

**COLLIER COUNTY
GROWTH MANAGEMENT PLAN**

FUTURE LAND USE ELEMENT

Prepared By
Collier County Planning Services Department
Comprehensive Planning Section

Prepared for
COLLIER COUNTY BOARD OF COUNTY COMMISSIONERS
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**AMENDMENTS TO COLLIER COUNTY GROWTH MANAGEMENT PLAN
FUTURE LAND USE ELEMENT**

<u>Symbol</u>	<u>Date Amended</u>	<u>Ordinance No.</u>
**	May 9, 2000	Ordinance No. 2000-25
***	May 9, 2000	Ordinance No. 2000-26
(I)	May 9, 2000	Ordinance No. 2000-27
(II)	May 9, 2000	Ordinance No. 2000-30
(III)	May 9, 2000	Ordinance No. 2000-33
(IV)	December 12, 2000	Ordinance No. 2000-87
****	March 13, 2001	Ordinance No. 2001-11
(V)	March 13, 2001	Ordinance No. 2001-12
(VI)	May 14, 2002	Ordinance No. 2002-24
(VII)	October 22, 2002	Ordinance No. 2002-54
(VIII)	February 11, 2003	Ordinance No. 2003-7

** Ordinance No. 2000-25, rescinded and repealed in its entirety Collier County Ordinance No. 99-63, which had the effect of rescinding certain EAR-based objectives and policies at issue in Administration Commission Case No. ACC-99-02 (DOAH Case No. 98-0324GM).

*** Ordinance No. 2000-26, amended Ordinance No. 89-05, as amended, the Collier County Growth Management Plan, having the effect of rescinding certain EAR-based objectives and policies at issue in Administration Commission Case No. ACC-99-02 (DOAH Case No. 98-0324GM), more specifically portions of the Intergovernmental Coordination Element (Ord. No. 98-56), Natural Groundwater Aquifer Recharge Element (Ord. No. 97-59) and Drainage (Ord. No. 97-61) sub-elements of the Public Facilities Element, Housing Element (Ord. No. 97-63), Golden Gate Area Master Plan (Ord. No. 97-64), Conservation and Coastal Management Element (Ord. No. 97-66), and the Future Land Use Element and Future Land Use Map (Ord. No. 97-67); and re-adopts Policy 2.2.3 of the Golden Gate Area Master Plan.

* Indicates adopted portions
Note: the support document will be updated as current information becomes available.

**** Scrivener's Ordinance correcting omissions on Flue Map

(VIII) = Plan Amendment by Ordinance No. 2003-7 on February 11, 2003

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* Indicates adopted portions

Note: the support document will be updated as current information becomes available

This page revised as a result of Adoption of Ordinance 2003-7

SUMMARY

The Future Land Use Element includes three major sections:

Overview,
Implementation Strategy,
And
Land Use Data and Analysis.

The Overview simply provides an introduction as to the purpose, basis, underlying concepts and special issues addressed by the Element.

The Implementation Strategy is where the Element is brought into effect. Included are the Goals, Objectives, Policies and Future Land Use Map.

The third section consists of Support Document: Land Use Data and Analysis. The information found there provides a basis for the Implementation Strategy and serves to meet the requirements of Section 9J-5.006, Florida Administrative Code, minimum requirements for the Future Land Use Element.

I. OVERVIEW

(VII) A. PURPOSE

The geographic framework for growth in Collier County is established by the Future Land Use Element. As such, the Element is central to planning for: protection and management of natural resources; public facilities; coastal and rural development; and, housing and community character and design. The Element is also important to the County's system of land development regulations and to private property rights.

The purpose of the Future Land Use Element is to guide decision-making by Collier County on regulatory, financial and programmatic matters pertaining to land use. Most directly, this Element controls the location, type, intensity and timing of new or revised uses of land. The land use strategy in this Element is closely coordinated with a strategy for provision of public facilities as found in the Capital Improvements and Public Facility Elements of the Comprehensive Plan, and with the strategies to protect and conserve natural resources as found in the Conservation and Coastal Management Element.

(VII) B. BASIS

This Element is based in large part on the Future Land Use Element adopted as part of the 1983 and 1989 Collier County Comprehensive Plans. The land use strategy put forth in those Plans have served Collier County well, therefore, a general continuation is provided. The best characteristics of the 1983 and 1989 Comprehensive Plans included the use of a binding Future Land Use Map with designated "Urban" areas and the confinement of intensive Zoning Districts, thus intensive land uses, to those areas. Moreover, this Element includes a strategy for the protection of natural resources and agri-business in the Rural Lands Stewardship Area by employing various regulations and incentives to direct incompatible land uses away from such natural resources and to enhance the economic viability of agri-business.

In addition, this Element is based on the Support Document: Land Use Data and Analysis, and the summation of the detailed planning conducted for each of the other portions of the Comprehensive Plan. Data, analysis and implementation strategies from the various elements have contributed to the geographic framework through the configuration of the designations on the Future Land Use Map and the associated standards for use of land.

The State Comprehensive Plan and the Southwest Florida Regional Comprehensive Policy Plan form another basis for the Future Land Use Element. Chapter 163, Florida Statutes, the "Local Comprehensive Planning and Land Development Regulation Act" and Chapter 9J-5, Florida Administrative Code, "Minimum Criteria for Review of Local Comprehensive Plans and Determination of Compliance," provide detailed requirements on the scope and content of the Element.

(VII) Finally, major contributions to this Element have been provided by the public through the following:

- Collier County Citizens Advisory Committee in conjunction with the Evaluation and Appraisal Report adopted by the Board of County Commissioners in April, 1996,
- The Rural Fringe Area Oversight and Eastern Lands Area Oversight Committees;
- The Environmental Advisory Council;
- The Collier County Planning Commission, which is the local planning agency; and,
- Other groups and individuals, through both written and verbal input, at, or as a result of, hundreds of duly advertised public workshops and meetings.

(VII) = Plan Amendment by Ordinance No. 2002-54 on October 22, 2002

C. UNDERLYING CONCEPTS

The land use strategy established by this Element is based on a series of concepts which emerge from the foundation cited earlier. The policy direction and implementation mechanisms closely relate to these underlying concepts.

(VII) Protection of Natural Resource Systems

Collier County is situated in a unique, sensitive and intensely interactive physical environment. Natural resources are abundant: a subtropical climate with annual wet and dry seasons; enormous groundwater productivity; vast wetland areas; large ranges of habitat with diverse and unique flora and fauna, including many species that are Federally and/or State listed, warranting special protection; extensive and highly productive estuarine systems; and, many miles of sandy beach. In addition to their habitat value, these natural resources perform functions that are vital to the health, safety and welfare of the human population of the County, and serve as a powerful magnet to attract and retain visitors and residents. Therefore, protection and management of natural resources for long-term viability is essential to support the human population, ensure a high quality of life, and facilitate economic development. Important to this concept is management of natural resources on a system-wide basis.

The Future Land Use Element is designed to protect and manage natural resource systems in several ways:

- Urban Designated Areas on the Future Land Use Map are located and configured to guide concentrated population growth and intensive land development away from areas of great sensitivity and toward areas more tolerant to development.
- Within the Urban Designated Areas this Element encourages Planned Unit Development zoning and assigns maximum permissible residential density based on the gross land area. Through site plan review procedures in the Land Development Regulations (LDRs), development is guided to the portions of the property that is of lesser environmental quality, thus, in effect, constituting an on-site transfer or clustering of development rights.
- A broader “off-site” Stewardship Credit System, set forth in this Element and primarily applicable to the Rural Lands Stewardship Area is a key component of the County’s overall strategy to direct incompatible land and uses away from important natural resources, including large connected wetland systems and listed species and their habitat.
- An Area of Critical State Concern Overlay is included on the Future Land Use Map to ensure implementation of all applicable Land Development Regulations in the Okaloacoochee Slough, Big Cypress Swamp, Fakahatchee Strand and Ten Thousand Islands areas.
- The County's Land Development Regulations provide standards for protection of groundwater, particularly in close vicinity to public water supply wells by implementing policies set forth in the Natural Groundwater Aquifer Recharge Element.
- Natural resources are also protected through close spatial and temporal coordination of land development with the availability of adequate infrastructure (public or private facilities) to ensure optimized accommodation of human impacts, particularly in relation to water supply, sewage treatment, and management of solid waste. This coordination is accomplished through the provision of public facilities as detailed in the Capital Improvements and Public Facility Elements and through the Level of Service Standards (LOS) found herein.

(VII) = Plan Amendment by Ordinance No. 2002-54 on October 22, 2002

Of crucial importance to the relationship between natural resources and land use is the completion and implementation of multi-objective watershed management plans as described in the Drainage Element. Water is the greatest integrator of the physical environment in that it links together

dynamic ecological and human systems. Therefore, the watershed management plan must take into account not only the need for drainage and flood protection but also the need to maintain water table levels and an approximation of natural discharge to estuaries. The watershed management plans will have implications for both water management and land use practices.

(VII) Coordination of Land Use and Public Facilities

At the heart of Florida's Growth Management Act (Chapter 163, Florida Statutes) is the requirement that adequate service by public facilities must be available at the time of demand by new development. This requirement is achieved by spatial coordination of public facilities with land uses through the Future Land Use Map; and temporal coordination through LOS standards. The LOS standards are binding - no final local Development Order may be issued which is not consistent with the Concurrency Management System. Binding LOS standards have been established for roads, water supply, sewage treatment, water management, solid waste and parks. While the standards in the Capital Improvements and Public Facility Elements serve to guide public provision of infrastructure, within the context of the Future Land Use Element the standards serve to assure the availability of adequate facilities, whether public or private.

(VII) The Urban Service Area concept manifested in this Element is crucial to successful coordination of land development and the provision of adequate public facilities. It is within Urban Designated Areas on the Future Land Use Map that the more intensive Zoning Districts are permissible, thus the more intensive land uses. Since Urban Designated Areas are where intensive land uses are guided, it is also where fiscal resources are primarily concentrated for the provision of roads, water supply, sewage treatment and water management. Never-the-less, facilities and services such as parks, schools, emergency and other essential services, and improvements to the existing road network are anticipated outside of the Urban Designated Area, primarily within the area known as North Golden Gate Estates. It is important that the Urban Designated Area not be so large that public facilities cannot be efficiently and effectively planned for and delivered; and not be so small that the supply of land available for development is extremely limited with resultant lack of site selection options and competition leading to elevated land prices. It is also important that the time frames for land use and public facility planning be coordinated as discussed later in this Overview.

Management of Coastal Development

Two major coastal development issues in Collier County are the protection of natural resources and the balancing of risk in natural hazard areas.

(VII) Extensive populated areas in Collier County are vulnerable to periodic salt water inundation from tropical storms or hurricanes. It is extremely important that an acceptable balance between at-risk population and evacuation capability be achieved. In addition, public and private investment in such vulnerable areas must be carefully considered.

(VII) This issue is addressed here and in the Conservation and Coastal Management Element through several measures. A Coastal High Hazard Area is identified on the Future Land Use Map essentially as all lands seaward of US 41. This line is based on the close fit to the storm Category 1 SLOSH area (potential for salt water flooding from 1 storm in 12 years) and evacuation planning areas. Within the Coastal High Hazard Area maximum permissible residential density is limited in recognition of the level of risk, the existing deficiency of evacuation shelter space and existing patterns of density. The Coastal High Hazard Area is also identified in the Conservation and

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Coastal Management Element and policies are provided therein. Finally, coastal natural hazards are addressed through Land Development Regulations already in effect relating to coastal building standards, per Chapter 161, Florida Statutes, and protection of structures from floods, per County participation in the FEMA Flood Insurance Program.

Provision of Adequate and Affordable Housing

An emerging issue in Collier County is the availability of adequate and affordable housing for low and moderate income populations. The Future Land Use Element encourages the creation of affordable housing through provisions which allow for increased residential density if the proposed dwelling units would be affordable based on the standards found in the Housing Element.

Attainment of High Quality Urban Design

The report of the Regional/Urban Design Team for the Naples area, dated April 1987, and subsequent recommendations of the R/UDAT Citizen Committee, provide another underlying concept. While the Growth Management Plan as a whole provides the requisite foundation for superior urban design through a sound framework for growth (protection of natural resources, thoughtful guidance of land uses, adequate public facilities and adequate housing), the Future Land Use Element provides several additional measures.

Major attention is given to the patterns of commercial development in Collier County. Concern about commercial development relates to transportation impacts both on a micro (access to road network) and macro (distribution of trip attractors and resultant overall traffic circulation) level and it relates to aesthetics and sense of place. Within the Traffic Circulation Element a commitment to adopt standards for road access has been accomplished through the Access Control Policy adopted by Resolution and the Access Management Plans for Mixed Use Activity Centers included in the Land Development Regulations. The Future Land Use Element includes improved locational criteria for commercial development. The Mixed Use Activity Centers are intended to provide for concentrated commercial development but with carefully configured access to the road network. Superior urban design is therefore promoted by carefully managing road access, avoiding strip commercial development, improving overall circulation patterns, and providing for community focal points.

A second urban design initiative relates to Corridor Management Plans. The Future Land Use Element committed to the completion of such plans for two roadways initially and to extend the concept to other roads in the future. The plans will identify an urban design theme for a particular road and recommend a package of Land Development Regulations (land use, height, setback, landscaping, signage, lighting, etc.) and public works (landscaping, lighting, signage, etc.) to achieve that theme. The City of Naples and Collier County have cooperated on the first roads to be treated with this approach. The Streetscape Master Plan adopted by the Board of County Commissioners identifies appropriate landscaping treatments for the different corridors in the County.

Collier County has also adopted Design Standards for all commercial development into the Land Development Code. These development standards include building design, parking lot orientation, pedestrian access, vehicular movement, landscaping and lighting. These standards will provide for quality development that is responsive to the Community's character.

Improved Efficiency and Effectiveness in the Land Use Regulatory Process

Attention has been devoted to improving the land use regulatory process through straightforward requirements and procedures. This has led to the style and structure of this Plan; a reorganization of the development review process; and the compilation of all Land Development Regulations into a single, unified Land Development Code.

(VII) = Plan Amendment by Ordinance No. 2002-54 on October 22, 2002

Protection of Private Property Rights

Important to every facet of this Element is maintenance of a careful balance between private property rights and the general public interest. Although sound land use management by definition establishes limits on use of property, care has been taken to ensure the limits are rational; fair;

based on the health, safety and welfare of the public; and that due process is provided. Of particular importance is the issue of vested rights, which is addressed later in this Overview.

D. SPECIAL ISSUES

Coordination of Land Use and Public Facility Planning

It is important that the time frames of land use planning and public facilities planning be coordinated. During the development of the Urban Area Buildout Study it became clear that an incongruity existed in that under the 1989 Collier County Comprehensive Plan, enough land in the western coastal area was designated Urban for approximately 275,000 dwelling units (inclusive of the City of Naples) with a population of 458,000, with buildout occurring between 2019 and 2046, depending on the growth rate of the County. Of this, approximately 120,000 dwelling units were built as of April 1, 1996 (inclusive of the City of Naples). In the Immokalee Urban Area, enough land had been included for approximately 39,000 dwelling units with a build-out time horizon of 2105. These buildout time frames are contrasted by the time frames for public facility planning which are at 10 years for all facilities except roads where a 2020 financially feasible plan exists for the County. The 2020 plan is designed to accommodate approximately 246,500 dwelling units and a population of 393,100 (inclusive of the City of Naples).

As previously discussed, Level of Service Standards for public facilities which are binding on land development are adopted for roads, water supply, sewage treatment, water management, parks and solid waste. Of these, the first are most closely tied to the development of a property - adequate roads, water, sewer and water management must be on or adjacent to a property in order for it to be developed. Parks and solid waste are a matter of ensuring adequate countywide capacity. To narrow the issue further, it is recognized that the approach to adequate water management is regulatory - a level of on-site storm flood protection is required. In the case of water and sewer, the County has provided utility systems, which are substantial and expanding. Thus, the critical issue becomes coordination of land use and transportation time frames.

The difficulties that this incongruity - in land use planning and transportation planning time frames - could lead to, include:

- An internally inconsistent Plan;
- Failure to reserve adequate right-of-way at time of zoning;
- Condemnation of land after zoning or after development in order to obtain adequate right of way;
- Temporary prohibitions on issuance of Development Orders due to violations of Level of Service Standards; and
- Progressive lowering of Level of Service Standards.

The Comprehensive Plan responds to the time frame discrepancy through immediate action and through process oriented commitments. First, the Traffic Circulation Element includes an Objective to coordinate with the Future Land Use Element and a policy to complete long range transportation planning. The Urban Area Buildout Study was prepared to assist in the development of a long range "vision" of the Coastal Urban Area with a specific focus on the infrastructure improvements needed to accommodate the Urban area's potential growth based on the Future Land Use Map. Phase I, completed in 1994, provided a comprehensive review of the urban area population while Phase II was an analysis of infrastructure needed to accommodate that population. Second, the Density Rating System has been adjusted to moderate maximum permissible densities in areas subject to long range congestion. Third, commercial development opportunities in the form of Mixed Use Activity Centers are provided to include a mixture of uses which has the potential to lessen the impact on the transportation system. Fourth, the Level of Service Standards that are binding on the issuance of Development Orders are adopted as part of this Element, as well as the Capital Improvements Element. Finally, a Zoning Reevaluation Program has been established and implemented which reviewed and modified, where possible, zoning with a higher density or intensity than provided for in the 1989 Comprehensive Plan.

The areas identified as subject to long range traffic congestion consist of the western coastal Urban Designated Area seaward of a boundary marked by Airport Road (including an extension north to the Lee County boundary), Davis Boulevard, County Barn Road, and Rattlesnake Hammock Road consistent with the Activity Center's residential density band located at the southwest quadrant of the intersection of Rattlesnake Hammock Road and County Road 951 (including an extension to the east). The basis for this determination was the 2015 Transportation Plan which forecasts future land use based on existing development, potential development and population projections. The land use forecasts are the basis for projected unconstrained traffic circulation from which, once compared to the existing roadway network, future roadway needs are derived. The 2020 Financially Feasible Road Plan, as well as the Needs Assessment Plan, which represents buildout of the Urban Area, have not met with public acceptance. Therefore, the strategy discussed above is promoted, which include: extend time frame of transportation planning; moderate maximum permissible densities in areas subject to long range congestion; provide commercial development opportunities which serve to modify the overall traffic circulation pattern; and re-evaluate existing zoning.

Level of Service Standards

Standards for adequate service for roads, water, sewer, water management, parks and solid waste are adopted as a part of the Capital Improvements Element. While a major purpose of the standards in the Capital Improvements Element is to drive the funding of facility expansion commensurate with the demand created by population growth, the major purpose for inclusion in this Element is to serve as a regulatory tool.

Objective 2 states:

... No local Development Order shall be issued unless required public facilities meet the requirements of the Concurrency Management System found in the Capital Improvements Element...

As discussed in the previous section, implementation of the Standards will rely on the following strategies:

- Parks - Annual Certification of Adequate Capacity;
- Solid Waste - Annual Certification of Adequate Capacity;
- Water Management - Project-Specific Regulatory Requirement;
- Sewage - Project-Specific Capacity Test (may be provided publicly or privately as a central or individual system);
- Water - Project-Specific Capacity Test (may be provided publicly or privately as a central or individual system); and
- Roads - Project-Specific Capacity Test.

It is recognized that difficulties may arise in situations where the County is not providing the facility or service but is responsible for implementation of a regulatory Level of Service Standard. This is the case with State Roads running through the County; with independent and City of Naples water and sewer districts within the County; and conversely, with County Roads running through the City of Naples. In these instances effort has been made to coordinate the "regulatory" Level of Service Standard with the "funding" Level of Service Standard. However, if there is a failure by the service provider, adjustment to the regulatory effort may be forced. For example, if the State Department of Transportation allows a road to fall below its "funding" standard, (which is the same as the County's "regulatory" standard) and there is no commitment to accelerate funding and construction, four options are available:

- A moratorium may be imposed but may not be sustainable if there is no commitment to improve the road by a definite and reasonable time;
- The County may improve the road;
- The private sector may improve the road; or
- The regulatory Level of Service Standard may be lowered through a Comprehensive Plan amendment process.

Vested Rights

The issue of vested rights for approved but unbuilt development is an important consideration in the Future Land Use Element. The issue emerges with regard to existing zoning which is inconsistent with this Plan; with regard to the magnitude of approved but unbuilt residential dwelling units in relation to the difficulty of forecasting development trends and resultant facility needs; with regard to transportation planning time frames and right-of-way needs; and with regard to approved but unbuilt commercial zoning (C-1-C-5 and PUD) in 1995 which found that of the approximately 4,152 acres of commercially zoned land, 1,780 acres, or 43%, are developed.

This Comprehensive Plan responds to the vested rights issue by establishing a program which reviewed all previously approved zoning. Within three years after Plan was adopted, all zoning was reviewed. If it was determined to be inappropriate and is not vested, the zoning was adjusted to an appropriate classification. Annually thereafter, zoning will be re-evaluated on the fifth anniversary of its approval as identified in the Land Development Regulations. (See Appendix C of the Support Document for a complete discussion of the vested rights issue).

E. FUTURE LAND USE MAP

The Future Land Use Map depicts the desired extent and geographical distribution of land uses in the County. Mixed use categories are used to generally describe the character of allowed development. Within each of these categories, a range of uses is permitted based upon specific standards as described in the Designation Description Section of this Element. These uses include residential, commercial, industrial, agricultural, recreational, conservation, educational, community, and public facilities.

(VII) The Future Land Use Map series includes additional map series:

- Future Land Use Map - Mixed Use Activity Centers and Interchange Activity Centers
- Future Land Use Map - Properties Consistent by Policy (5.9, 5.10, 5.11)
- Future Land Use Map - Natural Resources: Wetlands;
- Future Land Use Map - Stewardship Area Overlay;
- Future Land Use Map - Rural Lands Study Area Natural Resource Index Maps

The following Future Land Use Maps are located in the Support Document:

- Future Land Use Map - Public Facilities, which shows existing and planned public facilities;
- Future Land Use Map - Natural Resources: Waterwells, Cones of Influence, Rivers, Bays, Lakes, Floodplains, Harbors and Minerals (this map also shows those properties proposed for public acquisition by the State Department of Environmental Protection Conservation and Recreational Lands Program (CARL) and the South Florida Water Management District's Save Our Rivers Program);
- Future Land Use Map - Natural Resources: Soils.

(VII) = Plan Amendment by Ordinance No. 2002-54 on October 22, 2002

II. IMPLEMENTATION STRATEGY
GOALS, OBJECTIVES AND POLICIES

GOAL: TO GUIDE LAND USE DECISION-MAKING SO AS TO ACHIEVE AND MAINTAIN A HIGH QUALITY NATURAL AND HUMAN ENVIRONMENT WITH A WELL PLANNED MIX OF COMPATIBLE LAND USES WHICH PROMOTE THE PUBLIC'S HEALTH, SAFETY AND WELFARE CONSISTENT WITH STATE PLANNING REQUIREMENTS AND LOCAL DESIRES.

OBJECTIVE 1:

Unless otherwise permitted in this Growth Management Plan, new or revised uses of land shall be consistent with designations outlined on the Future Land Use Map. The Future Land Use Map and companion Future Land Use Designations, Districts and Sub-districts shall be binding on all Development Orders effective with the adoption of this Growth Management Plan. Standards and permitted uses for each Future Land Use District and Subdistrict are identified in the Designation Description Section. Through the magnitude, location and configuration of its components, the Future Land Use Map is designed to coordinate land use with the natural environment including topography, soil and other resources; promote a sound economy; coordinate coastal population densities with the Regional Hurricane Evacuation Plan; and discourage unacceptable levels of urban sprawl.

Policy 1.1:

The URBAN Future Land Use Designation shall include Future Land Use Districts and Subdistricts for:

A. URBAN - MIXED USE DISTRICT

1. Urban Residential Subdistrict
2. Urban Residential Fringe Subdistrict
3. Urban Coastal Fringe Subdistrict
4. Business Park Subdistrict
5. Office and Infill Commercial Subdistrict
6. PUD Neighborhood Village Center Subdistrict
7. Traditional Neighborhood Design Subdistrict
- (II) 8. Orange Blossom Mixed-Use Subdistrict
9. Goodlette/Pine Ridge Commercial Infill Subdistrict
- (V)10. Vanderbilt Beach/Collier Boulevard Commercial Subdistrict
- (VI)11. Henderson Creek Mixed-Use Subdistrict
- (VI)12. Research and Technology Park Subdistrict

B. URBAN - COMMERCIAL DISTRICT

1. Mixed Use Activity Center Subdistrict
2. Interchange Activity Center Subdistrict
- (V) 3. Livingston/Pine Ridge Commercial Infill Subdistrict
4. Business Park Subdistrict
- (VI) 5. Research and Technology Park Subdistrict
- (VI) 6. Livingston Road/Eatonwood Lane Commercial Infill Subdistrict
- (VI) 7. Livingston Road Commercial Infill Subdistrict

C. URBAN - INDUSTRIAL DISTRICT

1. Business Park Subdistrict
- (VI) 2. Research and Technology Park Subdistrict

(VI) = Plan Amendments CP-2001-2,4,5, 6 & 7 adopted by Ordinance No. 2002-24 on May 14, 2002

Policy 1.2:

The AGRICULTURAL/RURAL Future Land Use Designation shall include Future Land Use Districts and Subdistricts for:

- A. AGRICULTURAL/RURAL- MIXED USE DISTRICT**
 - 1. Rural Commercial Subdistrict
- B. RURAL - INDUSTRIAL DISTRICT**
- C. RURAL - SETTLEMENT AREA DISTRICT**

Policy 1.3:

The ESTATES Future Land Use Designation shall include Future Land Use Districts and Subdistricts: as described in the Golden Gate Area Master Plan.

