



COUNCIL MEETING AGENDA

March 13, 2015

9:00am – 11:30am

Mission Statement:

To work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share...for the benefit of our future generations.

1	INVOCATION	
2	PLEDGE OF ALLEGIANCE	
3	EXTRAORDINARY CIRCUMSTANCE APPROVAL	
4	ROLL CALL	
5	PUBLIC COMMENTS	
6	AGENDA	Page 1
7	MINUTES OF THE JANUARY 15,2015 AND FEBRUARY 19, 2015 MEETINGS	Page 16
8	DIRECTOR'S REPORT	Page 30
	a) Resolution regarding SB 484, SB 562and SB832	Page 98
9	STAFF SUMMARIES	
	a) Grant Activity Sheet (Information Only)	Page 109
10	CONSENT AGENDA	Page 118
	a) Intergovernmental Coordination and Review	Page 119
	b) SWFRPC Fixed Assets Removal	Page 124
11	REGIONAL IMPACT	
	a) Collier County Comprehensive Plan Amendment (DEO15-1ESR)	Page 169
	b) City of Moore Haven Comprehensive Plan Amendment (DEO15-1ESR)	Page 178
	c) City of Clewiston Comprehensive Plan Amendment (DEO15-1ESR)	Page 182
	d) Palmer Ranch AIDA Master Development Order Update	Page 187
	e) Palmer Ranch AIDA NOPC (Increment XXII 9A)	Page 247
	f) Palmer Ranch AIDA NOPC (Increment XXIII 9B)	Page 265
	g) Pelican Preserve DRI – Review of City of Fort Myers Development Order	Page 283
	h) Sarasota County Comprehensive Plan Amendment (DEO15-1ESR)	Page 348
	i) Charlotte County Comprehensive Plan Amendment (DEO15-1ESR)	Page 357

Two or more members of the Charlotte Harbor National Estuary Program may be in attendance and may discuss matters that could come before the Charlotte Harbor National Estuary Program, respectively, for consideration.

In accordance with the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this meeting should contact the Southwest Florida Regional Planning Council 48 hours prior to the meeting by calling (239) 338-2550; if you are hearing or speech impaired call (800) 955-8770 Voice/(800) 955-8771 TDD.



COUNCIL MEETING AGENDA

	j) Sarasota County Comprehensive Plan Amendment (DEO15-3ESR)	Page 367
	k) Collier County Comprehensive Plan Amendment (DEO15-2ESR)	Page 378
	l) Sarasota County Comprehensive Plan Amendment (DEO15-2ESR)	Page 386
	m) Town of Longboat Key Comprehensive Plan Amendment (DEO15-1ESR)	Page 396
12	REGIONAL ISSUES	
	a) Regional Water Management Activities presentation – Phil Flood	Page 405
	b) “Caloosahatchee Watershed – Regional Water Management Issues Resolution”	
13	COMMITTEE REPORTS	
	a) Budget & Finance Committee – Councilman Kit McKeon	
	- Financial Statements for January 31, 2015 & February 28, 2015	Page 410
	b) Economic Development Committee – Councilman Forrest Banks	
	c) Energy & Climate Committee – Mr. Don McCormick	
	d) Estero Bay Agency on Bay Management Committee – Mr. James Beever	
	e) Executive Committee – Councilwoman Teresa Heitmann -Executive Director’s evaluation and contract	
	f) Legislative Affairs Committee – Mr. Don McCormick	
	g) Quality of Life & Safety Committee – Mayor Willie Shaw	
	h) Regional Transportation Committee – Ms. Margaret Wuerstle	
14	NEW BUSINESS	
15	STATE AGENCIES COMMENTS/REPORTS	
16	COUNCIL ATTORNEY’S COMMENTS	
17	COUNCIL MEMBERS’ COMMENTS	
18	ADJOURN	

NEXT SWFRPC MEETING DATE: April 16, 2015

Two or more members of the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program may be in attendance and may discuss matters that could come before the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program, respectively, for consideration.

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SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL MEMBERSHIP

CHAIR..... Mr. Robert “Bob” Mulhere
 VICE CHAIR..... Mr. Don McCormick
 SECRETARY..... Councilman Forrest Banks
 TREASURER..... Mr. Thomas Perry

CHARLOTTE COUNTY

Commissioner Tricia Duffy, Charlotte Co BCC
 Commissioner Ken Doherty, Charlotte Co BCC
 Councilwoman Nancy Prafke, City of Punta Gorda
 Ms. Suzanne Graham, Governor Appointee
 Mr. Donald McCormick, Governor Appointee

GLADES COUNTY

Commissioner Weston Pryor, Glades Co BCC
 Commissioner Tim Stanley, Glades Co BCC
 Councilwoman Pat Lucas, City of Moore Haven
 Mr. Thomas C. Perry, Governor Appointee

LEE COUNTY

Commissioner Frank Mann, Lee Co BCC
 Commissioner Cecil Pendergrass, Lee Co BCC
 Councilman Jim Burch, City of Cape Coral
 (City of Sanibel Vacancy)
 Councilman Forrest Banks, City of Fort Myers
 Mayor Anita Cereceda, Town of Fort Myers Beach
 (City of Bonita Springs Vacancy)
 Ms. Laura Holquist, Governor Appointee
 (Gubernatorial Appointee Vacancy)

COLLIER COUNTY

Commissioner Tim Nance, Collier Co BCC
 Commissioner Penny Taylor, Collier Co BCC
 Councilwoman Teresa Heitmann, City of Naples
 (City of Marco Island Vacancy)
 Mr. Robert “Bob” Mulhere, Governor Appointee
 Mr. Alan D. Reynolds, Governor Appointee

HENDRY COUNTY

Commissioner Karson Turner, Hendry Co BCC
 Commissioner Don Davis, Hendry Co BCC
 Commissioner Sherida Ridgill, City of Clewiston
 Commissioner Daniel Akin, City of LaBelle
 Mr. Mel Karau, Governor Appointee

SARASOTA COUNTY

Commissioner Carolyn Mason, Sarasota Co BCC
 Commissioner Charles Hines, Sarasota Co BCC
 Vice-Mayor Rhonda DiFranco, City of North Port
 Councilman Kit McKeon, City of Venice
 Mayor Willie Shaw, City of Sarasota
 (Gubernatorial Appointee Vacancy)
 Mr. Felipe Colón, Governor Appointee

EX-OFFICIO MEMBERS

Phil Flood, SFWMD
 Jon Iglehart, FDEP
 Melissa Dickens, SWFWMD
 Carmen Monroy, FDOT

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL STAFF

MARGARET WUERSTLE.....EXECUTIVE DIRECTOR
 KATHERINE MOHR.....LEGAL COUNSEL

James Beever
 Maryann Devanas
 Nancy Doyle

Nichole Gwinnett
 Rebekah Harp
 Charles Kammerer

Jennifer Pellechio
 Jerilyn Walker
 Timothy Walker

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL (SWFRPC) ACRONYMS

ABM - Agency for Bay Management - Estero Bay Agency on Bay Management

ADA - Application for Development Approval

ADA - Americans with Disabilities Act

AMDA -Application for Master Development Approval

BEER - Bureau of Economic Business and Research at the University of Florida

BLID - Binding Letter of DRI Status

BLIM - Binding Letter of Modification to a DRI with Vested Rights

BLIVR -Binding Letter of Vested Rights Status

BPCC -Bicycle/Pedestrian Coordinating Committee

CAC - Citizens Advisory Committee

CAO - City/County Administrator Officers

CDBG - Community Development Block Grant

CDC - Certified Development Corporation (a.k.a. RDC)

CEDS - Comprehensive Economic Development Strategy (a.k.a. OEDP)

CHNEP - Charlotte Harbor National Estuary Program

CTC - Community Transportation Coordinator

CTD - Commission for the Transportation Disadvantaged

CUTR - Center for Urban Transportation Research

DEO - Department of Economic Opportunity

DEP - Department of Environmental Protection

DO - Development Order

DOPA - Designated Official Planning Agency (i.e. MPO, RPC, County, etc.)

EDA - Economic Development Administration

EDC - Economic Development Coalition

EDD - Economic Development District

EPA – Environmental Protection Agency

FAC - Florida Association of Counties

FACTS - Florida Association of CTCs

FAR - Florida Administrative Register (formerly Florida Administrative Weekly)

FCTS - Florida Coordinated Transportation System

FDC&F -Florida Department of Children and Families (a.k.a. HRS)

FDEA - Florida Department of Elder Affairs

FDLES - Florida Department of Labor and Employment Security

FDOT - Florida Department of Transportation

FHREDI - Florida Heartland Rural Economic Development Initiative

FIAM – Fiscal Impact Analysis Model

FLC - Florida League of Cities

FQD - Florida Quality Development

FRCA -Florida Regional Planning Councils Association

FTA - Florida Transit Association

IC&R - Intergovernmental Coordination and Review

IFAS - Institute of Food and Agricultural Sciences at the University of Florida

JLCB - Joint Local Coordinating Boards of Glades & Hendry Counties

JPA - Joint Participation Agreement

JSA - Joint Service Area of Glades & Hendry Counties

LCB - Local Coordinating Board for the Transportation Disadvantaged

LEPC - Local Emergency Planning Committee

MOA - Memorandum of Agreement

MPO - Metropolitan Planning Organization

MPOAC - Metropolitan Planning Organization Advisory Council

MPOCAC - Metropolitan Planning Organization Citizens Advisory Committee

MPOTAC - Metropolitan Planning Organization Technical Advisory Committee

NADO – National Association of Development Organizations

NARC -National Association of Regional Councils

NOPC -Notice of Proposed Change

OEDP - Overall Economic Development Program

PDA - Preliminary Development Agreement

REMI – Regional Economic Modeling Incorporated

RFB - Request for Bids

RFI – Request for Invitation

RFP - Request for Proposals

RPC - Regional Planning Council

SHIP -State Housing Initiatives Partnership

SRPP – Strategic Regional Policy Plan

TAC - Technical Advisory Committee

TDC - Transportation Disadvantaged Commission (a.k.a. CTD)

TDPN - Transportation Disadvantaged Planners Network

TDSP - Transportation Disadvantaged Service Plan

USDA - US Department of Agriculture

WMD - Water Management District (SFWMD and SWFWMD)



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 Northeast Florida • South Florida • Southwest Florida
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104 West Jefferson Street, Tallahassee, FL 32301-1713 • 850.224.3427

Regional Planning Council Functions and Programs

March 4, 2011

- **Economic Development Districts:** Regional planning councils are designated as Economic Development Districts by the U. S. Economic Development Administration. From January 2003 to August 2010, the U. S. Economic Development Administration invested \$66 million in 60 projects in the State of Florida to create/retain 13,700 jobs and leverage \$1 billion in private capital investment. Regional planning councils provide technical support to businesses and economic developers to promote regional job creation strategies.
- **Emergency Preparedness and Statewide Regional Evacuation:** Regional planning councils have special expertise in emergency planning and were the first in the nation to prepare a Statewide Regional Evacuation Study using a uniform report format and transportation evacuation modeling program. Regional planning councils have been preparing regional evacuation plans since 1981. Products in addition to evacuation studies include Post Disaster Redevelopment Plans, Hazard Mitigation Plans, Continuity of Operations Plans and Business Disaster Planning Kits.
- **Local Emergency Planning:** Local Emergency Planning Committees are staffed by regional planning councils and provide a direct relationship between the State and local businesses. Regional planning councils provide thousands of hours of training to local first responders annually. Local businesses have developed a trusted working relationship with regional planning council staff.
- **Homeland Security:** Regional planning council staff is a source of low cost, high quality planning and training experts that support counties and State agencies when developing a training course or exercise. Regional planning councils provide cost effective training to first responders, both public and private, in the areas of Hazardous Materials, Hazardous Waste, Incident Command, Disaster Response, Pre- and Post-Disaster Planning, Continuity of Operations and Governance. Several regional planning councils house Regional Domestic Security Task Force planners.
- **Multipurpose Regional Organizations:** Regional planning councils are Florida's only multipurpose regional entities that plan for and coordinate intergovernmental solutions on multi-jurisdictional issues, support regional economic development and provide assistance to local governments.
- **Problem Solving Forum:** Issues of major importance are often the subject of regional planning council-sponsored workshops. Regional planning councils have convened regional summits and workshops on issues such as workforce housing, response to hurricanes, visioning and job creation.
- **Implementation of Community Planning:** Regional planning councils develop and maintain Strategic Regional Policy Plans to guide growth and development focusing on economic development, emergency preparedness, transportation, affordable housing and resources of regional significance. In addition, regional planning councils provide coordination and review of various programs such as Local Government Comprehensive Plans, Developments of Regional Impact and Power Plant Ten-year Siting Plans. Regional planning council reviewers have the local knowledge to conduct reviews efficiently and provide State agencies reliable local insight.

- **Local Government Assistance:** Regional planning councils are also a significant source of cost effective, high quality planning experts for communities, providing technical assistance in areas such as: grant writing, mapping, community planning, plan review, procurement, dispute resolution, economic development, marketing, statistical analysis, and information technology. Several regional planning councils provide staff for transportation planning organizations, natural resource planning and emergency preparedness planning.
- **Return on Investment:** Every dollar invested by the State through annual appropriation in regional planning councils generates 11 dollars in local, federal and private direct investment to meet regional needs.
- **Quality Communities Generate Economic Development:** Businesses and individuals choose locations based on the quality of life they offer. Regional planning councils help regions compete nationally and globally for investment and skilled personnel.
- **Multidisciplinary Viewpoint:** Regional planning councils provide a comprehensive, multidisciplinary view of issues and a forum to address regional issues cooperatively. Potential impacts on the community from development activities are vetted to achieve win-win solutions as council members represent business, government and citizen interests.
- **Coordinators and Conveners:** Regional planning councils provide a forum for regional collaboration to solve problems and reduce costly inter-jurisdictional disputes.
- **Federal Consistency Review:** Regional planning councils provide required Federal Consistency Review, ensuring access to hundreds of millions of federal infrastructure and economic development investment dollars annually.
- **Economies of Scale:** Regional planning councils provide a cost-effective source of technical assistance to local governments, small businesses and non-profits.
- **Regional Approach:** Cost savings are realized in transportation, land use and infrastructure when addressed regionally. A regional approach promotes vibrant economies while reducing unproductive competition among local communities.
- **Sustainable Communities:** Federal funding is targeted to regions that can demonstrate they have a strong framework for regional cooperation.
- **Economic Data and Analysis:** Regional planning councils are equipped with state of the art econometric software and have the ability to provide objective economic analysis on policy and investment decisions.
- **Small Quantity Hazardous Waste Generators:** The Small Quantity Generator program ensures the proper handling and disposal of hazardous waste generated at the county level. Often smaller counties cannot afford to maintain a program without imposing large fees on local businesses. Many counties have lowered or eliminated fees, because regional planning council programs realize economies of scale, provide businesses a local contact regarding compliance questions and assistance and provide training and information regarding management of hazardous waste.
- **Regional Visioning and Strategic Planning:** Regional planning councils are conveners of regional visions that link economic development, infrastructure, environment, land use and transportation into long term investment plans. Strategic planning for communities and organizations defines actions critical to successful change and resource investments.
- **Geographic Information Systems and Data Clearinghouse:** Regional planning councils are leaders in geographic information systems mapping and data support systems. Many local governments rely on regional planning councils for these services.

Agenda Item

1

Invocation

1

1

_____	Agenda
_____	Item

2

Pledge of Allegiance

2

2

Agenda Item

3

Extraordinary Circumstance

Approval

3

3

Agenda Item

4

Roll Call

4

4

Agenda Item

5

Public Comments

5

5

Agenda Item

6

Agenda

6

6

Agenda Item

7

Minutes

7

7

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
JANUARY 15, 2015 MEETING**

The meeting of the **Southwest Florida Regional Planning Council** was held on **January 15, 2015** at the offices of the Southwest Florida Regional Planning Council - 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. Chairwoman Teresa Heitmann called the meeting to order at **9:03 AM** Chairwoman Teresa Heitmann and then led an invocation and the Pledge of Allegiance. SWFRPC Planner 1/Grants Coordinator, Nichole Gwinnett conducted the roll call.

MEMBERS PRESENT

Charlotte County: Commissioner Chris Constance as alt. for Commissioner Ken Doherty, Commissioner Tricia Duffy, Councilwoman Nancy Prafke, Mr. Don McCormick

Collier County: Councilwoman Teresa Heitmann, Commissioner Tim Nance, Mr. Bob Mulhere

Glades County: None

Hendry County: Commissioner Don Davis, Commissioner Daniel Akin, Mr. Melvin Karau

Lee County: Commissioner Frank Mann, Councilman Forrest Banks, Councilman Jim Burch, Vice Mayor Doug Congress

Sarasota County: Commissioner Charles Hines, Commissioner Carolyn Mason, Commissioner Rhonda DiFranco, Mayor Willie Shaw, Councilman Kit McKeon

Ex-Officio: Ms. Sara Catala for Ms. Carmen Monroy - FDOT, Mr. Jon Iglehart - FDEP, Mr. Phil Flood - SFWMD, Ms. Melissa Dickens - SWFWMD

MEMBERS ABSENT

Charlotte County: Ms. Suzanne Graham

Collier County: Commissioner Georgia Hiller, Mr. Alan Reynolds

Glades County: Commissioner Donna Storter-Long, Commissioner Paul Beck, Councilwoman Pat Lucas, Mr. Thomas Perry

Hendry County: Commissioner Karson Turner, Commissioner Sherida Ridgill

Lee County: Commissioner Cecil Pendergrass, Mayor Anita Cereceda, Ms. Laura Holquist

Sarasota County: Mr. Felipe Colón

Ex-Officio: None

Ms. Gwinnett announced that there wasn't a quorum present at the time that the roll call was done; however, within a few minutes later members had arrived and also participated in the WebEx.

AGENDA ITEM #4 PUBLIC COMMENTS

There were no public comments made at this time.

AGENDA ITEM #5 AGENDA

The supplemental agenda was approved as presented.

AGENDA ITEM #6 Election of 2015 Officers

A motion was made by Commissioner Mann to accept the 2015 Slate of Officers, which included the following: Chair - Mr. Robert Mulhere, Vice-Chair - Mr. Don McCormick, Secretary - Councilman Forrest Banks, Treasurer - Mr. Thomas Perry. Commissioner Davis seconded the motion and the motion passed unanimously.

At this time, Councilwoman Heitmann handed over the gavel to the new Chair, Mr. Robert Mulhere.

AGENDA ITEM #7 Minutes of the November 20, 2014 Meeting

Councilman Banks made a motion to approve the minutes of the November 20, 2014 meeting as presented and the motion was seconded by Commissioner Davis. The motion carried unanimously.

AGENDA ITEM #8 DIRECTOR'S REPORT

Ms. Wuerstle presented the 2014 Roland Eastwood Planner of the Year Award to David Crawford.

Financial Statements will be discussed under Budget and Finance Committee.

The 2014 Audit has begun and should be done by the end of month and will be brought to the March meeting.

New CPA Firm hired to replace Wally Cordell. Introductions of Erica Harp from Hughes and Snell CPA firm.

Office Space contract with Krise Commercial Group sign will be going up soon.

Appointed Liaisons list of staff for each community is listed in packet. The staff will monitor agenda's, attend meetings and be that communities go to person.

Chair Mr. Robert Mulhere suggested sending out letter to the jurisdictions with members that are not attending meetings.

Ms. Wuerstle presented the grants we are currently working on.

Submitted Brownfields this is a six hundred thousand dollar grant. Will not hear anything for months. Submitted Promise Zone grant to help Hendry, Glades, and Immokalee.

Medical manufacturing Corridor is still in process of submittal.

Please remember we have 2.2 million out in grants pending.

Commissioner Mann asked to go back to letter chairman. Commissioner Mason clarification of members on the phone counted Chairman Mulhere on phone or in person counted..

Commissioner Mann asked that the letter came from Chairman Mulhere and not from Ms. Wuerstle.

AGENDA ITEM #9(a) Grant Activity Sheet

This item was for information purposes only.

AGENDA ITEM #10 CONSENT AGENDA

A motion was made by Commissioner Nance to approve the consent agenda as presented; Councilwoman Heitmann seconded the motion and the motion passed unanimously.

AGENDA ITEM #11 REGIONAL IMPACT

Mr. Crawford gave a PowerPoint presentation on the following items. Explained the Comp Plan Review process the standard and expedited state review that was adopted in 2011.

AGENDA ITEM #11(a) Collier County Comprehensive Plan Amendment (DEO 14-5ESR)

Mr. Crawford presented the item. Collier County mixed use south on 41 30 acre parcel undeveloped to urban mixed use has utilities both residential and commercial 150 units hotel, assist living economic impact will be positive of the county. Recommending to Council to find not regional significant and is not to DRI status and complaint to the Regional policies plan. Chair Mr. Mulhere abstained from the vote.

A motion was made by Commissioner Mann to approve as presented; Councilman McKeon seconded the motion and the motion passed unanimously.

AGENDA ITEM #11(b) Hendry County Comprehensive Plan Amendment (DEO 15-1ESR)

Mr. Crawford presented the item. City of LaBelle and is 2 parts first area is annex to the city on the south side from agricultural uses to industrial 650 acres and will help the economy of the city. Commissioner Constance asked about the impact on SR 29. Mr. Crawford explained it would never be a DRI process does not address industrial. Mr. Crawford asked for approval it does meet the Strategic Regional Policy Plan. The second one is within the city 126 acres for urban use not enough units to affect the region.

A motion was made by Commissioner Davis to approve as presented; Commissioner Nance seconded the motion and the motion passed unanimously.

At this time Ms. Wuerstle introduced Maryann Devanas come on board to take over for Mr. Crawford when he retires next month.

AGENDA ITEM #12(a) Budget & Finance Committee

Councilman McKeon gave the committee report. Reviewed the information with Nancy and Ms. Wuerstle. This stage of the year we are in very good shape. Review the chart there is a dip of 131 thousand dollars which take place in November and December every year which is normally 60 to 70 thousand dollar range due to Vacations and Holidays this year difference was due to uncontrollable illness. When staff is not working than no billable income. Ideally 25% income and 25% expense we are at 12.4% income and 20% expenses at this time. Also CHEP is no longer here and they always had deferred income. There will be a budget and finance committee meeting after audit is over for the audit team to go over with committee. Ms. Wuerstle explained the CHEP got paid in advance for their work where as the Planning Council Staff does work and then gets paid.

A motion was made by Commissioner Mann to approve the budget and finance agenda as presented; Mayor Shaw seconded the motion and the motion passed unanimously.

Councilman McKeon announced a budget amendment to include a grant for 80 thousand. Chairman Mulhere asked how many DRI's ? David Crawford answered no new DRI's at this time all though NOPC's have been coming in.

A motion was made by Commissioner Constance to approve the budget and finance agenda as presented; Commissioner Nance seconded the motion and the motion passed unanimously.

AGENDA ITEM #12(b) Economic Development Committee

Councilman Banks gave the committee report. FRCA meeting review redistricting was main topic Palm Beach County former state representative pushing for them to be put in different district. This would cause a statewide study. Planning Council boundaries are controlled by the Governor. Vice Chair Mr. McCormick reviewed Palm Beach Commissioner Meeting where a resident expert called it the cabinet responsibility would be amendment to the rules. Chair Mulhere state entities within the boundaries more consistent. Councilwoman Heitmann discussion at all about sending a letter to Governor for funding? Ms. Wuerstle this was discussed at the Executive Director's Meeting not going to the Governor for funding perusing Amendment 1 for funding also adding

EPO review funding. Subcommittee for the RPC. Florida Transportation Department Study does not show anything in Southwest Florida. Suggested to members to mention RPC's when meeting with legislators.

AGENDA ITEM #12(c)
Energy & Climate Committee

Mr. McCormick gave the committee report. One word report implication of building regulations and land use regulations. Councilman Burch referred to a newspaper article stating that Florida is not up to date with wind and solar power. FPL lobby hard to make sure solar did not get out there unless they were involved.

AGENDA ITEM #12(d)
Estero Bay Agency on Bay Management (EBABM) Committee

Mr. Beever gave the committee report. Agency meet and main order of business election of officers for 2015. Dr. Win Everham (FGCU) Chair, Patty Whitehead (Responsible growth management collision) Vice Chair and Wayne Daltry (Audubon of SWF) Secretary. Chair Mr. Mulhere Martha Simmons asked to be the RPC representative to serve on the ABM Jim believes she has been appointed to the ABM by the RPC. Mr. Beever explains nitrogen and phosphates impacts.

A motion was made by Commissioner Mann to approve the officers for EBABM presented; Commissioner Constance seconded the motion and the motion passed unanimously.

Mr. Beever presented the 2015 work plan for EBABM. Cela Tega entitled "Sea Level rise adaption and resiliency planning in the Estero Bay watershed".

A motion was made by Commissioner Constance to approve the 2015 work plan for EBABM presented; Councilman McKeon seconded the motion and the motion passed unanimously.

AGENDA ITEM #12(e)
Executive Committee

Chair Mulhere no report at this time.

AGENDA ITEM #12(f)
Legislative Affairs Committee

Vice-Mayor Congress gave the committee report. Presented letter to Governor for consideration of funding the RPC's including the statutory requirements economic development and job creation. Delegations hearings are complete. Now time to monitor everything going on in Tallahassee.

AGENDA ITEM #12(g)
Quality of Life & Safety Committee

Mayor Shaw gave the committee report at this time. Thanked Sarasota County for presentation on medical marijuana. Councilman McKeon Manasota League of Cities no way to enforce the amendment on medical marijuana suggested creating a law in the process. Commissioner Hines explained effort on medical marijuana. Sarasota sent the head of planning and zoning to Denver for a week to work with police, fire, EMT and zoning departments about the pros and cons of medical marijuana has a great presentation. Councilwoman Heitmann thinks it is something we need to educate would benefit us as a region. Commissioner Constance talked about new petition for amendment better to go through legislation not a constitutional amendment. Board schedules presentation from Sarasota's Planning and Zoning Director for March meeting. Discussion about does this really involve the RPC outcome was yes because of zoning.

A motion was made by Commissioner Mann to add to the RPC's legislation priorities to include medical marijuana Commissioner Nance seconded the motion and the motion passed unanimously.

AGENDA ITEM #12(h) Regional Transportation Committee

Ms. Wuerstle no report at this time.

AGENDA ITEM #13 NEW BUSINESS

Chair Mulhere noted that there were two items for discussion under "New Business".

AGENDA ITEM #13(b) Southwest Florida's Visitors Center – I-75 Rest Area

Commissioner Constance gave a PowerPoint presentation Southwest Florida Visitors Center in Port Charlotte at the rest area that will be closing in April. FDOT favors on site rest areas policy. 20 acres 5 acres must be used for water retentions. Tourist information for each entity of our Region Councilman Burch agrees RPC should be involved with this process. Form a committee includes Secretary Hathaway. Chair Mulhere long time lease or purchase? Commissioner Constance how to we get FDOT what they want and we get what we want. Who host the North Florida visitor centers? Visit Florida host the welcome centers. Commissioner Constance did not present for action this as informational. Introduced Laura Stinner tourist director s will send the presentation to the RPC. Councilwoman Heitmann applauded Commissioner Constance for his efforts. Commissioner Constance tourism is the lead to economic development

AGENDA ITEM #13(a) Caloosahatchee Watershed – Regional Water Management Issues White Paper

Vice-Mayor Congress presented the item. Have RPC address the resolution with a presentation.

AGENDA ITEM #14 STATE AGENCIES COMMENTS/REPORTS

SFWMD - Mr. Flood announced Governing Board award the first construction contract for the C-43 reservoir.

FDOT - Ms. Catala passed out flyers on visioning regional workshops encouraging MPO elected officials to go Feb.2 in Sebring. Website will be set up for comments.

FDEP - Mr. Iglehart announced New Secretary of FDEP Jonathan Steverson. Purchase of 669 acres Charlotte Harbor Flatwood lands. 620 acres Corkscrew Regional Ecosystem Watershed.

SWFWMD - Ms. Dickens announced February 11 workshop for cooperative funding.

AGENDA ITEM #15

COUNCIL ATTORNEY'S COMMENTS

No report was given at this time.

AGENDA ITEM #16

COUNCIL MEMBERS' COMMENTS

Vice Chair Mr. McCormick –Amendment 1 discussion at FRCA where is the funding is not clear where the 300 million coming from. Discussion from Tallahassee this is new money.

Vice Mayor Congress – Thanked Councilwoman Heitmann for her efforts as Chair and Welcomed Mr. Mulhere as new chair. Last official meeting thank you and look forward to working with you in the future.

Councilman Burch – Welcome Ms. Catala for FDOT.

Commissioner Hines – World Rowing Championships February 16-22 at Benderson Park in Bradenton this park is regional. International events are scheduled for the Olympic trials.

Councilman Banks – Encouraged members to attend the FDOT workshops there is no transportation map for Southwest Florida.

Councilwoman Heitmann – Is anyone designated as bicycle friendly? Vice Mayor Congress responded yes Sanibel is Silver Award. Councilwoman Heitmann does we water supplies needs in the future of region? Asked about ASR wells both Mr. Flood and Ms. Dickens explained WMD's updating their plans and do fund the ASR wells. Councilman Burch suggested Councilwoman speaks with Mr. Beever.

Chair Mr. Mulhere – Thanked Councilwoman Heitmann for being the chair for 2014.

Councilwoman Heitmann – Asked that we continue to make the RPC relevant and thanked Ms. Wuerstle for her leaderships

AGENDA ITEM #17

ADJOURNMENT

A motion was made by Chair Mr. Mulhere to adjourn the meeting Commissioner Mann seconded the motion and the motion passed unanimously.

The meeting adjourned at 11:14 a.m.

Councilman Forrest Banks, Secretary

The meeting was duly advertised in the January 5, 2015 issue of the **FLORIDA ADMINISTRATIVE REGISTER**, Volume 41, Number 02.

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
FEBRUARY 19, 2015 MEETING**

The meeting of the **Southwest Florida Regional Planning Council** was held on **February 19, 2015** at the offices of the Southwest Florida Regional Planning Council - 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers, Florida. Chair Robert Mulhere called the meeting to order at **9:03 AM** Councilman Banks led an invocation and the Pledge of Allegiance. SWFRPC Administrative Assistant, Jerilyn Walker conducted the roll call.

MEMBERS PRESENT

Charlotte County: Commissioner Ken Doherty, Commissioner Tricia Duffy, Councilwoman Nancy Prafke, Mr. Don McCormick

Collier County: Commissioner Penny Taylor, Mr. Bob Mulhere

Glades County: Commissioner Weston Pryor

Hendry County: Commissioner Karson Turner

Lee County: Commissioner Frank Mann, Councilman Forrest Banks, Councilman Jim Burch, Vice Mayor Doug Congress

Sarasota County: Commissioner Carolyn Mason, Mayor Willie Shaw, Commissioner Cheryl Cook

Ex-Officio: Mr. Jon Iglehart - FDEP, Mr. Phil Flood - SFWMD, Ms. Melissa Dickens - SWFWMD

MEMBERS ABSENT

Charlotte County: Ms. Suzanne Graham

Collier County: Commissioner Tim Nance, Councilwoman Teresa Heitmann Mr. Alan Reynolds

Glades County: Commissioner Donna Storter-Long, Commissioner Paul Beck, Councilwoman Pat Lucas, Mr. Thomas Perry

Hendry County: Commissioner Don Davis, Commissioner Sherida Ridgill

Lee County: Commissioner Cecil Pendergrass, Mayor Anita Cereceda, Ms. Laura Holquist

Sarasota County: Mr. Felipe Colón, Commissioner Charles Hines, Councilman Kit McKeon

Ex-Officio:

Ms. Sara Catala for Ms. Carmen Monroy – FDOT

Ms. Walker announced that there wasn't a quorum present at the time that the roll call was done. Chair Mulhere took time to introduce the new members Commissioner Ken Doherty from Charlotte County, Commissioner Penny Taylor from Collier County and Commissioner Weston Pryor from Glades County. Commissioner Doherty is looking forward to work with everyone. Commissioner Pryor explained he is in the agriculture business which is 90 percent of Glades County and looking forward to growth and working with the Council. Commissioner Taylor explained her back ground City Council from 2000 till 2010 became a Commissioner around 100 days ago and looking forward to working with everyone. Chair Mulhere than introduced Katherine Mohr as Councils new Attorney. Katherine Mohr Thanks for letting me be part of the team as a native Floridians she believes in what the Council does. Commissioner Mason asked if Ms. Wuerstler said the people on the phone do not count as a quorum. Ms. Wuerstler said if we would like to start meeting with director's report she would explain.

**AGENDA ITEM #4
PUBLIC COMMENTS**

There were no public comments made at this time.

**AGENDA ITEM #5
AGENDA**

**AGENDA ITEM #6
Minutes of the January 15, 2015 Meeting**

Minutes for January meeting tabled till March due to no quorum.

**AGENDA ITEM #7
DIRECTOR'S REPORT**

Katherine Mohr explained the Sunshine law supersedes our bylaws which state both on the phone and physically in the room votes count. Next month Katherine Mohr will present updated bylaws to coincide with the Sunshine Law for approval from Council. Councilwoman Prafke suggested looking to see if there is a purposed bill about telecommunication. Also look into alternates for the member to send in the case a member cannot be at the meeting and can they vote legally. Ms. Wuestle spoke about the bills Senator Simpson has filed three bills all dealing with the RPC's. First one is SB484 which eliminates RPC's altogether. Second one is SB562 which deals with the DRI process going to DEO. Third is SB 862 which deals with sector plans. FRCA the letter in front of everyone is the response from FRCA to the Governor. The committee that was asked to respond to the bills Senator Simpson created was Ron Book, Northeast Florida RPC and Central Florida RPC. FRCA does not represent us. FRCA wants to go from 11 RPC's to 8 or 9. Ms. Wuestle then ask Council what their recommendations where. Councilman Banks replied it is about boundaries more than anything please talk to your lobbyist and tell them no boundary

change. Councilman Burch purposed to draft resolution to take back to all Commissions and Councils. Ms. Mohr will work on resolution for next meeting to present.

Ms. Wuestle announced the Promise Zone Grant we are the only rural application in Florida. Ms. Wuestle announced the audit is done will bring to the March meeting. Financials are down but will break even in April. Over 2 million dollars out in pending grants.

Ms. Wuestle presented video funded by Visit Florida titled Our Creative Economy.

Ms. Wuestle announced John Gibbons retired and Ms. Nichole Gwinnett would be taking over John's programs.

Ms. Wuestle presented to Dave Crawford a plaque and letter from Governor on behalf of his retirement.

AGENDA ITEM #8 Grant Activity Sheet

This item was for information purposes only.

AGENDA ITEM #9 CONSENT AGENDA

AGENDA ITEM #10 REGIONAL IMPACT

AGENDA ITEM #10(a)

Collier County Comprehensive Plan Amendment (DEO15-1ESR)

AGENDA ITEM #10(b)

City of Moore Haven Comprehensive Plan Amendment (DEO 15-1ESR)

AGENDA ITEM #10(c)

City of Clewiston Comprehensive Plan Amendment (DEO15-1ESR)

AGENDA ITEM #10(d)

Palmer Ranch AIDA Master Development Order Update

AGENDA ITEM #10(e)

Palmer Ranch AIDA NOPC (Increment XXII 9A)

AGENDA ITEM #10(f)

Palmer Ranch AIDA NOPC (Increment XXIII 9B)

AGENDA ITEM #10(g)

Pelican Preserve DRI – Review of City of Fort Myers Development Order

All item where tabled till next meeting due to no quorum.

AGENDA ITEM #11

REGIONAL ISSUES

AGENDA ITEM #11(a)

Caloosahatchee Watershed – Regional Water Management Issues Presentation Vice Mayor Doug Congress.

Resolution accepting and endorsing the Caloosahatchee Watershed Regional Water Management Issue is tabled till next month due to no quorum.

AGENDA ITEM #11(b)

Overview of SWFWMD Water Quality Metrics – Ms. Melissa Dickens

Ms. Melissa Dickens staff planner of SWFWMD presented a power point on water quality in our area and explained all agencies that contribute to the quality of water in our region.

AGENDA ITEM #12

COMMITTEE REPORTS

AGENDA ITEM #12(a)

Budget & Finance Committee

Reported will be meeting within the next two weeks.

AGENDA ITEM #12(b)

Economic Development Committee

AGENDA ITEM #12(c)

Energy & Climate Committee

Mr. Don McCormick announced great job with Solar Ready presentation from Jennifer Pellichio and Rebekah Harp.

AGENDA ITEM #12(d)

Estero Bay Agency on Bay Management (EBABM) Committee

Mr. Jim Beever announced Karen Bickford is the new Chair for the ABM. Springcreek Restoration meeting with each community getting feed back from each community the full report on line. First deliverable is due in May. Letter was sent out to get appraisal for Battista Island for 2020 proposal. Next meeting will be the annual review.

AGENDA ITEM #12(e)

Executive Committee

Chair Mulhere no report at this time.

AGENDA ITEM #12(f)

Legislative Affairs Committee

Vice-Mayor Congress need new chair for committee Vice Mayor Congress suggested Don McCormick.

AGENDA ITEM #12(g)

Quality of Life & Safety Committee

Mayor Shaw reported meeting to follow Council meeting will have report next month.

AGENDA ITEM #12(h)
Regional Transportation Committee

Ms. Wuerstle no report at this time. Chair Bob Mulhere presented need to find out about funding for Transportation Committee.

AGENDA ITEM #13
NEW BUSINESS

None at this time.

AGENDA ITEM #14
STATE AGENCIES COMMENTS/REPORTS

SFWMD - Mr. Flood announced partnership with Likes Brother to pay to store water on property. Also Governor passed bill for the C43 Reservoir. Next month will be giving presentation.

FDOT - Ms. Catala

FDEP - Mr. Iglehart announced March 20th 3rd Annual Brownfield Conference at the Lee County School Building on Colonial Blvd.

SWFWMD - Ms. Dickens

AGENDA ITEM #15
COUNCIL ATTORNEY'S COMMENTS

Ms. Katherine Mohr keeping a eye on House Bills 824 and 826 dealing with Comprehensive Plans and new exceptions to Sunshine Law. Also watching for Bills on recyclable and solar energy.

AGENDA ITEM #16
COUNCIL MEMBERS' COMMENTS

Don McCormick thanks to everyone in the room.
 Vice Mayor Doug Congress last meeting enjoyed working with everyone and looking forward to watching from a far.
 Commissioner Ken Doherty is looking forward to working with all.
 Councilman Jim Burch losing a big part with Vice Mayor Doug Congress thank you.
 Councilwoman Nancy Prafke is glad to be back.
 Commissioner Weston Pryor thanks for letting me be a part of the Council. I will push to get others from Glades County here to meetings
 Commissioner Cheryl Cook 11 thousand acres called Orange Hammock hugh project for Charlotte County to preserve land.

AGENDA ITEM #17
ADJOURNMENT

The meeting adjourned at 11:09 a.m.

Councilman Forrest Banks, Secretary

The meeting was duly advertised in the January 5, 2015 issue of the **FLORIDA ADMINISTRATIVE REGISTER**, Volume 41, Number 02.

DRAFT

Agenda Item

8

Director's Report

8

8

EXECUTIVE DIRECTOR'S REPORT: March 13, 2015

Mission Statement:

To work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share...for the benefit of our future generations.

1. Management / Operations

- a. Budget Update
 - The Audit for 2014 will be presented by Jeff Tuscan
 - Approval of the budget amendments
- b. Update on SB 484 and SB 562 filed by Senator Simpson
 - Resolution #2015-02
- c. Update on Sunshine Law and interactive or telephonic participation by members
- d. Invest in Manufacturing Communities Partnership MOU

2. Resource Development and Capacity Building

- a. FRCA: Activity Report attached
- b. Legislative Contacts: Senator Detert, Representative Pigman and Representative Pilon

3. Second Quarter FY 2014-2015 (January - March)

- a. Implementation of Workplan:
 - Grants Submitted:
 - ✓ The Brownfields Grant has been submitted - \$600,000
 - ✓ Promise Zone Designation for Glades, Hendry, Immokalee has been submitted
 - ✓ NEA for the *Our Creative Economy* project has been submitted - \$200,000
 - ✓ Bloomberg Philanthropies - Public Art Challenge has been submitted with Ft. Myer as the lead applicant and Naples, Punta Gorda, Glades County, North Port and Cape Coral hosting sites - \$1,200,000
 - ✓ National Endowment for the Humanities for *Our Creative Economy* \$15,000
 - ✓ EPA Environmental Workforce Development and Job Training \$200,000
 - Grants Under Development:
 - ✓ I-75 Medical Manufacturing Corridor designation
 - ✓ ArtPlace America grant
 - Pending Grants: approximately \$2,215,000 in various grants submitted

**SOUTHWEST FLORIDA REGIONAL
PLANNING COUNCIL
BASIC FINANCIAL STATEMENTS
TOGETHER WITH ADDITIONAL REPORTS
YEAR ENDED
SEPTEMBER 30, 2014**

DRAFT

Verbal MLC

Properly dispose of prior FY outstanding checks

Budget by fund

OPEN

Response on compliance from Liz

Memo to address indirect cost certification (i.e. carryover)

TABLE OF CONTENTS

	<u>Page(s)</u>
INDEPENDENT AUDITOR'S REPORT.....	1-4
MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A).....	i-v
 <u>BASIC FINANCIAL STATEMENTS</u>	
GOVERNMENT-WIDE FINANCIAL STATEMENTS:	
Statement of Net Position.....	5
Statement of Activities.....	6
FUND FINANCIAL STATEMENTS:	
Governmental Funds:	
Balance Sheet.....	7
Reconciliation of the Balance Sheet - Governmental Funds to the Statement of Net Position.....	8
Statement of Revenues, Expenditures and Changes in Fund Balance.....	9
Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balance - Governmental Funds to the Statement of Activities.....	10
NOTES TO THE FINANCIAL STATEMENTS.....	11-38
 <u>REQUIRED SUPPLEMENTARY INFORMATION OTHER THAN MD&A</u>	
BUDGET TO ACTUAL COMPARISON - MAJOR FUNDS (General and Special Revenue Funds)	
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - General Fund - Summary Statement.....	39
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - General Fund - Detailed Statement.....	40-41
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - Special Revenue Fund - Summary Statement.....	42
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - Special Revenue Fund - Detailed Statement.....	43-44
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS -	
Year ended September 30, 2014.....	45
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS.....	46
 <u>ADDITIONAL REPORTS</u>	
Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Basic Financial Statements Performed in Accordance with <u>Government Auditing Standards</u>	47-48

TABLE OF CONTENTS (CONTINUED)

	<u>Page(s)</u>
<u>ADDITIONAL REPORTS</u>	
Independent Auditor's Report on Compliance For Each Major Program and On Internal Control Over Compliance in Accordance with OMB Circular A-133.....	49-51
Schedule of Findings and Questioned Costs - Federal Awards.....	52-53
Independent Accountant's Report on Compliance with Section 218.415, Florida Statutes.....	54
Independent Auditor's Report to Management.....	55-57
Management's Response to Independent Auditor's Report to Management.....	Exhibit

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INDEPENDENT AUDITOR'S REPORT

Executive Committee and Council Members
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, Florida 33901

Report on the Financial Statements

We have audited the accompanying financial statements of governmental activities and each major fund of Southwest Florida Regional Planning Council (the "Council"), as of and for the year ended September 30, 2014, and the related notes to the financial statements, which collectively comprise the Council's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatements, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in the Government Auditing Standards, issued by the Comptroller General of the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of

Executive Committee and Council Members
Southwest Florida Regional Planning Council
Page 2

significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of Southwest Florida Regional Planning council as of September 30, 2014, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis ("MD&A") on pages I - _____ be presented to supplement the basic financial statements. Such information, although not part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information - management's discussion and analysis (MD&A) in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the required supplementary information - management's discussion and analysis (MD&A) because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Southwest Florida Regional Planning Council's basic financial statements. The required supplementary information other than the MD&A - budgetary comparison information is presented for purposes of additional analysis and is not a required part of the basic financial statements. The required supplementary information other than the MD&A - budgetary comparison information is the responsibility of management as was derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information

Executive Committee and Council Members
 Southwest Florida Regional Planning Council
 Page 3

directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the required supplementary information other than MD&A - budgetary comparison information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Our audit was conducted for the purpose of forming an opinion on the financial statements of Southwest Florida Regional Planning Council that collectively comprise the Southwest Florida Regional Planning Council's basic financial statements. The accompanying Schedule of Expenditures of Federal Awards for the year ended September 30, 2014 as required by the U.S. Office of Management and Budget Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations" is presented for purposes of additional analysis and are not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the accompanying Schedule of Expenditures of Federal Awards for the year ended September 30, 2014 is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Information

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Council's basic financial statements. The Exhibit - Management's Response to Independent Auditor's Report to Management is not a required part of the basic financial statements but is required by Government Auditing Standards. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Other Reporting Required by Section 218.415, Florida Statutes

In accordance with Section 218.415, Florida Statutes, we have also issued a report dated February 4, 2015, on our consideration of Southwest Florida Regional Planning Council's compliance with provisions of Section 218.415, Florida Statutes. The purpose of that report is to describe the scope of our testing of compliance and the results of that testing, and to provide an opinion on compliance with the aforementioned Statute. That report is an integral part of an audit performed in accordance with Sections 218.39 and 218.415, Florida Statutes in considering Southwest Florida Regional Planning Council's compliance with Section 218.415, Florida Statutes.

Executive Committee and Council Members
Southwest Florida Regional Planning Council
Page 4

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated February 4, 2015 on our consideration of the Council's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contract and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the Council's internal control over financial reporting and compliance.

TUSCAN & COMPANY, P.A.
Fort Myers, Florida
February 4, 2015

DRAFT

**MANAGEMENT'S DISCUSSION
AND ANALYSIS
(MD&A)**

DRAFT

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF NET POSITION
September 30, 2014

Page 5 of 57

	Governmental Activities
ASSETS	
Current assets:	
Cash and cash equivalents	\$ 215,601
Investments	502,002
Due from other governments - grants	137,746
Receivables - contracts and other	103,554
Deposits	2,494
Total current assets	<u>961,397</u>
Noncurrent assets:	
Capital assets:	
Land	375,565
Depreciable buildings, improvements, equipment and vehicles (net of \$579,444 accumulated depreciation)	<u>1,062,684</u>
Total noncurrent assets	<u>1,438,249</u>
TOTAL ASSETS	<u>2,399,646</u>
LIABILITIES	
Current liabilities:	
Accounts payable and accrued expenses	83,104
Due to other governments	87,424
Unearned revenue - grants	18,833
Unearned revenue - DRI/NOPC	23,140
Current portion of long-term obligations	75,467
Total current liabilities	<u>287,968</u>
Noncurrent liabilities:	
Noncurrent portion of long-term obligations	986,679
Commitments and Contingencies	<u>-</u>
TOTAL LIABILITIES	<u>1,274,647</u>
NET POSITION	
Net investment in capital assets	483,519
Restricted	-
Unrestricted	<u>641,480</u>
TOTAL NET POSITION	<u><u>\$ 1,124,999</u></u>

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF ACTIVITIES
Year Ended September 30, 2014

Page 6 of 57

	Governmental Activities
EXPENSES	
Governmental Activities	
Project Planning:	
Personnel services	\$ 1,279,801
Operating expenses	665,226
Depreciation	50,995
Interest and fiscal charges	56,441
TOTAL EXPENSES - GOVERNMENTAL ACTIVITIES	<u>2,052,463</u>
PROGRAM REVENUES	
Charges for services:	
Assessments and fees	510,676
Contracts and local grants	372,599
Operating grants and contributions	1,208,568
TOTAL PROGRAM REVENUES	<u>2,091,843</u>
NET PROGRAM REVENUES (EXPENSES)	<u>39,380</u>
GENERAL REVENUES (LOSS)	
Rental income	15,000
Loss on disposition of capital assets	(5,433)
Interest and miscellaneous	39,057
TOTAL GENERAL REVENUES (LOSS)	<u>48,624</u>
INCREASE IN NET POSITION	88,004
NET POSITION - Beginning of the year	<u>1,036,995</u>
NET POSITION - End of the year	<u>\$ 1,124,999</u>

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
BALANCE SHEET - GOVERNMENTAL FUNDS
September 30, 2014

Page 7 of 57

	General Fund	Special Revenue Fund	Total Governmental Funds
ASSETS			
Cash and cash equivalents	\$ 215,601	\$ -	\$ 215,601
Investments	502,002	-	502,002
Due from other governments - grants	-	137,746	137,746
Receivables - contracts and other	5,494	98,060	103,554
Deposits	2,494	-	2,494
Due from other funds	106,409	-	106,409
TOTAL ASSETS	<u>\$ 832,000</u>	<u>\$ 235,806</u>	<u>\$ 1,067,806</u>

LIABILITIES AND FUND BALANCE

LIABILITIES			
Accounts payable and accrued expenses	\$ 83,104	\$ -	\$ 83,104
Due to other funds	-	106,409	106,409
Due to other governments	-	87,424	87,424
Unearned revenue - grants	-	18,833	18,833
Unearned revenue - DRI/NOPC	-	23,140	23,140
TOTAL LIABILITIES	<u>83,104</u>	<u>235,806</u>	<u>318,910</u>

FUND BALANCE			
Nonspendable	2,494	-	2,494
Restricted	-	-	-
Assigned	746,402	-	746,402
Unassigned	-	-	-
TOTAL FUND BALANCE	<u>748,896</u>	<u>-</u>	<u>748,896</u>
TOTAL LIABILITIES AND FUND BALANCE	<u>\$ 832,000</u>	<u>\$ 235,806</u>	<u>\$ 1,067,806</u>

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
RECONCILIATION OF THE BALANCE SHEET - GOVERNMENTAL
FUNDS TO THE STATEMENT OF NET POSITION
September 30, 2014

Page 8 of 57

	<u>Amount</u>	
Total fund balance for governmental funds	\$ 748,896	
Amounts reported for governmental activities in the Statement of Net Position are different because:		
Capital assets used in governmental activities are not financial resources and therefore are not reported in the governmental funds.		
Capital assets not being depreciated:		
Land	<u>375,565</u>	375,565
Capital assets being depreciated:		
Building, improvements, equipment and vehicles	1,642,128	
Less accumulated depreciation	<u>(579,444)</u>	1,062,684
Long-term liabilities are not due and payable in the current period and therefore are not reported in the funds.		
Note payable	(954,730)	
Compensated absences	(45,619)	
Net OPEB obligation	<u>(61,797)</u>	(1,062,146)
Elimination of interfund amounts:		
Due from other funds		(106,409)
Due to other funds		<u>106,409</u>
Total net assets of governmental activities		<u><u>\$ 1,124,999</u></u>

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCE - GOVERNMENTAL FUNDS
Year Ended September 30, 2014

Page 9 of 57

	General Fund	Special Revenue Fund	Total Governmental Funds
REVENUES			
Federal and state grants	\$ -	\$ 1,208,568	\$ 1,208,568
Contracts and local grants	-	372,599	372,599
County and city assessments	469,411	-	469,411
NOPC & DRI fees	-	36,515	36,515
DRI monitoring fees	-	4,750	4,750
Increase in fair value of investments	-	-	-
Rental income	15,000	-	15,000
Interest and miscellaneous	39,057	-	39,057
TOTAL REVENUES	523,468	1,622,432	2,145,900
EXPENDITURES			
Current			
Personnel services	259,851	1,037,285	1,297,136
Operating expenditures	155,362	509,864	665,226
Capital outlay	14,205	1,170	15,375
Debt service	-	127,751	127,751
TOTAL EXPENDITURES	429,418	1,676,070	2,105,488
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	94,050	(53,638)	40,412
OTHER FINANCING SOURCES (USES)			
Operating transfers in	-	53,638	53,638
Operating transfers out	(53,638)	-	(53,638)
TOTAL OTHER FINANCING SOURCES (USES)	(53,638)	53,638	-
NET CHANGE IN FUND BALANCE	40,412	-	40,412
FUND BALANCE - Beginning of the year	708,484	-	708,484
FUND BALANCE - End of the year	\$ 748,896	\$ -	\$ 748,896

The accompanying notes are an integral part of this statement.

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
RECONCILIATION OF THE STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCE -
GOVERNMENTAL FUNDS TO THE STATEMENT
OF ACTIVITIES**

Year Ended September 30, 2014

	<u>Amount</u>
Net change (revenues in excess of expenditures) in fund balance - total governmental funds	\$ 40,412
The increase in net position reported for governmental activities in the Statement of Activities is different because:	
Governmental funds report capital outlays as expenditures. However, in the Statement of Activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.	
Expenditures for capital assets	15,375
Less: current year depreciation	(50,995)
Proceeds from disposition of capital assets	-
Loss on disposition of capital assets	(5,433)
	(41,053)
Repayment of debt principal is reported as an expenditure in the governmental funds and thus contributes to the change in fund balance. In the Statement of Net Position, however, repayments of debt principal reduces the liability.	71,310
Some expenses reported in the Statement of Activities do not require the use of current financial resources and therefore are not reported as expenditures in the governmental funds.	
Net decrease in compensated absences	19,268
Net increase in net OPEB obligation, net	(1,933)
Interfund transfers increase or decrease the fund balance of the respective funds; however, the transactions offset in the government-wide statements.	
General fund:	
Operating transfers in	(53,638)
Special revenue fund:	
Operating transfers out	53,638
Increase in net position of governmental activities	\$ 88,004

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 11 of 57

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Organization

Southwest Florida Regional Planning Council (the "Council") is a governmental agency, created on November 8, 1973 via interlocal agreements as provided by Florida Statutes Chapters 163.01 and 163.02, as amended, to assist other governmental and private agencies in the planning of projects in the Southwest Florida area under Florida Statutes, Chapter 186.504. The Council acts as a regional planning agency and exercises its rights and duties pursuant to Florida Statutes Chapters 23, 160, 163, 186 and 380. The Council's principal members consist of Charlotte, Collier, Glades, Hendry, Lee and Sarasota Counties. The Council's Board Members are appointed per statutory requirement. The Council is funded through statutory member assessments, various fees, and multiple federal, state, and local grants and contracts.

Specifically, the Council's mission is:

1. To make the most efficient use of its powers to promote cooperation for mutual advantage in order to provide services and facilities that will accord best with geographic, economic, social, land use, transportation, public safety resources, and other factors influencing the needs and development of local communities within its six county region;
2. To serve as a regional coordinator for the local governmental units comprising the region;
3. To exchange information on and review programs of regional concerns;
4. To promote communication between the local governments for the conservation and compatible development of the Southwest region;
5. To cooperate with Federal, State, and local government and non-government agencies to accomplish regional objectives; and
6. To do all things authorized for a Regional Planning Agency under Chapters 163, 186 and 380 of the Florida Statutes and other applicable Florida, Federal, State, and local laws, rules, and regulations.

Summary of Significant Accounting Policies

The following is a summary of the significant accounting policies used in the preparation of these basic financial statements.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 12 of 57

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Summary of Significant Accounting Policies, continued

The basic financial statements of the Council are comprised of the following:

- Government-wide financial statements
- Fund financial statements
- Notes to the financial statements

Reporting Entity

The Council has adopted Governmental Accounting Standards Board (GASB) Statement Number 14, "Financial Reporting Entity" (GASB 14), as amended by GASB Statement Number 39, "Determining Whether Certain Organizations Are Component Units" and GASB Statement Number 61, "the Financial Reporting Entity: Omnibus - An Amendment of GASB Statements No. 14 and No. 34". These Statements require the financial statements of the Council (the primary government) to include its component units, if any. A component unit is a legally separate organization for which the elected officials of the primary government are financially accountable. Based on the criteria established in GASB Statement 14, as amended, there are no potential component units included or required to be included in the Council's financial statements.

The Council assisted in the creation and establishment of Southwest Florida Resource Conservation and Development Council, Inc. ("Conservation"), an independent Florida not-for-profit corporation. Conservation's mission is to develop a resource conservation plan for its service area, as well as to act as a clearinghouse for other conservation groups and efforts.

The Council provides no direct support to Conservation and does not have authority to exercise economic control over Conservation. The Council, however, provides Conservation with bookkeeping services free of charge. The Council cannot appoint or remove the Board members of Conservation. Therefore, Conservation is not considered a component unit of the Council, and its financial activity is not included within these financial statements.

The Council is the host (sponsoring agency) of the Charlotte Harbor National Estuary Program (NEP). The NEP operates as a functioning entity, and has a separate Board

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 13 of 57

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Reporting Entity, continued

of Directors and budget. The NEP operates pursuant to authority granted by federal and state law. The NEP is a program not a legal entity and is funded through federal and/or state grants and local contributions. In accordance with the standards noted above, the entity, however, is considered a legally separate or independent entity, except as previously noted. The Council remains responsible to report the financial activity for the NEP. As such, all the financial activity and assets of the NEP are accounted for by the Council and reflected in the accompanying financial statements.

The NEP is a program that protects the estuaries of Southwest Florida from Venice to Estero Bay. This program gives citizens, elected officials, resource managers, and commercial and recreational resource users in the 4,400-square-mile study area a voice to address diverse resource management concerns, including fish and wildlife habitat loss, water quality degradation, and water flow. The program addresses these concerns through public education, research, restoration, and legislation. The watershed in the program area includes Lee, Charlotte, Hardee, and DeSoto counties and parts of Sarasota, Manatee, and Polk counties. Effective October 1, 2014, the financial activity of NEP was transferred to the City of Punta Gorda. As such, NEP will not be reported as part of the Council after September 30, 2014.

The NEP established a 501(c)(3) Not-for-Profit corporation named "Friends of Charlotte Harbor Estuary, Inc. ("Friends"), to fundraise and support the mission of the NEP. Friends was formed in 2000. For the year ended September 30, 2014, Friends had revenue (unaudited) of approximately \$68,216 and expenses (unaudited) of approximately \$48,406. It held assets in the form of cash (unaudited) of approximately \$39,297. When Friends directly supports NEP it would be reported herein as local support. As such, the financial activity of Friends is not included in these financial statements.

Government-wide Financial Statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the activities of the Council and do not emphasize fund types. These governmental activities comprise the primary government. General governmental and intergovernmental revenues support the

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 14 of 57

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Government-wide Financial Statements, continued

governmental activities. The purpose of the government-wide financial statements is to allow the user to be able to determine if the Council is in a better or worse financial position than the prior year. The effect of all interfund activity between governmental funds has been removed from the government-wide financial statements.

Government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Under the accrual basis of accounting, revenues, expenses, gains, losses, assets, and liabilities resulting from exchange and exchange-like transactions are recognized when the exchange takes place. Revenues, expenses, gains, losses, assets, and liabilities resulting from nonexchange transactions are recognized in accordance with the requirements of GASB Statement 33, "Accounting and Financial Reporting for Nonexchange Transactions."

Amounts paid to acquire capital assets are capitalized as assets in the government-wide financial statements, rather than reported as expenditures. Proceeds of long-term debt are recorded as liabilities in the government-wide financial statements, rather than as other financing sources. Amounts paid to reduce long-term indebtedness of the reporting government are reported as a reduction of the related liability in the government-wide financial statements, rather than as expenditures.

The statement of activities demonstrates the degree to which the direct expenses of a given function are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include: 1) charges to customers or applicants who purchase, use or directly benefit from goods, services, or privileges provided by a given function, and 2) grants and contributions that are restricted to meeting the operational or capital improvements of a particular function. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Program revenues are considered to be revenues generated by services performed and/or by fees charged such as dues, assessments, fees, and operating grants and contracts.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 15 of 57

**NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING
POLICIES, CONTINUED**

Fund Financial Statements

The Council adheres to GASB Number 54, Fund Balance Reporting and Governmental Fund Type Definitions.

The accounts of the Council are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity or retained earnings, revenues, and expenditures or expenses, as appropriate. Government resources are allocated to and accounted for in individual funds based upon the purpose for which they are to be spent and the means by which spending activities are controlled. Fund financial statements for the Council's governmental funds are presented after the government-wide financial statements. These statements display information about major funds individually and nonmajor funds in aggregate for governmental funds.

Governmental Funds

When both restricted and unrestricted resources are combined in a fund, expenditures are considered to be paid first from restricted resources, as appropriate, and then from unrestricted resources. Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are considered to be available when they are collected within the current period or soon enough thereafter to pay liabilities of the current period.

The Council's major funds are presented in separate columns on the governmental fund financial statements. The definition of a major fund is one that meets certain criteria set forth in GASB Statement Number 34, "Basic Financial Statements - and Management's Discussion and Analysis - for State and Local Governments".

Separate financial statements are provided for governmental funds. Major individual governmental funds are reported in separate columns on the fund financial statements.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 16 of 57

**NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING
POLICIES, CONTINUED**

Measurement Focus and Basis of Accounting

Basis of accounting refers to when revenues and expenditures, or expenses, are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurements made, regardless of the measurement focus applied.

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Grants and similar items are recognized as revenue as soon as all eligibility requirements have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period and soon enough thereafter to pay liabilities of the current period. For this purpose, the Council considers tax revenues to be available if they are collected within sixty days of the end of the current fiscal period.

Revenues susceptible to accrual are interest on investments and intergovernmental revenues. Interest on invested funds is recognized when earned. Intergovernmental revenues that are reimbursements for specific purposes or projects are recognized when all eligibility requirements are met.

Expenditures are generally recognized under the modified accrual basis of accounting when the related fund liability is incurred. Exceptions to this general rule include: (1) principal and interest on the long-term debt, if any, which is recognized when due; and (2) expenditures are generally not divided between years by the recording of prepaid expenditures.

When both restricted and unrestricted resources are available for use, it is the Council's policy to use restricted resources first, then unrestricted resources as they are needed.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 17 of 57

**NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING
POLICIES, CONTINUED**

Non-current Government Assets/Liabilities

GASB 34 requires non-current governmental assets, such as land and buildings, and non-current governmental liabilities, such as notes payable and capital leases to be reported in the governmental activities column in the government-wide Statement of Net Position.

Major Funds

The Council reports the following major governmental funds:

The General Fund is the Council's primary operating fund. It accounts for all financial resources of the Council, except those required to be accounted for in another fund.

The Special Revenue Fund is used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes. The Council accounts for grant proceeds received and grant expenditures incurred in its Special Revenue Fund as well as all contract and other special purpose revenue such as NOPC and DRI fees.

Budgetary Information

The Council has elected to report budgetary comparison of major funds as required supplementary information (RSI).

Investments

The Council adheres to the requirements of Governmental Accounting Standards Board (GASB) Statement Number 31, "Accounting and Financial Reporting for Certain Investments and for External Investment Pools," in which all investments are reported at fair value, with the exception of the Local Government Surplus Funds Investment Pool Trust Fund (State Board of Administration), an external 2a7-like investment pool. The Local Government Surplus Funds Investment Pool Trust Fund's shares are stated at amortized cost (otherwise known as fluctuating net asset value or "NAV"), which approximates fair value.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 18 of 57

**NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING
POLICIES, CONTINUED**

Investments, continued

Investments, including restricted investments (if any), consist of the State of Florida Local Government Surplus Funds Trust Fund and Certificates of Deposit held at local depositories.

Capital Assets

Capital assets, which include land, buildings, furniture and fixtures, equipment, and vehicles, are reported in the government-wide financial statements in the Statement of Net Position.

The Council follows a capitalization policy which calls for capitalization of all fixed assets that have a cost or donated value of \$1,000 or more and have a useful life in excess of one year.

All capital assets are valued at historical cost, or estimated historical cost if actual historical cost is not available. Donated capital assets are valued at their estimated fair market value on the date donated. Public domain (infrastructure) capital assets consisting of certain improvements other than building, including curbs, gutters, and drainage systems, are not capitalized, as the Council generally does not acquire such assets. No debt-related interest expense is capitalized as part of capital assets in accordance with GASB Statement Number 34.

Maintenance, repairs, and minor renovations are not capitalized. The acquisition of land and construction projects utilizing resources received from Federal and State agencies are capitalized when the related expenditure is incurred.

Expenditures that materially increase values, change capacities, or extend useful lives are capitalized. Upon sale or retirement, the cost is eliminated from the respective accounts.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 19 of 57

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Capital Assets, continued

Expenditures for capital assets are recorded in the fund statements as current expenditures. However, such expenditures are not reflected as expenditures in the government-wide statements, but rather are capitalized and depreciated.

Depreciable capital assets are depreciated using the straight-line method over the following estimated useful lives:

<u>Asset</u>	<u>Years</u>
Buildings	45
Improvements Other Than Buildings	7-15
Furniture & Fixtures	7
Equipment	3-10
Vehicles	3

Budgets and Budgetary Accounting

The Council has adopted annual budgets for the General Fund and the Special Revenue Fund.

The Council follows these procedures in establishing budgetary data for the General Fund and Special Revenue Fund.

1. During the summer of each year, Council management submits to the Board a proposed operating budget for the fiscal year commencing on October 1. The operating budget includes proposed expenditures and the means of financing them.
2. Public hearings are conducted to obtain public comments.
3. The budget is adopted by approval of the Board Members no later than August 15 each year.
4. Budgets for the General and Special Revenue Funds are adopted on a basis consistent with accounting principles generally accepted in the United States of America.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 20 of 57

**NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING
POLICIES, CONTINUED**

Budgets and Budgetary Accounting, continued

5. Budget transfers can be made throughout the year between expenditure accounts by approval of the Board Members. The level of control for appropriations is exercised at the fund level.
6. Budget amounts, as shown in these basic financial statements, are as originally adopted or as amended by the Board Members.
7. Appropriations lapse at year-end.
8. The Board Members approved several budget amendments, in both funds, during the fiscal year ended September 30, 2014. The budget amendments increased total budgeted expenditures by \$100,257 in the General Fund and increased total budgeted expenditures by \$97,750 in the Special Revenue Fund.

Encumbrances

Encumbrance accounting, under which purchase orders, contracts, and other commitments for the expenditure of monies are recorded in order to reserve that portion of the applicable appropriation, is not employed by the Council because it is at present not necessary to assure effective budgetary control or to facilitate effective cash planning and control.

Compensated Absences

The Council's employees accumulate leave based on various criteria including the number of years of continuous service and job classification.

Leave which is requested and approved prior to the day in which it is taken by the employee (vacation) shall be considered to be scheduled leave. At September 30, any scheduled leave accrued above 160 hours shall be used or forfeited except for the Executive Director which is limited to 200 hours. Any employee who is separated from the Council staff by layoff, resignation, death, disability, or other cause shall be paid for the number of working hours of unused scheduled (vacation) leave accrued, not to exceed 160 hours.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 21 of 57

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Compensated Absences, continued

Leave not requested/approved prior to the day it is taken (sick time) shall be considered unscheduled. Unscheduled leave may be accumulated to a total of 200 hours. There is no reimbursement for unscheduled leave accrual at the time of an employee's termination from the Council.

Due From Other Governments

No allowances for losses on uncollectible accounts has been recorded since the Council considers all amounts to be fully collectible.

