



LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL20190001185

ORIGIN

Growth Management Department

HEARING DATES

BCC TBD
 CCPC TBD
 DSAC TBD
 DSAC-LDR 06/18/2019

SUMMARY OF AMENDMENT

This amendment facilitates the creation of a new Administrative Code section for Stewardship Receiving Area (SRA) petitions by adding procedural requirements to the Administrative Code. There are no substantive changes intended as a part of this amendment.

LDC SECTION TO BE AMENDED

4.08.07 SRA Designation

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR
TBD

DSAC
TBD

CCPC
TBD

BACKGROUND

Collier County Staff is currently undergoing a comprehensive update to the Collier County Administrative Code for Land Development (Administrative Code). As a part of this update, a new section will be added with submittal requirements and procedures for SRA applications.

This amendment provides cross-references to provisions which will be located in the Administrative Code. Additional minor changes to remove gendered pronouns, update an outdated divisional reference, and correct a code citation are also included. There are no substantive changes intended as a part of this amendment.

FISCAL & OPERATIONAL IMPACTS

This amendment will provide more guidance to applicants and staff as to the submittal requirements for SRA applications. There are no anticipated fiscal or operational impacts associated with this amendment.

GMP CONSISTENCY

This amendment is deemed consistent with the Future Land Use Element of the GMP.

EXHIBITS: A) Proposed Administrative Code

Amend the LDC as follows:

4.08.07 – SRA Designation

D. SRA Designation Application Package. A Designation Application Package to support a request to designate land(s) within the RLSA District as an SRA shall be made pursuant to the regulations of the RLSA District Regulations. The SRA Application Package shall include the following:

1. SRA Designation Application. An application shall be submitted by a landowner or ~~his/her~~ the landowner's agent, hereafter "applicant," to request the designation of an SRA within the RLSA District. The ~~A~~ application shall be submitted to the County ~~m~~Manager or ~~his~~ designee, on a form provided. The application shall be accompanied by the documentation as required by this Section and the Administrative Code.

5. SRA Master Plan. A Master Plan shall be prepared and submitted by the applicant as part of the SRA Application for Designation of an SRA. The SRA Master Plan shall be consistent with the requirements of Section 4.08.07 G. and the Administrative Code.

6. SRA Development Document. A Development Document shall be prepared and submitted by the applicant as part of the SRA Application for Designation of an SRA. The SRA Development Document shall be consistent with the requirements of Section 4.08.07 H. and the Administrative Code.

9. Stewardship Credit Use and Reconciliation Application. A Credit Use and Reconciliation Application shall be submitted as part of an SRA Designation Application in order to track the transfer of credits from SSA(s) to SRA(s). The Stewardship Credit Use and Reconciliation Application shall be in a form provided by the County Manager, or ~~his~~ designee. The application package shall contain the following:

E. SRA Application Review Process.

1. Pre-Application Conference with County Staff: Prior to the submission of a formal application for SRA designation, the applicant shall attend a pre-application conference with the County Manager or ~~his~~ designee and other county staff, agencies, and officials involved in the review and processing of such applications and related materials. If an SRA designation application will be filed concurrent with an SSA application, only one pre-application conference shall be required. This pre-application conference should address, but not be limited to, such matters as:

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4 2. Application Package Submittal and Processing Fees. The required number of SRA
5 Applications and the associated processing fee shall be submitted to the County
6 Manager or ~~his~~ designee. The contents of said application package shall be in
7 accordance with LDC Section 4.08.07 D. and the Administrative Code.

8
9 ~~3. Application Deemed Sufficient for Review. Within thirty (30) days of receipt of the~~
10 ~~SRA Application, the County manager or his designee shall notify the applicant in~~
11 ~~writing that the application is deemed sufficient for agency review or advise what~~
12 ~~additional information is needed to find the application sufficient. If required, the~~
13 ~~applicant shall submit additional information. Within twenty (20) days of receipt of~~
14 ~~the additional information, the County Manager or his designee shall notify the~~
15 ~~applicant in writing that the application is deemed sufficient, or, what additional or~~
16 ~~revised information is required. If necessary, the County Manager shall again~~
17 ~~inform the applicant in writing of information needed, and the timeframe outlined~~
18 ~~herein shall occur until the application is found sufficient for review.~~

19
20 45. Review by County Reviewing Agencies: Once the SRA application is deemed
21 sufficient, the County Manager or ~~his~~ designee will distribute it to specific County
22 review staff.