Policy 1.4:

The CONSERVATION Future Land Use Designation shall include a Future Land Use District.

Policy 1.5:

Overlays and Special Features shall include:

- A. Area of Critical State Concern Overlay
- (VII)B.** Airport Noise Area Overlay
- (VII)C.** Rural Lands Stewardship Area Overlay
- (IV)D.** Bayshore/Gateway Triangle Redevelopment Overlay
- (VIII)E.** Urban-Rural Fringe Transition Zone Overlay

OBJECTIVE 2:

The coordination of land uses with the availability of public facilities shall be accomplished through the Concurrency Management System of the Capital Improvements Element and implemented through the Adequate Public Facilities Ordinance of the Land Development Code.

Policy 2.1:

The County shall prepare annually the Annual Update and Inventory Report (AUIR) on Public Facilities which shall include a determination of the existing conditions of capital public facilities, determine the remaining available capacity, forecast future needs in the five year capital improvement schedule and identify needed improvements and funding to maintain the level of service adopted in Policy 1.1.5 of the Capital Improvements Element.

Policy 2.2:

Deficiencies or potential deficiencies that have been determined through the Annual Update and Inventory Report on capital public facilities may include the following remedial actions: establish an area of significant influence for roads, add projects to the Capital Improvements Element or defer development until improvements can be made or the level of service is amended to ensure available capacity.

Policy 2.3:

Continue the Certificate of Adequate Public Facility Adequacy regulatory program, which requires the certification of public facility availability prior to the issuance of a final local development order.

(VIII) = Plan Amendment by Ordinance No. 2003-7 on February 11, 2003

OBJECTIVE 3:

Land Development Regulations have been adopted to implement this Growth Management Plan pursuant to Chapter 163.3202, F.S. in order to ensure protection of natural and historic resources, the availability of land for utility facilities, promote compatible land uses within the airport noise zone, and to provide for management of growth in an efficient and effective manner.

Policy 3.1:

Land Development Regulations have been adopted into the Land Development Code that contain provisions to implement the Growth Management Plan through the development review process and include the following provisions:

- a. The Collier County Subdivision Code shall provide for procedures and standards for the orderly development and subdivision of real estate in order to ensure proper legal description, identification, documentation and recording of real estate boundaries and adequate infrastructure for development.
- (VII) b. Protect environmentally sensitive lands and provide for open space. This shall be accomplished in part through integration of State of Florida Big Cypress Area of Critical State Concern regulations into the Collier County Land Development Code, and in part through implementation of the Rural Lands Stewardship Area Overlay. This shall also be accomplished through regulations such as minimum open space and native vegetation preservation requirements, and/or through incentives that encourage the use of creative land use planning techniques and innovative approaches to development in the County's Agricultural/Rural Designated Area.
- c. Drainage and stormwater management shall be regulated by the implementation of the South Florida Water Management District Surface Water Management regulations.
- (I)d. Identified potable water wellfields are depicted on the Future Land Use Map Series as wellhead protection areas. Policy 3.1.1 of the Conservation and Coastal Management Element specifies prohibitions and restrictions on land use in order to protect these identified wellfields.
- e. Regulate signage through the Sign Ordinance, which shall provide for frontage requirements for signs, shared signs for smaller properties, definitions and establishment of an amortization schedule for non-conforming signs.
 - f. The safe and convenient on-site traffic flow and vehicle parking needs shall be addressed through the site design standards as well as site development plan requirements which include: access requirements from roadways, parking lot design and orientation, lighting, building design and materials, landscaping and buffering criteria.
 - g. Ensure the availability of suitable land for utility facilities necessary to support proposed development by providing for a Public Use Zoning District for the location of public facilities and other Essential Services.
 - h. The protection of historically significant properties shall be accomplished, in part, through the adoption of the Historic/Archaeological Preservation Regulations which include the creation of an Historic/Archaeological Preservation Board; provides for the identification of mapped areas of Historic/Archaeological probability; requires a survey and assessment of discovered sites; and provides a process for designation of sites, structures, buildings and properties.
- (VII) = Plan Amendment by Ordinance No. 2002-54 on October 22, 2002**
- i. The mitigation of incompatible land uses with the area designated as the Naples Airport Noise Zone shall be accomplished through regulations which require sound-proofing for all new residential structures within the 65 LDN Contour as identified on the Future Land Use

Map; recording the legal descriptions of the noise contours in the property records of the County and through an inter-local agreement to notify the Naples Airport Authority of all development proposals within 20,000 feet of the airport which exceed height standards established by the Federal Aviation Administration.

- j. No development orders shall be issued which are inconsistent with the Growth Management Plan, except for where a Compatibility Exception or Exemption has been granted or where a positive Determination of Vested Rights has been made pursuant to the Zoning Reevaluation Program.

Policy 3.2:

The Land Development Regulations have been codified into a single unified Land Development Code (Ordinance 91-102). The development review process has been evaluated and improved to focus on efficiency and effectiveness through unification of all review staff in a single organizational unit and through streamlining procedures.

OBJECTIVE 4:

In order to improve coordination of land uses with natural and historic resources, public facilities, economic development, housing and urban design, the Future Land Use Element shall be continually refined through detailed planning. Future studies might address specific geographic or issue areas. All future studies must be consistent with the Growth Management Plan and further its intent.

Policy 4.1:

A detailed Master Plan for Golden Gate Estates has been developed and was incorporated into this Growth Management Plan in February, 1991. The Master Plan addresses Natural Resources, Future Land Use, Water Management, Public Facilities and other considerations.

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.

Policy 4.3:

A detailed Master Plan for Marco Island has been developed and was incorporated into this Growth Management Plan in January 1997. The Master Plan addresses Population, Public Facilities, Future Land Use, Urban Design, Land Development Regulations and other considerations.

Policy 4.4:

Corridor Management Plans have been developed by Collier County in conjunction with the City of Naples. The Plans identify appropriate urban design objectives and recommend Land Development Regulations and Capital Improvements to accomplish those objectives. Plans have been completed for the following road corridors: Goodlette-Frank Road south of Pine Ridge Road, and Golden Gate Parkway from US 41 to Santa Barbara Boulevard. Future Corridor Management Plans may be prepared as directed by the Board of County Commissioners. The goals for each Corridor Management Plan will be established prior to the development of the Plan. Corridors that may be considered jointly with the City of Naples include:

- a. Pine Ridge Road from US 41 to Goodlette-Frank Road;
- b. Davis Boulevard from US 41 to Airport Road;
- c. US 41 from Creech Road to Pine Ridge Road; and
- d. US 41 from Davis Boulevard to Airport Road.

The Board of County Commissioners will determine the boundaries of the corridors selected and the time frame for completion.

Policy 4.5:

An Industrial Land Use Study has been developed and a summary incorporated into the support document of this Growth Management Plan. The study includes a detailed inventory of industrial uses, projections of demand for industrial land, and recommendations for future land use allocations and locational criteria. Upon completion of the Economic Plan, a study will be undertaken to identify the need for additional Industrially designated land within the Coastal Urban Area.

Policy 4.6:

Access Management Plans for each of the Mixed Use Activity Centers designated on the Future Land Use Map have been developed and incorporated into the Collier County Land Development Code. The intent of the Access Management Plans is defined by the following guidelines and principles:

- a. The number of ingress and egress points shall be minimized and shall be combined and signalized to the maximum extent possible.
- b. Spacing of access points shall meet, to the maximum extent possible, the standards set forth in the Collier County Access Management Policy (Resolution #92-442, adopted August 18, 1992).
- c. Access points and turning movements shall be located and designed to minimize interference with the operation of interchanges and intersections.
- d. Lots, parcels, and subdivisions, which are created, shall be encouraged to dedicate cross-access easements, rights-of-way, and limited access easements, as necessary and appropriate, in order to ensure that the above-mentioned standards (a. - c.) are complied with.

Policy 4.7:

Redevelopment Plans for existing commercial and residential areas may be considered by the Board of County Commissioners. These plans may consider alternative land use plans, modifications to development standards, and incentives that may be necessary to encourage redevelopment. For properties that have been reviewed under the Zoning Reevaluation Program, changes to the density and intensity of use permitted may be considered, in order to encourage redevelopment in these areas. Some of the specific areas that may be considered by the Board of County Commissioners for redevelopment include:

- a. Pine Ridge Road between U.S. 41 North and Goodlette-Frank Road;
- b. Bayshore Drive between U.S. 41 East and Thomasson Drive;
- c. U.S. 41 East between Davis Boulevard and Airport-Pulling Road;
- d. Davis Boulevard between U.S. 41 East and Airport-Pulling Road;
- e. U.S. 41 North in Naples Park;
- f. C.R. 951 between Green Boulevard and Golden Gate Parkway; and,
- g. Bonita Beach Road between Vanderbilt Drive and the west end of Little Hickory Shores #1.

Policy 4.8:

Maintain and update, on an annual basis, the following demographic and land use information: existing permanent population, existing seasonal population, projected population, existing dwelling units, and projected dwelling units. Included with this data base shall be a forecast of the geographic distribution of anticipated growth.

(I) Policy 4.9

Prepare a Rural and Agricultural Area Assessment, or any phase thereof, and adopt plan amendments necessary to implement the findings and results of the Assessment, or any phase thereof, pursuant to the Final Order (AC-99-002) issued by the Administration Commission on June 22, 1999. The geographic scope of the assessment area, public participation procedures, interim

development provisions, and the designation of Natural Resource Protection Areas on the Future Land Use Map are described in detail in the Agricultural/Rural Designation Description Section.

(I) Policy 4.10

Public participation and input shall be a primary feature and goal of the planning and assessment effort. Representatives of state and regional agencies shall be invited to participate and assist in the assessment. The County shall ensure community input through each phase of the Assessment which may include workshops, public meetings, appointed committees, technical working groups, and established advisory boards including the Environmental Advisory Committee and the Collier County Planning Commission in each phase of the Assessment.

(VII) OBJECTIVE 5:

In order to promote sound planning, protect environmentally sensitive lands and habitat for listed species while protecting private property rights, ensure compatibility of land uses and further the implementation of the Future Land Use Element, the following general land use policies shall be implemented upon the adoption of the Growth Management Plan.

Policy 5.1:

All rezonings must be consistent with this Growth Management Plan. Property zoned prior to adoption of the Plan (January 10, 1989) and found to be consistent through the Zoning Re-evaluation Program are consistent with the Growth Management Plan and designated on the Future Land Use Map series as Properties Consistent by Policy. Zoning changes will be permitted to these properties, and to other properties deemed consistent with this Future Land Use Element via Policies 5.9 through 5.12, provided the amount of commercial land use, industrial land use, permitted number of dwelling units, and the overall intensity of development allowed by the new zoning district, except as allowed by Policy 5.11 are not increased.

Policy 5.2:

All proposed development shall be reviewed for consistency with the Comprehensive Plan and those found to be inconsistent with the Plan by the Board of County Commissioners shall not be permitted.

(VII) Policy 5.3:

Discourage unacceptable levels of urban sprawl in order to minimize the cost of community facilities by: confining urban intensity development to areas designated as Urban on the Future Land Use Map; requiring that any changes to the Urban Designated Areas be contiguous to an existing Urban Area boundary; and, encouraging the use of creative land use planning techniques and innovative approaches to development in the County's Agricultural/Rural designated area, which will better serve to protect environmentally sensitive areas, maintain the economic viability of agriculture and other predominantly rural land uses, and provide for cost efficient delivery of public facilities and services.

Policy 5.4:

New developments shall be compatible with, and complementary to, the surrounding land uses, subject to meeting the compatibility criteria of the Land Development Code (Ordinance 91-102, adopted October 30, 1991, as amended).

(VII) = Plan Amendment by Ordinance No. 2002-54 on October 22, 2002

(VII) Policy 5.5:

Encourage the use of land presently designated for urban intensity uses before designating other areas for urban intensity uses. This shall occur by planning for the expansion of County owned and operated public facilities and services to existing lands designated for urban intensity uses, and the Rural Settlement District, before servicing new areas.

(VII) Policy 5.6:

Permit the use of clustered residential development, Planned Unit Development techniques, mixed use development, rural villages, new towns, satellite communities, transfer of development rights, agricultural and conservation easements, and other innovative approaches, in order to conserve open space and environmentally sensitive areas. Continue to review and amend the zoning and subdivision regulations as necessary to allow and encourage such innovative land development techniques.

Policy 5.7:

Encourage recognition of identifiable communities within the urbanized area of western Collier County. Presentation of economic and demographic data shall be based on Planning Communities and commonly recognized neighborhoods.

Policy 5.8:

Group Housing, which may include the following: Family Care Facility, Group Care Facility, Care Units, Assisted Living Facility, and Nursing Homes, shall be permitted within the Urban Designated Area subject to the definitions and regulations as outlined in the Collier County Land Development Code (Ordinance 91-102, adopted October 30, 1991) and consistent with the locational requirements in Florida Statutes (Chapter 419.001 F.S.). Family Care Facilities, which are residential facilities occupied by not more than six (6) persons, shall be permitted in residential areas.

Policy 5.9:

Properties which do not conform to the Future Land Use Element but are improved, as determined through the Zoning Re-evaluation Program described in Policy 3.1K, shall be deemed consistent with the Future Land Use Element and identified on the Future Land Use Map Series as Properties Consistent by Policy.

Policy 5.10:

Properties for which exemptions based on vested rights, dedications, or compatibility determinations, and compatibility exceptions have been granted, as provided for in the Zoning Re-evaluation Program established pursuant to Policy 3.1K, and identified on the Future Land Use Map series as Properties Consistent by Policy, shall be considered consistent with the Future Land Use Element. These properties shall be considered consistent with the Future Land Use Element only to the extent of the exemption or exception granted and in accordance with all other limitations and timelines that are provided for in the Zoning Re-evaluation Program. Nothing contained in this policy shall exempt any development from having to comply with any provision of the Growth Management Plan other than the zoning reevaluation program.

Policy 5.11:

Properties determined to comply with the former Commercial under Criteria provision of the Future Land Use Element shall be deemed consistent with the Future Land Use Element. These properties are identified on the Future Land Use Map Series as Properties Consistent by Policy. These properties are not subject to the building floor area or traffic impact limitations contained in this former provision.

(VII) = Plan Amendment by Ordinance No. 2002-54 on October 22, 2002

Policy 5.12

Properties rezoned under the former Industrial Under Criteria, or with the provision contained in the former Urban-Industrial District which allowed expansion of industrial uses adjacent to lands designated or zoned Industrial provision as adopted in Ordinance 89-05 in January, 1989, shall be deemed consistent with the Future Land Use Element. These properties are identified on the Future Land Use Map Series as Properties Consistent by Policy.

(I) Policy 5.13

The following properties identified by Ordinance #98-82; 98-91; 98-94; 99-02; 99-11; 99-19; 99-33; and 2000-20; located in Activity Centers #1, 2, 6, 8, 11 & 18 were rezoned pursuant to the Activity Centers boundaries designated in the 1989 Comprehensive Plan, as amended. Those properties were rezoned during the interim period between the adoption of the Future Land Use Element in October, 1997 which was not effective due to the notice of intent finding the Future Land Use Element not “in compliance”. Those properties, identified herein, which have modified the boundaries of the 1997 Activity Centers are deemed consistent with the Future Land Use Element.

FUTURE LAND USE DESIGNATION
DESCRIPTION SECTION

The following section describes the land use designations shown on the Future Land Use Map. These designations generally indicate the types of land uses for which zoning may be requested. However, these land use designations do not guarantee that a zoning request will be approved. Requests may be denied by the Board of County Commissioners based on criteria in the Land Development Code or on special studies completed for the County.

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:

- (IV) 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 11.1 and subsequent policies and the Manatee Protection Plan contained in the Land Development Code);
 - 4. Child care centers;
 - (I) 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;
 - (V)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.

- (II)(IV)(V)(VI) 12. Commercial uses subject to criteria identified in the Urban - Mixed Use District, PUD Neighborhood Village Center Subdistrict, Office and Infill Commercial Subdistrict, Traditional Neighborhood Design Subdistrict, Orange Blossom Mixed-Use Subdistrict, Goodlette/Pine Ridge Commercial Infill Subdistrict and Vanderbilt Beach/Collier Boulevard Commercial Subdistrict, and in the Urban Commercial District, Mixed Use Activity Center Subdistrict, and Interchange Activity Center Subdistrict, and Livingston/Pine Ridge Commercial Infill Subdistrict, and Henderson Creek Mixed Use Subdistrict, and Livingston Road/Eatonwood Lane Commercial Infill Subdistrict, and Livingston Road Commercial Infill 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.
 - (IV) 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.

A. Urban - Mixed Use District

This District, which represents approximately 116,000 acres, is intended to accommodate a variety of residential and non-residential land uses, including mixed-use developments such as Planned Unit Developments. Certain industrial and commercial uses are also allowed subject to criteria.

This may be accomplished by encouraging coordinated mixed-use sites of water-dependent and water-related land uses are permitted within the coastal region of this District. Mixed-use sites of water-dependent and water-related uses and other recreational uses may include water-related parks, marinas (public or private), yacht clubs, and related accessory and recreational uses, such as boat storage, launching facilities, fueling facilities, and restaurants. Any water-dependent and/or water-related land use shall encourage the use of the Planned Unit Development technique and other innovative approaches to conserve environmentally sensitive features and to assure compatibility with surrounding land uses.

Priorities for shoreline land use shall be given to water dependent principal uses over water-related land uses. In addition to the criteria of compatibility with surrounding land uses and consistency with the siting policy of the Conservation and Coastal Management Element (Policy 11.1.4), the following land use criteria shall be used for prioritizing the siting of water-dependent and water-related uses:

- a. Presently developed sites;
- b. Sites where water-dependent or water-related uses have been previously established;
- c. Sites where shoreline improvements are in place;
- d. Sites where damage to viable, naturally functioning wetlands, or other environmentally sensitive features, could be minimized.

Port of the Islands is a unique development, which is located within the Urban Designated Area, but is also totally within the Big Cypress Area of Critical State Concern. However, a portion of the development was determined "vested" by the State of Florida, thus exempting it from the requirements of Chapter 380, Florida Statutes. Further, there is an existing Development Agreement between Port of the Islands, Inc. and the State of Florida Department of Community Affairs dated July 2, 1985, which regulates land uses at Port of the Islands. Port of the Islands is eligible for all provisions of the Urban - Mixed Use District in which it is located to the extent that the overall residential density and commercial intensity does not exceed that permitted under zoning at time of adoption of this Plan.

1. Urban Residential Subdistrict

The purpose of this Subdistrict is to provide for higher densities in an area with fewer natural resource constraints and where existing and planned public facilities are concentrated. This Subdistrict comprises approximately 93,000 acres and 80% of the Urban Mixed Use District. Maximum eligible residential density shall be determined through the Density Rating System but shall not exceed 16 dwelling units per acre except in accordance with the Transfer of Development Rights Section of the Land Development Code.

(IV) 2. Urban Coastal Fringe Subdistrict

The purpose of this Subdistrict is to provide transitional densities between the Conservation Designated Area and the Urban Designated Area. It includes that area south of US 41 between the City of Naples and Collier-Seminole State Park, including Marco Island and comprises approximately 18,000 acres and 15% of the Urban Mixed Use District. In order to facilitate hurricane evacuation and to protect the adjacent environmentally sensitive Conservation Designated Area, residential densities shall be limited to a maximum of 4 dwelling units per acre, except as allowed in the Density Rating System to exceed 4 units per acre through provision of Affordable Housing and Transfer of Development Rights, and except as provided in the Bayshore/Gateway Triangle Redevelopment Overlay. Rezones are recommended to be in the form of a Planned Unit Development. The Marco Island Master Plan shall provide for density, intensity, siting criteria and specific standards for land use districts on Marco Island.

3. Urban Residential Fringe Subdistrict

The purpose of this Subdistrict is to provide transitional densities between the Urban Designated Area and the Agricultural/Rural Area and comprises approximately 5,500 acres and 5% of the Urban Mixed Use District. Residential land uses may be allowed at a maximum density of 1.5 units per gross acre, subject to the following conditions: and are not subject to the Density Rating System:

- a. All rezones are encouraged to be in the form of a Planned Unit Development; and
- b. Proposed development in the area shall be fully responsible for all necessary water management improvements, including the routing of all on-site and appropriate off-site water through the project's water management system, and a fair share cost of necessary

improvements to the CR 951 canal/out-fall system made necessary by new development in the area.

4. PUD Neighborhood Village Center Subdistrict

The purpose of this Subdistrict is to allow for small-scale retail, offices, and service facilities to serve the daily needs of the residents of a PUD. The acreage eligible for Neighborhood Village Center designation and uses shall be sized in proportion to the number of units to be served, but in no event shall the acreage exceed 15 acres. The Neighborhood Village Center uses may be combined with recreational facilities or other amenities of the PUD and shall be conveniently located to serve the PUD. The Village Center shall not have independent access to any roadway external to the PUD and shall be integrated into the PUD. Phasing of construction of the Neighborhood Village Center shall be controlled so that it occurs concurrent with the residential units. The Planned Unit Development district of the Land Development Code shall be amended within one (1) year to provide standards and principles regulating access, location or integration within the PUD of the Village Center, allowed uses, and square footage and/or acreage thresholds.

5. Business Park Subdistrict

The Business Park Subdistrict is intended to provide for a mix of industrial uses and non-industrial uses, designed in an attractive park-like environment with low structural density where building coverage ranges between 25% to 45% and where landscaped areas provide for buffering and enjoyment by the employees and patrons of the park. Business Parks shall be allowed as a Subdistrict in the Urban-Mixed Use District, Urban Commercial District and Urban Industrial District and may include the general uses allowed within each District, the specific uses set forth below, and shall comply with the following general conditions:

- a Business Parks shall be permitted to include up to 30% of the total acreage for non-industrial uses of the type identified in "c" below, and will reserve land within the industrially designated areas for industrial uses. The percentage and mix of each category of use shall be determined at the time of zoning in accordance with the criteria specified in the Land Development Code.
- b Access to arterial road systems shall be in accordance with the Collier County Access Management Policy and consistent with Objective 7 and Policy 7.1 of the Traffic Circulation Sub-Element.
- c Non-industrial uses may include uses such as certain offices, financial institutions, retail services, institutional, cultural facilities, medical facilities, hotels/motels at a density of 26 units per acre, and recreational facilities. Retail Uses shall be limited to those uses which serve the employees of businesses within the Park or are related to the products, goods and services that are manufactured, distributed, produced or provided by businesses in the Park.
- d When the Business Park is located within the Urban Industrial District or includes industrially zoned land, those uses allowed in the Industrial Zoning District shall be permitted provided that the total industrial acreage is not greater than the amount previously zoned or designated industrial. When a Business Park is located in the Urban Commercial District or Urban-Mixed Use District, the industrial uses shall be limited to light industry such as light manufacturing, processing, and packaging in fully enclosed buildings; research, design and product development; printing, lithography and publishing; and similar light industrial uses that are compatible with non-industrial uses permitted in the district; and, the Planned Unit Development Ordinance or Rezoning Ordinance for a Business Park project shall list specifically all permitted uses and development standards consistent with the criteria identified in this provision.
- e Business Parks must be a minimum of 35 acres in size.

- f Business Parks located within Interstate Activity Center quadrants that permit Industrial Uses shall also be required to meet the standards as stated under the Interstate Activity Center Subdistrict for commercial and industrial land uses.
- g Business Parks shall adopt standards for the development of individual building parcels and general standards for buffering, landscaping, open space, signage, lighting, screening of outdoor storage, parking and access management.
- h When located in a District other than the Urban Industrial District, the Business Park must have direct access to a road classified as an arterial in the Traffic Circulation Sub-Element.
- i Business Parks are encouraged to utilize PUD zoning.
- j The maximum additional acreage eligible to be utilized for a Business Park Subdistrict within the Urban-Mixed Use District is 500 acres, exclusive of open space and conservation areas.