Management Estimates

The preparation of the basic financial statements in conformity with accounting principles generally accepted in the United States of America requires the Council to make estimates and assumptions that affect the reported amounts of assets, liabilities, fund equity, and disclosure of contingent assets and liabilities at the date of the basic financial statements and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

Net Assets

In the governmental fund financial statements no net assets have been identified as restricted. Restricted net assets are those net assets that have constraints as to their use externally imposed by creditors, through debt covenants, by grantors, or by law.

Fund Balances

The governmental fund financial statements the Council maintains include nonspendable, assigned, and unassigned fund balances. Nonspendable balances are those that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact. Criteria include items that are not expected to be converted into cash, for example prepaid expenses and deposits.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 22 of 57

NOTE A - ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, CONTINUED

Fund Balances, continued

The Council's assigned balances are a result of the Council's Board approval of actions prior to October 1, 2012. The Council's intent and policy is to maintain a minimum assigned fund balance level between four (4) to six (6) months of prior year total expenditures. This assigned fund balance will serve as the Council's operational and capital reserve as well as its disaster reserve. At September 30, 2014, the entire fund balance is classified as assigned since the balance is less than the Council's minimum target fund balance. Any use of the fund balance requires the Council's Board approval.

Interfund Transactions

The Council considers interfund receivables (due from other funds) and interfund liabilities (due to other funds) to be loan transactions to and from other funds to cover temporary (three months or less) cash needs. Transactions that constitute reimbursements to a fund for expenditures/expenses initially made from it that are properly applicable to another fund are recorded as expenditures/expenses in the reimbursing funds and as reduction of expenditures/expenses in the fund that is reimbursed.

Subsequent Events

Subsequent events have been evaluated through February 4, 2015, which is the date the financial statements were available to be issued.

NOTE B - CASH AND CASH EQUIVALENTS

Cash was \$215,601, including cash on hand of \$200 at September 30, 2014.

Deposits

The Council's deposit policy allows deposits to be held in demand deposits and money market accounts. All Council depositories are institutions designated as qualified depositories by the State Treasurer at September 30, 2014.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 23 of 57

NOTE B - CASH AND CASH EQUIVALENTS, CONTINUED

Deposits, continued

The Council's deposits consist of the following at September 30, 2014:

	Bank Balance	Carrying Amount
Depository Accounts	\$ 290,405	\$ 215,401

These deposits were entirely covered by federal depository insurance or by collateral pursuant to the Public Depository Security Act (Florida Statute 280) of the State of Florida. Bank balances approximate market value. Depository accounts are fully insured and/or collateralized.

NOTE C - INVESTMENTS

Florida Statutes and the Council's investment policy authorize investments in the Local Government Surplus Funds Trust Fund (SBA) administered by the State Board of Administration, and certificates of deposit held in financial institutions. The Council held one (1) Certificate of Deposit (CD) at September 30, 2014. The CD is fully insured by Federal Depository Insurance or by collateral pursuant to the Public Depository Security Act of the State of Florida (Florida Statute 280).

At September 30, 2014, the Council's investments consist of the following:

	Maturity	Interest Rate	Cost Basis	Fair Value (NAV)/ Carrying Amount
<u>General Fund</u>				
Local Government Surplus Trust Fund (SBA)				
Fund "A" (Florida PRIME)			\$ 184,276	\$ 184,276
Certificates of Deposit				
Financial Institution	6/7/2015	0.45%	317,726	317,726
Total investments			<u>\$ 502,002</u>	<u>\$ 502,002</u>

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 24 of 57

NOTE C - INVESTMENTS, CONTINUED

The Local Government Surplus Funds Trust Fund (Florida PRIME (formerly Fund "A")) is an external 2a7-like investment pool, administered by the Florida State Board of Administration. The Local Government Surplus Funds Investment Pool Trust Fund is not categorized as it is not evidenced by securities that exist in physical or book entry form. The Local Government Surplus Trust Funds Investment Pool's shares are stated at amortized cost (NAV), which approximates fair value. These investments are subject to the risk that the market value of an investment, collateral protecting a deposit or securities underlying a repurchase agreements, will decline. The Council's investment in the Fund represented less than 1% of the Fund's total investments. Investments held in the Fund include, but are not limited to, short-term federal agency obligations, treasury bills, repurchase agreements and commercial paper. These short-term investments are stated at cost, which approximates market. Investment income is recognized as earned and is allocated to participants of the Fund based on their equity participation.

At September 30, 2014, the Council reported SBA investments of \$184,276 fair value/cost for amounts held in Florida PRIME. Florida PRIME carried a credit rating of AAAM by Standard and Poors and had a weighted average days to maturity (WAM) of 39 days at September 30, 2014.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 25 of 57

NOTE D - DUE FROM OTHER GOVERNMENTS - GRANTS

Grants receivable consisted of the following at September 30, 2014:

	<u>Amount</u>
<u>Federal</u>	
Regional Wetlands Program Development Grant (CFDA 66.461)	\$ 20,471
Hazardous Materials Emergency Preparedness - Planning & Training 2013-2014 (CFDA 20.703)	34,243
Veterans Transportation and Community Livability Initiative (CFDA 20.509)	8,601
Department of Commerce, Support for Planning Organizations (CFDA 11.302)	16,764
Economic Adjustment Assistance (CFDA 11.307)	7,092
Solar Ready II (CFDA 81.117)	27,359
Total due from other governments - federal grants	<u>114,530</u>
<u>State</u>	
Department of Emergency Management - LEPC 2014-2015 (CSFA 31.067)	12,139
Glades/Hendry - TD (CSFA 55.002)	11,077
Total due from other governments - state grants	<u>23,216</u>
Total due from other governments - grants	<u>\$ 137,746</u>

The grants receivable balances as of September 30, 2014, are considered by management to be fully collectible.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 26 of 57

NOTE E - CAPITAL ASSETS ACTIVITY

The following is a summary of changes in capital assets activity for the year ended September 30, 2014:

	Balance October 1 2013	Increases/ Additions	Decreases/ Deletions	Adjustments/ Reclassifications	Balance September 30 2014
Capital Assets Not Being Depreciated:					
Land	\$ 375,565	\$ -	\$ -	\$ -	\$ 375,565
Total Capital Assets Not Being Depreciated	<u>375,565</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>375,565</u>
Capital Assets Being Depreciated:					
Building & improvements	1,376,482	1,082	-	-	1,377,564
Furniture & fixtures	44,130	-	-	-	44,130
Equipment	223,018	14,293	(38,664)	-	198,647
Vehicles	21,787	-	-	-	21,787
Total Capital Assets Being Depreciated	<u>1,665,417</u>	<u>15,375</u>	<u>(38,664)</u>	<u>-</u>	<u>1,642,128</u>
Less Accumulated Depreciation:					
Building & improvements	(320,595)	(37,978)	-	-	(358,573)
Furniture & fixtures	(22,088)	(3,226)	-	-	(25,314)
Equipment	(197,938)	(9,065)	33,231	-	(173,772)
Vehicles	(21,059)	(726)	-	-	(21,785)
Total Accumulated Depreciation	<u>(561,680)</u>	<u>(50,995)</u>	<u>33,231</u>	<u>-</u>	<u>(579,444)</u>
Total Capital Assets Being Depreciated, Net	<u>1,103,737</u>	<u>(35,620)</u>	<u>(5,433)</u>	<u>-</u>	<u>1,062,684</u>
Capital Assets, Net	<u>\$ 1,479,302</u>	<u>\$ (35,620)</u>	<u>\$ (5,433)</u>	<u>\$ -</u>	<u>1,438,249</u>
				Related debt	<u>(954,730)</u>
				Net investment in capital assets	<u>\$ 483,519</u>

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 27 of 57

NOTE E - CAPITAL ASSETS ACTIVITY, CONTINUED

Depreciation expense was charged to the following functions during the year ended September 30, 2014:

	<u>Amount</u>
General Government	<u>\$ 50,995</u>
Total Depreciation Expense	<u><u>\$ 50,995</u></u>

NOTE F - DUE TO/FROM OTHER FUNDS

Interfund receivables and payables at September 30, 2014, are as follows:

<u>Fund</u>	<u>Due from other funds</u>	<u>Due to other funds</u>
General Fund:		
Special Revenue Fund	\$ 106,409	\$ -
Total General Fund	<u>106,409</u>	<u>-</u>
Special Revenue Fund:		
General Fund	<u>-</u>	<u>106,409</u>
Total Special Revenue Fund	<u>-</u>	<u>106,409</u>
Total	<u><u>\$ 106,409</u></u>	<u><u>\$ 106,409</u></u>

Interfund receivables and payables were eliminated for presentation purposes in the Statement of Net Assets at September 30, 2014.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 28 of 57

NOTE G - UNEARNED REVENUE

Unearned revenue (by type) consisted of the following at September 30, 2014:

	<u>Amount</u>
<u>Grants - Federal</u>	
Regional Wetlands Program Dev- FAMWQ (CFDA 66.461)	\$ 18,833
	<u>\$ 18,833</u>
<u>Other</u>	
NOPC - Palmer Ranch XXII	\$ 10,545
NOPC - Palmer Ranch XXIII-B	<u>12,595</u>
	<u>\$ 23,140</u>

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SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 29 of 57

NOTE H - LONG-TERM LIABILITIES

The following is a summary of changes in long-term liabilities for the year ended September 30, 2014:

	Balance October 1 2013	Additions	Retirements / Adjustments	Balance September 30 2014	Amounts Due Within One Year
Note payable	\$ 1,026,040	\$ -	\$ (71,310)	\$ 954,730	\$ 75,467
Compensated absences	64,887	65,353	(84,621)	45,619	-
Net OPEB obligation	59,864	1,933	-	61,797	-
	<u>\$ 1,150,791</u>	<u>\$ 67,286</u>	<u>\$ (155,931)</u>	<u>\$ 1,062,146</u>	<u>\$ 75,467</u>

The following is a summary of the long-term liabilities at September 30, 2014:

	Amount
\$1,525,000 note payable monthly to financial institution in the amount of \$10,646 including interest at 5.68% to finance the purchase of an office building. The note is uncollateralized except for available general revenue and includes prepayment penalties. Final principal payment of \$826,523 due June 1, 2016.	\$ 954,730
Non-current portion of compensated absences. Employees of the Council are entitled to paid scheduled (vacation) leave based on length of service and job classification.	45,619
Net OPEB obligation. Cumulative difference between annual OPEB cost and Council's projected payments toward the cost of post employment benefits other than pensions since GASB no. 45 transition date (October 1, 2009)	61,797
	<u>\$ 1,062,146</u>

The annual debt service requirements at September 30, 2014, were as follows:

Years Ending September 30	Total Principal	Total Interest	Total
Note payable:			
2015	\$ 75,466	\$ 52,284	\$ 127,750
2016	879,264	36,339	915,603
Total Note Payable	954,730	\$ 88,623	\$ 1,043,353
Accrued compensated absences	45,619		
Net OPEB obligation	61,797		
Total Long-Term Debt	<u>\$ 1,062,146</u>		

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 30 of 57

NOTE H - LONG-TERM LIABILITIES, CONTINUED

Interest expense related to the note payable for the year ended September 30, 2014 was \$56,441.

The Council's outstanding note payable contains several covenants that require the Council to ensure compliance, including a debt service ratio as well as facilities maintenance, insurance and reporting requirements.

NOTE I - PENSION PLAN - FLORIDA RETIREMENT SYSTEM (FRS)

Plan Description and Provisions

Substantially all Council employees are participants in the statewide Florida Retirement System (FRS) under the authority of Article X, Section 14 of the State Constitution and Florida Statutes, Chapters 112 and 121. The FRS was noncontributory prior to July 1, 2011. Beginning July 1, 2011, FRS requires a 3% of eligible compensation employee contribution for all classes of employees except those enrolled in the DROP program, which requires no employee contribution. The FRS is totally administered by the State of Florida. The Council contributed 100% of the required contributions. Pension costs for the Council ranged between 6.95 % and 21.14% of gross wages for the year ended September 30, 2014. The Council's contributions to the plan were \$101,994, \$63,019, and \$60,395 for the fiscal years ended September 30, 2014, 2013, and 2012, respectively. The Council's covered payroll for the years ended September 30, 2014, 2013, and 2012 was \$978,831, \$963,317, and \$1,169,610, respectively.

Employees enrolled prior to July 1, 2011, who retire at or after age 62 with 6 years of creditable service, 6 years of senior management service and age 62, 6 years of special risk service and age 55, or 30 years of service (25 years for special risk) regardless of age, are entitled to a retirement benefit, payable monthly for life, equal to 1.6% to 3.0% per year of creditable service, depending on the class of employee (regular, special risk, etc.) based on average final compensation of the five (5) highest fiscal years' compensation. Benefit cannot exceed 100% of average final compensation.

Employees enrolled on or after July 1, 2011, who retire at or after age 65 with 8 years of creditable service, 8 years of senior management service and age 65, 8 years of special risk service and age 60, or 33 years of service (30 years for special risk)

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 31 of 57

NOTE I - PENSION PLAN - FLORIDA RETIREMENT SYSTEM (FRS), CONTINUED

Plan Description and Provisions, continued

regardless of age, are entitled to a retirement benefit, payable monthly for life, equal to 1.6% to 3.0% per year of creditable service, depending on the class of employee (regular, special risk, etc.) based on average final compensation of the eight (8) highest fiscal years' compensation. Benefit cannot exceed 100% of average final compensation.

Benefits vest after six (6) years of credited service for those employees enrolled prior to July 1, 2011 and after eight (8) years for those enrolled on or after July 1, 2011. Vested employees may retire anytime after vesting and incur a 5% benefit reduction for each year prior to normal retirement age.

Early retirement, disability, death, and survivor benefits are also offered. Benefits are established by State Statute. The plan provides for a constant 3% cost-of-living adjustment for retirees for service credited prior to July 1, 2011.

The Plan also provides several other plan and/or investment options that may be elected by the employee. Each offers specific contribution and benefit options. The Plan documents should be referenced for complete detail.

Description of Funding Policy

This is a cost sharing, multi-employer defined benefit plan available to governmental units within the state, and actuarial information with respect to an individual participating entity is not available. Participating employers are required, by Statute, to pay monthly contributions at actuarially determined rates that, expressed as percentages of annual covered payroll, are adequate to accumulate sufficient assets to pay benefits when due.

Plan Information

A copy of the FRS's June 30, 2014 annual report can be obtained by writing to the Florida Division of Retirement, Cedars Executive Center, 2639-C North Monroe Street, Tallahassee, Florida 32399-1560, or by calling (850) 488-5706.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 32 of 57

NOTE I - PENSION PLAN - FLORIDA RETIREMENT SYSTEM (FRS), CONTINUED

Other Post Employment Benefits

The Council provides post retirement health care benefits to eligible employees. Upon retirement from the Council and becoming a recipient of monies from the State of Florida Retirement Trust Fund (FRS), eligible retired employees are qualified for continued health insurance benefits. Eligible retired employees have their medical insurance premiums paid by the Council, but are required to reimburse the Council for 100% of the premiums paid by the Council on their behalf.

NOTE J - COMMITMENTS/CONTINGENCIES

Grants

The Council is currently receiving, and has received in the past, grants which are subject to special compliance audits by the grantor agency. The grantor agency may at times disallow expenditure amounts associated with a contract based on the outcome of an audit. These amounts would constitute a contingent liability of the Council. The Council has not, as of September 30, 2014, been notified of any existing contingent liabilities related to prior grants or the grants currently in process. The Council has not had any special compliance audits conducted by grantor agencies or any disallowed costs during the year ended September 30, 2014. The management of the Council does not believe contingent liabilities, if any exist, to be material.

NOTE K - OPERATING LEASE COMMITMENTS

The Council leases certain copiers and equipment under agreements classified as operating leases.

Future minimum lease payments under the operating leases are as follows:

Years Ending September 30	Amount
2015	\$ 5,040
2016	5,040
2017	5,040
2018	3,780
	<u>\$ 18,900</u>

For the year ended September 30, 2014, total rent expense was \$ 6,799.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 33 of 57

NOTE L - INDIRECT EXPENDITURES

Indirect expenditures (including indirect and fringe benefit costs) based upon a fixed preapproved rate allocated to the Special Revenue Fund during the year ended September 30, 2014, consist of the following:

	<u>Amount</u>
Personnel services:	
Salaries and fringe benefits	\$ 517,269
Operating expenditures	63,241
Debt service	<u>127,751</u>
Total indirect expenditures	<u>\$ 708,261</u>

NOTE M - ECONOMIC DEPENDENCE

The Council's operations are substantially dependent on the receipt of revenue from grantor and contract agencies. Loss of these funds and/or large decreases in this type of funding would have a material effect on the financial position of the Council and a negative impact on overall operations. For the fiscal year ended September 30, 2014, approximately 74% of total revenue is attributable to funds received from grantor and contract agencies.

NOTE N - POST-EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS (OPEB)

The Council's defined benefit OPEB Plan provides the opportunity to obtain insurance (health, dental, and vision) benefits to its retired employees. The year ended September 30, 2010, was the Council's transition year. As such, the Council implemented GASB No. 45 on a prospective basis. All retired full-time employees are eligible for OPEB benefits if actively employed by the Council immediately before retirement. As of September 30, 2014, there were zero (0) retirees receiving these benefits. The benefits are provided both with and without contractual agreements. The Council's OPEB policy provides the opportunity for qualified retirees (pre-medicare qualified retirees) the opportunity to purchase health, dental, and vision insurance coverage similar to active full-time employees. As such, the qualified retiree is responsible for 100% of the cost of coverage selected. The Council simply acts as agent for the retiree and submits the premiums paid by the retiree. The

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 34 of 57

**NOTE N - POST-EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS (OPEB),
CONTINUED**

Council pays for no portion of the retiree insurance coverage. The Council finances the benefits on a pay-as-you-go basis and recognizes retiree reimbursement of premiums as revenue and the offsetting expenditures at the time the premiums are due.

Funding Policy

The Council's OPEB benefits are unfunded. The Council has not determined if a separate trust fund or equivalent arrangement will be established into which the Council would make contributions to advance-fund the obligation. Therefore, no separate financial statement is issued. All required disclosures are presented herein. The Council obtained an actuarial valuation for OPEB Plan to measure the current year's subsidies and project these subsidies into the future, making an allocation of that cost to different years. The following schedule of funding progress presents multi-year trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability for benefits.

Schedule of Funding Progress

(1) Actuarial Valuation Date	Actuarial		Unfunded		UAAL as a	
	Value of	Actuarial	Accrued		Annual	Percentage of
	Assets	Accrued	Liability	Funded	Covered	Covered
	(AVA)	Liability (AAL)	(UAAL)	Ratio	Payroll	Payroll
	(a)	(b)	(b-a)	(a/b)	(c)	(b-a)/c
10/01/11	\$ -	\$ 141,788	\$ 141,788	0.0%	\$ 1,679,472	8.4%
10/01/12	\$ -	\$ 50,030	\$ 50,030	0.0%	\$ 899,507	5.6%
10/01/13	\$ -	\$ 46,936	\$ 46,936	0.0%	\$ 899,507	5.2%

(1) - Initial actuarial valuation dated 10/1/09 (transition year)

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 35 of 57

NOTE N - POST-EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS (OPEB),
CONTINUED

Schedule of Contributions from Employer

Year	Annual	Projected	Percentage of		Actual
Ended	OPEB Cost	Cash	Annual OPEB	Net OPEB	Cash
		Payment*	Cost	Obligation	Payment
9/30/12	\$ 24,236	\$ 9,840	40.6%	\$ 55,747	\$ -
9/30/13	\$ 10,275	\$ 6,158	59.9%	\$ 59,864	\$ -
9/30/14	\$ 9,010	\$ 6,888	76.4%	\$ 61,797	\$ -

*The Council did not make the expected cash payments of \$ 9,840, \$6,158 or \$6,888 during the years ended September 30, 2012, 2013 and 2014, respectively because the Council had no retiree participants. Therefore, the actual Net OPEB obligation was \$55,747, \$59,864 and \$61,797 at September 30, 2012, 2013 and 2014, respectively.

Annual OPEB Cost and Net OPEB Obligation

The annual OPEB cost is the amount that was expensed in the current year. Since the Council's plan is unfunded, the offset to that expense comes from subsidies paid on behalf of the current retirees and their dependents for the current year. This offset is called the expected cash payment. The cumulative difference between the annual OPEB cost for the year and the expected cash payment is called the net OPEB obligation (NOO). The net OPEB obligation is reflected as a liability in the Statement of Net Position. The following table shows the components of the Council's annual OPEB cost for the year and the net OPEB obligation.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 36 of 57

NOTE N - POST-EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS (OPEB),
CONTINUED

<u>Fiscal year ended September 30, 2014</u>	<u>Amount</u>
Annual required contribution (ARC)	\$ 8,113
Less NOO amortization	(2,087)
Plus interest on NOO	<u>2,795</u>
Annual OPEB cost	8,821
Expected cash payment (projected)*	<u>(6,888)</u>
Yearly change in OPEB obligation	1,933
Net OPEB obligation - beginning of year	<u>59,864</u>
Net OPEB obligation - end of year	<u><u>\$ 61,797</u></u>

*The Council did not make the expected cash payment of \$6,888 during the year ended September 30, 2014 since the Council had no retiree participants. Therefore, the actual Net OPEB obligation is \$ 61,797.

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and healthcare cost trend. Amounts determined regarding the funding status of a plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future.

Actuarial Methods and Assumptions

Projections of benefits for financial reporting purposes are based on the substantive plan (the plan as understood by the employer and plan members) and include the types of benefits provided at the time of the valuation and the historical pattern of sharing of benefit costs between the employer and plan members. The actual methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial valuation of assets, consistent with the long-term perspective of the calculations.

In the October 1, 2011 actuarial valuation, the entry age normal (level % of pay) actuarial cost method with linear pro-rata to assumed benefit commencement was used. The actuarial assumptions included a 5.0 percent investment rate of

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 37 of 57

**NOTE N - POST-EMPLOYMENT BENEFITS OTHER THAN PENSION BENEFITS (OPEB),
CONTINUED**

Actuarial Methods and Assumptions, continued

return. Since there are no invested plan assets held in trust to finance the OPEB obligations, the investment return discount rate is the long-term expectation of investment return on assets held in Council funds pursuant to its investment policy (5%). The assumptions also included an annual healthcare cost inflation rate trending to 7.5% (pre-medicare) in 2014, 6.5% in 2015 and 4.5% in 2019. The unfunded actuarial accrued liability, as calculated, is being amortized over a closed amortization period of 30 years as a level percent of payroll. The assumed rate of payroll growth is 0.0 percent. The assumed rate of inflation is 0.0 percent. The mortality rate table used is RP-2000.

NOTE O - FUND BALANCE

Fund balance was classified for the following purposes at September 30, 2014:

<u>Nonspendable fund balance - General Fund</u>		<u>Amount</u>
Deposits	\$	2,494
	\$	<u>2,494</u>
<u>Assigned fund balance - General Fund</u>		<u>Amount</u>
Operating reserves	\$	746,402
	\$	<u>746,402</u>

NOTE P - RISK MANAGEMENT

The Council is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; injuries to employees, and natural disasters.

Insurance programs for general/professional liability, automobile, and property are through commercial insurance carriers. The Council retains the risk of loss, on insured claims, up to a deductible amount (depending on the type of loss) with the risk of loss in excess of this amount transferred to the insurance carrier. The Council is third party insured for employee health as well as workers' compensation. There were no claims paid in excess of insurance coverage during the past three (3) fiscal years.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE FINANCIAL STATEMENTS
September 30, 2014

Page 38 of 57

NOTE Q - SUBSEQUENT EVENT

Subsequent to year end, the Charlotte Harbor National Estuary Program (CHNEP) separated from the Southwest Florida Regional Planning Council and relocated to the City of Punta Gorda effective October 1, 2014. The CHNEP employed several staff members who provided direct services on behalf of CHNEP, however, the Regional Planning Council staff performed a significant portion of the administrative function for the CHNEP. The CHNEP contracts and grants were closed out, completed or transferred to the City of Punta Gorda along with the related CHNEP direct service staff. At September 30, 2014, SWFRPC owed CHNEP \$87,424 for unearned revenues under their grants and contracts, this amount is reflected as due to other governments in the Statement of Net Position and the balance sheet since it was payable to the City of Punta Gorda, the new sponsoring entity.

The financial impact of the CHNEP leaving is currently being determined. In general, based upon fiscal year ended September 30, 2014, amounts recorded by CHNEP overall revenues and expenditures included in the Council were \$1,014,113.

DRAFT

**REQUIRED SUPPLEMENTARY
INFORMATION
OTHER THAN MD&A**

DRAFT

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL - GENERAL FUND -
SUMMARY STATEMENT
Year Ended September 30, 2014

Page 39 of 57

	General Fund			Variance Favorable (Unfavorable)
	Original Budget	Final Budget	Actual	
REVENUES				
Federal and state grants	\$ -	\$ -	\$ -	\$ -
Contracts and local grants	-	-	-	-
County and city assessments	469,711	469,711	469,411	(300)
DRI fees	-	-	-	-
DRI monitoring fees	-	-	-	-
Increase in fair value of investments	-	-	-	-
Rental income	-	-	15,000	15,000
Interest and miscellaneous	35,000	20,000	39,057	19,057
Fund balance carryforward	626,476	741,733	-	(741,733)
TOTAL REVENUES	1,131,187	1,231,444	523,468	(707,976)
EXPENDITURES				
Current				
Personnel services	637,810	673,810	259,851	413,959
Operating expenditures	766,815	917,322	155,362	761,960
Capital outlay	16,500	16,500	14,205	2,295
Debt service	2,280	2,280	-	2,280
TOTAL EXPENDITURES	1,423,405	1,609,912	429,418	1,180,494
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	(292,218)	(378,468)	94,050	472,518
OTHER FINANCING SOURCES (USES)				
Operating transfers in	292,218	378,468	-	(378,468)
Operating transfers out	-	-	(53,638)	(53,638)
TOTAL OTHER FINANCING SOURCES (USES)	292,218	378,468	(53,638)	(432,106)
NET CHANGE IN FUND BALANCE	\$ -	\$ -	40,412	\$ 40,412
FUND BALANCE, October 1, 2013			708,484	
FUND BALANCE, September 30, 2014			\$ 748,896	

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL - GENERAL FUND -
DETAILED STATEMENT
Year Ended September 30, 2014

Page 40 of 57

	General Fund			
	Original Budget	Final Budget	Actual	Variance Favorable (Unfavorable)
REVENUES				
Federal and state grants	\$ -	\$ -	\$ -	\$ -
Contracts and local grants	-	-	-	-
County and city assessments	469,711	469,711	469,411	(300)
DRI fees	-	-	-	-
DRI monitoring fees	-	-	-	-
Increase in fair value of investments	-	-	-	-
Rental income	-	-	15,000	15,000
Interest and miscellaneous	35,000	20,000	39,057	19,057
Fund balance carryforward	626,476	741,733	-	(741,733)
TOTAL REVENUES	1,131,187	1,231,444	523,468	(707,976)
EXPENDITURES				
Current				
Personnel services				
Salaries	328,285	364,285	462,347	(98,062)
Fringe benefits:				
FICA	73,100	73,100	71,260	1,840
Retirement	94,535	94,535	101,994	(7,459)
Health insurance	138,194	138,194	136,255	1,939
Severance	-	-	-	-
Workers compensation/unemployment	3,696	3,696	5,264	(1,568)
Allocation of indirect expenditures	-	-	(517,269)	517,269
Total personnel services	637,810	673,810	259,851	413,959
Operating expenditures				
Professional fees:				
Legal fees	15,000	-	-	-
Consultant fees	15,000	15,000	27,525	(12,525)
Audit fees	20,000	20,000	20,500	(500)
Telephone, rent, supplies, etc:				
Office supplies	8,836	8,836	7,258	1,578
Equipment rental	8,750	8,750	6,799	1,951
Storage unit rental	-	-	-	-
Repairs and maintenance	15,000	15,000	19,499	(4,499)
Telephone	6,540	6,540	6,517	23
Miscellaneous and insurance:				
Insurance	22,500	22,500	20,683	1,817
Other miscellaneous	4,500	4,500	4,898	(398)
Computer supplies and graphics	38,500	38,500	40,027	(1,527)
Professional development/meetings:				
Professional development/dues	32,170	32,170	26,691	5,479
Meetings/events	2,500	2,500	624	1,876

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL - GENERAL FUND -
DETAILED STATEMENT, CONTINUED
Year Ended September 30, 2014

Page 41 of 57

	General Fund			Variance Favorable (Unfavorable)
	Original Budget	Final Budget	Actual	
Operating expenditures (continued)				
Travel	2,360	2,360	5,254	(2,894)
Postage	4,012	4,012	1,555	2,457
Printing/reproduction	1,500	1,500	4,678	(3,178)
Utilities	22,000	22,000	23,470	(1,470)
Advertising/legal notices	3,600	3,600	1,332	2,268
Publications	1,250	1,250	1,293	(43)
NEP grant expenses	-	-	-	-
MPO grant expenses	-	-	-	-
Amount to be reserved for ED/PR	-	-	-	-
Amount to be reserved for A/C	-	-	-	-
Reserves - operations	542,797	708,304	-	708,304
Allocation of indirect expenditures	-	-	(63,241)	63,241
Total operating expenditures	766,815	917,322	155,362	761,960
Capital outlay				
Capital purchases	16,500	16,500	14,205	2,295
Allocation of indirect expenditures	-	-	-	-
Total capital outlay	16,500	16,500	14,205	2,295
Debt service				
Principal retirement			71,309	(71,309)
Interest and fiscal charges	2,280	2,280	56,442	(54,162)
Allocation of indirect expenditures	-	-	(127,751)	127,751
Total debt service	2,280	2,280	-	2,280
TOTAL EXPENDITURES	1,423,405	1,609,912	429,418	1,180,494
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	(292,218)	(378,468)	94,050	472,518
OTHER FINANCING SOURCES (USES)				
Operating transfers in	292,218	378,468	-	(378,468)
Operating transfers out	-	-	(53,638)	(53,638)
TOTAL OTHER FINANCING SOURCES (USES)	292,218	378,468	(53,638)	(432,106)
NET CHANGE IN FUND BALANCE	\$ -	\$ -	40,412	\$ 40,412
FUND BALANCE, October 1, 2013			708,484	
FUND BALANCE, September 30, 2014			\$ 748,896	

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL - SPECIAL REVENUE
FUND - SUMMARY STATEMENT
Year Ended September 30, 2014

Page 42 of 57

	Special Revenue Fund			Variance Favorable (Unfavorable)
	Original Budget	Final Budget	Actual	
REVENUES				
Federal and state grants	\$ 1,253,669	\$ 1,303,669	\$ 1,208,568	\$ (95,101)
Contracts and local grants	226,208	283,958	372,599	88,641
County and city assessments	-	-	-	-
DRI fees	35,000	25,000	36,515	11,515
DRI monitoring fees	-	-	4,750	4,750
Interest and miscellaneous	10,000	10,000	-	(10,000)
Fund balance carryforward	-	-	-	-
TOTAL REVENUES	<u>1,524,877</u>	<u>1,622,627</u>	<u>1,622,432</u>	<u>(195)</u>
EXPENDITURES				
Current				
Personnel services	627,267	627,267	1,037,285	(410,018)
Operating expenditures	477,392	488,892	509,864	(20,972)
Capital outlay	-	-	1,170	(1,170)
Debt service	128,000	128,000	127,751	249
TOTAL EXPENDITURES	<u>1,232,659</u>	<u>1,244,159</u>	<u>1,676,070</u>	<u>(431,911)</u>
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	<u>292,218</u>	<u>378,468</u>	<u>(53,638)</u>	<u>(432,106)</u>
OTHER FINANCING SOURCES (USES)				
Operating transfers in	-	-	53,638	53,638
Operating transfers out	(292,218)	(378,468)	-	378,468
TOTAL OTHER FINANCING SOURCES (USES)	<u>(292,218)</u>	<u>(378,468)</u>	<u>53,638</u>	<u>432,106</u>
NET CHANGE IN FUND BALANCE	<u>\$ -</u>	<u>\$ -</u>	<u>-</u>	<u>\$ -</u>
FUND BALANCE, October 1, 2013			<u>-</u>	
FUND BALANCE, September 30, 2014			<u>\$ -</u>	

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL - SPECIAL REVENUE
FUND - DETAILED STATEMENT
Year Ended September 30, 2014

Page 43 of 57

	Special Revenue Fund			Variance Favorable (Unfavorable)
	Original Budget	Final Budget	Actual	
REVENUES				
Federal and state grants	\$ 1,253,669	\$ 1,303,669	\$ 1,208,568	\$ (95,101)
Contracts and local grants	226,208	283,958	372,599	88,641
County and city assessments	-	-	-	-
DRI fees	35,000	25,000	36,515	11,515
DRI monitoring fees	-	-	4,750	4,750
Interest and miscellaneous	10,000	10,000	-	(10,000)
Fund balance carryforward	-	-	-	-
TOTAL REVENUES	1,524,877	1,622,627	1,622,432	(195)
EXPENDITURES				
Current				
Personnel services				
Salaries	627,267	627,267	520,016	107,251
Fringe benefits:				
FICA	-	-	-	-
Retirement	-	-	-	-
Health insurance	-	-	-	-
Workers compensation/unemployment	-	-	-	-
Allocation of indirect expenditures	-	-	517,269	(517,269)
Total personnel services	627,267	627,267	1,037,285	(410,018)
Operating expenditures				
Professional fees:				
Legal fees	-	-	-	-
Consultant fees	36,336	36,336	8,000	28,336
Audit fees	20,000	20,000	20,500	(500)
Telephone, rent, supplies, etc:				
Office supplies	-	-	2,595	(2,595)
Equipment rental	-	-	-	-
Storage unit rental	-	-	-	-
Repairs and maintenance	-	-	-	-
Telephone	-	-	37	(37)
Miscellaneous and insurance:				
Insurance	-	-	-	-
Other miscellaneous	-	-	25	(25)
Computer supplies and graphics	-	-	1,849	(1,849)
Professional development/meetings:				
Professional development/dues	6,750	6,750	8,793	(2,043)
Meetings/events	500	500	2,441	(1,941)
Travel	19,510	29,510	42,931	(13,421)

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL - SPECIAL REVENUE
FUND - DETAILED STATEMENT, CONTINUED
Year Ended September 30, 2014

Page 44 of 57

	Special Revenue Fund			Variance Favorable (Unfavorable)
	Original Budget	Final Budget	Actual	
Operating expenditures (continued)				
Postage	88	88	100	(12)
Printing/reproduction	-	1,500	861	639
Utilities	-	-	-	-
Advertising	-	-	1,495	(1,495)
Publications	-	-	45	(45)
NEP grant expenses	394,208	394,208	356,951	37,257
MPO grant expenses	-	-	-	-
Reserves - operations	-	-	-	-
Allocation of indirect expenditures	-	-	63,241	(63,241)
Total operating expenditures	477,392	488,892	509,864	(20,972)
Capital outlay				
Capital purchases	-	-	1,170	(1,170)
Allocation of indirect expenditures	-	-	-	-
Total capital outlay	-	-	1,170	(1,170)
Debt service				
Principal retirement	128,000	128,000	-	128,000
Interest and fiscal charges	-	-	-	-
Allocation of indirect expenditures	-	-	127,751	(127,751)
Total debt service	128,000	128,000	127,751	249
TOTAL EXPENDITURES	1,232,659	1,244,159	1,676,070	(431,911)
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	292,218	378,468	(53,638)	(432,106)
OTHER FINANCING SOURCES (USES)				
Operating transfers in	-	-	53,638	53,638
Operating transfers out	(292,218)	(378,468)	-	378,468
TOTAL OTHER FINANCING SOURCES (USES)	(292,218)	(378,468)	53,638	432,106
NET CHANGE IN FUND BALANCE	-	-	-	-
FUND BALANCE, October 1, 2013			-	
FUND BALANCE, September 30, 2014			-	

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
Year ended September 30, 2014

Page 45 of 57

<u>Grantor Agency/Program Title</u>	<u>Federal CFDA/ Number</u>	<u>Grantor's Number</u>	<u>Program or Award Amount</u>	<u>Receipts/ Revenue</u>	<u>Disbursements/ Expense</u>
FEDERAL AGENCY					
<u>Environmental Protection Agency (EPA)</u>					
<u>TYPE A - MAJOR</u>					
National Estuary Program - Charlotte Harbor2 - CHNEP	66.456	CE-95483611-2	\$ 1,707,967	\$ 644,260	\$ 644,260
<u>TYPE B - NONMAJOR</u>					
Regional Wetlands Program Development Grant - FAMWQ	66.461	CD-95488111-1	359,378	122,530	(1) 122,530
Regional Wetlands Program Development Grant - Conservation easement mapping	66.461	CD-00D14213-0	191,891	64,269	(2) 64,269
			551,269	186,799	186,799
			2,259,236	831,059	831,059
<u>TYPE B - NONMAJOR</u>					
<u>Federal Highway Administration/US DOT</u>					
Passed through Florida Department of Community Affairs/ Division of Emergency Management					
Hazardous Materials Emergency Preparedness Planning	20.703	14DT75130021186	25,000	23,365	23,365
Hazardous Materials Emergency Preparedness Training	20.703	14DT75130021186	47,963	29,244	29,244
			72,963	52,609	(3) 52,609
Passed through Lee County, Florida					
Veterans Transportation and Community Livability Initiative	20.509	D-2011-NATR-009	50,000	41,214	(4) 41,214
			122,963	93,823	93,823
<u>U.S. Department of Commerce</u>					
Economic Development					
Planning, Section 203, 1/1/11 to 12/31/13	11.302	04-83-06492	189,000	13,938	13,938
Economic Development					
Support for Planning Organizations	11.302	04-83-06902	189,000	48,264	(5) 48,264
			378,000	62,202	62,202
Passed through Tampa Bay Regional Planning Council					
Economic Development					
Economic Adjustment Assistance	11.307	04-69-06568	89,045	7,092	(6) 7,092
			467,045	69,294	69,294
<u>U.S. Department of Energy</u>					
Passed through Mid America Regional Planning Council					
Energy efficiency and renewable energy information dissemination, outreach, training and technical analysis/assistance - Solar Ready II (MARC)	81.117	DE-EE0006310	90,000	63,764	(7) 63,764
TOTAL FEDERAL AWARDS			\$ 2,939,244	\$ 1,057,940	\$ 1,057,940

(1) Does not include unearned revenue of \$18,833

(2) Includes receivable of \$20,471

(3) Includes receivable of \$34,243

(4) Includes receivable of \$8,601

(5) Includes receivable of \$16,764

(6) Includes receivable of \$7,092

(7) Includes receivable of \$27,359

The accompanying notes are an integral part of this statement.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
NOTES TO THE SCHEDULE OF EXPENDITURES OF
FEDERAL AWARDS
September 30, 2014

Page 46 of 57

NOTE A - BASIS OF PRESENTATION

The Schedule of Expenditures of Federal Awards has been prepared on an accrual basis of accounting in conformity with accounting principles generally accepted in the United States of America and is in accordance with the provisions of OMB Circular A-133.

Expenditures reported on the Schedule (Schedule) of Expenditures of Federal Awards include cash disbursements, whether capitalized or expensed, during the fiscal year as well as grant related amounts recorded as payable at year end. Revenues reported on the Schedule of Expenditures of Federal Awards include accrual basis revenue, including amounts recognized as well as grant receivables recorded at year end. Revenue that is deferred/unearned is not reflected but rather footnoted.

NOTE B - INDIRECT COSTS

The Council did routinely allocate costs to Federal Awards. Costs charged to such programs were direct costs unless specifically incurred for the program and allowed and indicated as such. Indirect costs are allocated to the functions and programs based upon various methods which reflect appropriate cost, usage and/or benefit by the function and program.

NOTE C - MATCH/PARTICIPATION REQUIREMENTS

The Council received financial assistance under a type A major grant requiring local match/participation in the form of cash. A maximum match/participation amount is established at the time the financial assistance is awarded. However, revenue is earned on the reimbursement basis and can only be recognized to the extent of applicable eligible and allowable disbursement. The match/participation requirement is therefore based on a contracted portion of allowable disbursements.

For the fiscal year ended September 30, 2014, the Council had met its match/participation requirements for its Type A major grant.

ADDITIONAL REPORTS

DRAFT

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL
CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE
AND OTHER MATTERS BASED ON AN AUDIT OF
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE
WITH GOVERNMENT AUDITING STANDARDS**

Executive Committee and Council Members
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, Florida 33901

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America, the basic financial statements of the governmental activities and each major fund of Southwest Florida Regional Planning Council (the "Council") as of and for the year ended September 30, 2014, and the related notes to the financial statements which collectively comprise the Council's basic financial statements as listed in the table of contents and have issued our report thereon dated February 4, 2015.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Council's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Council's internal control. Accordingly, we do not express an opinion on the effectiveness of the Council's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the basic financial statements will not be prevented or detected and

corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses, as defined previously. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Southwest Florida Regional Planning Council's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

Purpose of This Report

The purpose of this report is solely to describe the scope of our testing internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Council's internal control or on compliance. This report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the Council's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

TUSCAN & COMPANY, P.A.
Fort Myers, Florida
February 4, 2015

**Independent Auditor's Report on Compliance for Each Major
Program and on Internal Control Over Compliance in Accordance
With OMB Circular A-133**

Executive Committee and Council Members
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, Florida 33901

Report on Compliance for Each Major Federal Program

We have audited Southwest Florida Regional Planning Council's compliance with the types of compliance requirements described in the OMB Circular A-133 Compliance Supplement that could have a direct and material effect on each of Southwest Florida Regional Planning Council's major federal programs for the year ended September 30, 2014. Southwest Florida Regional Planning Council's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of Southwest Florida Regional Planning Council's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America; and OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance

with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about Southwest Florida Regional Planning Council's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of Southwest Florida Regional Planning Council's compliance.

Opinion on Each Major Federal Program

In our opinion, Southwest Florida Regional Planning Council complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on its major federal program for the year ended September 30, 2014.

Report on Internal Control Over Compliance

Management of Southwest Florida Regional Planning Council is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered Southwest Florida Regional Planning Council's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of Southwest Florida Regional Planning Council's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Purpose of the Report

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of OMB Circular A-133. Accordingly, this report is not suitable for any other purpose.

TUSCAN & COMPANY, P.A.

Fort Myers, Florida

February 4, 2015

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SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
SCHEDULE OF FINDINGS AND QUESTIONED
COSTS - FEDERAL AWARDS
Year ended September 30, 2014

Page 52 of 57

Section I – Summary of Auditor’s ResultsFinancial Statements

Type of auditor's report issued:	Unmodified		
Internal control over financial reporting:			
Control deficiency(ies) identified?	_____ Yes	_____ X	No
Significant deficiency(ies) identified?	_____ Yes	_____ X	No
Material weakness(es) identified?	_____ Yes	_____ X	None reported
Noncompliance material to financial statements noted?	_____ Yes	_____ X	No

Federal Awards

Internal control over major programs:			
Control deficiency(ies) identified?	_____ Yes	_____ X	No
Significant deficiency(ies) identified?	_____ Yes	_____ X	No
Material weakness(es) identified?	_____ Yes	_____ X	None reported
Type of auditor's report issued on compliance for major programs:	Unmodified		
Any audit findings disclosed that are required to be reported in accordance with Circular A-133, Section 510(a)?	_____ Yes	_____ X	No
Identification of major programs:			

CFDA

<u>Number(s)</u>	<u>Type</u>	<u>Name of Federal Program or Cluster</u>
66.456	A	National Estuary Program - Charlotte Harbor

Dollar threshold used to distinguish between
 Type A and Type B programs

Threshold used was \$300,000

Auditee qualified as low-risk auditee?

_____ X _____ Yes _____ No

Listing of Subrecipients and amounts
 passed-through:

There were no subgrantees.

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
SCHEDULE OF FINDINGS AND QUESTIONED
COSTS - FEDERAL AWARDS, CONTINUED
Year ended September 30, 2014**

Page 53 of 57

Section II- Financial Statement Findings

There were no significant deficiencies, material weaknesses, or instances of material noncompliance related to the financial statements.

Section III- Federal Award Findings and Questioned Costs

There were no audit findings related to federal awards required to be reported by OMB Circular A-133, Section 510(a).

Status of Federal Prior Year Findings

None noted.

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**INDEPENDENT ACCOUNTANT'S REPORT ON COMPLIANCE
WITH SECTION 218.415, FLORIDA STATUTES**

Executive Committee and Council Members
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, Florida 33901

We have examined Southwest Florida Regional Planning Council's compliance with Section 218.415, Florida Statutes, regarding the investment of public funds during the year ended September 30, 2014. Management is responsible for Southwest Florida Regional Planning Council's compliance with those requirements. Our responsibility is to express an opinion on Southwest Florida Regional Planning Council's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence about Southwest Florida Regional Planning Council's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on Southwest Florida Regional Planning Council's compliance with specified requirements.

In our opinion, Southwest Florida Regional Planning Council complied, in all material respects, with the aforementioned requirements for the year ended September 30, 2014.

This report is intended solely for the information and use of the Southwest Florida Regional Planning Council and the Auditor General, State of Florida, and is not intended to be and should not be used by anyone other than these specified parties.

TUSCAN & COMPANY, P.A.
Fort Myers, Florida
February 4, 2015

INDEPENDENT AUDITOR'S REPORT TO MANAGEMENT

Executive Committee and Council Members
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, Florida 33901

We have audited the accompanying basic financial statements of Southwest Florida Regional Planning Council (the "Council") as of and for the year ended September 30, 2014 and have issued our report thereon dated February 4, 2015.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America and Chapter 10.550, Rules of the Florida Auditor General. We have issued our Independent Auditor's Report on Internal Control over Financial Reporting and Compliance and Other Matters based on an Audit of the Financial Statements Performed in Accordance with Government Auditing Standards. Disclosures in that report, which is dated February 4, 2015, should be considered in conjunction with this report to management.

Additionally, our audit was conducted in accordance with Chapter 10.550, Rules of the Auditor General, which governs the conduct of local governmental entity audits performed in the State of Florida. This letter included the following information, which is not included in the aforementioned auditor's report:

- Section 10.554(1)(i)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. There were no financially significant prior year comments.
- Section 10.554(1)(i)2., Rules of the Auditor General, requires that we address in the management letter any recommendations to improve financial management. No Such recommendations were noted to improve financial management.

- Section 10.554(1)(i)3., Rules of the Auditor General, requires that we address noncompliance with provisions of contracts or grant agreements, or abuse, that have an effect on the financial statements that is less than material but more than inconsequential. In connection with our audit, we did not have any such findings.
- Section 10.554(1)(i)4., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit if the reporting entity be disclosed in the management letter, unless disclosed in the notes to the financial statements. The Council discloses this information in the notes to the financial statements.
- Section 10.554(1)(i)5.a., Rules of the Auditor General, requires a statement be included as to whether or not the local government entity has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and identification of the specific condition(s) met. In connection with our audit, we determined that this item is not applicable to the Council.
- Section 10.554(1)(i)5.b., Rules of the Auditor General, requires that we determine whether the annual financial report for the Council for the fiscal year ended September 30, 2014, filed with the Florida Department of Financial Services pursuant to Section 218.32(1)(a) Florida Statutes, is in agreement with the annual financial audit report for the fiscal year ended September 30, 2014. In connection with our audit, we determined that these two reports were in agreement.
- Pursuant to Sections 10.554(1)(i)5.c. and 10.556(7), Rules of the Auditor General, we applied financial condition assessment procedures. It is management's responsibility to monitor the Council's financial condition. However, we determined this item is not applicable to the Council.
- Pursuant to Section 10.554(1)(i)5.d., Rules of the Auditor General, requires a statement indicating a failure, if any, of a component unit Special District to provide financial information necessary to a proper reporting of the component unit within the audited financial statements of this entity (F.S. Section 218.39(3)(b)). There are no known component special districts required to report within these financial statements.
- Section 10.556(10)(a), Rules of the Auditor General, requires that the scope of our audit to determine the entity's compliance with the provisions of Section 218.415, Florida Statutes, regarding the investment of public funds. In connection with our audit, we determined that the Council complied with Section 218.415, Florida Statutes as reported in our Independent Accountant's Report on Compliance with Section 218.415, Florida Statutes dated February 4, 2015, included herein.

PRIOR YEAR COMMENTS:

No financially significant comments noted.

CURRENT YEAR COMMENTS:

No financially significant comments noted.

Pursuant to Chapter 119, Florida Statutes, this management letter is a public record and its distribution is not limited. Auditing standards generally accepted in the United States of America require us to indicate that this letter is intended solely for the information and use of the Executive Committee, Council members, management, the Auditor General of the State of Florida, federal and state awarding agencies, pass-through entities and other federal and state audit agencies. However, this report is not intended to be and should not be used by anyone other than these specified parties.

DRAFT

TUSCAN & COMPANY, P.A.
Fort Myers, Florida
February 4, 2015

EXHIBIT

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FY15 - PROPOSED BUDGET ADMENDMENTS BY REVENUE SOURCE

Revenues	Adopted 2015 Budget	SWFRPC Special Revenue	SWFRPC General Fund	Total Combined Amendments	2015 Amended Budget Proposal
Assessments	472,941	0			472,941
Federal/State Grants	377,796	-19,166		-19,166	358,630
Contractual	145,900	53,269	0	53,269	199,169
Rental/Interest/Misc	22,500	0	-15,000	-15,000	7,500
Carry over Fund Balance	708,484	0	40,411	40,411	748,895
Total Income	1,727,621	34,103	25,411	59,514	1,787,135
Expenses					
Salaries	729,525	4,496	-39,076	-34,580	694,945
FICA	55,809	0	-2,600	-2,600	53,209
Workers Compensation	2,329	0			2,329
Retirement	58,766	0	-2,600	-2,600	56,166
Health Insurance	128,579	0	-3,000	-3,000	125,579
Total Personnel Services	975,008	4,496	-47,276	-42,780	932,228
Consultant Fees	14,500	0	32,350	32,350	46,850
Contractual	54,396	0		0	54,396
Audit Fees	40,000	0		0	40,000
Travel	25,170	10,500		10,500	35,670
Telephone	5,100	0		0	5,100
Postage	2,787	0	1,500	1,500	4,287
Equipment Rental	7,015	0		0	7,015
Insurance	22,500	0		0	22,500
Repair/Maintenance	15,000	0		0	15,000
Printing/Reproduction	2,190	3,500	500	4,000	6,190
Utilities	23,200	0		0	23,200
Advertising	2,454	0		0	2,454
Other MIsc.	4,500	0		0	4,500
Bank Service Charges	2,700	0		0	2,700
Office Supplies	5,175	0		0	5,175
Computer Related Expenses	27,070	0		0	27,070
Publications	250	211	0	211	461
Dues and Membership	29,700	0		0	29,700
Professional Development	10,256	0		0	10,256
Meetings and events	3,453	8,163	0	8,163	11,616
Capital Outlay-Operations	7,500	0			7,500
Capital Outlay-Building	35,150	0			35,150
Long Term Debt	128,000	0			128,000
Uncollectable Receivables		7,233		7,233	7,233
Allocation of Fringe/Indirect	-423,937	0	-2,074	-2,074	-426,011
Reserve of Operations	708,484	0	40,411	40,411	748,895
Total Cash Outlays	1,727,621	34,103	25,411	59,514	1,787,135
Net Income/Loss	0				0

FY15 - PROPOSED BUDGET ADMENDMENTS BY REVENUE SOURCE

[illegible]

SWFRPC Resolution #2015-02

A RESOLUTION IN SUPPORT OF REGIONAL PLANNING COUNCILS MAINTAINING CURRENT STATUTORY ROLE, DUTIES AND BOUNDARIES; AND OPPOSING THE ADOPTION OF SENATE BILLS 484, 562 AND 832.

Summary

This resolution is designed to bring attention to three bills that have been introduced that directly threaten the future of Florida's Regional Planning Councils. Senate bills 484, 562 and 832, introduced by Senator Simpson, are all targeted at the Regional Planning Councils (RPC). The Regional Planning Councils serve many important purposes, including economic and cultural development, emergency planning and preparedness, and land development and other growth related services. The role of the Regional Planning Councils is essential because these functions cannot be equally served by local or state agencies; a regionally minded perspective is essential to adequate and fair planning and distribution of resources. For these reasons, the resolution concludes that the Southwest Florida Regional Planning Council should oppose the adoption of Senate Bills 484, 562 and 832.

WHEREAS, Florida's Regional Planning Councils have played an integral role in economic and cultural growth, emergency preparedness, and conscientious land development in the State of Florida since their inception; and that the intergovernmental coordination required by the RPC system is of paramount importance to continued successes in our state.

WHEREAS, the issues associated with growth and development often transcend the boundaries of localized governmental bodies; the decisions made by one governmental body inherently impact surrounding areas; and the Legislature recognized the necessity of regional coordination and cooperation in order to combat these difficulties by enacting the Florida Regional Planning Council Act, thereby providing an essential platform for intergovernmental communication and coordination.

WHEREAS, the complex environmental systems that span multiple jurisdictions could be damaged by not having any entity that seeks to identify and protect these larger systems in order to insure the overall healthy functioning of Florida's valuable natural systems.

WHEREAS, currently existing RPC boundaries align with the Federal Economic Development Districts, and the alteration of existing RPC boundaries would harm Florida's economic development and require revisions to the existing EDA agreements as well as rewrites of the established Comprehensive Economic Development Strategies - both of which were created using extensive public input and public support.

WHEREAS, recently filed SB 484, if enacted, would drastically limit and alter the traditional roles and duties of RPC's, effectively removing Regional Planning Councils as we know them to be from state legislation.

WHEREAS, recently filed SB 562, if enacted, would remove the assessment of Developments of Regional Impact (DRI) from the realm of Regional Planning Councils, leaving this important duty to a state-coordinated review process which would hinder consideration of local and regional impacts.

WHEREAS, recently filed SB 832, if enacted, could allow certain major, long-term development projects to move forward without a comprehensive assessment of local and regional factors.

NOW, THEREFORE, BE IT RESOLVED that the Southwest Florida Regional Planning Council opposes the adoption of any legislation that would act to restrict Florida's Regional Planning Councils - specifically Senate Bills 484, 562 and 832.

IMPLEMENTATION: This resolution, upon adoption by this Council, will be presented to the Representatives and Senators that represent the interests of the six-county area encompassing Charlotte, Collier, Glades, Hendry, Lee and Sarasota Counties, urging them to strongly consider our position on the proposed legislation; to support Regional Planning Councils; and to vote against any legislation that would be detrimental to the continued functioning of Florida's Regional Planning Councils.

DULY ADOPTED by the Southwest Florida Regional Planning Council on the 13th day of March, 2015.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Robert "Bob" Mulhere, Chair

Margaret Wuerstle, Executive Director

TO: Margaret Wuerstle; Council Members of the SWFRPC
 FROM: Katherine Mohr
 RE: SUNSHINE LAW - "PHYSICAL PRESENCE" & ESTABLISHMENT OF QUORUM

I. APPLICABLE LAW

Florida's Government-in-the-Sunshine Laws were enacted in 1967 to establish a basic right of public access to most meetings of boards, commissions and other decision-making bodies of state and local governmental agencies or authorities. Since that time, the Sunshine Laws have been further clarified by court cases, Opinions of the Attorney General and statutory amendments. The Sunshine Laws are taken very seriously; violations can carry criminal penalties. Broadly, the Sunshine Laws aim to prohibit secretive or last-minute meetings; it does so by forcing decision-making bodies to discuss, deliberate and take action only when under public scrutiny.

Note - for the purposes of this document, I am inserting "the Council" where I may otherwise write "governing body", "agency" or something of that nature. Since this document intends to provide direction for future action of the Southwest Florida Regional Planning Council it makes more sense to compose the document with that purpose in mind. Also please note that the Sunshine Laws are incredibly far-reaching and an in-depth discussion of the statute as a whole would be quite lengthy. This memo serves to address a few specific issues that relate specifically to the Council meetings (monthly or otherwise) of the SWFRPC.

II. ISSUE ONE: ESTABLISHMENT OF QUORUM AT COUNCIL MEETINGS

Question Presented: *How must quorum be established for a meeting in order to comply with Sunshine Law requirements?*

Short Answer: *In order to establish quorum at a meeting in compliance with Sunshine Law requirements, a quorum of the Council must be physically present at the meeting site. No action may be taken by the Council unless this physical presence requirement is satisfied.*

Discussion:

For purposes of any meeting of the Council where formal action is to be taken, a majority of Council members (17) must be physically present at the meeting site. Unless this requirement is satisfied, no formal action may be taken by the Council at that time. Note also that without the physically present quorum, the Council may not discuss any issues, concerns or matters that "could foreseeably come before the Council" at a later date - to do so would violate the Sunshine Laws.

Under current law, the physical presence requirement applies only to local and regional decision-making bodies, not to state-wide bodies. This differing standard is applied because state-wide agencies are more likely to have multiple meetings in different locations and without allowing appearance electronically it would be difficult to ever have a quorum present.

Note also that the physical presence requirement has been the law in Florida since 1990. It is not a new concept and there is no grey area. Any action taken by the Council without a quorum physically present at the meeting site will be *void ab initio* - essentially, the actions are construed as never having had any valid legal authority.

Lastly, note that this requirement of physical presence applies only to Council meetings where action is to be taken. If the Council were to hold an advisory meeting or workshop style meeting (where

no formal action is to be taken), a quorum could be established using both those members physically present and any appearing by phone or other electronic means. [It goes without saying here that any meeting - advisory or action-oriented - must always comply with statutory requirements requiring adequate notice being provided to the public prior to the meeting.]

III. ISSUE TWO: ALLOWANCE OF TELEPHONIC/ELECTRONIC APPEARANCES AT MEETINGS

Questions Presented: *When, if ever, is appearance by telephone or other electronic means permissible at Council meetings? If appearing electronically, what level of participation is permissible?*

Short Answer: *A Council member may appear via electronic means for an action meeting only where there has been a prior determination by the Council that there are "extraordinary circumstances" in existence that prevent the person from being physically present at the meeting. Where (1) "extraordinary circumstances" burden satisfied, and (2) a quorum is physically present at the meeting site, a Council member may participate and may vote on action items.*

Discussion:

Although electronic appearance is permissible in limited cases, such appearances are discouraged. The Council should examine each request to appear electronically on a case-by-case basis before determining "extraordinary circumstances" are present. Attorney General opinions and case law have provided some guidance here. For example, health problems or disability will likely constitute "extraordinary circumstances", whereas scheduling conflicts or cost-savings will likely be insufficient to establish the same.

IV. ISSUE THREE: APPLICATION OF ABOVE RULES TO USE OF ALTERNATES AT MEETINGS

Question Presented: *What effect do the above-stated rules have on the use of alternates at Council meetings?*

Short Answer: *Insofar as the use of an alternate at a Council meeting is otherwise permissible, the same rules apply to alternates as would apply to any Council member.*

Discussion:

Since an alternate is authorized to act only where another Council member is absent, the alternate essentially steps into the shoes of that absent Council member. All the rules that would normally apply to the principal member will apply to the alternate so long as the alternate is standing in for the absent member.

IV. CONCLUSION & RECOMMENDATIONS

Compliance with the Sunshine Laws is important in order to protect both the reputation of and the actions taken by the Council. Any procedures that run counter to these statutory provisions must be permanently changed as soon as the discrepancy is noticed. It is my advice to the Council that from this point forward the utmost care is taken to abide by these rules for establishment of quorum at action meetings. Please note that an intentional violation of the Sunshine Laws is a second degree misdemeanor, which can carry serious consequences (resulting sentence imposed could be imprisonment not to exceed 60 days and/or fines up to \$500).

Memorandum of Understanding
between
Southwest Florida Regional Planning Council, Tampa Bay Regional Planning Council and
South Florida Regional Planning Council

Intent

This Memorandum of Understanding (MOU) is made and entered into by the Southwest Florida Regional Planning Council, hereinafter referred to as SWFRPC, Tampa Bay Regional Planning Council, hereinafter referred to as TBRPC, and South Florida Regional Planning Council, hereinafter referred to as SFRPC, for the purpose of applying for and implementing programs under the Investing in Manufacturing Communities Partnership (IMCP) offered through the U.S. Department of Commerce's Economic Development Administration (EDA).

Background

SWFRPC, TBRPC and SFRPC combined cover 13 counties including: Broward, Charlotte, Collier, Glades, Hendry, Hillsborough, Lee, Manatee, Miami-Dade, Monroe, Pasco, Pinellas, and Sarasota. Together, the 13-county region is in the top third in the nation in terms of employment in the medical manufacturing field. The region seeks to strengthen and expand its medical manufacturing sector to increase the number of firms located in the region and the number of well-paying jobs in the field.

For this reason, SWFRPC, TBRPC and SFRPC have formed a consortium to apply for the IMCP designation. If awarded this two-year designation, each of the Regional Planning Councils will work collaboratively to implement the IMCP strategies.

The consortium will be assisted in implementing the IMCP strategies by local stakeholders. The stakeholders will be comprised of a variety of public and private organizations (both for profit and not for profit) that work in or are impacted by the manufacturing sector.

Date and Term

This MOU will become effective upon receipt of the EDA Investing in Manufacturing Communities Partnership designation and will extend for a period of time matching the designation (two years plus any renewal terms). This MOU may be modified over time providing all parties agree to the modifications.

1.0 Southwest Florida Regional Planning Council Responsibilities

- 1.1** SWFRPC will serve as the lead entity for the consortium and will perform the required duties of the lead entity such as working with the implementation partners to ensure the strategies are implemented and reporting on progress under the strategies.

- 1.2 SWFRPC will assist in the initiation of the IMCP by working with the consortium members and others to form community task forces around each of the six elements for the purpose of gaining additional partners and resources.
- 1.3 SWFRPC will work with TBRPC and SFRPC to collect the required data and submit it to EDA on a quarterly basis unless requested more frequently in a format specified by EDA. The data and reports will also be posted on SWFRPC's website.
- 2.0 Mutual Responsibilities
- 2.1 Each party to this MOU agrees to provide staff time and other assistance as outlined in each member's individual Letter of Commitment to implement the IMCP strategies designed to increase private investment in the sector, create middle to high-wage jobs, increase median income, increase exports and improve environmental quality.
- 2.2 Each party agrees to compile data on activities and achievements related to the strategies on which it is working. Each party agrees to provide the data to SWFRPC for compilation in quarterly reports for the consortium members and for publication on SWFRPC's website.
- 2.3 Each party agrees to assist with grant writing as needed to seek funding to implement the IMCP strategies.
- 2.4 Each party agrees to work in good faith with the consortium members and stakeholders toward the achievement of the IMCP Strategic goals.

**Southwest Florida Regional Planning
Council**

X _____
Signature

X Margaret Wuerstle
Printed Name

X _____
Date

South Florida Regional Planning Council

X _____
Signature

X James Murley
Printed Name

X _____
Date

Tampa Bay Regional Planning Council

X _____
Signature

X Manny Pumariega _____
Printed Name

X _____
Date



MONTHLY ACTIVITY REPORT: February 2015

OUTREACH

- Developed and issued FRCA's Winter 2015 electronic newsletter, which focused on RPC "tools in the toolbox," economic modeling, and promotion of the FRCA annual report.
- Arranged a meeting between Bryan Koon, Director of the Florida Division of Emergency Management, and Brian Teeple, Chief Executive Officer of the Northeast Florida Regional Council and Chair of the FRCA Executive Directors Advisory Committee, as well as Chris Rietow, Executive Director of the Apalachee RPC, to discuss funding for hazardous analyses and the implications of Senate Bill 484 on RPC emergency management functions.
- With confirmed support from the West Florida and Apalachee RPCs, sent a letter to Sherri Martin, Chief of the Bureau of Economic Development, Florida Department of Economic Opportunity, supporting redesignation of the Northwest Florida Rural Area of Opportunity (formerly known as the Northwest Florida Rural Area of Critical Economic Concern).
- Continued to reach out to staff from the Florida Department of Transportation, District 3, to encourage their continuation of the District's transportation planning contracts with the Apalachee and West Florida Regional Planning Councils.

RESOURCE DEVELOPMENT/CAPACITY BUILDING

- To enhance partnerships and strengthen the relationship between regional planning councils and their state and federal partners, participated in or attending the following: a meeting of the Rural Economic Development Initiative, Florida Defense Support Task Force, Safe Mobility for Life Coalition, and Florida State Emergency Response Team Stakeholders Group, as well as Enterprise Florida, Inc.'s monthly teleconference.
- Attended a meeting of the Florida Department of Transportation's Florida Transportation Plan/Strategic Intermodal System Plan Update Steering Committee.
- Attended the American Planning Association, Florida Chapter's annual Public Policy Workshop.
- Attended and helped staff the Florida Civic Advance inaugural annual conference, which was an initiative of the Florida Consensus Center.
- Distributed funding announcements from the Florida Department of Environmental Protection, U.S. Department of Agriculture, U.S. Department of Commerce, U.S. Department of Transportation, and U.S. Economic Development Administration.

LEGISLATIVE SUPPORT

- Helped FRCA's Executive Director, Ron Book, and Brian Teeple, Chief Executive Officer of the Northeast Florida Regional Council and Chair of the FRCA Executive Directors Advisory Committee, craft a letter to the Governor explaining the role and value of RPCs.
- Attended/monitored numerous committee meetings in the Florida Senate and Florida House of Representatives and reviewed and summarized relevant pieces of legislation as needed.
- Created and distributed two Legislative Highlights reports covering four 2015 Interim Committee Weeks and issued several iterations of FRCA's bill tracking report.

ASSOCIATION MANAGEMENT

- Updated the Director of Intergovernmental Affairs job description to reflect practices that have evolved over the past three years and recognize the existence of and need to implement FRCA's first Strategic Operating Plan.
- Updated the FRCA Website to address regular maintenance issues and post meeting agendas and summaries.
- Prepared for and participated in the February 12-13 FRCA meetings.
- Finalized the logistics, secured speakers, developed agendas, and drafted meeting summaries for the March 12-13, 2015 FRCA meetings.