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24 56. Staff Review. Within sixty (60) days of receipt of a sufficient application, County
25 staff shall review the submittal documents and provide comments, questions,
26 and clarification items to the applicant. If deemed necessary by County staff or
27 the applicant, a meeting shall be held to address outstanding issues and
28 confirm public hearing dates.

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30 67. Staff Report. Within ninety (90) days from the receipt of a sufficient application,
31 County staff shall prepare a written report containing their review findings and a
32 recommendation of approval, approval with conditions or denial. This timeframe
33 may be extended upon agreement of County staff and the applicant.

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35 78. Public notice and required hearings shall be as established in LDC section
36 10.03.06 M.

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40 F. SRA Application Approval Process.

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44 4. SRA Amendments. Amendments to the SRA shall be considered in the same
45 manner as described in this Section for the establishment of an SRA, except as
46 follows:

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48 a. Waiver of Required SRA Application Package Component(s). A waiver
49 may be granted by the County Manager or ~~his~~ designee, if at the time of
50 the pre-application conference, in the determination of the County Manager

1 or designee, the original SRA Designation Application component(s) is
2 (are) not materially altered by the amendment or an updated component is
3 not needed to evaluate the amendment. The County Manager or designee
4 shall determine what application components and associated
5 documentation are required in order to adequately evaluate the
6 amendment request.

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10 c. Insubstantial change determination. An insubstantial change includes any
11 change that is not considered a substantial or minor change. An
12 insubstantial change to an approved SRA Development Document or
13 master plan shall be based upon an evaluation of LDC ~~subsection~~ 4.08.07
14 F.4.b., above and shall require the review and approval of the Hearing
15 Examiner or Planning Commission. The approval shall be based on the
16 findings and criteria used for the original application and be an action taken
17 at a regularly scheduled meeting.

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19 (1) The applicant shall provide the ~~Planning and Zoning Department~~
20 ~~Director~~ County Manager or designee documentation which
21 adequately describes the proposed changes as described in the
22 Administrative Code.

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24 d. Approval of Minor Changes by County Manager or Designee. The County
25 Manager or designee shall be authorized to approve minor changes and
26 refinements to an SRA Master Plan or Development Document upon
27 written request of the applicant. Minor changes and refinements shall be
28 reviewed by appropriate County staff to ensure that said changes and
29 refinements are otherwise in compliance with all applicable County
30 ordinances and regulations prior to the County Manager or designee's
31 consideration for approval. The following limitations shall apply to such
32 requests:

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36 G. Master Plan. To address the specifics of each SRA, a master plan of each SRA will be
37 prepared and submitted to Collier County as a part of the petition for designation as an
38 SRA. The master plan will demonstrate that the SRA complies with all applicable GMP
39 policies and the RLSA District and is designed so that incompatible land uses are directed
40 away from lands identified as FSAs, HSAs, WRAs, and Conservation Lands on the RLSA
41 Overlay Map.

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43 1. Master Plan Requirements. A master plan shall accompany an SRA Designation
44 Application to address the specifics of each SRA. The master plan shall
45 demonstrate that the SRA is designed so that incompatible land uses are directed
46 away from lands identified as FSAs, HSAs, WRAs and Conservation Lands on the
47 RSLA Overlay Map. The plan shall be designed by an urban planner who
48 possesses an AICP certification, together with at least one of the following:

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50 a. A professional engineer (P.E.) with expertise in the area of civil engineering
51 licensed by the State of Florida;

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Text underlined is new text to be added
~~Text strikethrough is current text to be deleted~~

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- b. A qualified environmental consultant ~~per Chapter 10 of the LDC~~LDC section 3.08.00 A.2.; or
- c. A practicing architect licensed by the State of Florida.

* * * * *

H. Development Document. Data supporting the SRA Master Plan, and describing the SRA application, shall be in the form of a Development Document that shall consist of the information listed below and in the Administrative Code, unless determined at the required pre-application conference to be unnecessary to describe the development strategy.

- 1. The document shall be prepared by an urban planner who possesses an AICP certification, together with at least one of the following:
 - a. A professional engineer (P.E.) with expertise in the area of civil engineering licensed by the State of Florida;
 - b. A qualified environmental consultant ~~per Chapter 10 of the LDC~~LDC section 3.08.00 A.2.; or
 - c. A practicing landscape architect licensed by the State of Florida.