6. Office and In-fill Commercial Subdistrict

The intent of this Subdistrict is to allow low intensity office commercial or in-fill commercial development on small parcels within the Urban-Mixed Use District located along arterial and collector roadways where residential development, as allowed by the Density Rating System, may not be compatible or appropriate. Lower intensity office commercial development attracts low traffic volumes on the abutting roadway(s) and is generally compatible with nearby residential and commercial development. The criteria listed below must be met for any project utilizing this Subdistrict. For purposes of this Subdistrict, “abuts” and “abutting” excludes intervening public street, easement (other than utilities) or right-of-way, except for an intervening local street; and “commercial” refers to C-1 through C-5 zoning districts and commercial components of PUDs.

- a. The subject site abuts a road classified as an arterial or collector as identified on the five-year Future Traffic Circulation Map, as contained in the Traffic Circulation Sub-Element.
- b. The site utilized for commercial use is 12 acres or less in size, and the balance of the property in excess of 12 acres, if any, is limited to an environmental conservation easement or open space;
- c. The site abuts commercial zoning:
 - (i) On one side and non-commercial zoning on the other side; or,
 - (ii) On both sides;
- d. The depth of the requested commercial does not exceed the depth of the abutting commercial parcel(s);
- e. Project uses are limited to office or low intensity commercial, except for land abutting commercial zoning on both sides, as provided for in (c) above, the project uses may include those of the highest intensity abutting commercial zoning district;
- f. The parcel in question was not created to take advantage of this provision and was created prior to the adoption of this provision in the Growth Management Plan on October 28, 1997;
- g. At time of development, the project will be served by central public water and sewer; and
- h. The project will be compatible with existing land uses and permitted future land uses on surrounding properties.
- i. For those sites that have existing commercial zoning abutting one side, commercial zoning used pursuant to this subsection shall only be applied one time to serve as a transitional use and will not be permitted to expand.
- j. The maximum acreage eligible to be utilized for the Office and Infill Subdistrict within the Urban-Mixed Use District is 250 acres.

7. Traditional Neighborhood Design Subdistrict

The purpose of this provision is to encourage the development of Traditional Neighborhood Design (TND) projects. TNDs are typically human-scale, pedestrian-oriented, interconnected residential neighborhood projects that are centered around a village green with a mix of commercial uses including retail, office and civic amenities that complement each other. Residential uses are often located above retail uses. A grid pattern is the basis for the transportation network. The main street component of the TND is appropriately integrated in the TND and sized in proportion to the scale of the project with a maximum of 15 acres of commercial permitted. Standards shall be developed in the Land Development Code which will regulate access, permitted uses, square footage and/or acreage thresholds, lot frontage dimensions, street widths, setbacks, and other standards that are integral to the TND concept.

(II) 8. Orange Blossom Mixed-Use Subdistrict

The intent of this district is to allow for limited small-scale retail, office and residential uses while requiring that the project result in a true mixed-use development. The Activity Centers to the North and South provide for large-scale commercial uses, while this subdistrict will promote small scale mixed-use development with a pedestrian orientation to serve the homes both existing and future in the immediate area. This Subdistrict is intended to be a prototype for future mixed-use nodes, providing residents with pedestrian scale development while also reducing existing trip lengths for small-scale commercial services. Commercial uses for the purpose of this section are limited to those allowed in the C-1, C-2 and C-3 zoning districts except as noted below. The development of this subdistrict will be governed by the following criteria:

- a. Rezoning is encouraged to be in the form of a PUD.
- b. A unified planned development with a common architectural theme which has shared parking and cross access agreements will be developed.
- c. Retail uses will be capped at a maximum of 5,000 sq. ft. per acre for the total project.
- d. Office uses will be capped at a maximum of 7,000 sq. ft. per acre for the total project.
- e. Residential development will be subject to the density rating system.
- f. Maximum lot coverage for buildings is capped at 17.5% for the total project.
- g. No more than 25% of the total built square footage will be devoted to single story buildings.
- h. Primary entrances to all retail and commercial uses shall be designed for access from the interior of the site. Buildings fronting on Airport Road and Orange Blossom Road will provide secondary accesses facing those streets.
- i. All four sides of each building must be finished in a common architectural theme.
- j. A residential component equal to at least 25% of the allowable maximum base density under the density rating system must be constructed before the subdistrict completes an aggregate total of 40,000 square feet retail or office uses.
- k. Residential units may be located both on the North and South side of Orange Blossom Drive.
- l. Integration of residential and office or retail uses in the same building is encouraged.
- m. Pedestrian connections are encouraged to all perimeter properties where feasible and desired by adjoining property owners.
- n. No building footprint will exceed 5,000 square feet. Common stairs, breezeways or elevators may join individual buildings.
- o. No building shall exceed three stories with no allowance for under building parking.
- p. Drive-through establishments will be limited to banks with no more than 3 lanes architecturally integrated into the main building.
- q. No gasoline service stations will be permitted.
- r. All buildings will be connected with pedestrian features.

- s. Twenty foot wide landscape Type D buffers along Orange Blossom Drive and Airport-Pulling Road and a 20 foot wide Type C buffer along all other perimeter property lines will be required.
- t. Parking areas will be screened from Airport-Pulling Road and Orange Blossom Drive.
- u. The Office and Infill Commercial Subdistrict provision is not applicable to any properties adjacent to this Subdistrict.

9. Goodlette/Pine Ridge Commercial Infill Subdistrict

This subdistrict consists of 31 acres and is located at the northeast quadrant of two major arterial roadways, Pine Ridge Road and Goodlette-Frank Road. In addition to uses allowed in the Plan, the intent of the Goodlette/Pine Ridge Commercial Infill Subdistrict is to provide shopping, personal services and employment for the surrounding residential areas within a convenient travel distance. The subdistrict is intended to be compatible with the neighboring Pine Ridge Middle School and nearby residential development and therefore, emphasis will be placed on common building architecture, signage, landscape design and site accessibility for pedestrians and bicyclists, as well as motor vehicles.

Access to the Goodlette/Pine Ridge Commercial Infill Subdistrict may feature a traffic signalized access point on Goodlette-Frank Road, which may provide for access to the neighboring Pine Ridge Middle School. Other site access locations will be designed consistent with the Collier County access management criteria.

Development intensity within this district will be limited to single-story retail commercial uses, while professional or medical related offices, including financial institutions, may occur in three-story buildings. A maximum of 275,000 square feet of gross leasable area for retail commercial and office and financial institution development may occur within this subdistrict. Retail commercial uses shall be limited to a maximum of 125,000 square feet of gross leasable area on the south +/-23 acres. No individual retail tenant may exceed 65,000 square feet of gross leasable area.

Unless otherwise required by the South Florida Water Management District, the .87+/- acre wetland area located on the northeastern portion of the site will be preserved.

(V)10. Vanderbilt Beach/Collier Boulevard Commercial Subdistrict

This Subdistrict is located on the north side of the intersection between the two (2) major roadways of Vanderbilt Beach Road and Collier Boulevard, consisting of approximately 33.45 acres of land. The intent of the Vanderbilt Beach/Collier Boulevard Commercial Subdistrict is to provide convenient shopping, personal services and employment for neighboring residential areas. The Vanderbilt Beach/Collier Boulevard Commercial Subdistrict will reduce driving distances for neighboring residents and assist in minimizing the road network required in this part of Collier County. This subdistrict is further intended to create a neighborhood focal point and any development within this Subdistrict will be designed in a manner to be compatible with the existing and future residential and institutional development in this neighborhood.

Development intensity for this Subdistrict shall be limited to a maximum of 200,000 square feet of gross leasable floor area.

Rezoning are encouraged to be in the form of a PUD zoning district which must contain development standards to ensure that all commercial uses will be compatible with neighboring residential and institutional uses. In addition to retail uses and other uses permitted in the Plan, financial institutions, business services, and professional and medical offices shall be permitted. Retail uses shall be limited to a single-story. Financial services and offices shall be

limited to three stories. All principal buildings shall be set back a minimum of one (1) foot from the Subdistrict boundaries for each foot of building height. Development within the Subdistrict

shall be required to have common site, signage and building architectural elements. The property shall provide for potential interconnection with adjacent properties.

(VI)11. Henderson Creek Mixed-Use Subdistrict

The Henderson Creek Mixed-Use Subdistrict consists of approximately 83 acres and is located east of Collier Boulevard (S.R. 951) and south of U.S. 41 (Tamiami Trail East). The intent of the Subdistrict is primarily to provide for a mixture of regional commercial uses and residential development, to serve the South Naples, Royal Fakapalm and Marco Island areas. The primary intent of the Subdistrict is not to provide for community and neighborhood commercial uses. The focus of the residential component of the Subdistrict shall be the provision of workforce housing to support the commercial uses within the Subdistrict, as well as in the South Naples, Royal Fakapalm and Marco Island areas. The entire Subdistrict shall be developed under a unified plan; this unified plan must be in the form of a Planned Unit Development.

For purposes of this Subdistrict, the term “regional commercial” is defined as: Retail uses typically dominated by large anchors, including discount department stores, off-price stores, warehouse clubs, and the like, some of which offer a large selection in a particular merchandise category. Regional retail uses also typically utilize square footages ranging from 20,000 to over 100,000 square feet. Regional commercial uses generally have a primary trade area of 5 to 10 miles, with a typical store separation of 5 miles for any individual regional commercial business.

Specific requirements and limitations for the Henderson Creek Mixed-Use Subdistrict are as follows:

- Access to the Subdistrict shall be provided from Collier Boulevard (SR 951) and U.S. 41. These access points shall be connected by a loop road that is open to the public.
- Vehicular and pedestrian interconnections shall be provided between the residential and commercial portions of the Subdistrict.
- The unified plan of development within the Subdistrict shall include provisions for vehicular and pedestrian interconnection to properties to the north.
- Commercial components of this Subdistrict shall front on Collier Boulevard.
- Commercial uses are limited to a maximum of 40 acres and 325,000 square feet of gross leasable floor area.
- The maximum intensity of commercial uses are those allowed in the C-4, General Commercial, Zoning District.
- At least one regional commercial use is required to occupy a minimum of 100,000 square feet of gross leasable floor area. Each remaining regional commercial use must occupy a minimum of 20,000 square feet of gross leasable floor area.
- Non-regional commercial uses prohibited in this Subdistrict include grocery stores, fitness centers, auto repair, auto sales, and personal service uses.
- Non-regional commercial uses are limited to a maximum of 10% of the total allowed commercial square footage (32,500 square feet).
- A maximum of four out-parcels are allowed, all of which must abut Collier Boulevard. All out-parcels shall provide internal vehicular access. All out-parcels are limited to non-regional commercial uses. No out-parcel shall exceed five acres.
- Commercial development shall be restricted to one-story buildings with a maximum height of 35 feet.
- Residential development shall be limited to a maximum of 360 dwelling units, subject to the Density Rating System. However, a minimum of 200 affordable housing units shall be provided.
- Residential dwellings shall be limited to a maximum height of two habitable stories.

- Both commercial and residential development shall be designed in a common architectural theme.
- Prior to commencement of any development in the Subdistrict, a unified plan of development for the entire Subdistrict must be approved by the Board of Collier County Commissioners.
- The type of landscape buffers within this Subdistrict shall be no less than that required in mixed use activity centers.

(VI)12. Research and Technology Park Subdistrict

The Research and Technology Park Subdistrict is intended to provide for a mix of targeted industry uses - aviation/aerospace industry, health technology industry, information technology industry, and light, low environmental impact manufacturing industry and non-industrial uses, designed in an attractive park-like environment where landscaped areas, outdoor spaces and internal interconnectivity provide for buffering, usable open space, and a network of pathways for the enjoyment of the employees, residents and patrons of the park. Research and Technology Parks shall be allowed as a Subdistrict in the Urban-Mixed Use District, Urban Commercial District and Urban Industrial District, and may include the general uses allowed within each District, the specific uses set forth below, and shall comply with the following general conditions:

- a. Research and Technology Parks shall be permitted to include up to 20% of the total acreage for non-target industry uses of the type identified in paragraph “d” below; and, up to 20% of the total acreage for workforce housing, except as provided in paragraph j below. At a minimum, 60% of the total park acreage must be devoted to target industry uses identified in paragraph c below. The specific percentage and mix of each category of use shall be determined at the time of rezoning in accordance with the criteria specified in the Land Development Code.
- b. Access to arterial and collector road systems shall be in accordance with the Collier County Access Management Policy and consistent with Objective 7 and Policy 7.1 of the Transportation Element.
- c. The target industries identified by the Economic Development Council of Collier County are aviation/aerospace industry, health technology industry and information technology industry, and include the following uses: software development and programming; internet technologies and electronic commerce; multimedia activities and CD-ROM development; data and information processing; call center and customer support activities; professional services that are export based such as laboratory research or testing activities; light manufacturing in the high tech target sectors of aviation/aerospace and health and information technologies; office uses in connection with on-site research; development testing and related manufacturing; general administrative offices of a research and development firm; educational, scientific and research organizations; production facilities and operations.
- d. Non-target industry uses may include hotels at a density consistent with the Land Development Code, and those uses in the C-1 through C-3 Zoning Districts that provide support services to the target industries such as general office, banks, fitness centers, personal and professional services, medical, financial and convenience sales and services, computer related businesses and services, employee training, technical conferencing, day care center, restaurants and corporate and government offices
- e. When the Research and Technology Park is located within the Urban Industrial District_or includes industrially zoned land, those uses allowed in the Industrial Zoning District_shall be permitted provided that the total industrial acreage is not greater than the amount previously zoned or designated industrial. When a Research and Technology Park is located in the Urban Commercial District or Urban-Mixed Use District, the industrial uses shall be limited to those target industry uses. The Planned Unit Development Ordinance or Rezoning Ordinance for a Research and Technology Park project shall list specifically all permitted uses and development standards consistent with the criteria identified in this provision.

- f. Research and Technology Parks must be a minimum of 19 acres in size.
- g. Research and Technology Parks located within Interstate Activity Center quadrants that permit Industrial Uses shall also be required to meet the standards as stated under the Interstate Activity Center Subdistrict for commercial and industrial land uses.
- h. Standards for Research and Technology Parks shall be adopted for the development of individual building parcels and general standards shall be adopted for pedestrian and vehicular interconnections, buffering, landscaping, open spaces, signage, lighting, screening of outdoor storage, parking and access management.
- i. When located in a District other than the Urban Industrial District, the Research and Technology Park must be adjacent to, and have direct principal access to a road classified as an arterial or collector in the Transportation Element. Direct principal access is defined as a local roadway connection to the arterial or collector road, provided the portion of the local roadway intended to provide access to the Research and Technology Park is not within a residential neighborhood and does not service a predominately residential area.
- j. Research and Technology Parks shall not be located on land abutting residentially zoned property, unless the Park provides workforce housing. When abutting residentially zoned land, up to 40% of the Park's total acreage may be devoted to workforce housing and all or a portion of the workforce housing is encouraged to abut such adjacent land where feasible.
- k. Whenever workforce housing is provided, it shall be fully integrated with other compatible uses in the park through mixed use buildings and/or through pedestrian and vehicular interconnections.
- l. Whenever workforce housing (affordable housing) is provided, it is allowed at a density consistent with the Density Rating System.
- m. Building permits for non-target industry uses identified in paragraph "d" above shall not be issued for more than 10,000 square feet of building area prior to issuance of the first building permit for a target industry use.
- n. Research and Technology Parks must be compatible with surrounding land uses.
- o. Research and Technology Parks must utilize PUD zoning.

The maximum additional acreage eligible to be utilized for a Research and Technology Park Subdistrict within the Urban-Mixed Use District is 1000 acres, exclusive of open space and conservation areas.

GOODLETTE/PINE RIDGE COMMERCIAL INFILL SUBDISTRICT

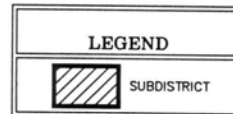
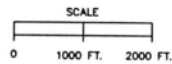


MAP 5B

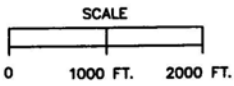
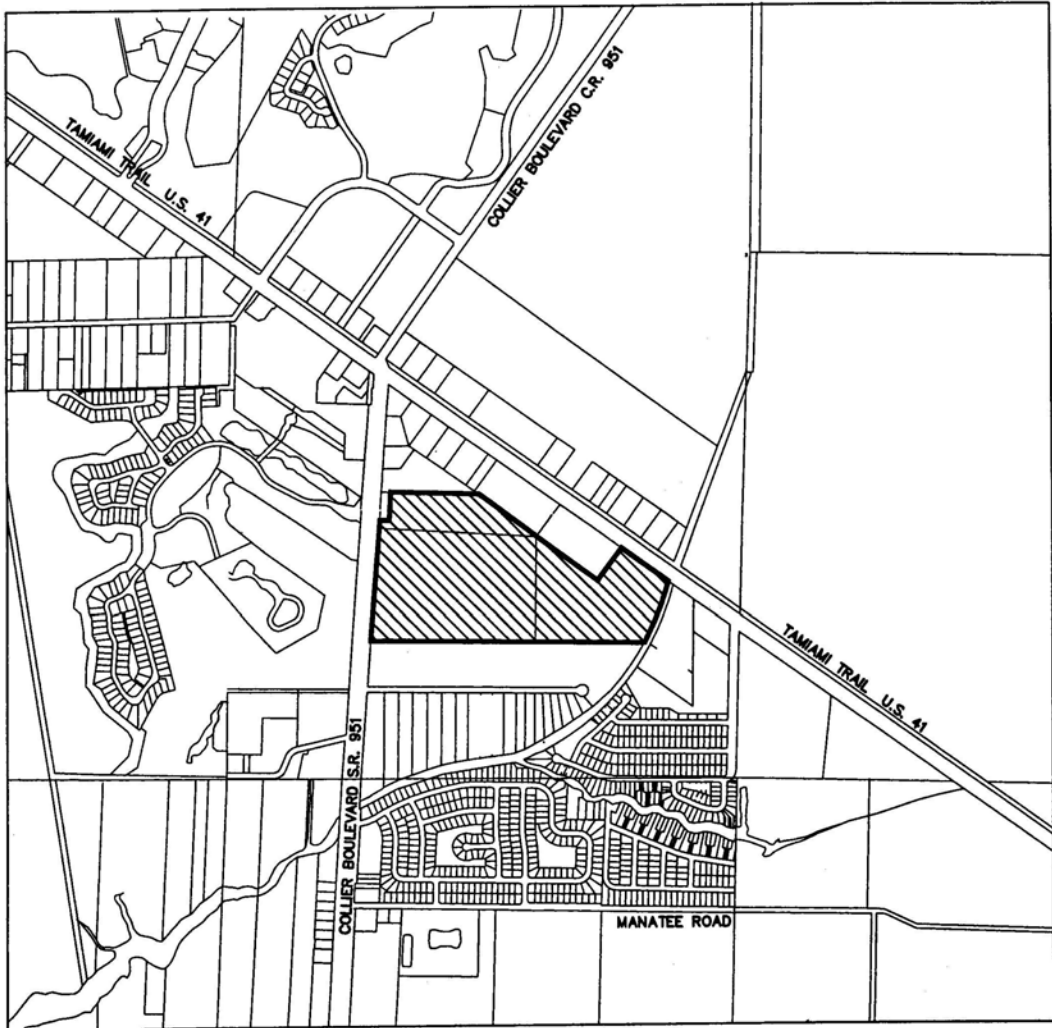
VANDERBILT BEACH / COLLIER BOULEVARD COMMERCIAL SUBDISTRICT
COLLIER COUNTY, FLORIDA




PREPARED BY: GRAPHICS AND TECHNICAL SUPPORT SECTION
COMMUNITY DEVELOPMENT AND ENVIRONMENTAL SERVICES DIVISION
DATE: 3/2001 FILE: VBCB-COMM.DWG



HENDERSON CREEK MIXED-USE SUBDISTRICT
 COLLIER COUNTY, FLORIDA



LEGEND	
	SUBDISTRICT

PREPARED BY: GRAPHICS AND TECHNICAL SUPPORT SECTION
 COMMUNITY DEVELOPMENT AND ENVIRONMENTAL SERVICES DIVISION
 DATE: 5/02 FILE: CP-2001-04-A.DWG
 ADOPTED MAY 14, 2002 BY ORDINANCE NO. 2002-24 (CP-2001-4)

(IV)(VI)(VII) 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, exclusive of the Urban Residential Fringe Subdistrict, 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. This Density Rating System only applies to residential dwelling units. 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 characteristics of the project.

a. Density Bonuses

Consistency with the following characteristics may add to the base density. Density bonuses are discretionary, not entitlements, and are dependent upon meeting the criteria for each bonus provision and compatibility with surrounding properties, as well as the criteria in the Land Development Code. All new residential zoning shall be consistent with the Density Rating System, except as provided in policies 5.9, 5.10 and 5.11 of the Future Land Use Element.

1. Conversion of Commercial Zoning

If the project includes conversion of commercial zoning which is not located within an Mixed Use Activity Center or Interchange Activity Center, or which is not consistent with the Neighborhood Village Center Subdistrict, a bonus of up to 16 dwelling units may be added for every 1 acre of commercial zoning which is converted. These dwelling units may be distributed over the entire project. The project must be compatible with surrounding land uses.

2. Proximity to Mixed Use Activity Center or Interchange Activity Center

If the project is within one mile of a Mixed Use Activity Center or Interchange Activity Center and located within a residential density band, 3 residential units per gross acre may be added. The density band around a Mixed Use Activity Center or Interchange Activity Center shall be measured by the radial distance from the center of the intersection around which the Mixed Use Activity Center or Interchange Activity Center is situated. If 50% or more of a project is within the density band, the additional density applies to the gross acreage of the entire project. Density bands are designated on the Future Land Use Map and shall not apply within the Estates Designation or for properties within the Traffic Congestion Area.

(VII) 3. Affordable Housing

To encourage the provision of affordable housing within the Urban Designated Area, a maximum of up to 8 residential units per gross acre may be added to the base density if the project meets the definitions and requirements of the Affordable Housing Density Bonus Ordinance (Section 2.7.7 of the Land Development Code, Ordinance #91-102, adopted October 30, 1991). In the Urban Coastal Fringe Subdistrict, Affordable Housing projects must provide appropriate mitigation consistent with Policy 13.1.2 of the Conservation and Coastal Management Element. Additionally, the Affordable Housing Density Bonus may be utilized within the Agricultural/Rural designation, as provided for in the Rural Lands Stewardship Area Overlay, subject to the aforementioned Section 2.7.7 of the Land Development Code.

(VII) = Plan Amendment by Ordinance No. 2002-54 on October 22, 2002

4. Residential In-fill

To encourage residential in-fill in areas with existing development, 3 residential dwelling units per gross acre may be added if the following criteria are met:

- (a) The project is 10 acres or less in size;
- (b) At time of development, the project will be served by central public water and sewer;
- (c) The project is compatible with surrounding land uses;
- (d) The property in question has no common site development plan with adjacent property;
- (f) There is no common ownership with any adjacent parcels; and
- (g) The parcel in question was not created to take advantage of the in-fill residential density bonus and was created prior to the adoption of this provision in the Growth Management Plan on January 10, 1989.

5. Roadway Access

If the project has direct access to 2 or more arterial or collector roads as identified in the Traffic Circulation Element, 1 residential dwelling unit per gross acre may be added. Density credits based on future roadways will be awarded if the developer commits to construct a portion of the roadway (as determined by the County Transportation Department) or the road is scheduled for completion during the first five years of the Capital Improvements Plan. The Roadway Access bonus is not applicable to properties located within the Traffic Congestion Area.

(VII) 6. Transfer of Development Rights

To encourage preservation/conservation of natural resources, density transfers are permitted within that portion of the Urban designated area subject to this Density Rating System. In no case shall density be transferred into the Coastal High Hazard Area from outside the Coastal High Hazard Area. Lands lying seaward of the Coastal High Hazard Boundary, identified on the Future Land Use Map, are within the Coastal High Hazard Area. Density may be increased above and beyond the density otherwise allowed by the Density Rating System in accordance with the Transfer of Development Rights (TDR) Section 2.2.24.11 of the Land Development Code adopted by Ordinance #91-102, on October 30, 1991, as amended.

b. Density Reduction

Consistency with the following characteristic would subtract density:

1. Traffic Congestion Area

If the project is within the Traffic Congestion Area, an area identified as subject to long range traffic congestion, 1 dwelling unit per gross acre would be subtracted. The Traffic Congestion Boundary is shown on the Future Land Use Map and consists of the western coastal Urban Designated Area seaward of a boundary marked by Airport-Pulling Road (including an extension north to the Lee County boundary), Davis Boulevard, County Barn Road, and Rattlesnake Hammock Road consistent with the Mixed Use Activity Center's residential density band located at the southwest quadrant of the intersection of Rattlesnake Hammock Road and County Road 951 (including an extension to the east). Properties adjacent to the Traffic Congestion Area shall be considered part of the Traffic Congestion Area if their only access is to a road forming the boundary of the Area; however, if that property also has an access point to a road not forming the boundary of the Traffic Congestion Area it will not be subject to the density reduction.