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Staff Summaries

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GRANT SUMMARY SHEET AS OF MARCH 3, 2015																		
#	Agency	Type	Awarded	Funding Agency	Project Mgr.	Project Name	LOI Due Date	LOI Date Submitted	App Due Date	Date Submitted	Date Awarded/Denied	Date Contract Signed	Project Total	RPC Amt	Start Date	End Date	Deliverables	Total Match Amt-RPC
1	SWFRPC	PO	Yes	TBRPC - Tampa Bay Regional Planning Council	Rebekah Harp	Tampa Bay RPC Graphics and Publications					10/21/2014	10/21/2014			10/21/2014		As needed publication and graphic design, including FOR (Future of the Regions) award materials and annual report.	\$0.00
2	SWFRPC	PO	Yes	TBRPC - Tampa Bay Regional Planning Council	Rebekah Harp	2015 Disaster Planning Guide					1/28/2015		\$4,000.00	\$4,000.00	2/5/2015	3/1/2015	2015 Disaster Planning Guide for eight counties in English and Spanish.	\$0.00
3	SWFRPC	Grant	Yes	DEM - FL Div. of Emergency Management	Tim Walker	Collier Hazard Analysis					12/5/2014		\$8,042.00	\$8,042.00	12/23/2014	6/15/2015	There are 4 deliverables stipulated with the contractual agreement.	\$0.00
4	SWFRPC	Grant	Yes	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY14-15 HMEP Planning						2/4/2015	\$22,000.00	\$22,000.00	10/1/2014	9/30/2015	Major Planning Project; travel coordination for LEPC Chairman; LEPC program coordination and quarterly reports.	\$0.00
5	SWFRPC	Grant	Yes	EPA - US Environmental Protection Agency	Jim Beever	WQFAM							\$160,000.00	\$160,000.00	10/1/2011	9/30/2015	Extention 2014-2015	
6	SWFRPC	Contract	Yes	Glades County	Tim Walker	Glades County Small Quantity Generators (SQG)						5/17/2012	\$3,900.00	\$3,900.00	5/17/2012	5/16/2017	The goal of the assessment, notification, and verification program is to inform Small Quantity Generators (SQGs) of their legal responsibilities, limit the illegal disposal of hazardous waste, and identify the location of waste operators for an update to State officials. Also, local knowledge of hazardous waste is useful for land development planning, emergency protective services, health care and water quality management.	\$0.00

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7	SWFRPC	Contract	Yes	DOE - US Dept. of Energy	Rebekah Harp	Solar Ready II	1/24/2013	1/24/2013		3/22/2013	7/18/2013		\$140,000.00	\$90,000.00	7/1/2013	1/1/2016	Recruit local governments to review and adopt BMPs. Host stakeholder meetings and/or training programs, providing technical assistance to local governments as needed, and tracking any policy adoptions and local government feedback.	\$50,000.00
8	SWFRPC	Grant	Yes	EPA - US Environmental Protection Agency	Jim Beaver	A Unified Conservation Easement Mapping and Database for the State of Florida			4/15/2013	4/8/2013	6/3/2013		\$294,496.00	\$148,996.00	10/1/2013	9/30/2015	GIS database with Conservation Easements	\$145,500.00
9	SWFRPC	Grant	Yes	EDA - US Economic Development Administration	Jennifer Pellechio	EDA Planning Grant			1/22/2013	12/18/2013	4/18/2014	4/21/14	\$270,000.00	\$189,000.00	1/1/2014	12/31/2016	CEDS Plan, Annual Reports, CEDS Working Committee	\$81,000.00
10	SWFRPC	Grant	Yes	EDA - US Economic Development Administration	Jennifer Pellechio	Advanced Manufacturing in West Central Florida An Ecosystem Analysis Supporting Regional Development				12/26/2013	9/3/2014		\$116,514.00	\$58,257.00			SWOT Analysis, Web Survey, REMI, Regional website, branding strategy, brochures	\$30,584.45
11	SWFRPC	Grant	Yes	Visit Florida	Margaret Wuerstle	Our Creative Economy: Video - Southwest Florida Regional Strategy for Public Art			2/18/2014	2/18/2014	5/14/2014	7/17/14	\$10,000.00	\$5,000.00	7/1/2014	5/31/2015		\$5,000.00
12	SWFRPC	Contract	Yes	EPA/CHNEP - Charlotte Harbor National Estuary Program	Jim Beaver	Mangrove Loss Project			4/4/2014	4/4/2014	12/19/2014		\$243,324.00	\$60,000.00			Report, transect information, presentations, articles	\$63,800.00
13	SWFRPC	Grant	Yes	DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	Agriculture Tours to Promote Assets and Economic Development in the City of LaBelle			6/6/2014	5/7/2014	8/26/2014		\$25,000.00	\$20,000.00	12/1/2014	5/31/2015	City of LaBelle Agriculture Tour Plan	\$0.00
14	SWFRPC	Grant	Yes	CTD - FL Commission for the Transportation Disadvantaged	Nichole Gwinnett	Glades-Hendry TD Planning Agreement FY2014-15					5/16/2014		\$38,573.00	\$38,573.00	7/1/2014	6/30/2015	Update of TDSP, CTC Evaluation, Staff Support, LCB Quarterly Meetings, Committee Meetings, Update By-Laws and Grievance Procedures.	\$0.00

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15	SWFRPC	Contract	Yes	DEM - FL Div. of Emergency Management	Nichole Gwinnett	Title III (LEPC) FY14-15					7/1/2014	9/24/2014	\$42,000.00	\$42,000.00	7/1/2014	6/30/2015	LEPC Program Coordination; attendance during four (4) local quarterly meetings; attendance during four (4) state quarterly meetings; quarterly reports; quarterly news articles/updates; annual LEPC plan update; industry compliance support; housing of chemical data, meeting minutes; exercise coordination; publishing of public availability notice; etc .	\$0.00
16	SWFRPC	Grant	Yes	City of Bonita Springs	Jim Beever	Spring Creek Restoration Plan					8/27/2014	8/26/14	\$50,000.00	\$50,000.00	9/1/2014	9/30/2015	The Spring Creek Vulnerability Assessment and The Spring Creek Restoration Plan	\$0.00
17	SWFRPC	Grant	To Be Submitted	FDOT - Florida Department of Transportation	Jennifer Pellechio	Florida Highway Beautification Grant - City of Clewiston			10/1/2015									
18	RC&DC	Grant	To Be Submitted	The Energy Foundation	Rebekah Harp	Solar GIS Website											GIS website designed to help citizens estimate potential benefits and costs of installing solar panels at specific locations across the SWFRPC region.	
19	SWFRPC	Grant	To Be Submitted	Artplace America	Margaret Wuerstle	ArtPlace - "OUR CREATIVE ECONOMY"			3/12/2015				\$3,000,000.00	\$3,000,000.00			TBD	\$0.00

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20	SWFRPC	Grant	To Be Submitted	NOAA - National Oceanic and Atmospheric Administration	Jim Beever	Measuring and Forecasting Future Ecosystem Services in the CHNEP Study Area	1/30/2015		3/17/2015					\$400,000.00			Products of the study will include updated valuations of the ecosystem services provided by existing conservation lands in the CHNEP; an updated conservation lands mapping of the project study area; a documentation and quantification of the ecosystem services provided by each habitat type, etc.	\$0.00
21	RC&DC	Grant	Pending	Dreyfus Foundation - The Max and Victoria Dreyfus Foundation	Beth Nightingale	"Our Creative Economy - A Regional Strategy for Southwest Florida Public Art, Festivals and Cultural Venues"	11/10/2014	11/10/2014					\$20,000.00	\$20,000.00			1. complete the Lee County public art descriptions (name of artist, year of creation, material, and significance); 2. provide QR Codes for Lee County's public art assets which will drive traffic to the Guide and direct users to other public art assets and venues; and 3. Create and promote a photo share site to encourage making art (photography) from art (public art assets and venues).	\$0.00
22	RC&DC	Grant	Pending	The Awesome Foundation	Barbara Hawkes	2015 Zombicon Festival: Documentary Video			10/15/2014	10/2/2014							WGPU Public Media, an affiliate of Florida Gulf Coast University (FGCU), in Fort Myers, FL will create a documentary regarding the ZombiCon festival.	

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23	SWFRPC	Grant	Pending	Bloomberg Philanthropies	Margaret Wuerstle	Painting with Sunlight			12/15/2014	12/15/2014			\$1,275,000.00	\$900,000.00			Each of the six host cities will be provided an application that is unique to their site. The project highlights new opportunities for renewable energy by using solar energy to highlight and promote the arts.	\$61,875.00
24	SWFRPC	Grant	Pending	EPA - US Environmental Protection Agency	John Gibbons	Environmental Workforce Development Job Training			2/3/2015	2/3/2015			\$200,000.00	\$200,000.00			OSHA 29 CFR 1910.120 40-Hour HAZWOPER and other training.	\$0.00
25	SWFRPC	Grant	Pending	Florida Humanities Council	Jennifer Pellechio	Public Art Field Guide and Map Viewer for Lee County	01/15/2015	01/15/2015	3/11/2015		1/28/2015		\$15,000.00	\$15,000.00			TBD	\$0.00
26	SWFRPC	Grant	Pending	CHNEP - Charlotte Harbor National Estuary Program	Margaret Wuerstle	North Port EcoFest Tour				1/12/2015			\$308.85	\$58.85			North Port Friends of Wildlife will ask folks to sign up with their organization and that of CHNEP. They will encourage folks to get involved to help in these organizations' endeavors. Many photos will be taken during the bus tour, possibly some videos. They will be posted on NPFOWL's Facebook. NPFOWL will be reaching out to schools during this involvement.	\$0.00
27	SWFRPC	Grant	Pending	Visit Florida	Jennifer Pellechio	OUR CREATIVE ECONOMY Marketing			2/9/2015	2/9/2015			\$5,000.00	\$2,500.00			TBD	\$2,500.00
28	SWFRPC	Grant	Pending	NEA - National Endowment for the Arts	Margaret Wuerstle	Our Creative Economy - A Regional Strategy for Southwest Florida's Public Art and Cultural Venues			1/15/2015	1/14/2015			\$400,000.00	\$200,000.00			• Asset Mapping • A Regional Strategy for Enhancing Public Art: A SWOT • Southwest Florida's Public Art and Cultural Venues Field and Tour Guide	\$113,472.00
29	SWFRPC	Grant	Pending	EPA - US Environmental Protection Agency	Dottie Cook	Southwest Florida Brownfields Coalition			12/19/2014	12/19/2014			\$600,000.00	\$600,000.00				\$0.00

GRANT SUMMARY SHEET AS OF MARCH 3, 2015																		
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30	SWFRPC	Grant	Pending	USDA - US Dept. of Agriculture	Dottie Cook	Southwest Florida Rural Promise Zone	10/17/2014	10/14/2014	11/21/2014	11/21/2014			\$0.00	\$0.00			Rural designation of a Promise Zone for Immokalee in Collier County, Glades County, and Hendry County.	\$0.00
31	RC&DC	Grant	Pending	Sunoco Foundation	Barbara Hawkes	Safety Training for Agriculture-Related Staff (STARS)	Open	10/23/2014					\$350,000.00	\$350,000.00			Eligibility Quiz. Letter of Inquiry (LOI) - If LOI reflects the Foundation's priorities, you will be asked to complete a full application.	
32	SWFRPC	Contract	Pending	NACo - National Association of Counties	Jennifer Pellechio	NACo County Prosperity Summit			10/3/2014	10/3/2014			\$0.00	\$0.00			Summit	\$0.00
33	RC&DC	Grant	Pending	Southwest Florida Community Foundation	Nichole Gwinnett	SWFRPC & RC&DC Collaboration			9/30/2014	9/30/2014			\$25,000.00	\$25,000.00			Provide information to the non-profit community about collaborative models that have succeeded in our area and to share proven effective practices for non-profits working together.	\$0.00
34	SWFRPC	Grant	No	NEH - National Endowment for the Humanities	Jay McLeod	ZombiCon: Dying for the Arts			8/13/2014	8/13/2014	2/3/2015		\$75,000.00	\$45,000.00			Film Script/Storyline developed, in collaboration with humanities scholars.	\$0.00
35	RC&DC	Grant	No	Atilus, LLC	Rebekah Harp	RC&DC Website			9/30/2014	9/30/2014	12/31/2014		\$20,000.00	\$20,000.00			New website, 2-year hosting, Adwords setup, and BoardMa tool (50 licenses).	
36	SWFRPC	Grant	No	DEO - FL Dept. of Economic Opportunity	Jennifer Pellechio	Economic Development Plan for Immokalee				10/22/2014	10/1/2014		\$25,000.00	\$25,000.00			TBD	\$0.00
37	SWFRPC	Grant	No	Rauschenberg/SWFLA Community Foundation	Jennifer Pellechio	Dr. Martin Luther King Jr. Blvd and Veronica S. Shoemaker Blvd Corridors Retail Market Analysis and Community Preference Survey	1/6/2015	1/6/2015			2/2/2015		\$50,000.00	\$50,000.00			TBD	\$0.00
79	RC&DC	Grant	No	USDA - US Dept. of Agriculture	Margaret Wuerstle	Mobile Market: A Nutritional Oasis for Food Markets of SWFL			3/31/2014	3/31/2014	10/1/2014		\$599,549.00	\$298,605.00	10/1/2014	9/30/2017	Education Plan	

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80	SWFRPC	Grant	No	USDA - US Dept. of Agriculture	Nichole Gwinnett	Opportunity Buy Program Coordinator			4/30/2014	4/30/2014	12/1/2014		\$195,979.00	\$99,848.00			A part-time employee will be assigned to develop and coordinate this program over a two year period. After the program is implemented and stable, it will be turned over to the school districts for their continued usage.	\$42,510.00
81	RC&DC	Grant	No	USDA - US Dept. of Agriculture	Rebekah Harp	The Smart Process Food Hub			4/30/2014	4/30/2014	12/1/2014		\$139,457.00	\$98,729.00			Host regional stakeholder meeting; hire and train two food service processors; secure warehouse rental space; distributing food from HUB to school districts; and completion of project - self sustaining.	\$25,728.00
88	SWFRPC	Contract	No	Alliance	Rebekah Harp	Consulting Services for Website Development and Maintenance			6/11/2014	6/11/2014			\$90,000.00	\$90,000.00			To maintain the stability of your site, the Alliance would receive dedicated technical support during development, testing, and launch; ongoing assistance with site maintenance; and solution monitoring and customer support.	\$0.00
90	RC&DC	Grant	No	Bank of America	Beth Nightingale	OUR CREATIVE ECONOMY - A Regional Strategy for SW Florida Public Art and Cultural Venues			9/15/2014	9/12/2014	12/16/2014		\$45,000.00	\$45,000.00				\$0.00
91	RC&DC	Grant	No	Artplace America	Beth Nightingale	Artplace Creative Placemaking	11/3/2014	10/29/2014	3/1/2015		1/9/2015						Print and online directories of public art.	
92	RC&DC	Grant	No	Fidelity Foundation	Beth Nightingale	Our Creative Economy - Sarasota County (Sponsorship)				9/24/2014	10/9/2014		\$60,000.00	\$60,000.00				\$0.00

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93	SWFRPC	Grant	No	DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	City of Clewiston - Sector Plans and Developments of Regional Impact Database and Website				9/12/2014	12/19/2014		\$25,000.00	\$25,000.00			Technical Assessment, Final Website, Final Geodatabase	\$0.00
94	SWFRPC		No	John S. and James L. Knight Foundation	Barbara Hawkes	The Southwest Florida Regional Planning Council's Retrospective Digital Historical Challenge Archive	9/30/2014	9/25/2014			10/21/2014						Application refined October 21-28, 2014	\$0.00
95	RC&DC	Grant	No	Fidelity Foundation	Margaret Wuerstle	Our Creative Economy - Collier County		9/17/2014			10/1/2014		\$60,000.00	\$60,000.00				\$0.00

Agenda Item

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Consent Agenda

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Agenda Item

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Intergovernmental Coordination
and Review

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Project Review and Coordination Regional Clearinghouse Review

The attached report summarizes the project notifications received from various governmental and non-governmental agencies seeking federal assistance or permits for the period beginning February 1, 2015 and ending February 28, 2015.

The staff of the Southwest Florida Regional Planning Council reviews various proposals, Notifications of Intent, Preapplications, permit applications, and Environmental Impact Statements for compliance with regional goals, objectives, and policies of the Regional Comprehensive Policy Plan. The staff reviews such items in accordance with the Florida Intergovernmental Coordination and Review Process (Chapter 29I-5, F.A.C.) and adopted regional clearinghouse procedures.

Council staff reviews projects under the following four designations:

Less Than Regionally Significant and Consistent - no further review of the project can be expected from Council.

Less Than Regionally Significant and Inconsistent - Council does not find the project to be of regional importance, but notes certain concerns as part of its continued monitoring for cumulative impacts within the noted goal areas.

Regionally Significant and Consistent - Project is of regional importance and appears to be consistent with Regional goals, objectives and policies.

Regionally Significant and Inconsistent - Project is of regional importance and appears not to be consistent with Regional goals, objectives, and policies. Council will oppose the project as submitted, but is willing to participate in any efforts to modify the project to mitigate the concerns.

The report includes the SWFRPC number, the applicant name, project description, location, funding or permitting agency, and the amount of federal funding, when applicable. It also includes the comments provided by staff to the applicant and to the FDEP-State Clearinghouse in Tallahassee.

RECOMMENDED ACTION: Approval of the administrative action on Clearinghouse Review items.

03/2015

ICR Council - 2014

SWFRPC #	Name1	Name2	Location	Project Description	Funding Agent	Funding Amount	Council Comments
2015-01	Mr. Joseph Hosick	Hendry-Glades Mental Health Clinic, Inc.	Hendry County	Hendry-Glades Mental Health Clinic, Inc. - FTA Section 5310 Program Grant - "Operating Expenses" for Hendry County, Florida	FTA	\$23,396.00	Not Regionally Significant and Consistent
2015-02	Ms. Marlene Simons	Pines of Sarasota, Inc.	Sarasota County	Pines of Sarasota, Inc. - FTA Section 5310 - Support operations in Sarasota and Manatee Counties for the transportation of seniors and individuals with disabilities.	FTA		Not Regionally Significant and Consistent
2015-03	Mr. Herb Hamilton	Hope Hospice and Community Services, Inc.	Region	Hope Hospice and Community Services, Inc. - HOPE PACE - FTA Section 5310 - Enhanced access to healthcare for seniors - operating assistance.	FTA	\$301,656.00	Less Than Regionally Significant and Consistent"
2015-04	Ms. Nida C. Eluna	Dr. Piper Center for Social Services, Inc.	Lee County	Dr. Piper Center for Social Services, Inc. - Section 5310 Application - It is a two-fold program: 1. Provide assistance to frail, homebound seniors, 60 and older, thus preserving their life of independence and isolation. 2. Provide volunteer opportunities to low-income seniors 60 and older to serve identified frail elderly clients in our communities.	FTA	\$98,455.00	Less Than Regionally Significant and Consistent"
2015-06	Rev. Kirk Zaremba	UCP of Sarasota-Manatee	Sarasota County	UCP of Sarasota-Manatee - Section 5310 Program - Purchase one vehicle for Sarasota County.	FTA	\$57,921.00	Less Than Regionally Significant and Consistent"
2015-07	Rev. Kirk Zaremba	UCP of Sarasota-Manatee	Lee County	UCP of Sarasota-Manatee - Section 5310 Program - Purchase two ADA (All Purpose) Caravans for Lee County.	FTA	\$93,196.00	Less Than Regionally Significant and Consistent"

SWFRPC #	Name1	Name2	Location	Project Description	Funding Agent	Funding Amount	Council Comments
2015-08	Rev. Kirk Zaremba	UCP of Sarasota-Manatee	Collier County	UCP of Sarasota-Manatee - Section 5310 Program -Purchase one vehicle for Collier County.	FTA	\$57,921.00	Less Than Regionally Significant and Consistent"
2015-09	Mr. Alan Mandel	Good Wheels, Inc.	Region	Good Wheels, Inc.- Section 5310 Operating Grant - Operating assistance for elderly and disabled transportation in Lee, Glades and Hendry Counties.	FTA	\$190,400.00	Less Than Regionally Significant and Consistent"
2015-10	Mr. Alan Mandel	Good Wheels, Inc.	Region	Good Wheels, Inc. - Section 5311 - Operating assistance for rural service area.	FTA	\$50,000.00	Less Than Regionally Significant and Consistent"
2015-11	Mr. Alan Mandel	Good Wheels, Inc.	Region	Good Wheels, Inc.- Section 5310 Operating Grant - Operating assistance for rural service areas in Lee, Glades and Hendry Counties.	FTA	\$1,514,460.00	Less Than Regionally Significant and Consistent"

Review in Progress

<i>SWFRPC #</i>	<i>First Name</i>	<i>Last Name</i>	<i>Location</i>	<i>Project Description</i>	<i>Funding Agent</i>	<i>Funding Amount</i>	<i>Council Comments</i>
2015-05			Lee County	Lee County Transit - Section 5311 Non-Urbanized Program Grant - Rural Operating Assistance for Lee County.	FTA	\$184,582.00	Review in Progress
2015-12			Glades County	Glades County - 2013 Community Development Block Grant - Economic Development Application - Construction of infrastructure for a Loves Travel Stops and Country Stores in Glades County.	HUD	\$1,154,967.00	Review in Progress

Agenda Item

10b

10b

SWFRPC Fixed Assets Removal

10b

SWFRPC FIXED ASSETS REMOVAL

The attached list has been approved by both the Network Administrator and Executive Director for disposal of surplus equipment. Staff is seeking approval of the Council to dispose of these items and follow the procedures listed in our Computer Disposal Policy.

RECOMMENDATION ACTION:

Review the attached list of surplus items to be disposed of and obtain final approval by Council in order to follow procedures in Computer Disposal Policy.

02/2015

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

COMPUTER DISPOSAL POLICY

Effective Date: December 14, 2007

Policy Statement:

All Council-owned electronic equipment, including but not limited to, computers, monitors, faxes, copy machines, cell phones, and personal digital appliances (PDAs) with a printed circuit board that the Network Administrator has deemed to be surplus or non-usable shall be disposed of in a manner that is consistent with Federal, state and local statutes and regulations, with recycling being the preferred method. All equipment identified as surplus shall be recycled by the Council's selected and approved vendor list. In addition, all surplus computers or servers that contain hard drives shall be wiped clean or shall be destroyed by magnetic degaussing.

If equipment is recycle/disposed through the Lee County Government Solid Waste Division there is a fee which is subject to change.

Responsibility:

The administration of the recycling program shall be under the Network Administrator and the Executive Director. The Network Administrator identifies equipment as surplus to the needs for the Council, the Executive Director, reviews, and approves these declarations and brings the matter before the Council for final approval.

Action:

The initial action is the Network Administrator presents the Executive Director a list of surplus equipment. This list depicts: purchase date, current capital value, and reason for designation as surplus and recommended method of disposal. Once a list is approved by the Executive Director, it is placed on the Council's Agenda in the Administrative Items section for final approval.

Possible methods of disposal include: in-house auction of equipment, donation to other agencies, recycling, disposal or any other method deemed to be consistent with the purpose and mission of the Council.

SWFRPC Disposal

Surplus Equipment - February 2015

Computer Towers*				
Inventory #	Make	Model	Purchase Date	Purchase Cost
644	Dell	Latitude E6410	8/2/2010	\$1,129.80
598	Dell	D630	8/8/2008	\$1,073.00
608	Dell	Latitude E6500	4/8/2009	\$823.53
518	Dell	PowerEdge 2600 Server	12/14/2006	\$8,328.00

Monitors*				
Inventory #	Make	Model	Purchase Date	Purchase Cost
557a	Dell	19"	5/10/2006	n/a

Miscellaneous*				
Inventory #	Make	Model	Purchase Date	Purchase Cost
599	APC	Smart UPS 1500 VA	12/14/2006	\$359.00

*All equipment listed on this sheet is "End of Life" no longer operational.
All computers are phased out of the network at 5 years old.

CHNEP Disposal**Surplus Equipment - February 2015**

Inventory #	Make	Model	Purchase Date
452	CP10T	Projector	5-Nov-98
517	Dell	Latitude C840	15-Nov-02
559	Dell	Precision 390	3-Jan-07
594	Dell	2300MP	29-Jul-05
596	Nikon	D90 DSLR	8-Oct-08
601	Edge	Disk Go	21-Oct-08
602	Dell	Optiplex 755	6-Nov-08
611	Iomega	Prestige Portable Hard Drive	25-May-09
615	BravoPro	CD/DVD Duplicator	23-Aug-07
634	FujiFilm	FinePix S1800	26-Aug-10
635	FujiFilm	FinePix S1800	26-Aug-10
636	FujiFilm	FinePix S1800	26-Aug-10
637	FujiFilm	FinePix S1800	26-Aug-10
638	FujiFilm	FinePix S1800	26-Aug-10
639	FujiFilm	FinePix XP10	26-Aug-10
640	FujiFilm	FinePix XP10	26-Aug-10
641	FujiFilm	FinePix XP10	26-Aug-10
642	FujiFilm	FinePix XP10	26-Aug-10
643	FujiFilm	FinePix XP10	26-Aug-10
651	Dell	T1500	14-Jan-11
653	Dell	1410x Projector	15-Feb-11
654	Logitech	Laptop Speaker Z205	11-Feb-11
655	Dell	Latitude E5510	15-Feb-11
656	Dell	Latitude E5510	15-Feb-11
664	HP	CLJ 5525DN	12-Apr-12
667	Dell	Precision T3500	14-Nov-11
671	LI-1400	Datalogger	
679	Dell	T3500	28-Sep-12
685	Seagate	Backup Plus - 4TB External Drive	19-Apr-13
698	Bose	SoundDock 10 BT DMS SLV	23-Jun-14

Monitors

Inventory #	Make	Model	Purchase Date
225	Dell	19"	
667a	Dell	22"	11/14/2001
239	Dell	19"	10-Aug-10
555a	Dell	20"	1-May-06
206	Viewsonic -Optiquest	19"	16-Jan-07
207	Dell	20"	17-Apr-06
208	Dell	20"	17-Apr-06

Agenda Item

11

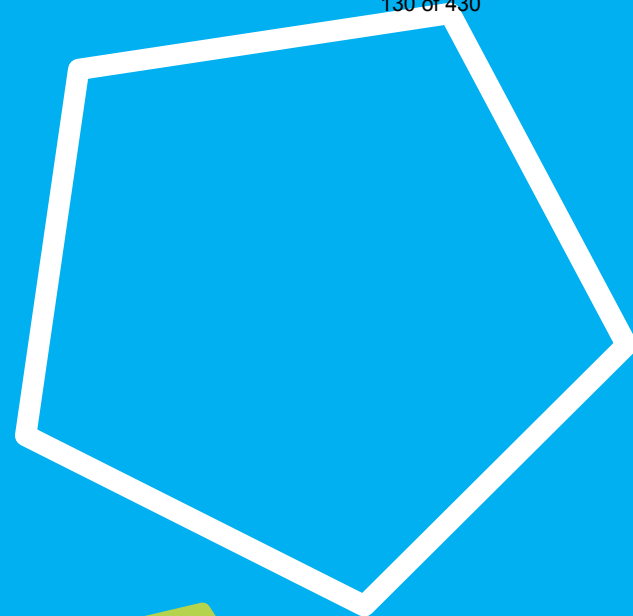
11

Regional Impact

11

11

GROWTH MANAGEMENT PROGRAM



GROWTH MANAGEMENT PLANNING

Local jurisdiction dues and applicant fees funded the reviews that are presented to Council.

COMPREHENSIVE PLAN AMENDMENTS



COLLIER COUNTY

DEO 15-1ESR

San Marino

- Urban Fringe Residential Sub-District
- Zoned PUD
- 235 acres
- Approx. 39 acres developed as a 350 Multi-Family D.U. apartment complex.



COLLIER COUNTY

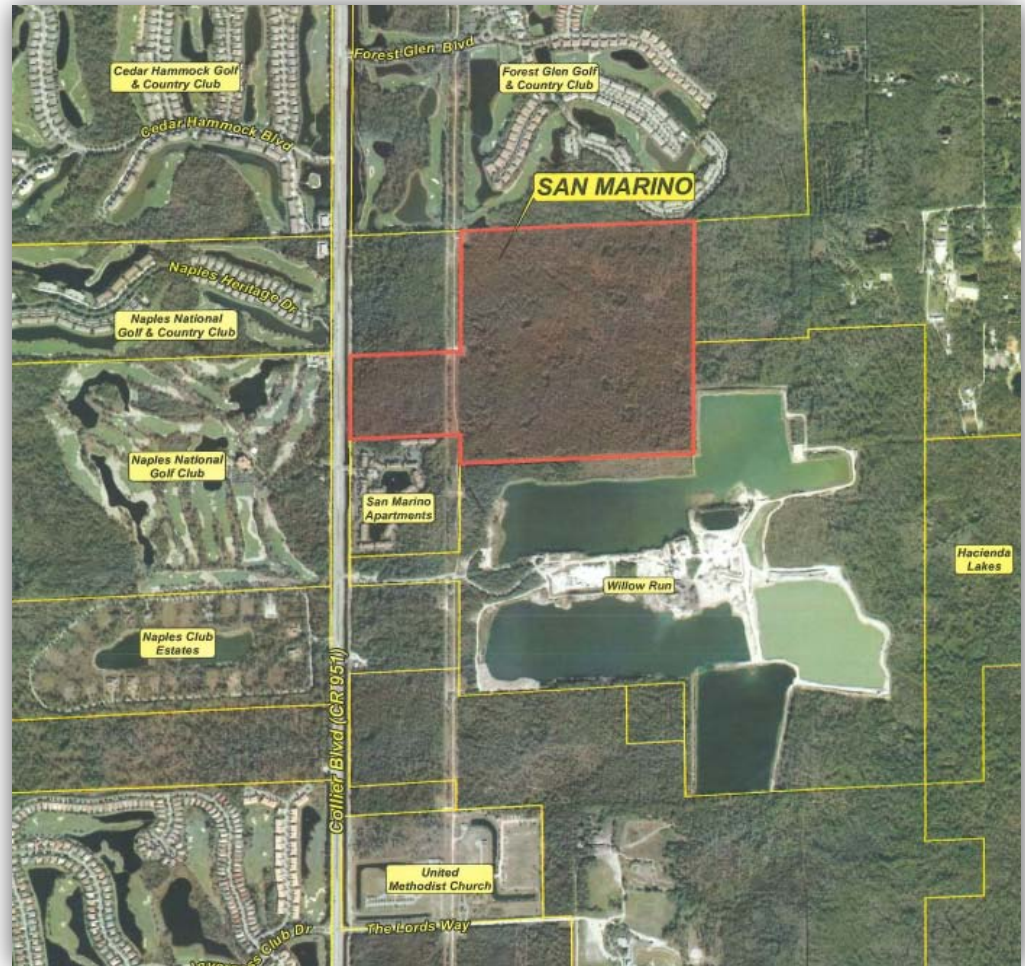
DEO 15-1ESR

San Marino

Urban Rural Fringe

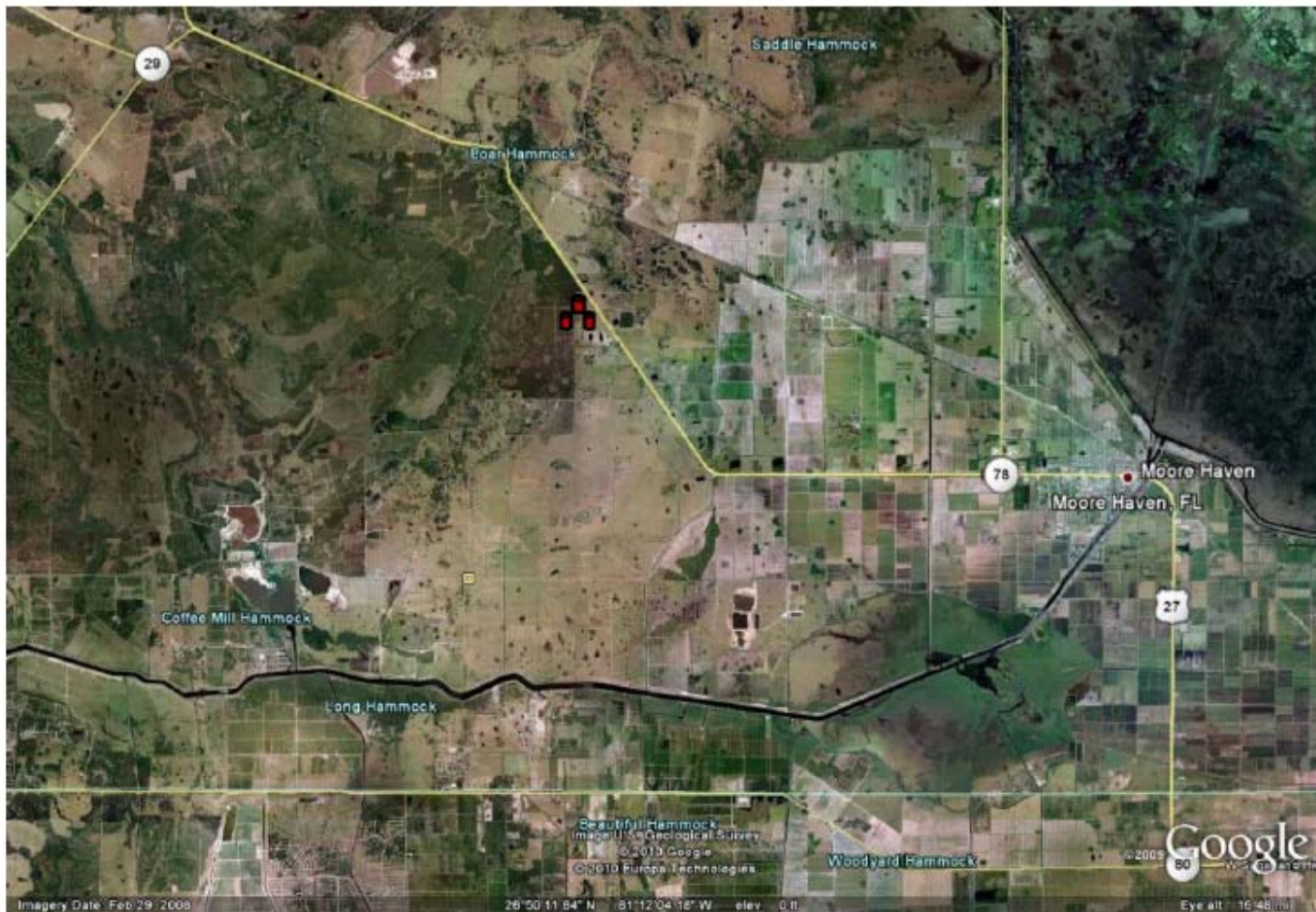
Description

- Privately-initiated
- Amends FLUE – two site specific exceptions from existing provisions.
 - Increase TDR density to 3.02DU/A
 - Amend transfer of TDR credits more than 1 mile urban boundary
- **Analysis** Does not significantly impact regional resources or facilities; not regionally significant; and flow ways are retained
- **Recommend** Consistent with the SRPP.



CITY OF MOORE HAVEN DEO 15-1 ESR

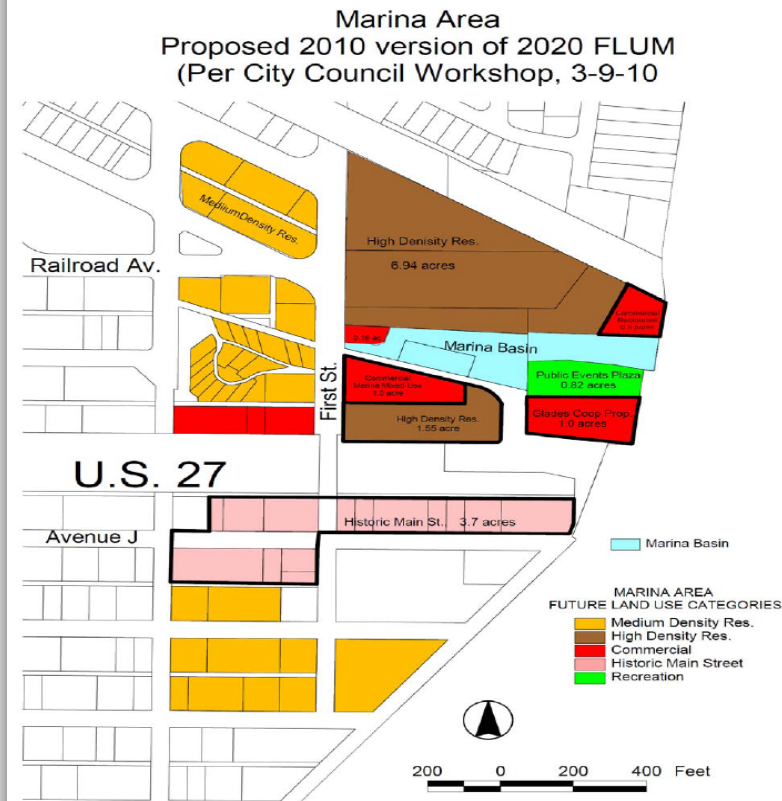
Marina Area Land Use Designations



CITY OF MOORE HAVEN DEO 15-1 ESR

Marina Area Land Use Designations

New Map I.7 Marina Area Future Land Use 2020



CITY OF MOORE HAVEN DEO 15-1 ESR

Marina Area Land Use Designations

Description

- The City of Moore Haven is proposing to change their Comprehensive Plan by amending the Future Land Use Element (FLUE) in the river front area of the City. The changes include textual amendments to provide for the changes to Policy 1.A.1 Comprehensive Plan to allow additional uses in the Marina Area land use designations currently shown on the Future Land Use Map (FLUM).
 - Seasonal and Resort Use uses are being proposed to be allowed in the Marina Area/Medium Density Residential Sub-category.
 - Clubs, lodges, fraternal organizations, child care, and pre-school facilities are being proposed as allowable uses for the Marina / Historic Main Street Sub-category.

Analysis

- Council staff has reviewed the proposed changes and revisions to the Plan and finds that the proposed amendments to the text in the Plan do not adversely affect any significant regional resources or facilities that are identified in the Strategic Regional Policy Plan. Further, staff has reviewed the proposed Land Use changes and found that the request was not regionally significant due to its lack of magnitude, location and character.
- Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

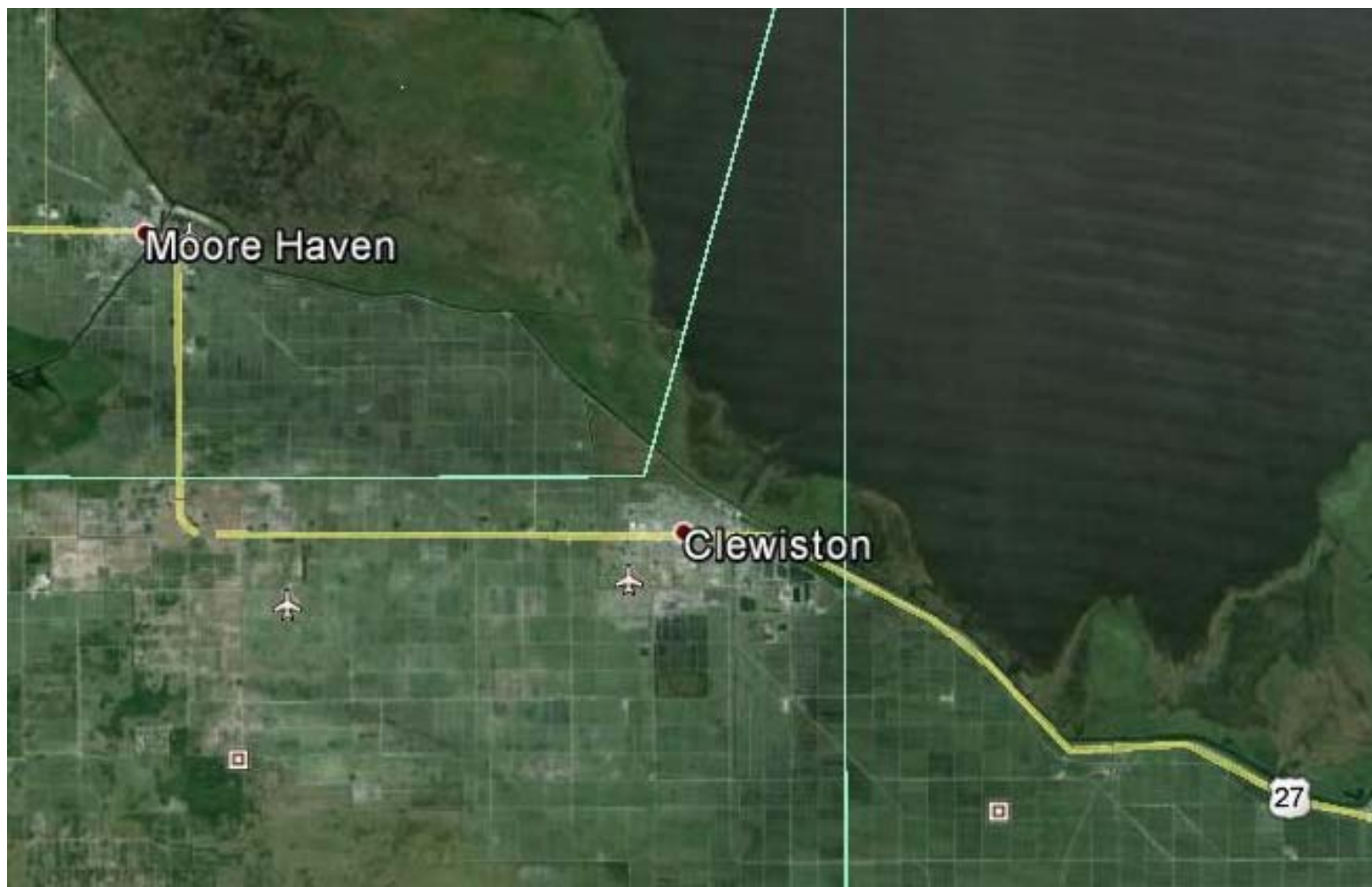
Recommendation

Not regionally significant and consistent with the Strategic Regional Policy Plan

CITY OF CLEWISTON

DEO 15-1 ESR

Mixed Use Sub-District

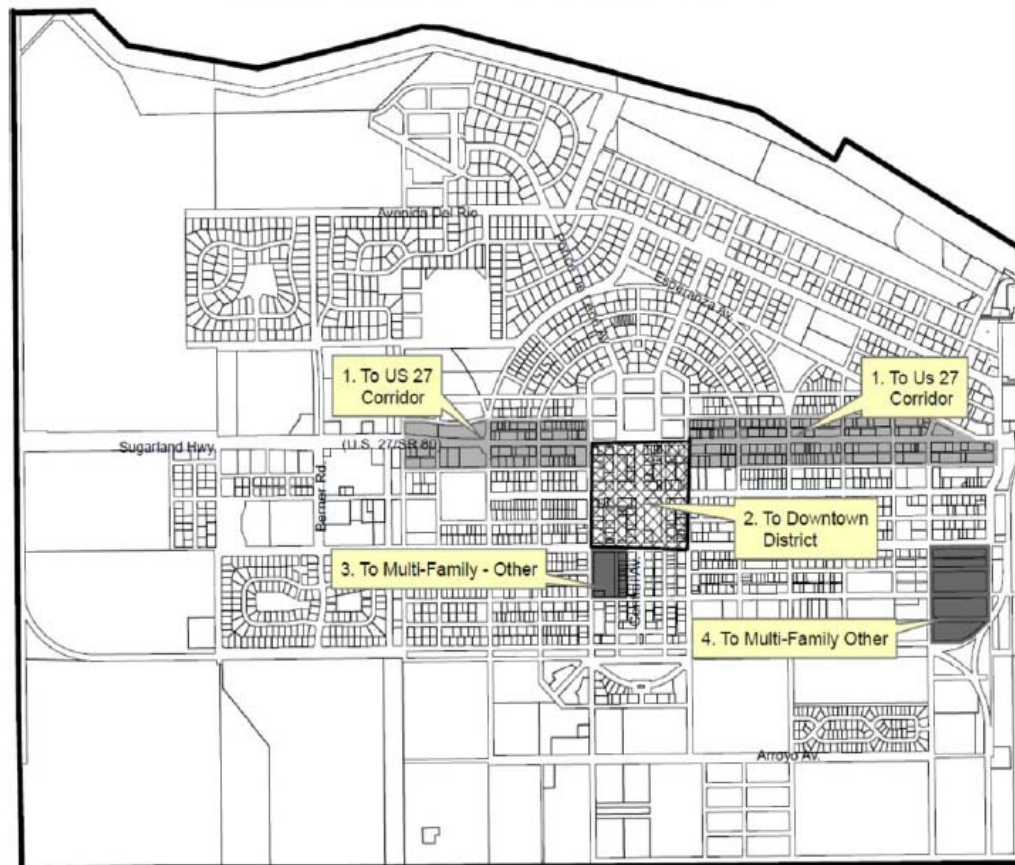


CITY OF CLEWISTON

DEO 15-1 ESR

Mixed Use Sub-District

Proposed 2014 Future Land Use Map Amendments



CITY OF CLEWISTON

DEO 15-1 ESR

Mixed Use Sub-District

Description

The City of Clewiston is proposing to change their Comprehensive Plan by amending the Future Land Use Map (FLUM) in the downtown area of the City and provide various Comprehensive Plan textual amendments to provide for the downtown map changes, update the Water Supply Work Plan, and provide policy changes to address out of date or completed policies throughout the plan.

Specifically, the City proposes to create two Downtown Mixed Use Districts that would include a US 27 Mixed Use Commercial Corridor and a Downtown Commercial District (See the attached Map and data showing acreages.) The purpose of the district commercial mixed use designations is to allow for future design and parking zoning standards for each area.

Analysis

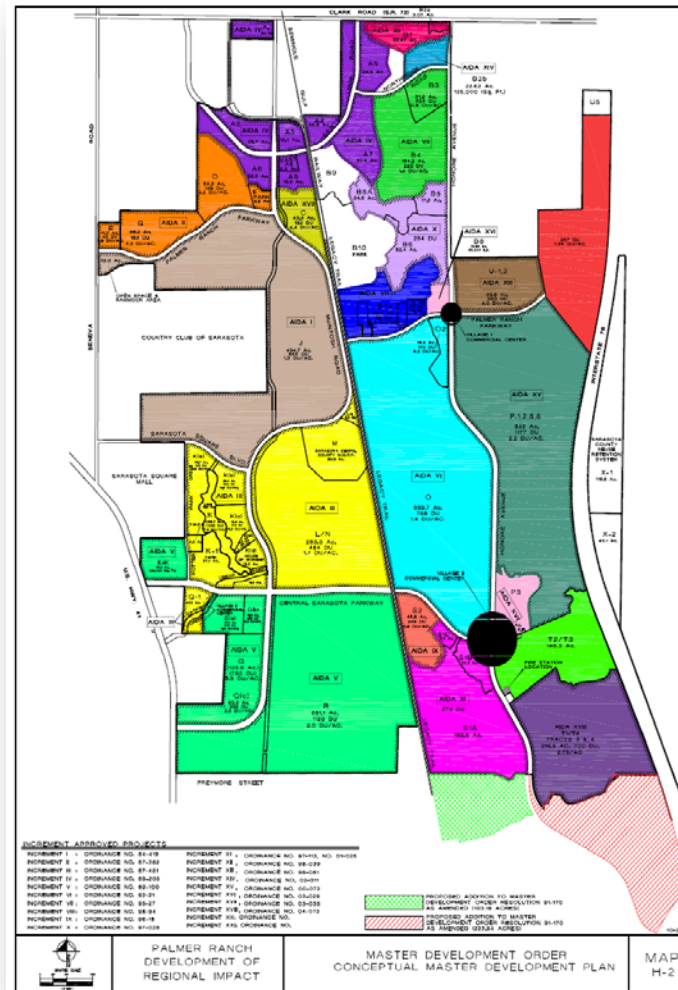
Based on the information submitted, the impacts of the mixed use districts which would allow residential to replace commercial along US 27. As proposed, the City's commercial building height and land coverage standards are not being changed. The proposed changes will not have a negative traffic impact on the regional roadway network and the US 27 Clewiston link should remain at the current Level of Service (LOS) C.

Recommendation

Not regionally significant and Consistent with the Strategic Regional Policy Plan

Palmer Ranch DRI

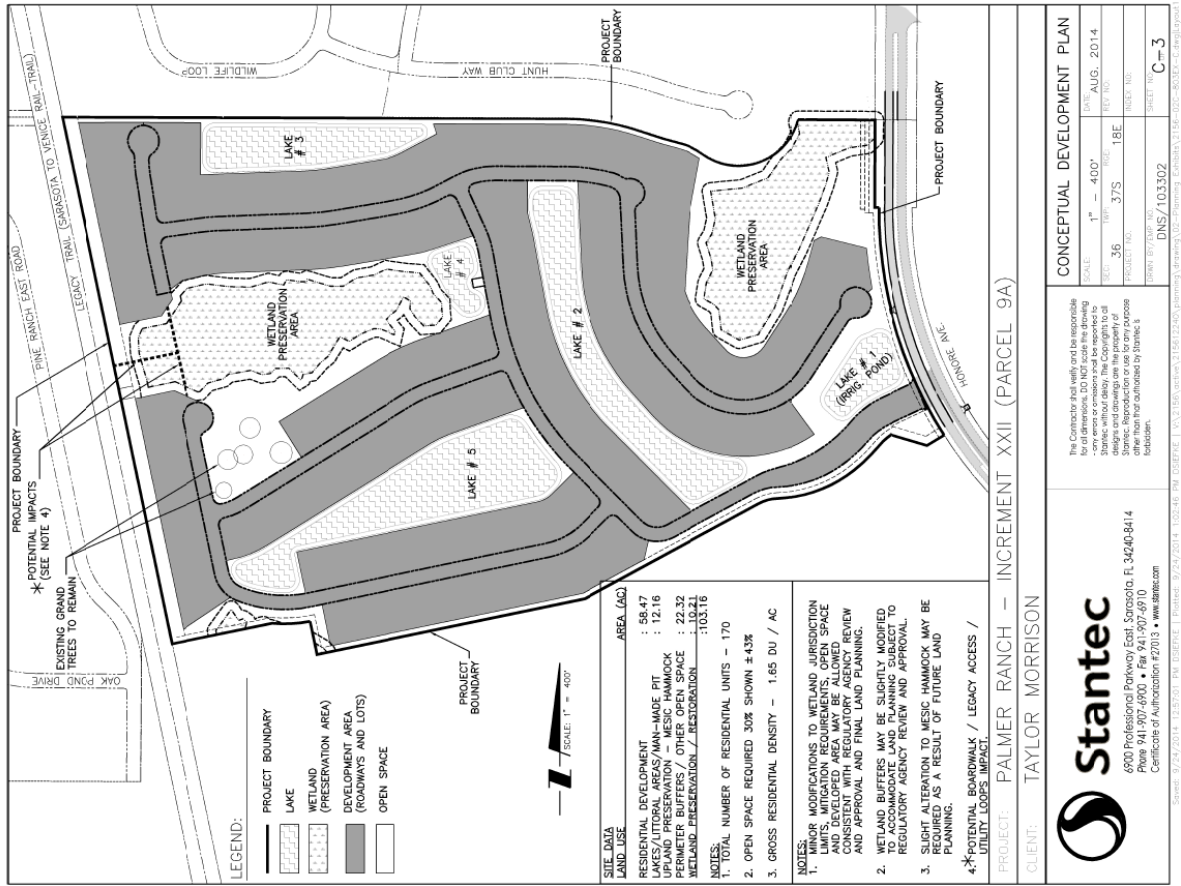
Increment XXII



Palmer Ranch DRI

Increment XXII

NOPC



Palmer Ranch DRI

Increment XXII

NOPC

Description

The Palmer Ranch Increment XXII DRI is planned as the twenty-second increment of the Palmer Ranch Master Development Plan and is the sixteenth increment to be filed pursuant to the provisions of the Revised Master Development Order. This increment is a 103± acre parcel of land (referred to as Parcel 9A) south of the existing boundaries of the Palmer Ranch DRI. The specific parcel is located south of Palmer Ranch Increment XI and west of Honore Avenue.

The Applicant is proposing to construct in one phase, with a buildout date of 2020 depending on market conditions, a total of 170 single-family detached homes on Palmer Ranch Parcel 9A, a 103± acre area. Also part of the development proposal is 44.7 acres of other open space (12.16± acres of lakes/littoral areas/man-made pits, 10.21± acres of wetland preservation and restoration areas and 22.32± acres± of upland preservation/perimeter buffers and other open space).

Palmer Ranch DRI

Increment XXII

NOPC

Analysis

The designation of single-family on this property is consistent with the Sarasota County Comprehensive Plan. The traffic analysis with this amendment shows no off-site transportation improvements are required as part of this project. Water, reuse and wastewater services will be provided by Sarasota County Utilities Department.

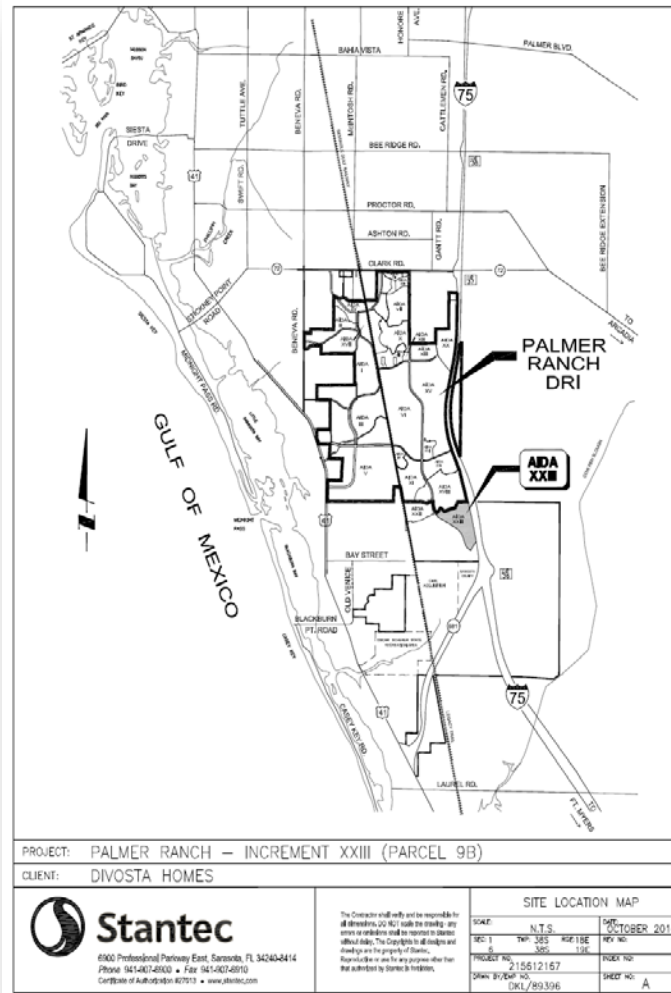
Recommendation

The staff of the Southwest Florida Regional Planning Council recommends Conditional Approval for the Palmer Ranch Increment XXII DRI to be further conditioned on a finding of Consistency with the Local Government Comprehensive Plan by the Sarasota County Board of County Commissioners.

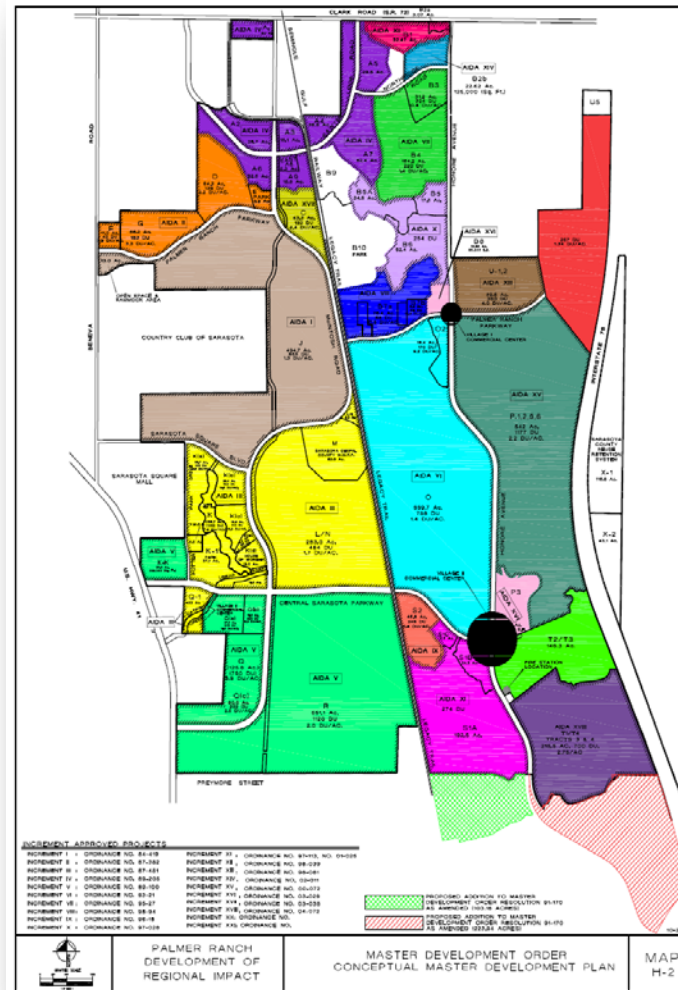
PALMER RANCH DRI

Increment XXIII

NOPC



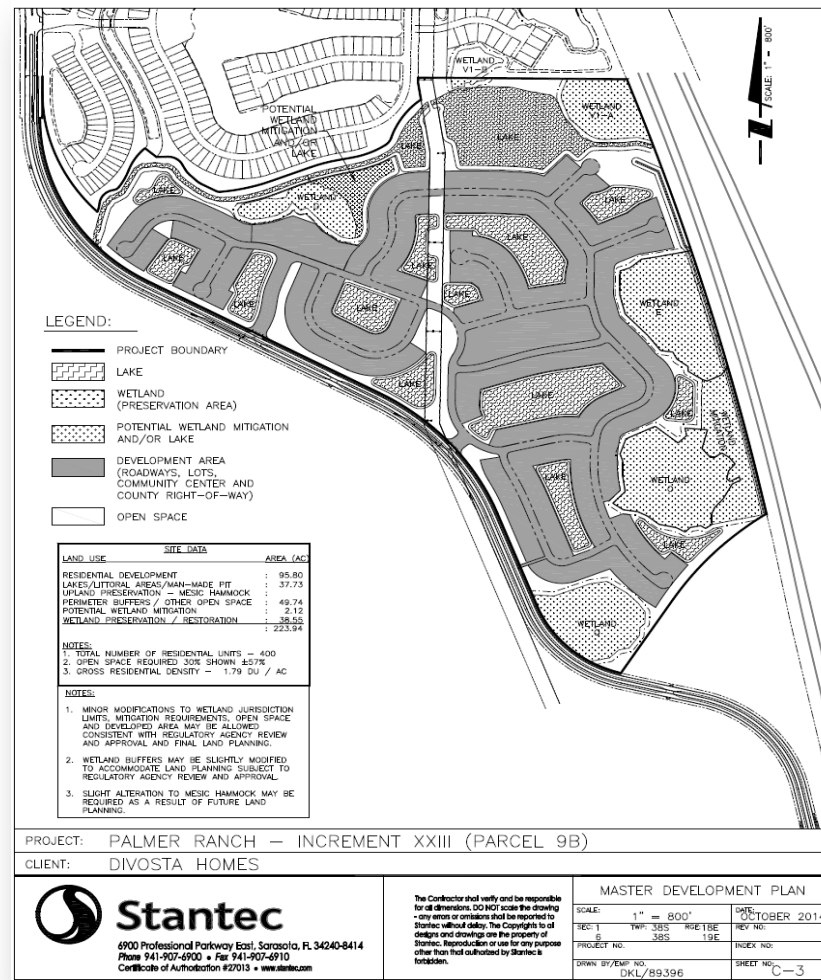
NOPC



Palmer Ranch DRI

Increment XXIII

NOPC



Palmer Ranch DRI

Increment XXIII

NOPC

Description

The Palmer Ranch Increment XXIII DRI is planned as the twenty-second increment of the Palmer Ranch Master Development Plan and is the seventeenth increment to be filed pursuant to the provisions of the Revised Master Development Order. This increment is a $224 \pm$ acre parcel of land (referred to as Parcel 9B) located south of the existing boundaries of the Palmer Ranch DRI. The specific parcel is located south of Palmer Ranch Increment XVIII and east of Honore Avenue, adjacent to I-75. The Applicant is proposing to construct in one phase, with a build-out date of 2021 depending on market conditions, a total of 400 single-family detached homes on $95.8 \pm$ acres. Also part of the development proposal is $38.55 \pm$ acres of wetland preservation and restoration areas, $2.12 \pm$ acres of potential wetland mitigation, $37.73 \pm$ acres of lakes/littoral areas/man-made pit, and $49.74 \pm$ acres of perimeter buffers/other open space.

Palmer Ranch DRI

Increment XXIII

NOPC

Analysis

The designation of single-family on this property is consistent with the Sarasota County Comprehensive Plan. The traffic analysis with this amendment shows no off-site transportation improvements are required as part of this project. Water, reuse and wastewater services will be provided by Sarasota County Utilities Department.

Recommendation

The staff of the Southwest Florida Regional Planning Council recommends Conditional Approval for the Palmer Ranch Increment XXIII DRI to be further conditioned on a finding of Consistency with the Local Government Comprehensive Plan by the Sarasota County Board of County Commissioners.

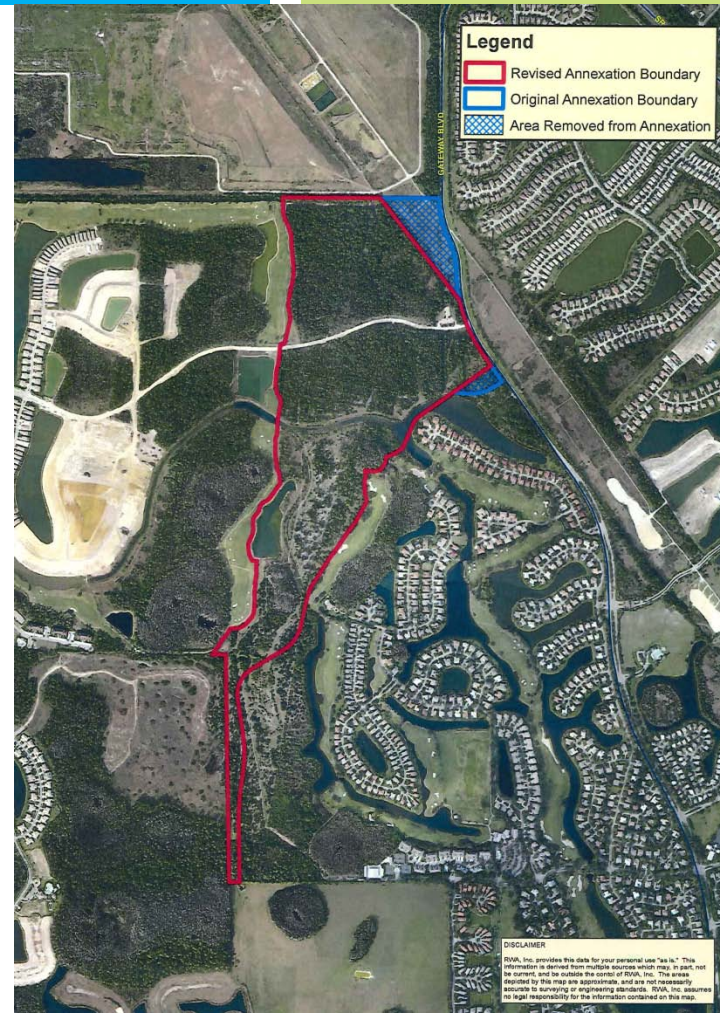
CITY OF FORT MYERS

Pelican Preserve DRI DO Review

Ordinance No. 3721

December 2, 2014, City of Ft. Myers Board approved the amendments to Pelican Preserve DRI DO and rendered the order to SWFRPC on January 20.

Prior to Ft. Myers' board action Council staff had concluded that the changes were minor and did not increase regional impacts or negatively impacted regional resources or facilities.



CITY OF FORT MYERS

Pelican Preserve DRI DO Review

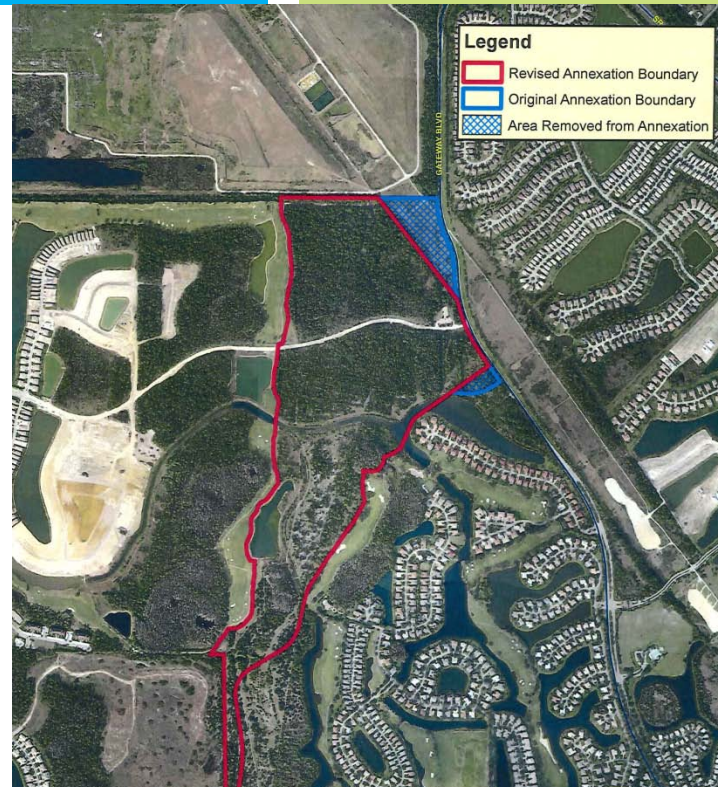
Ordinance No. 3721

Pelican Preserve DRI Development Order amends:

- Legal description
- Master Site Plan, (Map H)

Annexing 180 acres from the Gateway
DRI located in Lee County to

Pelican Preserve DRI located in the
City of Ft. Myers.



RECOMMENDATION: Accept the Development Order as rendered forward review to City of Fort Myers and to Department of Economic Opportunity.

Sarasota County

DEO 15-1ESR

Description

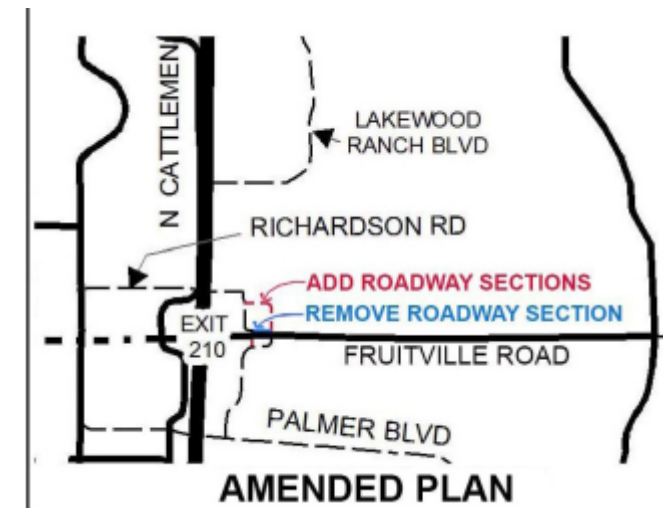
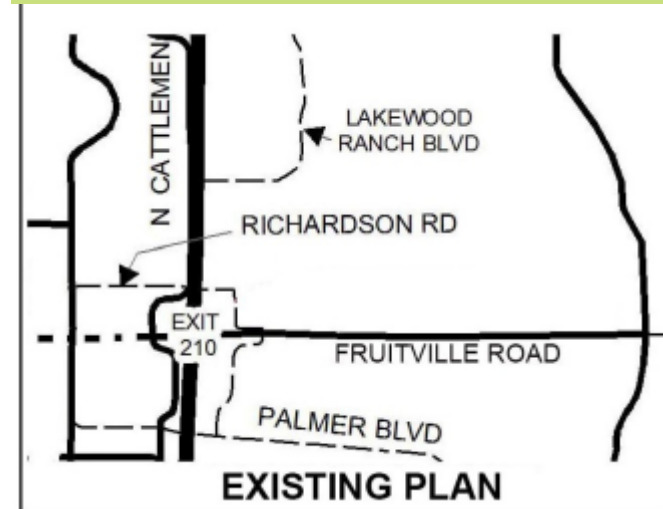
Amend FLUE to remove language that restricts the location of the future Lakewood Ranch Boulevard delineation and intersection and to revise the corresponding Figures in the Year 2025 Future Thoroughfare Plan.

