Immokalee Urban Boundary will remain unchanged. However, the boundary of the Immokalee Area Master Plan Element of the Collier County Growth Management Plan will be expanded to include the four census tracts. The proposed IAMP Expansion Area is graphically depicted on Map 2.33-5.

Currently, the Immokalee Urban Boundary and the IAMP Boundary are the same. Under the proposed expansion, this would no longer be the case. The IAMP Boundary would include a portion of the current RLSA Designation. However, the County is not proposing to add any new regulations to, or otherwise change the regulations in, the RLSA Area. The purpose of expanding the Master Plan Boundary would be to allow the County to better plan for future transportation, environmental and other linkages between growth and development in the Rural Lands Stewardship Area and growth and development in the Immokalee Urban Area. Conceivably, at some future date, the IAMP Boundary Expansion could facilitate incorporation of adjacent RLSA Developments into the Immokalee Urban Area.

2. Immokalee Implementation Activities:

The second aspect of the EAR requirement (see Introduction & Background, above) concerns the manner in which Growth Management Plan goals, objectives and policies relative to the Immokalee Area have been implemented, and the impact of such implementation “in attracting new businesses, permanent residents and financial investment to the Immokalee Area.” This is evaluated in Section 1.5.J of this report.

D. Objective Achievement Analysis:

Sanitary Sewer Sub-Element Policy 1.5.1:

This policy seeks to discourage urban sprawl by permitting universal availability of central sanitary sewer facilities only in certain specific areas. The policy also recognizes that centralized sewer service (through the Immokalee Water & Sewer District) is available in the Immokalee Area.

Potable Water Sub-Element Policy 1.2.4:

This policy permits the development of central potable water supply systems only in certain specific areas. The policy also recognizes that centralized potable water service (through the Immokalee Water & Sewer District) is available in the Immokalee Area.

Potable Water Sub-Element Policy 1.5.1:

This policy is virtually identical to Sanitary Sewer Sub-Element Policy 1.5.1, above.

Drainage Sub-Element Policy 1.1.5:

This policy recognizes three of the County's Stormwater Management Basins that were scheduled for major drainage studies during the time period 1997 through 2002. One of these is the Immokalee Basin. In actual fact, the Immokalee Basin Study has only just (April 2004) begun, under the auspices of the Big Cypress Basin Board of the South Florida Water Management District.

Drainage Sub-Element Policy 1.2.1:

This policy contains stormwater basin LOS standards for all of the County's identified basins, including Immokalee.

Solid Waste Sub-Element OBJECTIVE 1.1: (COLLECTION)

This policy recognizes the Solid Waste Department's Immokalee Service Area. The Immokalee Service Area has its own landfill (see Section 1.5.C.4 of this report for more information).

Housing Element Policy 4.6:

This policy requires County staff to conduct an inventory of substandard housing conditions in the Immokalee Urban Area, with the subsequent creation of a program to ameliorate adverse conditions. The inventory was supposed to begin in 2001, but has actually just begun (January 2004).

Housing Element Policy 4.7:

Upon completion of the Housing Inventory, referenced in Policy 4.6, above, the County is to complete a review of the residential density caps established in the Immokalee Area Master Plan to determine if and where it may be appropriate to increase such caps to encourage the development of new affordable housing units for farmworkers, very low and low income individuals. This review is currently pending completion of the Housing Inventory.

Housing Element Policy 8.1:

This policy requires the County to coordinate with the USDA and other State and Federal Agencies to provide technical and financial assistance, impact fee waivers and deferrals and increased density, consistent with the Immokalee Area Master Plan, for a 300 bed facility to provide housing for unaccompanied agribusiness workers. This policy refers to a specific project that was not completed. Therefore, the EAR-based amendments to the Housing Element should include deletion of this policy.

Housing Element Policy 8.2:

This policy requires the County to prepare a housing assessment of single family, multi-family, and mobile home units and mobile home parks in the Immokalee Urban Area to determine the number of units that do not meet health and safety codes and the minimum housing code and to target affordable housing and code enforcement programs to correct the conditions. This is an ongoing activity for County staff.

Recreation & Open Space Element Objective 3.1:

This Objective requires the Parks & Recreation Department to develop a Community and Regional Park Plan by the year 2010 that will provide larger parks and recreational facilities as well as passive open space within a 15 to 20 minute drive of residents within the coastal Urban Designated Area, the Immokalee Urban Designated Area, and Northern Golden Gate Estates. This work is ongoing.