(VII) = Plan Amendment by Ordinance No. 2002-54 on October 22, 2002

c. Density Conditions:

The following density condition applies to all properties subject to the Density Rating System.

1. Maximum Density

The maximum permitted density shall not exceed 16 residential dwelling units per gross acre within the Urban designated area, except when utilizing the Transfer of Development Rights (TDR) Section 2.2.24.10 of the Land Development Code adopted by Ordinance #91-102, on October 30, 1991, as amended.

B. Urban Commercial District

This District is intended to accommodate almost all new commercial zoning; a variety of residential uses, including higher densities for properties not located within the Urban Coastal Fringe or Urban Residential Fringe Subdistricts; and a variety of non-residential uses.

1. Mixed Use Activity Center Subdistrict

Mixed Use Activity Centers have been designated on the Future Land Use Map Series identified in the Future Land Use Element. The locations are based on intersections of major roads and on spacing criteria. There are 19 Mixed Use Activity Centers which comprise approximately 3,000 acres, including 3 Interchange Activity Centers (#4, 9, 10) which will be discussed separately. Two Activity Centers #19 and 21 have been deleted and replaced by the land use designations identified in the Marco Island Master Plan and Future Land Use Map.

(II)(IV)(V)(VI)The Mixed-Use Activity Center concept is designed to concentrate almost all new commercial zoning in locations where traffic impacts can readily be accommodated, to avoid strip and disorganized patterns of commercial development, and to create focal points within the community. Additionally, some commercial development is allowed outside of Mixed Use Activity Centers in the PUD Neighborhood Village Center Subdistrict, Office and Infill Commercial Subdistrict, Interchange Activity Center Subdistrict, Traditional Neighborhood Design Subdistrict, Orange Blossom Mixed-Use Subdistrict, Goodlette/Pine Ridge Commercial Subdistrict, Vanderbilt Beach/Collier Boulevard Commercial Subdistrict, Livingston/Pine Ridge Commercial Infill Subdistrict, Henderson Creek Mixed Use Subdistrict, Livingston Road/Eatonwood Lane Commercial Infill Subdistrict, Livingston Road Commercial Infill Subdistrict, and the Bayshore/Gateway Triangle Redevelopment Overlay and by Policies 4.7, 5.9, 5.10, and 5.11 of the Future Land Use Element.

Mixed Use Activity Centers are intended to be mixed-use in character. The actual mix of the various land uses - which may include the full array of commercial uses, residential uses, institutional uses, hotel/motel uses at a density consistent with the Land Development Code – shall be determined during the rezoning process based on consideration of the factors listed below.

For residential development, if a project is within the boundaries of a Mixed Use Activity Center which is not within the Urban Residential Fringe Subdistrict or Urban Coastal Fringe Subdistrict, up to 16 residential units per gross acre may be permitted. This density may be distributed throughout the project, including any portion located outside of the boundary of the Mixed Use Activity Center.

The factors to consider during review of a rezone petition are as follows:

- Rezones within Mixed Use Activity Centers are encouraged to be in the form of a Planned Unit Development. There shall be no minimum acreage limitation for such Planned Unit Developments except all requests for rezoning must meet the requirements for rezoning in the Land Development Code.
- The amount, type and location of existing zoned commercial land, and developed commercial uses, within the Mixed Use Activity Center and within two road miles of the Mixed Use Activity Center;
- Market demand and service area for the proposed commercial land uses to be used as a guide to explore the feasibility of the requested land uses;
- Existing patterns of land use within the Mixed Use Activity Center and within two radial miles;
- Adequacy of infrastructure capacity, particularly roads;
- Compatibility of the proposed development with, and adequacy of buffering for, adjoining properties;
- Natural or man-made constraints;
- Rezoning criteria identified in the Land Development Code;
- Conformance with Access Management Plans for Mixed Use Activity Centers contained in the Land Development Code;
- Coordinated traffic flow on-site and off-site, as may be demonstrated by a Traffic Impact Analysis, and a site plan/master plan indicating on-site traffic movements, access point locations and type, median opening locations and type on the abutting roadway(s), location of traffic signals on the abutting roadway(s), and internal and external vehicular and pedestrian interconnections;
- Interconnection(s) for pedestrians, bicycles and motor vehicles with existing and future adjacent projects;
- Conformance with the architectural design standards as identified in the Land Development Code.

The approximate boundaries of Mixed Use Activity Centers have been delineated on the maps located at the end of this section as part of the Future Land Use Map Series. The actual boundaries of Mixed Use Activity Centers listed below by Activity Center and location are specifically defined on the maps and shall be considered to delineate the boundaries for those Mixed Use Activity Centers.

- # 1 Immokalee Road and Airport Road
- # 6 Davis Boulevard and Santa Barbara Boulevard
- # 8 Airport Road and Golden Gate Parkway
- #11 Vanderbilt Beach Road and Airport Road
- #12 US 41 and Pine Ridge Road
- #13 Airport Road and Pine Ridge Road
- #15 Golden Gate Parkway and Coronado Boulevard
- #16 US 41 and Airport Road
- #17 US 41 and Rattlesnake-Hammock Road
- #18 US 41 and Isles of Capri Road
- #20 US 41 and Wiggins Pass Road

The mix of uses in all of these specifically designated, except for #6 at Davis Boulevard and Santa Barbara Boulevard, range from 80 to 100% commercially zoned and/or developed property. Activity Center #6 is approximately 60% commercially zoned and/or developed. For purposes of these specifically designated Activity Centers, the entire Activity Center is eligible for up to 100%, or any combination thereof, of each of the following uses: commercial , residential and/or community facilities.

Mixed Use Activity Centers may be designated as Master Planned Mixed Use Activity Centers. Master Planned Mixed Use Activity Centers are those which have a unified plan of development in the form of a Planned Unit Development, Development of Regional Impact or an area-wide Development of Regional Impact. Property owners within Mixed Use Activity

Centers shall be required to utilize the Master Planned Mixed Use Activity Center process.

- # 2 US 41 and Immokalee Road
- # 3 Immokalee Road and CR 951
- # 5 US 41 and Vanderbilt Beach Road
- # 7 Rattlesnake-Hammock Road and CR 951
- #14 Goodlette-Frank Road and Golden Gate Parkway

In recognition of the benefit resulting from the coordination of planned land uses and coordinated access points to the public road network, Master Planned Activity Centers are encouraged through the allowance of flexibility in the boundaries, mix and location of uses permitted within a designated Mixed Use Activity Center and may be permitted to modify the designated configuration. The boundaries of Master Planned Mixed Use Activity Centers depicted on the Future Land Use Map Series are understood to be flexible and subject to modification during final site design; however, the approved amount of commercial development shall not be exceeded. The actual mix of land uses shall be determined using the criteria for other Mixed Use Activity Centers. All of the following criteria must be met for a project to qualify as a Master Planned Mixed Use Activity Center:

1. The applicant shall have unified control of the majority of a quadrant in a designated Activity Center. Majority of the quadrant shall be defined as at least 51% of the privately owned land within any Activity Center quadrant. However, if a property owner has less than 51% ownership within a quadrant, that property owner may still request a rezoning under the provisions of a Mixed Use Activity Center Subdistrict subject to the maximum acreage allowed in Paragraph 2 below. Property owners with less than 51% ownership are encouraged to incorporate vehicular and pedestrian accesses with adjacent properties within the Activity Center. Any publicly owned land within the quadrant will be excluded from acreage calculations to determine unified control;
2. The permitted land uses for a Master Planned Mixed Use Activity Center shall be same as for designated Activity Centers; however, a Master Planned Mixed Use Activity Center encompassing the majority of property in two or more quadrants shall be afforded the flexibility to redistribute a part or all of the allocation from one quadrant to another. The maximum amount of commercial permitted at Activity Centers # 3 and #7 is 40 acres per quadrant for a total of 160 acres maximum in the entire Activity Center, the balance of the of the land uses shall be for residential and/or community facilities. Activity Center #14 shall have a maximum of 45 acres for commercial use, the balance of the land uses shall be for residential and/or community facilities. Activity Centers #2 and #5 have approximately 80% of the area zoned or developed for commercial uses. For purposes of these two Activity Centers, the entire Activity Center is eligible for up to 100% or any combination thereof, of the following uses: commercial, residential and/or community facilities.
3. The location and configuration of all land uses within a Master Planned Mixed Use Activity Center shall be compatible with and related to existing site features, surrounding development, and existing natural and manmade constraints. Commercial uses shall be oriented so as to provide coordinated and functional transportation access to major roadways serving the Activity Center, and functionally related or integrated with surrounding land uses and the planned transportation network; and
4. Adjacent properties within the Activity Center that are not under the unified control of the applicant shall be considered and appropriately incorporated (i.e. pedestrian and vehicular interconnections) into the applicant's Master Plan.

New Mixed Use Activity Centers may be proposed if all of the following criteria are met and an amendment is made to delineate the specific boundaries on the Future Land Use Map series for Mixed Use Activity Centers:

- The intersection around which the Mixed Use Activity Center is located consists of an arterial and collector road, or two arterial roads, based upon roadway classifications in the Traffic Circulation Element.
- The Mixed Use Activity Center is no closer than two miles from any existing Mixed Use Activity Center, as measured from the center point of the intersections around which the existing and proposed Mixed Use Activity Centers are located.
- Market justification is provided demonstrating need for a Mixed Use Activity Center at the proposed location.

2. Interchange Activity Center Subdistrict

Interchange Activity Centers have been designated on the Future Land Use Map at each of the three Interstate 75 interchanges and include numbers 4, 9 and 10. The boundaries of these Interchange Activity Centers have been specifically defined on the maps located at the end of this Section as part of the Future Land Use Map Series. Any changes to the boundaries of these Interchange Activity Centers shall require an amendment to the Future Land Use Map Series.

Interchange Activity Centers #4 and #10 allow for a mixture of land uses - which may include 100% or any combination thereof, of each of the following uses: the full array of commercial uses, residential and non-residential uses, institutional uses, hotel/motel uses at a density consistent with the Land Development Code, and Business Parks; and industrial uses as identified below in the southwest and southeast quadrants of Interchange Activity Center #4. No industrial uses shall be allowed in Interchange Activity Center #10. The actual mix of uses shall be determined during the rezoning process based on consideration of the same factors listed under the Mixed Use Activity Center Subdistrict.

Interchange Activity Center # 9 shall be subject to the requirement of the development of an Interchange Master Plan (IMP). The IMP is intended to create an enhanced “gateway” to Naples. The IMP process shall be initiated by the property owners and/or their representatives by meeting with the County planning staff within 60 days of the adoption of this Growth Management Plan amendment and a finding of compliance from the Department of Community Affairs. The purpose of the meeting will be to establish a mutually acceptable vision statement for Activity Center # 9. The Interchange Master Plan shall be adopted by Resolution by the Board of County Commissioners. All rezones thereafter shall meet the intent of the vision statement.

- (III) Subsequent to the development of the vision statement, new projects within Activity Center #9 are encouraged to have a unified plan of development in the form of a Planned Unit Development. The mixture of uses allowed in Interchange Activity Center # 9 shall include the full array of commercial uses; residential and non-residential uses; institutional uses; Business Park; hotel/motel uses at a density consistent with the Land Development Code; industrial uses in the northeast, southwest and southeast quadrants. The mix and intensity of land uses shall meet the intent of the vision statement and be defined during the rezoning process. The entire Interchange Activity Center is eligible for up to 100% of the entire acreage to be developed for any of the uses referenced above, except the maximum amount of commercial acreage shall not exceed 55% of the total acreage (632.5 ac.) of Interchange Activity Center # 9. The factors to consider during review of a rezone petition shall be in compliance with the vision statement and those included for the Mixed Use Activity Center.

For residential development, if a project is within the boundaries of an Interchange Activity Center, which is not within the Urban Residential Fringe Subdistrict and not within the Estates Designation, up to 16 residential units per gross acre may be permitted. This density may be distributed throughout the project, including any portion located outside of the boundary of the Activity Center.

Based on the unique location and function of Interchange Activity Centers, some Industrial land uses that serve regional markets and derive specific benefit when located in the Interchange Activity Centers shall be allowed, provided each such use is reviewed and found to be compatible with existing and approved land uses. Industrial uses shall be limited to: manufacturing, warehousing, storage, and distribution.

The following conditions shall be required to ensure compatibility of Industrial land uses with other commercial, residential and/or institutional land uses in the Interchange Activity Centers; to maintain the appearance of these Interchange Activity Centers as gateways to the community; and to mitigate any adverse impacts caused by noise, glare or fumes to the adjacent property owners. The Planned Unit Development and/or rezoning ordinance shall contain specific language regarding the permitted Industrial land uses, compatibility requirements, and development standards consistent with the following conditions. Site specific development details will be reviewed during the Site Development Plan review process.

- Landscaping, buffering and/or berming shall be installed along the Interstate;
- Fencing shall be wooden or masonry;
- Wholesale and storage uses shall not be permitted immediately adjacent to the right-of-way of the Interstate;
- Central water and sewage systems shall be required;
- State Access Management Plans, as applicable;
- No direct access to the Interstate right-of-way shall be permitted;
- Joint access and frontage roads shall be established when frontage is not adequate to meet the access spacing requirements of the Access Control Policy, Activity Center Access Management Plans, or State Access Management Plans, as applicable;
- Access points and median openings shall be designed to provide adequate turning radii to accommodate truck traffic and to minimize the need for U-turn movements;
- The developer shall be responsible to provide all necessary traffic improvements - to include traffic signals, turn lanes, deceleration lanes, and other improvements deemed necessary - as determined through the rezoning process;
- A maximum floor area ratio (FAR) for the designated Industrial land uses component of the projects shall be established at 0.45.

(V)(VI) 3. Livingston/Pine Ridge Commercial Infill Subdistrict

This Subdistrict consists of two parcels; one parcel consists of 17.5 acres and is located at the southeast quadrant of Livingston Road, a collector roadway, and Pine Ridge Road, a minor arterial roadway. The second parcel consists of 10.47 acres and is located at the northwest quadrant of Livingston Road and Pine Ridge Road. In addition to uses allowed in the Plan, the intent of the Livingston/Pine Ridge Commercial Infill Subdistrict is to provide shopping, personal services and employment for the surrounding residential areas within a convenient travel distance and to provide commercial services in an acceptable manner along a new collector roadway. The Subdistrict is intended to be compatible with the neighboring commercial, public use and high density residential properties and will utilize well-planned access points to improve current and future traffic flows in the area.

(VI) a. Southeast Quadrant

If permitted by the South Florida Water Management District, emergency access to the North Naples Fire District fire station located immediately east of the property will be provided improving response times to all properties located south along Livingston Road. Interconnection to adjacent properties immediately to the South and immediately to the East will be studied and provided if deemed feasible, as a part of the rezoning action relating to the subject property.

Building height is limited to one story with a 35 foot maximum for all retail and general commercial uses. General and medical office uses are limited to three stories with a 50 foot maximum height. Any project developed in this Quadrant may be comprised of

any combination of retail commercial and/or office uses, provided that the total square footage does not exceed 125,000 square feet.

A minimum 50-foot buffer of existing native vegetation will be preserved along all project boundaries located adjacent to areas zoned agricultural.

(VI) b. Northwest Quadrant

The feasibility of interconnections to the adjacent properties to the North and West will be considered and, if deemed feasible, will be required during the rezoning of the subject property.

This quadrant shall be limited to general and medical office uses, provided that the total building square footage does not exceed 40,000 square feet. Building height shall be limited to three stories with a 50 foot maximum height.

4. Business Park Subdistrict

The Business Park Subdistrict is intended to provide for a mix of industrial uses and non-industrial uses, designed in an attractive park-like environment with low structural density where building coverage ranges between 25% to 45% and landscaped areas provide for buffering and enjoyment by the employees and patrons of the Park. Business Parks shall be allowed as a subdistrict in the Urban Commercial District subject to the criteria set forth under the Business Park Subdistrict in the Urban-Mixed Use District.

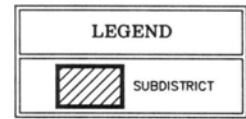
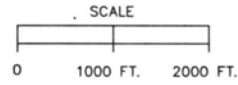
(VI) 5. Research and Technology Park Subdistrict

The Research and Technology Park Subdistrict is intended to provide for a mix of targeted industry uses - aviation/aerospace industry, health technology industry, information technology industry, and light, low environmental impact manufacturing industry - and non-industrial uses, designed in an attractive park-like environment where landscaped areas, outdoor spaces and internal interconnectivity provide for buffering, usable open space, and a network of pathways for the enjoyment of the employees, residents and patrons of the park. Research and Technology Parks shall be allowed as a subdistrict in the Urban Commercial District subject to the criteria set forth under the Research and Technology Park Subdistrict in the Urban Mixed Use District.

LIVINGSTON / PINE RIDGE COMMERCIAL INFILL DISTRICT
 COLLIER COUNTY, FLORIDA



PREPARED BY: GRAPHICS AND TECHNICAL SUPPORT SECTION
 COMMUNITY DEVELOPMENT AND ENVIRONMENTAL SERVICES DIVISION
 DATE: 3/13/01 FILE: CP-2000-05.DWG



(VI) 6. Livingston Road/Eatonwood Lane Commercial Infill Subdistrict

This Subdistrict consists of 12.5 acres located on the west side of Livingston Road, south of Pine Ridge Road, and north of Eatonwood Lane. The Subdistrict allows professional and medical offices and indoor self-storage facilities to serve surrounding residential areas within a convenient travel distance to the subject property. The Subdistrict is designed to be compatible with neighboring commercial and residential uses.

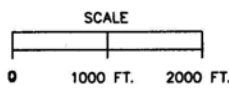
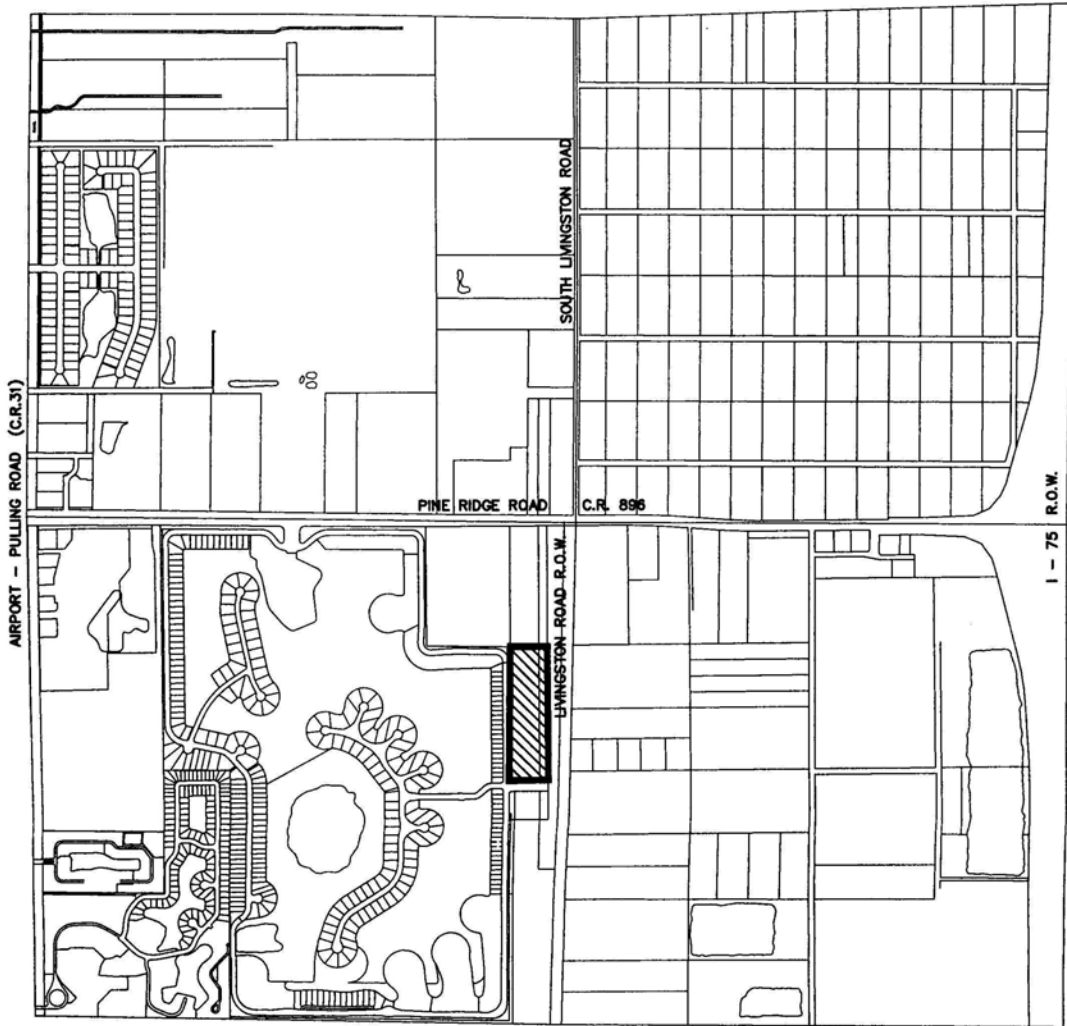
The maximum allowed development intensities include 91,000 square feet of professional or medical office use in buildings containing a maximum height of 35 feet, or 200,000 square feet of indoor self-storage area in buildings containing a maximum of three stories and at a maximum height of 50 feet. Should a mix of office and indoor self-storage facilities develop on the property, for each two square feet of indoor self-storage area, one square foot of office area shall be reduced from the maximum allowable office area permitted. Access to the property within the Subdistrict shall be from Eatonwood Lane and shall be located as far to the west as reasonably possible. Additional access to the property, in the form of a right-in/right-out onto Livingston Road, may be allowed where compliance can be established with Collier County Access Management Standards.


(VI) 7. Livingston Road Commercial Infill Subdistrict

This Subdistrict consists of 6.0 acres located on the west side of Livingston road and south of Eatonwood Lane. The Subdistrict allows professional and medical offices to serve surrounding residential areas within a convenient travel distance to the subject property. Non-commercial indoor storage by occupants of the building(s) is also a permitted use. The Subdistrict is designed to be compatible with neighboring commercial and residential uses, through the development standards provided herein, along with other planning considerations.

The maximum allowed development intensities include a maximum of 52,500 square feet of professional or medical office use in buildings containing a maximum of three stories, which could include two stories over parking, and at a maximum height of 50 feet. If access cannot be obtained via Eatonwood Lane, then access to the property within the Subdistrict shall be from Livingston Road; shall be located at the southerly end of the site; shall be limited to right-in and right-out only; and, shall include shared access with the property to the south.