Background

Plans initially developed showed Lakewood Ranch Boulevard intersecting Fruitville Road adjacent to the Main C Canal. This intersection falls within FDOT “non-access limitations” associated with I-75. County’s efforts to have this encroachment approved by DFOT were never granted.

153 of 430

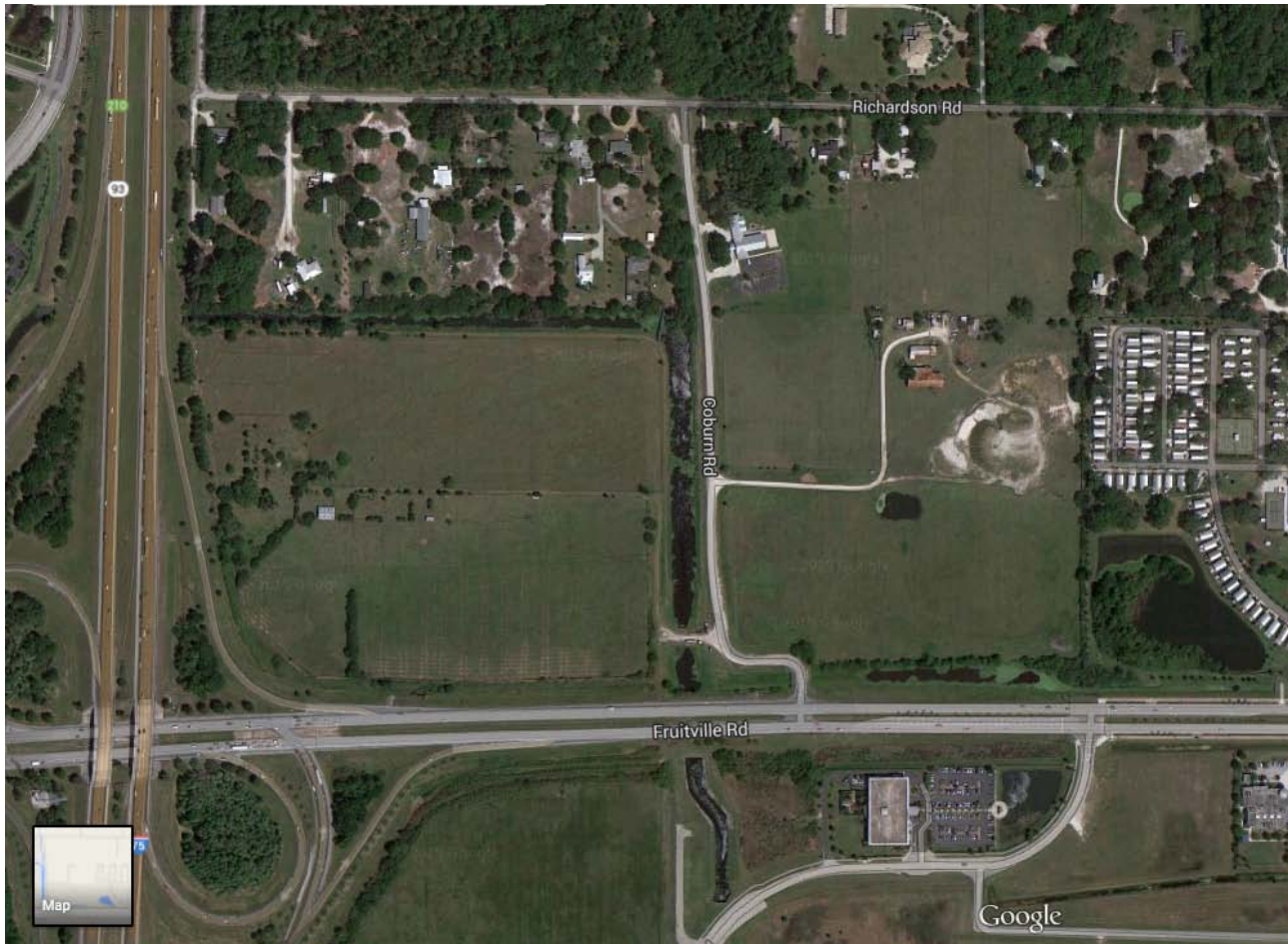
Roadway Realignment



Sarasota County

DEO 15-1ESR

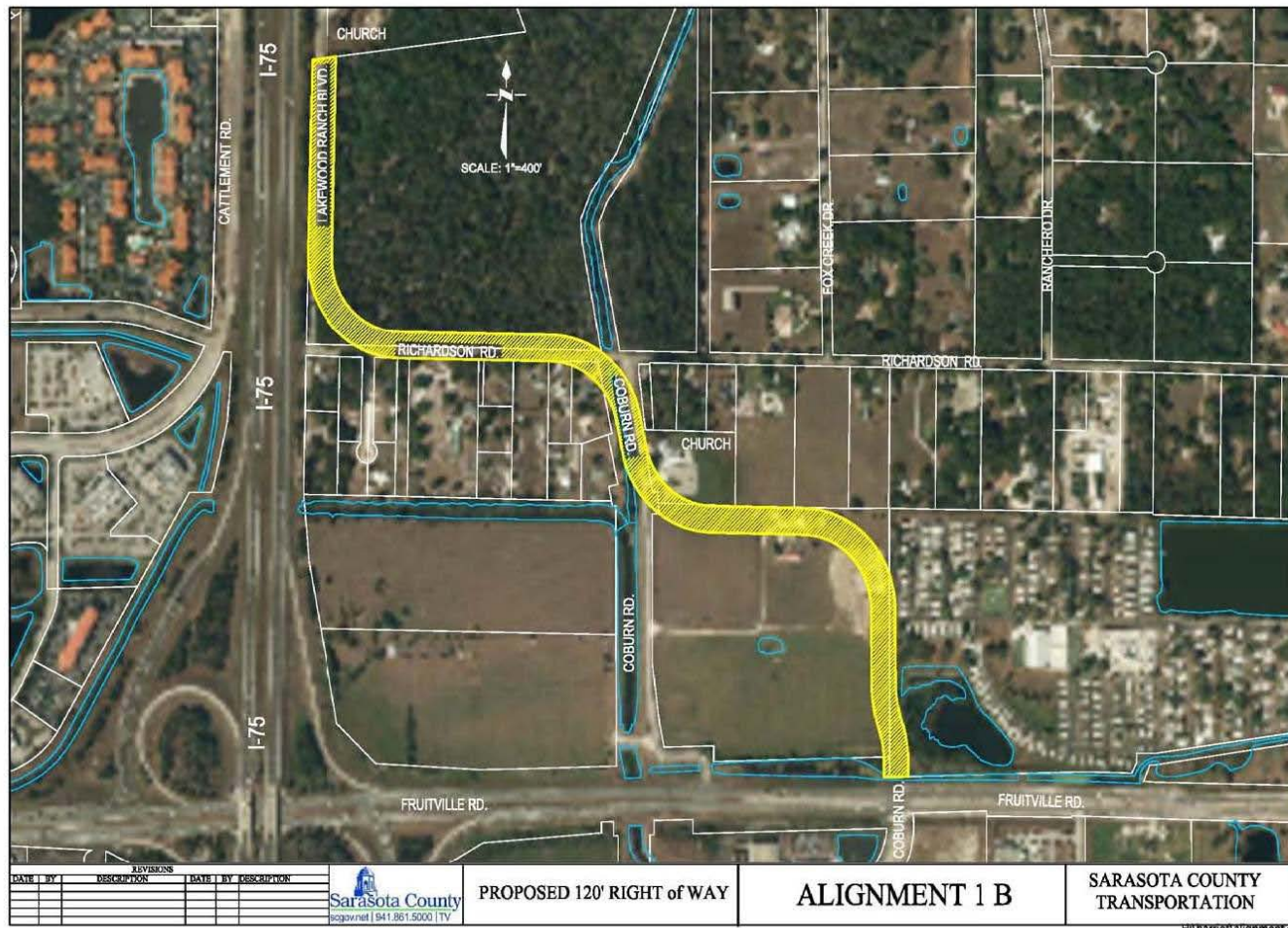
Roadway Realignment



Sarasota County

DEO 15-1ESR

Board of County Commissioners Approved Alignment

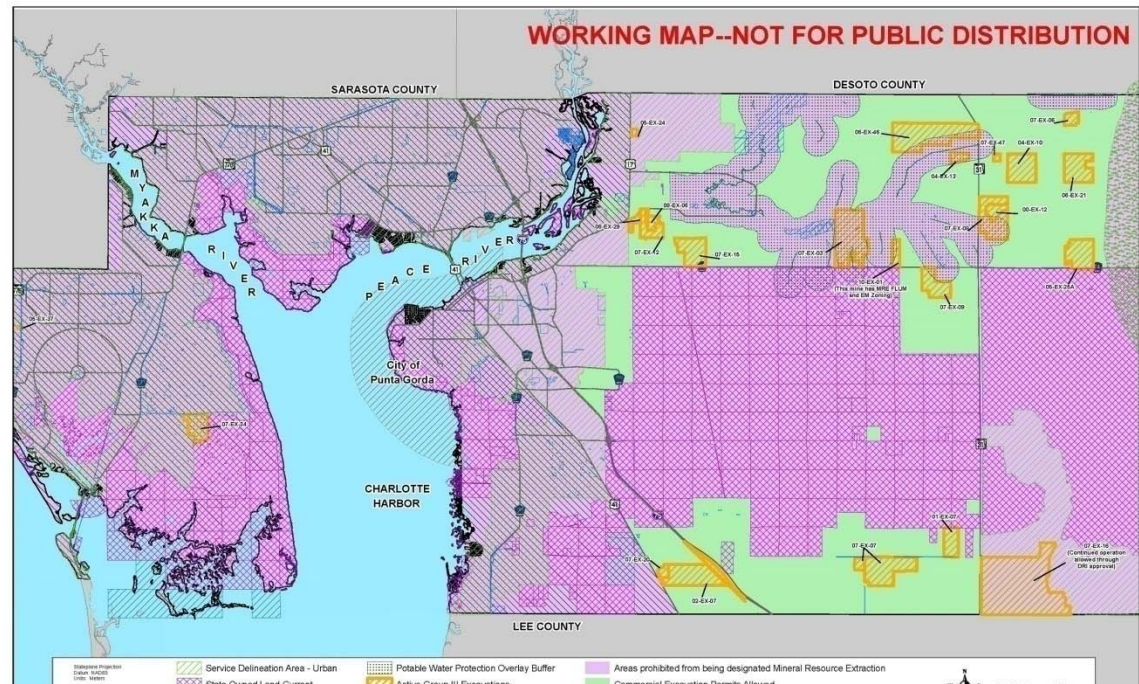
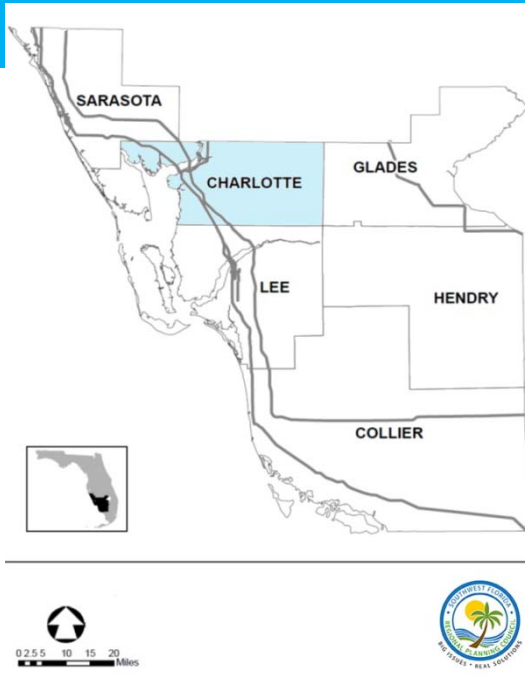


Recommends: Not regionally significant and consistent with the SRPP.

Charlotte County

DEO 15-1ESR

Mineral Resource Extraction



Background:

The amendments presented came about at the request of the Charlotte BCC, who directed staff to identify necessary revisions through roundtable discussions with stakeholders, members of the public and the Agricultural and Natural Resource Advisory Committee

Charlotte County

DEO 15-1ESR

Mineral Resource Extraction

Description: Amend the FLUM which is the final step to update the County's excavation and earthmoving regulations.

- Amend the term Group III Excavation to "Commercial Excavation" throughout Comprehensive Plan.
- Clarify permitted and prohibited locations for commercial excavations and to clarify application submittal requirements.
- Revise "Special Provisions" to permit limited modification to existing commercial excavation permits with MRE or EM zoning designation:
 1. Modification request to transfer the permit to another permit holder
 2. Extend the permit expiration date
- FLUM Series Map #24 scrivener's error

***Council staff finds that amendment is inconsistent with the City of Punta Gorda's Comprehensive Plan. To ensure the protection of the City's potable water, Council is advised to recommend approval with the exclusion of the protected zones, "Shell Creek and Prairie Creek Watersheds Management Plan", from the revised permit expiration extensions.**

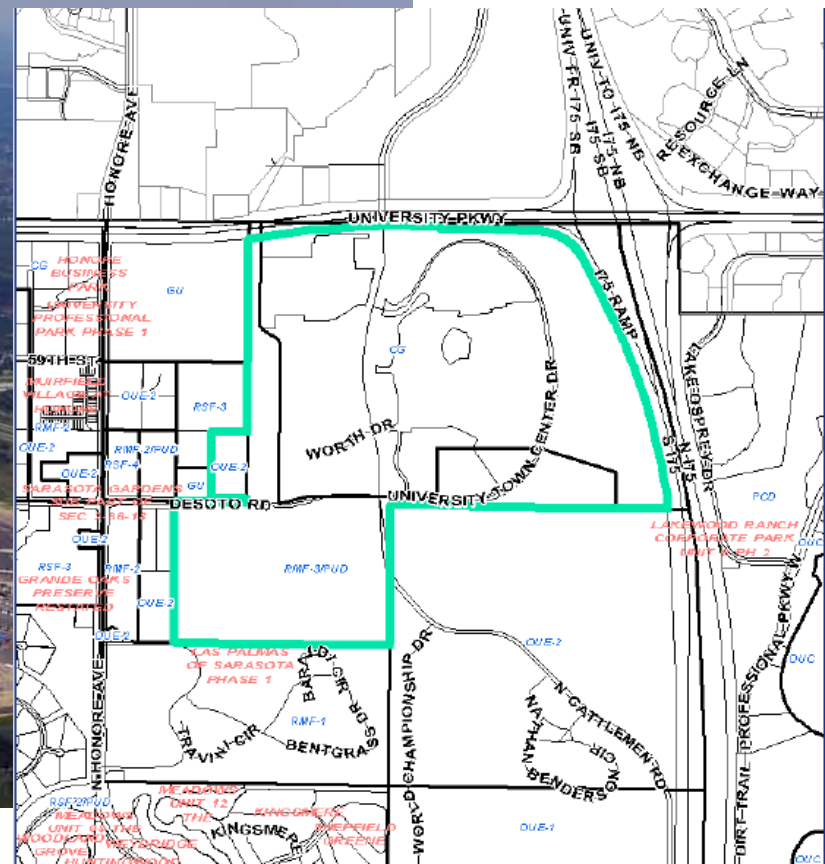
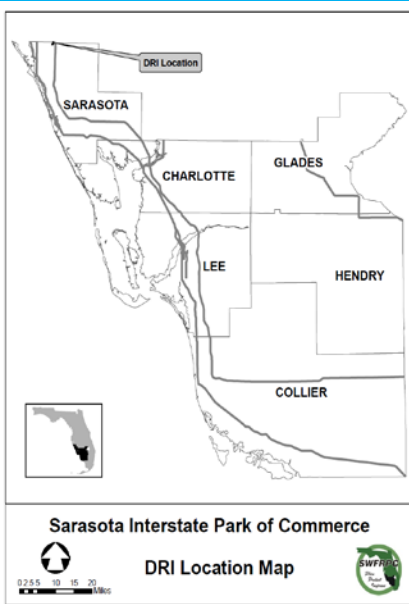
Recommendation: Amendments are regionally significant and requires an exclusion of zones from extensions to be consistent with the SRPP.

Sarasota County

DEO 15-1ESR

Sarasota Interstate Park of Commerce

158 of 430



GENERAL AREA MAP
COMPREHENSIVE PLAN AMENDMENT (CPA) 2014-C,
& SUBSTANTIAL DEVIATION (DRI)
REZONE PETITION NO. 14-16,
SPECIAL EXCEPTION NO. 1726,

AREA OF CONSIDERATION
ZONING DISTRICT DESIGNATION

Sarasota County

DEO 15-1ESR

159 of 430
Sarasota
Interstate Park
of Commerce



Background: Privately initiated and reflect the requisite changes brought about by the approved Council recommendations from last November granting SIPOC DRI now known as the University Town Center DRI a substantial deviation pursuant to F.S. 380.06(19).

Sarasota County

DEO 15-3ESR

Sarasota Interstate Park of Commerce

Description:

Approved recommendations for the University Town Center (DRI) Substantial Deviation established the right to increase the retail and office square footage and approved a reconfiguration of the DRI's development concept plan which included the 5 acre parcel to the southwest area of the project.

- Revise Future Land Use Chapter background text relating to Special Planning Area #1 where acreage totals and square feet of retail and office have changed.
- Revise Policy 2.2.4 to reflect additional 5 acres to the Special Planning Area #1 with the total now being 281 and revise the maximum gross leasable commercial square footage by 600,000 and maximum gross leasable office square footage by 100,000.
- Adjust the Future Land Use Map to be consistent with the proposed rezoning boundaries by a re-distribution of Commercial Center and High Density Residential Use areas.
- Designate the 5 acre addition on the Future Land Use Map changing the added property's designation from Moderate Density Residential to High Density Residential
- Amend the Future Land Use Figure 9-6 to indicate the location of the additional 5 acres of property to the south/southwest portion of the project.

Sarasota County

DEO 15-3ESR

Sarasota Interstate Park of Commerce

Recommendation:

The proposed Comprehensive Plan amendments are tied to the existing DRI and reflect the DRI's Substantial Deviation recommendation and conditions. The magnitude and character of the DRI directs staff to identify the submittal as "of regional interest", however the Comprehensive Plan Amendments are procedural following the DRI's Substantial Deviation approval recommendation; they are basic in nature and are consistent with the vision of the County for the Special Planning Area #1. Furthermore the adjustment of the gross leasable space responds to economic demands of the developing project which directly support Goal of the Economic Development Element of the Strategic Regional Policy Plan.

Staff finds that the amendments are procedural, regionally significant but consistent with the SRPP.

Collier County

DEO 15-2ESR

Revisions to DEO 14-4ESR

Description: This petition corrects “batch” amendments that were previously reviewed by staff with recommendations approved by the Council at the September 2014 meeting.

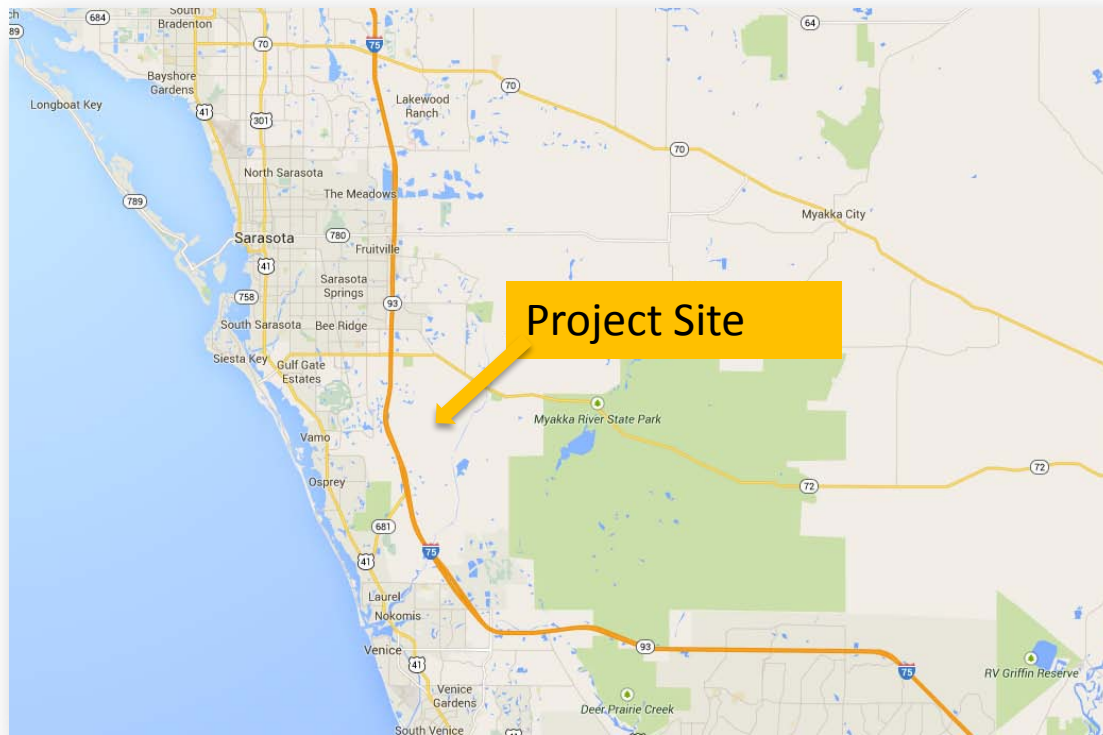
- Revisions to update references to a specific South Florida Water Management District (SFWMD) "Basis of Review" document that was published after Transmittal of DEO 14-4ESR. The document reference was found in both the Conservation & Coastal Management Element and Public Facilities Element/Stormwater Management Sub-Element.
- Removal of text references to the public school capital improvement plan and work program not adopted in the cited ordinances because the Capital Improvement Element changes specific to this plan and program were found to be addresses by other means.

Recommendation: The Comprehensive Plan amendments are procedural text changes to previously approved text revisions. Staff finds that the amendments are procedural, not regionally significant and consistent with the SRPP.

Sarasota County

DEO 15-2ESR

Rural to Semi-Rural Re-designation



REGIONAL LOCATION MAP

Sarasota Comprehensive Plan Amendment CPA-2013,
DEO 15-2 ESR

Description:

The amendment is privately initiated and is a Large Scale Comprehensive Plan Amendment requesting the re-designation of 528 acres from Rural to Semi-Rural on the Sarasota County Future Land Use Plan Map (FLUM). The proposed Semi-Rural designation would allow an increase in density to 1 dwelling unit/2 acres or 264 total dwelling units.

Sarasota County

DEO 15-2ESR

Rural to Semi- Rural Re-designation



Sarasota County

DEO 15-2ESR

Rural to Semi-Rural Re-designation

10 of 430



- The project site is located east of the Urban Service Area within a designated Village Resource Management Area (RMA). Within the Village RMA, all property owners seeking to increase density must rezone their property as a Conservation Subdivision or a Village form of development.
- The petitioner has developed two other development is the area, Serenoa and Serenoa Lakes. In order to achieve this style of development the re-designation of from Rural to Semi-Rural is required.

Sarasota County

DEO 15-2ESR

Rural to Semi- Rural Re-designation

Recommendation

There is a pattern of development evolving outside of the thresholds of Developments of Regional Impact east of I-75 towards environmentally sensitive flow-ways.

Petitioner plans to maximize the environmental assets choosing the Conservation Subdivision form of development which clusters homes on smaller lots and requires 50% open space guaranteeing that there is a preservation of native habitat.

In this case, assurance of responsible development can be found in the subsequent reviews under Sarasota County's Conservation Subdivision Design Standards of the Zoning Regulations which ensure the preservation of environmental systems, regulate rural character and protect natural features.

Changes to the Sarasota County FLUM do not adversely affect any significant regional resources or facilities that are identified in the SRPP.

Town of Longboat Key

DEO 15-1ESR

Rebuilding Non-Conforming Property

167 of 430

Background: The Town Commission directed this amendment as a result of a referendum in 2008 to determine if nonconforming properties having more dwelling or tourism units than currently allowed, but legal at the time of permitting, may be granted the right to rebuild to the original dwelling or tourism level of units in the event of a voluntary or involuntary destruction.

Since 2008, revisions to the Comprehensive Plan and the LDC followed.

The town found that strict adherence to the Comprehensive Plan and the LDC render redevelopment to existing densities impossible, while trying to respond to market demands for higher ceilings, larger units or more outdoor space.



Town of Longboat Key

DEO 15-1ESR

Rebuilding Non-Conforming Property

168 of 430

Description

Recognizing the restrictive nature of the Town's regulations for redevelopment of nonconforming properties, The Town Commission and the Planning and Zoning Boards directed staff and consultants to resolve the issues and to provide flexibility. The result is the current amendment to the Comprehensive Plan Policies eliminates Policy 1.1.5(A), 1.1.5(B) and 1.1.6 of the Future Land Use Element and consolidates Policy 1.1.5 which states:

The Land Development Code will specify standards for redeveloping lawfully existing property that does not currently conform to the future land use density and building volume limits provided elsewhere in this Plan - and may establish standards to conform certain property with lawfully existing nonconforming density.

This amendment is the first revision to the Comprehensive Plan addressing nonconforming properties to be followed by additional proposed revisions to the Comprehensive Plan and to the LDC.

Recommendation Staff finds that the amendments are procedural, not regionally significant and consistent with the SRPP.

--- Agenda --- Item

11a

11a

Collier County Comprehensive
Plan Amendment (DEO15-
1ESR)

11a

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS COLLIER COUNTY

The Council staff has reviewed proposed changes to the Collier County Growth Management Plan DEO 15-1ESR. The changes were developed as a result of the 2013 Cycle 3 Growth Management Plan amendments. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

<u>Proposed Amendment</u>	<u>Factors of Regional Significance</u>			
	<u>Location</u>	<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DEO 15-1ESR (CP-2014-2/ PL20140000113)	no	no	no	(1) not regionally significant; and (2) consistent with SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Collier County.

Attachment I

COMMUNITY PLANNING ACT

Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda

Collier County, Everglades City, Marco Island, Naples

Glades County, Moore Haven

Hendry County, Clewiston, LaBelle

Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel

Sarasota County, Longboat Key, North Port, Sarasota, Venice

Attachment I

Comprehensive Plan Amendments

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

Regional Planning Council Review

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government.

After receipt of comments from the Regional Planning Council and other reviewing agencies, DEO has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEW
FORM 01**

LOCAL GOVERNMENT:

Collier County

DATE AMENDMENT RECIEVED:

December 22, 2014

DATE AMENDMENT MAILED TO LOCAL GOVERNMENT AND STATE:

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government Comprehensive Plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any affected local government within the region. A written report containing the evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State land planning agency within 30 calendar days of receipt of the amendment.

December 22, 2014

1. AMENDMENT NAME:

Application Number: DEO 15-1ESR (CP-2014-2/PL20140000113)

2. DESCRIPTION OF AMENDMENT(S):

This petition is a privately-initiated petition submitted by Stock Development and H & LD Venture LLC. The amendment proposes to affect the transfer of TDR credits among properties in an area identified by Collier County's Future Land Use Element (FLUE) and Future Land Use Map FLUM, as Rural Fringe Mixed Use District (RFMUD) and Urban Residential Fringe (URF) Subdistrict, changing the Future Land Use Element by adding two (2) site-specific exceptions from existing limitations in the Transfer of Development Rights (TDR) program.

1. The first amends the URF Subdistrict provisions themselves,
2. The second amends the way density transfers are permitted by the Density Bonuses' provisions of the FLUE Density Rating System.

The specific effect on the density realized by this proposed change to the Collier County GMP follows.

Growth Management Plan Amendment (CP-2014-2) Future Land Use Element (FLUE)

The proposed amendments to the County's Future Land Use Element (FLUE) is specific to the 196.4 acre subject site, located in southern Collier County, approximately 1.5 miles north of Rattlesnake Hammock Road, approximately 1 mile south of Beck Boulevard and immediately east of Collier Boulevard with approximately 1,000 feet of frontage on this arterial roadway.

The property is designated in the Urban Fringe Residential (URF) Sub-District, is zoned Planned Unit Development (PUD) and is found within the 235 acre PUD know as San Marino, (Ordinance 2000-10). Of the 235 total acres, approximately 39 acres of the PUD has been developed with a 350 multi-family dwelling unit apartment complex know as "Aventine at Naples". The balance of the PUD's acreage is the subject of this amendment.

Petition DEO 15-1ESR (CP-2014-2/PL20140000113CP-2014-2) seeks to amend the Future Land Use Element (FLUE) text of the Collier County Growth Management Plan (GMP) to introduce two site-specific exceptions from existing provisions of the Transfer of Development Rights (TDR) program, affecting the transfer of TDR credits among properties in the Rural Fringe Mixed Use District (RFMUD) and the Urban Residential Fringe (URF) Subdistrict. The petition requests an increase of .52 dwelling units per acre (DU/A) from the allowable TDR of 1.0 DU/A to 1.52 DU/A and amends the transfer of TDR credits originating more distant than one (1) mile from the URF boundary

1. The allowed base density for the 196.4 acres is 1.5 DU/A or 295 DUs and the TDR allowed density is 1.0 DU/A or 196 DUs. The petition requests an increase from the allowable TDR of 1.0 DU/A to 1.52 DU/A for use in the undeveloped portion of the San Marino PUD – increasing total density from the present maximum allowed 2.5 DU/A to 3.02 DU/A or 593 DUs. Of the 593 DUs calculated at the requested density, 295 DUs (at base density) are subtracted representing units already built and the two (2) remaining DUs approved and un-built from the San Marino PUD are added; ($593 - 295 = 298 + 2 = 300$ DUs). In summary, the amendment requests an increase in the TDR density for the site specific property within the San Marino PUD so as to permit the construction of 300 DUs on the undeveloped lands.
2. Collier County's TDR Program states TDR credits may be transferred from any RFMUD Sending Lands to any RFMUD Receiving Lands and Urban area receiving lands. But limits the TDR credits from Sending Lands to one (1) mile of the URF boundary. This proposed amendment requests the transfer of TDR credits originating more distant than one (1) mile from the URF boundary for use in the undeveloped portion of the San Marino PUD located in the URF.

Council staff reviewed the proposed amendment request and found that the request was not regionally significant due to its lack of magnitude, location and character; that the proposed development would not substantially impact any regional resources or facilities; and that the proposed changes would not impact any adjacent jurisdiction.

2. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN:

Council staff has reviewed the requested amendment. Based on the review, Council staff has found that the requested changes will not produce any significant adverse effects on the regional resources or regional facilities that are identified in the Strategic Regional Policy Plan.

3. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

Request a copy of the adopted version of the amendment? X Yes No

Attachment III

Maps

**Collier County
DEO 15-1ESR
CP-2014-2/PL20140000113**

**Growth Management Plan
Comprehensive Plan Amendments**



Collier County DEO 15-1 ESR

0 600 1,200 2,400 3,600 Feet



Southwest Florida
Regional Planning
Council

Agenda Item

11b

11b

City of Moore Haven Comprehensive Plan Amendment (DEO15-1ESR)

11b

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS CITY OF MOORE HAVEN

The Council staff has reviewed proposed changes to the City of Moore Haven Comprehensive Plan (DEO 15-1ESR). A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

<u>Proposed Amendment</u>	<u>Location</u>	<u>Factors of Regional Significance</u>		
		<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DEO 15-1ESR	no	no	no	(1) not regionally significant; (2) consistent with SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and City of Moore Haven.

02/15

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEW
FORM 01**

LOCAL GOVERNMENT:

City of Moore Haven, Glades County

DATE AMENDMENT RECIEVED:

January 7, 2015

DATE AMENDMENT MAILED TO LOCAL GOVERNMENT AND STATE:

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government Comprehensive Plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any affected local government within the region. A written report containing the evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State land planning agency within 30 calendar days of receipt of the amendment.

February 3, 2015

1. AMENDMENT NAME:

Application Number: City of Moore Haven DEO 15-1 ESR

2. DESCRIPTION OF AMENDMENT(S):

The City of Moore Haven is proposing to change their Comprehensive Plan by amending the Future Land Use Element (FLUE) in the river front area of the City. The changes include textual amendments to provide for the changes to Policy 1.A.1 Comprehensive Plan to allow additional uses in the Marina Area land use designations currently shown on the Future Land Use Map (FLUM). Specifically, a Seasonal and Resort Use uses are being proposed to allow in the Marina Area / Medium Density Residential Sub-category. Also, clubs, lodges, fraternal organizations, child care, and pre-school facilities are being proposed as allowable uses for the Marina / Historic Main Street Sub-category.

3. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN:

Council staff has reviewed the proposed changes and revisions to the Plan and finds that the proposed amendments to the text in the Plan do not adversely affect any significant regional resources or facilities that are identified in the Strategic Regional Policy Plan. Further, staff has reviewed the proposed Land Use changes and found that the request was not regionally

significant due to its lack of magnitude, location and character. Additionally, staff's review found that the residential and other land use changes in the marina will assist the City in its economic revitalization efforts and help improve development alternatives within the City.

4. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

Request a copy of the adopted version of the amendment? X Yes No

Agenda Item

11c

11c

City of Clewiston Comprehensive Plan Amendment DEO15-1ESR

11c

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS CITY OF CLEWISTON

The Council staff has reviewed proposed changes to the City of Clewiston Growth Management Plan (DEO 15-1ESR). A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

<u>Proposed Amendment</u>	<u>Location</u>	<u>Factors of Regional Significance</u>		
		<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DEO 15-1ESR	no	no	no	(1) procedural; (2) not regionally significant; and (3) consistent with SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and City of Clewiston.

02/15

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEW
FORM 01**

LOCAL GOVERNMENT:

City of Clewiston, Hendry County

DATE AMENDMENT RECIEVED:

January 3, 2015

DATE AMENDMENT MAILED TO LOCAL GOVERNMENT AND STATE:

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government Comprehensive Plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any affected local government within the region. A written report containing the evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State land planning agency within 30 calendar days of receipt of the amendment.

February 3, 2015

1. AMENDMENT NAME:

Application Number: City of Clewiston DEO 15-1 ESR

2. DESCRIPTION OF AMENDMENT(S):

The City of Clewiston is proposing to change their Comprehensive Plan by amending the Future Land Use Map (FLUM) in the downtown area of the City and provide various Comprehensive Plan textual amendments to provide for the downtown map changes, update the Water Supply Work Plan, and provide policy changes to address out of date or completed policies throughout the plan.

Specifically, the City proposes to create two Downtown Mixed Use Districts that would include a US 27 Mixed Use Commercial Corridor and a Downtown Commercial District (See the attached Map and data showing acreages.) The purpose of the district commercial mixed use designations is to allow for future design and parking zoning standards for each area.

Based on the information submitted, the impacts of the mixed use districts which would allow residential to replace commercial along US 27. As proposed, the City's commercial building height and land coverage standards are not being changed. The proposed changes

will not have a negative traffic impact on the regional roadway network and the US 27 Clewiston link should remain at the current Level of Service (LOS) C.

In addition, the City is proposing the following text changes:

1. Included language providing for density limits as a mixed use for the two commercial Future Land Use Map designations. This action included creating two commercial mixed use categories in the Future Land Use Element (Policies 1.1.9 and 1.1.10.)
2. Added two policies that propose the adoption and implementation of the updated Water Supply Work Plan. These policies are included in the Potable Water Sub-Element of the Infrastructure Element of the Plan. Policies 1.3.2 through 1.3.5.)
3. Deleted various policies throughout the Plan that were outdated or completed. In addition deadlines that were no longer relevant were removed from the Future Land Use Element, Traffic Circulation Element, Housing Element, Sanitary Sewer Sub-Element, Economic Element, Intergovernmental Element, and Capital Improvements Element.
4. Removed the concurrency LOS requirements for non-state roads and parks. This action included deletion of Policy 1.2.2 of the Traffic Circulation Element; deletion of Objectives 1.1 and 1.4 and Policies 1.1.1, 1.3.2, 1.4.1, and 1.5.1 of the Recreation and Open Space Element; and deletion of Policy 1.4.2 and revising Policy 1.2.1 of the Capital Improvement Element.
5. Two sections of the Plan were deleted. Sections XI which addresses the Consistency of the City of Clewiston's Comprehensive Plan with the State Comprehensive Plan and Section XV which addresses the requirements of the Comprehensive Plan's Monitoring and Evaluation.
6. Updated the data in the Plan, such as population and demographics and other data throughout the document

3. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN:

Council staff has reviewed the proposed changes and revisions to the Plan and finds that the proposed amendments that update the text in the Plan are procedural in nature and do not adversely affect any significant regional resources or facilities that are identified in the Strategic Regional Policy Plan. Further, staff has reviewed the proposed Land Use changes and found that the request was not regionally significant due to its lack of magnitude, location and character. Additionally, staff's review found that the changes of the downtown commercial designations to mixed use designations will assist the City in economic its revitalization and help improve the historically slow growth within the City.

4. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

Request a copy of the adopted version of the amendment? X Yes No

Agenda Item

11d

11d

Palmer Ranch AIDA Master
Development Order Update

11d

PALMER RANCH MASTER DEVELOPMENT ORDER UPDATE AND NOTICE OF PROPOSED CHANGES IN SARASOTA COUNTY

BACKGROUND

Palmer Ranch DRI was originally approved by the Sarasota Board of County Commissioners on December 18, 1984 (Resolution No. 84-418). The existing Palmer Ranch properties are generally located east of U.S. 41, north of Preymore Street, south of Clark Road and west of I-75 (See Attachment I). The existing Palmer Ranch development is approved for 11,550 residential dwelling units, 99 acres \pm of internal commercial, plus additional square footage of commercial/office approved/planned in designated Activity Centers; and 1.75 million square feet of industrial development. In 1991 an “Amended and Restated Master Development Order” (MDO) was approved to address many environmental issues for the total project land area.

The Application for Master Development Order (AMDO) review process requires that Applications for Incremental Development Approval (AIDA) be submitted to approve specific land uses. To date within the overall Palmer Ranch DRI site, twenty-three AIDAs will have been approved for development. Notice of Proposed Changes (NOPC) were submitted for both AIDAs (22 and 23) to be incorporated into the MDO and increase the land area boundary. The MDO update amendment to Exhibit "B" Amended and Restated MDO approved in 1991 was requested by Sarasota County to codify and clarify changes to the MDO because of various amendments over many years, completion of development order conditions, and additions of land, which triggers a presumption of a substantial deviation that can be “rebutted by clear and convincing evidence”.

PREVIOUS CHANGES

The MDO has been amended fourteen (14) times to date. The boundaries of the DRI have been expanded four times since its original approval to incorporate new increments.

PROPOSED CHANGES

In September 2014, staff received NOPCs to amend the MDO to incorporate Increments 22 and 23. The NOPCs are to increase the land area of the DRI by 327.54 acres and construct 570 homes all on the southeast boundary of the DRI (see bottom of Attachment II). No additional units are being requested beyond that approved in the exiting MDO. The following Maps have been revised to reflect the proposed change in both NOPCs:

- Habitat Preservation, Alteration and Mitigation Plan Series (Map F-2)
- Exhibit G: Wildlife Corridor Plan
- Master Pedestrian and Circulation Plan (Map I-2/MPCP)
- Conceptual Master Development Plan (Map H-2)

The impact review of these incremental applications are also under review and are being presented in a separate agenda item.

In December 2014, the SWFRPC staff received a proposed MDO update amendment that are based on prior Sarasota Board of County Commission action in past resolutions, signed off on Annual Monitoring Report, superseded by County Land Development Regulations and/or state statutes, no longer applicable or are clarifications requested.

STAFF ANALYSIS AND RECOMMENDATIONS

The NOPCs and MDO update was reviewed by SWFRPC staff, state and regional agencies and Sarasota County development review agencies. The Florida Department of Transportation provided some clarification comments relative to improvements being completed, revising an I-75 buffering strategy and restating a condition to reflect “current and long-range transportation plans including an interchange at SR 681, and a crossing between Clark Road (SR 72), and SR 681”. SWFRPC staff commented on condition 5a in Endangered Species concerning endangered plants and recommend not to completely eliminating this condition, but to modified it to provide that the appropriate agencies be noticed particularly the U.S. Fish and Wildlife Service list (50 CFR 17.11-12, as amended), and the recommended conservation measures for such species implemented. The county review agencies proposed changes to the MDO are found in Attachment II.

Based on previous resolutions, a total of 11,550 dwelling units (DU’s) will be allowed for the Palmer Ranch DRI or a combination of the land uses in the equivalency matrix. In the Incremental Development Orders (IDOs) the total number of DUs, a maximum number of DUs, or a not to exceed number of DUs were approved.

CHARACTER, MAGNITUDE, LOCATION

The proposed MDO update or NOPCs will not affect the character, magnitude or location of the DRI, because no new development is being proposed beyond what is approved in the MDO and language relative to the equivalency matrix.

REGIONAL RESOURCES AND FACILITIES IMPACT

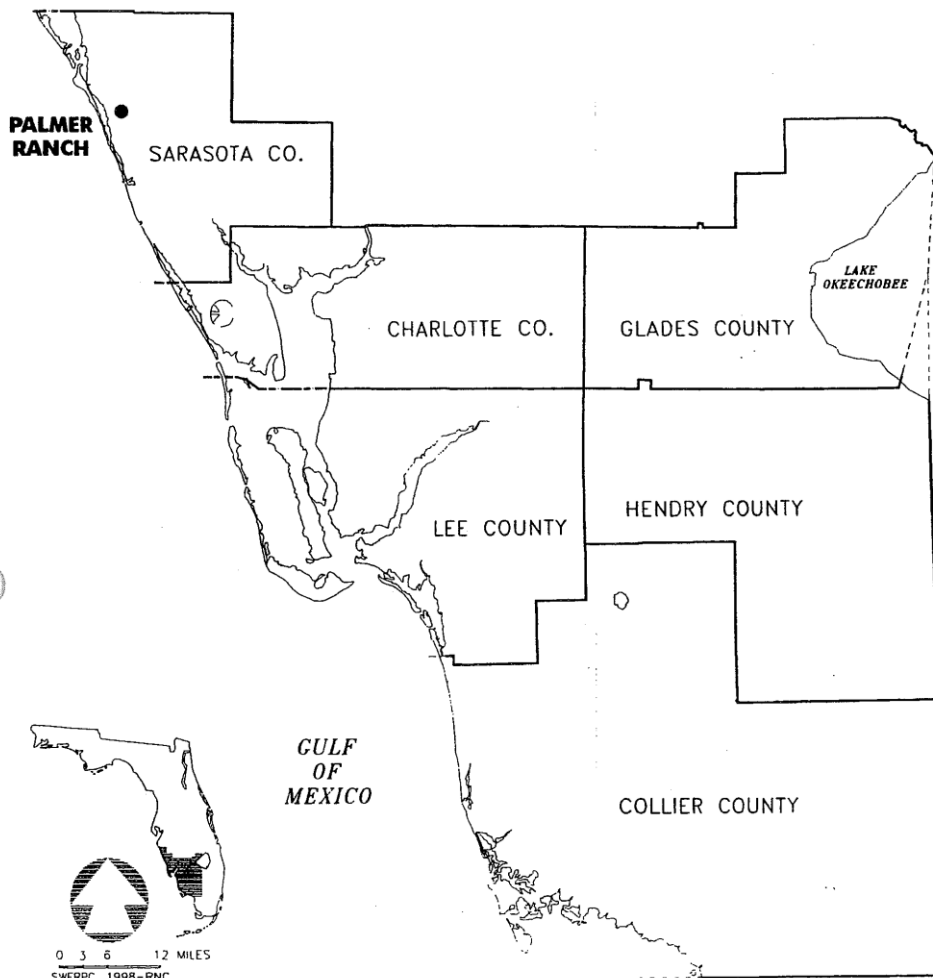
The proposed MDO update or NOPCs addition of land changes will not create new additional impacts on regional facilities. Since, no additional units are proposed, the five year update traffic reanalysis process required under the MDO addresses traffic impacts over time, which have been met primarily by completed existing MDO transportation conditions. For the MDO update regional resource issue conditions such as contained in rare and endangered species, native habitats, and historical and archeological, energy, affordable housing and floodplains/hurricane evacuation and sheltering have most all been met through buildout of the DRI or superseded by county Land Development Regulations. Any new regional conditions created by Increments 22 and 23 will be discussed in the AIDA review agenda items.

STAFF CONCLUSIONS

The SWFRPC role in coordinating the DRI review process for the MDO update is to determine under the authority of Chapter 380.06(19)(a) F.S. if “any proposed change to a previously approved development creates a reasonable likelihood of additional regional impact, or any type of regional impact created by the change not previously reviewed by the regional planning agency”. For the MDO NOPCs land additions to incorporate Increments 22 and 23, Chapter 380.06(19)(e)3 states “except for the change authorized by sub-subparagraph 2.f., any addition of land not previously reviewed or any change not specified in paragraph (b) or paragraph (c) shall be presumed to create a substantial deviation. This presumption may be rebutted by clear and convincing evidence”.

It is staff recommendation that proposed changes to the MDO are not a substantial deviation and that no additional regional impacts will occur not previously reviewed by the SWFRPC and as such do not object to any of the changes assuming the FDOT and SWFRPC comments to the MDO update are addressed in the final MDO.

- RECOMMENDED ACTIONS:
1. Notify Sarasota County, the Florida Department of Community Affairs (DCA) and the applicant of staff recommendations and no objection to the MDO or NOPC changes which are not a substantial deviation and do not create additional regional impacts not previously reviewed by the regional planning council.
 2. Request that Sarasota County provide SWFRPC staff with copies of any development order amendments related to the proposed changes as well as any additional information requested of the applicant by DCA or the County.



ATTACHMENT I **SOUTHWEST FLORIDA REGION** **PALMER RANCH**

ATTACHMENT II –SARASOTA COUNTY PROPOSED MDO

RECOMMENDED MASTER DEVELOPMENT ORDER EXHIBITS

The following revisions to the *Palmer Ranch Master Development Order* adopted by Resolution No. 91-170, as amended, denoted with ~~Strikethrough~~ and Underline:

LISTS OF EXHIBITS

Res. No. 91-170	Exhibit A	Amended Legal Description of the Palmer Ranch reflecting the inclusion of Parcel U to the approved Development of Regional Impact <i>update with new acreage</i>
	Exhibit B	Amended and Restated Conditions of the Palmer Ranch Development of Regional Impact <u>Development Order Conditions</u>
	Exhibit C	Best Management Practices <i>addressed by County/State code</i>
	Exhibit D J	Surface Water Management, Maintenance and Monitoring Manual
	Exhibit E	Surface Water Monitoring Program <i>addressed by County/State code</i>
	Exhibit F	Native Habitat Preservation, Alteration, and Mitigation Plan <i>updated with addendum map</i>
	Exhibit G	Wildlife corridor Plan <i>updated with addendum map</i>
	Exhibit H	Gopher Tortoise Capture/Relocation/Release Permits
	Exhibit I	Conceptual on-site Surface Water Management Plan shown on Map G.2.1 <i>updated with addendum map</i>
	Exhibit J	Approximate Acres of Native Wetland Habitat Proposed to be Altered on the Palmer Ranch Eastside <i>incorporated within Exhibit F</i>
	Exhibit K C	Conceptual Master <u>Development</u> Plan (Map H-2A)
	Exhibit L	Sections 3 through 7 of Resolution No. 89-98 relating to Transportation Supplemental Requirements <i>incorporated within Stipulations of Settlement</i>
	Exhibit M	Southwest Florida Regional Planning Council Regional Issues <i>incorporated within development order</i>
Res. No. 99-179	Exhibit N K	Stipulations of Settlement
Res. No. 06-024	Exhibit O D	Chart of Unit Allocations
Res. No. 13-196	Exhibit N E	Equivalency Matrix

**Exhibit "B" to the Amended and Restated Master Development Order for the Palmer
Ranch Development of Regional Impact**

**(An Exhibit Containing Amended and Restated Conditions of Development Approval
and Consisting of Pages B-1 through B-35)**

Table with notes
Revised: January 23, 2015

EXHIBIT B
AMENDED AND RESTATED CONDITIONS OF DEVELOPMENT APPROVAL FOR THE PALMER RANCH
DEVELOPMENT OF REGIONAL IMPACT AND REGIONAL AND LOCAL IMPACTS AND INFORMATION
REQUIREMENTS FOR SUBSEQUENT AIDA'S

TABLE OF CONTENTS

GENERAL	1
SPECIFIC CONDITIONS AIR QUALITY	4
LAND/SOILS.....	4
RARE AND ENDANGERED SPECIES	5
WATER QUALITY & DRAINAGE.....	9
MOSQUITO CONTROL	15
NATIVE HABITATS	16
LAND USE/HOUSING.....	23
HISTORICAL AND ARCHEOLOGICAL.....	28
RECREATION AND OPEN SPACE.....	32
FLOODPLAIN/HURRICANE EVACUATION	33
ECONOMY	34
TRANSPORTATION.....	36
WASTEWATER.....	41
WATER SUPPLY	41
SOLID WASTE	43
ENERGY.....	43
EDUCATION	47
POLICE.....	48
FIRE PROTECTION/HEALTH CARE	48
SPECIFIC DRI INFORMATION	49

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
GENERAL			
A	CONDITIONS FOR DEVELOPMENT APPROVAL		
1.	The Palmer Ranch development shall occur in substantial accordance with all commitments and impact-mitigating actions provided by the Palmer Ranch within the Application for Master Development Approval (and supplementary documents including Eastside Environmental Systems Analysis and Master Development Order Supplement) that are not in conflict with specific conditions for project approval unless superseded by further studies, regulations or other analysis as approved by the appropriate Sarasota county departments and/or other regulatory agencies.		No change.
2.	The review of subsequent Applications for Incremental Development Approval (AIDA's) shall be as prescribed in Paragraph 380.06(20)(b), Florida Statutes. Substantial changes in conditions underlying the approval of the Master Development Order or substantially inaccurate information upon which the Master Development Order was based will be interpreted as changed conditions or inaccurate information that creates a reasonable likelihood of additional adverse regional impact or any other regional impact not previously reviewed by the regional planning agency.		No change.
3.	All references made herein pertaining to "Palmer Ranch" shall also include any successors in interest of the area covered under the Palmer Ranch AMDA.		No change.
4.	No development permit shall be granted for residential, commercial or industrial construction within the area subject to the Master Development		No change.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	Order until an Application for Incremental Development has also been finally approved covering the particular area involved.		
5	<p>The Best Management Practices and the Environmental and Surface Water Management, Maintenance and Monitoring Manual incorporated into this Development Order as Exhibits C and D, respectively, shall govern these aspects of development activity throughout subsequent phases of this project. These manuals may be revised on the requirements of appropriate County departments and/or other permitting agencies.</p> <p>The revisions shall be based on site-specific needs and shall reflect the newest technology; Revisions to said documents do not constitute amendments to this Development Order. All approved revisions to said Manuals shall be submitted to the Planning Department as a part of the Annual Monitoring Report for the Palmer Ranch DRI.</p>	<p>The Best Management Practices and the Environmental and Surface Water Management, Maintenance and Monitoring Manual incorporated into this Development Order as Exhibits C and D, respectively, shall govern these aspects of development activity throughout subsequent phases of this project. These This manuals may be revised on the requirements of appropriate County departments and/or other permitting agencies.</p> <p>The revisions shall be based on site-specific needs and shall reflect the newest technology; Revisions to said documents do not constitute amendments to this Development Order. All approved revisions to said Manuals shall be submitted to the Planning Department <u>County</u> as a part of the Annual Monitoring Report for the Palmer Ranch DRI.</p>	The LDR BMP supersedes Exhibit C. To avoid departmental name s which may change over time, references to specific department names are being deleted.
6.	Failure to meet any applicable condition for development approval in the Master Development Order (MDO), failure to meet any application for incremental development approval (AIDA) information requirement, or failure to make satisfactory provision for any issue raised by the AIDA information requirements, constitute issues which can result in denial of an AIDA.		No change.
7.	All real property which is subject to the MDO, including all real property added to the Palmer Ranch DRI by amendment to this MDO shall, at the time of subsequent approval of an Incremental Development Order, be subjected to the existing Declaration of Protective Covenants, Conditions and		No change.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	Restrictions for Palmer Ranch, dated and recorded in O.R. Book 1894, at Pages 2467 through 2548, of the Public Records of Sarasota County, Florida on October 22, 1986. Any such property shall be subjected by the recordation of an instrument in such public records, which instrument shall be presented to the County for its review and approval prior to recording. Palmer Ranch DRI property shall continue to become automatically subjected to specific land use classifications and restrictions, upon the County's resolution adopting an IDO, pursuant to the self-executing language contained in the aforesaid Declaration.		
8.	The future alignment of Palmer Ranch Parkway shall be relocated immediately south of Ridgewood Terrace Acres subdivision in order to provide access to the lots remaining in the subdivision. A means of access shall be provided to this subdivision at a location abutting the existing platted right-of-ways, or other location deemed appropriate to the County Transportation Department. Impacts to Wet Prairie #25, as a result of this road alignment shall be mitigated based on plan approved by the County Natural Sciences Division.	The future alignment of Palmer Ranch Parkway shall be relocated immediately south of Ridgewood Terrace Acres subdivision in order to provide access to the lots remaining in the subdivision. A means of access shall be provided to this subdivision at a location abutting the existing platted right-of-ways, or other location deemed appropriate to the County Transportation Department. Impacts to Wet Prairie #25, as a result of this road alignment shall be mitigated based on plan approved by the County Natural Sciences Division.	Construction of Palmer Ranch Parkway has been completed.
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	In all appropriate AIDA's, the Palmer Ranch shall respond to the following general questions as required in the Standardized Questionnaire for Developments of Regional Impact in Unincorporated Sarasota County: Part I A. Statement of Intent		No change.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	B. Applicant Information C. Development Information D. Permit Information E. Statement of Purpose Part II A. General DRI Information B. Maps C. General Project Description		
SPECIFIC CONDITIONS AIR QUALITY			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
1.	Any pollutant point sources proposed for future Applications for Incremental Development Approval (AIDA) shall meet the Sarasota County standards and obtain the applicable State permits.		No change.
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDAS		
1.	In the event that future Applications for Incremental Development Approval (AIDA) contain any potential point sources, as defined by Florida Department of Environmental Regulation rules, these sources shall be addressed in the AIDA and the Palmer Ranch shall obtain the applicable State permits and meet the Sarasota County Standards.	In the event that future Applications for Incremental Development Approval (AIDA) contain any potential point sources, as defined by Florida Department of Environmental Regulation rules, these sources shall be addressed in the AIDA and the Palmer Ranch shall obtain the applicable State permits and meet the Sarasota County Standards. <u>None.</u>	Any potential point sources of pollution would not be identified at the AIDA level but at a later stage of development.
LAND/SOILS			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
1.	No commercial extraction of minerals from the subject site shall occur, provided, however, that materials excavated for lakes may be utilized as fill		No change.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	material elsewhere on the property where permitted.		
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
	None		No change.
<u>RARE AND ENDANGERED SPECIES</u>			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
1.	The Rare and Endangered Species conditions below, with the exception of conditions 3 and 4 apply only to the east side of the Palmer Ranch DRI Increments I, II, III, IV, and V are governed by their respective Incremental Development Orders approved through previous AIDA's.		No change.
2.	The habitat maintenance plans for the two bald eagle nest territories shall be submitted prior to or concurrent with the appropriate AIDA's for the eastside, subject to the review and approval of the Florida Game and Freshwater Fish Commission, in consultation with the Sarasota County Natural Sciences Division, Planning Department, and Mosquito Control District. Protection of essential bald eagle habitat will be enhanced with limitations on the amount and type of development, construction time periods, and special design criteria for utilities. Should either of the bald eagle nest sites become abandoned as determined by the Florida Game and Freshwater Fish Commission, the primary zones shall remain as open space unless modified in accordance with Native Habitat Condition number 14.	The habitat maintenance plans for the two bald eagle nest territories shall be submitted prior to or concurrent with the appropriate AIDA's for the eastside, subject to the review and approval of the Florida Game and Freshwater Fish Commission, in consultation with the Sarasota County Natural Sciences Division, Planning Department, and Mosquito Control District. Protection of essential bald eagle habitat will be enhanced with limitations on the amount and type of development, construction time periods, and special design criteria for utilities. Proposed revisions to the habitat management plans shall comply with current state and federal bald eagle protection guidelines. Should either of the bald eagle nest sites become abandoned as determined by the Florida Game and Freshwater Fish Commission, the primary zones shall remain as open space unless modified in accordance with Native Habitat Condition number 14 <u>5</u> .	Habitat plan has been submitted. Revisions require consistency with current state and federal Bald Eagle protection regulations. ENV: Condition may be modified or removed. The two bald eagle nest areas have been incorporated into the increments development as open space. If the DRI area continues to be added it would be best to modify this condition to current conditions for reference if these Increments are modified in the future.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
3.	Gopher tortoise burrows shall be integrated into designated open space areas containing suitable habitat, whenever possible. All gopher tortoise burrows within parcels approved for development shall be flagged in the field no less than four weeks prior to construction. Gopher tortoise shall be relocated in accordance with capture/relocation/release permits (Appendix H is attached hereto).	Gopher tortoise burrows shall be integrated into designated open space areas containing suitable habitat, whenever possible. All gopher tortoise burrows within parcels approved for development shall be flagged in the field no less than four weeks prior to construction. Gopher tortoise shall be relocated in accordance with <u>capture/relocation/release permits Florida Fish and Wildlife Conservation Commission Gopher Tortoise Permitting Guidelines (Appendix H is attached hereto).</u>	Current state guidelines require offsite relocation.
4.	The Applicant shall comply with the Easement Agreement with the Florida Game and Freshwater Fish Commission as may hereafter be amended or replaced with the approval of said commission and the Developer.		No change.
5.	Any plant species designated as endangered or threatened in the Florida Department of Agriculture and Consumer Services list (Section 581.185-187, Florida Statutes, as amended) or the U.S. Fish and Wildlife Service list (50 CFR 17.11-12, as amended) shall be protected either through protection of it's existing on-site habitat or through relocation to a preserved or conserved on-site habitat. On-site habitats to be used to protect endangered/threatened flora shall be designated at the preliminary plan or site and development plan stage, subject to review and approval by the County Natural Sciences Division. Relocation of endangered/threatened flora from areas to be developed shall occur within sixty (60) days prior to initiation of site development.	Any plant species designated as endangered or threatened in the Florida Department of Agriculture and Consumer Services list (Section 581.185-187, Florida Statutes, as amended) or the U.S. Fish and Wildlife Service list (50 CFR 17.11-12, as amended) shall be protected either through protection of it's existing on-site habitat or through relocation to a preserved or conserved on-site habitat. On-site habitats to be used to protect endangered/threatened flora shall be designated at the preliminary plan or site and development plan stage, subject to review and approval by the County Natural Sciences Division. Relocation of endangered/threatened flora from areas to be developed shall occur within sixty (60) days prior to initiation of site development.	Plant protection measures not generally required. State and federal law do not prevent land clearing. Typically, protection of wetlands, buffers, mesic hammocks would include most areas where rare plants might be found.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
6.	<p>The Palmer Ranch shall designate a wildlife corridor system for the eastside to consist of the area generally shown in Figure 3 of the Eastside Environmental Analysis Application (Exhibit G) and the wetland preservation areas specifically identified on pages 23 and 24 of the Sufficiency Response. The area of the wildlife corridors shall consist of preservation and conservation/open space areas as committed to on Map F2 (Exhibit F) and consistent with the approved bald eagle management plan and other Applicant commitments for native habitat in open space within the eastside. Limited roadway crossings, golf cart crossings, stormwater facilities outfalls and utilities that result in only minor infringements into the designated conservation/open space areas of the wildlife corridors (outside the eagle primary protection zones, but including the extended primary protection zones as depicted on Map F2) may be allowed by the County Natural Sciences Division if demonstrated by the Applicant at the AIDA level that the continuity of the wildlife corridor system will not be compromised and that the proposed activities will be consistent with the approved bald eagle management plans.</p> <p>All preservation and conservation/open space areas comprising the wildlife corridor system shall be labeled on all plans and whenever practical, recorded as separate tracts on final plats. Said wildlife corridor system shall be maintained in accordance with resource management plans (including identification of responsible entity) submitted as part of appropriate AIDA's, subject to review and approval by the County Natural Sciences Division.</p>	<p>The Palmer Ranch shall designate a wildlife corridor system for the eastside to consist of the area generally shown in Figure 3 of the Eastside Environmental Analysis Application (Exhibit G) and the wetland preservation areas specifically identified on pages 23 and 24 of the Sufficiency Response. The area of the wildlife corridors shall consist of preservation and conservation/open space areas as committed to on Map F2 (Exhibit F) and consistent with the approved bald eagle management plan and other Applicant commitments for native habitat in open space within the eastside. <u>Additional lands included in future AIDA's outside of the area shown on Figure 3 shall be evaluated for connection to the wildlife corridor system.</u> Limited roadway crossings, golf cart crossings, stormwater facilities outfalls and utilities that result in only minor infringements into the designated conservation/open space areas of the wildlife corridors (outside the eagle primary protection zones, but including the extended primary protection zones as depicted on Map F2) may be allowed by the Sarasota County Natural Sciences Division if demonstrated by the Applicant at the AIDA level that the continuity of the wildlife corridor system will not be compromised and that the proposed activities will be consistent with the approved bald eagle management plans.</p> <p>All preservation and conservation/open space areas comprising the wildlife corridor system shall be labeled on all plans and whenever practical, recorded as separate tracts on final plats. Said wildlife corridor system shall be</p>	<p>Modification to the condition addresses how the existing wildlife corridor system will be extended and to defer to current state and federal Bald Eagle protection regulations. References to individual County departments have been eliminated to provide clarity and avoid confusion as department names may change over time.</p>