Recreation & Open Space Element Policy 3.1.7:

Part of the above Objective, this policy calls for the use of power line and canal corridors to create a greenway system throughout the coastal Urban Designated Area, the Immokalee Urban Designated Area, and Northern Golden Gate Estates. This work is ongoing.

Conservation & Coastal Management Element Policy 6.2.3:

This policy contains guidelines and provisions relative to the protection of wetlands and wetland functions in various parts of Collier County, including Immokalee. For more information regarding this policy, please see Section 1.5.F of this report.

Conservation & Coastal Management Element Policy 6.2.4:

This policy outlines the County's reliance upon wetland jurisdictional determinations and permit requirements issued by the applicable jurisdictional agencies for environmental regulation within the Urban-Designated Area (including Immokalee).

Intergovernmental Coordination Element GOAL 1:

The Goal of the Intergovernmental Coordination Element lists the Immokalee Water & Sewer District as one of the entities with which Collier County coordinates.

Future Land Use Element Policy 4.2:

This policy expressly incorporates the Immokalee Area Master Plan into the County's Future Land Use Element.

Future Land Use Element Future Land Use Designation Description Section:

I. URBAN AREA DESIGNATION:

This Future Land Use provision contains the Collier County Growth Management Plan's definition of an urban area. It specifically includes Immokalee as an Urban Designated Area.

Future Land Use Element Future Land Use Designation Description Section:

DENSITY RATING SYSTEM:

The current description of the Density Rating System (DRS) notes that it applies to the Immokalee Urban Area. Refer to EAR Section 1.5.F for proposed changes to the County's Density Rating System.

Future Land Use Element Future Land Use Designation Description Section:

V. OVERLAYS AND SPECIAL FEATURES

D. Rural Lands Stewardship Area Overlay

Goal:

The Goal of the Rural Lands Stewardship Area Overlay provisions recognizes that the RLSA Area was analogous to the Immokalee Area Study boundary of the Collier County Rural and Agricultural Area Assessment.

Rural Lands Stewardship Area Overlay Policy 1.15:

This policy describes the manner in which land becomes designated as a Stewardship Receiving Area (SRA). It references a density and intensity blending provision contained within the Immokalee Area Master Plan.

Rural Lands Stewardship Area Overlay Policy 4.7:

This policy describes the four specific forms of SRA permitted within the Overlay. It references the density and intensity blending provision of the Immokalee Area Master Plan.

Rural Lands Stewardship Area Overlay Policy 4.15:

This policy calls for an appropriate mix of retail, office, recreational, civic, governmental, and institutional uses to serve the daily needs and community wide needs of residents of the RLSA. The policy recognizes that such services could be available within the Immokalee Urban Area.

Rural Lands Stewardship Area Overlay Policy 4.16:

This policy requires an SRA to have adequate infrastructure available to serve the proposed development. It allows such infrastructure to be provided by the Immokalee Water Sewer Service District, among other options.

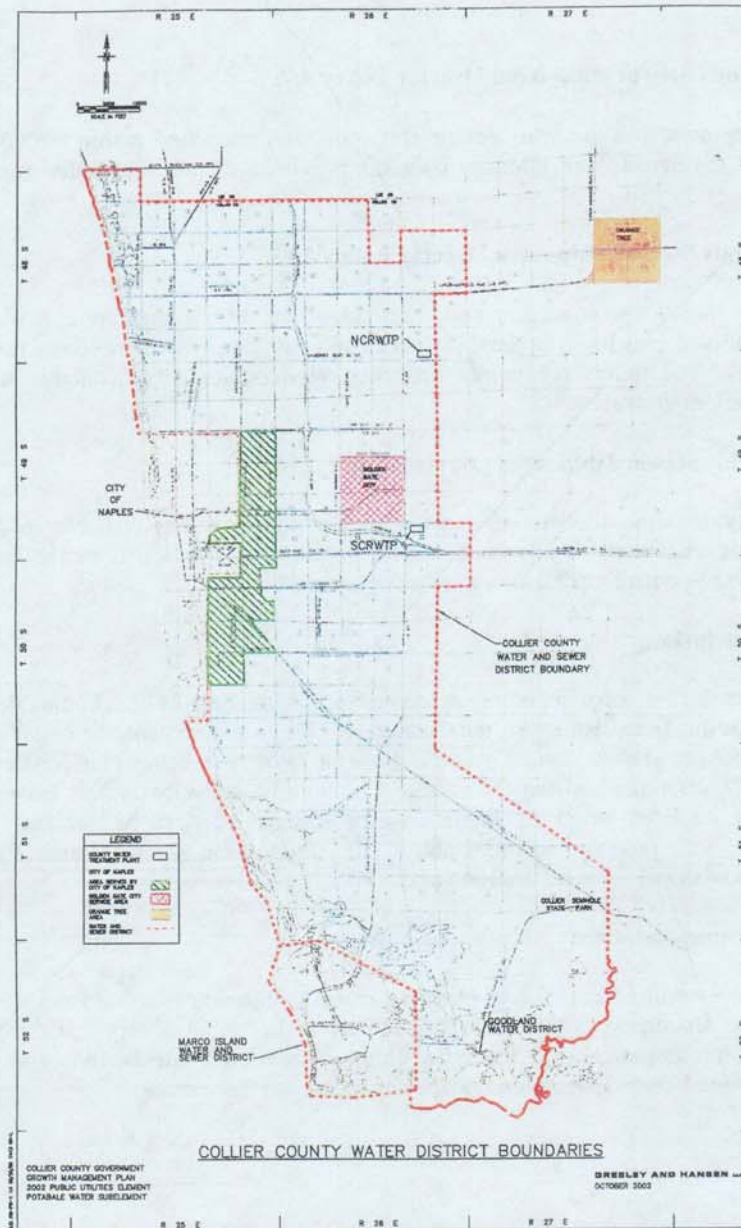
E. Conclusion:

The County is not recommending expansion or contraction of the Immokalee Urban Boundary at this time. However, the County does propose to expand the boundary of the Immokalee Area Master Plan. This will allow the County to better plan for the impacts of RLSA Development on the Immokalee Community, and vice-versa. However, this will not be an EAR based amendment as the Immokalee Area Master Plan Restudy Committee will propose amendments to the Immokalee Area Master Plan after completion of the committee's analysis of the Plan.

F. Recommendation:

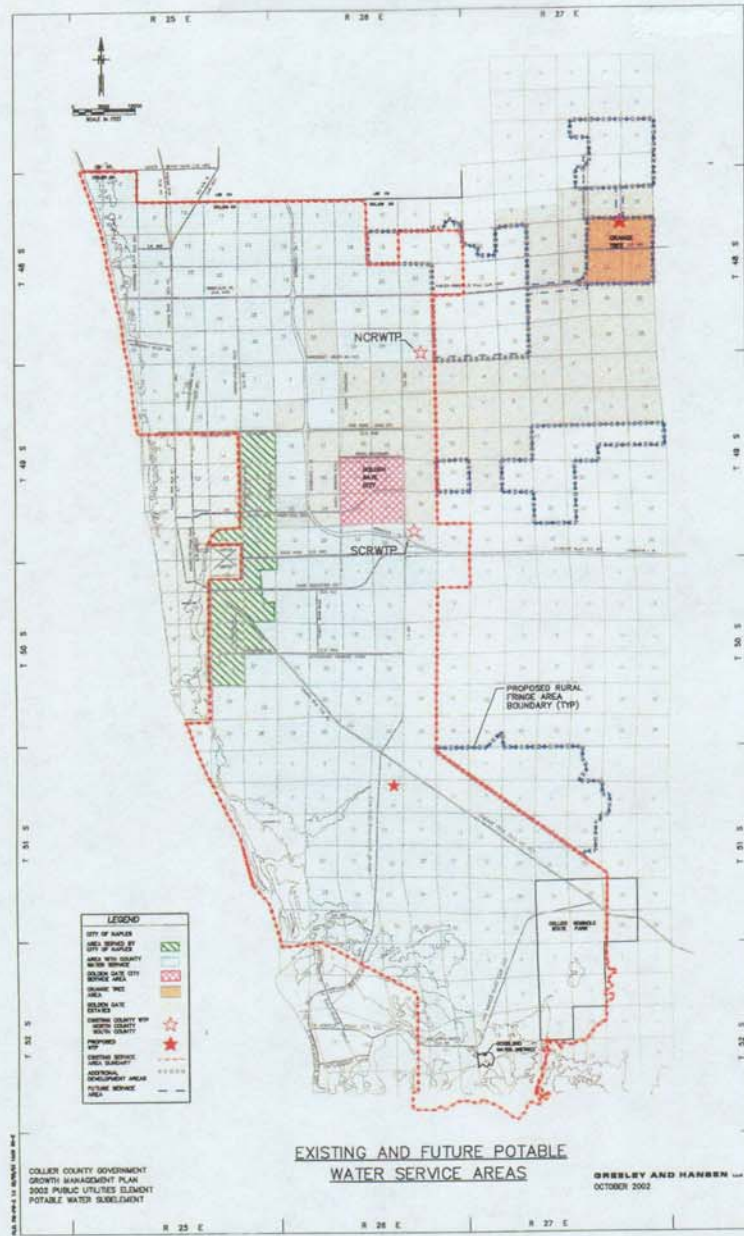
Collier County will address future planning issues within an expanded Immokalee Area Master Plan Boundary, which includes the current Urban Boundary. If development patterns within surrounding RLSA areas within the revised IAMP Boundary so warrant, the Immokalee Urban designation may be expanded into these areas.