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C. Stewardship receiving area (SRA)

C.1. SRA Designation

Reference [LDC section 4.08.07, LDC Public Notice section 10.03.06 M and F.S. § 163.3202.](#)

↔ [See LDC subsection 4.08.07 B for Establishment and Transfer of Stewardship Credits](#)

Applicability [This procedure applies to a request for the designation of a SRA.](#)

Pre-Application [A pre-application meeting is required. The pre-application meeting with the Zoning Division may address, but is not limited to, the matters set forth in LDC section 4.08.07 E.1.](#)

Initiation [The applicant files a “Stewardship Receiving Area \(SRA\) Designation Application” with the Zoning Division.](#)

↔ [See Chapter 1 D. for additional information regarding the procedural steps for initiating an application.](#)

Application Contents [The application must include the following information:](#)

- [1. Applicant contact information.](#)
- [2. Addressing checklist.](#)
- [3. Name of project.](#)
- [4. Property Ownership Disclosure form.](#)
- [5. The date the subject property was acquired or leased \(including the term of the lease\). If the applicant has an option to buy, indicate the date of the option, the date the option terminates, and anticipated closing date.](#)
- [6. Property information, including:
 - \[a. Section, township and range;\]\(#\)
 - \[b. Zoning districts;\]\(#\)
 - \[c. General location and cross streets;\]\(#\)
 - \[d. Property identification numbers;\]\(#\)
 - \[e. Total area of project in acres; and\]\(#\)
 - \[f. Previously approved or pending petition numbers affecting the property.\]\(#\)](#)
- [7. Adjacent zoning and land use designations.](#)
- [8. A list of consultants, including name, phone number, and mailing address.](#)
- [9. Stewardship Credit Use and Reconciliation Application. ↔ See Stewardship Credit Use and Reconciliation Application Contents below.](#)
- [10. A Stewardship Receiving Area Credit Agreement as described in LDC section 4.08.07 D.11.b.](#)

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11. The SRA Development Document, with all required Exhibits. ⇔ See SRA Development Document Contents below.

14. An SRA Public Facilities Impact Assessment Report as described in LDC section 4.08.07 K.

15. An SRA Economic Assessment Report as described in LDC section 4.08.07 L.

16. Electronic copy of all documents.

17. Affidavit of Authorization.

Stewardship Credit Use and Reconciliation Application Contents The Stewardship Credit Use and Reconciliation Application shall contain the following, pursuant to LDC section 4.08.07 D.9.:

1. The legal description of, or descriptive reference to, the SRA to which the Stewardship Credits are being transferred.

2. Total number of acres within the proposed SRA and the total number of acres of the proposed SRA within the ACSC (if any).

3. Number of acres within the SRA designated “public use” that do not require the redemption of Stewardship Credits in order to be entitled (does not consume credits).

4. Number of acres of “excess” open spaces within the SRA that do not require the consumption of credits.

5. Number of acres of WRAs inside the SRA boundary but not included in the SRA designation.

6. Number of acres within the SRA that consume credits.

7. The number of Stewardship Credits being transferred to (consumed by) the SRA and documentation that the applicant has acquired or has a contractual right to acquire those Stewardship Credits.

8. The number of acres to which credits are to be transferred (consumed) multiplied by 8 Credits/ acre equals the number of Credits to be transferred (consumed).

9. A descriptive reference to one or more approved or pending SSA Designation Applications from which the Stewardship Credits are being obtained. Submit copies of SSA Stewardship Credit Agreement and related documentation, including:

a. SSA Application Number;

b. Pending companion SRA Application Number;

c. SSA Designation Resolution (or Resolution Number);

d. SSA Credit Agreement (Stewardship Agreement); and

e. Stewardship Credits Database Report.

10. A descriptive reference to any previously approved Stewardship Credit Use and Reconciliation Applications that pertain to the referenced SSA(s) from which the Stewardship Credits are being obtained.

11. A summary table in a form provided by Collier County that identifies the exchange of all Stewardship Credits that involve the SRA and all of the associated SSAs from which the Stewardship Credits are being obtained.

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SRA Development Document Contents The SRA Development Document shall be prepared by a **planner**, together with at least one of the following: a professional **engineer** (P.E.) with expertise in the area of civil engineering licensed by the State of Florida, a qualified environmental consultant per **LDC** section 3.08.00 A.2., or a practicing landscape architect licensed by the State of Florida.