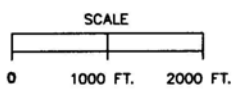
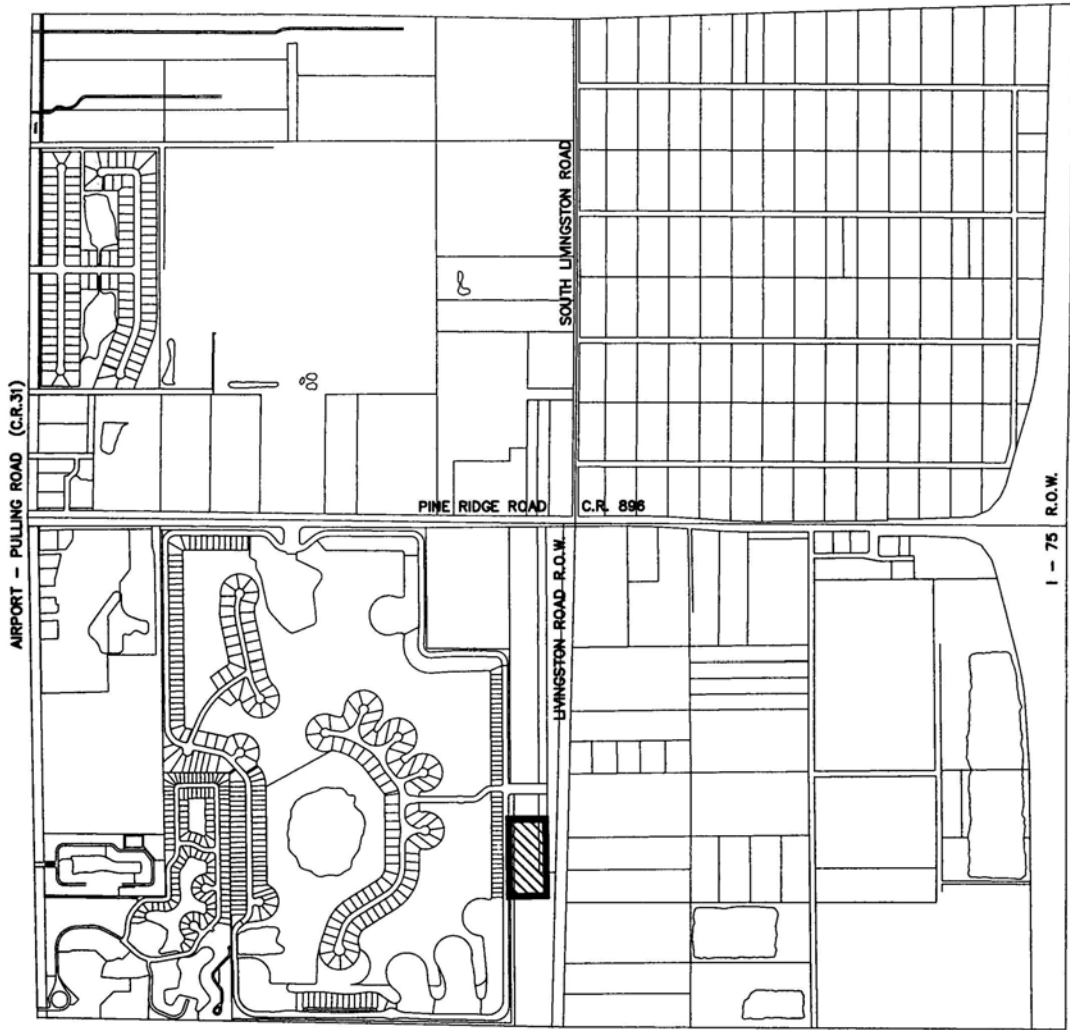
LIVINGSTON ROAD/ EATONWOOD LANE COMMERCIAL INFILL SUBDISTRICT
 COLLIER COUNTY, FLORIDA




LEGEND	
	SUBDISTRICT

PREPARED BY: GRAPHICS AND TECHNICAL SUPPORT SECTION
 COMMUNITY DEVELOPMENT AND ENVIRONMENTAL SERVICES DIVISION
 DATE: 5/02 FILE: CP-2001-06.DWG
 ADOPTED MAY 14, 2002 BY ORDINANCE NO. 2002-24 (CP-2001-6)

LIVINGSTON ROAD COMMERCIAL INFILL SUBDISTRICT
 COLLIER COUNTY, FLORIDA



LEGEND	
	SUBDISTRICT

PREPARED BY: GRAPHICS AND TECHNICAL SUPPORT SECTION
 COMMUNITY DEVELOPMENT AND ENVIRONMENTAL SERVICES DIVISION
 DATE: 5/02 FILE: CP-2001-07.DWG
 ADOPTED MAY 14, 2002 BY ORDINANCE NO. 2002-24 (CP-2001-7)

C. Urban - Industrial District

The Industrial Land Use District is reserved primarily for industrial type uses and comprises approximately 2,200 acres. Besides basic Industrial uses, limited commercial uses are permitted. Retail commercial uses are prohibited, except as accessory to Industrial or Business Park uses. The C-5, C-4 and PUD Commercial Zoning Districts along the perimeter of the designated Urban - Industrial District that existed as of October 1997 shall be deemed consistent with this Land Use District. Industrially designated areas shall have access to a road classified as an arterial or collector in the Traffic Circulation Element, or access may be provided via a local road that does not service a predominately residential area. Intensities of use shall be those related to:

- a. Manufacturing;
- b. Processing;
- c. Storage and warehousing;
- d. Wholesaling;
- e. Distribution;
- f. High technology;
- g. Laboratories;
- h. Assembly;
- i. Computer and data processing;
- j. Business services;
- k. Other basic industrial uses as described in the Industrial Zoning District of the Land Development Code;
- l. Business Park uses as discussed below and as described in the Business Park Zoning District of the Land Development Code; and
- m. Support commercial uses, such as child care centers and restaurants.

1. Business Park Subdistrict

The Business Park Subdistrict is intended to provide for a mix of industrial uses and non-industrial uses, designed in an attractive park-like environment with low structural density where building coverage ranges between 25% to 45% and landscaped areas provide for buffering and enjoyment by the employees and patrons of the Park. Business Parks shall be allowed as a Subdistrict in the Urban Industrial District subject to the criteria set forth under the Business Park Subdistrict in the Urban-Mixed Use District.

(VI)2. Research and Technology Park Subdistrict

The Research and Technology Park Subdistrict is intended to provide for a mix of targeted industry uses - aviation/aerospace industry, health technology industry, information technology industry, and light, low environmental impact manufacturing industry - and non-industrial uses, designed in an attractive park-like environment where landscaped areas, outdoor spaces and internal interconnectivity provide for buffering, usable open space, and a network of pathways for the enjoyment of the employees, residents and patrons of the park. Research and Technology Parks shall be allowed as a subdistrict in the Urban - Industrial District subject to the criteria set forth under the Research and Technology Park Subdistrict in the Urban Mixed Use District.

II. AGRICULTURAL/RURAL DESIGNATION

(I)(VII) Rural & Agricultural Area Assessment

The Governor and Cabinet sitting as the Administration Commission, on June 22, 1999, issued the Final Order (AC-99-002) pursuant to Section 163.3184(10)(b), Florida Statutes, in Division of Administrative Hearing Case No. 98-0324GM. Pursuant to the Order, Collier County is required to prepare a Rural and Agricultural Assessment (Assessment). This Assessment may be phased.

(VII) = Plan Amendment by Ordinance No. 2002-54 on October 22, 2002

The Geographic Scope of the Assessment Area shall be as follows:

Includes: All land designated Agricultural/Rural
Big Cypress Area of Critical State Concern
Conservation lands outside the Urban Boundary
South Golden Gate Estates

Excludes: All Urban designated areas
Northern Golden Gate Estates
The Settlement District

(VII) The Assessment has been completed, and the Interim Development Provisions are no longer applicable, for these areas:

The Agricultural/Rural area encompassed by the Rural Lands Stewardship Area Overlay, which includes a portion of the Big Cypress Area of Critical State Concern; The Conservation designated lands within the Eastern (Rural) Lands Study Area, known as the Okaloacoochee Slough State Forest - which includes a portion of the Big Cypress Area of Critical State Concern, and the Corkscrew Marsh CREW Trust Lands; and The Conservation designated lands lying outside of both the Eastern (Rural) Lands Study Area and the Rural Fringe Study Area, which includes the largest portion of the Big Cypress Area of Critical State Concern.

The Assessment, or any phase thereof, shall be a collaborative, community-based effort with full and broad-based public participation and assistance from applicable State and Regional agencies. At a minimum, the Assessment must identify the means to accomplish the following:

1. Identify and propose measures to protect prime agricultural areas. Such measures should prevent the premature conversion of agricultural lands to other uses.
2. Direct incompatible uses away from wetlands and upland habitat in order to protect water quality and quantity and maintain the natural water regime as well as to protect listed animal and plant species and their habitats.
3. Assess the growth potential of the Area by assessing the potential conversion of rural lands to other uses, in appropriate locations, while discouraging urban sprawl, directing incompatible land uses away from critical habitat and encouraging development that utilizes creative land use planning techniques including, but not limited to, public and private schools, urban villages, new towns, satellite communities, area-based allocations, clustering and open space provisions and mixed use development. The Assessment, or any phase thereof, shall recognize the substantial advantages of innovative approaches to development which may better serve to protect environmentally sensitive areas, maintain the economic viability of agricultural and other predominantly rural land uses, and provide for the cost efficient delivery of public facilities and services.

(I)(VII) Interim Development Provisions for the Agricultural/Rural Assessment Area

Amendments based on the Assessment shall be completed by June 22, 2002 for the Rural Fringe Area, and by November 1, 2002 for the balance of the Assessment Area. Residential and other uses in the Area for which completed applications for development approval, rezoning, conditional use, subdivision approval, site plan approval, or plats were filed with or approved by Collier County prior to June 22, 1999, shall be processed and considered under the Comprehensive Plan as it existed on June 22, 1999. If the County elects to address a specific geographic portion of the Area as a phase of the Assessment, the interim land use controls shall be lifted from the specific geographic area upon completion of the applicable phase of the Assessment and the implementing Comprehensive Plan amendments for that phase becoming effective. Until the Assessment is complete and comprehensive plan amendments to implement the Assessment, or any phase thereof, are in effect, the only land uses and development allowable in the area shall be those set

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forth in the Agricultural/Rural Mixed Use District and the Land Development Code (Section 2.2.2) in effect on June 22, 1999 for the Agricultural/Rural District, except the following uses are prohibited and shall not be allowed:

1. New golf courses or driving ranges.
2. Extension or new provision of central water and sewer service into the Area.
3. New package wastewater treatment plants.
4. Residential development except farmworker housing or housing directly related to support farming operations, or staff housing (12 du/ac) and other uses directly related to the management of publicly-owned land, or one single family dwelling unit per lot or parcel created prior to June 22, 1999.
5. Commercial or industrial development except gas and telephone facilities, electric transmission and distribution facilities, emergency power structures, fire and police stations, emergency medial stations.
6. Transient residential such as hotels, motels, and bed and breakfast facilities.
7. Zoo, aquarium, botanical garden, or other similar uses.
8. Public and private schools.
9. Collection and transfer sites for resource recovery.
10. Landfills
11. Social and fraternal organizations.
12. Group care facilities.
13. Sports instructional schools and camps.
14. Asphalt and concrete batch making plants.
15. Recreational Vehicle Parks

These interim development standards shall not affect or limit the continuation of existing uses. Existing uses shall also include those uses for which all required permits have been issued, or uses for which completed applications have been received by the County prior to June 22, 1999. The continuation of existing uses shall include expansions of those uses if such expansions are consistent with or clearly ancillary to the existing use and do not require a rezoning or comprehensive plan amendment.

(I)(VII) Natural Resource Protection Areas (NRPAs)

The following areas shall be generally mapped and identified as Natural Resource Protection Areas (NRPAs): CREW Lands, Belle Meade and South Golden Gate Estates.

Natural Resource Protection Areas (NRPAs) are designated on the Future Land Use Map:

1. Within these areas, only agriculture and directly-related uses and one single family dwelling unit per parcel or lot created prior to June 22, 1999, shall be allowed;
2. These interim development standards shall not affect or limit the continuation of existing uses. Existing uses shall also include those uses for which all required permits have been issued, or uses for which completed applications have been received by the County prior to June 22, 1999. The continuation of existing uses shall include expansions of those uses if such expansions are consistent with or clearly ancillary to the existing use and do not require a rezoning or comprehensive plan amendment;
3. The general location shall be identified on a map as the interim NRPAs and shall be refined as actual data and analysis is made available during the Collier County Rural and Agricultural Area Assessment.

(I)(VII) The Agricultural/Rural Land Use Designation is for those areas that are remote from the existing development pattern, lack public facilities and services, are environmentally sensitive or are in agricultural production. Urbanization is not promoted, therefore most allowable land uses

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are of low intensity in an effort to maintain and promote the rural character of these lands.

The following uses and densities are generally permitted under this Designation subject to the Interim Development Provisions, where applicable – but may not be permitted in all Districts and Subdistricts, and may be subject to specific criteria, conditions, development standards; permitted densities may be greater, or lesser, than that stated below, in some Districts and Subdistricts. Alternatively, the Rural Lands Stewardship Area Overlay contains specific provisions for uses, intensities and residential densities for Stewardship Receiving Areas participating in the Stewardship Credit System.

- a. Agricultural uses such as farming, ranching, forestry, bee-keeping;
- b. Residential uses at a maximum density of one dwelling unit per five gross acres, except for legal non-conforming lots of record;
- c. Habitat preservation uses;
- d. Parks, open space and recreational uses, golf courses;
- e. Essential services as defined in the Land Development Code;
- f. Safety service facilities;
- g. Community facilities such as churches, group housing uses, cemeteries; and schools which shall be subject to the following criteria:
 - Site area and school size shall be subject to the General Educational Facilities Report submitted annually by the Collier County School Board to the Board of County Commissioners.
 - The Site must comply with the State Requirements for Educational Facilities adopted by the State Board of Education.
 - The site shall be subject to all applicable State or Federal regulations.
- h. Communication and utility facilities, except for central water and sewer facilities as noted above;
- i. Migrant labor housing as provided in the Land Development Code;
- j. Earthmining, oil extraction and related processing;
- k. Asphalt plant as a Conditional Use as defined in the Land Development Code provided that the asphalt plant: is compatible with surrounding land uses; is not located in a County, State or Federal jurisdictional wetland area and any required buffer zones; is not located within the asphalt plant: is compatible with surrounding land uses; is not located in a County, State or Federal jurisdictional wetland area and any required buffer zones; is not located within 1,000 feet of a Florida State Park; is not located within the Area of Critical State Concern as depicted on the Future Land Use Map; and, is not located within 1,000 feet of a natural reservation;
- l. Commercial uses accessory to other permitted uses, such as restaurant accessory to golf course or retail sales of produce accessory to farming, 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;
- (VII)m. Commercial uses as principal uses, within the Rural Commercial Subdistrict, based upon the criteria set forth therein;
- n. Industrial uses within the Rural - Industrial District;
- (V) o. Travel trailer recreational vehicle parks, provided the following criteria are met:
 1. The density is consistent with the Land Development Code;
 2. 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 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
 3. The use will be compatible with surrounding land uses.

(VII) = Plan Amendment by Ordinance No. 2002-24 on October 22, 2002

(I)(VII) A. Agricultural/Rural - Mixed Use District

The purpose of this District is to protect and encourage agricultural activities, conserve and preserve environmentally sensitive areas, provide for low density residential development, and other uses identified under the Agricultural/Rural Designation. These areas generally lack public facilities and services. Urbanization is not promoted, therefore most allowable land uses are of low intensity in an effort to maintain and promote the rural character of these lands. Residential uses are allowed as listed below, subject to the Interim Development Provisions:

- a. Low density residential dwelling units, at a maximum density of one dwelling unit per five gross acres, except for legal non-conforming lots of record,
- (VII) b. Dormitories, duplexes and other types of staff housing, as may be incidental to, and in support of, conservation uses;
- (VII) c. Group housing uses subject to the following density/intensity limitations:
 - Family Care Facilities: 1 unit per 5 acres;
 - Group Care Facilities and other Care Housing Facilities: Maximum Floor Area Ratio (FAR) not to exceed 0.45.
- (VII) d. Staff housing as may be incidental to, and in support of, safety service facilities and essential services;
- (VII) e. Farm labor housing limited to 10 acres in any single location:
 - Single family/duplex/mobile home: 11 dwelling units per acre;
 - Multifamily/dormitory: 22 dwelling units/beds per acre.
- (VII) f. Sporting and Recreation camps within which the lodging component shall not exceed 1 cabin/lodging unit per 5 gross acres, which may be achieved through clustering;
- g. Existing units approved for the Fiddler's Creek DRI may be reallocated to those parts of Sections 18 and 19, Township 51 South, Range 27 East added to Fiddler's Creek DRI together with part of Section 29, Township 51 South, Range 27 East, at a density greater than 1 unit per 5 gross acres provided that no new units are added to the 6,000 previously approved units, which results in a gross density of 1.6 units per acre for the Fiddler's Creek DRI; and further provided that no residential units shall be located on that part of Section 29 within the Fiddler's Creek DRI; and further provided that South Florida Water Management District jurisdictional wetlands impacted by the DRI in said Sections do not exceed 10 acres.

(I)(VII) 1. Rural Commercial Subdistrict

Within the Agricultural/Rural - Mixed Use District, commercial development, up to a maximum of 200 acres, may be allowed providing the following standards for intensity of use are met and subject to the Interim Development Provisions:

- a. The project, or that portion of a larger project, which is devoted to commercial development, is 2.5 acres or less in size;
- b. The project, or that portion of a larger project which is devoted to commercial development, is no closer than 5 miles, measured by radial distance, from the nearest developed commercial area, zoned commercial area or designated Mixed Use Activity Center;
- (VII) c. The proposed uses are limited to office, retail, and personal services intended to serve the rural population and the traveling public, and are identified as those uses permitted in the C-1, C-2 and C-3 Zoning Districts of the Land Development Code;
- (VII) d. Commercial intensity shall not exceed 10,000 square feet of gross leasable floor area per acre;
- (VII) e. The project is located on an arterial or collector roadway as identified in the Traffic Circulation Element; and
- (VII) f. The project is buffered from adjacent properties.

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(I)(VII) B. Rural - Industrial District

The Rural - Industrial District, which encompasses approximately 600 acres of existing industrial areas outside of Urban designated areas, is intended, and shall be reserved, for industrial type uses, subject to the Interim Development Provisions. Besides basic Industrial uses, limited commercial uses are permitted. Retail commercial uses are prohibited, except as accessory to Industrial uses. The C-5 Commercial Zoning District on the perimeter of lands designated Rural - Industrial District, as of October 1997, shall be deemed consistent with this Land Use District. All industrial areas shall have direct access to a road classified as an arterial or collector in the Traffic Circulation Element, or access may be provided via a local road that does not service a predominately residential area. No new industrial land uses shall be permitted in the Area of Critical State Concern. For the purposes of interpreting this policy, oil and gas exploration, drilling, and production ("oil extraction and related processing") shall not be deemed to be industrial land uses and shall continue to be regulated by all applicable federal, state, and local laws. Intensities of use shall be those related to:

- a. Manufacturing;
- b. Processing;
- c. Storage and warehousing;
- d. Wholesaling;
- e. Distribution;
- (VII) f. High technology;
- (VII) g. Laboratories;
- (VII) h. Assembly;
- (VII) i. Computer and data processing;
- (VII) j. Business services;
- (VII) k. Other basic industrial uses as described in the Industrial Zoning District in the Land Development Code;
- (VII) l. Business Park uses as described in the Business Park Zoning District of the Land Development Code; and,
- (VII) m. Support commercial uses, such as child care centers and restaurants.

(V)C. Rural - Settlement Area District

This District consists of Sections 13, 14, 23, 24, and a portion of 22, Township 48 South, Range 27 East (the former North Golden Gate Subdivision), which was zoned and platted between 1967 and 1970. In settlement of a lawsuit pertaining to the permitted uses of this property, this property has been "vested" for the types of land uses specified in that certain "PUD by Settlement" zoning granted by the County as referenced in that certain SETTLEMENT AND ZONING AGREEMENT dated the 27th day of January, 1986. This Settlement Area is commonly known as Orangetree PUD. Refer to the Golden Gate Area Master Plan for permitted uses and standards.

III. ESTATES DESIGNATION

The Estates Land Use Designation encompasses lands which are already subdivided into semi-rural residential parcels (2.25 acres as an average) essentially consisting of the Golden Gate Estates Subdivision. The area is identified as having potential for population growth far removed from supportive services and facilities. Expansion of the area shall be discouraged.

Pursuant to Policy 4.1 of the Future Land Use Element, the Golden Gate Area Master Plan encompassing the Estates Designation was adopted by the Collier County Board of County Commissioners on February 5, 1991. Refer to the Golden Gate Area Master Plan for siting criteria and development standards for specific land uses.

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(VII) IV. CONSERVATION DESIGNATION

The overall purpose of the Conservation Designation is to conserve and maintain the natural resources of Collier County and their associated environmental, and recreational and economic benefits. All native habitats possess ecological and physical characteristics that justify attempts to maintain these important natural resources. Barrier Islands, coastal bays, wetlands, and habitat for listed species deserve particular attention because of their ecological value and their sensitivity to perturbation. It is because of this that all proposals for development in the Conservation Designation must be subject to rigorous review to ensure that the impacts of the development do not destroy or unacceptably degrade the inherent functional values.

(VII) The Conservation Designation is intended to protect certain vital natural resource areas of the County, which are primarily owned by the public, although private in-holdings and privately owned conservation areas do exist. This Designation includes such areas as Everglades National Park, Big Cypress National Preserve, Florida Panther National Wildlife Refuge, Fakahatchee Strand State Preserve, Collier-Seminole State Park, Rookery Bay National Estuarine Research Reserve, Delnor-Wiggins Pass State Recreation Area, and the National Audubon Society's Corkscrew Swamp Sanctuary (privately owned). The boundaries of the Conservation Designation may periodically change as properties are acquired by public entities or private land management or conservation groups.

(I)(VII) Natural resource protection strategies and standards for development in the Conservation Designation are found in the Conservation and Coastal Management Element and the County's Land Development Regulations. The Conservation Designation will accommodate limited residential development and future non-residential uses. The following uses are authorized in this Designation, subject to the Interim Development Provisions identified in the Agricultural/Rural Designation Description Section:

- (VII) a.** For privately held lands, single family dwelling units, and mobile homes where the Mobile Home Zoning Overlay exists, at a maximum density of one dwelling unit per five gross acres, or one dwelling unit per 3 gross acres for private in-holdings within the Big Cypress National Preserve - each dwelling unit must be physically situated on a minimum five acre parcel, or minimum 3 acre parcel for private in-holdings within the Big Cypress National Preserve. This Plan does not allow residential density on publicly owned lands.
- (VII) b.** For publicly and privately held lands, dormitories, duplexes and other types of housing, as may be incidental to, and in support of, conservation uses;
- (VII) c.** Group housing uses subject to the following density/intensity limitations:
 - Family Care Facilities: 1 unit per 5 acres;
 - Group Care Facilities and other Care Housing Facilities: Maximum Floor Area Ratio (FAR) not to exceed 0.45;
- (VII) d.** Sporting and Recreational camps incidental to Conservation uses on public lands; or, on privately held lands, within which the lodging component shall not exceed 1 unit per 5 gross acres, which may be achieved through clustering;
- (VII) e.** Habitat preservation and conservation uses;
- (VII) f.** Passive parks, and other passive recreational uses;
- (VII) g.** Agricultural uses consistent with Chapter 823.14(6) Florida Statutes (Florida Right to Farm Act);
- (VII) h.** Essential Services necessary to serve permitted uses identified in Section a through g above such as the following: private wells and septic tanks; utility lines, except sewer lines; sewer lines and lift stations, only if located within non-NRPA Conservation Lands, and only if located within already cleared portions of existing rights-of-way or easements, and if necessary to

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serve a publicly owned or privately owned central sewer system providing service to urban areas; and, water pumping stations necessary to serve a publicly owned or privately owned central water system providing service to urban areas.

- (VII) i. Essential services necessary to ensure public safety;
- (VII) j. Oil extraction and related processing. Where practicable, directional-drilling techniques and/or previously cleared or disturbed areas shall be utilized to minimize impacts to native habitats.

(VII) The following uses may be permitted as Conditional Uses:

- a) The following uses are conditionally permitted subject to approval through a public hearing process:
 - (1) Essential services not identified above in Paragraph h and i. Within one year, Collier County will review essential services currently allowed in the Land Development Code and will define those uses intended to be conditionally permitted in Conservation designated lands. During this one-year period or if necessary until a comprehensive plan amendment identifying conditionally permitted essential services, no conditional uses for essential services within Conservation designated lands shall be approved.
 - (2) Staff housing in conjunction with safety service facilities and essential services, at a density in accordance with the Land Development Code, as it existed on June 19, 2002.
 - (3) Commercial uses accessory to permitted uses e, f and g above, such as retail sales of produce accessory to farming, or a restaurant accessory to a park or preserve, so long as restrictions or limitations are imposed to insure the commercial use functions as an accessory, subordinate use.
- b) In addition to the criteria set forth in the Land Development Code, Conditional Uses shall be allowed subject to the following additional criteria:
 - (1) The applicant shall submit a plan for development that demonstrates that wetlands, listed species and their habitat are adequately protected. This plan shall be part of the required EIS as specified in the Conservation and Coastal Management Element.
 - (2) Conditions may be imposed, as deemed appropriate, to limit the size, location, and access to the conditional use.

V. OVERLAYS AND SPECIAL FEATURES

A. Area of Critical State Concern Overlay

The Big Cypress Area of Critical State Concern (ACSC) was established by the 1974 Florida Legislature. The Critical Area is displayed on the Future Land Use Map as an overlay area. The Critical Area encompasses lands designated Conservation, Agricultural/Rural, Estates and Urban (Port of the Islands, Plantation Island and Copeland). Chokoloskee is excluded from the Big Cypress Area of Critical State Concern. All Development Orders within the Critical Area shall comply with Chapter 28-25, Florida Administrative Code, "Boundary and Regulations for the Big Cypress Area of Critical State Concern". Those regulations include the following:

1. Site Alteration

- a. Site alteration shall be limited to 10% of the total site size, and installation of non-permeable surfaces shall not exceed 50% of any such area. However, a minimum of 2,500 square feet may be altered on any permitted site.
- a. Any non-permeable surface greater than 20,000 square feet shall provide for release of surface run off, collected or uncollected, in a manner approximating the natural surface water flow regime of the area.