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
		maintained in accordance with resource management plans (including identification of responsible entity) submitted as part of appropriate AIDA's, subject to review and approval by the to the Sarasota County Natural Sciences Division .	
7.	A final walk-through of each development parcel shall be performed by the Applicant no less than four weeks prior to any construction, earthmoving or vegetation removal to determine the presence of any listed species on-site. Prior to any construction activities, a report of the field results and any proposed remedial actions shall be submitted to the County Natural Sciences Division for review and approval. Pursuant to the Easement Agreement between Palmer Ranch and the Florida Game and Freshwater Fish Commission (FGFWFC), the County Natural Sciences Division shall consult with the 'FGFWFC should either red-cockaded woodpeckers or a new bald eagle's nest be observed within any 1 development parcel.	A final walk-through of each development parcel shall be performed by the Applicant no less than four weeks prior to any construction, earthmoving or vegetation removal to determine the presence of any listed species on-site. Prior to any construction activities, a report of the field results and any proposed remedial actions shall be submitted to the Sarasota County Natural Sciences Division for review and approval. Pursuant to the Easement Agreement between Palmer Ranch and the Florida Game and Freshwater Fish Commission (FGFWFC), the Sarasota County Natural Sciences Division shall consult with the 'FGFWFC should either red-cockaded woodpeckers or a new bald eagle's nest be observed within any 1 development parcel.	RCWs do not occur in the DRI or areas likely to be added. References to individual County departments have been eliminated to provide clarity and avoid confusion as department names may change over time.
8.	The need for an additional, more detailed survey of the mature pine flatwoods suitable for red-cockaded woodpecker nesting and feeding conducted by the Florida Game and Freshwater Fish Commission should be evaluated in consultation with said commission prior to submittal of preliminary and/or site and development plans.	The need for an additional, more detailed survey of the mature pine flatwoods suitable for red-cockaded woodpecker nesting and feeding conducted by the Florida Game and Freshwater Fish Commission should be evaluated in consultation with said commission prior to submittal of preliminary and/or site and development plans.	RCWs do not occur in the DRI or areas likely to be added.
9.	An extended restrictive area up to 2,500 feet from nest SA-13 shall be provided for the purpose of restricting light standards along Honore Avenue to a maximum height of 25 feet. The lights shall also be	An extended restrictive area up to 2,500 feet from nest SA-13 shall be provided for the purpose of restricting light standards along Honore Avenue to a maximum height of 25 feet.	No longer applicable under current protection guidelines. ENV: This condition has been addressed.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	shielded to minimize light spillage from the roadway.	The lights shall also be shielded to minimize light spillage from the roadway.	
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	The buffer zones along Interstate 75 shall be defined and addressed in appropriate AIDA's		No change.
<u>WATER QUALITY & DRAINAGE</u>			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
1.	Stormwater treatment for the Palmer Ranch study areas will be provided based upon the requirements mandated by the Florida Department of Environmental Regulation, the Southwest Florida Water Management District, or Sarasota County, whichever is more restrictive. The methods of providing stormwater treatment shall be consistent with the applicable rules, regulations and design criteria in place at the time of plan design.		No change.
2.	Final surface water management plan will consider, as applicable, measures to reduce runoff rates and volumes, including but not limited to, fixed control structures, perforated pipes and grass swale conveyance. Swales should be used whenever possible rather than closed systems.		No change.
3.	Utilization of wetlands for treatment of stormwater to the extent possible will be consistent with applicable rules and regulations in effect at the time of plan design.		No change.
4.	The Environmental and Surface Water Management Monitoring and Maintenance Manual shall be referenced on all preliminary plans and for site and development plans.	The Environmental and Surface Water Management Monitoring and Maintenance Manual shall be referenced on all preliminary plans and for site and development plans.	: Duplication of LDR requirements.
5.	Palmer Ranch shall be responsible for implementing	Palmer Ranch shall be responsible for	Superseded by LDR requirements.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	the Surface Water Quality Monitoring Program in accordance with Exhibit "E" of this Development Order, to the extent that is not the responsibility of Sarasota County.	implementing the Surface Water Quality Monitoring Program in accordance with Exhibit "E" of this Development Order, to the extent that is not the responsibility of Sarasota County.	<p>Stormwater - Water Quality Planning</p> <ol style="list-style-type: none"> 1. It is recommended that the water quality monitoring program cease at the completion of the 30th year of sampling and report submittal. 2. To cover future increments, it is recommended that Palmer Ranch install a near real-time reporting, hydrologic monitoring station compatible with the Sarasota County Automated Rainfall Monitoring System for the continuous measurement of level and rainfall at a suitable site agreed upon between Palmer Ranch and County staff. <ol style="list-style-type: none"> A. The site would be located at an appropriate downstream location on South Creek near the border with Oscar Scherer State Park. B. The location chosen would be in alignment with future development to allow for unrestrictive access by County staff for operation and maintenance. C. Once installed, telemetry established and otherwise deemed operational by County staff, the County will assume operation and maintenance of the site. D. Palmer Ranch will be responsible for developing the discharge rating curve for the site relating water level to flow over various hydrologic conditions and all data will be supplied to the County.
6.	Groundwater quality shall be maintained by Palmer Ranch through the development and implementation of a stormwater management		No change.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	system.		
7.	A stage/discharge rating curve at the exit point at the southern boundary of South Creek shall be submitted to Pollution Control Division and Stormwater Management Division as additional data becomes available. Additional field monitoring data shall be obtained to further define (verify) the South Creek stormwater model's ability to predict runoff for the 25-year frequency storm. This may be accomplished by confirming the stage discharge rating curve for the water level recorder designated as SE-8, or an agreed upon alternate location. Palmer Ranch shall revise the South Creek stormwater model and surface stormwater management plan if future field monitoring data demonstrates that proposed plan will not provide for a conservative or accurate design.	A stage/discharge rating curve at the exit point at the southern boundary of South Creek shall be submitted to Pollution Control Division and Stormwater Management Division as additional data becomes available. Additional field monitoring data shall be obtained to further define (verify) the South Creek stormwater model's ability to predict runoff for the 25-year frequency storm. This may be accomplished by confirming the stage discharge rating curve for the water level recorder designated as SE-8, or an agreed upon alternate location. Palmer Ranch shall revise the South Creek stormwater model and surface stormwater management plan if future field monitoring data demonstrates that proposed plan will not provide for a conservative or accurate design.	Superseded by LDR requirements
8.	<u>Sarasota County and Palmer Ranch will take all steps necessary to reimburse Palmer Ranch for stormwater drainage easements or rights-of-way and drainage improvements along South Creek, as prescribed in the Stipulation of Settlement (Exhibit N).</u> (Added by Resolution No. 99-179, July 14, 1999.)		No change.
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	Concurrent with each AIDA submitted for any development parcel, the appropriate Watershed Management Plan shall be updated and submitted to the Stormwater Division of the Sarasota County Transportation Department. The Sarasota County Planning Department, the Natural Sciences Division of the Natural Resources Department, and the Southwest Florida Regional Planning Council shall	Concurrent with each AIDA submitted for any development parcel, the appropriate Watershed Management Plan shall be updated and submitted to the Stormwater Division of the Sarasota County Transportation Department. The Sarasota County Planning Department, the Natural Sciences Division of the Natural Resources Department, and the. The	References to individual County departments have been eliminated to provide clarity and avoid confusion as department names may change over time.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	also be provided with a copy of any updates.	Southwest Florida Regional Planning Council shall also be provided with a copy of any updates.	
2.	Any subsequent Application for Incremental Development Approval (AIDA) for the Palmer Ranch shall include an environmental and surface water management plan for the increment documenting consistency with the appropriate Watershed Management Plan. This plan shall be reviewed and approved by appropriate county departments as determined at the time of submittal.	Any subsequent Application for Incremental Development Approval (AIDA) for the Palmer Ranch shall include an environmental and surface water management plan for the increment documenting consistency with the appropriate <u>Little Sarasota Bay</u> Watershed Management Plan. This plan shall be reviewed and approved by appropriate <u>County</u> county departments as determined at the time of submittal.	Requested by Stormwater staff to provide clarity.
3.	Palmer Ranch or applicable homeowners association shall routinely maintain all stormwater facilities not specifically the maintenance and operations responsibility of Sarasota County. Stormwater facilities that are to be maintained by Palmer Ranch or applicable homeowners association shall be dedicated as private easements. Stormwater facilities that may ultimately be accepted by Sarasota County for operation and maintenance after completion of a development shall be dedicated as public drainage easements or rights-of-way. Dedication designations shall be determined at the preliminary plan stage in consultation with the Sarasota County Stormwater Management Division and in accordance with the Land Development Regulations.	Palmer Ranch or applicable homeowners association shall routinely maintain all stormwater facilities not specifically the maintenance and operations responsibility of Sarasota County. Stormwater facilities that are to be maintained by Palmer Ranch or applicable homeowners association shall be dedicated as private easements. Stormwater facilities that may ultimately be accepted by Sarasota County for operation and maintenance after completion of a development shall be dedicated as public drainage easements or rights-of-way. Dedication designations shall be determined at the preliminary plan stage in consultation with the Sarasota County Stormwater Management Division and in accordance with the Land Development Regulations.	Duplication of LDR.
4.	Any proposed changes in water quality monitoring location, parameters, and/or frequency proposed by Palmer Ranch shall be made in writing, and subject to approval by the Pollution Control Division before	Any proposed changes in water quality monitoring location, parameters, and/or frequency proposed by Palmer Ranch shall be made in writing, and subject to approval by the Pollution Control Division before the changes	Duplication of LDR.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	the changes are effective.	are effective.	
5.	The Palmer Ranch shall adhere to the Watershed Management Plan for the Catfish Creek and South Creek watersheds. The Watershed Management Plan of the Catfish Creek Floodplain Study and Report and the South Creek Watershed Model shall be updated to assess any future changes in land use within the applicable areas of the Palmer Ranch.	The Palmer Ranch shall adhere to the <u>Little Sarasota Bay</u> Watershed Management Plan for the Catfish Creek and South Creek watersheds and all applicable drainage basin models. The Watershed Management Plan of the Catfish Creek Floodplain Study and Report and the South Creek Watershed Model drainage basin models shall be updated to assess any future changes in land use within the applicable areas of the Palmer Ranch.	Updated information requested by Sarasota County staff.
6.	All internal stormwater management lakes and ditches shall be set aside as private or public drainage easements on the recorded final plat. Stormwater lakes shall include a twenty-foot (20') wide maintenance strip, measured from the control water level. Access to a paved roadway shall be provided from all stormwater lakes.	All internal stormwater management lakes and ditches shall be set aside as private or public drainage easements on the recorded final plat. Stormwater lakes shall include a twenty foot (20') wide maintenance strip, measured from the control water level. Access to a paved roadway shall be provided from all stormwater lakes.	Duplication of LDR.
7.	Palmer Ranch shall work with the Sarasota County Stormwater Division and the Natural Science Division to investigate development of a Southwest Florida Water Management District Master Surface Water Management Permit for the South Creek watershed. The Master Surface Water Management Permit will include the regional reservoir facility and potentially serve to delegate future incremental surface water permitting for the South Cree watershed from the Southwest Florida Water Management District to Sarasota County.	Palmer Ranch shall work with the Sarasota County Stormwater Division and the Natural Science Division to investigate development of a Southwest Florida Water Management District Master Surface Water Management Permit for the South Creek watershed. The Master Surface Water Management Permit will include the regional reservoir facility and potentially serve to delegate future incremental surface water permitting for the South Cree watershed from the Southwest Florida Water Management District to Sarasota County.	No longer applicable. A regional reservoir facility was not pursued.
8.	During construction activities on the Palmer Ranch, the Palmer Ranch shall employ Best Management Practices (BMP's) for erosion and sedimentation control. These Best Management Practices shall be in accordance with the Palmer Ranch "Best	During construction activities on the Palmer Ranch, the Palmer Ranch shall employ Best Management Practices (BMP's) for erosion and sedimentation control. These Best Management Practices shall be in accordance with the	Duplication of LDR.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	Management Practices Manual" and shall be included with or presented on all construction plans, as appropriate. The implementation of these practices shall be reviewed by the Sarasota County Pollution Control and Natural Sciences Division.	Palmer Ranch "Best Management Practices Manual" and shall be included with or presented on all construction plans, as appropriate. The implementation of these practices shall be reviewed by the Sarasota County Pollution Control and Natural Sciences Division.	
9.	In order to minimize the potential problems associated with "cutbanks cave" measures shall be provided within on-site ditch segments to minimize scouring velocities and/or their effect.	In order to minimize the potential problems associated with "cutbanks cave" measures shall be provided within on-site ditch segments to minimize scouring velocities and/or their effect.	Included in BMP practices included in the LDR.
10.	Operation of the continuous water level record designated as SE-8 shall be continued through build- out of the Eastside area, unless an alternate location is agreed to by the Sarasota County Pollution Control Division and the Sarasota County Department of Transportation, Stormwater Division.	Operation of the continuous water level record designated as SE-8 shall be continued through build-out of the Eastside area, unless an alternate location is agreed to by the Sarasota County Pollution Control Division and the Sarasota County Department of Transportation, Stormwater Division.	Justification: Water quality monitoring program has been completed.
11.	<p>If the Palmer Ranch regional stormwater facility is suitable for use as a basin-wide public facility, the county would assume ownership and maintenance after construction of the activity, if:</p> <ul style="list-style-type: none"> a. Necessary land area for the Palmer Ranch portion of the regional facility development is dedicated at no cost to the County. b. The facility is developed with consideration for aesthetics and multiple uses and possible incorporation in the County park system. c. The facility meets the standards of the Sarasota County Land Development Regulations and the Southwest Florida Water Management District. d. Adequate maintenance access to the facility is provided. 	<p>If the Palmer Ranch regional stormwater facility is suitable for use as a basin-wide public facility, the county would assume ownership and maintenance after construction of the activity, if:</p> <ul style="list-style-type: none"> a. Necessary land area for the Palmer Ranch portion of the regional facility development is dedicated at no cost to the County. b. The facility is developed with consideration for aesthetics and multiple uses and possible incorporation in the County park system. c. The facility meets the standards of the Sarasota County Land Development Regulations and the Southwest Florida Water Management District. d. Adequate maintenance access to the 	No longer applicable. A regional reservoir facility was not pursued.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
		facility is provided.	
12.	Palmer Ranch agrees to construct the "regional stormwater facility" located outside of the DRI area as required for development of subsequent AIDA's for which the facility is required. The need for this facility and the various elements of the Palmer' Ranch Eastside on-site surface water management plan in whole or in part, together with a construction schedule, will be determined with each AIDA submittal.	Palmer Ranch agrees to construct the "regional stormwater facility" located outside of the DRI area as required for development of subsequent AIDA's for which the facility is required. The need for this facility and the various elements of the Palmer' Ranch Eastside on-site surface water management plan in whole or in part, together with a construction schedule, will be determined with each AIDA submittal.	No longer applicable. A regional reservoir facility was not pursued.
13.	The entity responsible for operation and maintenance of the "regional stormwater facility" shall be determined in accordance with Condition No. 3 above.	The entity responsible for operation and maintenance of the "regional stormwater facility" shall be determined in accordance with Condition No. 3 above.	No longer applicable. A regional reservoir facility was not pursued.
14.	The Applicant shall comply with the infrastructure installation schedule contained in the latest Catfish Creek Floodplain Study and Report, or as revised and agreed upon by the County.	The Applicant shall comply with the infrastructure installation schedule contained in the latest Catfish Creek Floodplain Study and Report, or as revised and agreed upon by the County.	Palmer Ranch required improvements have been completed.
15.	Subsequent Applications for Incremental Development Approval (AIDA) for Palmer Ranch, Parcel "F" shall include an environmental and surface water management plan for the Parcel documenting consistency with the Stormwater Management Plan for Increment II.	Subsequent Applications for Incremental Development Approval (AIDA) for Palmer Ranch, Parcel "F" shall include an environmental and surface water management plan for the Parcel documenting consistency with the Stormwater Management Plan for Increment II.	Parcel has been developed.
16.	The Applicant shall be responsible for any corrective actions required for the maintenance of stormwater management systems which is not specifically the responsibility of Sarasota County.		No change.
<u>MOSQUITO CONTROL</u>			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
	None	No change.	

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	Any wetland restoration plans, including plans for use of wetland areas for stormwater treatment, and for alteration of wetlands for road crossings, culverting and underdraining, as well as for recreating disturbed wetlands, shall be submitted to the Mosquito Control District for review and comment at the same time these plans are submitted to other affected regulatory agencies.	Any wetland restoration plans, including plans for use of wetland areas for stormwater treatment, and for alteration of wetlands for road crossings, culverting and underdraining, as well as for recreating disturbed wetlands, shall be submitted to the Mosquito Control District for review and comment at the same time these plans are submitted to other affected regulatory agencies. <u>NONE</u>	Wetland restoration plans are submitted to Sarasota County and SWFWMD for their review.
2.	Construction, operation and maintenance of stormwater management systems shall be in accordance with the Best Management Practices Manual, Exhibit "C", the Environmental and Surface Water Management Manual for the Palmer Ranch, Exhibit "D" and with all legal regulations applicable to such systems as permitted. Any condition in any such system which fails to comply with such manuals or regulations, including but not limited to any condition causing temporary ponding of water harboring mosquito larvae, shall be corrected promptly.	Construction, operation and maintenance of stormwater management systems shall be in accordance with the Best Management Practices Manual, Exhibit "C", the Environmental and Surface Water Management Manual for the Palmer Ranch, Exhibit "D" and with all legal regulations applicable to such systems as permitted. Any condition in any such system which fails to comply with such manuals or regulations, including but not limited to any condition causing temporary ponding of water harboring mosquito larvae, shall be corrected promptly.	Duplication of LDR requirements. Final subdivision plans and final construction plans requires Construction Best Management Plan.
<u>NATIVE HABITATS</u>			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
1.	The Native Habitat conditions below apply only to the east side of the Palmer Ranch DRI. Increments I, II, III, IV and V are governed by their respective Incremental Development Orders approved through previous AIDA's.		No change.
2.	Proposals for use of wetland areas in conjunction with retention/detention lakes or other areas for stormwater treatment shall be submitted to Sarasota	Proposals for use of wetland areas in conjunction with retention/detention lakes or other areas for stormwater treatment shall be	Covered by LDR Env. Tech. Manual.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	County for review and approval by the Sarasota County Natural Sciences Division, at the preliminary plan or site and development stage.	submitted to Sarasota County for review and approval by the Sarasota County Natural Sciences Division, at the preliminary plan or site and development stage.	
3.	Any localized alterations and/or disturbances to existing wetlands, as a result of limited road crossings, stormwater culverting, or under-draining shall be engineered with Best Available Technology to mitigate impacts on water quality, normal flow volumes and velocities, and plant and animal life. The specific plans shall be submitted to Sarasota County's Natural Resources Department for review and approval at the time of submission of construction plans.	Any localized alterations and/or disturbances to existing wetlands, as a result of limited road crossings, stormwater culverting, or under-draining shall be engineered with Best Available Technology to mitigate impacts on water quality, normal flow volumes and velocities, and plant and animal life. The specific plans shall be submitted to Sarasota County's Natural Resources Department for review and approval at the time of submission of construction plans.	Covered by LDR Env. Tech. Manual.
4.	Existing disturbed wetlands located within wetland restoration/rehydration target areas as shown on Map G2.I (Exhibit I) shall be recreated to a more diverse and viable wetland habitat and revegetated with appropriate naturally occurring plant species, where permittable. Detailed plans for the restoration or enhancement of wetlands shall be submitted as part of appropriate site and development plans, preliminary plans or construction plans, subject to review and approval by the County Natural Sciences Division.	Existing disturbed wetlands located within wetland restoration/rehydration target areas as shown on Map G2.I (Exhibit I) shall be recreated to a more diverse and viable wetland habitat and revegetated with appropriate naturally occurring plant species, where permittable. Detailed plans for the restoration or enhancement of wetlands shall be submitted as part of appropriate site and development plans, preliminary plans or construction plans, subject to review and approval by the Sarasota County Natural Sciences Division.	References to individual County departments have been eliminated to provide clarity and avoid confusion as department names may change over time.
5.	Prior to the submittal of wetland restoration/mitigation plans, the Applicant shall work with the Natural Sciences Division to develop design criteria based on performance standards for, such projects, unless otherwise established though other applicable regulations.	Prior to the submittal of wetland restoration/mitigation plans, the Applicant shall work with the Natural Sciences Division to develop design criteria based on performance standards for, such projects, unless otherwise established though other applicable regulations.	Sarasota County Land Development Regulations Environmental Technical Manual Section B. <i>Wetland Mitigation Maintenance and Monitoring Plan</i> contains current mitigation requirements.
6.	The Palmer Ranch shall plant, maintain and monitor littoral zones in accordance with the Environmental and surface Water Management, Maintenance and	The Palmer Ranch shall plant, maintain and monitor littoral zones in accordance with the Environmental and surface Water Management,	Littoral shelf requirements of Env. Tech. Manual address.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	Monitoring Manual.	Maintenance and Monitoring Manual.	
7.	Minimum 50-foot wide upland buffers shall be provided for head No. 53, wet prairie No's. 56, 57 and 78 and slough No's. 77 and 76 within the "Railroad Corridor" and any wetland adjacent to a mesic hammock. Minimum 30-foot wide upland buffers shall be provided for the remaining existing wetlands and mitigation areas.		No change.
8.	Measures shall be instituted and maintained around all preservation and conservation/open space areas during construction activities in accordance with the "Palmer Ranch Best Management Practices Manual."	Measures shall be instituted and maintained around all preservation and conservation/open space areas during construction activities in accordance with the "Palmer Ranch Best Management Practices Manual."	LDR & Env. Tech. Manual addresses.
9.	The large mesic hammock in Parcel C West and the mesic hammock system lying north, southwest, and southeast of Slough No. SL74/64I, except for a roadway corridor crossing the latter hammock, shall be preserved in their entirety. Slight reduction resulting from unavoidable impact, however, may be allowed by the County Natural Sciences Division should the Applicant demonstrate that no significant loss of function would be incurred and that listed plant species existing within these hammocks would be protected.	The large mesic hammock in Parcel C West and the mesic hammock system lying north, southwest, and southeast of Slough No. SL74/64I, except for a roadway corridor crossing the latter hammock, shall be preserved in their entirety. Slight reduction resulting from unavoidable impact, however, may be allowed by the Sarasota County Natural Sciences Division should the Applicant demonstrate that no significant loss of function would be incurred and that listed plant species existing within these hammocks would be protected.	This has been completed, however, retained to avoid potential future impacts. References to individual County departments have been eliminated to provide clarity and avoid confusion as department names may change over time.
10.	The Palmer Ranch shall work with the Sarasota county Forestry and Natural Sciences Divisions of the Natural Resources Department and the Planning Department to develop an effective buffer strategy to be implemented along the I-75 Corridor. Native habitat shall be conserved first in establishing buffers along I-75. A buffer zone along I-75 shall be established in advance of, or concurrent with, any development activities to take	The Palmer Ranch shall work with the Sarasota County county Forestry and Natural Sciences Divisions of the Natural Resources Department and the Planning Department to develop an effective buffer strategy to be implemented along the I-75 Corridor. Native habitat shall be conserved first in establishing buffers along I-75. A buffer zone along I-75 shall be established in advance of, or concurrent with,	To provide clarity and avoid department and division names which may change over time.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	place adjacent to I-75.	any development activities to take place adjacent to I-75.	
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	<p>The Palmer Ranch shall maintain the hydroperiods of all preserved wetlands. A hydroperiod maintenance analysis, performed in accordance with the methodology approved by the County Natural Sciences (Division on May 14, 1990, and the criteria specified on pages 24 through 26 of the Application shall be submitted as part of appropriate AIDA's, subject to review and approval by the County Natural Sciences Division. This information shall be designed to provide the County Natural Sciences Division with a conceptual basis of review for subsequent detailed plan submittals. Palmer Ranch shall monitor and maintain the hydroperiods of preserved wetlands as identified in the Environmental and Surface Water Management, Maintenance and Monitoring Manual.</p> <p>Prior to or concurrent with the first AIDA submittal for the east side, a methodology for selecting representative wetlands to monitor the maintenance of hydroperiods shall be submitted to the County, subject to review and approval by the County Natural Sciences Division. Representative wetlands for hydroperiod monitoring for each development parcel or phase shall be identified by the Applicant as part of the preliminary plan or site and development plan submittal, subject to review and approval by the County Natural Sciences Division.</p>	<p>The Palmer Ranch shall maintain the hydroperiods of all preserved wetlands. A hydroperiod maintenance analysis, performed in accordance with the methodology approved by the County Natural Sciences (Division on May 14, 1990, and the criteria specified on pages 24 through 26 of the Application shall be submitted as part of appropriate AIDA's, subject to review and approval by the County Natural Sciences Division. This information shall be designed to provide the County Natural Sciences Division with a conceptual basis of review for subsequent detailed plan submittals. Palmer Ranch shall monitor and maintain the hydroperiods of preserved wetlands as identified in the Environmental and Surface Water Management, Maintenance and Monitoring Manual.</p> <p>Prior to or concurrent with the first AIDA submittal for the east side, a methodology for selecting representative wetlands to monitor the maintenance of hydroperiods shall be submitted to the County, subject to review and approval by the County Natural Sciences Division. Representative wetlands for hydroperiod monitoring for each development parcel or phase shall be identified by the Applicant as part of the preliminary plan or site and development plan submittal, subject to review and approval by the County Natural Sciences Division.</p>	Plan for representative wetland monitoring was completed. Future phases will be evaluated by LDRs and state and federal regulations.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
2.	<p>Wetland modifications/alterations on the east side shall be as shown on Table 1 (Exhibit J) and Map F2 (Exhibit F), unless otherwise approved by the County Natural Sciences Division. The total area of wetland habitat preserve may be slightly reduced resulting from unavoidable impacts necessitated by internal parcel roadway and infrastructure requirements as identified in subsequent Applications for Incremental Development Approval (AIDA's). All alterations in wetlands which result in a loss of habitat shall be mitigated on a one- to-one basis for wet prairies and sloughs and a three-to-one basis for swamps and heads. All wetland mitigation shall be accomplished within the "Wetland Restoration/Rehydration Target Areas" shown on Map G2.I.</p> <p>Any future request to slightly reduce the total area of wetland habitat preserve shall be addressed as part of the appropriate Application for Incremental Approval (AIDA). The rationale for alteration and the alternatives that were investigated to either limit or eliminate the need for wetland alterations shall be provided by the Applicant as part of appropriate AIDA's. Specific details of any wetland alteration/modification and appropriate mitigation, monitoring and maintenance plans shall be submitted to the County Natural Sciences Division for review and approval at the preliminary plan or site and development plan stage. These plans shall address the criteria contained in "The Environmental and Surface Water Management, Maintenance and Monitoring Manual for the Palmer Ranch." Said alterations and/or required mitigation shall be consistent with the Management Guidelines of the Apoxsee Environment Chapter, County approved mitigation monitoring and maintenance plans, the</p>	<p>Wetland modifications/alterations on the east side shall be as shown on Table 1 (Exhibit J) and Map F2 (Exhibit F), unless otherwise approved by the Sarasota County Natural Sciences Division. The total area of wetland habitat preserve may be slightly reduced resulting from unavoidable impacts necessitated by internal parcel roadway and infrastructure requirements as identified in subsequent Applications for Incremental Development Approval (AIDA's). All alterations in wetlands which result in a loss of habitat-shall be mitigated.-The amount of mitigation needed to offset alterations that result in loss of wetland habitat shall be determined by the Uniform Mitigation Assessment Method (UMAM) Chapter 62-345 Florida Administrative Code. In instances where the UMAM requirements do not apply, mitigation shall be on a one- to-one basis for wet prairies and sloughs and a three-to-one basis for swamps and heads. All wetland mitigation shall be accomplished within the "Wetland Restoration/Rehydration Target Areas" shown on Map G2.I.</p> <p>Any future request to slightly reduce the total area of wetland habitat preserve shall be addressed as part of the appropriate Application for Incremental Approval (AIDA). The rationale for alteration and the alternatives that were investigated to either limit or eliminate the need for wetland alterations shall be provided by the Applicant as part of appropriate AIDA's. Specific details of any wetland alteration/modification and appropriate mitigation, monitoring and maintenance plans shall be submitted by the Sarasota County Natural Sciences Division for</p>	<p>Sarasota County Land Development Regulations Environmental Technical Manual Section B. <i>Wetland Mitigation Maintenance and Monitoring Plan</i> contains current mitigation requirements. ERP UMAM criteria replace mitigation ratios. Where the UMAM requirements do not apply, the original mitigation ratios govern will apply.</p> <p>References to individual County departments have been eliminated to provide clarity and avoid confusion as department names may change over time.</p>

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	intent of the MDO commitment of preserving both wetland habitats and mitigation areas, and subject to the review and approval of the Natural Sciences Division.	review and approval at the preliminary plan or site and development plan stage. These plans shall address the criteria contained in "The Environmental and Surface Water Management, Maintenance and Monitoring Manual for the Palmer Ranch." Said alterations and/or required mitigation shall be consistent with the Management Guidelines of the Apex <u>see Environment Chapter of the Sarasota County Comprehensive Plan</u> , County approved mitigation monitoring and maintenance plans, the intent of the MDO commitment of preserving both wetland habitats and mitigation areas, and subject to the review and approval of the by the <u>Sarasota</u> County <u>Natural Sciences</u> .	
3.	All subsequent AIDA's shall document wetland seasonal high water level (SHWL) and identify methods for hydroperiod maintenance in accordance with the procedure described in the Environmental and Surface Water Management, Maintenance and Monitoring Manual.	All subsequent AIDA's shall document wetland seasonal high water level (SHWL) and identify methods for hydroperiod maintenance in accordance with the procedure described in the Environmental and Surface Water Management, Maintenance and Monitoring Manual.	Env. Tech. Manual addresses
4.	In accordance with the provisions of Native Habitat Conditions No's. 8 and 10 herein and the MDO commitments, all undisturbed wetlands, mitigation areas and required upland vegetative buffers shall be maintained as preservation areas, labeled preservation areas on all plans, and whenever practical, recorded as separate tracts on final plats. All preserve areas shall be maintained in compliance with resource management plans (including identification of responsible entity) submitted as part of appropriate AIDA's, subject to review and approval by the County Natural Sciences Division.	In accordance with the provisions of Native Habitat Conditions No's. 8 and 10 herein and the MDO commitments, all undisturbed wetlands, mitigation areas and required upland vegetative buffers shall be maintained as preservation areas, labeled preservation areas on all plans, and whenever practical, recorded as separate tracts on final plats. All preserve areas shall be maintained in compliance with resource management plans (including identification of responsible entity) submitted as part of appropriate AIDA's, subject to review and approval by the County Natural Sciences Division.	Redundant w/ LDRs, Env. Tech. Manual

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
5.	Open space areas shall be depicted on the appropriate AIDA's to ensure that preservation, conservation/open space areas, wildlife corridors, wetland restoration, mitigation and littoral zone target areas are used first to fulfill open space requirements. A breakdown of open space with an indication of where the proposed open space balance would be allocated in the future shall be submitted with each AIDA, thereby demonstrating compliance with this requirement. Any proposed reallocation of open space types shall a) not involve either designated preservation areas or lands within existing eagle primary protection zones, b) not create a net loss of open space, and c) be justified by the Applicant and approved by the County Natural Sciences Division through the AIDA or subsequent amendment process. Any proposed modifications complying with these criteria shall not be deemed a substantial deviation pursuant to Chapter 380, Florida Statutes.	Open space areas shall be depicted on the appropriate AIDA's to ensure that preservation, conservation/open space areas, wildlife corridors, wetland restoration, mitigation and littoral zone target areas are used first to fulfill open space requirements. A breakdown of open space with an indication of where the proposed open space balance would be allocated in the future shall be submitted with each AIDA, thereby demonstrating compliance with this requirement. Any proposed reallocation of open space types shall a) not involve either designated preservation areas or lands within existing eagle primary protection zones, b) not create a net loss of open space, and c) be justified by the Applicant and approved by the Sarasota County Natural Sciences Division through the AIDA or subsequent amendment process. Any proposed modifications complying with these criteria shall not be deemed a substantial deviation pursuant to Chapter 380, Florida Statutes.	References to individual County departments have been eliminated to provide clarity and avoid confusion as department names may change over time.
6.	In accordance with Native Habitat Condition No. 9 herein, no less than 40.0 acres of mesic hammock shall be maintained as preserves, labeled as preserves on all plans, and whenever practical, recorded as separate tracts on appropriate final plats. Exact locations and acreages of mesic hammock preserves shall be identified in the appropriate subsequent AIDA's. To ensure compliance with the Apoxsee Management Guidelines concerning mesic hammocks, the Applicant shall develop in consultation with the Natural Sciences Division a monitoring program through the preliminary plan and/or site and development plan process to assure that no more	In accordance with Native Habitat Condition No. 9 herein, no less than 40.0 acres of mesic hammock shall be maintained as preserves, labeled as preserves on all plans, and whenever practical, recorded as separate tracts on appropriate final plats. Exact locations and acreages of mesic hammock preserves shall be identified in the appropriate subsequent AIDA's. To ensure compliance with the Apoxsee Comprehensive Plans ' Management Guidelines concerning mesic hammocks, the Applicant shall develop in consultation with the Sarasota County Natural Sciences Division , a monitoring program through the preliminary plan and/or	Updated references to the Sarasota County Comprehensive Plan. References to individual County departments have been eliminated to provide clarity and avoid confusion as department names may change over time.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	than 25 percent of mesic hammocks are removed from the east side Palmer Ranch DRI site and that 50 foot wide buffers of mesic hammock adjacent to wetlands and watercourses are maintained. Prior to or concurrent with the first preliminary plan and/or site and development plan submittal containing mesic hammock within the east side, a monitoring program shall be submitted to the County Natural Sciences Division for review and approval. Said preservation areas shall be maintained in accordance with resource management plans (including identification of responsible entity) submitted as part of appropriate AIDA's subject to review and approval by the County Natural Sciences Division.	site and development plan process to assure that no more than 25 percent of mesic hammocks are removed from the east side Palmer Ranch DRI site and that 50 foot wide buffers of mesic hammock adjacent to wetlands and watercourses are maintained. Prior to or concurrent with the first preliminary plan and/or site and development plan submittal containing mesic hammock within the east side, a monitoring program shall be submitted to the <u>Sarasota</u> County Natural Sciences Division for review and approval. Said preservation areas shall be maintained in accordance with resource management plans (including identification of responsible entity) submitted as part of appropriate AIDA's subject to review and approval by the <u>Sarasota</u> County Natural Sciences Division .	
<u>LAND USE/HOUSING</u>			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
1.	Prior to, or concurrent with, the submission of the next AIDA to "Palmer Ranch", subsequent to the "Prestancia" AIDA, the Palmer Ranch shall submit a plan and a map for low and moderate income housing, as defined by the U.S. Department of Housing and Urban Development to Sarasota County and the Southwest Florida Regional Planning Council. Information submitted shall include identification of areas set aside for low and moderate income housing, the amount of this type of housing needed based on the number of percentage of low and moderate family income in Sarasota County, and the manner in which those properties will be developed in Sarasota County. (The value of low income' housing is based on 50%	Prior to, or concurrent with, the submission of the next AIDA to "Palmer Ranch", subsequent to the "Prestancia" AIDA, the Palmer Ranch shall submit a plan and a map for low and moderate income housing, as defined by the U.S. Department of Housing and Urban Development to Sarasota County and the Southwest Florida Regional Planning Council. Information submitted shall include identification of areas set aside for low and moderate income housing, the amount of this type of housing needed based on the number of percentage of low and moderate family income in Sarasota County, and the manner in which those properties will be developed in Sarasota	Completed. Land Use/Housing Condition No. A.1 was implemented through Sarasota County Resolution 89-99. That Resolution identified the manner in which Affordable Housing could be provided on Palmer Ranch to meet the intent of this condition. The 1998 Annual Monitoring Report provided documentation for the provision of Affordable Housing consistent with Sarasota County Resolution 89-99. The 2009 Affordable Housing Report documented the satisfaction of this condition.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	and moderate income housing is based on 80% of the medium family income in Sarasota County, multiplied by an affordability index of 3.0).	County. (The value of low income' housing is based on 50% and moderate income housing is based on 80% of the medium family income in Sarasota County, multiplied by an affordability index of 3.0).	
2.	The Palmer Ranch shall follow the conceptual land use designations shown on the conceptual development plan Map H-2A. Residential densities in any AIDA shall conform to those allowed by the Urban Area Residential Checklist and Intensity Matrix provided in the Sarasota County Comprehensive Plan. The location and acreage of residential, commercial and industrial parcels, and fire stations, schools and parks may be modified, subject to further analysis in subsequent AIDA's.	The Palmer Ranch shall follow the conceptual land use designations shown on the conceptual development plan Map H-2A <u>H-2</u> . Residential densities in any AIDA shall conform to those allowed by the Urban Area Residential Checklist and Intensity Matrix provided in the Sarasota County Comprehensive Plan. The location and acreage of residential, commercial and industrial parcels, and fire stations, schools and parks may be modified, subject to further analysis in subsequent AIDA's.	Revised to reference Map H-2, not H-2A.
3.	<u>A total of 11,550 dwelling units (DU's) will be allowed for the Palmer Ranch Project or a combination of the land uses in the equivalency matrix, "Exhibit N." In the Incremental Development Orders (IDOs) the total number of DUs, a maximum number of DUs, or a not to exceed number of DUs were approved. Increments referenced in "Exhibit B-1" have been completely built out at less than the number of approved DUs. Attached to this Master Development Order (MDO) is a schedule of the total number of DUs approved in each of the built-out IDOs and the total number of DUs actually constructed within the respective Increments. The maximum number of DUs approved for these Increments is hereby reduced to the number of DUs existing at build-out, as shown on the attached Schedule. "Exhibit C." DUs that have been removed from the Increments by this reduction shall be available for assignment to other increments as they are applied for. As additional residential increments</u>	A total of 11,550 dwelling units (DU's) will be allowed for the Palmer Ranch Project or a combination of the land uses in the equivalency matrix, "Exhibit N." In the Incremental Development Orders (IDOs) the total number of DUs, a maximum number of DUs, or a not to exceed number of DUs were approved. Increments referenced in "Exhibit B-1" have been completely built out at less than the number of approved DUs. Attached to this Master Development Order (MDO) is a schedule of the total number of DUs approved in each of the built-out IDOs and the total number of DUs actually constructed within the respective Increments. The maximum number of DUs approved for these Increments is hereby reduced to the number of DUs existing at build-out, as shown on the attached Schedule. "Exhibit C." DUs that have been removed from the Increments by this reduction shall be	Revised to reference Map H-2, not H-2A. <u>Revise Exhibit references.</u>

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	<p><u>become built out, the Palmer Ranch shall, in its biennial reports or as part of an Application for Incremental Development Approval, update the attached Schedule and Map H-2A, to reduce a maximum DU count for such built-out Increment, and make the DUs removed from such Increment available to another Increment. Future residential IDOs shall contain language that states the maximum number of dwelling units allowed and the process of reducing the same, consistent with this condition.</u></p> <p><i>(Revised by Ordinance No. 2006-024, March 22, 2006, and Resolution No. 2013-196, November 20, 2013.)</i></p> <p><i>(Exhibit “N”)</i></p> <p><i>Exhibit “N” to the Amended and Restated Master Development Order for the Palmer Ranch Development of Regional Impact</i></p>	<p>available for assignment to other increments as they are applied for. As additional residential increments become built out, the Palmer Ranch shall, in its biennial reports or as part of an Application for Incremental Development Approval, update the attached Schedule and Map H-2A <u>H-2</u>, to reduce a maximum DU count for such built-out Increment, and make the DUs removed from such Increment available to another Increment. Future residential IDOs shall contain language that states the maximum number of dwelling units allowed and the process of reducing the same, consistent with this condition.</p>	
4.	<p>Palmer Ranch may be designated a "receiving area" for Transfer of Development Rights (TDRs) as stated in Sarasota County Zoning Ordinance #75-38. Should the approval of such TDRs result in an increase in the number of units beyond that stated in the AMDA, Sarasota County shall, prior to the approval review of the proposed increase, make a Substantial Deviation Determination and notify the Southwest Florida Regional Planning Council and State Land Planning Agency.</p>	<p>Palmer Ranch may be designated a "receiving area" for Transfer of Development Rights (TDRs) as stated in Sarasota County Zoning Ordinance #75-38 <u>Regulations</u>. Should the approval of such TDRs result in an increase in the number of units beyond that stated in the AMDA, Sarasota County shall, prior to the approval review of the proposed increase, make a Substantial Deviation Determination and notify the Southwest Florida Regional Planning Council and State Land Planning Agency.</p>	Updated Zoning Regulation reference.
5.	<p>All residential areas shall be developed as Planned Unit Developments, as provided for by the Sarasota County Zoning Ordinance.</p>	<p>All residential areas shall be developed as Planned Unit Developments, as provided for by the Sarasota County Zoning Ordinance <u>Regulations</u>.</p>	Revised to be consistent with current Zoning Regulations which allow residential development in other planned districts which did not exist when the DRI was created.
6.	<p>The Planned Industrial Center shall be developed under the applicable Planned Commerce</p>		No change.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	Development District provisions of the Sarasota County Zoning Ordinance; approval to use these provisions must be granted by the Board of County Commissioners, as indicated in this ordinance. Provided, however, Parcel A-1 may be developed under the provisions of the PID regulations of the Sarasota County Zoning Ordinance.		
7.	Internal Commercial areas for the entire Palmer Ranch and all subsequent increments shall not exceed 99 acres.		
8.	The 99 acres of internal commercial development shown on Map H-2A shall be located at the Honore Avenue/ Central Sarasota Parkway intersection and the Honore Avenue/ Palmer Ranch Parkway intersection, unless other locations for internal commercial development have been previously approved in an Incremental development order, or are evaluated and approved in subsequent AIDA's.	The 99 acres of internal commercial development shown on Map H-2A <u>H-2</u> shall be located at the Honore Avenue/ Central Sarasota Parkway intersection and the Honore Avenue/ Palmer Ranch Parkway intersection, unless other locations for internal commercial development have been previously approved in an Incremental development order, or are evaluated and approved in subsequent AIDA's.	Revised to reference Map H-2, not Map H-2A.
9.		Parcels B2, F, and KK shall not be considered as internal commercial developments but shall be considered part of <u>Activity Commercial</u> Centers designated on <u>Apexsee's Comprehensive Plan</u> Future Land Use Plan Map. This commercial development would be allowed, provided that at the time of action on subsequent AIDA's, the maximum commercial acreage of these <u>Activity Commercial</u> Centers is not exceeded, or that these parcels are indicated as commercial areas, in an approved <u>Sector Plan Increment</u> , <u>for their respective Activity Commercial</u> Centers.	Revised to be consistent with current Comprehensive Plan nomenclature and Critical Area Planning Regulations.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	Each AIDA shall indicate if the proposed project will include any low and moderate income housing units.	Each AIDA shall indicate if the proposed project will include any low and moderate income housing units.	Affordable housing condition met. The 2009 Affordable Housing Report documented the satisfaction of this condition.
2.	Densities on residential parcels submitted for the AIDA's shall conform to those indicated on Map H-2A, and be consistent with the Urban Area Residential Checklist and Intensity Matrix contained in Apoxsee.	Densities on residential parcels submitted for the AIDA's shall conform to those indicated on Map H-2A, and be consistent with the Urban Area Residential Checklist and Intensity Matrix contained in Apoxsee.	No longer applicable. The Comprehensive Plan no longer contains an Urban Area Residential Checklist and Intensity Matrix.
3.	Internal commercial areas shown on Map H-2A shall be included in their entirety as part of a subsequent AIDA or filed as a separate AIDA application. The allocation, distribution of acreage and type of commercial use (i.e. CSC, CN, OPI) in the internal commercial nodes will be provided in subsequent AIDA's.	Internal commercial areas shown on Map H-2A <u>H-2</u> shall be included in their entirety as part of a subsequent AIDA or filed as a separate AIDA application. The allocation, distribution of acreage and type of commercial use (i.e. CSC <u>CG</u> , CN, OPI) in the internal commercial nodes will be provided in subsequent AIDA's.	Revised to reference Map H-2, not H-2A and current zone districts permitted within Commercial Centers.
4.	Estimate the population increases in each AIDA according to any phasing of development. Indicate the ultimate functional and resident population, and areas of population concentration in each AIDA area.		No change
5.	Provide the following demographic and housing information. If specific demographic information is not available, use County-wide data. <ul style="list-style-type: none"> a. Number of persons per household. b. Number of children per household. c. Number of elderly per household (Age 65 years and older). d. Total number of housing units to be built. Indicate type of housing (i.e., single family, duplex, cluster, multi-family), and tenure (i.e., owner occupied versus renter occupied). 		No change

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	e. Anticipated first year of home sales. f. Projected final year of home sales. g. Projected number of sales per year by housing type and tenure. h. h. Estimated average sales price per year until build-out occurs.		
6.	<u>All new AIDA submittals and modifications to approved IDOs proposing a change in use may utilize the attached equivalency matrix, “Exhibit N” as applicable in conjunction with the 5-year Traffic Reanalysis.</u> <i>(Added by Resolution No. 2013-196, November 20, 2013.)</i>		Note: Correct Exhibit reference needed.
<u>HISTORICAL AND ARCHEOLOGICAL</u>			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
1.	If any potential archaeological or historical sites are discovered during the site preparation process of any AIDA, all work in the immediate vicinity of the discovery shall cease, appropriate notice shall be provided to State and County Agencies, and barriers shall be installed around the discovery for a period of 90 days to allow the appropriate State and local agencies to determine the significance of such findings and to engage in any mitigative excavation. Furthermore, if the to be of National feature is found Historic Register of significance, the Palmer Ranch Places shall work to preserve the feature.	If any potential archaeological or historical sites are discovered during the site preparation process of any AIDA, all work in the immediate vicinity of the discovery shall cease, appropriate notice shall be provided to State and County Agencies, and barriers shall be installed around the discovery for a period of 90 days to allow the appropriate State and local agencies to determine the significance of such findings and to engage in any mitigative excavation. Furthermore, if the to be of National feature is found Historic Register of significance, the Palmer Ranch Places shall work to preserve the feature.	Sarasota County Land Development Regulations Article III. Historical and Archeological Resource Protection Section 66-81 <i>Fortuitous finds and unmarked human burials.</i>
2.	Any significant sites shall be incorporated into ecotonal or buffer edges along streams and drainage ditches; incorporated into wetland		No change

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	preservation conservation areas; be isolated as a preservation area or made part of the passive or "natural park" system that is part of the proposed Concept Plan.		
3.	The archaeological assessment of Parcel X shall be undertaken prior to submittal of an AIDA that includes this parcel. The survey shall be conducted by a professional archaeologist certified by the Society of Professional Archaeologists (SOPA) and/or the Florida Archaeological Council (FAC) The Sarasota County Department of Historical Resources shall be consulted on matters relating to cultural resources survey methodology and site mitigation and preservation strategies prior to land development, as well as matters relating to strategies for the protection of significant sites during and following development.	The archaeological assessment of Parcel X shall be undertaken prior to submittal of an AIDA that includes this parcel. The survey shall be conducted by a professional archaeologist certified by the Society of Professional Archaeologists (SOPA) and/or the Florida Archaeological Council (FAC) The Sarasota County Department of Historical Resources shall be consulted on matters relating to cultural resources survey methodology and site mitigation and preservation strategies prior to land development, as well as matters relating to strategies for the protection of significant sites during and following development.	Completed. History Center: Delete. Area has been partially tested by panamerican Consultants (2006). Remaining areas include two excavated pond areas indicating a high level of disturbance.
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	The Applicant shall preserve the Palmer Ranch midden site (8S01902) illustrated in Figure 9 and incorporate it into the mesic hammock preservation area identified on Map F1 to the extent not impacted by a road crossing.	The Applicant shall preserve the Palmer Ranch midden site (8S01902) illustrated in Figure 9 and incorporate it into the mesic hammock preservation area identified on Map F1 to the extent not impacted by a road crossing. Proposed development or construction within the immediate vicinity of 8SO1902 must be coordinated with the County.	The site has been incorporated into a preservation area. Revisions coordinated with the History Center. History Center: Area surrounding this site is largely developed. This stipulation is sufficient for the ongoing preservation of the site.
2.	Site 8S01902 shall be clearly demarcated during any development or construction in the vicinity of the midden (including placement of the potential road and any wetland development or restoration) so that no unintended impact takes place.	Site 8S01902 shall be clearly demarcated during any development or construction in the vicinity of the midden (including placement of the potential road and any wetland development or restoration) so that no unintended impact takes place.	Completed.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
3.	The location of 8S01902 shall be noted on all preliminary plans/site and development plans and construction plans. The area of the midden shall remain undisturbed on future plans except for the potential road clearing.	The location of 8S01902 shall be noted on all preliminary plans/site and development plans and construction plans. The area of the midden shall remain undisturbed on future plans except for the potential road clearing.	Completed.
4.	<p>The area of site 8S01902 to be impacted by the road crossing shall be subjected to additional (Phase II) archaeological testing sufficient to verify the presence or absence of potentially significant archaeological deposits within the road right-of-way.</p> <p>The proposed road may affect archaeological deposits related to 8501902. These deposits will be defined as potentially significant if they include undisturbed archaeological materials or deposits that are associated with 8501902 and that can contribute important information to interpretation of the site. If no archaeological materials are discovered, or if deposits are very thin and in the opinion of a certified archaeologist will not contribute important information to interpretation of the site, additional work will not be required.</p> <p>If however, potentially significant archeological deposits are found when additional (Phase II) archaeological testing takes place in the area of the proposed road crossing of 8501902, the Department of Historical Resources will require additional information about the site as a whole so that there can be a determination of significance, and so that the preservation/mitigation of the site can be managed effectively. This information should not require additional excavation, but should be available from a more in-depth consideration of the initial archaeological survey. The additional information shall include answers to the following questions:</p>	<p>The area of site 8S01902 to be impacted by the road crossing shall be subjected to additional (Phase II) archaeological testing sufficient to verify the presence or absence of potentially significant archaeological deposits within the road right-of-way.</p> <p>The proposed road may affect archaeological deposits related to 8501902. These deposits will be defined as potentially significant if they include undisturbed archaeological materials or deposits that are associated with 8501902 and that can contribute important information to interpretation of the site. If no archaeological materials are discovered, or if deposits are very thin and in the opinion of a certified archaeologist will not contribute important information to interpretation of the site, additional work will not be required.</p> <p>If however, potentially significant archeological deposits are found when additional (Phase II) archaeological testing takes place in the area of the proposed road crossing of 8501902, the Department of Historical Resources will require additional information about the site as a whole so that there can be a determination of significance, and so that the preservation/mitigation of the site can be managed effectively. This information should not require additional excavation, but should be available from a more in-depth consideration of</p>	Completed.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	<p>a. How many shovel tests were placed in the site area during the initial survey?</p> <p>b. What was the location of the shovel tests, the excavation unit, and the column sample excavated during the Phase I investigation?</p> <p>c. What materials were recovered from the site (i.e. specific types and quantities)? What was the density and distribution of materials?</p> <p>d. Was any testing done outside of the hammock and does the site extend outside of this natural feature?</p> <p>e. What are the specific boundaries of the site?</p> <p>If the additional (Phase II) excavation of the road crossing area indicates that potentially significant archaeological deposits are present, the information obtained from this Phase II work should be combined with the more detailed consideration of the Phase I investigation, to make recommendations concerning the site's significance. Sufficient information should be provided about the site to allow determination of significance (as opposed to potential significance). Thus, the Phase II testing of the road crossing, and the additional information requested, should establish the site's dimensions, historic contexts and cultural components, function, integrity, and research potential. If the site is determined to be significant, then either avoidance of the site or mitigation/excavation of the area to be impacted shall be undertaken by the Applicant. The Department of Historical Resources must be consulted during the planning stage of any additional work.</p>	<p>the initial archaeological survey. The additional information shall include answers to the following questions:</p> <p>a. How many shovel tests were placed in the site area during the initial survey?</p> <p>b. What was the location of the shovel tests, the excavation unit, and the column sample excavated during the Phase I investigation?</p> <p>c. What materials were recovered from the site (i.e. specific types and quantities)? What was the density and distribution of materials?</p> <p>d. Was any testing done outside of the hammock and does the site extend outside of this natural feature?</p> <p>e. What are the specific boundaries of the site?</p> <p>If the additional (Phase II) excavation of the road crossing area indicates that potentially significant archaeological deposits are present, the information obtained from this Phase II work should be combined with the more detailed consideration of the Phase I investigation, to make recommendations concerning the site's significance. Sufficient information should be provided about the site to allow determination of significance (as opposed to potential significance). Thus, the Phase II testing of the road crossing, and the additional information requested, should establish the site's dimensions, historic contexts and cultural components, function, integrity, and research potential. If the site is determined to be</p>	

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
		significant, then either avoidance of the site or mitigation/excavation of the area to be impacted shall be undertaken by the Applicant. The Department of Historical Resources must be consulted during the planning stage of any additional work.	
5.	Artifacts recovered from past and future archaeological investigations as a result of development shall be donated to the Sarasota County Department of Historical Resources, or to another local research facility.	Artifacts recovered from past and future archaeological investigations as a result of development shall be donated to the Sarasota County Department of Historical Resources, or to another local research facility.	Completed.
<u>RECREATION AND OPEN SPACE</u>			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
2-1.	The Palmer Ranch development shall provide at least 200 acres for public and private recreational use. At the time of each AIDA submittal, Palmer Ranch shall indicate the total number of acres proposed for recreational use.	The Palmer Ranch development shall provide at least 200 acres for public and private recreational use. At the time of each AIDA submittal, Palmer Ranch shall indicate the total number of acres proposed for recreational use.	Completed. To date, Palmer Ranch has designated to the County 135.5 ± acres for public parks. Over 350 acres of golf courses have been developed in three increments and additional recreational use areas have been developed within residential increments.
4-2.	All of the community-neighborhood parks shall be connected by bicycle and pedestrian/circulation systems which follow major drainage channels and ecotone-buffer areas. The bicycle and pedestrian circulation systems shall be delineated on each subsequent Map H-2A or on an updated Master Bicycle and Pedestrian circulation plan. The majority of open space areas shall be available to the public.	All of the community-neighborhood parks shall be connected by bicycle and pedestrian/circulation systems which follow major drainage channels and ecotone-buffer areas. The bicycle and pedestrian circulation systems shall be delineated on each subsequent Map H-2A or on an updated Map I-2/ MPCP Master Pedestrian and Circulation Plan Master Bicycle and Pedestrian circulation plan. The majority of open space areas shall be available to the public.	Revised to reference Map I-2/ MPCP Master Pedestrian and Circulation Plan.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	Indicate the size, location (Map H2A), ownership and type of all proposed recreation and open space areas. The bicycle and pedestrian circulation systems shall be delineated on each subsequent Map H-2A or on an updated Master Bicycle and Pedestrian circulation plan.	Indicate the size, location (Map H2A H-2), ownership and type of all proposed recreation and open space areas. The bicycle and pedestrian circulation systems shall be delineated on each subsequent Map H-2A H-2 or on an updated Map-I-2/ MPCP Master Pedestrian and Circulation Plan <u>circulation plan</u> .	Revised to reference Map H-2 and Map-I-2/ MPCP Master Pedestrian and Circulation Plan.
<u>FLOODPLAIN/HURRICANE EVACUATION</u>			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
1.	Minimum habitable first floor elevations shall be set at elevations established by Sarasota County Ordinance No.88-72 and at least two feet (2') above the 25-year water-surface elevation or at or above the 100-year water-surface elevation established in the applicable watershed management plan.	Minimum habitable first floor elevations shall be set at elevations established by Sarasota County Ordinance No.88-72 and at least two feet (2') above the 25-year water surface elevation or at or above the 100-year water-surface elevation established in the applicable watershed management plan.	Superseded by LDRs.
2.	No filling shall occur within a designated FEMA numbered A Zone (exclusive of tidal surge areas) as shown on the Federal Insurance Rate Maps adopted by the County.	No filling shall occur within a designated FEMA numbered A Zone (exclusive of tidal surge areas) as shown on the Federal Insurance Rate Maps adopted by the County.	Outdated. Current County LDR watershed methodology provides a much higher standard of care than would be provided by simply avoiding A zones.
3.	The Palmer Ranch shall provide adequate emergency shelter space available to residents of Palmer Ranch.	The Palmer Ranch shall provide adequate emergency shelter space available to residents of Palmer Ranch.	Emergency shelter provided on a County-wide basis.
4.	The Palmer Ranch shall construct all facilities to be used for emergency shelter space to be 15 feet or more above MSL.	The Palmer Ranch shall construct all facilities to be used for emergency shelter space to be 15 feet or more above MSL.	Emergency shelter provided on a County-wide basis.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
5.	The Palmer Ranch shall meet with the appropriate officials from the Sarasota County Office of Disaster Preparedness to discuss the use of the Prestancia Clubhouse as a potential shelter and to review the project for adequacy of emergency shelters and evacuation routes.	The Palmer Ranch shall meet with the appropriate officials from the Sarasota County Office of Disaster Preparedness to discuss the use of the Prestancia Clubhouse as a potential shelter and to review the project for adequacy of emergency shelters and evacuation routes.	Discussion occurred.
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	Each AIDA shall contain information on hurricane impacts.	Each AIDA shall contain information on hurricane impacts.	LDR
2.	If the area is subject to category 2 or 3 flooding, information shall be submitted concerning expected flooding levels, building elevations, and shelter plans, as well as any other information deemed necessary.		No change
3.	The Palmer Ranch shall consult with the Sarasota County Office of the Disaster Preparedness, prior to the site and development stage of each AIDA. The Sarasota County Office of Disaster Preparedness will review each facility to be used as an emergency shelter, to determine whether it is adequate for a storm shelter. In addition, all evacuation routes shall be reviewed to determine their adequacy in the event of an emergency.		No change
<u>ECONOMY</u>			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
1.	The Palmer Ranch will be responsible for required capital improvements and with approval of Sarasota County, may create an MSTU district on the Palmer Ranch, or a special tax district comprising the boundaries of the Palmer Ranch area. This district may then raise revenues through a combination of: 1) ad valorem tax levies (only on property within the	The Palmer Ranch will be responsible for required capital improvements and with approval of Sarasota County, may create an MSTU district on the Palmer Ranch, or a special tax district comprising the boundaries of the Palmer Ranch area. This district may then raise revenues through a combination of: 1) ad	No longer applicable. MSTUs per Ordinance No. 83-24, "Public Facilities Financing Ordinance, have been replaced with Impact Fees.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	boundaries of the district), 2) special assessments and 3) fees.	valorem tax levies (only on property within the boundaries of the district), 2) special assessments and 3) fees. <u>None.</u>	
2.	In order for the Palmer Ranch to create an MSTU district or special taxing district developed for the Palmer Ranch, it will be necessary for the Palmer Ranch to work with various County departments responsible for providing the affected capital facilities. In particular, the Palmer Ranch and County staff will have to ensure that the proposed MSTU district or special taxing district for the Palmer Ranch will be adequately coordinated and consistent with the Public Facilities Financing Ordinance No. 83-24.	In order for the Palmer Ranch to create an MSTU district or special taxing district developed for the Palmer Ranch, it will be necessary for the Palmer Ranch to work with various County departments responsible for providing the affected capital facilities. In particular, the Palmer Ranch and County staff will have to ensure that the proposed MSTU district or special taxing district for the Palmer Ranch will be adequately coordinated and consistent with the Public Facilities Financing Ordinance No. 83-24.	No longer applicable. MSTUs per Ordinance No. 83-24, "Public Facilities Financing Ordinance, have been replaced with Impact Fees.
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	An assessment of the cumulative fiscal impact of all development to and including that proposed in the AIDA under review.	An assessment of the cumulative fiscal impact of all development to and including that proposed in the AIDA under review.	Outdated Charlotte Harbor Fiscal Model previously agreed, not required.
2.	Specific commitments for various capital improvements (i.e., transportation, water supply, wastewater, health, fire and police) shall be submitted under the respective Palmer Ranch Commitment sections in each AIDA.	Specific commitments for various capital improvements (i.e., transportation, water supply, wastewater, health, fire and police) shall be submitted under the respective Palmer Ranch Commitment sections in each AIDA.	The Condition was based on the outdated Charlotte Harbor Fiscal Model and previously agreed, not required.
3.	The Palmer Ranch shall outline the proposed construction schedule for the identified capital improvements and present the relationship(s) to the adopted "Capital Improvements Program" in Apoxsee.	The Palmer Ranch shall outline the proposed construction schedule for the identified capital improvements and present the relationship(s) to the adopted "Capital Improvements Program" in Apoxsee.	Outdated Charlotte Harbor Fiscal Model previously agreed, not required.
4.	The Palmer Ranch shall provide all information as requested in ADA Question 20 (Economy) and indicated under the economy element of the Three	The Palmer Ranch shall provide all information as requested in ADA Question 20 (Economy) and indicated under the economy element of	Outdated Charlotte Harbor Fiscal Model previously agreed, not required.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments																																				
	party Agreement (i.e., A. B. C. D. E). This information shall be incorporated with all other necessary information to run the Charlotte Harbor Fiscal Impact Model.	the Three party Agreement (i.e., A. B. C. D. E). This information shall be incorporated with all other necessary information to run the Charlotte Harbor Fiscal Impact Model.																																					
5.	The Palmer Ranch shall submit as part of each AIDA, all information necessary to run the most current version of the Charlotte Harbor Fiscal Impact Model.	The Palmer Ranch shall submit as part of each AIDA, all information necessary to run the most current version of the Charlotte Harbor Fiscal Impact Model. <u>None.</u>	Outdated Charlotte Harbor Fiscal Model previously agreed, not required.																																				
<u>TRANSPORTATION</u>																																							
A.	CONDITIONS FOR DEVELOPMENT APPROVAL																																						
3.1.	<p>The collector and arterial road network for Palmer Ranch (as shown on AMDA Volume II, Map H-5) shall be constructed to design standards consistent with Sarasota County standards and the F.D.O.T. Manual of Uniform Minimum Standards for Design, Construction, and Highways ("Green Book") standards. The Palmer Ranch shall use the following minimum design standards for the major roadways in the Palmer Ranch development:</p> <table><tr><td></td><td>Designation</td><td></td></tr><tr><td></td><td>Arterial (Honore)</td><td>Collector (Others)</td></tr><tr><td>Right of Way</td><td>120' to 150'</td><td>80' to 100'</td></tr><tr><td>Posted Speed</td><td>45 mph</td><td>40 mph</td></tr><tr><td>Median Width</td><td>19.5'</td><td>15.5'</td></tr><tr><td>Design Speed</td><td>50</td><td>45</td></tr></table>		Designation			Arterial (Honore)	Collector (Others)	Right of Way	120' to 150'	80' to 100'	Posted Speed	45 mph	40 mph	Median Width	19.5'	15.5'	Design Speed	50	45	<p>The collector and arterial road network for Palmer Ranch (as shown on AMDA Volume II, Map H-5) shall be constructed to design standards consistent with Sarasota County standards and the F.D.O.T. Manual of Uniform Minimum Standards for Design, Construction, and Highways ("Green Book") standards. The Palmer Ranch shall use the <u>Sarasota County Land Development Regulations (2001 as may be revised)</u> minimum design standards for the major collector and arterial roadways in the Palmer Ranch development:</p> <table><tr><td></td><td>Designation</td><td></td></tr><tr><td></td><td>Arterial (Honore)</td><td>Collector (Others)</td></tr><tr><td>Right of Way</td><td>120' to 150'</td><td>80' to 100'</td></tr><tr><td>Posted Speed</td><td>45 mph</td><td>40 mph</td></tr><tr><td>Median Width</td><td>19.5'</td><td>15.5'</td></tr><tr><td>Design Speed</td><td>50</td><td>45</td></tr></table>		Designation			Arterial (Honore)	Collector (Others)	Right of Way	120' to 150'	80' to 100'	Posted Speed	45 mph	40 mph	Median Width	19.5'	15.5'	Design Speed	50	45	Per 2001 LDR ...
	Designation																																						
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Design Speed	50	45																																					
<u>4.2</u>	As mitigation for the impact of Palmer Ranch traffic, Palmer Ranch shall construct one hundred Percent (100%) of the following major county roadways at	As mitigation for the impact of Palmer Ranch traffic, Palmer Ranch shall construct one hundred Percent (100%) of the following major	Roadways have been constructed. Reword re McIntosh Rd. Refer to the 5-year Reanalysis process.																																				

