

Ron DeSantis
GOVERNOR



Dane Eagle
EXECUTIVE DIRECTOR

January 22, 2021

The Honorable Burt L. Saunders, Chairman
Collier County Board of County Commissioners
3299 Tamiami Trail East, Suite 303
Naples, Florida 34112

Dear Chairman Saunders:

The Department of Economic Opportunity (“Department”) has completed its review of the proposed comprehensive plan amendment for Collier County (Amendment No. 20-05RLS), which was received and determined complete on November 24, 2020. We have reviewed the proposed amendment in accordance with the state coordinated review process set forth in Sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S.

The attached Objections, Recommendations, and Comments Report outlines our findings concerning the amendment. The Department does not identify any objections to the proposed amendment. However, the Department is providing three comments. The comments are offered to assist the local government but will not form the basis for a determination of whether the amendment, if adopted, is “In Compliance” as defined in Section 163.3184(1)(b), F.S. Copies of comments received by the Department from reviewing agencies, if any, are also enclosed.

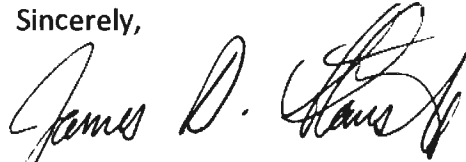
The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of the Department’s attached report, or the amendment will be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(4)(e)1., F.S.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

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Department staff is available to assist the County to address the comments. If you have any questions related to this review, please contact Scott Rogers, Planning Analyst, by telephone at (850) 717-8510 or by email at scott.rogers@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/sr

Enclosures: Objections, Recommendations, and Comments Report
Procedures for Adoption
Reviewing Agency Comments

cc: Thaddeus L. Cohen, Department Head, Collier County Growth Management Department
Margaret Wuerstle, Executive Director, Southwest Florida Regional Planning Council

**Objections, Recommendations and Comments Report
Proposed Comprehensive Plan Amendment
Collier County Amendment 20-05RLS**

The Department has identified three comments regarding Collier County's proposed comprehensive plan amendment. The comments are provided below, along with recommended actions the County could take to resolve issues of concern. Comments are offered to assist the local government and will not form the basis for a compliance determination.

Department staff has discussed the basis of the report with County staff and is available to assist the County to address the comments.

Comment 1: Statutory References

The currently adopted Collier County Rural Lands Stewardship Area (RLSA) Overlay (Objective and Policies 1.2, 1.6, 4.2, 4.6 and 4.7) includes references to Section 163.3177(11), Florida Statutes (F.S.), which was replaced by Section 163.3248, F.S., regarding Rural Land Stewardship Areas. In addition, the currently adopted RLSA Overlay (Policies 4.6 and 4.7) references Rule 9J-5, Florida Administrative Code (F.A.C.), which was repealed. The County should consider updating the statutory references in the RLSA Overlay and deleting the references to Rule 9J-5, F.A.C.

Comment 2: Affordable Housing

The proposed amendment includes new RLSA Overlay Policy 4.7.5 (affordable housing), which includes language ("within a proximal SRA") regarding the Affordable Housing Land Reservation. The County should consider revising the amendment to establish a meaningful and predictable definition of "proximal SRA". In addition, proposed Policy 4.7.5 allows "Alternatives proposed by the SRA Applicant" and states that "... other options may be proposed by the SRA applicant and approved by the Board of County Commissioners to address housing affordability issues in the subject SRA." The County should consider revising the amendment to specifically identify the other options and establish meaning and predictable guidelines and standards for the options.

Comment 3: Fiscal Impact Analysis

The currently adopted RLSA Overlay Policy 4.18 states that "The SRA will be planned and designed to be fiscally neutral or positive to the Collier County at the horizon year based on a cost/benefit fiscal impact analysis model acceptable to or as may be adopted by the County." The RLSA horizon year is currently defined in RLSA Overlay Policy 1.22 as year 2025, and the proposed amendment to Policy 1.22 (renumber to Policy 1.21) deletes the planning horizon year of 2025 and does not propose a defined timeframe for the horizon year. The County

should consider revising Policy 4.18 to define the timeframe of the cost/benefit fiscal impact analysis.

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR STATE COORDINATED REVIEW

Section 163.3184(4), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ Department of Economic Opportunity identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format;

_____ In the case of future land use map amendment, an adopted future land use map, in **color format**, clearly depicting the parcel, its existing future land use designation, and its adopted designation;

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for state coordinated review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective. "

_____ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity to the ORC report from the Department of Economic Opportunity.