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- c. Soils exposed during site alteration shall be stabilized and retention ponds or performance equivalent structures or systems maintained in order to retain run off and siltation on the construction site. Restoration of vegetation to site alteration areas shall be substantially

completed within 180 days following completion of a development. Re-vegetation shall be accomplished with pre-existing species or other suitable species except that undesirable exotic species shall not be replanted or propagated. Exotic species are listed below.

- Australian Pine - (Casuarina spp.)
 - Bishopwood - (Bischofia javanica)
 - Brazilian Pepper - (Shinus terebinthifolius)
 - Melaleuca (cajeput) - (Melaleuca leucadendra spp.)
 - Downy Rosemyrtle - (Rhodomytus tomentosa)
 - Earleaf Acacia - (Acacia auriculiformis)
 - Catclaw Mimosa - (Mimosa pigra)
 - Java Plum - (Syzygium cumini)
- d. No mangrove trees or salt marsh grasses shall be destroyed or otherwise altered. Plants specifically protected by this regulation include: All wetland plants listed by the Florida Department of Environmental Regulation in Chapter 17-301, Florida Administrative Code, as amended.
 - d. Fill areas and related dredge or borrow ponds shall be aligned substantially in the direction of local surface water flows and shall be separated from other fill areas and ponds by unaltered areas of vegetation of comparable size. Dredge or borrow ponds shall provide for the release of storm water as sheet flow from their downstream end into unaltered areas of vegetation. Access roads to and between fill areas shall provide for the passage of water in a manner approximating the natural flow regime and designed to accommodate the 50 year storm. Fill areas and related ponds shall not substantially retain or divert the total flow in or to a slough or strand or significantly impeded tidal action in any portion of the estuarine zone.
 - e. Man-made lakes, ponds, or other containment works shall be constructed with a maximum slope of 30 degrees to a depth of six feet of water. Whenever mineral extraction is completed in new quarrying lakes, shoreline sloping, planting of littoral shelves with nursery grown aquatic vegetation, restoration or revegetation of the property and disposal of spoils or tailings shall be completed before abandonment of the site. Existing quarrying lakes are exempt from this provision, except that whenever any person carries out any activity defined in Section 380.04, Florida Statutes, as amended as development or applies for a development permit as defined in Section 380.031, Florida Statutes, as amended to develop any existing quarrying lake area, these regulations shall apply.
 - g. Finger canals shall not be constructed in the Critical Area.
 - h. This rule shall not apply to site alterations undertaken in connection with the agricultural use of land or for the conversion of land to agricultural use.

2. Drainage

- a. Existing drainage facilities shall not be modified so as to discharge water to any coastal waters, either directly or through existing drainage facilities. Existing drainage facilities shall not be expanded in capacity or length except in conformance with paragraph (2) below; however, modifications may be made to existing facilities that will raise the ground water table or limit salt water intrusion.
- b. New drainage facilities shall release water in a manner approximating the natural local surface flow regime, through a spreader pond or performance equivalent structure or system, either on site or to a natural retention, or natural filtration and flow area. New drainage facilities shall also maintain a ground water level sufficient to protect wetland vegetation through the use of weirs or performance equivalent structures or systems. Said facilities shall not retain, divert, or otherwise block or channel the naturally occurring flows in a strand, slough or estuarine area.
- c. New drainage facilities shall not discharge water into any coastal waters either directly or through existing drainage facilities.

- d. This rule shall not apply to drainage facilities modified or constructed in order to use land for agricultural purposes or to convert land to such use.

3. Transportation

- a. Transportation facilities which would retain, divert or otherwise block surface water flows shall provide for the re-establishment of sheet flow through the use of interceptor spreader systems or performance equivalent structures and shall provide for passage of stream, strand, or slough water through the use of bridges, culverts, piling construction or performance equivalent structures or systems.
- b. Transportation facilities shall be constructed substantially parallel to the local surface flow, and shall maintain a historic ground water level sufficient to protect wetland vegetation through the use of weirs or performance equivalent structures or systems and as feasible, the flows in such works shall be released to natural retention filtration and flow areas.
- c. Transportation facility construction sites shall provide for siltation and run-off control through the use of settling ponds, soil fixing or performance equivalent structures or systems.

4. Structure Installation

- a. Placement of structures shall be accomplished in a manner that will not adversely affect surface water flow or tidal action.
- b. Minimum lowest floor elevation permitted for structures shall be at or above the 100 year flood level, as established by the Administrator of the Federal Flood Insurance Administration. The construction of any structure shall meet additional Federal Flood Insurance Land Management and Use Criteria (24 CFR 1910), as administered by the appropriate local agency.
- d. This rule shall not apply to structures used or intended for use in connection with the agricultural use of the land.

All Development Orders issued for projects within the Big Cypress Area of Critical State Concern shall be rendered to the State of Florida Department of Community Affairs for review with the potential for appeal to the Administration Commission per Chapter 9J-1, Florida Administrative Code, "Development Order Requirements for Areas of Critical State Concern".

(VII) B. Airport Noise Area Overlay

The Naples Airport Authority developed an airport noise compatibility plan under the guidelines of the Federal Aviation Regulation, Part 150. This plan included identifying noise contours at the 65, 70 and 75 Ldn (day-night average sound level). The Airport Noise Area Overlay shown on the Future Land Use Map reflects the 65 Ldn contour, the least severe impact of these three noise contours. Residential and other noise sensitive land uses are considered "normally unacceptable" in areas exposed to levels between 65 Ldn and 75 Ldn. This Overlay is informational and has no regulatory effect. However, the Land Development Code contains an Airport Overlay District, which regulates development near the Naples Municipal Airport.

(VII) = Plan Amendment by Ordinance No. 2002-54 on October 22, 2002

(VII) C. Rural Lands Stewardship Area Overlay

(VII) 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.

(VII) Objective

To meet the Goal described above, Collier County’s objective is to create an incentive based land use overlay system, herein referred to as the Collier County Rural Lands Stewardship Area Overlay, based on the principles of rural land stewardship as defined in Chapter 163.3177(11), F.S. The Policies that will implement this Goal and Objective are set forth below in groups relating to each aspect of the Goal. Group 1 policies describe the structure and organization of the Collier County Rural Lands Stewardship Area Overlay. Group 2 policies relate to agriculture, Group 3 policies relate to natural resource protection, and Group 4 policies relate to conversion of land to other uses and economic diversification. Group 5 are regulatory policies that ensure that land that is not voluntarily included in the Overlay by its owners shall nonetheless meet the minimum requirements of the Final Order pertaining to natural resource protection.

(VII) Group 1: General purpose and structure of the Collier County Rural Lands Stewardship Area Overlay

(VII) Policy 1.1

To promote a dynamic balance of land uses in the Collier County Rural Lands Stewardship Area (RLSA) that collectively contribute to a viable agricultural industry, protect natural resources, and enhance economic prosperity and diversification, Collier County hereby establishes the Rural Lands Stewardship Area Overlay (Overlay). The Overlay was created through a collaborative community based planning process involving county residents, area property owners, and representatives of community and governmental organizations under the direction of a citizen oversight committee.

(VII) Policy 1.2

The Overlay protects natural resources and retains viable agriculture by promoting compact rural mixed-use development as an alternative to low-density single use development, and provides a system of compensation to private property owners for the elimination of certain land uses in order to protect natural resources and viable agriculture in exchange for transferable credits that can be used to entitle such compact development. The strategies herein are based in part on the principles of Florida’s Rural Lands Stewardship Act, Chapter 163.3177(11) F.S. The Overlay includes innovative and incentive based tools, techniques and strategies that are not dependent on a regulatory approach, but will complement existing local, regional, state and federal regulatory programs.

(VII) = Plan Amendment by Ordinance No. 2002-54 on October 22, 2002

(VII) Policy 1.3

This Overlay to the Future Land Use Map is depicted on the Stewardship Overlay Map (Overlay Map) and applies to rural designated lands located within the Immokalee Area Study boundary of the Collier County Rural and Agricultural Area Assessment referred to in the State of Florida Administration Commission Final Order No. AC-99-002. The RLSA generally includes rural lands in northeast Collier County lying north and east of Golden Gate Estates, north of the Florida Panther National Wildlife Refuge and Big Cypress National Preserve, south of the Lee County Line, and south and west of the Hendry County Line, and includes a total of approximately 195,846 acres, of which approximately 182,334 acres is privately owned. The Overlay Map is an adopted overlay to the Future Land Use Map (FLUM).

(VII) Policy 1.4

Except as provided in Group 5 Policies, there shall be no change to the underlying density and intensity of permitted uses of land within the RLSA, as set forth in the Baseline Standards, as defined in Policy 1.5, unless and until a property owner elects to utilize the provisions of the Stewardship Credit System. It is the intent of the Overlay that a property owner will be compensated for the voluntary stewardship and protection of important agricultural and natural resources. Compensation to the property owner shall occur through one of the following mechanisms: creation and transfer of Stewardship Credits, acquisition of conservation easements, acquisition of less than fee interest in the land, or through other acquisition of land or interest in land through a willing seller program.

(VII) Policy 1.5

As referred to in these Overlay policies, Baseline Standards are the permitted uses, density, intensity and other land development regulations assigned to land in the RLSA by the GMP, Collier County Land Development Regulations and Collier County Zoning Regulations in effect prior to the adoption of Interim Amendments and Interim Development Provisions referenced in Final Order AC-99-002. The Baseline Standards will remain in effect for all land not subject to the transfer or receipt of Stewardship Credits, except as provided for in Group 5 Policies. No part of the Stewardship Credit System shall be imposed upon a property owner without that owners consent.

(VII) Policy 1.6

Stewardship Credits (Credits) are created from any lands within the RLSA that are to be kept in permanent agriculture, open space or conservation uses. These lands will be identified as Stewardship Sending Areas or SSAs. All privately owned lands within the RLSA are a candidate for designation as a SSA. Land becomes designated as a SSA upon petition by the property owner seeking such designation and the adoption of a resolution by the Collier County Board of County Commissioners (BCC), which acknowledges the property owner's request for such designation and assigns Stewardship Credits or other compensation to the owner for such designation. Collier County will update the Overlay Map to delineate the boundaries of each approved SSA. Designation as an SSA shall be administrative and shall not require an amendment to the Growth Management Plan, but shall be retroactively incorporated into the adopted Overlay Map during the EAR based amendment process when it periodically occurs. A Stewardship Agreement shall be developed that identifies those allowable residential densities and other land uses which remain. Once land is designated as a SSA and Credits or other compensation is granted to the owner, no increase in density or additional uses unspecified in the Stewardship Agreement shall be allowed on such property.

(VII) = Plan Amendment by Ordinance No. 2002-54 on October 22, 2002

(VII) Policy 1.7

The range of Stewardship Credit Values is hereby established using the specific methodology set forth on the Stewardship Credit Worksheet (Worksheet), incorporated herein as Attachment A. This methodology and related procedures for SSA designation will also be adopted as part of the Stewardship Overlay District in the Collier County Land Development Code (LDC). Such procedures shall include but not be limited to the following: (1) All Credit transfers shall be recorded with the Collier County Clerk of Courts; (2) a covenant or perpetual restrictive easement shall also be recorded for each SSA, shall run with the land and shall be in favor of Collier County, Department of Environmental Protection, Department of Agriculture and Consumer Services, South Florida Water Management District, or a recognized statewide land trust; and (3) for each SSA, the Stewardship Agreement will identify the specific land management measures that will be undertaken and the party responsible for such measures.

(VII) Policy 1.8

The natural resource value of land within the RLSA is measured by the Stewardship Natural Resource Index (Index) set forth on the Worksheet. The Index established the relative natural resource value by objectively measuring six different characteristics of land and assigning an index factor based on each characteristic. The sum of these six factors is the Index value for the land. Both the characteristics used and the factors assigned thereto were established after review and analysis of detailed information about the natural resource attributes of land within the RLSA so that development could be directed away from important natural resources. The six characteristics measured are: Stewardship Overlay Designation, Sending Area Proximity, Listed Species Habitat, Soils/Surface Water, Restoration Potential, and Land Use/Land Cover.

(VII) Policy 1.9

A Natural Resource Index Map Series (Index Map Series) indicates the Natural Resource Stewardship Index value for all land within the RLSA. Credits from any lands designated as SSAs, will be based upon the Natural Resource Index values in effect at the time of designation. Any change in the characteristics of land due to alteration of the land prior to the establishment of a SSA that either increases or decreases any Index Factor will result in an adjustment of the factor values and a corresponding adjustment in the credit value. The Index and the Index Map Series are adopted as a part of the RLSA Overlay.

(VII) Policy 1.10

In SSAs, the greater the number of uses eliminated from the property, and the higher the natural resource value of the land, the higher the priority for protection, the greater the level of Credits that are generated from such lands, and therefore the greater the incentive to participate in the Stewardship Credit System and protect the natural resources of the land.

(VII) Policy 1.11

The Land Use Matrix, Attachment B, lists uses and activities allowed under the A, Rural Agricultural Zoning District within the Overlay. These uses are grouped together in one of eight separate layers in the Matrix. Each layer is discrete and shall be removed sequentially and cumulatively in the order presented in the Matrix, starting with the residential layer (layer one) and ending with the conservation layer (layer eight). If a layer is removed, all uses and activities in that layer are eliminated and are no longer available. Each layer is assigned a percentage of a base credit in the Worksheet. The assigned percentage for each layer to be removed is added together and then multiplied by the Index value on a per acre basis to arrive at a total Stewardship Credit Value of the land being designated as a SSA.

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(VII) Policy 1.12

Credits can be transferred only to lands within the RLSA that meet the defined suitability criteria and standards set forth in Group 4 Policies. Such lands shall be known as Stewardship Receiving Areas or SRAs.

(VII) Policy 1.13

The procedures for the establishment and transfer of Credits and SRA designation are set forth herein and will also be adopted as a part of a Stewardship District in the LDC (District). LDRs creating the District will be adopted within one (1) year from the effective date of this Plan amendment.

(VII) Policy 1.14

Stewardship Credits will be exchanged for additional residential or non-residential entitlements in a SRA on a per acre basis, as described in Policy 4.18. Stewardship density and intensity will thereafter differ from the Baseline Standards. The assignment or use of Stewardship Credits shall not require a GMP Amendment.

(VII) 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.

(VII) Policy 1.16

Stewardship Receiving Areas will accommodate uses that utilize creative land use planning techniques and Credits shall be used to facilitate the implementation of innovative and flexible development strategies described in Chapter 163.3177 (11), F.S. and 9J-5.006(5)(I).

(VII) Policy 1.17

Stewardship Credits may be transferred between different parcels or within a single parcel, subject to compliance with all applicable provisions of these policies. Residential clustering shall only occur within the RLSA through the use of the Stewardship Credit System, and other forms of residential clustering shall not be permitted.

(VII) Policy 1.18

A blend of Local, State, Federal and private revenues, such as but not limited to Florida Forever, Federal and State conservation and stewardship programs, foundation grants, private conservation organizations, local option taxes, general county revenues, and other monies can augment the Stewardship program through the acquisition of conservation easements, Credits, or land that is identified as the highest priority for natural resource protection, including, but is not limited to, areas identified on the Overlay Map as Flow way Stewardship Areas (FSAs), Habitat Stewardship Areas (HSAs), Water Retention Areas (WRAs) and land within the Big Cypress Area of Critical State Concern (ACSC).

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(VII) Policy 1.19

All local land or easement acquisition programs that are intended to work within the RLSA Overlay shall be based upon a willing participant/seller approach. It is not the intent of Collier County to use eminent domain acquisition within this system.

(VII) Policy 1.20

The County may elect to acquire Credits through a publicly funded program, using sources identified in Policy 1.18. Should the County pursue this option, it shall establish a Stewardship Credit Trust to receive and hold Credits until such time as they are sold, transferred or otherwise used to implement uses within Stewardship Receiving Areas.

(VII) Policy 1.21

The incentive based Stewardship Credit system relies on the projected demand for Credits as the primary basis for permanent protection of flowways, habitats and water retention areas. The County recognizes that there may be a lack of significant demand for Credits in the early years of implementation, and also recognizes that a public benefit would be realized by the early designation of SSAs. To address this issue and to promote the protection of natural resources, the implementation of the Overlay will include an early entry bonus to encourage the voluntary establishment of SSAs within the RLSA. The bonus shall be in the form of an additional one Stewardship Credit per acre of land designated as a HSA located outside of the ACSC and one-half Stewardship Credit per acre of land designated as HSA located inside the ACSC. The early entry bonus shall be available for five years from the effective date of the adoption of the Stewardship Credit System in the LDC. The early designation of SSAs, and resulting protection of flowways, habitats, and water retention areas does not require the establishment of SRAs or otherwise require the early use of Credits, and Credits generated under the early entry bonus may be used after the termination of the bonus period. The maximum number of Credits that can be generated under the bonus is 27,000 Credits, and such Credits shall not be transferred into or used within the ACSC.

(VII) Policy 1.22

The RLSA Overlay was designed to be a long-term strategic plan with a planning horizon year of 2025. Many of the tools, techniques and strategies of the Overlay are new, innovative, incentive based, and have yet to be tested in actual implementation. A comprehensive review of the Overlay shall be prepared for and reviewed by Collier County and the Department of Community Affairs upon the five-year anniversary of the adoption of the Stewardship District in the LDC. The purpose of the review shall be to assess the participation in and effectiveness of the Overlay implementation in meeting the Goal, Objective and Policies set forth herein. The specific measures of review shall be as follows:

1. The amount and location of land designated as FSAs, HSAs, WRAs and other SSAs.
2. The amount and location of land designated as SRAs.
3. The number of Stewardship Credits generated, assigned or held for future use.
4. A comparison of the amount, location and type of Agriculture that existed at the time of the Study and time of review.
5. The amount, location and type of land converted to non-agricultural use with and without participation in the Stewardship Credit System since its adoption.
6. The extent and use of funding provided by Collier County and other sources of Local, State, Federal and private revenues described in Policy 1.18.
7. The amount, location and type of restoration through participation in the Stewardship Credit System since its adoption.
8. The potential for use of Credits in urban areas.

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(VII) Group 2 – Policies to protect agricultural lands from premature conversion to other uses and continue the viability of agricultural production through the Collier County Rural Lands Stewardship Area Overlay.

(VII) Policy 2.1

Agriculture lands will be protected from premature conversion to other uses by creating incentives that encourage the voluntary elimination of the property owner’s right to convert agriculture land to non-agricultural uses in exchange for compensation as described in Policy 1.4 and by the establishment of SRAs as the form of compact rural development in the RLSA Overlay. Analysis has shown that SRAs will allow the projected population of the RLSA in the Horizon year of 2025 to be accommodated on approximately 10% of the acreage otherwise required if such compact rural development were not allowed due to the flexibility afforded to such development. The combination of stewardship incentives and land efficient compact rural development will minimize two of the primary market factors that cause premature conversion of agriculture.

(VII) Policy 2.2

Agriculture lands protected through the use of Stewardship Credits shall be designated as Stewardship Sending Areas (SSAs) as described in Policy 1.6. The protection measures for SSAs are set forth in Policies 1.6, 1.7 and 1.17.

(VII) Policy 2.3

Within one (1) year from the effective date of these amendments, Collier County will establish an Agriculture Advisory Council comprised of not less than five nor more than nine appointed representatives of the agriculture industry, to advise the BCC on matters relating to Agriculture. The Agriculture Advisory Council (AAC) will work to identify opportunities and prepare strategies to enhance and promote the continuance, expansion and diversification of agriculture in Collier County. The AAC will also identify barriers to the continuance, expansion and diversification of the agricultural industry and will prepare recommendations to eliminate or minimize such barriers in Collier County. The AAC will also assess whether exceptions from standards for business uses related to agriculture should be allowed under an administrative permit process and make recommendations to the BCC.

(VII) Policy 2.4

The BCC will consider the recommendations of the AAC and facilitate the implementation of strategies and recommendations identified by the ACC that are determined to be appropriate. The BCC may adopt amendments to the LDC that implement policies that support agriculture activities.

(VII) Policy 2.5

Agriculture is an important aspect of Collier County’s quality of life and economic well-being. Agricultural activities shall be protected from duplicative regulation as provided by the Florida Right-to-Farm Act.

(VII) Policy 2.6

Notwithstanding the special provisions of Policies 3.9 and 3.10, nothing herein or in the implementing LDRs, shall restrict lawful agricultural activities on lands within the RLSA that have not been placed into the Stewardship program.

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(VII) Group 3 – Policies to protect water quality and quantity and maintain the natural water regime, as well as listed animal and plant species and their habitats by directing

incompatible uses away from wetlands and upland habitat through the establishment of Flow way Stewardship Areas, Habitat Stewardship Areas, and Water Retention Areas, where lands are voluntarily included in the Rural Lands Stewardship Area program.

(VII) Policy 3.1

Protection of water quality and quantity, and the maintenance of the natural water regime shall occur through the establishment of Flowway Stewardship Areas (FSAs), as SSAs within the RLSA Overlay. FSAs are delineated on the Overlay Map and contain approximately 31,100 acres. 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 described in Group 1 Policies. Not all lands within the delineated FSAs are comparable in terms of their natural resource value; therefore the index shall be used to differentiate higher value from lower value lands for the purpose of Overlay implementation. Analysis of the Index Map Series shows that FSA lands score within a range of 0.7 to 2.4; approximately 96% score greater than 1.2 while 4% score 1.2 or less. The average Index score of FSA land is 1.8.

(VII) Policy 3.2

Listed animal and plant species and their habitats shall be protected through the establishment of Habitat Stewardship Areas (HSAs), as SSAs within the RLSA Overlay. HSAs are delineated on the Overlay Map and contain approximately 40,000 acres. HSAs are privately owned agricultural areas, which include both areas with natural characteristics that make them suitable habitat for listed species and areas without these characteristics. These latter areas are included because they are located contiguous to habitat to help form a continuum of landscape that can augment habitat values. The Overlay provides an incentive to permanently protect HSAs by the creation and transfer of Credits, resulting in the elimination of incompatible uses and the establishment of protection measures described in Group 1 Policies. Not all lands within the delineated HSAs are comparable in terms of their habitat value; therefore the index shall be used to differentiate higher value from lower value lands for the purpose of Overlay implementation. Analysis of the Index Map Series shows that HAS lands score within a range of 0.6 to 2.2. There are approximately 13,800 acres of cleared agricultural fields located in HSAs. The average Index score of HAS designated lands is 1.3, however, the average index score of the naturally vegetated areas within HSAs is 1.5.

(VII) Policy 3.3

Further protection for surface water quality and quantity shall be through the establishment of Water Retention Areas (WRAs), as SSAs within the RLSA Overlay. WRAs are delineated on the Overlay Map and contain approximately 18,200 acres. WRAs are privately owned lands that have been permitted by the South Florida Water Management District to function as agricultural water retention areas. In many instances, these WRAs consist of native wetland or upland vegetation; in other cases they are excavated water bodies or may contain exotic vegetation. The Overlay provides an incentive to permanently protect WRAs by the creation and transfer of Credits, elimination of incompatible uses, and establishment of protection measures described in Group 1 Policies. Not all lands within the delineated WRAs are comparable in terms of their natural resource value; therefore the index shall be

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used to differentiate higher value from lower value lands for the purpose of Overlay implementation. Analysis of the Index Map Series shows that WRA lands score within a

range of 0.6 to 2.4; approximately 74% score greater than 1.2 while 26% score 1.2 or less. The average Index score of WRA land is 1.5.

(VII) Policy 3.4

Public and private conservation areas exist in the RLSA and serve to protect natural resources. Corkscrew Marsh and Okaloacoochee Slough State Forest include approximately 13, 500 acres. Analysis shows that they score within an Index range of 0.0 to 2.2; with an average Index score of 1.5. Because these existing public areas, and any private conservation areas, are already protected, they are not delineated as SSAs and are not eligible to generate Credits, but do serve an important role in meeting the Goal of the RLSA.

(VII) Policy 3.5

Residential uses, General Conditional uses, Earth Mining and Processing Uses, and Recreational Uses (layers 1-4) as listed in the Matrix shall be eliminated in FSAs in exchange for compensation to the property owner as described in Policy 3.8. Conditional use essential services and governmental essential services, other than those necessary to serve permitted uses or for public safety, shall only be allowed in FSAs with a Natural Resource Stewardship Index value of 1.2 or less. Where practicable, directional-drilling techniques and/or previously cleared or disturbed areas shall be utilized for oil and gas extraction in FSAs in order to minimize impacts to native habitats. Other layers may also be eliminated at the election of the property owner in exchange for compensation. The elimination of the Earth Mining layer shall not preclude the excavation of lakes or other water bodies if such use is an integral part of a restoration or mitigation program within a FSA.