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	<p>such times as are required in incremental development orders:</p> <ul style="list-style-type: none"> a. Honore Avenue as a four-lane divided arterial roadway from Clark Road (S.R. 72) to Preymore Street. b. McIntosh Road as a four-lane divided collector roadway from Clark Road (S.R. 72) to US-41. c. Sawyer Loop Road <u>East</u> as a collector roadway. d. Palmer Ranch Parkway as a collector roadway from Beneva Road to McIntosh Road, then jogging south before continuing easterly between McIntosh Road and Honore Avenue. e. An unnamed collector roadway connecting Sawyer Loop Road with the eastern extension of Palmer Ranch Parkway near Honore Avenue. f. Mall Drive as a collector roadway from Beneva, Road to McIntosh Road. g. Livingston Street <u>Central Sarasota Parkway</u> as a collector roadway from U.S. 41 to Honore Avenue. <p>(The major roadways listed above are set in terms of where they enter and exit the Palmer Ranch development.)</p> <p>(Amended by Resolution No. 2014-125, July 9, 2014.)</p>	<p>county roadways at such times as are required in incremental development orders:</p> <ul style="list-style-type: none"> a. Honore Avenue as a four-lane divided arterial roadway from Clark Road (S.R. 72) to Preymore Street. b. McIntosh Road as a four-lane divided collector roadway from Clark Road (S.R. 72) to US-41. c. Sawyer Loop Road <u>East</u> as a collector roadway. d. Palmer Ranch Parkway as a collector roadway from Beneva Road to McIntosh Road, then jogging south before continuing easterly between McIntosh Road and Honore Avenue. e. An unnamed collector roadway connecting Sawyer Loop Road with the eastern extension of Palmer Ranch Parkway near Honore Avenue. f. Mall Drive as a collector roadway from Beneva, Road to McIntosh Road. g. Livingston Street Central Sarasota Parkway as a collector roadway from U.S. 41 to Honore Avenue. <p>(The major roadwayss listed above are<u>is</u> set in terms of where they enter and exit the Palmer Ranch development.)</p>	
3.	<p><u>Sarasota County and Palmer Ranch will take all steps necessary to reimburse Palmer Ranch for construction of Honore Avenue as a 4-lane road between Palmer Ranch Parkway and S.R. 681, and upgrading and extending Bay Street as a 2-lane</u></p>		No change.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	road from U.S. 41 to Honore Avenue from road impact fees collected, as more fully prescribed in the Stipulation of Settlement (Exhibit N). (Added by Resolution No. 99-179, July 14, 1999.)		
6-4.	Since the major roadways will be dedicated public roadways, Sarasota County will be the responsible agency for maintenance. These responsibilities include only the roadway and drainage facilities and routine maintenance of typical right-of-way areas. If a higher level of maintenance is required for landscaping area, the Palmer Ranch, or the homeowners association shall assume primary responsibility.		No change.
7-5.	All traffic control signs shall satisfy the standards of the Manual on Uniform Traffic Control.		No change.
8-6.	Roadway access of subsequent AIDA's of Palmer Ranch onto arterial and collector roadways (as indicated on AMDA Volume II, Map H-5), shall be limited to local roadways and to major driveways. Residential driveway connection to individual lots, and on- street parking shall not be permitted.	Roadway access of subsequent AIDA's of Palmer Ranch onto arterial and collector roadways (as indicated on AMDA Volume II, Map H-5), shall be limited to local roadways and to major driveways. Residential driveway connection to individual lots, and on-street parking shall not be permitted.	This condition has been replaced with Sarasota County Access Management Technical Manual, Ordinance No. 2013-019.
9-7.	The Palmer Ranch, in subsequent AIDA's, shall use as a general guideline a separation of 1/4 mile between public intersections on arterial and collector roadways.	The Palmer Ranch, in subsequent AIDA's, shall use as a general guideline a separation of 1/4 mile between public intersections on arterial and collector roadways.	This condition has been replaced with Sarasota County Access Management Technical Manual, Ordinance No. 2013-019.
10-8.	Roadway access points of subsequent Palmer Ranch AIDA's onto Honore Avenue shall be limited to an average minimum separation of 1/4 mile.	Roadway access points of subsequent Palmer Ranch AIDA's onto Honore Avenue shall be limited to an average minimum separation of 1/4 mile.	This condition has been replaced with Sarasota County Access Management Technical Manual, Ordinance No. 2013-019.
11-9.	The Palmer Ranch shall be required to pay for the following specific access point and off-site intersection improvements, which are required as a result of Palmer Ranch traffic, in subsequent AIDA	The Palmer Ranch shall be required to pay for the following specific access point and off-site intersection improvements, which are required as a result of Palmer Ranch traffic, in	Minor revision to reflect name change

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	submittals: (1) External (a) Clark Road (S.R 72) - Sawyer Road West - Sawyer Road East - Honore Avenue (b) U.S. 41 - Livingston Avenue - McIntosh Road (c) Beneva Road - Palmer Ranch Parkway - Mall Drive	subsequent AIDA submittals: (1) External (a) Clark Road (S.R 72) - Sawyer Road West - Sawyer Road East - Honore Avenue (b) U.S. 41 - Livingston Avenue <u>Central Sarasota Pkwy</u> - McIntosh Road (c) Beneva Road - Palmer Ranch Parkway - Mall Drive	
42.10.	The Palmer Ranch shall work with Sarasota County, FDOT, and the Southwest Florida Regional Planning Council to investigate the concept of a new east- west roadway network with a new interchange onto I- 75 to serve the project, and to relieve overall project impacts on the surrounding east-west roadway network (Clark Road). Should a new network be found to be desirable, the Palmer Ranch shall modify the master plan for Palmer Ranch to accommodate the extension of Livingston Street or another appropriate road to I-75.	The Palmer Ranch shall work with Sarasota County, FDOT, and the Southwest Florida Regional Planning Council to investigate the concept of a new east- west roadway network with a new interchange-onto collector roadway crossing I- 75 to serve the project, and to relieve overall project impacts on the surrounding east-west roadway network (Clark Road). Should a new network be found to be desirable, the Palmer Ranch shall modify the master plan for Palmer Ranch to accommodate the extension of <u>Livingston Bay</u> Street or another appropriate road to I-75.	I-75/CSP interchange is no longer a viable project. County staff indicated that a new crossing of I-75 is needed between Clark Road and SR 681.
43.11.	The Palmer Ranch shall donate any right-of-way within the project site, as deemed necessary for the widening of Clark Road, US-41, McIntosh Road and Honore Avenue, as determined by the County Engineer of FDOT.	The Palmer Ranch shall donate any right-of-way within the project site, as deemed necessary for the widening of Clark Road, US-41, McIntosh Road and Honore Avenue, as determined by the County Engineer of FDOT.	The right-of-way dedication for these roads has been completed.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
44. <u>12.</u>	Regarding public transportation the Palmer Ranch shall: a. Provide bus bays (stops) at strategic points near envisioned major transit stops, along with shelters, lighting, and signage. b. Ensure that cul-de-sacs, if any, are sufficient for bus turn-arounds on collector streets. c. Provide sidewalks to bus stops where appropriate.		No change.
45. <u>13.</u>	The Palmer Ranch shall provide a pedestrian circulation system in the Palmer Ranch development.		No change.
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
3. <u>1.</u>	All AIDA submittals for industrial development shall identify any dependent relationships with existing or proposed aviation, or rail facilities. Outline any new construction proposals involving such facilities resulting from the proposed development.	All AIDA submittals for industrial development shall identify any dependent relationships with existing or proposed aviation, or rail facilities. Outline any new construction proposals involving such facilities resulting from the proposed development.	Railroad removed from DRI.
<u>2.</u>	<u>Palmer Ranch shall continue to provide reanalysis for the DRI pursuant to the requirements of the Settlement Stipulation described in Resolution No. 87-549 and consistent with the methodologies utilized in prior analyses adopted by Sarasota County Resolution Nos. 89-98 and 95-231, as described in the Stipulation of Settlement (Exhibit N). The review of subsequent Transportation issues in AIDA's shall be limited to providing trip generation information demonstrating consistency with the Transportation reanalysis and demonstrating adequate site access.</u>		No change.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	<i>(Added by Resolution No. 99-179, July 14, 1999.)</i>		
<u>3.</u>	All new AIDA submittals and modifications to approved IDOs proposing a change in use may utilize the attached equivalency matrix, “Exhibit N” as applicable in conjunction with the 5-year Traffic Reanalysis. <i>(Added by Resolution No. 2013-196, November 20, 2013.)</i>	1	No change.
<u>WASTEWATER</u>			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
1.	Central County Utilities has been granted a regional wastewater franchise by the Sarasota County Board of County Commissioners under Resolution No. 83-379. This franchise includes the Palmer Ranch. Prior to any development approval the Palmer Ranch shall document availability of approved wastewater service.	Central County Utilities has been granted a regional wastewater franchise by the Sarasota County Board of County Commissioners under Resolution No. 83-379. This franchise includes the Palmer Ranch. Prior to any development approval the Palmer Ranch shall document availability of approved wastewater service.	Central County Plant acquired by Sarasota County.
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	The Palmer Ranch shall update all projected wastewater flows for each AIDA project.		No change.
2.	Each AIDA shall include average daily flow in MGD of wastewater generated by each development at the end of each phase.		No change.
3.	If applicable, the Palmer Ranch shall provide a table describing the volume characteristics, and treatment techniques of any industrial or other effluent.		No change.
<u>WATER SUPPLY</u>			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
1.	Existing ground water supplies west and south of I-75 in central and southern Sarasota County are	Existing ground water supplies west and south of I-75 in central and southern Sarasota County	Sarasota County potable water facilities have been provided.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	limited and must be protected from over-development in order to prevent degradation of the supply from salt water intrusion, lowered potentiometric levels and other adverse impacts. Accordingly, the water supply system for the development shall be designed to utilize water from the Ringling-MacArthur Tract located east of I-75 to the fullest extent practicable. Wells, reverse osmosis plants, and other sources may be developed and utilized only on a scale, and to the extent, necessary to serve actual development up to the time that water from the T. Mabry Carlton Jr. Memorial Reserve becomes available.	are limited and must be protected from over-development in order to prevent degradation of the supply from salt water intrusion, lowered potentiometric levels and other adverse impacts. Accordingly, the water supply system for the development shall be designed to utilize water from the Ringling-MacArthur Tract located east of I-75 to the fullest extent practicable. Wells, reverse osmosis plants, and other sources may be developed and utilized only on a scale, and to the extent, necessary to serve actual development up to the time that water from the T. Mabry Carlton Jr. Memorial Reserve becomes available.	
2.	<u>Palmer Ranch shall receive reimbursements for the construction and installation of water transmission line within the DRI as prescribed in the in the Stipulation of Settlement (Exhibit N). (Added by Resolution No. 99-179, July 14, 1999.)</u>		No change.
3.	Prior to the construction and utilization of on- site non-potable water wells, the Palmer Ranch shall apply for and obtain a Consumptive Use Permit (CUP) pursuant to Chapter 40 D-2, F.A.C.		No change.
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	Potable Water - Each AIDA shall identify potable water needs and the most feasible sources to satisfy potable water demands.		No change.
2.	Non-potable Water - Each AIDA shall have definitive land use plans which quantify the irrigation and other non-potable water demands and detail the non-potable water supply source to satisfy demands.		No change.
3.	If any water wells exist, they shall be located during		No change.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	site investigations for each AIDA, at which time, proposed well locations and other information required for non-potable use shall also be delineated and presented in AIDA documents.		
<u>SOLID WASTE</u>			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
	None		No change.
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	The Palmer Ranch shall provide in each AIDA a letter from General Sanitation Corp., or others, of their ability to adequately service this project.	The Palmer Ranch shall provide in each AIDA a letter from General Sanitation Corp., or others, of their ability to adequately service this project.	County has contracts with Solid Waste provider and 50+ year capacity at Central County landfill.
2.	The Palmer Ranch shall provide in each AIDA a letter from the Sarasota County Director of Solid Waste indicating the amount of current excess capacity to accommodate the additional refuse.		No change.
<u>ENERGY</u>			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
1.	<p>The following energy conservation features shall be incorporated into the final site plans and architecture for all AIDA's of Palmer Ranch and be implemented through appropriate deed restrictions and/or covenants in order to mitigate further the energy impacts of the proposed project:</p> <p>a. Provision of a bicycle/pedestrian system connecting all land uses, to be placed along all arterial and collector roads within the project. This system shall be in compliance with the intent of the Energy Plan Element of Apoxsee and the Sarasota county Land Development Regulations.</p> <p>b. Provision of bicycle racks or storage</p>	<p>The following energy conservation features shall be incorporated into the final site plans and architecture for all AIDA's of Palmer Ranch and be implemented through appropriate deed restrictions and/or covenants in order to mitigate further the energy impacts of the proposed project:</p> <p>a. Provision of a bicycle/pedestrian system connecting all land uses, to be placed along all arterial and collector roads within the project. This system shall be in compliance with the intent of the Energy Plan Element of Apoxsee and the Sarasota county Land</p>	Outdated. Current County LDRs and building standards address energy concerns.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	<p>facilities in recreational, commercial, and multi-family residential areas.</p> <p>c. Cooperation with the Sarasota County Area Transit Authority in the locating of bus stops, shelters, and other passenger and system accommodations when a transit system is developed to serve the project area.</p> <p>d. Use of energy-efficient features in widow design (e.g., shading and tinting).</p> <p>e. Use of operable windows and ceiling fans.</p> <p>f. Installation of energy-efficient appliances and equipment.</p> <p>g. Prohibition of deed restrictions or covenants that would prevent or unnecessarily hamper energy conservation efforts (e.g., building orientation, clotheslines, and solar water heating systems).</p> <p>h. Reduced coverage by asphalt, concrete, rock, and similar substances in streets, parking lots, and other areas to reduce local air temperatures and reflected light and heat, in accordance with local regulations.</p> <p>i. Installation of energy-efficient lighting for streets, parking areas, recreation areas, and other interior and exterior public areas.</p> <p>j. Use of water closets with a maximum flush of 3.5 gallons and shower heads and faucets with a maximum flow rate of 3.0 gallons per minute (at 60 pounds of pressure per square inch).</p> <p>k. Selection of native plants, trees, and other vegetation and landscape design features that reduce requirements for water, fertilizer, maintenance, and other needs. All plant material</p>	<p>Development Regulations.</p> <p>b. Provision of bicycle racks or storage facilities in recreational, commercial, and multi-family residential areas.</p> <p>c. Cooperation with the Sarasota County Area Transit Authority in the locating of bus stops, shelters, and other passenger and system accommodations when a transit system is developed to serve the project area.</p> <p>d. Use of energy efficient features in widow design (e.g., shading and tinting).</p> <p>e. Use of operable windows and ceiling fans.</p> <p>f. Installation of energy efficient appliances and equipment.</p> <p>g. Prohibition of deed restrictions or covenants that would prevent or unnecessarily hamper energy conservation efforts (e.g., building orientation, clotheslines, and solar water heating systems).</p> <p>h. Reduced coverage by asphalt, concrete, rock, and similar substances in streets, parking lots, and other areas to reduce local air temperatures and reflected light and heat, in accordance with local regulations.</p> <p>i. Installation of energy efficient lighting for streets, parking areas, recreation areas, and other interior and exterior public areas.</p> <p>j. Use of water closets with a maximum flush of 3.5 gallons and shower heads and faucets with a maximum flow rate of 3.0</p>	

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	<p>shall be approved by the County Staff Forester.</p> <p>l. Planting of native shade trees to provide reasonable shade for all recreation areas, streets, and parking areas. All plant material shall be approved by the County Staff Forester.</p> <p>m. Placement of trees to provide needed shade in the warmer months while not overly reducing the benefits of sunlight in the cooler months. (Shade in the summer should receive primary consideration).</p> <p>n. Planting of native shade trees for each residential unit. All plant material shall be approved by the County Staff Forester.</p> <p>o. Provision for structural shading (e.g., trellises, awnings and roof overhangs) wherever practical when natural shading cannot be used effectively.</p> <p>p. Inclusion of porch/patio areas in residential units, when possible.</p> <p>q. Energy saving features of individual structures including:</p> <ul style="list-style-type: none"> - common wall housing - ceiling, wall, duct and wood floor insulation - horizontal and vertical partitions between dwelling units - horizontal partitions over non-air conditioned spaces - entrance door insulation - water heating techniques such as solar, - heat recovery, super insulation and heat pumps 	<p>gallons per minute (at 60 pounds of pressure per square inch).</p> <p>k. Selection of native plants, trees, and other vegetation and landscape design features that reduce requirements for water, fertilizer, maintenance, and other needs. All plant material shall be approved by the County Staff Forester.</p> <p>l. Planting of native shade trees to provide reasonable shade for all recreation areas, streets, and parking areas. All plant material shall be approved by the County Staff Forester.</p> <p>m. Placement of trees to provide needed shade in the warmer months while not overly reducing the benefits of sunlight in the cooler months. (Shade in the summer should receive primary consideration).</p> <p>n. Planting of native shade trees for each residential unit. All plant material shall be approved by the County Staff Forester.</p> <p>o. Provision for structural shading (e.g., trellises, awnings and roof overhangs) wherever practical when natural shading cannot be used effectively.</p> <p>p. Inclusion of porch/patio areas in residential units, when possible.</p> <p>q. Energy saving features of individual structures including:</p> <ul style="list-style-type: none"> - common wall housing - ceiling, wall, duct and wood floor insulation - horizontal and vertical partitions between 	

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	<ul style="list-style-type: none"> - roofing overhang - attic ventilation r. Orienting buildings on an east/west axis with 25' variation in either direction for solar strategies. s. Use of PUD and cluster techniques to achieve flexibility in building siting. t. Maintenance of a high percentage of open space and minimizing the amount of impervious surfaces within individual development parcels. 	<ul style="list-style-type: none"> -dwelling units -horizontal partitions over non-air conditioned spaces -entrance door insulation -water heating techniques such as solar, -heat recovery, super insulation and heat pumps -roofing overhang -attic ventilation r. Orienting buildings on an east/west axis with 25' variation in either direction for solar strategies. s. Use of PUD and cluster techniques to achieve flexibility in building siting. t. Maintenance of a high percentage of open space and minimizing the amount of impervious surfaces within individual development parcels <p>None.</p>	
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	With the submittal of subsequent AIDA's, the Palmer Ranch shall indicate what alternative energy sources (e.g., solar energy systems) will be incorporated into the development.	With the submittal of subsequent AIDA's, the Palmer Ranch shall indicate what alternative energy sources (e.g., solar energy systems) will be incorporated into the development.	Outdated. Current County LDRs and building standards address energy concerns.
2.	With the submittal of subsequent AIDA's, the Palmer Ranch shall indicate specific numbers and percentages of residential structures that will utilize the Florida Power & Light "Watt Wise Program."	With the submittal of subsequent AIDA's, the Palmer Ranch shall indicate specific numbers and percentages of residential structures that will utilize the Florida Power & Light "Watt Wise Program." None.	Current program requires a voluntary agreement with each owner.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
<u>EDUCATION</u>			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
1.	<p>The Palmer Ranch shall provide a twenty-acre future school site to the Sarasota County School Board at an appropriate time in the development process that is acceptable to the School Board. The Palmer Ranch shall also work with the School Board in locating a mutually acceptable site if the twenty-acre parcel (Q-1) is not appropriate.</p> <p><u>Palmer Ranch has dedicated a 20-acre school site at the Parcel Q-1 location in the DRI. The Sarasota County School Board has expressed an interest in relocating the 20-acre site to a mutually acceptable location. Sarasota County will cooperate with Palmer Ranch and the School Board to relocate the school site elsewhere within the DRI or out. Following relocation, the Q-1 parcel shall be a permissible location for allocation of a portion of the 99-acres granted to Palmer Ranch as internal commercial acreage. (Revised by Resolution No. 99-179, July 14, 1999.)</u></p>	<p>Palmer Ranch has dedicated a 20-acre school site at the Parcel Q-1 location in the DRI. The Sarasota County School Board has expressed an interest in relocating the 20-acre site to a mutually acceptable location. Sarasota County will cooperate with Palmer Ranch and the School Board to relocate the school site elsewhere within the DRI or out. Following relocation, the Q-1 parcel shall be a permissible location for allocation of a portion of the 99-acres granted to Palmer Ranch as internal commercial acreage.</p>	<p>School Board: Delete. The Sarasota County School Board no longer needs the site that was required in the original approval documents for Palmer Ranch. The disposition of the dedicated site was resolved in a settlement agreement and release case number 2005-CA-006686 NC between Palmer Ranch, The County and the School Board.</p> <p>Resolved by settlement agreement and release for case number 2005-CA-006686 NC in the Twelfth Judicial Circuit Court for Sarasota County.</p>
2.	The Palmer Ranch shall work with the School Board regarding the location, timing and cost of future schools. The location(s) of future schools and any financial impacts beyond normal school tax levys shall be negotiated between the Palmer Ranch and the School Board.	The Palmer Ranch shall work with the School Board regarding the location, timing and cost of future schools. The location(s) of future schools and any financial impacts beyond normal school tax levys shall be negotiated between the Palmer Ranch and the School Board.	School Board. Delete. See comment above in condition A.
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	The status and capability of existing schools or planned facilities to accommodate anticipated students.	The status and capability of existing schools or planned facilities to accommodate anticipated students.	School Board. Delete. See comment above in condition A.
2.	The size, timing and location of any school sites to	The size, timing and location of any school sites	School Board. Delete. See comment above in

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
	be provided by the developer.	to be provided by the developer.	condition A.
3.	If no school site is to be provided, information supporting the lack of need.	If no school site is to be provided, information supporting the lack of need.	School Board. Delete. See comment above in condition A.
<u>POLICE</u>			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
1.	In the event that subsequent studies indicate a need for additional police substations, they shall be incorporated into the main internal commercial area (Village Center) at the time of that development phase.	In the event that subsequent studies indicate a need for additional police substations, they shall be incorporated into the main internal commercial area (Village Center) at the time of that development phase.	Village Center deleted.
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	In AIDA submittals subsequent to Prestancia, the Palmer Ranch shall consult with the Sheriff's Department and incorporate recommendations regarding security from the checklist provided with the letter from Sheriff Hardcastle of September 1, 1983.	In AIDA submittals subsequent to Prestancia, the Palmer Ranch shall consult with the Sheriff's Department and incorporate recommendations regarding security from the checklist provided with the letter from Sheriff Hardcastle of September 1, 1983.	Outdated. Palmer Ranch Master Association and individual Homeowner Associations coordinates with the Sheriff's Office.
2.	The Palmer Ranch shall indicate the demand that will be generated by each AIDA for police services.		
<u>FIRE PROTECTION/HEALTH CARE</u>			
A.	CONDITIONS FOR DEVELOPMENT APPROVAL		
3-1.	Palmer Ranch will provide and dedicate one (1) acre in the southeast quadrant of the Honore Avenue/Central Sarasota Parkway intersection for a fire station. Palmer Ranch will convey an additional and contiguous acre at this site and shall be compensated for this second acre, as prescribed in the Stipulation of Settlement (Exhibit N). <i>(Added by Resolution No. 99-179, July 14, 1999.)</i>	Palmer Ranch will provide and dedicate one (1) acre in the southeast quadrant of the Honore Avenue/Central Sarasota Parkway intersection for a fire station. Palmer Ranch will convey an additional and contiguous acre at this site and shall be compensated for this second acre, as prescribed in the Stipulation of Settlement (Exhibit N).	Fire: Condition satisfied.

Section / Number	CONDITIONS – As adopted/amended	Updated Recommendation -	Comments
2.	Commitment from the Palmer Ranch with respect to early warning detection systems or sprinkler systems in all structures, prior to construction of the water transmission lines.	Commitment from the Palmer Ranch with respect to early warning detection systems or sprinkler systems in all structures, prior to construction of the water transmission lines. <u>None.</u>	Addressed through LDR & Construction Plan process. Fire: Retain. Proper planning for fire hydrant and other equipment can only be done when the requirements of the fire codes for fire alarm, fire hydrant or fire sprinkler systems is considered.
B.	ISSUES SUBJECT TO FURTHER REVIEW IN AIDA'S		
1.	The Palmer Ranch shall provide an update in each AIDA on existing health care delivery systems which serves the development area as well as an update of the needs of the proposed development for medical services and facilities and fire protection services.	The Palmer Ranch shall provide an update in each AIDA on existing health care delivery systems which serves the development area as well as an update of the needs of the proposed development for medical services and facilities and fire protection services <u>response times for fire and emergency medical service.</u>	Response times for fire and emergency medical service are provided in each AIDA.
<u>SPECIFIC DRI INFORMATION</u>			
	In the appropriate AIDA's the Palmer Ranch shall respond to the following questions as required in ADA Questionnaire (Form DSP-BLWM-II-76): <ul style="list-style-type: none"> - Question 37 - Industrial Plants and Industrial Parks. (Responses A, B, C, D, and E). - Question 39 - Office Parks. (Responses A, B, C, and D). - Question 42- Schools. (Responses A, and B). - Question 43 - Shopping Centers. (Responses A, B, and C). 		

Equivalency Matrix

Land Use to be Increased

	110: General Light Industrial	210: Single-Family Detached Housing	230: Residential Condominium / Townhouse	710: General Office Building	820: Shopping Center	826: Specialty Retail Center
110: General Light Industrial		1.031 ksf/du	0.536 ksf/du	1.536 ksf/ksf	3.825 ksf/ksf	2.794 ksf/ksf
210: Single-Family Detached Housing	0.970 ksf/du		0.520 du/du	1.490 du/ksf	3.710 du/ksf	2.710 du/ksf
230: Residential Condominium / Townhouse	1.865 ksf/du	1.923 ksf/du		2.865 du/ksf	7.135 du/ksf	5.212 du/ksf
710: General Office Building	0.651 ksf/ksf	0.671 ksf/du	0.349 ksf/du		2.490 ksf/ksf	1.819 ksf/ksf
820: Shopping Center	0.261 ksf/ksf	0.270 ksf/du	0.140 ksf/du	0.402 ksf/ksf		0.730 ksf/ksf
826: Specialty Retail Center	0.358 ksf/ksf	0.369 ksf/du	0.192 ksf/du	0.550 ksf/ksf	1.369 ksf/ksf	

1. Land use changes are based on the peak hour of adjacent street traffic, one hour between 4 and 6 PM.

2. Equivalency factors are based on the ITE Trip Generation Manual 9th Edition average rate for each land use.

3. When increasing a land use, multiply by the value in the table. When decreasing a land use, divide by the value in the table.

Examples:

Increase 50 single-family dwelling units by decreasing 13,500 SF of shopping center
 (50 x 0.270) Increase 50,000 SF of specialty retail by decreasing 261
 condo/townhouse dwelling units (50 x 5.212) Decrease 25 single-family dwelling units
 by increasing 16,780 SF of office (25 / 1.490)

Agenda Item

11e

11e

Palmer Ranch AIDA NOPC
(Increment XXII 9A)

11e

**DEVELOPMENT OF REGIONAL
IMPACT ASSESSMENT
FOR
PALMER RANCH INCREMENT XXII
DRI # DRI # 08-8283-032**

The Palmer Ranch Increment XXII DRI is planned as the twenty-second increment of the Palmer Ranch Master Development Plan and is the sixteenth increment to be filed pursuant to the provisions of the Revised Master Development Order. This increment is a 103± acre parcel of land (referred to as Parcel 9A) south of the existing boundaries of the Palmer Ranch DRI. The specific parcel is located south of Palmer Ranch Increment XI and west of Honore Avenue.

The Applicant is proposing to construct in one phase, with a buildout date of 2020 depending on market conditions, a total of 170 single-family detached homes on Palmer Ranch Parcel 9A, a 103± acre area. Also part of the development proposal is 44.7 acres of other open space (12.16± acres of lakes/littoral areas/man-made pits, 10.21± acres of wetland preservation and restoration areas and 22.32± acres± of upland preservation/perimeter buffers and other open space).

The designation of single-family on this property is consistent with the Sarasota County Comprehensive Plan. The traffic analysis with this amendment shows no off-site transportation improvements are required as part of this project. Water, reuse and wastewater services will be provided by Sarasota County Utilities Department.

RECOMMENDED ACTION:

The staff of the Southwest Florida Regional Planning Council recommends Conditional Approval for the Palmer Ranch Increment XXII DRI to be further conditioned on a finding of Consistency with the Local Government Comprehensive Plan by the Sarasota County Board of County Commissioners.

**PRIMARY STAFF FOR
PALMER RANCH INCREMENT XXII DRI REVIEW**

Coordinator – David E. Crawford, AICP

Water Quality and Drainage, Historical/Archaeological, Native Habitat, Land Use, Transportation, Water Supply, Solid Waste, and Consistency with Local Comprehensive Plan and Strategic Regional Policy Plan

INTRODUCTION

BACKGROUND

The Palmer Ranch Development of Regional Impact (DRI) is an approved mixed-use master-planned development located in central Sarasota County, Florida. The DRI is generally bounded on the east by I-75, on the west by Beneva Road and U.S. 41, on the north by Clark Road, and on the south by Preymore Street. The original Master Development Order (MDO) document was approved by the Sarasota Board of County Commissioners on December 18, 1984. The MDO, including the Conceptual Master Development Plan (Map H-2) for the Palmer Ranch DRI, is being implemented pursuant to the terms and conditions of the amended and restated Master Development Order (Sarasota County Resolution No. 91-170, as amended), which was first adopted on July 12, 1991 by the Sarasota Board of County Commissioners. The amended and restated MDO calls for the planning and development of the 5,307.5± acre Palmer Ranch DRI in incremental developments.

The approved Application for Master Development Order (AMDO) review process requires that Applications for Incremental Development Approval (AIDA) be submitted in order to approve specific land uses in the development. To date, 20 Incremental Development Orders (IDO) have been approved within the Palmer Ranch DRI. The existing Palmer Ranch development is approved for 11,550 residential dwelling units; 99± acres of internal commercial, plus additional square footage of commercial/office approved/planned in designated Activity Centers; and 1- 75 million square feet of industrial development.

APPLICATION FOR INCREMENTAL DEVELOPMENT APPROVAL

The Palmer Ranch Increment XXII DRI is planned as the twenty-first increment of the Palmer Ranch Master Development Plan and is the sixteenth increment to be filed pursuant to the provisions of the Revised Master Development Order. This increment is 103 ± acres on one (1) parcel of land (referred to as Parcel 9A) located south of the existing boundaries of the Palmer Ranch DRI. The Applicant is, in addition to seeking approval of an Incremental Development Order for proposed Increment XXII, seeking to amend the MDO to add the 103± acre site known as Parcel 9A to the Master Development lands and update Map H-2 and label Parcel 9A as Increment XXII.

Parcel 9A is located on the south side of the Master DRI, west of Honore Avenue. The Applicant is proposing to construct in one phase, with a buildout date of 2020 depending on market conditions, a gated 170-unit development with a total of 170 single-family detached units on 58.47± acres. Also part of the development proposal is 44.7 acres of other open space (12.16± acres of lakes/littoral areas/man-made pits, 10.21± acres of wetland preservation and restoration areas and 22.32± acres of upland preservation/perimeter buffers and other open space). The designation of single family on this property is consistent with the Sarasota County Comprehensive Plan. The traffic analysis with this amendment shows no off-site transportation improvements are required as part of this project. Water, reuse and wastewater services will be provided by Sarasota County Utilities Department.

IMPACT ASSESSMENT AND RECOMMENDATIONS

The Council staff usually provides a detailed assessment of all the regional and local issues within Appendix I and II of the regional report. However, because Sarasota County has received Limited DRI Certification under 380.065 F.S., Administrative Rule 28-10 and a "Memorandum of Understanding Regarding Sarasota County's Limited DRI Certification Program" between the Sarasota County and the SWFRPC signed on April 4, 1989, the Sarasota County staff assessment (Appendix III) is being approved by SWFRPC staff as the recommended SWFRPC Staff Assessment. No additional analysis and recommendations are being added to the regional issues by SWFRPC.

The regional recommendations for the "Palmer Ranch Increment XXII DRI Assessment" have been prepared by Sarasota County Planning staff and the Southwest Florida Regional Planning Council staff as required by Chapter 380.06, Florida Statutes. A determination by Sarasota County and the applicant has been made not to reiterate word for word the applicable MDO conditions that applied to Increment XXII but to reference within the Increment XXII development order the applicable MDO conditions. The DRI assessment is largely based on information supplied in the AIDA, Eastside Environmental Analysis and the Sarasota County Staff Assessment. Additional information was obtained by consulting official plans, and by reviewing reports related to specific issues in the impact assessment. Sarasota County's staff assessment and recommendations were integrated into various elements of the regional recommendations. The Southwest Florida Water Management District reviewed Water-related elements.

The Council's staff assessment for Increment XXII only contains four regional issues. The regional issues are those that affect more than one county. The recommendations for these issues are formal conditions to be included by the local government in any Development Order that has jurisdiction within a particular county.

The findings of this evaluation and the Southwest Florida Regional Planning Council's recommendations are not intended to foreclose or abridge the legal responsibility of local government to act pursuant to applicable local laws and ordinances. Copies of any "Incremental Development Order" (an order granting, denying, or granting with conditions an Application of Development Approval) issued with regard to the proposed development should be transmitted to the Southwest Florida Regional Planning Council and the Florida Department of Economic Opportunity.

NOTICE OF PROPOSED CHANGE

The first Master Development Order for the Palmer Ranch Development of Regional Impact (DRI) was approved on December 18, 1984. The Palmer Ranch DRI consisted of 5,119 acres +/-, and was conceptually approved as a residential community of 10,500 dwelling units with supporting commercial, office, and industrial development. Within the overall Palmer Ranch DRI site, Increments I through XVIII (Increment XIX Denial) have been approved for development through the Application for Incremental Development Approval (AIDA) process. Increments I – V and XVII are generally located to the west of the Seminole and Gulf Railroad

and Legacy Recreational Trail, while Increments VI through XXI are east of the railroad and recreational trail.

On July 20, 1990, Palmer Venture submitted an Application for Development Approval (ADA) for the "Eastside Environmental Systems Analysis and Master Development Order Supplement for the Palmer Ranch DRI." This Eastside Environmental Systems Analysis amended the legal description of the Palmer Ranch reflecting the inclusion of Parcel U to the DRI boundaries, which increased the total land area to 5,229 acres, and provided an area wide assessment of native habitats, rare and endangered species, drainage, water quality, floodplains, and historical and archaeological resources within the east side of the Palmer Ranch. During this process, the Best Management Practices (BMP) Manual and the Surface Water Management, Maintenance and Monitoring Manual were developed to be applied uniformly to all lands within the east side of the DRI site. The Amended and Restated Master Development Order for the Palmer Ranch Development of Regional Impact (Sarasota County Resolution No. 91-170) was adopted by the Board of County Commissioners on July 9, 1991.

The boundaries of the DRI have been increased three times since the adoption of Sarasota County Resolution No. 91-170 for a total land area to 5,324.7 acres. Two NOPCs which have been submitted in association with the AIDA for Increments XXII and XXIII would, if adopted, expand the boundaries of the Master Development Order for the Palmer Ranch DRI as follows:

Master D.O.	Dec. 18, 1984	Resolution No. 84-418	5,119
Substantial Deviation	July 9, 1991	Resolution No. 91-170	127.2
NOPC	July 14, 1999	Resolution No. 99-179	1.5
NOPC	April 14, 2004	Resolution No. 2004-077	38.6
NOPC	December 7, 2011	Resolution No. 2011-226	38.4
Total acreage as adopted			<hr/> 5,324.7
NOPC with AIDA XXII			NOPC - Parcel 9A 103.19
NOPC with AIDA XXIII			NOPC - Parcel 9B 223.95
			<hr/> 5,651.8

The project currently under review is outside of this Eastside area of the Palmer Ranch DRI. The AIDA was prepared pursuant to the Conditions of the Amended and Restated Master Development Order and the Standard Questionnaire for Developments of Regional Impact within Sarasota County.

Maps

The Master Pedestrian and Circulation Plan (Map I-2/MPCP) and the Master Development Concept Plan (Map H-2) are being updated to reflect the expanded boundaries of the Palmer Ranch DRI. The map series contained in the Master Development Order issued for the Palmer Ranch (Sarasota County Resolution No. 84-418, as amended) also includes a Native Habitat Preservation, Alteration, and Mitigation Plan (Map F-2); a Wildlife Corridor Plan (Figure 3); a

Conceptual On-Site Surface Water Management Plan (Map G-2) a Conceptual Master Plan (Map H-2); and a (Master Pedestrian and Circulation Plan (Map I-2).

Amended and Restated Master Development Order (MDO)

At the request of Sarasota County, an Amended and Restated Master Development Order (MDO) for the Palmer Ranch Development of Regional Impact is necessary to codify all amendments to the MDO since the adoption of Sarasota County Resolution No. 91-170.

APPLICANT INFORMATION AND DEVELOPMENT SUMMARY

APPLICANT INFORMATION

Project Name	Palmer Ranch Increment XXII (Parcel 9A) DRI
Applicant	Taylor Morrison of Florida, Inc .
Date on which DRI/AIDA was officially accepted	October 1, 2014
Date on which DRI/AIDA was found sufficient	December 31, 2014
County DRI Hearing Date	April 21, 2015
Date County Notified SWFRPC of Public Hearing	March 5, 2015
Type of Development	Residential
Location of Development	Sarasota County
DRI Threshold	2,000 Residential Units

DEVELOPMENT SUMMARY

Residential Units	170 single family detached homes
Total Acres	103 ± acres
Estimated Average Potable Water Demand (million gallons per day)	0.0425 mgd
Estimated Average Wastewater Demand (million gallons per day)	0.03400 mgd
Estimated Solid Waste Generation	2543.2 lbs/day
Project Construction Period	Within 5 years based on market demand

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL'S STAFF FINDINGS AND RECOMMENDATIONS

REGIONAL

IT IS THE RECOMMENDATION OF THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL THAT THE APPLICATION FOR INCREMENTAL DEVELOPMENT APPROVAL DATED OCTOBER 1, 2014 AND SUFFICIENCY RESPONSE DATED DECEMBER 31, 2014 IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. CONSERVATION & ENVIRONMENTAL PERMITTING

Palmer Ranch Increment XXII is characterized by improved pasture, with the central portion as hardwood-conifer mixed and interspersed with freshwater marshes that have been altered by past Approximately 22.73 acres of wetlands, including wet prairies, freshwater marshes, and mitigation creation areas, will be preserved within Increment XXII. Preserved wetlands, mitigation areas, and their respective 30-foot upland buffers will be set aside as perpetual preserve areas on all plats of record and Subdivision Plans, and in conformance with agency permits.

Palmer Ranch Increment XXII also designates upland conservation areas that will contribute to the Palmer Ranch wildlife corridor network. These areas include areas of improved pastures and areas supporting more native plant communities. Measures to manage these conservation areas will include designating these areas as perpetual conservation areas on all plats, Subdivision Plans, and in conformance with agency permits.

RECOMMENDATIONS

Any DRI Incremental Development Order issued by Sarasota County shall contain the following provisions:

- A. The wetlands and associated upland vegetative buffer shall be maintained in accordance with management guidelines contained within the Comprehensive Plan as a preserve and labeled a preserve on all plans. All activities including but not limited to filling, excavating, well drilling, altering vegetation (including trimming of both trees and understory) and storing of materials shall be prohibited within preservation areas, except where approved by the Environmental Protection Division through: 1) the Resource Management Plan for the project, or 2) specific written approval of hand removal of nuisance or exotic vegetation.
- B. Slight impacts to on-site wetlands resulting from unavoidable impacts necessitated by internal parcel roadway and infrastructure requirements, may be allowed if deemed consistent with the LDR Environmental Technical Manual during site and development plan review.
- C. The proposed wildlife conservation area shall be a minimum of 50 feet wide. A resource management plan for the proposed corridor shall be submitted to the Environmental

Protection Division during the site and development plan submittal that details how the wildlife corridor will be maintained and the proposed corridor crossing minimized.

2. WATER QUALITY AND DRAINAGE

Stormwater from the proposed development flows generally to the south and into the Oscar Scherer State Park, which is a State and regional resource. This condition is intended to provide for adequate flows and water quality improvements prior to the stormwater entering the park.

RECOMMENDATIONS

Any DRI Incremental Development Order issued by Sarasota County shall contain the following provisions:

- A. The Master Surface Water Management Plan shall be consistent with the Catfish Creek, South Creek, North Creek, Elligraw Bayou, Matheny Creek, Holiday Bayou, and Clower Creek Basin Master Plans.

3. WATER SUPPLY

The assessment of the proposed development estimated that the average potable water demand for the proposed development will be 0.0425 million gallons per day.

RECOMMENDATIONS

Any DRI Incremental Development Order issued by Sarasota County shall contain the following provisions:

- A. The Developer shall enter into a Standard Utility Agreement with Sarasota County prior to receiving Construction Authorization for any portion of development. The Standard Utility Agreement shall outline any County contribution for the oversize of potable water, wastewater collection or reclaimed water extensions. The development is required to extend a 12" reclaimed water system on Honore Ave along the full frontage of the parcel facing Honore and enter into an oversize agreement with the County for the upsized of the line.
- B. Prior to being granted Construction Authorization approval for the development, the applicant shall submit a reclaimed water master plan and supporting documentation signed and sealed by a registered professional engineer or professional geologist identifying the areas to be served by reclaimed water. The report will include the rate and volume of land application, location and placement of proposed reclaimed facilities (including ponds, pumps and pipe routes), water balance calculations encompassing precipitation on an annual duration, demonstrate how the system will be operated in accordance with state rule, and reclaimed water & sewer effluent balance calculations for the project demonstrating how each phase of development will manage the volume of

reclaimed allocated to it. Irrigation systems will use best management practices to minimize overspray onto impervious areas and avoid unauthorized discharges.

4. CONSISTENCY WITH THE LOCAL COMPREHENSIVE PLAN

The Palmer Ranch DRI is currently approved for 1,450,000 gross square feet of internal commercial/office uses, 1,763,000 square feet of industrial uses and 11,550 residential dwelling units. To date, approximately 9,704 residential dwelling units have either been constructed or approved through the platting or Site and Development plan process. The planned single-family residential development on this property is consistent with the Sarasota County Comprehensive Plan and Future Land Use Map, which designates this parcel as a single-family residential development area. The designation of this site is also consistent with the Palmer Ranch Master Development Order (Sarasota County Resolution 84-418 as amended and restated as Sarasota County Resolution 91-170 as amended).

The transportation impacts on Palmer Ranch are analyzed on a Ranch-wide basis every five years consistent with the MDO and 2009 Transportation Reanalysis. Although not part of the approved DRI, the impacts from this Increment were accounted for in the approved Palmer Ranch 2009 Transportation Reanalysis as well as the Palmer Ranch 2014 Transportation Reanalysis which was submitted to Sarasota County and is expected to be approved in March 2015. The impacts of this Increment are consistent with all Transportation related provisions of the Comprehensive Plan and no off-site transportation improvements are required as part of this project.

RECOMMENDATIONS

Any DRI Incremental Development Order issued by Sarasota County shall contain the following provisions:

- A. The entire 103 ± acre subject property shall be developed in substantial accordance with the Master Development Plan dated August, 2014. This does not imply or confer any deviations from applicable zoning or land development regulations.

5. GENERAL CONSIDERATIONS

In the "Palmer Ranch Increment XXII AIDA," numerous commitments were made by the applicant to mitigate project impacts. Many, but not all of these commitments are listed in this staff assessment. Additionally, the AIDA provided a phasing schedule that provided the timing basis for this review. If the applicant significantly alters this phasing schedule, then many of the basic assumptions of this approval could be substantially changed, potentially raising additional regional issues and/or impacts.

RECOMMENDATIONS

Any DRI Incremental Development Order issued by Sarasota County shall contain the following provisions:

1. The Palmer Ranch Increment XXII development shall occur in substantial accordance with the Palmer Ranch Master Development Order and Incremental Development Order Conditions.
2. All references made in the following Conditions for Development Approval pertaining to "Applicant", shall also include any successors in interest of areas covered under this Development Order.
3. Access to the Palmer Ranch Increment XXII project site by Sarasota County government agents and employees shall be granted for the purpose of monitoring the implementation of the Development Order.
4. The term preservation of native habitats which is used herein is defined as follows:
Preservation – the perpetual maintenance of habitats in their existing (or restored) condition.
5. Pursuant to Chapter 380.06(16), Florida Statutes, the applicant may be subject to credit for contributions, construction, expansion, or acquisition of public facilities, if the developer is also subject by local ordinances to impact fees or exactions to meet the same needs. The local government and the developer may enter into a capital contribution front-ending agreement to reimburse the developer for voluntary contributions in excess of the fair share.

APPENDICES

ANALYSIS OF REGIONAL ISSUES

The Council staff's assessment of the "Palmer Ranch Increment XXII DRI" identified six issues of regional concern: environment (conservation, environmental permitting, drainage and water quality), and consistency with the local comprehensive plan and regional policy plan. The SWFRPC staff reports for one of these issues are attached as Appendix I. Usually, Appendix I contains detailed regional staff assessments of the regional issues, however, it was not necessary for the regional staff to do an assessment for any of the issues since the Sarasota County Staff Assessment, more than adequately addressed the assessment of all the regional and local issues.

APPENDIX I

REGIONAL ISSUES ANALYSIS IN ADDITION TO SARASOTA COUNTY STAFF'S ANALYSIS

A. CONSISTENCY WITH THE REGIONAL POLICY PLAN

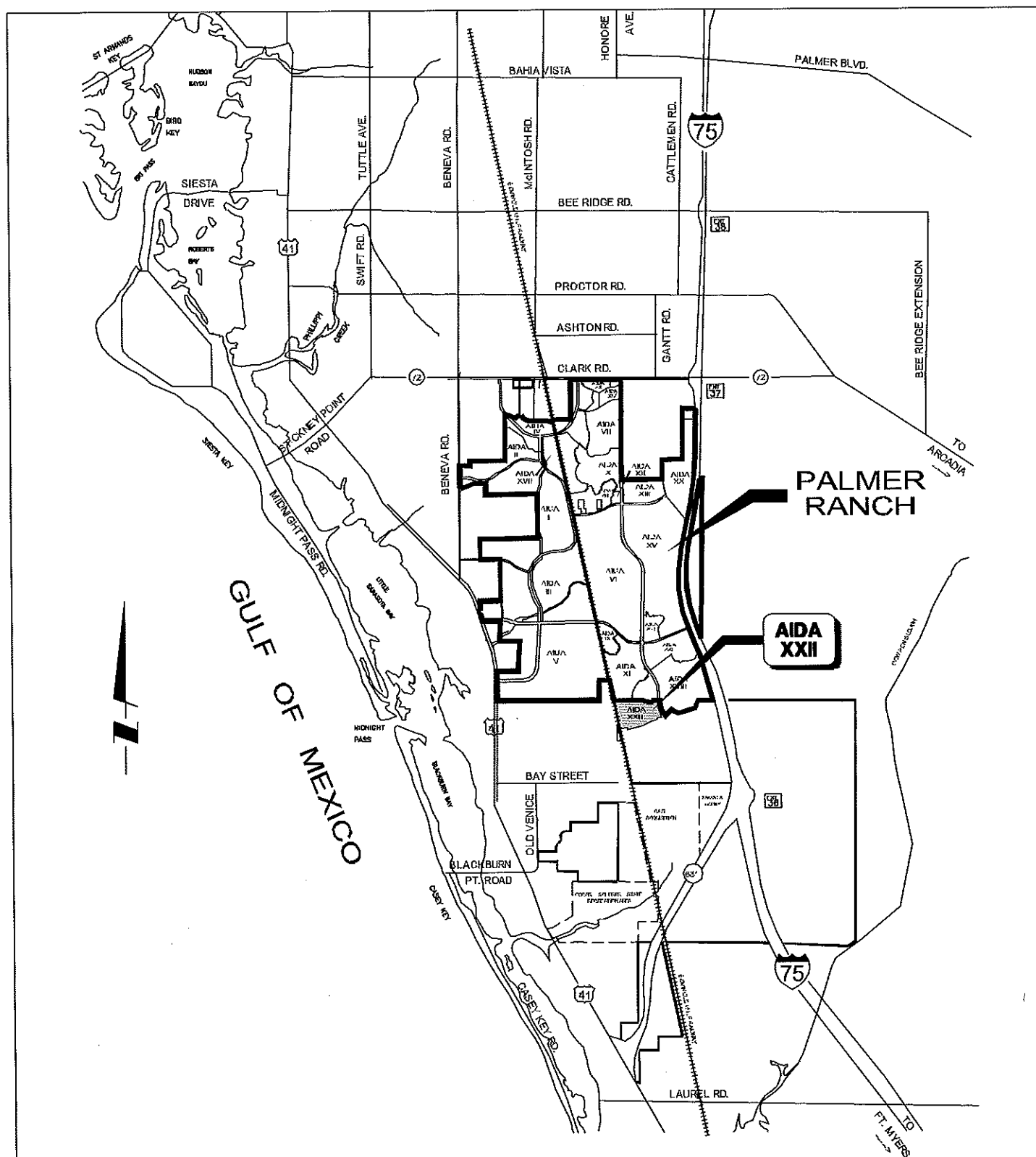
Council staff has described regional impacts within the previous sections of this report. Council staff has then related those impacts to the regional plan DRI review list and normally the plan consistency checklist is provided in this section. However, since the Regional Policy Plan checklist for the SWFRPC adopted Palmer Ranch Increment XXII Assessment Report would be the same, in an effort to reduce paper work, please refer to the Increment XXII Assessment Report.

Staff finds that without appropriate mitigation actions and conditions the project could have a net negative impact on the regional resources and infrastructure. The regional recommendations presented within this assessment are intended to neutralize the negative and questionable impacts.



Google earth





PROJECT: PALMER RANCH – INCREMENT XXII (PARCEL 9A)

CLIENT: TAYLOR MORRISON



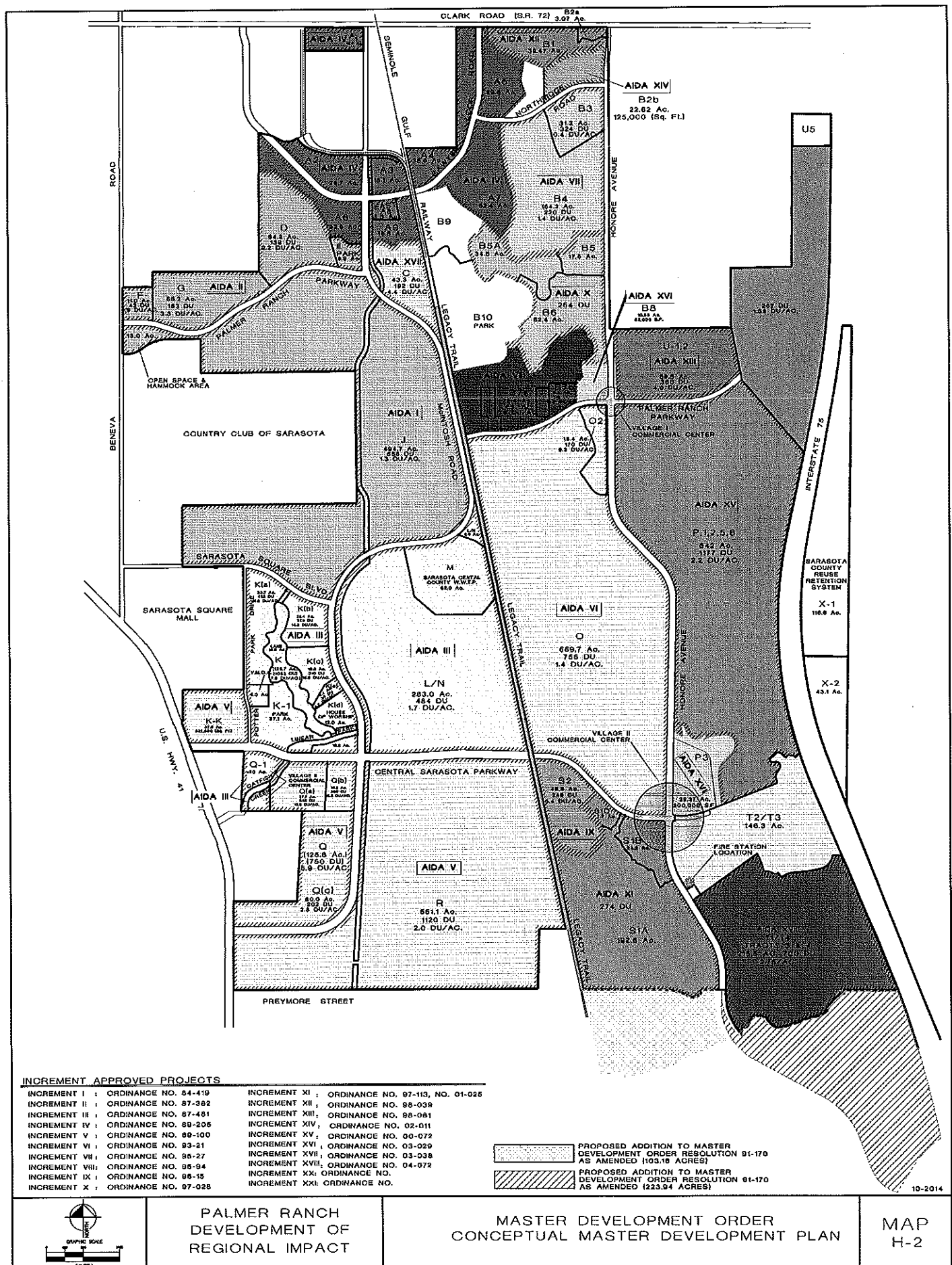
6900 Professional Parkway East, Sarasota, FL 34240

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SITE LOCATION MAP

SCALE:	AS NOTED	DATE:	JULY 2014
SEC:	36	TWP:	37S
RGE:	18E	REV NO:	
PROJECT NO.		INDEX NO:	
DRWN BY/EMP NO.	RTD/80450	SHEET NO:	A



CLIENT: TAYLOR MORRISON



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SCALE:	1" = 400'	DATE:	AUG. 2014
SFC:	TYP:	REF:	REV NO:
36	37S	18E	
PROJECT NO.		DCCX NO:	
DRAWN BY: FVP K.O.		SHEET NO:	
DNS/103302		C-3	

Agenda Item

11f

11f

Palmer Ranch AIDA NOPC
(Increment XXIII 9B)

11f

**DEVELOPMENT OF REGIONAL
IMPACT ASSESSMENT
FOR
PALMER RANCH INCREMENT XXIII
DRI # 08-8283-032**

The Palmer Ranch Increment XXIII DRI is planned as the twenty-second increment of the Palmer Ranch Master Development Plan and is the seventeenth increment to be filed pursuant to the provisions of the Revised Master Development Order. This increment is a 224 ± acre parcel of land (referred to as Parcel 9B) located south of the existing boundaries of the Palmer Ranch DRI. The specific parcel is located south of Palmer Ranch Increment XVIII and east of Honore Avenue, adjacent to I-75. The Applicant is proposing to construct in one phase, with a build-out date of 2021 depending on market conditions, a total of 400 single-family detached homes on 95.8 ± acres. Also part of the development proposal is 38.55 ± acres of wetland preservation and restoration areas, 2.12± acres of potential wetland mitigation, 37.73 ± acres of lakes/littoral areas/man-made pit, and 49.74± acres of perimeter buffers/other open space. The designation of single-family on this property is consistent with the Sarasota County Comprehensive Plan. The traffic analysis with this amendment shows no off-site transportation improvements are required as part of this project. Water, reuse and wastewater services will be provided by Sarasota County Utilities Department.

RECOMMENDED ACTION:

The staff of the Southwest Florida Regional Planning Council recommends Conditional Approval for the Palmer Ranch Increment XXIII DRI to be further conditioned on a finding of Consistency with the Local Government Comprehensive Plan by the Sarasota County Board of County Commissioners.

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL MEMBERSHIP
PALMER RANCH INCREMENT XXIII DRI REVIEW**

Coordinator – David E. Crawford

Water Quality and Drainage, Historical/Archaeological, Native Habitat, Land Use,
Transportation, Water Supply, Solid Waste, and Consistency with Local Comprehensive Plan
and Strategic Regional Policy Plan

INTRODUCTION

BACKGROUND

The Palmer Ranch Development of Regional Impact (DRI) is an approved mixed-use master-planned development located in central Sarasota County, Florida. The DRI is generally bounded on the east by I-75, on the west by Beneva Road and U.S. 41, on the north by Clark Road, and on the south by Preymore Street. The original Master Development Order (MDO) document was approved by the Sarasota Board of County Commissioners on December 18, 1984. The MDO, including the Conceptual Master Development Plan (Map H-2) for the Palmer Ranch DRI, is being implemented pursuant to the terms and conditions of the amended and restated Master Development Order (Sarasota County Resolution No. 91-170, as amended), which was first adopted on July 12, 1991 by the Sarasota Board of County Commissioners. The amended and restated MDO calls for the planning and development of the 5,307.5 ± acre Palmer Ranch DRI in incremental developments.

The approved Application for Master Development Order (AMDO) review process requires that Applications for Incremental Development Approval (AIDA) be submitted in order to approve specific land uses in the development. To date, 20 Incremental Development Orders (IDO) have been approved within the Palmer Ranch DRI. The existing Palmer Ranch development is approved for 11,550 residential dwelling units; 99 ± acres of internal commercial, plus additional square footage of commercial/office approved/planned in designated Activity Centers; and 1.75 million square feet of industrial development.

APPLICATION FOR INCREMENTAL DEVELOPMENT APPROVAL

The Palmer Ranch Increment XXIII DRI is planned as the twenty-second increment of the Palmer Ranch Master Development Plan and is the seventeenth increment to be filed pursuant to the provisions of the Revised Master Development Order. This increment is 224 ± acres on one (1) parcel of land (referred to as Parcel 9B) located south of the existing boundaries of the Palmer Ranch DRI. The specific parcel is located south of Palmer Ranch Increment XVIII and east of Honore Avenue, adjacent to I-75. The Applicant is, in addition to seeking approval of an Incremental Development Order for proposed Increment XXIII, seeking to amend the MDO to add the a 224 ± acre site known as Parcel 9B to the Master Development lands and update Map H-2 and label Parcel 9A as Increment XXIII.

The Applicant is proposing to construct in one phase, with a build-out date of 2021 depending on market conditions, a total of 400 single-family detached homes on 95.8± acres. Also part of the development proposal is 38.55 ± acres of wetland preservation and restoration areas; 2.12 ± acres of potential wetland mitigation; 37.73 ± acres of lakes, littoral areas and man-made pit; and 49.74 ± acres of perimeter buffers and other open space. The designation of single-family on this property is consistent with the Sarasota County Comprehensive Plan. The traffic analysis with this amendment shows no off-site transportation improvements are required as part of this project. Water, reuse and wastewater services will be provided by Sarasota County Utilities Department.

NOTICE OF PROPOSED CHANGE

The first Master Development Order for the Palmer Ranch Development of Regional Impact (DRI) was approved on December 18, 1984. The Palmer Ranch DRI consisted of 5,119 acres +/-, and was conceptually approved as a residential community of 10,500 dwelling units with supporting commercial, office, and industrial development. Within the overall Palmer Ranch DRI site, Increments I through XVIII (Increment XIX Denial) have been approved for development through the Application for Incremental Development Approval (AIDA) process. Increments I – V and XVII are generally located to the west of the Seminole and Gulf Railroad and Legacy Recreational Trail, while Increments VI through XXI are east of the railroad and recreational trail.

On July 20, 1990, Palmer Venture submitted an Application for Development Approval (ADA) for the “Eastside Environmental Systems Analysis and Master Development Order Supplement for the Palmer Ranch DRI.” This Eastside Environmental Systems Analysis amended the legal description of the Palmer Ranch reflecting the inclusion of Parcel U to the DRI boundaries, which increased the total land area to 5,229 acres, and provided an area wide assessment of native habitats, rare and endangered species, drainage, water quality, floodplains, and historical and archaeological resources within the east side of the Palmer Ranch. During this process, the Best Management Practices (BMP) Manual and the Surface Water Management, Maintenance and Monitoring Manual were developed to be applied uniformly to all lands within the east side of the DRI site. The Amended and Restated Master Development Order for the Palmer Ranch Development of Regional Impact (Sarasota County Resolution No. 91-170) was adopted by the Board of County Commissioners on July 9, 1991.

The boundaries of the DRI have been increased three times since the adoption of Sarasota County Resolution No. 91-170 for a total land area to 5,324.7 acres. Two NOPCs which have been submitted in association with the AIDA for Increments XXII and XXIII would, if adopted, expand the boundaries of the Master Development Order for the Palmer Ranch DRI as follows:

Master D.O.	Dec. 18, 1984	Resolution No. 84-418	5,119
Substantial Deviation	July 9, 1991	Resolution No. 91-170	127.2
NOPC	July 14, 1999	Resolution No. 99-179	1.5
NOPC	April 14, 2004	Resolution No. 2004-077	38.6
NOPC	December 7, 2011	Resolution No. 2011-226	38.4
Total acreage as adopted			<u>5,324.7</u>
NOPC with AIDA XXII		NOPC - Parcel 9A	103.19
NOPC with AIDA XXIII		NOPC - Parcel 9B	223.95
			<u>5,651.8</u>

The project currently under review is outside of this Eastside area of the Palmer Ranch DRI. The AIDA was prepared pursuant to the Conditions of the Amended and Restated Master

Development Order and the Standard Questionnaire for Developments of Regional Impact within Sarasota County.

Maps

The Master Pedestrian and Circulation Plan (Map I-2/MPCP) and the Master Development Concept Plan (Map H-2) are being updated to reflect the expanded boundaries of the Palmer Ranch DRI. The map series contained in the Master Development Order issued for the Palmer Ranch (Sarasota County Resolution No. 91-170, as amended) also includes a Native Habitat Preservation, Alteration, and Mitigation Plan (Map F-2); a Wildlife Corridor Plan (Figure 3); and a Conceptual On-Site Surface Water Management Plan (Map G-2), each of which are being updated to reflect the expanded DRI boundaries.

Amended and Restated Master Development Order (MDO)

At the request of Sarasota County, an Amended and Restated Master Development Order (MDO) for the Palmer Ranch Development of Regional Impact is necessary to codify all amendments to the MDO since the adoption of Sarasota County Resolution No. 91-170.

IMPACT ASSESSMENT AND RECOMMENDATIONS

The Council staff usually provides a detailed assessment of all the regional and local issues within Appendix I and II of the regional report. However, because Sarasota County has received Limited DRI Certification under 380.065 F.S., Administrative Rule 28-10 and a "Memorandum of Understanding Regarding Sarasota County's Limited DRI Certification Program" between the Sarasota County and the SWFRPC signed on April 4, 1989, the Sarasota County staff assessment will be approved by SWFRPC staff as the recommended SWFRPC Staff Assessment. No additional analysis and recommendations are being added to the regional issues by SWFRPC.

The regional recommendations for the "Palmer Ranch Increment XXIII DRI Assessment" have been prepared by Sarasota County Planning staff and the Southwest Florida Regional Planning Council staff as required by Chapter 380.06, Florida Statutes. A determination by Sarasota County and the applicant has been made not to reiterate word for word the applicable MDO conditions that applied to Increment XXIII but to reference within the Increment XXIII development order the applicable MDO conditions. The DRI assessment is largely based on information supplied in the AIDA, Eastside Environmental Analysis and the Sarasota County Staff Assessment. Additional information was obtained by consulting official plans, and by reviewing reports related to specific issues in the impact assessment. Sarasota County's staff assessment and recommendations were integrated into various elements of the regional recommendations. The Southwest Florida Water Management District reviewed Water-related elements.

The Council's staff assessment for Increment XXIII only contains regional issues. The regional issues are those that affect more than one county. The recommendations for these issues are formal conditions to be included by the local government in any Development Order that has jurisdiction within a particular county.

The findings of this evaluation and the Southwest Florida Regional Planning Council's recommendations are not intended to foreclose or abridge the legal responsibility of local government to act pursuant to applicable local laws and ordinances. Copies of any "Incremental Development Order" (an order granting, denying, or granting with conditions an Application of Development Approval) issued with regard to the proposed development should be transmitted to the Southwest Florida Regional Planning Council and the Florida Department of Economic Opportunity.

APPLICANT INFORMATION AND DEVELOPMENT SUMMARY

APPLICANT INFORMATION

Project Name	Palmer Ranch Increment XXIII (Parcel 9B) DRI
Applicant	DiVosta Homes, L.P. 1919 Burgos Drive Sarasota, FL 34238 Ph: (239) 495-4800
Date on which DRI/AIDA was officially accepted	October 29, 2014
Date on which DRI/AIDA was found sufficient	November 26, 2014
County DRI Hearing Date	April 22, 2014
Date County Notified SWFRPC of Public Hearing	November 21, 2014
Type of Development	Residential
Location of Development	Sarasota County
DRI Threshold	2,000 Residential Units

DEVELOPMENT SUMMARY

Residential Units	400 single family detached homes
Total Acres	223 +/- acres
Estimated Average Potable Water Demand (million gallons per day)	0.101250 mgd
Estimated Average Wastewater Demand (million gallons per day)	0.08100 mgd
Estimated Solid Waste Generation	5,984 lbs/day
Project Construction Period	Within 5 years based on market demand

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL'S
STAFF FINDINGS AND RECOMMENDATIONS**

REGIONAL

IT IS THE RECOMMENDATION OF THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL THAT THE APPLICATION FOR INCREMENTAL DEVELOPMENT APPROVAL DATED OCTOBER 29, 2014 AND SUFFICIENCY RESPONSE DATED NOVEMBER 29, 2014 IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. CONSERVATION & ENVIRONMENTAL PERMITTING

The development area contains streams and waterways, freshwater wetlands, mesic hammock, and pine flatwoods. The remainder of the site contains developed features (improved pasture, woodland pasture, spoil areas, electrical power transmission lines, and reservoirs). The applicant proposes to preserve $45.36 \pm$ acres of wetlands, including freshwater marshes, shrub marsh wetlands, and the restoration of South Creek tributary and 30-foot upland buffers within Increment XXIII.

RECOMMENDATIONS

Any DRI Incremental Development Order issued by Sarasota County shall contain the following provisions:

- A. The wetlands and associated upland vegetative buffers shall be maintained in accordance with management guidelines contained within the Comprehensive Plan as a preserve and labeled a preserve on all plans. All activities including but not limited to filling, excavating, well drilling, altering vegetation (including trimming of both trees and understory) and storing of materials shall be prohibited within preservation areas, unless written approval is first obtained from Environmental Permitting. Exception may be granted by Environmental Permitting to facilitate implementation of approved habitat management plans or the hand removal of nuisance/invasive vegetation.
- B. A resource management plan that maintains the functions and values of the on-site preservation areas and is consistent with the Guiding Principles of the Comprehensive Plan and the Environmental Technical Manual shall be submitted to the Environmental Protection Division with preliminary or site and development plans.
- C. The proposed wildlife conservation area shall be a minimum of 50 feet wide. A resource management plan for the proposed corridor shall be submitted to the Environmental Protection Division during the site and development plan submittal that details how the wildlife corridor will be maintained and the proposed corridor crossing minimized.

2. WATER QUALITY AND DRAINAGE

Stormwater from the proposed development site flows both north and south from the subject from site water bodies listed below.

RECOMMENDATION

Any DRI Incremental Development Order issued by Sarasota County shall contain the following provisions:

- A. The Master Surface Water Management Plan shall be consistent with the Catfish Creek, South Creek, North Creek, Elligraw Bayou, Matheny Creek, Holiday Bayou, and Clower Creek Basin Master Plans.

3. WATER SUPPLY

The assessment of the proposed development estimated that the average potable water demand to be 0.101250 million gallons per day.

RECOMMENDATION

Any DRI Incremental Development Order issued by Sarasota County shall contain the following provisions:

- A. The Applicant shall enter into a Standard Utility Agreement with Sarasota County prior to receiving Construction Authorization for any portion of development. The Standard Utility Agreement shall outline any County contribution for the oversize of potable water, wastewater collection or reclaimed water extensions. The development is required to extend a 12" reclaimed water system on Honore Ave along the full frontage of the parcel facing Honore and enter into an oversize agreement with the County for the upsized of the line.
- B. Prior to being granted Construction Authorization approval for the development, the Applicant shall submit a reclaimed water master plan and supporting documentation signed and sealed by a registered professional engineer or professional geologist identifying the areas to be served by reclaimed water. The report will include the rate and volume of land application, location and placement of proposed reclaimed facilities (including ponds, pumps and pipe routes), water balance calculations encompassing precipitation on an annual duration, demonstrate how the system will be operated in accordance with state rule, and reclaimed water & sewer effluent balance calculations for the project demonstrating how each phase of development will manage the volume of reclaimed allocated to it. Irrigation systems will use best management practices to minimize overspray onto impervious areas and avoid unauthorized discharges.

4. CONSISTENCY WITH THE LOCAL COMPREHENSIVE PLAN

The Palmer Ranch DRI is currently approved for 1,450,000 gross square feet of internal commercial/office uses, 1,763,000 square feet of industrial uses and 11,550 residential dwelling units. To date, approximately 9,704 residential dwelling units have either been constructed or approved through the platting or Site and Development plan process. The planned single-family residential development on this property is consistent with the Sarasota County Comprehensive Plan and Future Land Use Map, which designates this parcel as a single-family residential development area. The designation of this site is also consistent with the Palmer Ranch Master Development Order (Resolution No. 91-170, as amended).

RECOMMENDATIONS

Any DRI Incremental Development Order issued by Sarasota County shall contain the following provisions:

- A. The entire 223 ± acre subject property shall be developed in substantial accordance with the Master Development Plan dated October, 2014. This does not imply or confer any deviations from applicable zoning or land development regulations.

5. GENERAL CONSIDERATIONS

In the "Palmer Ranch Increment XXIII AIDA," numerous commitments were made by the applicant to mitigate project impacts. Many, but not all of these commitments are listed in this staff assessment. Additionally, the AIDA provided a phasing schedule that provided the timing basis for this review. If the applicant significantly alters this phasing schedule, then many of the basic assumptions of this approval could be substantially changed, potentially raising additional regional issues and/or impacts.

RECOMMENDATIONS

Any DRI Incremental Development Order issued by Sarasota County shall contain the following provisions:

- A. The Palmer Ranch Increment XXIII development shall occur in substantial accordance with the Palmer Ranch Master Development Order and Incremental Development Order Conditions.
- B. All references made in the following Conditions for Development Approval pertaining to "Applicant", shall also include any successors in interest of areas covered under this Development Order.
- C. Access to the Palmer Ranch Increment XXIII project site by Sarasota County government agents and employees shall be granted for the purpose of monitoring the implementation of the Development Order.
- D. The term preservation of native habitats which is used herein is defined as follows:

Preservation – the perpetual maintenance of habitats in their existing (or restored) condition.

- E. Pursuant to Chapter 380.06(16), Florida Statutes, the applicant may be subject to credit for contributions, construction, expansion, or acquisition of public facilities, if the developer is also subject by local ordinances to impact fees or exactions to meet the same needs. The local government and the developer may enter into a capital contribution front-ending agreement to reimburse the developer for voluntary contributions in excess of the fair share.

APPENDICES

ANALYSIS OF REGIONAL ISSUES

The Council staff's assessment of the "Palmer Ranch Increment XXIII DRI" identified six issues of regional concern: environment (conservation and environmental permitting, stormwater, air and water quality) transportation, and consistency with the local comprehensive plan and regional policy plan. The SWFRPC staff reports for one of these issues are attached as Appendix I. Usually, Appendix I contains detailed regional staff assessments of the regional issues, however, it was not necessary for the regional staff to do an assessment for any of the issues since the Sarasota County Staff Assessment more than adequately addressed the assessment of all the regional and local issues.

APPENDIX I

REGIONAL ISSUES ANALYSIS IN ADDITION TO SARASOTA COUNTY STAFF'S ANALYSIS

A. CONSISTENCY WITH THE REGIONAL POLICY PLAN

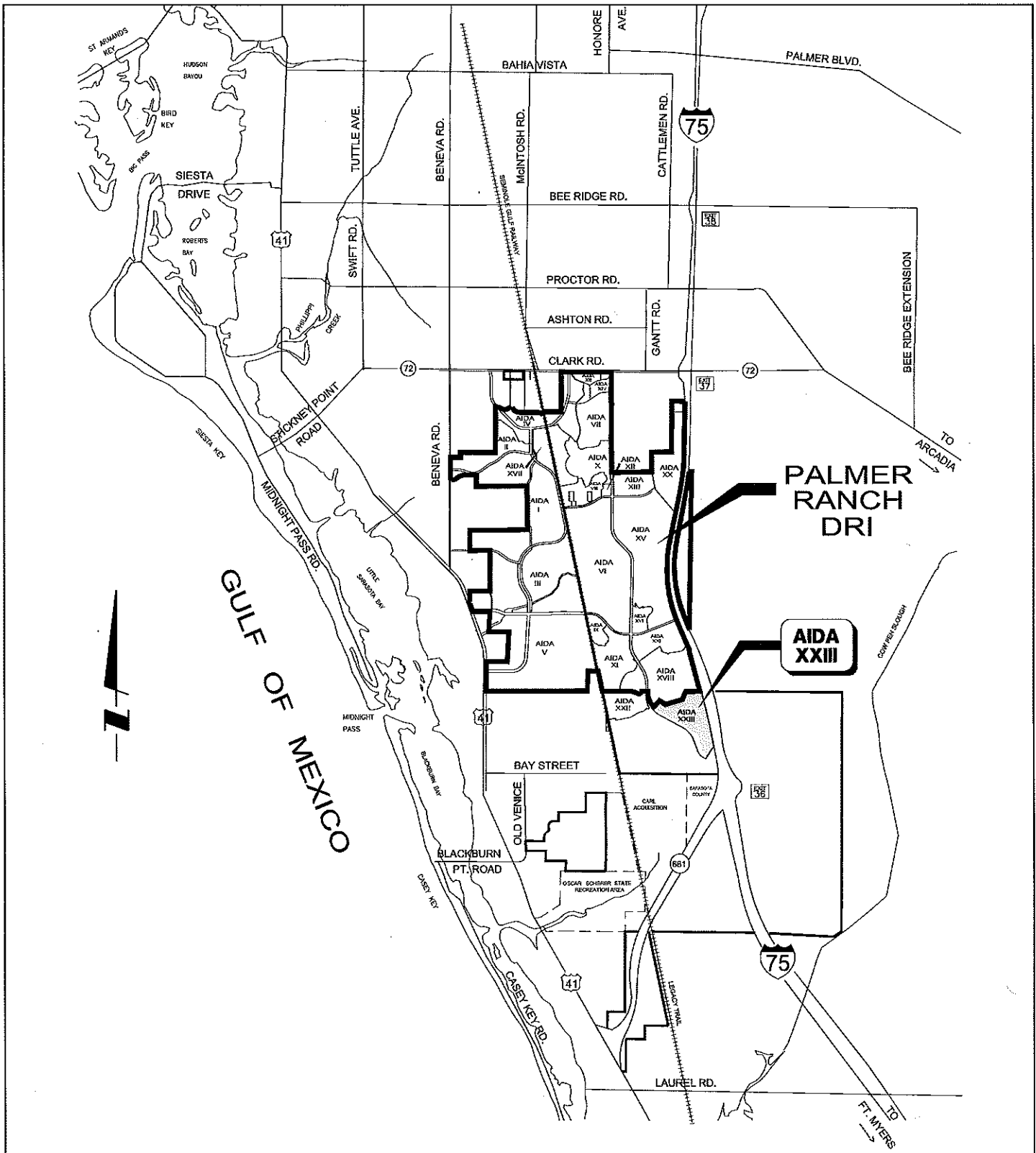
Council staff has described regional impacts within the previous sections of this report. Council staff has then related those impacts to the regional plan DRI review list and normally the plan consistency checklist is provided in this section. However, since the Regional Policy Plan checklist for the SWFRPC adopted Palmer Ranch Increment XXIII Assessment Report would be the same, in an effort to reduce paper work, please refer to the Increment XXIII Assessment Report.