From: [Oblaczynski, Deborah](#)
To: thaddeus.cohen@colliercountyfl.gov
Cc: [Eubanks, Ray](#); anita.jenkins@colliercountyfl.gov; [Powell, Barbara](#); [Margaret Wuerstle \(mwuerstle@swfrpc.org\)](mailto:Margaret.Wuerstle@swfrpc.org); [DCPexternalagencycomments](#)
Subject: [EXTERNAL] - Collier County, DEO #20-5RLS Comments on Proposed Comprehensive Plan Amendment Package
Date: Wednesday, December 16, 2020 6:52:32 AM

Dear Mr. Cohen:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from Collier County (County). The amendment package includes text amendments to the County's Rural Land Stewardship Area Overlay. The proposed changes do not appear to adversely impact the water resources within the District; therefore, the District has no comments on the proposed amendment package.

The District requests that the County forward a copy of the adopted amendments to the District. Please contact me if you have any questions or need additional information.

Sincerely,

Deb Oblaczynski
Policy & Planning Analyst
Water Supply Implementation Unit

Please be advised I am working from home until further notice. I can be contacted at:
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406
Email: doblaczy@sfwmd.gov or
Cell Phone: 561-315-1474

From: [Cucinella, Josh](#)
To: anita.jenkins@colliercountyfl.gov
Cc: [DCPexternalagencycomments; Conservation Planning Services; Amoah, Kat; Keltner, James](#)
Subject: [EXTERNAL] - Collier County 20-05RLS (PL20190002292, RLSA Overlay Growth Management Plan Amendment)
Date: Wednesday, December 23, 2020 12:24:55 PM

Dear Ms. Jenkins:

Florida Fish and Wildlife Conservation Commission (FWC) staff reviewed the proposed growth management plan amendment in accordance with Chapter 163.3184(3), Florida Statutes. We have no comments, recommendations, or objections related to listed species and their habitat or other fish and wildlife resources to offer on this amendment.

If you have specific technical questions, please contact Jim Keltner at (239) 332-6972 x9209 or by email at James.Keltner@MyFWC.com. All other inquiries may be directed to our office by email at ConservationPlanningServices@MyFWC.com.

Sincerely,

Josh Cucinella
Biological Administrator II
Office of Conservation Planning Services
Florida Fish and Wildlife Conservation Commission
1239 SW 10th Street
Ocala, Florida 34471
(352) 620-7330

Collier County 20-05RLS_42941

From: [Suguri, Vitor](#)
To: [DCPexternalagencycomments](#)
Cc: [Carver, Jennifer](#); [Reina, Bessie](#)
Subject: [EXTERNAL] - Proposed CPA 20-05 / Collier County / Coordinated State Review / No Comment
Date: Monday, December 21, 2020 1:25:51 PM

Mr. Eubanks,

Pursuant to Section 163.3184(4), Florida Statutes, (F.S.) in its role as a reviewing agency as identified in Section 163.3184(1)(c), F.S., the Florida Department of Transportation (FDOT), reviewed the Collier County's Proposed Comprehensive Plan Amendment (CPA) package 20-05RLS(SCR).

The Proposed amendment relates to the Rural Lands Stewardship Area overlay restudy and specifically amending the Rural Lands Stewardship Area overlay of the Future Land Use Element, to change acreages, stewardship credits, developments, and directing transmittal of the amendments to the Florida DEO.

FDOT Review Comment: FDOT determined the proposed amendment has no significant adverse impacts to transportation resources or facilities of state importance.

FDOT appreciates your commitment to intergovernmental coordination and the opportunity to review and comment on the proposed amendment.

Thank you,

Vitor Suguri, Ph.D.
Community Planner
Florida Department of Transportation - District One
10041 Daniels Parkway
Fort Myers, FL 33913
(239) 225-1959 - Desk
(863) 221-1707 - Cell



From: [Plan Review](#)
To: [Eubanks, Ray](#); [DCPexternalagencycomments](#)
Cc: [Plan Review](#)
Subject: [EXTERNAL] - Collier County 20-05RLS Proposed
Date: Tuesday, December 22, 2020 2:52:07 PM
Attachments: [image002.png](#)

To: Ray Eubanks, DEO Plan Review Administrator

Re: Collier County 20-05RLS – State Coordinated Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to plan.review@floridadep.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.