(VII) Policy 3.6

Residential Land Uses listed in the Matrix shall be eliminated in Habitat Stewardship Sending Areas in exchange for compensation to the property owner as described in Policy 3.8. Other layers may also be eliminated at the election of the property owner in exchange for compensation.

(VII) Policy 3.7

General Conditional Uses, Earth Mining and Processing Uses, and Recreational Uses shall be allowed only on HSA lands with a Natural Resource Stewardship Index value of 1.2 or less. Conditional use essential services and governmental essential services, other than those necessary to serve permitted uses or for public safety, shall only be allowed in HSAs with a Natural Resource Stewardship Index value of 1.2 or less. Asphaltic and concrete batch making plants are prohibited in all HSAs. Where practicable, directional-drilling techniques and/or previously cleared or disturbed areas shall be utilized for oil and gas Extraction in HSAs in order to minimize impacts to native habitats. In addition to the requirements imposed in the LDC for approval of a Conditional Use, such uses will only be approved upon submittal of an EIS which demonstrates that clearing of native vegetation has been minimized, the use will not significantly and adversely impact listed species and their habitats and the use will not significantly and adversely impact aquifers. As an alternative to the foregoing, the applicant may demonstrate that such use is an integral part of an approved restoration or mitigation program. Golf Course design, construction, and operation in any HSA shall comply with the best management practices of Audubon International's Gold Program and the Florida Department of Environmental Protection. Compliance with the following standards shall be considered by Collier County as meeting the requirement for minimization of impact:

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- Clearing of native vegetation shall not exceed 15% of the native vegetation on the parcel.

- Areas previously cleared shall be used preferentially to native vegetated areas.
- Buffering to Conservation Land shall comply with Policy 4.13.

(VII) Policy 3.8

Compensation to the property owner may occur through one or more of the following mechanisms: creation and transfer of Stewardship Credits, acquisition of conservation easements, acquisition of less than fee interest in the land, or through other acquisition of land or interest in land through a willing seller program.

(VII) Policy 3.9

Agriculture will continue to be a permitted use and its supporting activities will continue to be permitted as conditional uses within FSAs and HSAs, pursuant to the Agriculture Group classifications described in the Matrix. The Ag 1 group includes row crops, citrus, specialty farms, horticulture, plant nurseries, improved pastures for grazing and ranching, aquaculture and similar activities, including related agricultural support uses. In existing Ag 1 areas within FSAs and HSAs, all such activities are permitted to continue, and may convert from one type of Agriculture to another and expand to the limits allowed by applicable permits. Once the Stewardship Credit System is utilized and an owner receives compensation as previously described, no further expansion of Ag 1 will be allowed in FSAs and HSAs beyond existing or permitted limits within property subject to a credit transfer.

(VII) Policy 3.10

Ag 2 includes unimproved pastures for grazing and ranching, forestry and similar activities, including related agricultural support uses. In existing Ag 2 areas within FSAs and HSAs, such activities are permitted to continue, and may convert from one type of Agriculture to another and expand to the limits allowed by applicable permits. Once the Stewardship Credit System is utilized and an owner receives compensation as previously described, no further expansion of Ag 2 or conversion of Ag 2 to Ag 1 will be allowed in FSAs or HSAs beyond existing or permitted limits within property subject to a credit transfer.

(VII) Policy 3.11

In certain locations there may be the opportunity for flow-way or habitat restoration. Examples include, but are not limited to, locations where flow-ways have been constricted or otherwise impeded by past activities, or where additional land is needed to enhance wildlife corridors. Priority shall be given to restoration within the Camp Keais Strand FSA or contiguous HSAs. Should a property owner be willing to dedicate land for restoration activities within the Camp Keais Strand FSA or contiguous HSAs, four additional Stewardship Credits shall be assigned for each acre of land so dedicated. An additional two Stewardship credits shall be assigned for each acre of land dedicated for restoration activities within other FSAs and HSAs. The actual implementation of restoration improvements is not required for the owner to receive such credits and the costs of restoration shall be borne by the governmental agency or private entity undertaking the restoration. Should an owner also complete restoration improvements, this shall be rewarded with four additional Credits for each acre of restored land upon demonstration that the restoration met applicable success criteria as determined by the permit agency authorizing said restoration. This policy does not preclude other forms of compensation for restoration which may be addressed through public-private partnership agreement such as a developer

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contribution agreement or stewardship agreement between the parties involved. The specific process for assignment of additional restoration credits shall be included in the Stewardship District of the LDC.

(VII) Policy 3.12

Based on the data and analysis of the Study, FSAs, HSAs, WRAs, and existing public/private conservation land include the land appropriate and necessary to accomplish the Goal pertaining to natural resource protection. To further direct other uses away from and to provide additional incentive for the protection, enhancement and restoration of the Okaloacoochee Slough and Camp Keais Strand, all land within 500 feet of the delineated FSAs that comprise the Slough or Strand that is not otherwise included in a HSA or WRA shall receive the same natural index score (0.6) that a HSA receives if such property is designated as a SSA and retains only agricultural, recreational and/or conservation layers within the matrix

(VII) Policy 3.13

Water Retention Areas (WRAs) as generally depicted on the Overlay Map have been permitted for this purpose and will continue to function for surface water retention, detention, treatment and/or conveyance, in accordance with the South Florida Water Management District (SFWMD) permits applicable to each WRA. WRAs can also be permitted to provide such functions for new uses of land allowed within the Overlay. WRAs may be incorporated into a SRA master plan to provide water management functions for properties within such SRA, but are not required to be designated as a SRA in such instances. WRA boundaries are understood to be approximate and are subject to refinement in accordance with SFWMD permitting.

(VII) Policy 3.14

During permitting to serve new uses, additions and modifications to WRAs may be required or desired, including but not limited to changes to control elevations, discharge rates, storm water pre-treatment, grading, excavation or fill. Such additions and modifications shall be allowed subject to review and approval by the SFWMD in accordance with best management practices. Such additions and modifications to WRAs shall be designed to ensure that there is no net loss of habitat function within the WRAs unless there is compensating mitigation or restoration in other areas of the Overlay that will provide comparable habitat function. Compensating mitigation or restoration for an impact to a WRA contiguous to the Camp Keais Strand or Okaloacoochee Slough shall be provided within or contiguous to that Strand or Slough.

(VII) Group 4- Policies to enable conversion of rural lands to other uses in appropriate locations, while discouraging urban sprawl, and encouraging development that utilizes creative land use planning techniques by the establishment of Stewardship Receiving Areas.

(VII) Policy 4.1

Collier County will encourage and facilitate uses that enable economic prosperity and diversification of the economic base of the RLSA. Collier County will also encourage development that utilizes creative land use planning techniques and facilitates a compact form of development to accommodate population growth by the establishment of Stewardship Receiving Areas (SRAs). Incentives to encourage and support the diversification and vitality of the rural economy such as flexible development regulations, expedited permitting review, and targeted capital improvements shall be incorporated into the LDC Stewardship District.

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(VII) Policy 4.2

All privately owned lands within the RLSA which meet the criteria set forth herein are eligible for designation as a SRA, except land delineated as a FSA, HSA, WRA or land that has been designated as a Stewardship Sending Area. Land proposed for SRA designation shall meet

the suitability criteria and other standards described in Group 4 Policies. Due to the long-term vision of the RLSA Overlay, extending to a horizon year of 2025, and in accordance with the guidelines established in Chapter 163.3177(11) F.S., the specific location, size and composition of each SRA cannot and need not be predetermined in the GMP. In the RLSA Overlay, lands that are eligible to be designated as SRAs generally have similar physical attributes as they consist predominately of agriculture lands which have been cleared or otherwise altered for this purpose. Lands shown on the Overlay Map as eligible for SRA designation include approximately 74,500 acres outside of the ACSC and 18,300 acres within the ACSC. Approximately 2% of these lands achieve an Index score greater than 1.2. Because the Overlay requires SRAs to be compact, mixed-use and self sufficient in the provision of services, facilities and infrastructure, traditional locational standards normally applied to determine development suitability are not relevant or applicable to SRAs. Therefore the process for designating a SRA follows the principles of the Rural Lands Stewardship Act as further described herein.

(VII) Policy 4.3

Land becomes designated as a SRA upon petition by a property owner to Collier County seeking such designation and the adoption of a resolution by the BCC granting the designation. The petition shall include a SRA master plan as described in Policy 4.5. The basis for approval shall be a finding of consistency with the policies of the Overlay, including required suitability criteria set forth herein, compliance with the LDC Stewardship District, and assurance that the applicant has acquired or will acquire sufficient Stewardship Credits to implement the SRA uses. Within one year from the effective date of this amendment, Collier County shall adopt LDC amendments to establish the procedures and submittal requirements for designation as a SRA, to include provisions for consideration of impacts, including environmental and public infrastructure impacts, and provisions for public notice of and the opportunity for public participation in any consideration by the BCC of such a designation.

(VII) Policy 4.4

Collier County will update the Overlay Map to delineate the boundaries of each approved SRA. Such updates shall not require an amendment to the Growth Management Plan, but shall be retroactively incorporated into the adopted Overlay Map during the EAR based amendment process when it periodically occurs.

(VII) Policy 4.5

To address the specifics of each SRA, a master plan of each SRA will be prepared and submitted to Collier County as a part of the petition for designation as a SRA. The master plan will demonstrate that the SRA complies with all applicable policies of the Overlay and the LDC Stewardship District and is designed so that incompatible land uses are directed away from wetlands and critical habitat identified as FSAs and HSAs on the Overlay Map.

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(VII) Policy 4.6

SRA characteristics shall be based upon innovative planning and development strategies referenced in Chapter 163.3177 (11), F.S. and 9J-5.006(5)(l). These planning strategies and techniques include urban villages, new towns, satellite communities, area-based allocations, clustering and open space provisions, and mixed-use development that allow the conversion of rural and agricultural lands to other uses while protecting environmentally sensitive areas, maintaining the economic viability of agricultural and other predominantly rural land uses, and

providing for the cost-efficient delivery of public facilities and services. Such development strategies are recognized as methods of discouraging urban sprawl.

(VII) 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 Attachment C 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 0J-5.006(5)(l). The size and base density of each form shall be consistent with the standards set forth on Attachment C. The maximum base residential density as set forth in Attachment C 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.

(VII) Policy 4.7.1

Towns are the largest and most diverse form of SRA, with a full range of housing types and mix of uses. Towns have urban level services and infrastructure which support development that is compact, mixed use, human scale, and provides a balance of land uses to reduce automobile trips and increase livability. Towns shall be not less than 1,000 acres or more than 4,000 acres and are comprised of several villages and/or neighborhoods that have individual identity and character. Towns shall have a mixed-use town center that will serve as a focal point for community facilities and support services. Towns shall be designed to encourage pedestrian and bicycle circulation by including an interconnected sidewalk and pathway system serving all residential neighborhoods. Towns shall have at least one community park with a minimum size of 200 square feet per dwelling unit in the Town. Towns shall also have parks or public green spaces within neighborhoods. Towns shall include both community and neighborhood scaled retail and office uses, in a ratio as provided in Policy 4.15. Towns may also include those compatible corporate office and light industrial uses as those permitted in the Business Park and Research and Technology Park Subdistricts of the FLUE. Towns shall be the preferred location for the full range of schools, and to the extent possible, schools and parks shall be located adjacent to each other to allow for the sharing of recreational facilities. Design criteria for Towns shall be included in the LDC Stewardship District. Towns shall not be located within the ACSC.

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(VII) Policy 4.7.2

Villages are primarily residential communities with a diversity of housing types and mix of uses appropriate to the scale and character of the particular village. Villages shall be not less than 100 acres or more than 1,000 acres. Villages are comprised of residential neighborhoods and shall include a mixed-use village center to serve as the focal point for the community's support services and facilities. Villages shall be designed to encourage pedestrian and bicycle circulation by including an interconnected sidewalk and pathway system serving all residential neighborhoods. Villages shall have parks or public green spaces within neighborhoods. Villages shall include neighborhood scaled retail and office uses, in a ratio as provided in Policy 4.15. Villages are an appropriate location for a full range

of schools. To the extent possible, schools and parks shall be located adjacent to each other to allow for the sharing of recreational facilities. Design criteria for Villages shall be included in the LDC Stewardship District.

(VII) Policy 4.7.3

Hamlets are small rural residential areas with primarily single-family housing and limited range of convenience-oriented services. Hamlets shall be not less than 40 or more than 100 acres. Hamlets will serve as a more compact alternative to traditional five-acre lot rural subdivisions currently allowed in the baseline standards. Hamlets shall have a public green space for neighborhoods. Hamlets include convenience retail uses, in a ratio as provided in Attachment C. Hamlets may be an appropriate location for pre-K through elementary schools. Design criteria for Hamlets shall be included in the LDC Stewardship District. To maintain a proportion of Hamlets to Villages and Towns, not more than 5 Hamlets, in combination with CRDs of 100 acres or less, may be approved as SRAs prior to the approval of a Village or Town, and thereafter not more than 5 additional Hamlets, in combination with CRDs of 100 acres or less, may be approved for each subsequent Village or Town.

(VII) Policy 4.7.4

Compact Rural Development (CRD) is a form of SRA that will provide flexibility with respect to the mix of uses and design standards, but shall otherwise comply with the standards of a Hamlet or Village. A CRD may include, but is not required to have permanent residential housing and the services and facilities that support permanent residents. An example of a CRD is an ecotourism village that would have a unique set of uses and support services different from a traditional residential village. It would contain transient lodging facilities and services appropriate to eco-tourists, but may not provide for the range of services that necessary to support permanent residents. Except as described above, a CRD will conform to the characteristics of a Village or Hamlet as set forth on Attachment C based on the size of the CRD. As residential units are not a required use, those goods and services that support residents such as retail, office, civic, governmental and institutional uses shall also not be required, however for any CRD that does include permanent residential housing, the proportionate support services listed above shall be provided in accordance with Attachment C. To maintain a proportion of CRDs of 100 acres or less to Villages and Towns, not more than 5 CRDs of 100 acres or less, in combination with Hamlets, may be approved as SRAs prior to the approval of a Village or Town, and thereafter not more than 5 additional CRDs of 100 acres or less, in combination with Hamlets, may be approved for each subsequent Village or Town. There shall be no more than 5 CRDs of more than 100 acres in size. The appropriateness of this limitation shall be reviewed in 5 years pursuant to Policy 1.22.

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(VII) Policy 4.8

An SRA may be contiguous to a FSA or HSA, but shall not encroach into such areas, and shall buffer such areas as described in Policy 4.13. A SRA may be contiguous to and served by a WRA without requiring the WRA to be designated as a SRA in accordance with Policy 3.12 and 3.13.

(VII) Policy 4.9

A SRA must contain sufficient suitable land to accommodate the planned development in an environmentally acceptable manner. The primary means of directing development away from wetlands and critical habitat is the prohibition of locating SRAs in FSAs, HSAs, and WRAs. To further direct development away from wetlands and critical habitat, residential,

commercial, manufacturing/light industrial, group housing, and transient housing, institutional, civic and community service uses within a SRA shall not be sited on lands that receive a Natural Resource Index value of greater than 1.2. In addition, conditional use essential services and governmental essential services, with the exception of those necessary to serve permitted uses and for public safety, shall not be sited on lands that receive a Natural Resource Index value of greater than 1.2. The Index value of greater than 1.2 represents those areas that have a high natural resource value as measured pursuant to Policy 1.8. Less than 2% of potential SRA land achieves an Index score of greater than 1.2.

(VII) Policy 4.10

Within the RLSA Overlay, open space, which by definition shall include public and private conservation lands, underdeveloped areas of designated SSAs, agriculture, water retention and management areas and recreation uses, will continue to be the dominant land use. Therefore, open space adequate to serve the forecasted population and uses within the SRA is provided. To ensure that SRA residents have such areas proximate to their homes, open space shall also comprise a minimum of thirty-five percent of the gross acreage of an individual SRA Town, Village, or those CRDs exceeding 100 acres. Lands within a SRA greater than one acre with Index values of greater than 1.2 shall be retained as open space. As an incentive to encourage open space, such uses within a SRA, located outside of the ACSC, exceeding the required thirty-five percent shall not be required to consume Stewardship Credits.

(VII) Policy 4.11

The perimeter of each SRA shall be designed to provide a transition from higher density and intensity uses within the SRA to lower density and intensity uses on adjoining property. The edges of SRAs shall be well defined and designed to be compatible with the character of adjoining property. Techniques such as, but not limited to setbacks, landscape buffers, and recreation/open space placement may be used for this purpose. Where existing agricultural activity adjoins a SRA, the design of the SRA must take this activity into account to allow for the continuation of the agricultural activity and to minimize any conflict between agriculture and SRA uses.

(VII) Policy 4.12

Where a SRA adjoins a FSA, HSA, WRA or existing public or private conservation land delineated on the Overlay Map, best management and planning practices shall be applied to minimize adverse impacts to such lands. SRA design shall demonstrate that ground water table draw down or diversion will not adversely impact the adjacent FSA, HSA, WRA or conservation land. Detention and control elevations shall be established to protect such natural areas and be consistent with surrounding land and project control elevations and water tables.

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(VII) Policy 4.13

Open space within or contiguous to a SRA shall be used to provide a buffer between the SRA and any adjoining FSA, HSA, or existing public or private conservation land delineated on the Overlay Map. Open space contiguous to or within 300 feet of the boundary of a FSA, HSA, or existing public or private conservation land may include: natural preserves, lakes, golf courses provided no fairways or other turf areas are allowed within the first 200 feet, passive recreational areas and parks, required yard and set-back areas, and other natural or man-made open space. Along the west boundary of the FSAs and HSAs that comprise Camp Keais Strand, i.e., the area south of Immokalee Road, this open space buffer shall be 500 feet wide and shall preclude golf course fairways and other turf areas within the first 300 feet.

(VII) Policy 4.14

The SRA must have either direct access to a County collector or arterial road or indirect access via a road provided by the developer that has adequate capacity to accommodate the proposed development in accordance with accepted transportation planning standards. No SRA shall be approved unless the capacity of County collector or arterial road(s) serving the SRA is demonstrated to be adequate in accordance with the Collier County Concurrency Management System in effect at the time of SRA designation. A transportation impact assessment meeting the requirements of Section 2.7.3 of the LDC, or its successor regulation shall be prepared for each proposed SRA to provide the necessary data and analysis.

(VII) 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 Attachment C. 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 Attachment C, and shall be also included in the Stewardship LDC District.

(VII) 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

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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.

(VII) Policy 4.17

The SRA will be planned and designed to be fiscally neutral or positive to the Collier County tax base at the horizon year based on a modified per capita cost/benefit fiscal analysis (Modified per capita cost/benefit fiscal analysis per Burchell et.al., 1994,

Development Impact Assessment Handbook, ULI.). The BCC may grant exceptions to this policy to accommodate affordable housing, as it deems appropriate. Techniques that support fiscal self-sufficiency such as Community Development Districts shall be encouraged. At a minimum, the analysis shall consider the following public facilities and services: transportation, potable water, wastewater, irrigation water, stormwater management, solid waste, parks, law enforcement, and schools. Development phasing and funding mechanisms shall address any adverse impacts to adopted minimum levels of service pursuant to the County Concurrency Management System.

(VII) Policy 4.18

Eight Credits shall be required for each acre of land included in a SRA, except for open space in excess of the required thirty-five percent as described in Policy 4.10 or for land that is designated for a public benefit use described in Policy 4.19. In order to promote compact, mixed use development and provide the necessary support facilities and services to residents of rural areas, the SRA designation entitles a full range of uses, accessory uses and associated uses that provide a mix of services to and are supportive to the residential population of a SRA, as provided for in Policies 4.7, 4.15 and Attachment C. Such uses shall be identified, located and quantified in the SRA master plan.

(VII) Policy 4.19

The acreage of a public benefit use shall not count toward the maximum acreage limits described in Policy 4.7. For the purpose of this policy, public benefit uses include: public schools (preK-12) and public or private post secondary institutions, including ancillary uses; community parks exceeding the minimum acreage requirements of Attachment C, municipal golf courses; regional parks; and governmental facilities excluding essential services as defined in the LDC. The location of public schools shall be coordinated with the Collier County School Board, based on the interlocal agreement 163.3177 F.S. and in a manner consistent with 235.193 F.S. Schools and related ancillary uses shall be encouraged to locate in or proximate to Towns, Villages, and Hamlets subject to applicable zoning and permitting requirements.

(VII) Policy 4.20

Lands within the ACSC that meet all SRA criteria shall also be restricted such that credits used to entitle a SRA in the ACSC must be generated exclusively from SSAs within the ACSC. Further, the only form of SRA allowed in the ACSC east of the Okaloacoochee Slough shall be Hamlets and CRDs of 100 acres or less and the only form of SRA allowed in the ACSC west of the Okaloacoochee Slough shall be Villages and CRDs of not more than 300 acres and Hamlets. Provided, however, that two Villages or CRDs of not more than 500

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acres each, exclusive of any lakes created prior to the effective date of this amendment as a result of mining operations, shall be allowed in areas that have a frontage on State Road 29 and that, as of the effective date of these amendments, had been predominantly cleared as a result of Ag Group I or Earth Mining or Processing Uses. This policy is intended to assure that the RLSA Overlay is not used to increase the development potential within the ACSC but instead is used to promote a more compact form of development as an alternative to the Baseline Standards already allowed within the ACSC. No policy of the RLSA Overlay shall take precedence over the Big Cypress ACSC regulations and all regulations therein shall apply.

(VII) Group 5 - Policies that protect water quality and quantity and the maintaining of the natural water regime and protect listed animal and plant species and their habitats on land that is not voluntarily included in the Rural Lands Stewardship Area program.

(VII) Policy 5.1

To protect water quality and quantity and maintenance of the natural water regime in areas mapped as FSAs on the Overlay Map prior to the time that they are designated as SSAs under the Stewardship Credit Program. Residential Uses, General Conditional Uses, Earth Mining and Processing Uses, and Recreational Uses (layers 1-4) as listed in the Matrix shall be eliminated in FSAs. Conditional use essential services and governmental essential services, except those necessary to serve permitted uses or for public safety, shall only be allowed in FSAs with a Natural Resource Stewardship Index value of 1.2 or less. Where practicable, directional-drilling techniques and/or previously cleared or disturbed areas shall be utilized for oil or gas extraction in FSAs in order to minimize impacts to native habitats. Asphaltic and concrete batch making plants shall be prohibited in areas mapped as HSAs. The opportunity to voluntarily participate in the Stewardship Credit Program, as well as the right to sell conservation easements or a fee or lesser interest in the land, shall constitute compensation for the loss of these rights.

(VII) Policy 5.2

To protect water quality and quantity and maintenance of the natural water regime and to protect listed animal and plant species and their habitats in areas mapped as FSAs, HSAs, and WRAs on the Overlay Map that are within the ACSC, all ACSC regulatory standards shall apply, including those that strictly limit non-agricultural clearing.

(VII) Policy 5.3

To protect water quality and quantity and maintenance of the natural water regime and to protect listed animal and plant species and their habitats in areas mapped as FSAs, HSAs, and WRAs on the Overlay Map that are not within the ACSC, if a property owner proposes to utilize such land for a non-agricultural purpose under the Baseline Standards referenced in Policy 1.5 and does not elect to use the Overlay, the following regulations are applicable, shall be incorporated into the LDC, and shall supercede any comparable existing County regulations that would otherwise apply. These regulations shall only apply to non-agricultural use of land prior to its inclusion in the Overlay system:

1. Site clearing and alteration shall be limited to 20% of the property and nonpermeable surfaces shall not exceed 50% of any such area.
2. Except for roads and lakes, any nonpermeable surface greater than one acre shall provide for release of surface water run off, collected or uncollected, in a manner approximating the natural surface water flow regime of the surrounding area.
3. Revegetation and landscaping of cleared areas shall be accomplished with predominantly native species and planting of undesirable exotic species shall be prohibited.

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4. An Environmental Impact Statement shall be prepared by the applicant and reviewed by Collier County in accordance with County regulations.
5. Roads shall be designed to allow the passage of surface water flows through the use of equalizer pipes, interceptor spreader systems or performance equivalent structures.

(VII) Policy 5.4

Collier County will coordinate with appropriate State and Federal agencies concerning the provision of wildlife crossings at locations determined to be appropriate.