Staff finds that without appropriate mitigation actions and conditions the project could have a net negative impact on the regional resources and infrastructure. The regional recommendations presented within this assessment are intended to neutralize the negative and questionable impacts.



Google earth





PROJECT: PALMER RANCH — INCREMENT XXIII (PARCEL 9B)

CLIENT: DIVOSTA HOMES



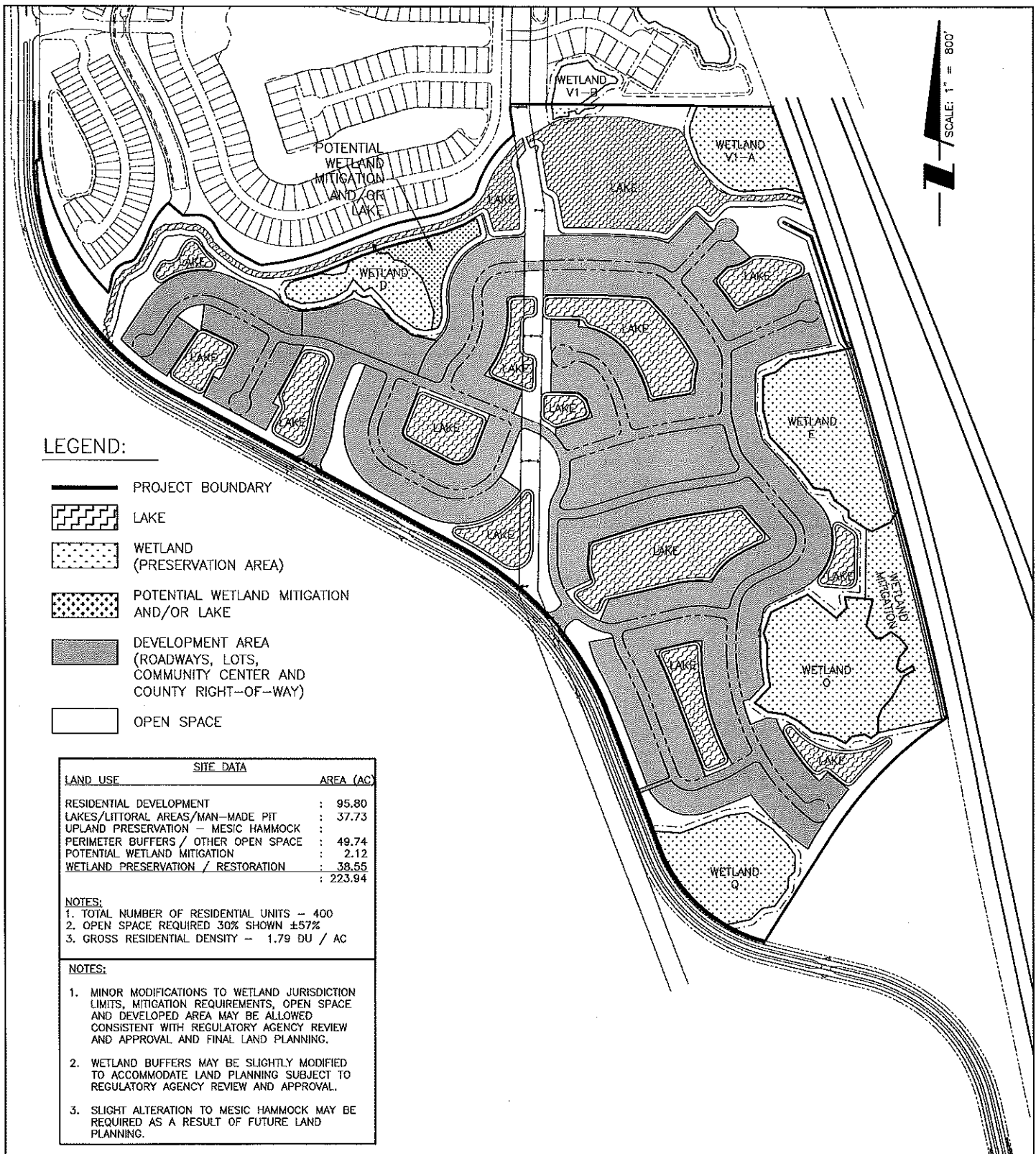
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SITE LOCATION MAP

SCALE:	N.T.S.	DATE:	OCTOBER 2014
SEC: 1	TWP: 38S	RGE: 18E	REV NO:
6	38S	19E	INDEX NO:
PROJECT NO:	215612167		SHEET NO:
DRWN BY/EMP NO:	DKL/89396		A



PROJECT: PALMER RANCH - INCREMENT XXIII (PARCEL 9B)

CLIENT: DIVOSTA HOMES



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MASTER DEVELOPMENT PLAN

SCALE:	1" = 800'	DATE:	OCTOBER 2014
SEC: 1	TWP: 38S RGE: 18E	REV NO:	
6	38S 19E	INDEX NO:	
PROJECT NO.		SHEET NO:	C-3
DRWN BY/EMP NO.	DKL/89396		

Agenda Item

11g

11g

Pelican Preserve DRI – Review
of City of Fort Myers
Development Order

11g

PELICAN PRESERVE DRI REVIEW OF CITY OF FORT MYERS DEVELOPMENT ORDER

Council Staff Recommendations (Attachment I)

On December 2, 2014 the Board of Commissioners of the City of Fort Myers approved Ordinance 3721 amending the Pelican Preserve DRI Development Order by modifying, the legal description, the Master Site Plan Map H and annexing 180 acres, more or less, from the contiguous Gateway DRI located in Lee County into the Pelican Preserve DRI located in the City of Fort Myers. Prior to the City of Fort Myers' Board action Council staff had concluded that a Notice of Proposed Change (NOPC) was not necessary based on the previous guidance from the Department of Economic Opportunity (DEO). Historically, DEO has not required a formal NOPC for these types of changes, because the changes are minor and do not increase regional impacts or negatively impact regional resources or facilities. The Council staff review findings are summarized below and the notification letter of these findings is presented as Attachment I.

1. The proposed changes will not result in any net changes to the overall density or intensity of the approved land uses in either of the DRI's.
2. The proposed changes will not have any increase in environmental impacts and no wetland or any other environmentally sensitive lands currently preserved in the DRIs will be affected.
3. The stormwater management system that have been previously approved and constructed in the DRIs will not be changed.
4. The proposed changes will not increase any vehicle trips from the DRIs or produce any new impacts on the regional transportation network.

Lee County Development Order (Attachment II)

December 2, 2014, the Board of Commissioners of the city of Fort Myers approved the Pelican Preserve DRI Development Order. A copy of the development order was rendered to the SWFRPC on January 20, 2015 and is presented as Attachment II. The 45-day appeal period for the development order expires on February 27, 2015. Staff review of the attached development order finds that it is consistent with all regional issues.

RECOMMENDED ACTION: Accept the development order as rendered.



Southwest Florida Regional Planning Council

1926 Victoria Ave, Fort Myers, Florida 33901-3414 (239) 338-2550 FAX (239) 338-2560 www.swfrpc.org

July 21, 2014

Mr. Patrick Vanasse
 Director of Planning
 RWA Consulting, Inc.
 6610 Willow Park Drive, Suite 200
 Naples, Florida 34109

**RE: Gateway DRI / Pelican Preserve DRI
 Notice of Proposed Change Interpretation**

Dear Mr. Vanasse:

I have received your letter dated July 2, 2014 providing additional information concerning the previous interpretation of need for a Notice of Proposed Change (NOPC) for requested changes to the Pelican Preserve and Gateway Developments of Regional Impact (DRIs). The Pelican Preserve DRI is located in the City of Fort Myers and the Gateway DRI is located in Lee County. Both of these DRIs are partially built, mixed use developments that are adjacent to each other and located in the central area of Lee County.

Based on the new information that you have provided, 11± acres located in the Gateway DRI will be removed from the original requested change. This acreage is basically located in the Florida Power and Light (FPL) easement, which contains approximately 10± acres, and two smaller parcels located east of the power line easement, which contains approximately 1± acre (see the attached graphic). Given these changes, the new request will now reduce the Gateway DRI by 180± acres instead of the original 191± acres and increase the Pelican Preserve DRI by the same amount. Specifically, the Gateway DRI land uses will be changed by the following amounts: residential land use will change from 132± acres to 133± acres; the open space land use will be changed from 53± acres to 41± acres; and the 6± acre conservation land use will remain the same. Likewise, the Pelican Preserve DRI land uses will be change by the following amounts: the residential will be increase from 132± acres to 133± acres; the open space land use will be changed from 53± acres to 41± acres; and the 6± conservation area will remain the same.

Based on the new information submitted for review, the Council staff continues to conclude that a NOPC will not be necessary for the following reasons:

1. The proposed changes will not result in any net changes to the overall density or intensity of the approved land uses in either of the DRIs;
2. The proposed changes will not have any increase in environmental impacts and no wetland or any other environmentally sensitive lands currently preserved in the DRIs will be affected;
3. The stormwater management systems that have been previously approved and constructed in the DRIs will not be changes; and
4. The proposed changes will not increase any vehicle trips from the DRIs or produce any new impacts on the regional transportation network.

Based on the new information submitted by the applicant and a reanalysis of the proposed changes to the acreage changes being requested, Council staff continues to find that this request will not create a reasonable likelihood of any additional impacts not previously reviewed by the regional planning agency. Additionally, given the evidence provided, Council staff finds that the requested changes are in accordance with 380.06(19)e.2., F.S. which states:

"The following changes, individually or cumulatively with any previous changes, are not substantial deviations." Sections a. through l. identifies the types of changes that are not substantial deviations to approved DRIs and Sections i. and k. specifically states:

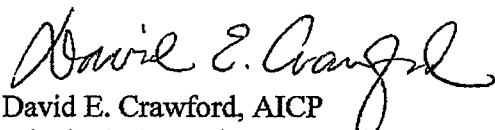
- i. Any renovation or redevelopment of development within a previously approved development of regional impact which does not change land use or increase density or intensity of use; and
- k. Changes that do not increase the number of external peak hour trips and do not reduce open space and conserved areas within the project except as otherwise permitted by sub-subparagraph j.

The Department of Economic Opportunity in the past has found that these types of changes, because they are minor and do not increase regional impacts or negatively impact regional resources or facilities, do not require NOPC review in an attempt to streamline the process.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

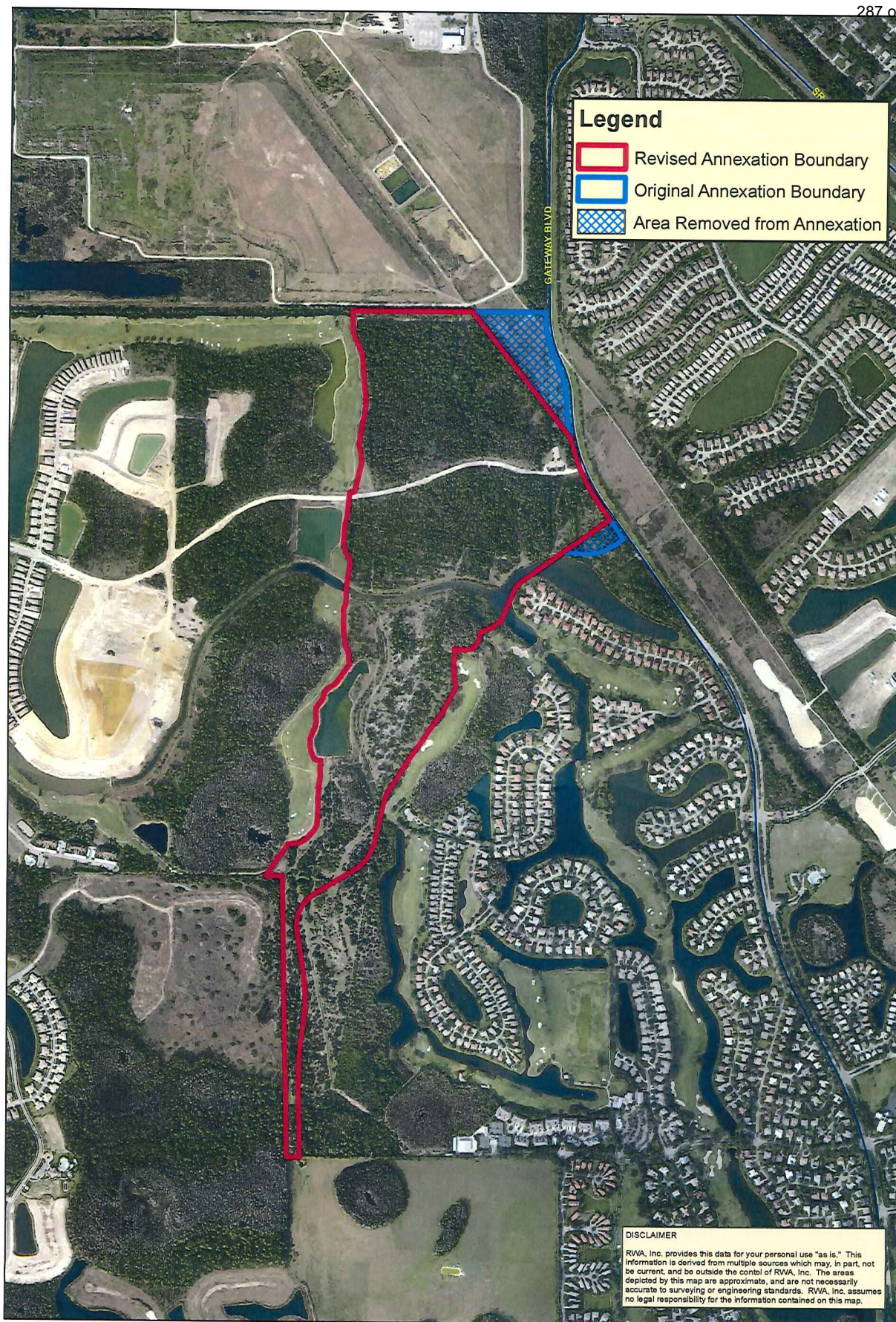
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL



David E. Crawford, AICP
Principal Planner/DRI Coordinator

dec/DEC

cc: Barry Ernst, WCI
Neale Montgomery, Pavese Law Firm



COMPARISON OF ANNEXATION AREAS

Aerial Photo Date: Jan 2013

ORDINANCE NO. 3721

AN ORDINANCE
To Be Entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, AMENDING AND RESTATING ORDINANCE NO. 3616 TO INCORPORATE THE ANNEXATION AREA OF 180 ACRES, MORE OR LESS, AND CLARIFICATIONS OF THE DEVELOPMENT ORDER FOR SUN CITY FORT MYERS N.K.A. PELICAN PRESERVE, A DEVELOPMENT OF REGIONAL IMPACT LOCATED EAST OF INTERSTATE NO. 75 IN SECTIONS 1 AND 2, TOWNSHIP 45 SOUTH, RANGE 25 EAST, SECTION 35, TOWNSHIP 44 SOUTH, RANGE 25 EAST, AND SECTION 12, TOWNSHIP 45 SOUTH, RANGE 25 EAST; PROVIDING FOR FINDING OF FACT CONDITIONS OF APPROVAL, CONCLUSIONS OF LAW AND ADMINISTRATIVE REQUIREMENTS; RESCINDING ORDINANCE NO. 3616; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS: Pursuant to Florida Statutes, Section 380.06, the City of Fort Myers City Council conducted hearings on September 18, 2000, October 2, 2000, and October 16, 2000, at which the City Council considered the Application for Development Approval (ADA) for Sun City Fort Myers now known as Pelican Preserve, a Development of Regional Impact (DRI), which consisted of 1,017 acres to be developed in the manner described in the application filed by WCI Communities, Inc., on behalf of CKAP Corporation, a Florida corporation, CSUN, Inc., a Florida corporation, and Charles Huether, individually and as Trustee, George Sanders, and Bay Colony-Gateway, Inc., owners for said development. The City Council approved the ADA for Sun City Fort Myers on November 6, 2000, with Ordinance No. 2984; and

WHEREAS: The City has the authority under its home rule powers to reconsider and amend ordinances, including DRI development orders. The City has determined that it is in the interest of the public health, safety and welfare to modify Ordinance No. 2984 to identify conditions that have been completed; to correct typographical errors;

ORDINANCE NO. 3721

and to update the ordinance to reflect current facts. The name of the development was changed from Sun City Fort Myers to Pelican Preserve. The modifications contained in Ordinance No. 3503 did not constitute a substantial deviation and a Notice of Proposed Change under Section 380, Florida Statutes, is not required; and

WHEREAS: The City recognized the four (4) year extension granted by amendment made by Governor Scott to Chapter 2011-139 by adopting Ordinance No. 3614 and extending the end date of the second phase of the DRI to 2017, the project buildout date to December 31, 2017, and the project expiration date to December 31, 2018; and, such action taken as a result of the amendment of Chapter 2011-139 is not a substantial deviation, is not subject to further Development of Regional Impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under Section 380.06(19)(c), Florida Statutes; and

WHEREAS: The City has the authority under its home rule powers to reconsider and amend ordinances, including DRI development orders. The DRI Development Order was modified by adoption of a Ordinance No. 3616 on March 5, 2013, to amend the legal description and Master Site Plan Map H to add 185 acres, more or less, annexed into the City; to change the reporting from annual to biennial; to amend the build out date and expiration date three (3) years past the dates adopted in Ordinance No. 3614; to add multipliers into the Development Order to allow a development the ability to convert Assisted Living Facility units, Recreation Home units, General Office square footage and Hotel rooms into a maximum of 200 additional Multi-Family units, which may only be located on the west side of Treeline Boulevard. The modifications contained in Ordinance No. 3616 did not constitute a substantial

ORDINANCE NO. 3721

deviation and a Notice of Proposed Change under Section 380, Florida Statutes, was not required; and

WHEREAS: The City recognized the eight (8) month extension granted by amendment made by Governor Scott to Chapter 2011-142 by adopting Ordinance No. 3649 on January 7, 2013; extending the end date of the second phase of the DRI to 2017, the project buildout date to December 31, 2017, and the project expiration date to December 31, 2018; and, such action taken as a result of the amendment of Chapter 2011-142 is not a substantial deviation, is not subject to further Development of Regional Impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under Section 380.06(19)(c), Florida Statutes; and

WHEREAS: The City recognized the nine (9) month extension granted by amendment made by Governor Scott to Chapter 2011-142 by adopting Ordinance No. 3660 on April 1, 2013; the project completion date is extended to June 1, 2022 and the project expiration date is extended to June 1, 2023; and, such action taken as a result of the amendment of Chapter 2011-142 is not a substantial deviation, is not subject to further Development of Regional Impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under Section 380.06(19)(c), Florida Statutes; and

WHEREAS: The City has the authority under its home rule powers to reconsider and amend ordinances, including DRI development orders. The Pelican Preserve DRI Development Order is being modified by this ordinance in order to amend the legal description and Master Site Plan Map H to add 180 acres, more or less, annexed into the City; to add 180 acres, more or less, to the Pelican Preserve DRI on the eastern-most side of the development; and ~~repeal~~ amend and restate Ordinance No. 3616. The modifications contained herein do not

ORDINANCE NO. 3721

constitute a substantial deviation, and a Notice of Proposed Change under Section 380, Florida Statutes, is not required. Text that is ~~stricken~~ indicates deleted text from previous ordinances and text that is underlined indicates added text. Those actions that have been completed area marked as **Complied**.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, that:

1. **Purpose.** The City Council of the City of Fort Myers, Florida considered the response from the Florida Department of Community Affairs (n/k/a/ Florida Department of Economic Opportunity (DEO)), the Southwest Florida Regional Planning Council (SWFRPC) Lee County, the City of Fort Myers Local Planning Agency, the public, and the information and comments made on the record before the City Council and adopted in previous ordinances, to enact the following **Findings of Fact in Section A, Conditions of Approval in Section B, and Conclusions of Law in Section C**, is amended, as follows:

A. FINDINGS OF FACT

1. WCI Communities, Inc., its successors, assigns, and grantees ("Developer") is the developer of Pelican Preserve Development of Regional Impact ("DRI"), which is owned by WCI Communities, Inc., successor to CKAP Corporation, Charles Huether individually and as Trustee, and George Sanders.
2. The factual findings, conclusions of law, conditions and other terms of this Development Order apply to the property depicted on the location map attached as Exhibit "A", and Map H attached as Exhibit "B", which is attached hereto and made a part hereof.

ORDINANCE NO. 3721

3. An Application for Development Approval for Sun City Fort Myers, n/k/a Pelican Preserve, was submitted on September 10, 1999. The Application for Development Approval is consistent with the requirements of Section 380.06, Florida Statutes. The Project was subject to two (2) sufficiency reviews.
4. The development was reviewed by the Southwest Florida Regional Planning Council, on August 17, 2000, and the Southwest Florida Regional Planning Council issued a report and recommendation on the Sun City Fort Myers Application for Development Approval. The report and recommendations were subsequently forwarded to the City of Fort Myers pursuant to Section 380.06, Florida Statutes. The development, as proposed in the Application for Development Approval and modified by this Development Order is generally consistent with the report and recommendations of the SWFRPC pursuant to Section 380.06(10), Florida Statutes.
5. Notice of the public hearing was provided in accordance with Section 380.06(11), Florida Statutes.
6. The development is not located in an area designated as an Area of Critical State Concern under the provision of Section 380.05, Florida Statutes.
7. The development does not interfere with the achievement of the objectives of the adopted State Land Development Plan. The development is consistent with the State Comprehensive Plan if developed in accordance with the terms and condition set forth herein.

ORDINANCE NO. 3721

8. The development is consistent with the comprehensive plan for the City of Fort Myers, and is consistent with the Land Development Code in accordance with the terms and conditions set forth herein.
9. Pelican Preserve is a planned community located in the City of Fort Myers east of I-75, north of Daniels Parkway and South of Colonial Boulevard. The property consists of ~~1,202~~ 1,382 acres, more or less. Pelican Preserve is a mixed use development that will consist of 2,950 residential units; (2,500 single- and multi-family units as permitted by the Special Development Area ordinance and 450 assisted living facility units); all residential units developed as non-age restricted units shall be located on the west side of Treeline Avenue, 545,000 square feet of office and retail; includes 300 hotel rooms; 45,000 square feet of village center which includes community facilities; and which may include community meeting space, education and training facilities oriented toward the residents' dining, recreation, entertainment, civic and community uses. Assisted living facility (ALF), Recreational Homes, General Office and Hotel uses may be converted to a maximum of 200 additional multi-family units in accordance to the following ratios:

From	To
1 d.u. ALF	0.32 d.u. Multi-family
1 d.u. Recreational Home	0.45 d.u. Multi-family
1,000 sq. ft. General Office	3.05 d.u. Multi-family
1 room Hotel	1.11 d.u. Multi-family

ORDINANCE NO. 3721

Recreational amenities will be provided which may include, but are not limited to, golf, tennis, swimming, shuffleboard and other passive and active recreation areas. The development will provide, at buildout, approximately 146 152 acres of conservation lands, which include upland and wetland conservation areas. The Pelican Preserve DRI is located as depicted on Exhibit "A"; any development in Pelican Preserve DRI shall be generally consistent with Map H, Exhibit "B"; both exhibits are attached hereto and made a part hereof. Adjustments to Map H can occur based on changing market, permit, topographic and other similar change in conditions.

10. Commencement of the site work occurred on or before December 31, 2003.

~~11. Water and Wastewater and water re-use (when available) will be provided by the City of Fort Myers on the original 1,017 acres, more or less. Water and wastewater and water re-use (when available) will be provided by the Gateway Services Community Development District on the 185 acres, more or less, added to the DRI in 2012.~~

11. Water and Wastewater, and water re-use (when available) will be provided by the City of Fort Myers on the original 1,017 acres, more or less. Water, wastewater and water re-use (when available) will be provided by the Gateway Services Community Development District (GSCDD) on the 368 acres consisting of the 185 acres, more or less, added to the DRI in 2012 and the 180 acres, more or less, added to the DRI in 2014; and additional 3 acres, said 368 total acres are as depicted on the map included as Exhibit "D".

B. CONDITIONS OF APPROVAL

This Development Order shall bind those properties described more particularly on the attached Exhibit "C", where the legal description is set forth. The Pelican Preserve DRI was APPROVED by

ORDINANCE NO. 3721

Ordinance No. 2984, Ordinance No. 3503 and Ordinance No. 3616, and is hereby amended and restated by Ordinance No. 3721 of the City Council subject to the conditions, restrictions and limitations 1-10 that follow. For the purpose of this Development Order, the term "Developer" refers to WCI Communities, Inc., and includes all of its successors, heirs and assigns. All references to City ordinances and regulations include future amendments.

1. **Affordable Housing.** The Pelican Preserve DRI does not have a regionally significant impact on housing. If the Developer significantly changes the number of employees or their anticipated wages prior to Phase 2, then a reanalysis of the employee housing demands will be required prior to the initiation of the non-residential portion of Phase 2.
2. **Energy.** All energy conservation commitments made in the Application for Development Approval are adopted as conditions of this project. Developers within Pelican Preserve are permitted to use natural gas and/or electricity.
3. **Stormwater Management.**
 - a. The Developer shall obtain an Environmental Resource Permit from South Florida Water Management District (hereinafter referred to as SFWMD) for the construction and operation of the surface water management system, wetland impacts, and impacts to other surface waters. Prior to the issuance of the Environmental Resource Permit the Developer must demonstrate to the SFWMD's satisfaction that the northern (Basin 6) outfall path has been designed to incorporate additional natural features, and the Developer must develop Best

ORDINANCE NO. 3721

Management Practices to contain potential hazardous spills within the golf course maintenance area, and any other onsite storage area known to the Developer. When developing the surface water management plan the Developer should consider, when appropriate, measures to reduce runoff rates and volumes, including, but not limited to, fixed control structures, perforated pipes, and grass swale conveyances. Swales should be used where possible, rather than closed systems. **Complied.**

- b. The Developer shall obtain a consumptive use permit for all groundwater withdrawals for irrigation, and for dewatering activities, which require a permit pursuant to the SFWMD Basis of Review and Chapter 40E, Florida Administrative Code. **Complied.**
- c. Prior to the issuance of Final Plat Approval the Developer shall provide the City a copy of the Environmental Resource Permit, or other verification that the stormwater management system is consistent with Chapter 40E, Florida Administrative Code and the Basis of Review. **Complied.**
- d. The Developer, and any successor in interest including lot, unit or building owners or lessees who store hazardous chemicals or who have hazardous wastes on their site must follow the appropriate permitting or notification procedures for the storage and/or disposal of hazardous chemicals and wastes.

ORDINANCE NO. 3721

- e. The Developer shall employ best management practices during construction for erosion and sedimentation control. The proposed method of erosion and sedimentation control shall be identified on the application for an Environmental Resource Construction Permit.
- f. The Developer shall remove all silt barriers, hay bales, anchor soil, and accumulated silt, upon completion of construction, and stabilization of side slopes.
- g. Onsite lakes shall include littoral zones, which must be constructed and planted in a manner that is consistent with the City of Fort Myers Land Development Code and any special or limiting conditions of the Environmental Resource Permit. The littoral zones shall include native emergent or submergent aquatic vegetation, to be identified during the permitting process. The Developer must ensure, by supplemental replanting if necessary, 80% survival during the duration of this development order.
- h. The Developer or its successor, or the Gateway Services Community Development District, only as to the District's facilities, must conduct annual inspections of the Pelican Preserve Master Surface Water Management System and the preserved/enhanced wetland areas within the project to ensure compliance with the terms and conditions of the Environmental Resource Permit.

ORDINANCE NO. 3721

- i. Impacts to state and federally listed plant and/or animal species occurring on site must be evaluated during the SFWMD review of the Environmental Resources Permit and the Army Corps of Engineers dredge and fill permit. The Developer must provide the mitigation identified by the SFWMD, after consultation with the Florida Fish and Wildlife Conservation Commission (hereinafter referred to as FFWCC), and the Army Corps of Engineers, after consultation with the United States Fish and Wildlife Service.
- j. The owners, tenants, and managers of commercial property must undertake a regularly scheduled vacuum sweeping of all internal streets and parking areas.
- k. The Developer shall design the ditch and swale slopes to be consistent with the discharge rate determined by the SFWMD, and the Developer shall provide the water quality treatment prior to discharge consistent with the SFWMD Basis of Review and Chapter 40E, Florida Administrative Code. The backbone system was designed and constructed in accordance with the above provisions; any modifications to the system must be consistent with the SFWMD "Applicant's Handbook" which replaced the Basis of Review and the current applicable provisions of the Florida Administrative Code and the applicable provisions of the Gateway

ORDINANCE NO. 3721Services Community Development District Permit
Criteria Manual.

- l. The Developer, and any successors in interest, shall be responsible for the ongoing maintenance and repair of the surface water management system. Maintenance includes routine mowing and debris removal.
- m. The owners, tenants, and managers of property that includes an under drain system or grease baffle must inspect, clean and repair the system on a regular and as needed basis. In no instance shall the period between inspections exceed eighteen months.
- n. The Developer shall excavate any isolated wading bird "pools" required by SFWMD or the City of Fort Myers, in accordance with duly adopted regulations, in lake littoral zones to a depth that provides aquatic habitat for mosquito larvae predators such as *Gambusia affinis*.

4. Transportation**I. Site-Related Improvements**

- a. The Developer is fully responsible for site-related roadway and intersection improvements. Site-related improvements are capital improvements and right-of-way dedications for direct access improvements to the development. Direct access improvements include, but are not limited to, the following:
 - (1) site driveways and roads;

ORDINANCE NO. 3721

- (2) median cuts made necessary by those driveways or roads;
- (3) right-turn, left-turn, and deceleration or acceleration lanes leading to or from those driveways or roads;
- (4) traffic control measures for those driveways or roads; and
- (5) roads or intersection improvements whose primary purpose at the time of construction is to provide access to the development.

- b. For this Project, site-related improvements include all intersection improvements, including signalization, turn lanes and deceleration lanes, deemed necessary by the City of Fort Myers and any agency with jurisdiction over the roads in question for the Project's access points for Colonial Boulevard and Treeline Avenue. As site-related improvements, they are not eligible for credit against road impact fees or the Project's proportionate share obligation. The Developer or the Gateway Services Community Development District shall construct a northbound right-turn lane from Treeline Avenue onto Pelican Preserve Boulevard prior to December 31, 2009.

Complied.

II. Significant Impacts

- a. The traffic impact assessment submitted with the ADA for Sun City, n/k/a Pelican Preserve, assumed the development parameters set forth below.

ORDINANCE NO. 3721

	Phase 1 (2017)	Buildout (2022) (Cumulative)
Residential		
- Retirement Homes	1,350 d.u.	2,500 d.u.
- Recreation Homes	40 d.u.	40 d.u.
- ALF	450 d.u.	450 d.u.
Retail/Commercial	240,000 s.f. (GFA)	300,000 s.f. (GFA)
Office	40,000 s.f. (GFA)	200,000 s.f. (GFA)
Hotel	300 Rooms	300 Rooms

- b. The assessment updated in 2012 indicates that the significantly impacted roadways and intersections described below will be operating below acceptable levels of service at project Buildout (2022). Needed improvements have been completed and are summarized below.

ORDINANCE NO. 3721

Roadway	Needed Improvements
Colonial Boulevard	
- Metro Pky to Winkler Ave.	Intersection improvements, signal retiming, and access management. ⁽¹⁾ Complied.
- Winkler Ave. to Six Mile Cypress Pky	Intersection improvements, signal retiming and access management. ⁽¹⁾ Complied.
- I-75 to SR 82	Widen to six (6) lanes. Complied.
SR 82	
- I-75 to Omni Boulevard	Widen to four (4) lanes. Complied.
Ortiz Avenue	
- Adventist Church to SR 82	Widen to four (4) lanes. Complied. Improvement included in LRPT. Parallel network improvements constructed.
I-75	
- SR 82 to Colonial Blvd	Widen to six (6) lanes. Complied.

Intersections Improvements Completed:

Colonial Blvd/Metro Pky
Colonial Blvd/Palmetto Blvd
Colonial Blvd/Winkler Ave.
Colonial Blvd/Six Mile Cypress Pky
Colonial Blvd/I-75 West
Colonial Blvd/I-75 East
Colonial Blvd/Omni Blvd
Colonial Blvd/Treeline Ave.
Colonial Blvd/SR 82

Footnote:

(1) Or network improvements as per the long-range transportation plan.

III. Transportation: Mitigation

- a. **Proportionate Share.** The total proportionate share obligation to mitigate the Pelican Preserve DRI's transportation impacts on the non-site related roads and intersections set forth above is estimated to be \$720,000.00 in Phase 1 and \$2,760,000.00 at Buildout. In comparison, the total estimated road impact fee payments to be generated by the Project are \$4,710,000.00 in Phase 1 and \$7,450,000.00 through Buildout.

ORDINANCE NO. 3721

These estimated road impact fees are based on the current impact fee schedule and the single family/multifamily split assumed in the ADA. The Developer ~~will conduct~~ conducted an independent fee calculation study to reflect the lower trip generation rates of a retirement community, consistent with the analysis in ADA Question 21. Transportation was based on retirement community trip rates. Even with this independent fee calculation, the road impact fees for the Project will be greater than its proportionate share of needed improvements. Therefore, the payment of road impact fees per the impact fee schedule or per the independent fee calculation study will represent the Project's total mitigation obligation, unless the biennial monitoring report indicates that a substantial deviation has occurred and the proportionate share increases above the road impact fees.

To satisfy the Project's total mitigation obligation, the Developer was required by Ordinance No. 2984 to choose one (1) of the two (2) mitigation options identified below. The Developer selected the second mitigation option.

Under **Option 1**, the Developer shall provide certain intersection improvements, provide right-of-way for Treeline Avenue to Lee County, and pay road impact fees to satisfy the Project's total mitigation obligation. There is no concurrency vesting with

ORDINANCE NO. 3721

Option 1. Concurrency will be evaluated based on the 5% significance level for a Development of Regional Impact, based on the biennial monitoring report.

Under **Option 2**, the Developer would provide certain intersection improvements, provide right-of-way for Treeline Avenue to Lee County, and provide the balance of the Project's mitigation in scheduled cash payments up to \$1,800,000.00 to fund improvements to Colonial Boulevard, and pay road impact fees for any balance remaining, to satisfy the Project's total mitigation obligation. There is concurrency vesting with Option 2 [Phases 1 and 2]. The selection of Option 2 was required to be and was in fact succeeded by a Local Government Development Agreement pursuant to Section 163.3220, Florida Statutes.

Once an option has been selected, any request to change the mitigation option, including changing from one (1) option to the other, must be accompanied by the filing of a Notice of Proposed Change and an analysis as to whether the change constitutes a substantial deviation.

b. **Mitigation Option 1**

- (1) Within 90 days of adoption of this Development Order, the Developer will pay a total of \$150,000.00 to the City of Fort Myers for the construction of northbound dual

ORDINANCE NO. 3721

left-turn lanes at the Colonial Boulevard/I-75 East Ramps intersection.

The City will then provide these funds to the Florida Department of Transportation (FDOT) for the construction of this improvement. The City will encourage the FDOT to construct this improvement as soon as possible, preferably within the next two (2) years. The City will not incur any costs associated with this improvement.

The Developer's payment of \$150,000.00 for this intersection improvement will be fully creditable against the Project's total mitigation obligation.

- (2) Within one (1) year of adoption of this Development Order, the Developer will design and construct eastbound and southbound dual left-turn lanes at the Colonial Boulevard/Six Mile Cypress Parkway/Ortiz Avenue intersection.

Right-of-way acquisition should not be necessary for these improvements. However, if it is determined during design that additional right-of-way is needed for these improvements, the additional right-of-way will be acquired by the City, and the one (1) year time period for these improvements will be extended accordingly. The Developer will then reimburse the City for the cost of this

ORDINANCE NO. 3721

right-of-way acquisition, in exchange for credits against the Project's total mitigation obligation.

The design and construction of these intersection improvements will be fully creditable against the Project's total mitigation obligation.

- (3) Within 180 days of adoption of this DRI Development Order, the Developer provided to Lee County a schedule for the dedication of certain right-of-way for Treeline Avenue. Right-of-way to be dedicated shall include up to 150 feet of right-of-way for the extension of Treeline Avenue from Colonial Boulevard to the South Property Line, a distance of approximately 10,560 feet.

Any road impact fee credits associated with this right-of-way dedication shall be determined in a separate agreement with Lee County. However, these credits shall be applied against the Project's total mitigation obligation.

- (4) To gain access to the property, the Developer built a two (2) lane entry road into the property from Colonial Boulevard to the first east/west internal roadway, a distance of approximately 3,180 feet. This roadway will eventually be future Treeline Avenue. The design and construction of this entry road,

ORDINANCE NO. 3721

therefore, should be consistent with the ultimate Treeline Avenue cross section.

If the Developer designs and constructs a two (2) lane or four (4) lane roadway consistent with the ultimate cross section for Treeline Avenue, as established by Lee County, the design and construction costs that are beyond those for a standard two (2) lane, site-related local road will be creditable against the Project's total mitigation obligation. The cost estimates will be prepared by the Developer and reviewed and approved by the City.

If the Developer designs and constructs a two (2) lane, site-related, local road that is not consistent or compatible with the ultimate cross section for Treeline Avenue, as established by Lee County, no credits will be granted for the design and construction.

- (5) The Developer will pay roads impact fees in effect at the time of building permit issuance. It is anticipated that the Developer will perform a road impact fee independent fee calculation study. If an independent fee calculation is performed and accepted by the City, the resultant impact fees will be based on that independent fee calculation.

The value of the design and construction of Treeline Avenue and any other creditable cash

ORDINANCE NO. 3721

payments, right-of-way dedication, or construction costs will be issued to the Developer as road impact fee credits. These credits can be used by the Developer in lieu of road impact fee payments or can be transferred in accordance with the impact fee ordinance.

- (6) All development within the ~~Sun-City~~ Pelican Preserve DRI will be subject to the concurrency management system in effect at the time building permits are requested. The Developer will have a concurrency obligation for any road segment or intersection found to be significantly and adversely impacted by the DRI on a cumulative basis for all DRI traffic being generated at the time of concurrency review.
- (7) If the Roads Impact Fee Ordinance is repealed, reduced or made unenforceable by court petition, the DRI will continue to pay, per individual permit, an amount equivalent to road impact fees in effect prior to such repeal, reduction or court petition.
- (8) The City will apply all payments made by the DRI toward the non-site related improvements. In the alternative, the City will apply the cash payment toward improvements that relieve those roadways, provided those improvements are deemed necessary to

ORDINANCE NO. 3721

maintain the adopted level of service standards. If the improvements are ultimately funded through other sources, in whole or in part, or deemed unnecessary to maintain the adopted level of service standards, the City may apply the impact fees paid by the DRI to other improvements that will help mitigate the Project's traffic impacts. This may require the City to submit all or a portion of the DRI's traffic mitigation cash payments to either the County or the State.

c. **Mitigation Option 2**

- (1) Within 90 days of adoption of this Development Order, the Developer will pay a total of \$150,000.00 to the City of Fort Myers for the construction of northbound dual left-turn lanes at the Colonial Boulevard/I-75 East Ramps intersection. **Complied.**

The City will then provide these funds to the Florida Department of Transportation for the construction of this improvement. The City will encourage the FDOT to construct this improvement as soon as possible, preferably within the next two (2) years. The City will not incur any costs associated with this improvement. **Complied.**

The Developer's payment of \$150,000.00 for this intersection improvement will be fully

ORDINANCE NO. 3721

creditable against the Project's total mitigation obligation. **Complied.**

- (2) Within one (1) year of adoption of this Development Order, the Developer will design and construct eastbound and southbound dual left-turn lanes at the Colonial Boulevard/Six Mile Cypress Parkway/Ortiz Avenue intersection.

Right-of-way acquisition should not be necessary for these improvements. However, if it is determined during design that additional right-of-way is needed for these improvements, the additional right-of-way will be acquired by the City, and the one (1) year time period for these improvements will be extended accordingly. The Developer will then reimburse the City for the cost of this right-of-way acquisition, in exchange for credits against the Project's total mitigation obligation.

The design and construction of these intersection improvements will be fully creditable against the Project's total mitigation obligation. **Complied.**

Phase 1

- (3) Within 120 days of adoption of this DRI Development Order, the Developer must provide to the City a draft Development Agreement specifying the schedule for certain

ORDINANCE NO. 3721

right-of-way dedication, design and cash payments, and pay road impact fees for any balance remaining which will fully mitigate its traffic impacts. The schedule shall reflect the property appraisals, design of certain improvements and cash payments for certain improvements, as well as commitments made in this Development Order.

The mitigation described in **Option 2** above will be initiated in advance of the Development Agreement so that the intersection improvements can be expedited. These contributions will be reflected as credits against the Project's total mitigation obligation in the Development Agreement.

Building permits for permanent residential or commercial structures including the sales center within Pelican Preserve may be issued while the Development Agreement is being processed by both parties. These uses will be subject to the payment of impacts fees until the development agreement is executed. However, building permits for no more than \$750,000.00 in road impact fees will be issued until both the City and the Developer have executed the Development Agreement.

Complied.

- (4) The value of these mitigation actions, including the costs for design, permitting,

ORDINANCE NO. 3721

drainage, right-of-way acquisition and construction, impact fee payments made while the Development Agreement is being processed, and the \$250,000.00 payment for intersection improvements shall be credited against the Project's total mitigation obligation. **Complied.**

- (5) Within 180 days of adoption of this DRI Development Order, the developer must provide to Lee County a schedule for the dedication of certain rights-of-way for Treeline Avenue. Right-of-way to be dedicated shall include up to 150 feet of right-of-way for the extension of Treeline Avenue from Colonial Boulevard to the South Property Line, a distance of approximately 10,560 feet, to be dedicated to Lee County.

Any road impact fee credits associated with this right-of-way dedication shall be determined in a separate agreement with Lee County. However, these credits shall be applied against the Project's total mitigation obligation. **Complied.**

- (6) As will be specified in the Development Agreement, the Developer shall do the following:
- a. Dedicate to Lee County up to 150 feet of right-of-way for Treeline Avenue from Colonial Boulevard to the South

ORDINANCE NO. 3721

Property Line. A schedule for this right-of-way dedication will be identified in the Development Agreement. The Treeline Avenue right-of-way was dedicated to the County, and Treeline Avenue is constructed and open to the public use between Colonial Boulevard and Daniels Parkway. **Complied.**

- b. Provide to Lee County for review and approval design plans consistent with County standards for Treeline Avenue as a four (4) lane urban arterial roadway (expandable to six lanes) from Colonial Boulevard to the Project east/west internal road, a distance of approximately 3,180 feet. The design work will include any necessary permitting.

The value of the design and permitting, which is creditable against the Project's total mitigation obligation, must be verified and approved by the City, through the submittal of billing documents from the Developer's design consultant. The value to be credited must consider that two (2) lanes from Colonial Boulevard to the first internal east/west roadway may not be

ORDINANCE NO. 3721

creditable, because it is needed to access the property.

A schedule for preparing the design plans will be identified in the Development Agreement. **Complied.**

- c. Pay the City a total of \$1,800,000.00, in two (2) installments, to advance improvements to Colonial Boulevard from Six Mile Cypress Blvd. to Treeline Avenue. The scope of these improvements will generally involve adding lanes to Colonial Blvd. and will be consistent with the improvements identified.

The first payment of \$900,000.00 will be due within 90 days after the biennial traffic monitoring report indicates that the Project generates 1,000 PM peak hour external driveway trips. The second payment of \$900,000.00 will be due within 90 days after the biennial traffic monitoring report indicates that the Project generates 1,500 PM peak hour external driveway trips.

The City will then provide these funds to the implementing agency for the construction of the improvement. The funds must be dedicated solely to the

ORDINANCE NO. 3721

improvement, and the City must obtain a written commitment that the funds will be used for the improvement.

- (7) To gain access to the property, the Developer must build a two (2) lane entry road into the property from Colonial Boulevard to the first east/west internal roadway, a distance of approximately 3,180 feet. This roadway will eventually be future Treeline Avenue. The design and construction of this entry road, therefore, should be consistent with the ultimate Treeline Avenue cross section.

If the Developer designs and constructs a two (2) lane or four (4) lane roadway consistent with the ultimate cross section for Treeline Avenue, as established by Lee County, the design and construction costs that are beyond those for a standard two (2) lane, site-related local road will be creditable against the Project's total mitigation obligation. The cost estimates will be prepared by the Developer and reviewed and approved by the City.

If the Developer designs and constructs a two (2) lane, site-related, local road that is not consistent or compatible with the ultimate cross section for Treeline Avenue, as established by Lee County, no credits will be

ORDINANCE NO. 3721

granted for the design and construction.

Complied.

- (8) If the actual mitigation costs and payments for Option 2, identified above in Section 4.c.3, exceed the Project's total mitigation obligation for Phase 1, the difference shall be applied to the Phase 2 mitigation requirements.

Complied.

- (9) If the right-of-way dedications, design and cash payments for Option 2, specified in Section 4.c.3. above, are made as described and in the time frames noted, the level of development for Phase 1 of Pelican Preserve as identified in Section 4.b.1. will be exempt from concurrency management requirements. If the dedications and payments are not made as described, then no further building permits will be issued until the Developer makes those dedications, design and payments.

Complied.

Phase 2

- (10) Before the initiation of any Phase 2 residential or commercial development, the Developer must: (1) compile a comprehensive list of all mitigation paid to date; (2) determine the total value of the mitigation paid to date; (3) compare the total value of the mitigation to the Project's total mitigation obligation; and (4) provide a schedule for cash payments to

ORDINANCE NO. 3721

the City to pay the difference between the Project's Buildout total mitigation obligation and the value of all mitigation paid to that date.

If it is found that the total value of the mitigation paid at the end of Phase 1 will be less than the Project's total mitigation obligation for Phase 1, then the schedule of cash payments will ensure that the balance due for Phase 1 mitigation will be paid within 90 days of the acceptance of the schedule by the City.

As an alternative to these cash payments (and with the concurrence of the City), the Developer could fund the design, permitting, right-of-way acquisition, and/or construction of any of the improvements identified. In no instance shall the total mitigation exceed the Project's total mitigation obligation.

In lieu of cash payments, if any, as described above, the Developer may reduce the level of the development within Pelican Preserve, provide (with the concurrence of the City) a road improvement, or provide road impact fee credits owned by the Developer to the City.

- (11) If the right-of-way dedications, design and payments for **Option 2**, are being made as described and in the time frames noted, and the development schedule and impact levels

ORDINANCE NO. 3721

remain consistent with the Development Order and substantial deviation criteria, the level of development for buildout identified will be exempt from concurrency management requirements. If the Developer does not complete the referenced mitigation and does not make the payments as described, then no further building permits will be issued until the Developer completes the mitigation, and makes the payments identified.

IV. City Review of Cost Estimates

- a. The estimated costs of any improvements made by the Developer (including design, right-of-way acquisition, drainage, permitting, water retention, construction, and the like) must be documented and submitted to the City for review and approval.
- b. The City reserves the right to obtain its own estimates for comparison purposes.

V. Transportation: Biennial Monitoring Report

- a. The Developer must submit biennially a standard DRI monitoring report to the following entities for review and approval: City of Fort Myers, Lee County Department of Transportation, the Florida Department of Transportation (FDOT), the Florida Department Economic Development (FDEO), formally known as the Florida Department of Community Affairs and the Southwest Florida Regional Planning Council. The first monitoring

ORDINANCE NO. 3721

report will be submitted one (1) year after the approval of the DRI Development Order unless no buildings have been occupied. If the Developer contends that a traffic monitoring report is not required because no traffic impacts have been created, he must indicate so in writing to the above review agencies. Once the development is required to submit a traffic monitoring report, it must be submitted biennially thereafter.

- b. The monitoring program was designed in cooperation with the City of Fort Myers, Lee County, FDOT, the SWFRPC and FDEO prior to submittal of the first report. The methodology of the biennial traffic monitoring report may be revised, if agreed upon by all parties. If no agreement is reached on methodologies and the biennial monitoring report is not submitted on schedule, the City of Fort Myers shall cease to issue building permits for the DRI until the monitoring report is submitted in accordance with this Development Order. The agreement will not be unreasonably withheld.
- c. Under Mitigation Option 1, the biennial monitoring program will measure the Project's actual external trip generation, evaluate conditions at the Project's access points, evaluate levels of service on impacted roads and intersections, and determine the timing of needed improvements. The biennial monitoring report must contain the following information:

ORDINANCE NO. 3721

- (1) PM peak hour traffic counts with turning movements at the Project's access points onto Colonial Boulevard and Treeline Avenue, and on the external road segments and intersections identified in Section 4.b.2.
- (2) A comparison of field measured Project driveway traffic volumes to the Project trip generation assumed in the DRI analysis. The Project's trip generation used in the DRI traffic analysis was 1,587 PM peak hour external driveway trips at the end of Phase 1 and 2,187 PM peak hour driveway external trips at buildout.
- (3) Estimated existing PM Peak hour levels of service and needed improvements at the Project's access points and for the roads and intersections specified above.
- (4) Estimated future PM peak hour levels of service and needed improvements, based on a one (1) year projection of future volumes, at the Project's access points and for the roads and intersections specified above.
- (5) A summary of the status of road improvements assumed in the ADA to be committed by the City of Fort Myers, Lee County and/or FDOT as set forth below:

ORDINANCE NO. 3721

Roadway	Improvement
Treeline Avenue - Alico Rd to Daniels Pky	Four (4) Lanes
Daniels Pky Extension - Gateway Blvd to SR 82	Four (4) Lanes
Cypress Lake Drive - Summerlin Rd to US 41	Six (6) Lanes
SR 82 - Evans Ave. to Michigan Link	Four (4) Lanes
Winkler Avenue - Metro Pky to US 41	Four (4) Lanes

- d. Under Mitigation Option 2, the biennial monitoring program will measure the Project's actual external trip generation and evaluate conditions at the Project's access points. The biennial monitoring report must contain the following information.
- (1) PM peak hour traffic counts with turning movements at the Project's access points onto Colonial Boulevard and Treeline Avenue.
 - (2) A comparison of field measured Project driveway traffic volumes to the Project trip generation assumed in the DRI analysis. The Project's trip generation used in the DRI traffic analysis was 1,587 PM peak hour external driveway trips at the end of Phase 1 and 2,187 PM peak hour external driveway trips at Buildout.
 - (3) Estimated existing PM peak hour levels of service and needed improvements at the Project's access points.
 - (4) Estimated future PM peak hour levels of service and needed improvements, based on a

ORDINANCE NO. 3721

one (1) year projection of future volumes, at the project's access points.

- (5) The biennial monitoring report submitted just prior to the commencement of Phase 2 development will include the additional information required for the monitoring report under Option 1. This applies only for this one (1) monitoring report.

- e. If the biennial monitoring report reveals that the Project's Buildout trip generation exceeds the thresholds identified in Section 380.06(19)(b), Florida Statutes, then the provisions regarding substantial deviations will take effect under either mitigation option. If the Project is deemed to be a substantial deviation, the Developer must then undergo additional DRI review. This review, if required, must reanalyze the Project impacts on all regional roadways that are significantly and adversely impacted by the Project and specifically evaluate the potential Project impacts on I-75.

If the biennial monitoring report reveals that the Phase 1 trip generation exceeds the thresholds identified in Section 380.06(19)(b), Florida Statutes, then the Developer shall immediately initiate Phase 2 mitigation.

Under Mitigation Option 1, if the biennial monitoring report confirms that the peak season, PM peak hour traffic on the significantly impacted roadways exceeds the level of service standards

ORDINANCE NO. 3721

adopted by local jurisdiction, and the Project is utilizing five percent (5%) or more of the adopted level of service standard service volume, then further local Development Orders, building permits and certificates of occupancy will not be granted until the standards of the concurrency management system have been met. Under Option 1, Pelican Preserve will comply with the City's concurrency management system in effect at the time.

- f. If the City's engineer determines that a traffic consultant is needed to review the biennial monitoring report and make recommendations regarding the impacts of the DRI, the Developer shall deposit \$20,000.00 into an escrow account with the City. The actual amount spent for this consultant shall be credited against the Project's total mitigation obligation. Any unspent funds in the escrow account will be returned to the Developer.

VI. Transportation: Modifications

- a. No development will be permitted beyond that level approved for Buildout until such time as a Notice of Proposed Change or Substantial Deviation application including a cumulative transportation analysis has been reviewed and approved in accordance with Section 380.06(19), Florida Statutes.
- b. Any request for a buildout time extension will be subject to the Notice of Proposed

ORDINANCE NO. 3721

Change/Substantial Deviation requirements of Chapter 380, Florida Statutes, as appropriate.

VII. Transportation: Other

- a. The Developer will provide for efficient pedestrian and bicycle movement within Pelican Preserve through the provision of a system of interconnecting sidewalks and bike paths that link the various pods of development.
- b. If transit routes are extended to serve Pelican Preserve, the Developer will accommodate local or express transit service with bus stops on public roadways within the DRI.
- c. The Developer or its successors in interest shall construct, at grade, multimodal (pedestrian, bicycle, golf cart) paths which interconnect the residential areas depicted on Map H (Conceptual Master Plan) to the commercial areas designated or depicted on Exhibit "E" in compliance with Florida Statutes, Section 316.212. WCI replaced an existing sidewalk with an eight (8) foot multimodal path beginning at the entrance of the Pelican Preserve development proceeding to the commercial property on the east side of Treeline Avenue terminating at the pedestrian crossing, the completed path satisfies the terms of this condition for the eastern side of Treeline Avenue, which requires the connection of the residential areas to the commercial areas. The eight (8) foot path on the western side of Treeline Avenue shall be installed by the developers of the

ORDINANCE NO. 3721

individual parcels as the individual parcels develop pursuant to the letter of understanding and the multimodal path exhibit that are attached hereto as Exhibit "E" and made a part hereof. WCI or its successors in interest shall construct the multimodal path from Tract C4 across the preserve area to the northern terminus of the path as designated on Exhibit "E" when the multimodal path is completed on Tract C4.

- d. An east-west corridor evaluation between Colonial Boulevard and Daniels Parkway was initiated by Lee County prior to the end of Phase 1 to recommend roadway improvements to serve cumulative area-wide growth in that area. (This east-west corridor evaluation was the update of the Lee County 2020 Financially Feasible Plan by the Lee County Metropolitan Planning Organization). At the discretion of the City of Fort Myers, the Developer's proportionate share payments may go towards the implementation of the improvements identified in the corridor evaluation, with full credits against Pelican Preserve's proportionate share obligations.
- e. No permanent roadway shall be constructed that connects the Pelican Preserve DRI and Gateway DRI. The existing construction road will continue to be used for construction traffic until the final buildout of the project on the eastern side of Treeline Avenue. Prior to the issuance of the last Certificate of Occupancy for the buildout of the project on the

ORDINANCE NO. 3721

eastern side of Treeline Avenue, the remaining construction roadway shall be removed and the area vegetated to the easternmost boundary of the project. Any road improvements necessary to comply with requirements for dead end streets must be approved by the Public Works Department. The construction road cannot be used to permit access to the general public or residents of the Gateway Community.

- f. If the City of Fort Myers determines that a Comprehensive Plan amendment is required to implement the Development Agreement, which is a part of Mitigation Option 2 above, the City will process the necessary amendment during the next Comprehensive Plan amendment cycle.
- g. The Developer shall not be required by City ordinance, or through any administrative or City Council review process, to provide a secondary access to the Pelican Preserve DRI. The Developer shall not be responsible for any additional proportionate share payments, additional road concurrency requirements, additional site related improvements, or any additional DRI NOPC traffic assessments because of any change in traffic distribution cause by the restriction of Condition 4.g.(5). If the access restriction in Condition 4.g.(5) causes operational deficiencies at the Pelican Preserve/Treeline Avenue access point, it shall not be used as a basis to preclude, limit, or

ORDINANCE NO. 3721

restrict the ability to complete the development permitted in Findings of Fact A 9 above. WCI will explore the potential to provide an emergency access in the general location of the maintenance facilities.

5. Vegetation and Wildlife/Wetlands.

- a. Any impacts to ~~Priority one (1) or Priority two (2) panther habitat~~ the United States Fish and Wildlife Service (USFWS) Panther Focus Areas shall be addressed during the dredge and fill permitting and the Environmental Resource permitting after consultation with the USFWS and the Florida Fish and Wildlife Conservation Commission. The Developer must provide all mitigation required by Army Corps of Engineers and SFWMD for impacts to the USFWS Panther Focus Areas. ~~for impacts to priority one (1) or two (2) panther habitat.~~
- b. A management plan for the Big Cypress Fox Squirrel must be submitted to the Florida Fish and Wildlife Conservation Commission for approval prior to the local development approval. The approved management plan is incorporated by reference into this development order.
- c. The development shall include ~~146~~ 152 acres, more or less, of conservation area at buildout, which includes ~~115~~ 121 acres, more or less, of preserved and created wetlands and 31 acres, more or less, of upland preserves and buffers. The conservation areas shall be protected in perpetuity by a

ORDINANCE NO. 3721

conservation easement or other acceptable legal mechanism.

6. Comprehensive Plan

Pelican Preserve DRI is consistent with the City of Fort Myers Future Land Use Map designation of Special Community. The City of Fort Myers shall ensure that all applications for local permits and approvals are consistent with the Comprehensive Plan, the concurrency management plan and the Land Development Code.

7. Fire Conditions

- a. The Developer shall dedicate, or cause to be dedicated, a two (2) acre +/- fire, police and EMS, Public Safety Station, site east of I-75 and south of SR 82 or at some other mutually agreeable site within a four (4) minute response time from Pelican Preserve's residential development. The site may be located within Pelican Preserve or off-site. The two (2) acre site must be acceptable to the City Council and the City of Fort Myers Fire Chief and is to be selected prior to the issuance of the first building permit for any improvements within Pelican Preserve. The developer shall received fire impact fee credits equal to the acquisition cost of the property to the developer if the property is acquired off-site. The site is to be dedicated by the Developer and accepted by the City within six (6) months after the effective date of the DRI Development Order.

Complied.

ORDINANCE NO. 3721

- b. The Developer shall improve or cause to be improved the Public Safety Station property dedicated to the City. The improvements shall include paved access and utilities provided to the frontage of the property, zoning, clearing, filling, grading, water management permits and utility connections. The utility connections shall include water, sewer, electric, telephone and cable. The Developer shall be entitled to fire impact fee credits for the design, permitting, appraisals, fees, and development work performed for the Public Safety Station site. **Complied.**
- c. No building permit shall be approved beyond the 500th residential unit, twenty percent (20%) of the commercial or office square footage, and community facilities unless and until the Public Safety Station is constructed on the approximately two (2) acre site dedicated to the City.
- d. The Public Safety Station will not exceed 15,000 square feet in size, will include three (3) double bays to accommodate the necessary fire equipment, police vehicles and emergency service vehicles. The Public Safety Station is to be equipped with one (1) fully equipped pumper truck and one (1) brush truck. The Developer shall construct or cause to be constructed the Public Safety Station, and the City shall provide all of the necessary authorizations to permit the construction of the Station. **Complied.**
- e. The Developer shall be entitled to fire impact fee credits for the total value of the contributions

ORDINANCE NO. 3721

required by conditions a., b., and c. above, provided however, that the Gateway Services Community Development District shall be entitled to and shall receive the fire impact fee credits if the Gateway Services Community Development District has, from bond proceeds, reimbursed the Developer for such costs. The cost is to be substantiated in accordance with the requirements of the applicable impact fee ordinance. The City and Developer agree to work diligently to ensure the completion of the Public Safety Station prior to completion of the 500th residential unit, twenty percent (20%) of the commercial/office and the community facilities. It is anticipated that the 501st residential certificate of occupancy will be obtained by the Developer in the fourth quarter of 2002. **Complied.**

- f. A ladder truck will be necessary to serve any structure taller than three (3) stories (35 feet). Prior to the issuance of a building permit for any structure, to include the hotel, taller than three stores in height or 35 feet above finished grade, there shall be a ladder truck located at the Public Safety Station. If the Public Safety Station constructed pursuant to this section does not have a ladder truck on premises then the Developer shall provide or cause to be provided a ladder truck.

Complied.

8. Community Facilities

ORDINANCE NO. 3721

For purpose of this ordinance, community facilities may include a campus style set of buildings designed to provide recreational amenities, outdoor recreational facilities, and community center uses. There shall be no ~~more~~ less than four (4) buildings, interconnected through walkways, the buildings shall be no more than two (2) stories in height, and shall ~~not exceed a total~~ be a minimum of forty-five thousand (45,000) square feet. The recreational amenities may include, but are not limited to, volleyball court, lawn bowling, tennis, softball field, outdoor pool, aerobics pool, gym, social hall, library, coffee shop, theater, sports bar, post office, art facilities, woodshop, lap pool, painting room and related reception area, locker rooms, restrooms, business center and administrative area. Three (3) of the community buildings will ~~not exceed~~ be a minimum of 26,000 square feet, the fourth will be a sales center until the community is sold out, and then the sales center will be converted to community uses. The Developer shall incorporate the following enhancements, improvements and renovations into the Village Center by December 31, 2016. The Developer can obtain an administrative extension due to an "act of God" or "force majeure", acts of war, government shut down, hurricanes, tornados and other weather events. An act of God or force majeure is defined as hurricanes, earthquakes, floods, fire, unusual transportation delays, wars, insurrections, and any other cause not reasonable within control of the Developer. The improvements to be constructed or installed are:

- i. install a second outdoor swimming pool

ORDINANCE NO. 3721

- ii. design, permit, and construct a free standing building that includes two additional group fitness spaces; and
- iii. renovate the current cardio and group fitness areas; and
- iv. provide enhancements to the existing locker rooms as determined by the Developer.

Should the developer and residents determine that a different amenity improvement is desired instead of one of the items set forth above, the Developer can provide an alternative recreational amenity. The Developer must seek an administrative amendment from the City of Fort Myers and provide written notice to the residents of the DRI of the filing of an administrative amendment and thereafter the City Community Development Director must consult with the Board of the Pelican Preserve Homeowners Association before granting any administrative approval.

9. **Police Cruiser**

Prior to the issuance of the first certificate of occupancy for the residential units to be built within Pelican Preserve, the Developer shall provide or cause to be provided two (2) fully equipped police vehicles. The cost of such vehicles shall not exceed a total of \$100,000.00. The police vehicles are to be used to patrol and provide services to the area within the City limits of Fort Myers east of I-75 and SR 82, including regular patrols within Pelican Preserve. However, certificates of occupancy for model homes may be issued prior to the acquisition of the two (2) fully equipped police cars. **Complied.**

ORDINANCE NO. 3721

10. WCI has provided perimeter privacy walls, fences, buffers and berms in accordance with the attached Exhibit "E". The proposed privacy fence, depicted on the north property boundary in yellow will be installed in 2015. A privacy wall/fence/or berm with landscaping or combination thereof will be installed along the Florida Power and Light (FPL) easement in Gateway Boulevard at the time of issuance of a Certificate of Occupancy for residential units adjacent to the FPL easement and Gateway Boulevard. No wall/fence/or berm with landscaping or combination thereof is required along the proposed future extension of Plantation Garden Drive unless and until the City or County extends Plantation Garden Drive and opens the road to the public and until WCI develops a residential neighborhood adjacent to Plantation Garden Drive. When the road is open to the public and WCI develops an adjacent neighborhood WCI will install a privacy wall/fence/berm with landscaping or some combination thereof. Prior to buildout if Plantation Garden Drive is still on the Long-Range Transportation Plan, then the Developer will install a minimum six foot fence along the Plantation Garden Drive right-of-way.

10.11. General Requirements.

- a. All commitments and impact mitigating actions volunteered by the Developer in the ADA and supplementary documents that are not in conflict with conditions or stipulations specifically enumerated above are incorporated by reference into this Development Order.

ORDINANCE NO. 3721

- b. The development of the Project shall be consistent with Map H, which is identified as Exhibit "B" and is attached hereto and made a part hereof.
- c. The Developer shall comply with all duly adopted federal, state, and local development and construction rules and regulations.
- d. The residential development located on the east side of Treeline Avenue will be a deed restricted, age restricted development.
- e. The Developer agrees to contribute a total of \$75,000.00 to the City to assist in off setting the additional administrative cost associated with the Sun City Pelican Preserve DRI Development Order which funds shall be paid in five (5) equal annual installments of \$15,000.00 per year. The first payment shall be made within sixty (60) business days of the effective date of this DRI Development Order. **Complied.**

C. CONCLUSIONS OF LAW AND ADMINISTRATIVE REQUIREMENTS.

Following are the Conclusions of Law 1-11.

- 1. This Development Order, as amended, constitutes an ordinance of the City of Fort Myers adopted in accordance with all applicable statutory requirements.
- 2. The Development Order, as amended, is binding upon the Developer(s), and its assignees or successors in interest. Where the Development Order refers to lot owners, business owners or other specific reference, those provisions are binding on the entities or individuals

ORDINANCE NO. 3721

referenced. Those portions of the Development Order that clearly apply only to the developer are binding upon any builder/developer who acquires a tract of land within the DRI.