The Development Document shall include, as applicable, the following information pursuant to **LDC** section 4.08.07 H.:

1. Title page to include name of project.
2. Index/table of contents.
3. Exhibit A. Identification of all proposed land uses within each tract or increment describing: acreage; proposed number of dwelling units; proposed density and percentage of the total development represented by each type of use; or in the case of commercial, industrial, institutional or office, the acreage and maximum gross leasable floor area within the individual tracts or increments.
4. Exhibit B. Design standards for each type of land use proposed within the SRA. Design standards shall be consistent with the Design Criteria contained in **LDC** section 4.08.07 J.
5. Exhibit C. SRA Master Plan. ⇔ See *SRA Master Plan Contents below*.
6. Exhibit D. Legal description of the SRA boundary, and for any WRAs encompassed by the SRA.
7. Exhibit E. The Development Document, including any amendments, may request deviations from the **LDC**. The Development Document application shall identify all proposed deviations including justification and any proposed alternatives. See **LDC** section 4.08.07 J.8 for the deviation requirements and criteria.
8. Exhibit F. Planning and Commitment information, with the following included:
 - a. The proposed schedule of development, and the sequence of phasing or incremental development within the SRA, if applicable;
 - b. The location and nature of all existing or proposed public facilities (or sites), such as schools, parks, fire stations and the like;
 - c. A plan for the provision of all needed utilities to and within the SRA; including (as appropriate) water supply, sanitary sewer collection and treatment system, stormwater collection and management system, pursuant to related county regulations and ordinances;
 - d. Agreements, provisions, or covenants, which govern the use, maintenance, and continued protection of the SRA and any of its common areas or facilities; and
 - e. Development commitments for all infrastructure.
9. Exhibit G. A Natural Resource Index Assessment. ⇔ See *Natural Resource Index Assessment Contents below*.
10. Exhibit H. Development Document amendment provisions.
11. Exhibit I. Property Information, with the following information included:
 - a. Statement of compliance with the RSLA Overlay and the RLSA District Regulations.

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- b. General location map showing the location of the site within the boundaries of the RLSA Overlay Map and in relation to other designated SRAs and such external facilities as highways.
 - c. Property ownership and general description of site (including statement of unified ownership).
 - d. Description of project development.
 - e. The overall acreage of the SRA that requires the consumption of Stewardship Credits and proposed gross density for the SRA.
12. Typical cross sections for all arterial, collector, and local streets, public or private, within the proposed SRA.
 13. When determined necessary to adequately assess the compatibility of proposed uses within the SRA to existing land uses, their relationship to agriculture uses, open space, recreation facilities, or to assess requests for deviations from the Design Criteria standards, the County Manager or designee may request schematic architectural drawings (floor plans, elevations, perspectives) for all proposed structures and improvements, as appropriate.
 14. Development Document amendment provisions.
 15. Documentation or attestation of professional credentials of individuals preparing the development document.

SRA Master Plan Contents

The SRA Master Plan shall be designed by a **planner**, together with at least one of the following: A professional **engineer** (P.E.) with expertise in the area of civil engineering licensed by the State of Florida, a qualified environmental consultant per **LDC** section 3.08.00 A.2., or a practicing **architect** licensed by the State of Florida.

At a minimum, the Master Plan shall include the following, pursuant to **LDC** section 4.08.07 G.:

1. The title of the project and name of the developer.
2. Scale, date, north arrows.
3. Location map that identifies the relationship of the SRA to the entire RLSA District, including other designated SRAs.
4. Boundaries of the subject property. Indicating all existing roadways within and adjacent to the site, watercourses, easements, section lines, and other important physical features within and adjoining the proposed development.
5. Identification of all proposed tracts or increments within the SRA such as, but not limited to: residential, commercial, industrial, institutional, conservation/ preservation, lakes and/or other water management facilities, the location and function of all areas proposed for dedication or to be reserved for community and/or public use, and areas proposed for recreational uses including golf courses and related facilities.
6. Identification, location and quantification of all wetland preservation, buffer areas, and open space areas.
7. The location and size (as appropriate) of all proposed drainage, water, sewer, and other utility provisions.
8. The location of all proposed major internal rights of way and pedestrian access ways;

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- [9. Typical cross sections for all arterial, collector, and local streets, public or private, within the proposed SRA.](#)
- [10. Identification of any WRAs that are contiguous to or incorporated within the boundaries of the SRA.](#)
- [11. Documentation or attestation of professional credentials of individuals preparing the master plan.](#)

[Natural Resource Index Assessment Contents](#)

The Assessment shall include an analysis that quantifies the number of acres by Index Values, pursuant to LDC section 4.08.07 D.3. The Assessment shall:

- [1. Identify all lands within the proposed SRA that have an Index Value greater than 1.2.](#)
- [2. Verify that the Index Value scores assigned during the RLSA Study are still valid through recent aerial photography or satellite imagery or agency-approved mapping, or other documentation, as verified by field inspections.](#)
- [3. If the Index Value scores assigned during the RLSA Study are no longer valid, document the current Index Value of the land.](#)
- [4. Quantify the acreage of agricultural lands, by type, being converted.](#)
- [5. Quantify the acreage of non-agricultural acreage, by type, being converted.](#)
- [6. Quantify the acreage of all lands by type within the proposed SRA that have an Index Value greater than 1.2.](#)
- [7. Quantify the acreage of all lands, by type, being designated as SRA within the ACSC, if any.](#)
- [8. Demonstrate compliance with the Suitability Criteria contained in LDC section 4.08.07 A.1.](#)
- [9. Natural Resource Index Assessment Support Documentation pursuant to LDC section 4.08.07 D.4, including:
 - \[a. Legal Description, including sketch or survey;\]\(#\)
 - \[b. Acreage calculations of lands being put into the SRA, including acreage calculations of WRAs \\(if any\\) within SRA boundary but not included in SRA designation;\]\(#\)
 - \[c. RLSA Overlay Map delineating the area of the RLSA District being designated as an SRA;\]\(#\)
 - \[d. Aerial photograph delineating the area being designated as an SRA;\]\(#\)
 - \[e. Natural Resource Index Map of area being designated as an SRA;\]\(#\)
 - \[f. FLUCFCS map\\(s\\) delineating the area being designated as an SRA;\]\(#\)
 - \[g. Listed species map\\(s\\) delineating the area being designated as an SRA;\]\(#\)
 - \[h. Soils map\\(s\\) delineating the area being designated as an SRA; and\]\(#\)
 - \[i. Documentation to support a change in the related Natural Resource Index Value\\(s\\), if appropriate.\]\(#\)](#)

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Completeness and Processing of Application [↔ See Chapter 1 D. for information regarding the completeness and processing steps of the application.](#)

[After the application is filed, pre-hearing conferences may be held between the applicant, the applicant's agents, county officials, and county staff prior to the public hearing.](#)

Review Timeframe [Within thirty \(30\) days of receipt of the SRA Application, the applicant will be notified in writing that the application is complete and sufficient for review. If required, the applicant shall submit additional information.](#)

[Within twenty \(20\) working days of receipt of the additional information the applicant will be notified if the application is complete.](#)

[Staff review and written comments shall be submitted to the applicant sixty \(60\) days after sufficiency has been determined.](#)

[Staff shall provide a written report containing their findings and recommendations of approval, approval with conditions or denial within ninety \(90\) days after sufficiency is determined.](#)

Notice [Notification requirements are as follows. ↔ See Chapter 8 of the Administrative Code for additional notice information.](#)

- [1. **NIM:** The **NIM** shall be completed at least 15 days before the advertised Planning Commission hearing. The **NIM** shall be advertised and a mailed written notice shall be given to **property owners in the notification area** at least 15 days prior to the **NIM** meeting.](#)
- [2. **Mailed Notice:** Written notice shall be sent to **property owners in the notification area** at least 15 days before the advertised Planning Commission hearing.](#)
- [3. **Newspaper Advertisements:** The legal advertisement shall be published at least 15 days before each advertised public hearing in a newspaper of general circulation. The advertisement shall include at a minimum:
 - \[a. Date, time, and location of the hearing;\]\(#\)
 - \[b. Title of the proposed resolution;\]\(#\)
 - \[c. Location\\(s\\) within the County where the proposed resolution and agreement may be inspected by the public;\]\(#\)
 - \[d. General description of the proposed land uses;\]\(#\)
 - \[e. 2 in. x 3 in. map of the project location; and\]\(#\)
 - \[f. Notification that interested parties may appear at the meeting and be heard with respect to the proposed resolution.\]\(#\)](#)

- Public Hearing**
- [1. The EAC shall hold at least 1 advertised public hearing, if required.](#)
 - [2. The Planning Commission shall hold at least 1 advertised public hearing.](#)
 - [3. The BCC shall hold at least 1 advertised public hearing.](#)

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Decision maker [The BCC, following recommendations from both the EAC, if required, and the Planning Commission.](#)

Review Process [The Zoning Division will review the application and identify whether additional materials are needed. Staff will prepare a report pursuant to LDC section 4.08.07 E.](#)

[Staff will schedule a hearing date before the Planning Commission to present the petition. Following the Planning Commission’s review, Staff will prepare an Executive Summary and will schedule a hearing date before the BCC to present the petition.](#)

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