Map 2.33-1



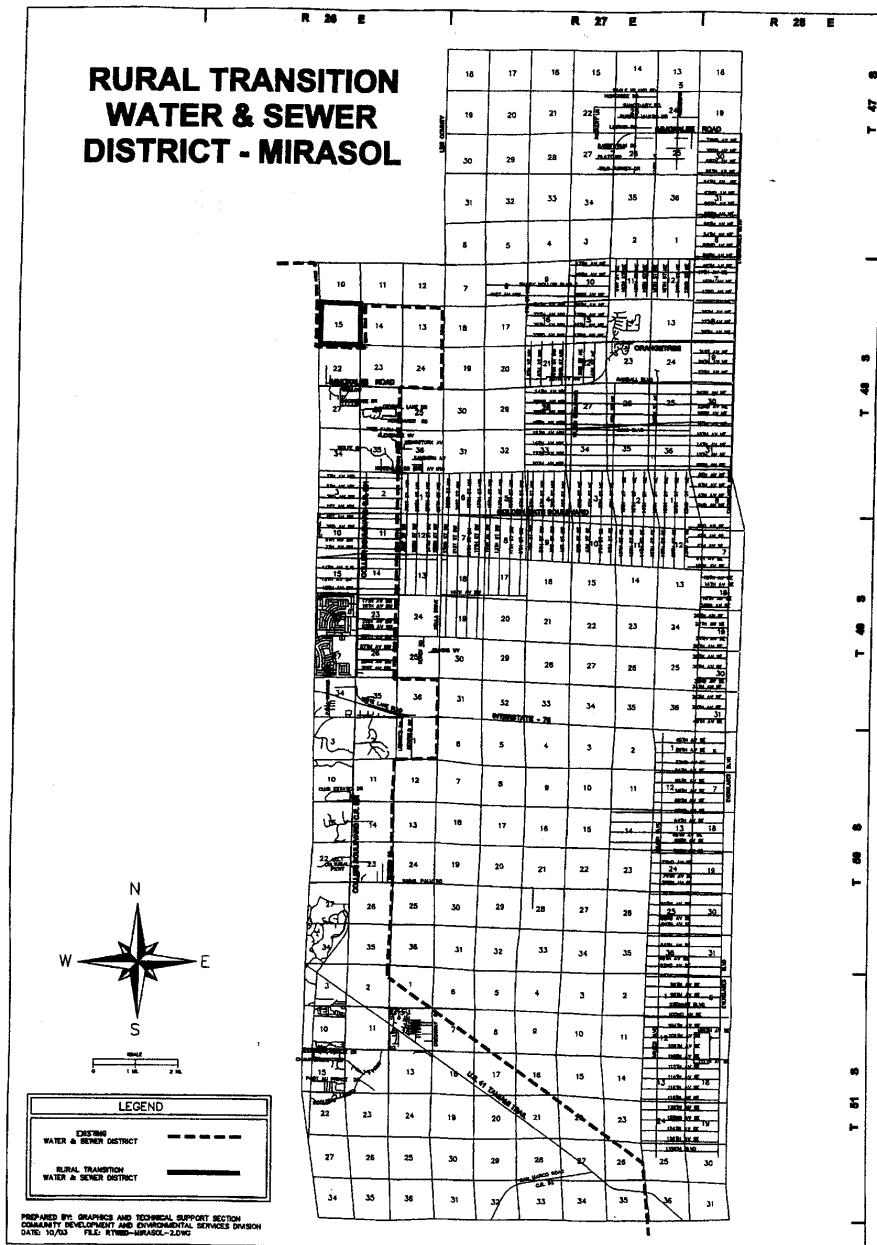
(IV) = Plan Amendment by Ordinance No. 2003-44 on September 10, 2003

Map 2.33-2



(IV) = Plan Amendment by Ordinance No. 2003-44 on September 10, 2003

Map 2.33-3



(IV) = Plan Amendment by Ordinance No. 2003-44 on September 10, 2003

Map 2.33-4

Map 2.33-5