(VII) Policy 5.5

For those lands that are not voluntarily included in the Rural Lands Stewardship program, non-agricultural development, excluding individual single family residences, shall be directed away from the listed species and their habitats by complying with the following guidelines and standards:

1. A wildlife survey shall be required for all parcels when listed species are known to inhabit biological communities similar to those existing on site or where listed species are directly observed on the site. The survey shall be conducted in accordance with the requirements of the Florida Fish and Wildlife Conservation Commission (FFWCC) and U.S. Fish and Wildlife Service (USFWS) guidelines. The County shall notify the FFWCC and USFWS of the existence of any listed species that may be discovered.
2. Wildlife habitat management plans for listed species shall be submitted for County approval. A plan shall be required for all projects where the wildlife survey indicated listed species are utilizing the site, or the site is capable of supporting wildlife and can be anticipated to be potentially occupied by listed species. These plans shall describe how the project directs incompatible land uses away from listed species and their habitats.
 - a. Management plans shall incorporate proper techniques to protect listed species and their habitats from the negative impacts of proposed development. Open space and vegetation preservation requirements shall be used to establish buffer areas between wildlife habitat areas and areas dominated by human activities. Provisions such as fencing, walls, or other obstructions shall be provided to minimize development impacts to the wildlife and to facilitate and encourage wildlife to use wildlife corridors. Appropriate roadway crossings, underpasses and signage shall be used where roads must cross wildlife corridors.
 - i. The following references shall be used, as appropriate, to prepare the required management plans:
 1. South Florida Multi-Species Recovery Plan, USFWS, 1999.
 2. Habitat Management Guidelines for the Bald Eagle in the Southeast Region, USFWS, 1987.
 3. Ecology and Habitat Protection Needs of Gopher Tortoise (*Gopherus polyphemus*) Populations found on Lands Stated for Large Scale Development in Florida, Technical Report No. 4, Florida Game and Fresh Water Fish Commission, 1987.
 4. Ecology and Development-Related Habitat Requirements of the Florida Scrub Jay (*Apelocoma coerulescens*), Technical Report No. 8, Florida Game and Fresh Water Fish Commission, 1991.

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5. Ecology and Habitat Protection Needs of the Southeastern American Kestrel (*Falco Sparverius Paulus*) on Large-scale Development Sites in Florida, Nongame Technical Report No. 13, Florida Game and Fresh Water Fish Commission, 1993.
 - ii. The County shall consider any other techniques recommended by the USFWS and FFWCC, subject to the provision of paragraph (3) of this policy.
 - iii. When listed species are directly observed on site or indicated by evidence, such as denning, foraging, or other indications, priority shall be given to preserving the listed species habitats first, as a part of the retained native vegetation requirement of a minimum of 40%. The County shall also consider the recommendation of other agencies, subject to the provisions of paragraph (3) of this policy.
- b. For parcels containing gopher tortoises (*Gopherus polyphemus*), priority shall be given to protecting the largest most contiguous gopher tortoise habitat with the greatest number of active burrows, and for providing a connection to off site

- adjacent gopher tortoise preserves.
- c. Habitat preservation for the Florida scrub jay (*Aphelocoma coerulescens*) shall conform to the guidelines contained in Technical Report No. 8, Florida Game and Fresh Water Fish Commission, 1991. The required management plan shall also provide for a maintenance program and specify an appropriate fire or mechanical protocols to maintain the natural scrub community. The plan shall also outline a public awareness program to educate residents about the on-site preserve and the need to maintain the scrub vegetation. These requirements shall be consistent with the UFWS South Florida Multi-Species Recovery Plan, May 1999, subject to the provisions of paragraph (3) of this policy.
 - d. For the bald eagle (*Haliaeetus leucocephalus*), the required habitat management plans shall establish protective zones around the eagle nest restricting certain activities. The plans shall also address restricting certain types of activities during the nest season. These requirements shall be consistent with the UFWS South Florida Multi-Species Recover Plan, May 1999, subject to the provisions of paragraph (3) of this policy.
 - e. For the red-cockaded woodpecker (*Ipicoides borealis*), the required habitat protection plan shall outline measures to avoid adverse impacts to active clusters and to minimize impacts to foraging habitat. Where adverse effects can not be avoided, measures shall be taken to minimize on-site disturbance and compensate or mitigate for impacts that remain. These requirements shall be consistent with the UFWS South Florida Multi-Species Recovery Plan, May 1999, subject to the provision of paragraph (3) of this policy.
 - f. In areas where the Florida black bear (*Ursus americanus floridanus*) may be present, the management plans shall require that garbage be placed in bear-proof containers, at one or more central locations. The management plan shall also identify methods to inform local residents of the concerns related to interaction between black bears and humans. Mitigation for impacting habitat suitable for black bear shall be considered in the management plan.
 - g. For projects located in Priority I or Priority II Panther Habitat areas, the management plan shall discourage the destruction of undisturbed, native habitats that are preferred by the Florida panther (*Felis concolor coryi*) by directing intensive land uses to currently disturbed areas. Preferred habitats include pine flatwoods and hardwood hammocks. In turn, these areas shall be buffered from the most intense land uses of the project by using low intensity land uses (e.g.,

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- parks, passive recreational areas, golf courses). Gold courses within the Rural Lands Area shall be designed and managed using standards found within this Overlay. The management plans shall identify appropriate lighting controls for these permitted uses and shall also address the opportunity to utilize prescribed burning to maintain fire-adapted preserved vegetation communities and provide browse for white-tailed deer. These requirements shall be consistent with the UFWS South Florida Multi-Species Recover Plan, May 1999, subject to the provisions of paragraph (3) of this policy.
- h. The Management Plans shall contain a monitoring program for developments greater than 10 acres.
3. The County shall, consistent with applicable policies of this Overlay, consider and utilize recommendations and letters of technical assistance from the Florida Fish and Wildlife Conservation Commission and recommendations from the US Fish and Wildlife Service in issuing development orders on property containing listed species. It is recognized that these agency recommendations, on a case by case basis, may

change the requirements contained within these wildlife protection policies and any such change shall be deemed consistent with the Growth Management Plan.

(VII) Policy 5.6

For those lands that are not voluntarily included in the Rural Lands Stewardship program, Collier County shall direct non-agricultural land uses away from high functioning wetlands by limiting direct impacts within wetlands. A direct impact is hereby defined as the dredging or filling of a wetland or adversely changing the hydroperiod of a wetland. This policy shall be implemented as follows:

1. There are two (2) major wetlands systems within the RLSA, Camp Keais, Strand and the Okaloacoochee Slough. These two systems have been mapped and are designated as FSA's. Policy 5.1 prohibits certain uses within the FSA's, thus preserving and protecting the wetlands functions within those wetland systems.
2. The other significant wetlands within the RLSA are WRA's as described in Policy 3.3. These areas are protected by existing SFWMD wetlands permits for each area.
3. FSAs, HSAs and WRAs, as provided in Policy 5.3, and the ACSC have stringent site clearing and alteration limitations, nonpermeable surface limitations, and requirements addressing surface water flows which protect wetland functions within the wetlands in those areas. Other wetlands within the RLSA are isolated or seasonal wetlands. These wetlands will be protected based upon the wetland functionality assessment described below, and the final permitting requirements of the South Florida Water Management District.
 - a. The County shall apply the vegetation retention, open space and site preservation requirements specified within this Overlay to preserve an appropriate amount of native vegetation on site. Wetlands shall be preserved as part of this vegetation requirement according to the following criteria:
 - i. The acreage requirements specified within this Overlay shall be met by preserving wetlands with the highest wetland functionality scores. Wetland functionality assessment scores shall be those described in paragraph (b) of this policy. The vegetative preservation requirements imposed by Policy 5.3 shall first be met through preservation of wetlands having a functionality assessment score of 0.65 or greater. Within one year, from the effective date of this Amendment, the County shall develop specific criteria in the LDC to be used to determine those instances in which wetlands with functionality assessment score of 0.65 or greater must be preserved in excess of the preservation required by Policy 5.3.

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- ii. Wetlands utilized by listed species or serving as corridors for the movement of listed species shall be preserved on site. Wetland flowway functions through the project shall be maintained.
 - iii. Proposed development shall demonstrate that ground water table drawdowns or diversions will not adversely change the hydroperiod of preserved wetlands on or offsite. Detention and control elevations shall be set to protect surrounding wetlands and be consistent with surrounding land and project control elevations and water tables. In order to meet these requirements, projects shall be designed in accordance with Sections 4.2.2.4.6.11 and 6.12 of SFWMD's Basis of Review, January 2001. Upland vegetative communities may be utilized to meet the vegetative, open space and site preservation requirements of this Overlay when the wetland functional assessment score is less than 0.65.
 - b. In order to assess the values and functions of wetlands at the time of project

review, applicants shall rate functionality of wetlands using the South Florida Water Management District's Wetland Rapid Assessment Procedure (WRAP), as described in Technical Publication Reg-001, dated September 1997, and updated August 1999, until such time as the District adopts the proposed Unified Wetland Mitigation Assessment Method, described in draft form and identified as F.A.C. Chapter 62-345-Uniform Wetland Mitigation Assessment Method. The applicant shall submit to county staff WRAP scores, County staff shall review this functionality assessment as part of the County's EIS provisions and shall use the results to direct incompatible land uses away from the highest functioning wetlands according to the requirements found in paragraph 3 above.

- c. All direct impacts shall be mitigated for pursuant to the requirements of paragraph (f) of this policy.
- d. Single family residences shall follow the requirements contained within Policy 6.2.7 of the Conservation and Coastal Management Element.
- e. The County shall separate preserved wetlands from other land uses with appropriate buffering requirements. The County shall require a minimum 50-foot vegetated upland buffer adjacent to a natural water body, and for other wetlands a minimum 25-foot vegetated upland buffer adjacent to the wetland. A structural buffer may be used in conjunction with a vegetative buffer that would reduce the vegetative buffer width by 50%. A structural buffer shall be required adjacent to wetlands where direct impacts are allowed. Wetland buffers shall conform to the following standards:
 - i. The buffer shall be measured landward from the approved jurisdictional line.
 - ii. The buffer zone shall consist of preserved native vegetation. Where native vegetation does not exist, native vegetation compatible with the existing soils and expected hydrologic conditions shall be planted.
 - iii. The buffer shall be maintained free of Category I invasive exotic plants, as defined by the Florida Exotic Pest Plant Council.
 - iv. The following land uses are considered to be compatible with wetland functions and are allowed within the buffer:
 - (1) Passive recreational areas, boardwalks and recreational shelters;
 - (2) Pervious nature trails;
 - (3) Water management structures;
 - (4) Mitigation areas;

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- (5) Any other conservation and related open space activity or use which is comparable in nature with the foregoing uses.
- v. A structural buffer may consist of a stem-wall, berm, or vegetative hedge with suitable fencing.
- f. Mitigation shall be required for direct impacts to wetland in order to result in no net loss of wetland functions.
Mitigation Requirements:
 - i. "No net loss of wetland functions" shall mean that the wetland functional score of the proposed mitigation equals or exceeds the wetland functional score of the impacted wetlands. Priority shall be given to mitigation within FSA's and HSA's.
 - ii. Loss of storage or conveyance volume resulting from direct impacts to wetlands shall be compensated for by providing an equal amount of storage or conveyance capacity on site and within or adjacent to the impacted wetland.

- iii. Protection shall be provided for preserved or created wetland or upland vegetative communities offered as mitigation by placing a conservation easement over the land in perpetuity, providing for initial exotic plant removal (Class I invasive exotic plants defined by the Florida Exotic Plant Council) and continuing exotic plant maintenance, or by appropriate ownership transfer to a state or federal agency along with sufficient funding for perpetual management activities.
- iv. Prior to issuance of any final development order that authorizes site alteration, the applicant shall demonstrate compliance with paragraphs (f)i, ii, and iii of this policy. If agency permits have not provided mitigation consistent with this policy, Collier County will require mitigation exceeding that of the jurisdictional agencies.
- g. Wetland preservation, buffer areas, and mitigation areas shall be identified or platted as separate tracts. In the case of a Planned Unit Development (PUD), these areas shall also be depicted on the PUD Master Plan. These areas shall be maintained free from trash and debris and from Category I invasive exotic plants, as defined by the Florida Exotic Pest Plant Council. Land uses allowed in these areas shall be limited to those listed above (3.e.iv.) and shall not include any other activities that are detrimental to drainage, flood, control, water conservation, erosion control or fish and wildlife habitat conservation and preservation.

(IV) D. Bayshore/Gateway Triangle Redevelopment Overlay

The Bayshore/Gateway Triangle Redevelopment Overlay, depicted on the Future Land Use Map, is within the boundaries of the Bayshore/Gateway Triangle Redevelopment Plan adopted by the Board of County Commissioners on March 14, 2000. The intent of the redevelopment program is to encourage the revitalization of the Bayshore/Gateway Triangle Redevelopment Area by providing incentives that will encourage the private sector to invest in this urban area. This Overlay allows for additional neighborhood commercial uses and higher residential densities that will promote the assembly of commercial uses and higher residential densities that will promote the assembly of property, or joint ventures between property owners, while providing interconnections between properties and neighborhoods. The intent of this Overlay is to allow for more intense development in an urban area where urban services are available. One or more zoning overlays will be adopted into the Collier County Land Development Code to aid in the implementation of this Overlay. The following provisions and restrictions apply to this Overlay:

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1. Mixed-Use Development: Mix of residential and commercial uses are permitted. For such development, commercial uses are limited to C-1 through C-3 zoning district uses plus hotel/motel use. Mixed-use projects will be pedestrian oriented and are encouraged to provide access (vehicular, pedestrian, bicycle) to nearby residential areas. The intent is to encourage pedestrian use of the commercial area and to provide opportunity for nearby residents to access these commercial uses without traveling onto major roadways. Parking facilities are encouraged to be located in the rear of the buildings with the buildings oriented closer to the major roadway to promote traditional urban development.
2. Residential uses are allowed within this Overlay. Permitted density shall be as determined through application of the Density Rating System, and applicable FLUE Policies, except as provided below and except as may be limited by a zoning overlay.
3. Non-residential/non-commercial uses allowed within this Overlay include essential services; parks, recreation and open space uses; water-dependent and water-related uses; child care

centers; community facility uses; safety service facilities; and utility and communication facilities.

4. Properties with access to US-41 East are allowed a maximum density of 12 residential units per acre. In order to be eligible for this higher density, the project must be integrated into a mixed-use development with access to existing neighborhoods and adjoining commercial properties and comply with the standards identified in Paragraph #9, below, except for mixed use projects developed within the “mini triangle” catalyst project site as identified on the Bayshore/Gateway Triangle Redevelopment Overlay Map. The “mini triangle” project site is eligible for the maximum density of 12 units per acre, with development standards to be approved by the Board of County Commissioners at a later time. For projects that do not comply with the requirements for this density increase, their density is limited to that allowed by the Density Rating System and applicable FLUE Policies, except as may be limited by a future zoning overlay.
5. Properties with access to Bayshore Drive, as identified in the Bayshore Drive Mixed Use Zoning Overlay District, are allowed a maximum density of 12 residential units per acre. In order to be eligible for this higher density, the property must meet the specific development standards that will apply to residential and mixed-use development along the Bayshore Drive corridor, and must comply with the standards identified in Paragraph #9, below. For projects that do not comply with the requirements for this density increase, their density is limited to that allowed by the Density Rating System and applicable FLUE Policies, except as may be limited by a future zoning overlay.
6. The Bayshore Drive Zoning Overlay will be developed and adopted into the Land Development Code in the present or next available amendment cycle. Expansion of existing commercial zoning boundaries along Bayshore Drive within the Bayshore Drive Mixed Use Zoning Overlay District will not be allowed until the zoning overlay is in place. Non-commercially zoned properties within the Bayshore Drive Mixed Use Zoning Overlay District may be eligible for in-fill, low-intensity commercial development provided they meet the criteria listed below:
 - a. If one parcel in the proposed project abuts commercial zoning on one side, the commercial zoning may be applied for the entire project site. The following requirements must be met: joint access and/or vehicular interconnection; pedestrian interconnection; and the entire project site must comply with Division 2.8 of the Land Development Code, as may be modified by the Bayshore Drive Mixed Use Zoning Overlay.
 - b. The depth of a parcel for which commercial zoning is sought may exceed the depth of the abutting commercially zoned property. Adequate buffers must be provided between the commercial uses and non-commercial uses and non-commercial zoning.
 - f. The project must be compatible with existing land uses and permitted future land uses on surrounding properties.
7. Parcels currently within the boundaries of Mixed Use Activity Center #16 will continue to be governed by the Mixed Use Activity Center Subdistrict. A zoning overlay may be developed for these properties within the Mixed Use Activity Center to provide specific development standards.
8. Existing zoning districts for some properties within the Bayshore/Gateway Triangle Redevelopment Overlay allow uses, densities and development standards that are inconsistent with the uses, densities and development standards allowed within this Overlay. These properties are allowed to develop and redevelop in accordance with their existing

zoning until such time as a zoning overlay is adopted which may limit such uses, densities and development standards.

9. To qualify for 12 dwelling units per acre, mixed use projects within the Bayshore/Gateway Triangle Redevelopment Overlay must comply with the following standards:
 - a. Buildings containing only commercial uses are limited to a maximum height of three stories.
 - b. Buildings containing only residential uses are limited to a maximum height of three stories except such buildings are allowed a maximum height of four stories if said residential buildings are located in close proximity to US-41.
 - c. Buildings containing mixed use (residential uses over commercial uses) are limited to a maximum height of four stories.
 - d. Hotels/motels will be limited to a maximum height of four stories.
 - e. For purposes of this Overlay, each 14 feet of building height shall be considered one story.
 - f. For mixed-use buildings, commercial uses are permitted on the first two stories only.
 - g. Each building containing commercial uses only is limited to a maximum building footprint of 20,000 square feet gross floor area.
 - h. One or more zoning overlays may be adopted which may include more restrictive standards than listed above in Paragraphs a –g.
10. For properties outside of the Coastal High Hazard Area, any eligible density bonuses, as provided in the Density Rating System, are in addition to the eligible density provided herein. For properties within the Coastal High Hazard Area (CHHA), only the affordable housing density bonus, as provided in the Density Rating System, is allowed in addition to the eligible density provided herein. For all properties, the maximum density allowed is that specified under Density Conditions in the Density Rating System.
11. A maximum of 388 dwelling units are permitted to be utilized in this Overlay for density bonuses as provided in #4 and #5 above for that portion of the Overlay lying within the CHHA, except that 156 dwelling units with direct access to US-41 East shall not be counted towards this 388 dwelling unit limitation. These 388 dwelling units correspond with the number of dwelling units to be rezoned from the botanical gardens sites, as provided for below, resulting in a shift of dwelling units within the CHHA. There is no such density bonus limitation for that portion of the Overlay lying outside of the CHHA.
12. The Botanical Garden, Inc. properties located in Section 23, Township 50 South and Range 25 East and shown on the Bayshore/Gateway Triangle Redevelopment Overlay Map, shall be limited to non-residential uses except for caretaker, dormitory, and other housing integrally related to the Botanical Garden or other institutional and/or recreational open space uses.
13. Within one year of the effective date of this amendment establishing the Bayshore/Gateway Triangle Redevelopment Overlay, the properties to be developed with a botanical garden or other non-residential use, will be rezoned from the present 388 residential zoning districts to a non-residential zoning district(s). No portion of the dwelling unit density bonuses within the CHHA can be utilized until a corresponding number of dwelling units has been rezoned from the botanical gardens site(s), as provided for above.

(VIII) E. URBAN-RURAL FRINGE TRANSITION ZONE OVERLAY

Sections 13, 14, 23, and 24, Township 48 South, Range 26 East consisting of +2,562 acres which overlap the Urban and Agricultural/Rural boundary line, north of the intersection of Immokalee Road and County Road 951, are under common ownership and through comprehensive planning may resolve potential local land use conflicts and provide for the realization of unique regional environmental opportunities. Among the causes of potential land use conflicts are the abrupt transitionless switch from urban densities (4+ units per acre) in Section 23 to rural densities (1 unit per 5 acres) in Sections 13, 14 and 24, and the continuation of earth mining in an increasingly urbanized residential area. Under existing permits from the U.S. Army Corps of Engineers (USACOE) and Florida Department of Environmental Protection, a total of +1,700 acres in these four Sections have been or may be mined.

Sections 13, 14 and 24 in the Agricultural/Rural Area contain large wetland areas in the north, which are contiguous to wetlands proposed for the Cocohatchee West Flow-way and slated for acquisition by the Corkscrew Regional Ecosystem Watershed (CREW) Trust. These wetland areas extend in a contiguous fashion south into Section 23 in the Urban Area, in close proximity to the Mixed Use Activity Center quadrant designated within this Section.

Sections 13, 14 and 24 in the Agricultural/Rural Area contain large wetland areas in the north, which are contiguous to wetlands proposed for the Cocohatchee West Flowway and are slated for acquisition by the Corkscrew Regional Ecosystem Watershed (CREW) Trust. These wetland areas extend in a contiguous fashion south into Section 23 in the Urban Area, in close proximity to the Mixed Use Activity Center quadrant designated within this Section.

To resolve potential land use conflicts and protect environmental resources, an Urban-Rural Fringe Transition Zone Overlay is created which encompasses all four sections, and all development proposed within the Overlay area shall comply with the following performance standards:

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1. Approximately 533 acres of wetlands, which exist on the property, are currently in a conservation easement. An additional 300 acres of wetlands will be placed in conservation easement status. Together these 830 + acres of wetlands have the potential to be connected to wetland sites off-site thereby providing an environmental and wildlife corridor connection.
2. Native vegetation or other natural areas (inclusive of conservation areas) shall cover a minimum of 40% of the gross land area (or its equivalent off-site) exclusive of existing rock quarries.
3. Seventy percent (70%) of the gross land area shall be devoted to open space, including but not limited to, lakes (including existing rock quarries), golf courses and conservation areas.
4. To the greatest extent practical, the existing rock quarries shall be incorporated into the regional water management system and utilized to accommodate the passing through of off-site water flows and may be used for recreational purposes.

5. Development on the property shall connect to the County's regional water and wastewater facilities, which exist at the southwest corner of the property at the intersection of Immokalee Road and County Road 951, which regional service area is expanded to include all of the property.
6. The maximum number of residential units on the entire Heritage Bay property shall not exceed 3,450 (not including 200 ALF units). This number may be allocated and developed among all of the Sections, in conformance with the environmental preservation requirements referenced in Sub-paragraph 1, above, and shall be clustered, in order to achieve conformance with the other performance standards applicable to this Overlay.
7. Development of the property shall be designed to encourage internal vehicle trip capture by providing commercial and recreational uses and shall provide for pedestrian and bicyclist access to internal community recreation and convenience retail centers. Internal project roadways shall be connected and shall provide access to the Activity Center located in the southwest corner of the property.
8. Commercial activities are limited to a total of 40 acres within the Activity Center located at the northeast quadrant of the intersection of Collier Boulevard and Immokalee Road and three "Village Centers" totaling approximately 26 acres within the residential part of the Heritage Bay development. The Activity Center commercial uses will include a maximum of 150,000 square feet of retail uses and 50,000 square feet of office uses. The Village Center commercial uses will include a maximum of 10,000 square feet of retail uses, 10,000 square feet of restaurant uses, 5,000 square feet of marina related retail uses, and 5,000 square feet of office uses.
9. For golf course(s) located in Sections 13, 14, and 24, for each five (5) gross acres of land area utilized as part of the golf course(s) ("golf course" shall include the clubhouse area, rough, fairways, greens, and lakes, but excludes any area dedicated as a conservation area, which is non-irrigated and retained in a natural state) one (1) transfer of development right (TDR) credit shall be acquired from

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areas identified by the County as "Sending Lands". In the event that construction of approved golf course(s) commences in Sections 13, 14 or 24 prior to the effective date of the County's applicable TDR program, the developer shall provide, in a manner and form acceptable to the County, financial assurances to guarantee sufficient funds to purchase the necessary number of TDR credits for golf courses. The funds guaranteed by the developer or paid to the County for the golf course

TDR credits shall be equal to the required number of TDRs multiplied by the estimated value of a TDR as established by the applicable County TDR program. If such program is not in existence at the time of payment as set forth below, then the amount shall be as set forth in the Final Report by Dr. James C. Nicholas, dated November 23, 2001.

If the construction of approved golf course(s) commences in Section 13, 14, or 24 prior to the effective date of the County's applicable TDR program, then the developer shall be required to acquire the appropriate TDR credits for golf course(s) within 90 days following implementation of the County's TDR program. In the event that an applicable TDR program has not been implemented by the County and is not effective within forty-eight (48) months from the adoption date of this plan

amendment, then funds guaranteed by the developer or held by the County for the transfer of development right credits for golf course(s) pursuant to this paragraph shall be released or refunded to the developer and the requirements of this paragraph relating to the guaranteed funds for TDR credits shall be null and void.

(VIII) = Plan Amendment by Ordinance No. 2003-7 on February 11, 2003

FUTURE LAND USE MAP SERIES
Future Land Use Map
Mixed Use & Interchange Activity Centers
Properties Consistent by Policy (5.9,5.10,5.11)
Natural Resources Wetlands Map
(I) Wellhead Protection Areas
(V) Bayshore/Gateway Triangle Redevelopment Overlay Map
(VII) Stewardship Overlay Map
(VII) Rural Lands Study Area Natural Resource Index Maps