3. The terms and condition set out in this Development Order constitute a basis upon which the Developer and the City may rely in future actions necessary to fully implement the development contemplated by this Development Order.
4. **Timeframes.** The Project has a buildout date of ~~December 31, 2020~~ June 1, 2022. The Project has an expiration date of ~~December 31, 2021~~ June 1, 2023; this provides one (1) year for any development that completed its permitting prior to the buildout date to complete construction.
5. The Project will not be subject to down-zoning, unit density reduction, intensity reduction or prohibition of development until ~~January 1, 2022~~ June 2, 2024. If the City demonstrates that substantial changes have occurred in the conditions underlying the approval of the Development Order at a duly noticed public hearing then a down-zoning, unit density reduction or prohibition of development may occur. No down-zoning, density or intensity reduction or prohibition of development can occur without sufficient notice to the Developer and an opportunity to be heard. These changes would include, but would not be limited to, such factors as a finding that the Development Order was based on substantially inaccurate information provided by the Developer, or that the change

ORDINANCE NO. 3721

is clearly established by the City to be essential to the preservation of the public health, safety and welfare.

6. **Biennial Report.** The Developer, or its successor(s) in title will submit a biennial report to the City of Fort Myers, SWFRPC, and FDEO. The report must describe the state of development and compliance as of the date of submission. In addition the report must be consistent with the rules of the FDEO. The first monitoring report was submitted to the FDEO not later than one (1) year after the effective date of this development order. Further reporting must be submitted not later than one (1) year of subsequent calendar years thereafter, until buildout. Failure to comply with this reporting procedure is governed by Section 380.06(18), Florida Statutes. The Developer must inform successors in title to the undeveloped portion of the real property covered by the Development Order of this reporting requirement. This requirement may not be construed to require reporting from tenants or owners of individual lots or units.
7. Project has two (2) phases. The first phase ends in ~~2005~~ 2017 and the second phase ends in ~~2020~~ 2022. The development phasing schedule is a condition of approval. Amendments to the phasing shall be evaluated in accordance with Section 380.06(19), Florida Statutes.
8. All mitigation requirements identified in this Development Order must be performed in accordance with the established time frames set forth herein. If the Developer fails to provide the mitigation in accordance with the terms and conditions of this Development Order it could result in

ORDINANCE NO. 3721

a substantial deviation pursuant to Section 380.06(19), Florida Statutes.

9. The Developer, or its successor, may be subject to credit for contributions, construction, expansion, or acquisition of public facilities in accordance with Section 380.06(16), Florida Statutes, if the Developer is also subject by local ordinance, impact fees or exaction requirements to address the same impact or need.
10. The Director of Community Development Department or his/her designee shall be the local official responsible for assuring compliance with this development order. The City shall not issue any permits or approvals or provide any extension of services if the Developer fails to act in substantial compliance with the DRI Development Order. The Director must provide the Developer with clear and concise written description of the nature of the violation of the DRI development order. The written notice to the Developer shall provide sufficient time to address the alleged violation and the time period to address the violations shall be identified in the written notice. The notice will identify the amount of time to cure the violation. The written notice and time to cure must be provided prior to a hearing before the City Council. The City Council at a duly noticed public meeting shall determine if the Developer has failed to act in substantial compliance with the terms and conditions of the DRI Development Order, pursuant to Section 380.06(17), Florida Statutes. The Developer shall receive notice in writing fifteen (15) days prior to the date of the public meeting and an opportunity

ORDINANCE NO. 3721

to respond in the public meeting the alleged term or condition of the DRI Development Order at issue with an indication of the nature of the alleged non compliance. The Developer, or its designee, shall be provided with an opportunity to respond in the public meeting. The City Council shall make a formal finding of substantial compliance or substantial non compliance, and the Developer shall have the right to appeal said determination.

11. The City will forward certified copies of this Development Order, as amended, to the SWFRPC, FDEO, the Developer, and appropriate state agencies. The amendments to this Development Order are rendered as of the date of that transmittal, but will not be effective until the expiration of the statutory appeal period (45 days from rendition) or until the completion of any appellate proceedings, whichever time is greater. Upon the amendments to this Development Order becoming effective, the Developer must record notice of their adoption in the office of the Clerk of the Circuit Court, as provided in Section 380.06(15), Florida Statutes.

SECTION 1. Ordinance Rescinded. Ordinance No. 3616 is hereby ~~rescinded~~ amended and restated upon adoption of this ordinance and its provisions are carried forward in this restated ordinance.


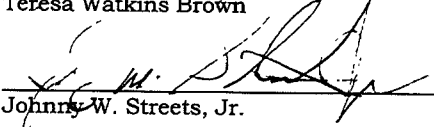
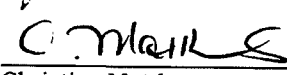
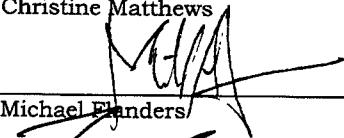


SECTION 2. Severability. If for any reason any section, subsection, paragraph, or part of this ordinance shall be held invalid or destroy any other section, subsection, paragraph, or part of this ordinance then the remaining portions thereof shall remain in full force and effect without regard to the section, subsection, paragraph, or part invalidated.

ORDINANCE NO. 3721

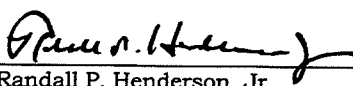
SECTION 3. Effective Date. This ordinance shall become effective immediately upon passage.

ORDINANCE NO. 3721

PASSED IN PUBLIC SESSION of the City Council of the City of
Fort Myers, Florida, this 2nd day of December, A.D., 2014.

Aye	<u></u> Teresa Watkins Brown
Aye	<u></u> Johnny W. Streets, Jr.
Aye	<u></u> Christine Matthews
Aye	<u></u> Michael Elanders
Aye	<u></u> Forrest Banks
Aye	<u></u> Thomas C. Leonardo Council Members

APPROVED this 2nd day of December, A.D., 2014, at
10:50 o'clock a.m.

Aye	<u></u> Randall P. Henderson, Jr. Mayor
-----	--

FILED in the Office of the City Clerk this 2nd day of December,
A.D., 2014.

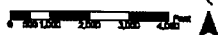
<u></u> Marie Adams, MMC City Clerk
--

ORDINANCE NO. 3721

EXHIBIT "A"
Location Map



PROPOSED PELICAN PRESERVE SDA/DRI BOUNDARY: +/- 1,381.80 AC
Aerial Photo Date: Jan 2013



DWA INC.
PLANNING
-Planning, Engineering, Surveying & Mapping-

Public Comments: 10/10/13 Pelican Preserve SDA & Gateway PUD Amendment/Ordinance City of Ft. Myers Application/Ordinance PROPOSED PELICAN PRESERVE SDA/DRI BOUNDARY/Ordinance

ORDINANCE NO. 3721**EXHIBIT "C"****Legal Description of Pelican Preserve Plus 180 acres**

A tract or parcel of land lying in Sections 1, 2 and 12, Township 45 South, Range 25 East, Section 35, Township 44 South, Range 25 East, and Section 6, Township 45 South, Range 26 East, Lee County, Florida, being further bounded and described as follows:

Beginning at the 4" concrete monument marking the South One Quarter corner of Section 1, Township 45 South, Range 25 East, Lee County, Florida; thence S.89°56'14"W., along the south line, of the Southwest One Quarter of said Section 1, for 2,593.54 feet to the southwest corner of said Section 1 and the southeast corner of Section 2, Township 45 South, Range 25 East, Lee County, Florida; thence S.89°03'49"W., along the south line of the Southeast One Quarter of said Section 2, for 2,645.12 feet to a 3"x5" concrete monument marking the South One Quarter corner of Section 2, Township 45 South, Range 25 East; thence continue S.89°03'49"W., along the south line of the Southwest One Quarter of said Section 2, for 476.16 feet to a PK Nail and disc stamped LB 6952 and a point on a curve; thence northerly 200.18 feet along the arc of a non-tangential curve to the left having a radius of 2,599.95 feet through a central angle of 04°24'41" and being subtended by a Chord which bears N.01°38'43"W. for 200.13 feet to a PK Nail and Disc stamped LB 6952; thence N.03°51'03"W., for 959.31 feet to a PK Nail and Disc stamped LB 6952 and a point of curvature; thence northerly 490.29 feet along the arc of a tangential curve to the right having a radius of 2,700.06 feet through a central angle of 10°24'15" and being subtended by a chord which bears N.01°21'04"E. for 489.62 feet; thence N.06°33'12"E., for 1,166.54 feet to a PK Nail and Disc stamped LB 6952 and a point of curvature; thence northerly 826.44 feet along the arc of a tangential curve to the left having a radius of 1,100.00 feet through a central angle of 43°02'49" and being subtended by a Chord which bears N.14°58'12"W. for 807.14 feet; thence N.36°29'36"W., for 266.36 feet to a PK Nail and Disc stamped LB 6952 and a point of curvature; thence northerly 1,249.07 feet along the arc of a tangential curve to the right having a radius of 1,900.00 feet through a central angle of 37°40'00" and being subtended by a Chord which bears N.17°39'36"W. for 1,226.70 feet to a PK Nail and Disc stamped LB 6952; thence N.01°10'24"E., for 248.58 feet to a PK Nail and Disc stamped LB 6952; thence S.89°25'36"W., for 214.71 feet to a 5/8" iron rod capped LB 6952; thence N.00°02'17"W., for 68.31 feet to a 5/8" iron rod capped LB 6952; thence N.01°00'06"W., for 2,642.68 feet to a 4" concrete monument stamped LB 642; thence N.00°58'02"W., for 1,048.01 feet to a PK NAIL and Disc stamped LB 6952 and a point on a curve; thence northerly 766.45 feet along the arc of a non-tangential curve to the left having a radius of 1,050.00 feet through a central angle of 41°49'24" and being subtended by a Chord which bears N.21°16'16"E. for 749.55 feet to a 5/8" iron rod; thence N.00°21'33"E., for 721.50 feet to a 5/8" iron rod; thence N.45°21'33"E., for 42.43 feet to a 4" concrete monument; thence S.89°38'27"E., for 2,224.05 feet to a 4" concrete monument; thence S.02°16'01"E., for 1,168.38 feet to a 5/8" iron rod capped LB 642; thence N.89°54'24"E., for 1,324.86 feet to a 5/8" iron rod capped LB 642 and a point on the east line of the Northeast One Quarter of said Section 35; thence S.03°20'25"E., along said east line, for 1,284.37 feet to a 5/8" iron rod capped LB 6952 marking the East One Quarter corner of said Section 35; thence S.00°01'58"E., along the east line of the Southeast One Quarter of said Section 35, for 2,635.65 feet to a 6" concrete monument marking the common corner for said Sections 1,

ORDINANCE NO. 3721

2, and 35; thence N.89°28'42"E., along the north line of the Northwest One Quarter of said Section 1, for 32.13 feet to a point on the north line of said Section 1; thence along said north line, S.89°57'20"E., for 1,118.12 feet to a point on the southwesterly line of the Florida Power and Light Company easement recorded in Official Records Book 258, Page 378 of the Public Records of Lee County Florida; thence along said southwesterly line the following 2 described courses;

1. Thence S.37°57'03"E., for 1132.67 feet;
2. Thence S.37°57'07"E., for 366.69 feet a point on the westerly line of the 120 foot wide access and utility easement recorded in Instrument 2010000058339 of said Public Records and a point on a curve;

Thence along said westerly line the following 2 described courses;

1. Thence southerly 687.41 feet along the arc of a curve to the left having a radius of 1,681.83 feet through a central angle of 23°25'07" and being subtended by a chord which bears S.23°40'13"E. for 682.64 feet;
2. Thence S.35°22'47"E., for 163.65 feet to a point on the north line of the lands described in Official Records Book 2626, Page 3647, of said Public Records;

Thence along said north line S.54°37'13"W., for 1,000.76 feet to a point on the northerly line of Lot 23, Gateway Hidden Links II, as per the plat thereof recorded in Plat Book 69, Page 97, of said Public Records and a point on a curve; thence southwesterly 138.45 feet along the northerly line of said Lot 23 and Lot 22 of said Gateway Hidden Links II, and along the arc of a non-tangential curve to the left having a radius of 225.00 feet through a central angle of 35°15'25" and being subtended by a chord which bears S.36°59'32"W. for 136.28 feet to a point on the westerly line of Gateway Golf And Country Club as recorded in Official Records Book 3556, Page 1545, of said Public Records; thence along said westerly line of the following 21 described courses;

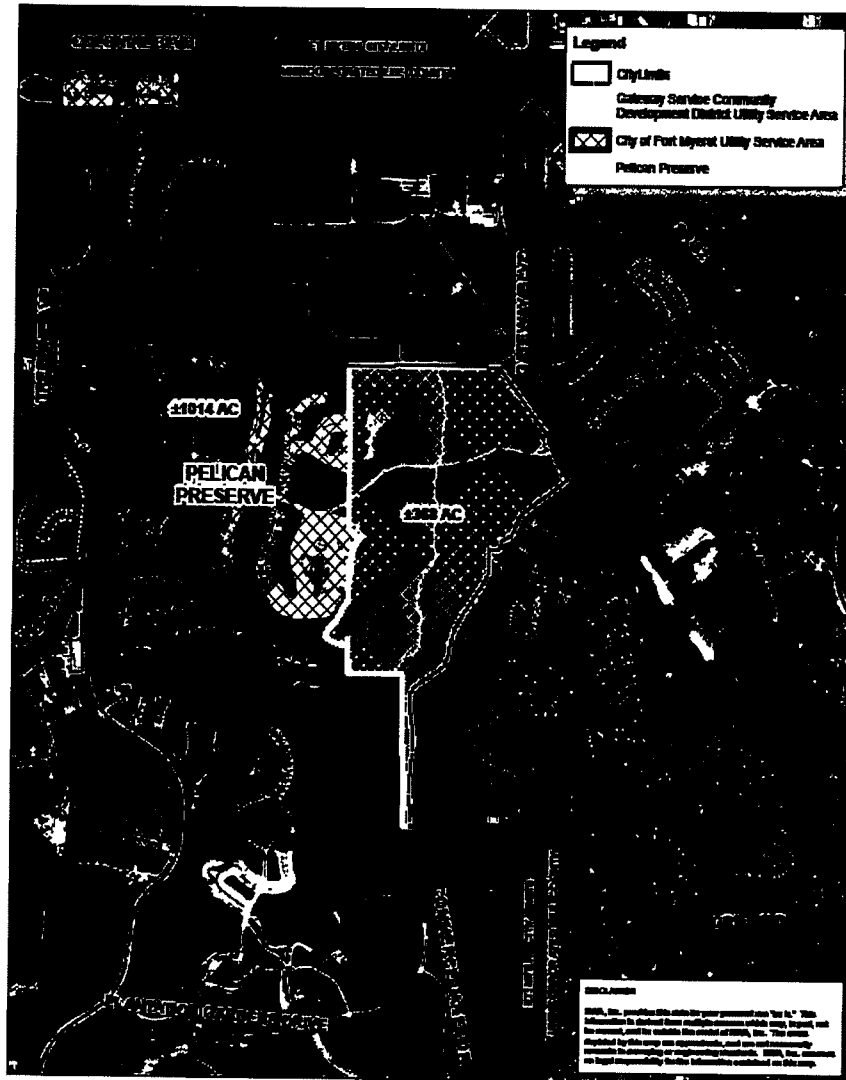
1. Thence S.22°54'23"W., for 281.97 feet;
2. Thence S.55°48'33"W., for 136.16 feet;
3. Thence E S.78°06'34"W., for 18.20 feet;
4. Thence S.57°35'17"W., for 9.70 feet;
5. Thence S.76°37'57"W., for 15.06 feet;
6. Thence S.64°54'52"W., for 44.61 feet;
7. Thence S.08°25'25"W., for 40.28 feet;
8. Thence S.06°30'42"W., for 30.10 feet;
9. Thence S.32°16'28"W., for 88.27 feet;
10. Thence S.76°04'40"W., for 87.12 feet;
11. Thence N.85°01'24"W., for 100.54 feet;
12. Thence S.05°57'06"E., for 53.31 feet;
13. Thence S.09°03'40"W., for 83.69 feet;
14. Thence S.03°39'02"E., for 118.11 feet;
15. Thence S.09°40'30"E., for 102.54 feet;
16. Thence S.27°58'47"W., for 276.05 feet;
17. Thence S.36°54'41"W., for 172.25 feet;
18. Thence S.33°26'36"W., for 232.10 feet;
19. Thence S.38°56'24"W., for 86.00 feet;
20. Thence S.31°35'38"W., for 436.35 feet;
21. Thence S.18°45'56"W., for 95.17 feet;

ORDINANCE NO. 3721

thence N.78°06'39"W., for 2.07 feet; thence S.11°53'21"W., for 341.62 feet to a point of curvature; thence southwesterly 371.36 feet along the arc of a tangential curve to the right having a radius of 460.00 feet through a central angle of 46°15'20" and being subtended by a Chord which bears S.35°01'01"W. for 361.36 feet; thence S.58°08'41"W., for 421.37 feet to a point of curvature; thence southwesterly 395.89 feet along the arc of a tangential curve to the left having a radius of 340.00 feet through a central angle of 66°42'51" and being subtended by a Chord which bears S.24°47'16"W. for 373.90 feet; thence S.08°34'10"E., for 418.86 feet to a point of curvature; thence southerly 461.43 feet along the arc of a tangential curve to the right having a radius of 1,560.00 feet through a central angle of 16°56'50" and being subtended by a Chord which bears S.00°05'45"E. for 459.75 feet; thence S.08°22'41"W., for 98.45 feet to a point of curvature; thence southerly 486.24 feet along the arc of a tangential curve to the left having a radius of 2,940.00 feet through a central angle of 09°28'33" and being subtended by a Chord which bears S.03°38'24"W. for 485.68 feet; thence S.01°05'53"E., for 680.34 feet to a point on the East-West One-Quarter Section line of said Section 12; thence along said east-west line, S.89°59'34"W., for 120.02 feet; thence N.01°05'53"W., for 2646.08 feet; thence S.89°38'30"W., for 69.19 feet to the point of beginning of the parcel described herein;

Containing 60,191,159 square feet or 1,381.80 acres, more or less.

Bearings are based on the south line of the Southwest One-Quarter of Section 1, Township 45 South, Range 25 East, as having an assumed bearing of S.89°56'14"W.

ORDINANCE NO. 3721**EXHIBIT "D"**
Utility Service Areas

Pelican Preserve
Utility Service Areas

0 1,000 2,000 4,000
Feet



DWA
DESIGN & CONSTRUCTION
FORT MYERS, FLORIDA

Prepared by: [Name]
Date: [Date]
For: [Name]
City of Fort Myers, Florida

ORDINANCE NO. 3721

EXHIBIT "E"
Existing and Proposed Fencing



Agenda Item

11h

11h

Sarasota County Comprehensive Plan Amendment (DEO15-1ESR)

11h

Attachment I

COMMUNITY PLANNING ACT

Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda
 Collier County, Everglades City, Marco Island, Naples
 Glades County, Moore Haven
 Hendry County, Clewiston, LaBelle
 Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel
 Sarasota County, Longboat Key, North Port, Sarasota, Venice

Attachment I

Comprehensive Plan Amendments

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

Regional Planning Council Review

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government.

DEO has thirty days to conduct its own Expedited State Review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS SARASOTA COUNTY

The Council staff has reviewed proposed changes to the Sarasota Comprehensive Plan Amendment (DEO 15-1ESR). A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

<u>Proposed Amendment</u>	<u>Location</u>	<u>Factors of Regional Significance</u>		
		<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DEO 15-1ESR	no	no	no	(1) procedural; (2) not regionally significant; and (3) consistent with SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota Planning and Development Services Director.

03/15

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEW
FORM 01**

LOCAL GOVERNMENT:

Sarasota County

DATE AMENDMENT RECIEVED:

February 2, 2015

DATE AMENDMENT MAILED TO LOCAL GOVERNMENT AND STATE:

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government Comprehensive Plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any affected local government within the region. A written report containing the evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State land planning agency within 30 calendar days of receipt of the amendment.

March 2, 2015

1. AMENDMENT NAME:

Application Number: Sarasota County DEO 15-1 ESR

2. DESCRIPTION OF AMENDMENT(S):

Future Land Use Policy 2.2.6.1 is being amended to remove language that restricts the location of the future Lakewood Ranch Boulevard delineation and intersection, and to revise Figures 6-9 and 6-10, in the Year 2025 Future Thoroughfare Plan to provide alternative locations and alignments for the Future Lakewood Ranch Boulevard, in the area between Fruitville Road and Richardson Road. These changes are made necessary because of a conflict with the Florida Department of Transportation non-access limitation along Fruitville Road associated with Interstate 75.

Sarasota County publically initiated amendment is specific to the Year 2025 Thoroughfare Plan of the Comprehensive Plan which identifies Lakewood Ranch Boulevard as a Minor Arterial that runs from University Parkway to Fruitville Road and continues south of Fruitville Road to Palmer Boulevard as Coburn Road. The proposed roadway alignment traverses the area of Special Planning Area (SPA) 3 and intersects with Fruitville Road at the existing signalized connection of Coburn Road immediately east of the Fruitville Library. The plans initially developed for the SPA 3 Critical Area Plan showed Lakewood Ranch Boulevard intersecting Fruitville Road adjacent to the Main C Canal. This intersection location falls within the Florida Department of Transportation (FDOT), "non-access

limitations" associated with Interstate 75. Despite County discussions with FDOT regarding this alignment the discussions were not successful and the approval of the encroachment was never granted.

To correct the future roadway's encroachment into the state's defined "non-access limitations" Sarasota County Board of County Commissioners, on October 8, 2014 approved the alignment of Lakewood Ranch Boulevard between Richardson Road and Fruitville Road, intersecting Fruitville Road at the existing signalized intersection of Coburn Road east of the Fruitville Library and outside of the Florida Department of Transportation (FDOT) non-access limitation. The amendment provides consistency between the Comprehensive Plan and the previous actions of the Board of County Commissioners regarding the location and alignment of Lakewood Ranch Boulevard.

3. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN:

Council staff has reviewed the proposed changes and revisions to the Plan and finds that the proposed amendment does not adversely affect any significant regional resources or facilities that are identified in the Strategic Regional Policy Plan. Further, staff has reviewed the proposed Land Use changes and found that the request was not regionally significant due to its lack of magnitude, location and character. Additionally, staff's review determined that the amendment to the Comprehensive Plan Future Land Use Element and Map is a direct result of a conflict with a portion of a future roadway alignment and intersection, as described in the Sarasota Interconnectivity Plan and the Florida Department of Transportation's (FDOT) defined area of "non-access limitation".

4. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

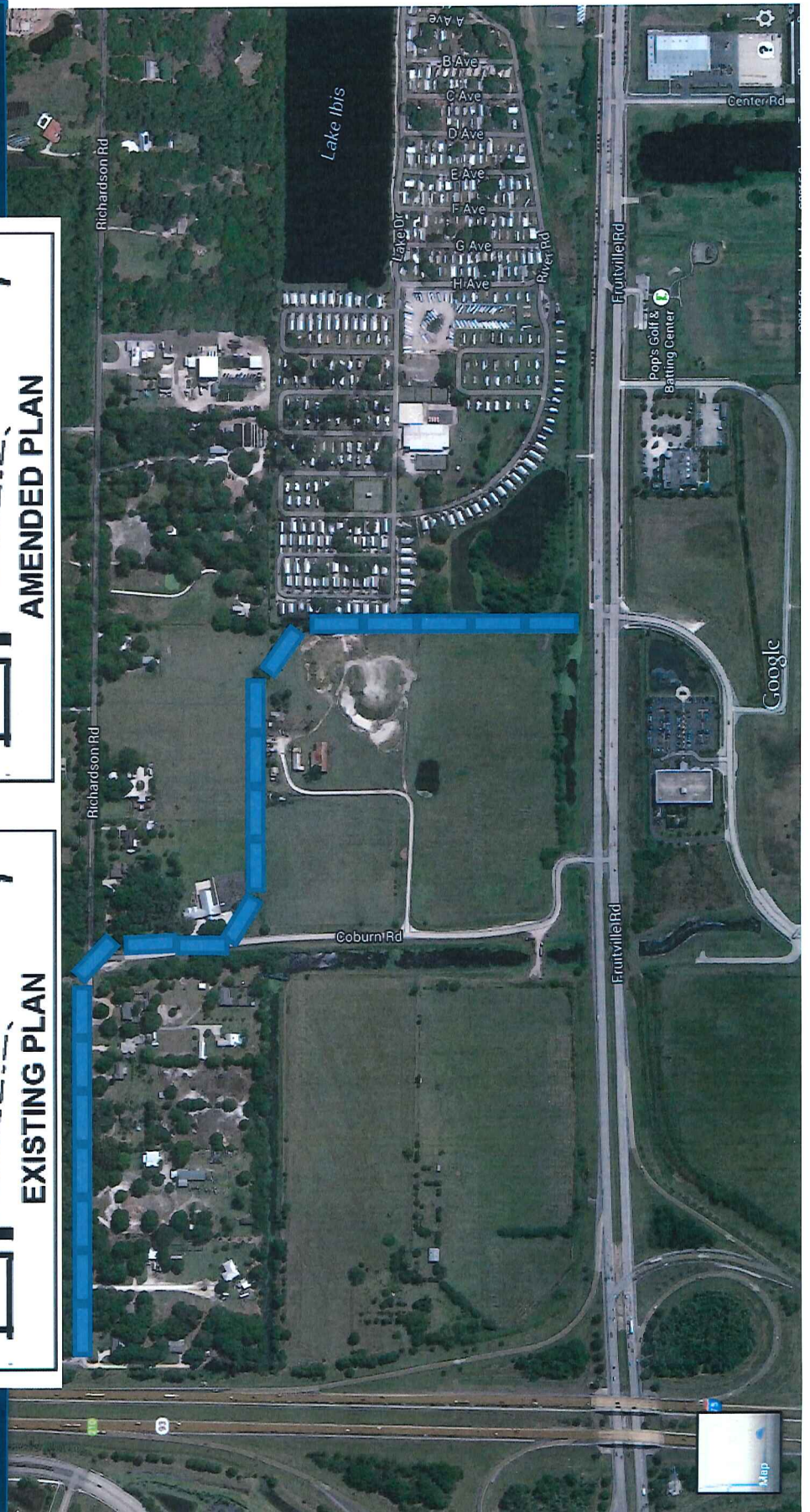
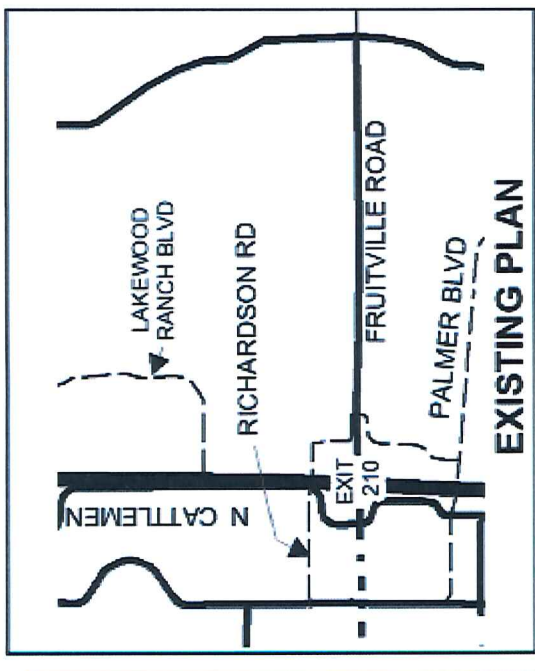
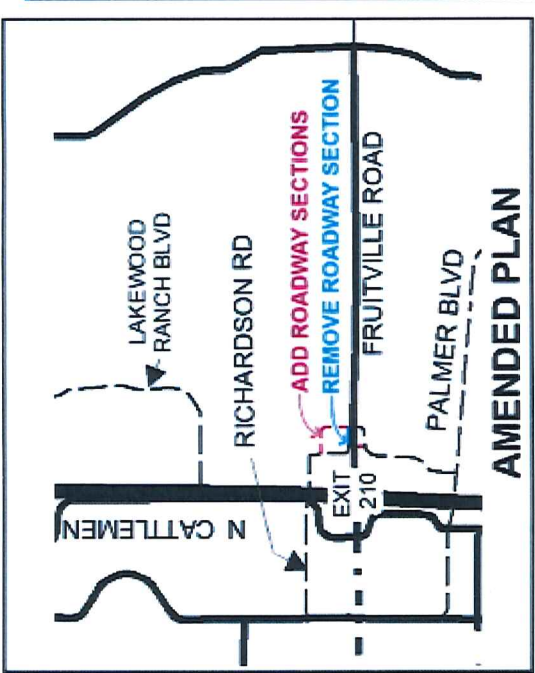
Request a copy of the adopted version of the amendment? X Yes No

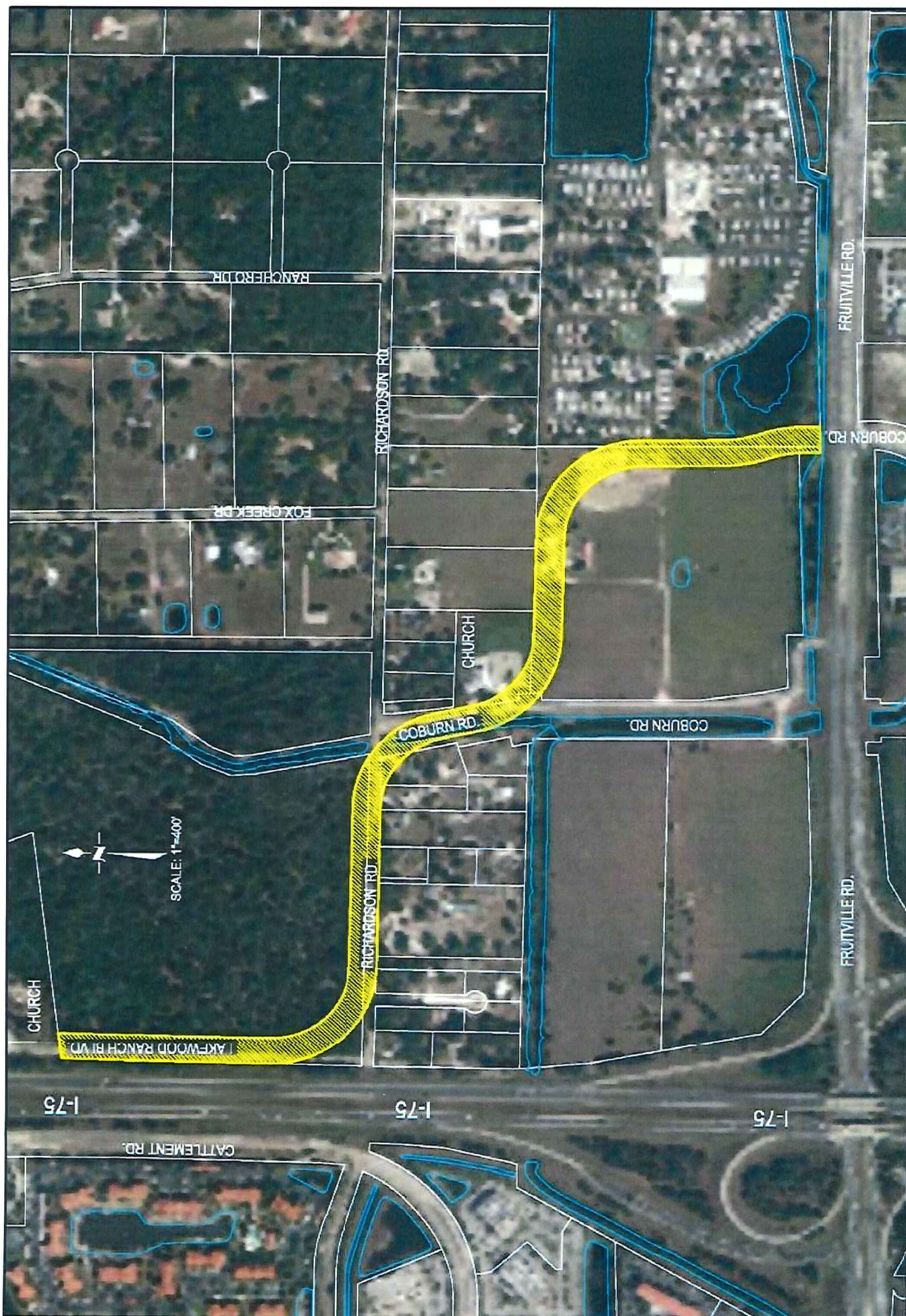
Attachment III

Maps

**Sarasota County
DEO 15-1ESR**

**Growth Management Plan
Comprehensive Plan Amendments**



[illegible]

PROPOSED 120' RIGHT of WAY

ALIGNMENT 1 B

**SARASOTA COUNTY
TRANSPORTATION**

Agenda Item

11i

11i

Charlotte County Comprehensive Plan Amendment (DEO15-1ESR)

11i

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS CHARLOTTE COUNTY

The Council staff has reviewed proposed changes to the Charlotte Comprehensive Plan Amendment (DEO 15-1ESR). A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
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A summary of the results of the review follows:

<u>Proposed Amendment</u>	<u>Location</u>	<u>Factors of Regional Significance</u>		
		<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DEO 15-1ESR	yes	yes	yes	(1) regionally significant

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Charlotte County Planning and Development Services Director.

03/15

Attachment I**COMMUNITY PLANNING ACT****Local Government Comprehensive Plans**

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3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
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DEO has thirty days to conduct its own Expedited State Review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEW
FORM 01**

LOCAL GOVERNMENT:

Charlotte County

DATE AMENDMENT RECIEVED:

January 29, 2015

DATE AMENDMENT MAILED TO LOCAL GOVERNMENT AND STATE:

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government Comprehensive Plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any affected local government within the region. A written report containing the evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State land planning agency within 30 calendar days of receipt of the amendment.

February 28, 2015

1. AMENDMENT NAME:

Application Number: Charlotte County DEO 15-1 ESR

2. DESCRIPTION OF AMENDMENT(S):

The amendments revise the Mineral Resource Extraction (MRE) Future Land Use Map (FLUM) category of the Future Land Use Appendix I - Land Use Guide of the County's Comprehensive Plan to ensure consistency between the Comprehensive Plan and the recently adopted Earthmoving Code. The modifications to the earthmoving regulations came about at the request of Charlotte Board of County Commissioners, who directed staff to identify necessary revisions through roundtable discussions with stakeholders, members of the public and the Agricultural and Natural Resource Advisory Committee (ANRAC).

Amending the FLUM is the final step in the update of the County's excavation and earthmoving regulations. They amend; the Future Land Use Appendix, Land Use Guide by revising the Mineral Resource Extraction Future Land Use Map category, the subsections of Resource Mineral Extraction FLUM category - "Requirements of the Plan Amendment" and the "Special Provisions", replace the term "Group III Excavations with "Commercial Excavations" in the county's comprehensive Plan and Amend the FLUM series Map #24: MRE Prohibited Locations to correct scrivener's errors.

The following provides further details of the amendments:

The term "Group III Excavation" will be replaced with "Commercial Excavation" throughout the Comprehensive Plan to be consistent with the terminology of the newly adopted Earthmoving Code.

The subsection entitled "Requirements of the Plan Amendment" will be revised to clarify permitted and prohibited locations for commercial excavations and to clarify application submittal requirements for parties seeking a Mineral Resource Extraction (MRE) FLUM designation.

The subsection entitled "Special Provisions" will be revised to permit limited modifications to existing commercial excavation permits with an MRE FLUM designation and Excavation and Mining (EM) zoning designation as required in the newly adopted Earthmoving Code and the Comprehensive Plan. The following permit modifications are exempted from these requirements provided that the nature of the operations of the existing commercial excavation does not change:

- A modification request to transfer the permit to another permit holder.
- A request to extend the permit expiration date.

All other modifications to the existing commercial excavation permits and applications for new commercial excavation permits require the property to be designated Mineral Resource Extraction (MRE) on the Future Land Use Map and zoned Excavation and Mining (EM).

The FLUM Series Map #24: MRE Prohibited Locations will be amended to correct a scrivener's error in the vicinity of the Jones Loop Road east of Interstate 75.

3. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN:

Council staff has reviewed the proposed changes and proposed revisions to the Plan and finds that the amendments do not adversely affect any significant regional resources or facilities that are identified in the Strategic Regional Policy Plan. The size and intensity of the mining operations in Sarasota County are not being increased by the Comprehensive Plan Amendments. The extension of permit expiration dates and the ability to transfer permits is a direct result of the discussions Sarasota County staff had with the stakeholders, public and the Agricultural and Natural Resource Advisory Committee. County wide mining activity paralleled the down turn in the building industry causing a number of mines to be idle. The amendments addressing limited modifications to the mining permits supports the economics of mining operations by allowing for a continuance of existing mining operations which support the increase in demand for materials as the building industry strengthens.

Furthermore, because the proposed changes and amendments are to ensure consistency between the Comprehensive Plan and the newly adopted Earthmoving Code, Council staff finds that the request is procedural.

However due to critical information provided by the City of Punta Gorda regarding the extension of mines located in the "Shell Creek and Prairie Creek Watersheds Management Plan", Council staff finds that amendment is inconsistent with the City of Punta Gorda's Comprehensive Plan. To ensure the protection of the City's potable water, Council is advised to recommend approval with the exclusion of the protected zones, "Shell Creek and Prairie Creek Watersheds Management Plan", from the revised permit expiration extensions.

If Charlotte County approves this recommendation than the proposed amendments do not adversely affect any significant regional resources or facilities that are identified in the Strategic Regional Policy Plan.

4. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

Council staff has reviewed the requested changes and finds that the requested amendments to the FLU Appendix I: Land Use Guide Mineral Resource Extraction (MRE) and FLUM Series Map #24: MRE Prohibited Locations, do produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan the City of Punta Gorda.

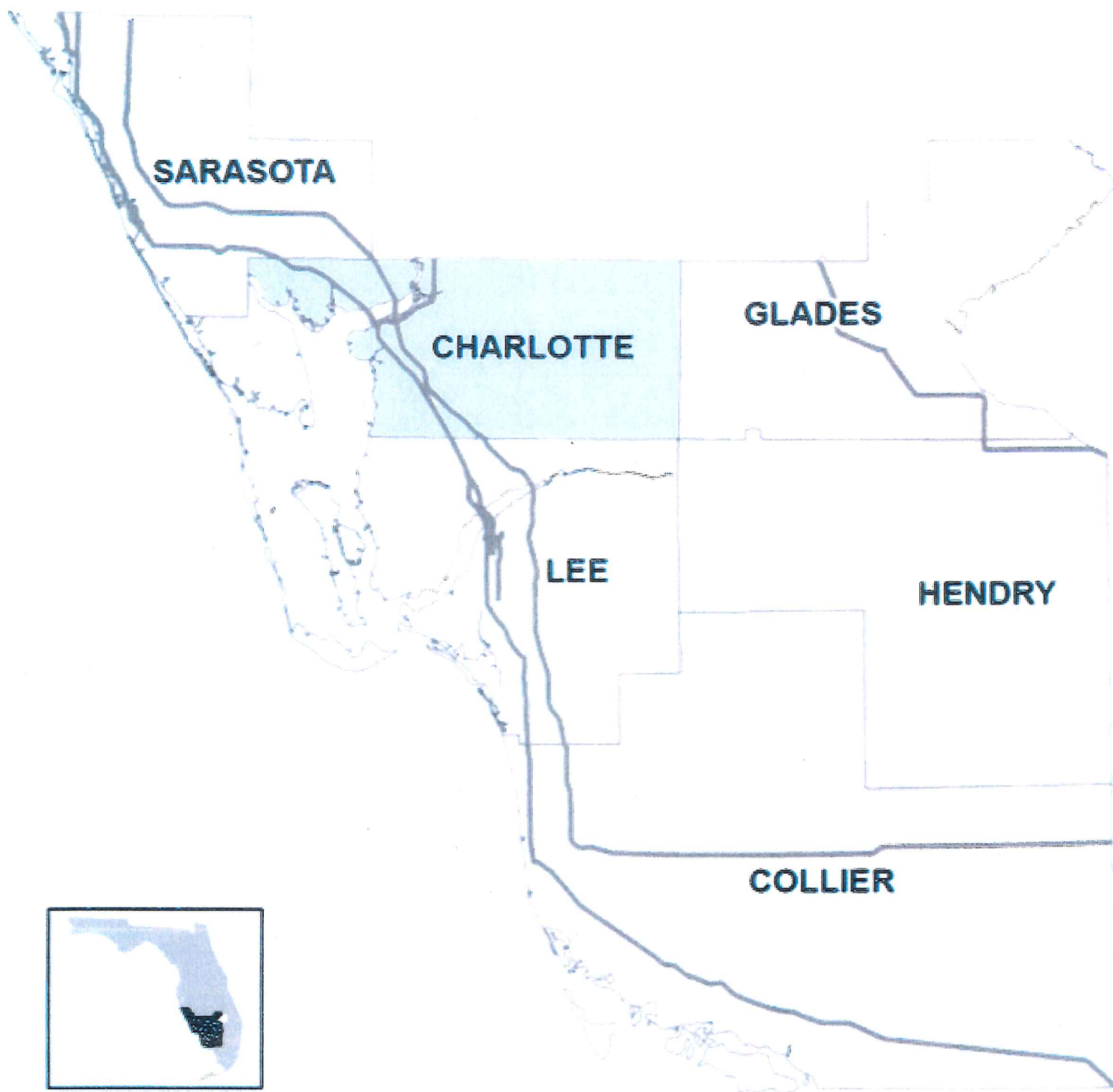
Request a copy of the adopted version of the amendment? X Yes No

Attachment III

Maps

**Charlotte County
DEO 15-1ESR**

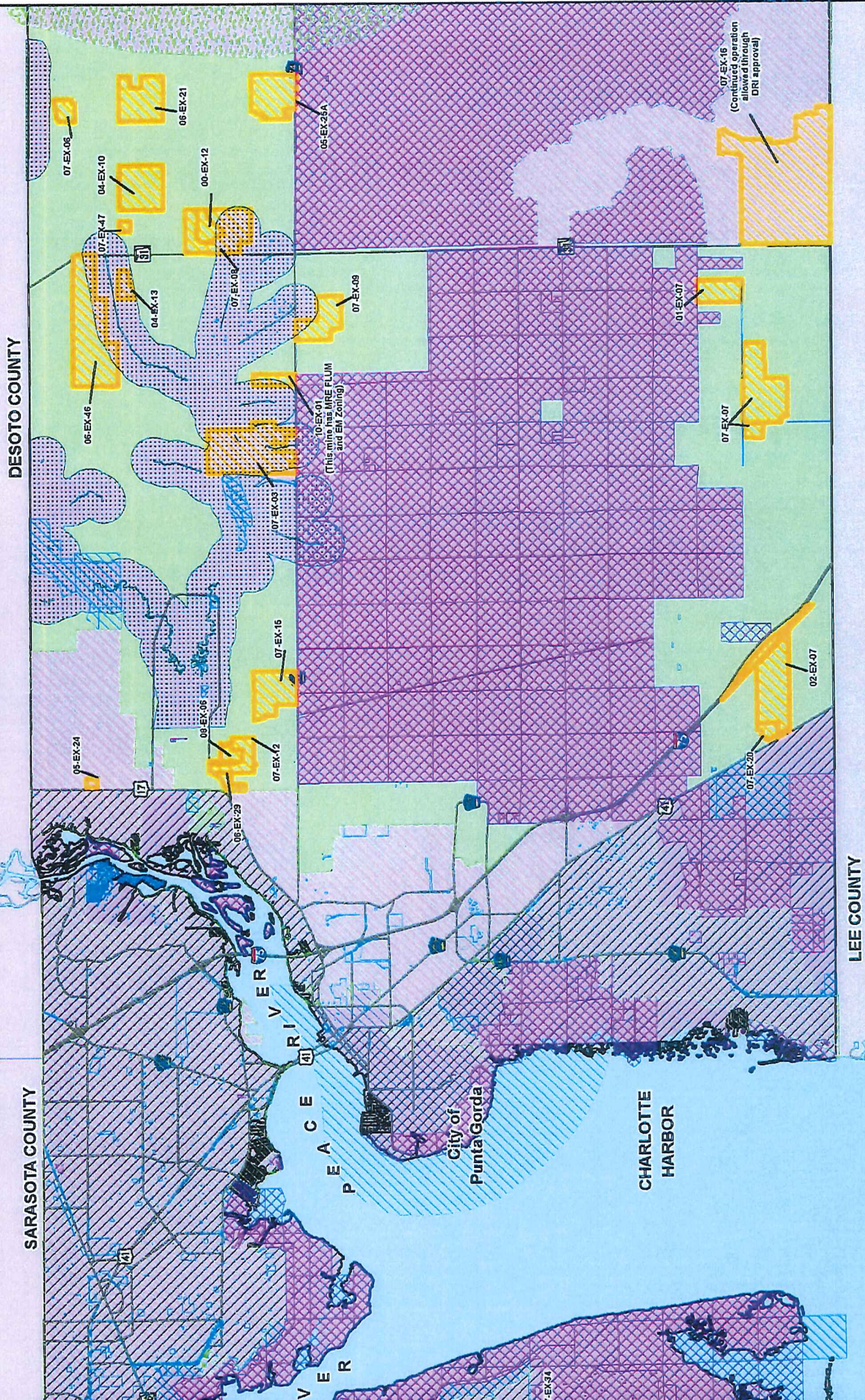
**Growth Management Plan
Comprehensive Plan Amendments**



0 2.5 5 10 15 20 Miles



WORKING MAP--NOT FOR PUBLIC DISTRIBUTION



Agenda Item

11j

11j

Sarasota County Comprehensive Plan Amendment (DEO15-3ESR)

11j

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS SARASOTA COUNTY

The Council staff has reviewed proposed changes to the Sarasota Comprehensive Plan Amendment (DEO 15-3 ESR). A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

<u>Proposed Amendment</u>	<u>Location</u>	<u>Factors of Regional Significance</u>		
		<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DEO 15-3ESR	no	yes	yes	(1) Procedural; (2) Approved Substantial Deviation DRI and; (3) Consistent with SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota Planning and Development Services Director.

03/15

Attachment I**COMMUNITY PLANNING ACT****Local Government Comprehensive Plans**

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda
 Collier County, Everglades City, Marco Island, Naples
 Glades County, Moore Haven
 Hendry County, Clewiston, LaBelle
 Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel
 Sarasota County, Longboat Key, North Port, Sarasota, Venice

Attachment I

Comprehensive Plan Amendments

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

Regional Planning Council Review

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government.

DEO has thirty days to conduct its own Expedited State Review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEW
FORM 01**

LOCAL GOVERNMENT:

Sarasota County

DATE AMENDMENT RECIEVED:

February 6, 2015

DATE AMENDMENT MAILED TO LOCAL GOVERNMENT AND STATE:

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government Comprehensive Plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any affected local government within the region. A written report containing the evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State land planning agency within 30 calendar days of receipt of the amendment.

March 6, 2015

1. AMENDMENT NAME:

Application Number: Sarasota County DEO 15-3 ESR

2. DESCRIPTION OF AMENDMENT(S):

Comprehensive Plan Amendment

The amendments are privately initiated and reflect the requisite changes brought about by the recommendations approved by Council last November granting the Sarasota Interstate Park of Commerce (SIPOC), now known as the University Town Center (UTC) Development of Regional Impact (DRI) a substantial deviation pursuant to F.S. Statute 380.06(19). The approved recommendations for the University Town Center (DRI) Substantial Deviation established the right to increase the retail and office square footage from the 1,680,000 retail square feet (SF) to 2,280,000 SF and 220,000 SF of office to 320,000 SF; and approved a reconfiguration of the DRI's development concept plan which included the approximate 5 acre parcel to the southwest area of the project. The reconfiguration resulted in the elimination of Wetland J and improvements to an area at the southwest corner of DeSoto and Cattlemen Roads which was previously set aside as open space. Impacts to wetlands are to be mitigated offsite within the Braden River watershed.

The proposed Comprehensive Plan amendments submitted consist of the following changes;

- Future Land Use Chapter background text relating to Special Planning Area #1 where acreage totals and square feet of retail and office are revised to reflect the increases (There are no proposed change in the commercial and residential acreage within the Special Planning Area #1, just a redistribution of uses.)
- Revise Policy 2.2.4 to reflect additional 5 acres to the Special Planning Area #1 with the total now being 281 and revise the maximum gross leasable commercial square footage by 600,000 and maximum gross leasable office square footage by 100,000.
- Adjust the Future Land Use Map to redistribute Commercial Center and High Density Residential Use areas to better match the allowed and intended underlying commercial and residential uses consistent with the proposed rezoning boundaries.
- Designate the 5 acre addition on the Future Land Use Map changing the added property's designation from Moderate Density Residential to High Density Residential
- Amend the Future Land Use Figure 9-6 to indicate the location of the additional 5 acres of property to the south/southwest portion of the project.

The proposed Comprehensive Plan amendments are tied to the existing DRI and reflect the DRI's Substantial Deviation recommendation and conditions. The magnitude and character of the DRI directs staff to identify the submittal as "of regional interest", however the Comprehensive Plan Amendments are procedural following the DRI's Substantial Deviation approval recommendation; they are basic in nature and are consistent with the vision of the County for the Special Planning Area #1. Furthermore the adjustment of the gross leasable space responds to economic demands of the developing project which directly support Goal of the Economic Development Element of the Strategic Regional Policy Plan.

3. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN:

Council staff has reviewed the proposed changes and revisions to the Plan and finds that the proposed amendment does not adversely affect any significant regional resources or facilities that are identified in the Strategic Regional Policy Plan. The University Town Center DRI has major development completed. The amendments are reflective of the changes in the Special Area #1 and in the adjacent area of Nathan Benderson Park/Rowing Complex. The additional square footage and the redistribution of land uses is a direct result of the rapidly changing environment of development that is occurring at this location.

Finally, Council staff finds that the proposed amendments do not adversely affect any significant regional resources or facilities that are identified in the Strategic Regional Policy Plan.

4. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

Council staff has reviewed the requested changes and finds that the requested amendments to the Future Land Use Map to redistribute land use designations to reflect changed land uses and to the Future Land Use Policy 2.2.4 to reflect the change in maximum square footage of total gross leasable commercial and office space; to re-designate a five acre parcel that is being added to Special Planning Area Number 1 from Moderate Density Residential to High Density Residential and to update Future Land Use Figure 9-6 (Special Planning Area Number 1) and text to recognize the additional 5 areas, do not produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

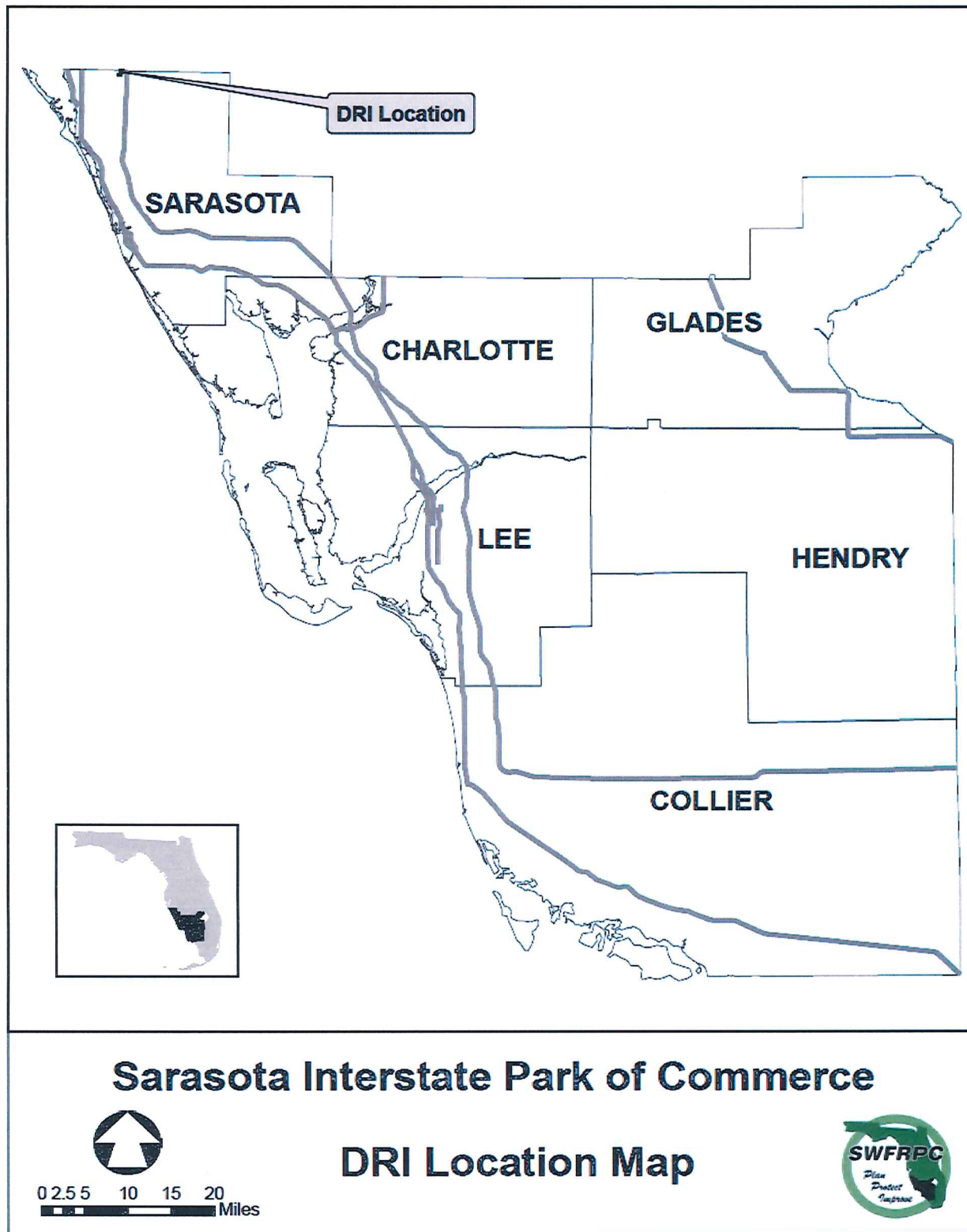
Request a copy of the adopted version of the amendment? ☒ Yes ☐ No

Attachment III

Maps

**Sarasota County
DEO 15-3ESR**

**Growth Management Plan
Comprehensive Plan Amendments**





Agenda Item

11k

11k

Collier County Comprehensive Plan Amendment (DEO15- 2ESR)

11k

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS COLLIER COUNTY

The Council staff has reviewed proposed changes to the Collier County Growth Management Plan DEO 15-2ESR (Previously 14-4ESR). These changes developed as a result of necessary, text changes and a text removal, to previously approved Growth Management Plan amendments adopted by Collier County Ordinance No.s 15-06 through 15-11. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

<u>Proposed Amendment</u>	<u>Location</u>	<u>Factors of Regional Significance</u>		
		<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DEO 15-2ESR (Previously DEO 14-4ESR)	no	no	no	(1) procedural (2) not regionally significant; and (3) consistent with SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Collier County Growth Management Division and the Department of Economic Opportunity and Collier County.

03/15

Attachment I**COMMUNITY PLANNING ACT****Local Government Comprehensive Plans**

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda
 Collier County, Everglades City, Marco Island, Naples
 Glades County, Moore Haven
 Hendry County, Clewiston, LaBelle
 Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel
 Sarasota County, Longboat Key, North Port, Sarasota, Venice

Attachment I

Comprehensive Plan Amendments

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

Regional Planning Council Review

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government.

DEO, the Regional Planning Council and other reviewing agencies have thirty days to conduct reviews and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEW
FORM 01**

LOCAL GOVERNMENT:

Collier County

DATE AMENDMENT RECIEVED:

February 13, 2015

DATE AMENDMENT MAILED TO LOCAL GOVERNMENT AND STATE:

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government Comprehensive Plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any affected local government within the region. A written report containing the evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State land planning agency within 30 calendar days of receipt of the amendment.

March 13, 2015

1. AMENDMENT NAME:

Application Number: Collier County DEO 15-2, (Previously DEO 14-4ESR)
(Ordinance 2015-06 through 15-11)

2. DESCRIPTION OF AMENDMENT(S):

This petition corrects amendments that were previously reviewed by staff with recommendations approved by the Council at the September 2014 meeting. The amendments reviewed at that meeting are referenced in this review as those contained in DEO14-4 ESR. Those amendments changed the following Growth Management Plan (GMP) Elements; Conservation and Coastal Management, Capital Improvement, Future Land Use, Recreation and Open Space, Transportation, Stormwater Management Sub-Element of the Public Facilities Element, and the Future Land Use Map Series. Those adopted changes updated and provided "housingcleaning" to the Collier County's GMP by adding clarity, correcting text changes and by providing internal consistency.

The current GMP amendment seeks to add changes since the 2014 transmittal of DEO 14-4 ESR. The changes to the text are identified in DEO 15-2 as follows:

- Revisions to update references to a specific South Florida Water Management District (SFWMD) "Basis of Review" document that was published after Transmittal of DEO 14-4ESR. The document reference was found in both the Conservation & Coastal Management Element and Public Facilities Element/Stormwater Management Sub-Element. (This revision to the text for continuity was recommended by SFWMD.)
- Removal of text references to the public school capital improvement plan and work program not adopted in the cited ordinances because the Capital Improvement Element changes specific to this plan and program were found to be addresses by other means.

3. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN:

Council staff has reviewed the proposed revisions to the Collier County GMP and finds that the proposed changes will facilitate internal consistency and correctness. The requested changes to the GMP are determined by the Council staff to be consistent with the Goals of the Strategic Regional Policy Plan and do not adversely affect any significant regional resource or facilities that are identified in the SRPP.

4. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

Request a copy of the adopted version of the amendment? X Yes No

Attachment III

Maps

**Collier County
DEO 15-2 ESR**
(Previously DEO 14-4ESR)

**Growth Management Plan
Comprehensive Plan Amendments**

Attachment III

Maps

Because the proposed changes to the Collier County GMP are textual corrections, there are no maps associated with the requested Comprehensive Plan amendments.

Agenda Item

111

111

Sarasota County Comprehensive Plan Amendment (DEO15-2ESR)

111

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS SARASOTA COUNTY

The Council staff has reviewed proposed changes to the Sarasota Comprehensive Plan Amendment (DEO 15-2ESR). A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

<u>Proposed Amendment</u>	<u>Location</u>	<u>Factors of Regional Significance</u>		
		<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DEO 15-2ESR	no	no	no	(1) not regionally significant; and (2) consistent with SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Sarasota Planning and Development Services Director.

03/15

Attachment I**COMMUNITY PLANNING ACT****Local Government Comprehensive Plans**

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda

Collier County, Everglades City, Marco Island, Naples

Glades County, Moore Haven

Hendry County, Clewiston, LaBelle

Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel

Sarasota County, Longboat Key, North Port, Sarasota, Venice

Attachment I

Comprehensive Plan Amendments

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

Regional Planning Council Review

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government.

DEO has thirty days to conduct its own Expedited State Review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEW
FORM 01**

LOCAL GOVERNMENT:

Sarasota County

DATE AMENDMENT RECEIVED:

February 3, 2015

DATE AMENDMENT MAILED TO LOCAL GOVERNMENT AND STATE:

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government Comprehensive Plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any affected local government within the region. A written report containing the evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State land planning agency within 30 calendar days of receipt of the amendment.

March 3, 2015

1. AMENDMENT NAME:

Application Number: Sarasota County DEO 15-2 ESR

2. DESCRIPTION OF AMENDMENT(S):**Comprehensive Plan Amendment**

The amendment is privately initiated and is a Large Scale Comprehensive Plan Amendment requesting the re-designation of 528 acres from Rural to Semi-Rural on the Sarasota County Future Land Use Plan Map (FLUM). The current Rural designation permits 1 dwelling unit/5 acres for a maximum of 107 dwellings units. The proposed Semi-Rural designation would allow an increase in density to 1 dwelling unit/2 acres or 264 total dwelling units. This change in land use from Rural to Semi-Rural would allow an increase of an additional 157 units.

The project site is located east of the Urban Service Area within a designated Village Resource Management Area (RMA). Within the Village RMA, all property owners seeking to increase density must rezone their property as a Conservation Subdivision or a Village form of development. The applicant indicated that they plan to develop as a Conservation Subdivision form which is permitted during the rezoning process. The concept of creating a Conservation Subdivision is to cluster homes on smaller lots, allowing a significant amount

of open space and native habitat to be preserved. A benefit of a Conservation Subdivision, which requires fifty percent open space, is the emphasis that is placed on the preservation of native habitat.

The petitioner has developed two other development is the area, Serenoa and Serenoa Lakes; and they plan to develop this parcel in the same manner. In order to achieve this style of development the re-designation of from Rural to Semi-Rural is required. Factors considered when reviewing consistency with the intent of the Semi-Rural Future Land Use designation include locational elements related to urban amenities including infrastructure and commercial development in proximity to the subject property. The petitioner's property is proximate to the Urban Service Boundary, in an area where public water and sewer service is available, and near to other urban amenities including a fire station, a full interchange accessing Interstate 75, a regional park (Twin Lakes), commercial area (Commercial Highway Interchange designated area at the I-75 and Clark Road interchange), and a Major Employment Center due west of the interchange along Clark Road.

In summary, The location of the subject property appears to meet the intent of the proposed designation of Semi-Rural by; proposing to provide additional acreage for an "estate" type lifestyle, thereby minimizing impacts on any regional resources or facilities, utilizing neighboring urban amenities, and by being consistent with the Semi Rural designated zone directly north of the project site.

3. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN:

Council staff has reviewed the proposed changes to the Sarasota County FLUM and finds that the proposed amendment does not adversely affect any significant regional resources or facilities that are identified in the Strategic Regional Policy Plan. However, Council staff alerts Council to the pattern of development evolving outside of the thresholds of Developments of Regional Impact and notes the there is a continuous creep of development east of I-75 towards environmentally sensitive flow-ways. In this case, assurance of responsible development can be found in the subsequent reviews under Sarasota County's Conservation Subdivision Design Standards of the Zoning Regulations which ensure the preservation of environmental systems, regulate rural character and protect natural features. Additionally, the applicant has been historically sensitivity in the manner in which they have developed properties to the north of this project site. Following the previous developments the petitioner plans to maximize the environmental assets of the site by opting for "Estate Style" of development conserving open space lands with clustered units.

4. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

Council staff has reviewed the requested changes and finds that the requested amendments to the Future Land Use Map does not produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

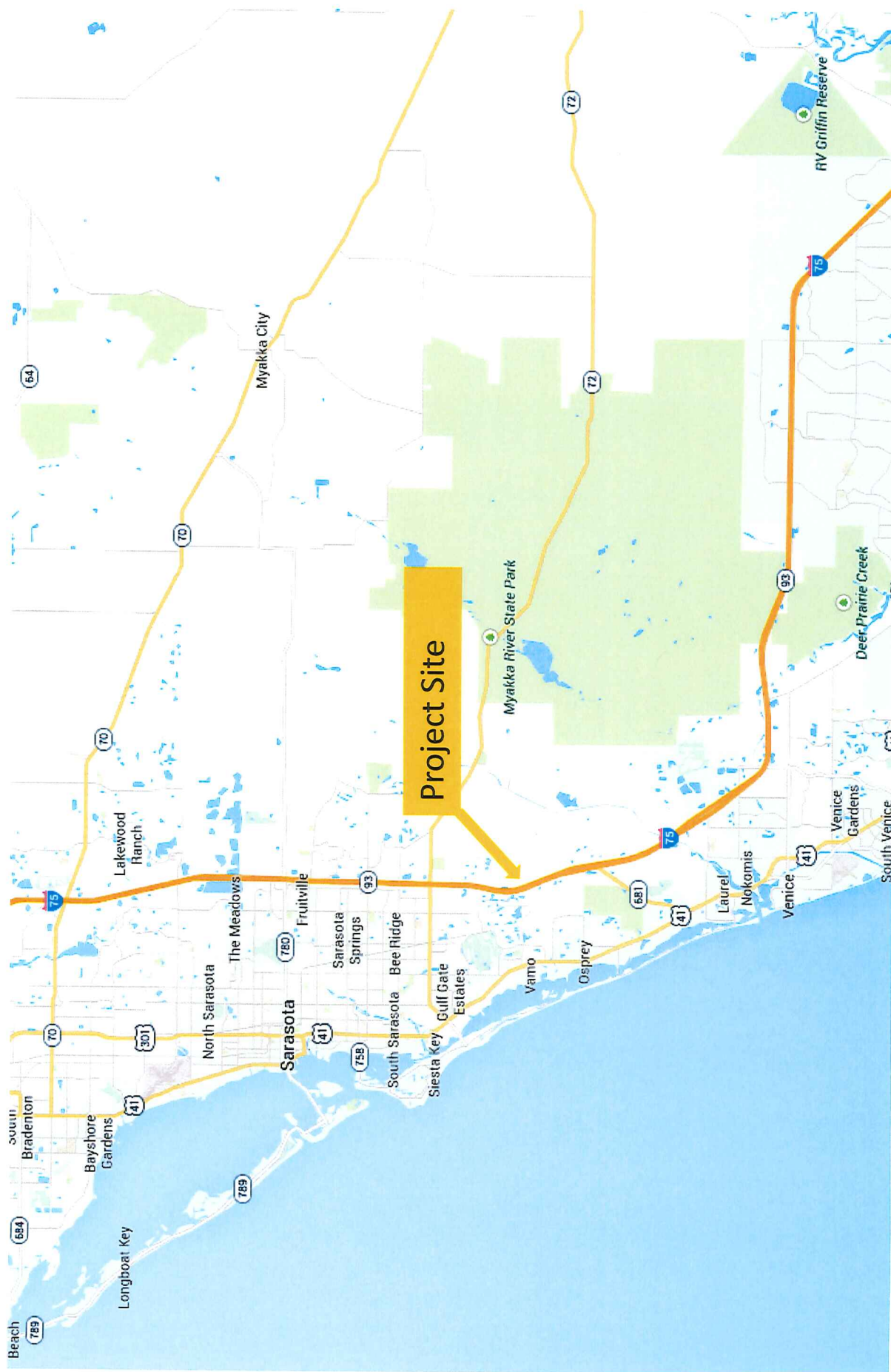
Request a copy of the adopted version of the amendment? X Yes No

Attachment III

Maps

**Sarasota County
DEO 15-2ESR**

**Growth Management Plan
Comprehensive Plan Amendments**



REGIONAL LOCATION MAP

Sarasota Comprehensive Plan Amendment CPA-2013, DEO 15-2 ESR



Sarasota Comprehensive Plan Amendment CPA-2013, DEO 15-2 ESR

Agenda Item

11m

11m

Town of Longboat Key
Comprehensive Plan
Amendment (DEO15-1ESR)

11m

LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS TOWN OF LONGBOAT KEY

The Council staff has reviewed proposed changes to the Town of Longboat Key Comprehensive Plan (DEO 15-1ESR). A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

<u>Proposed Amendment</u>	<u>Location</u>	<u>Factors of Regional Significance</u>		
		<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DEO 15-1ESR	no	no	no	(1) procedural (2) not regionally significant (3) consistent with SRPP

RECOMMENDED ACTION: Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Town of Longboat Key.

03/15

Attachment I

COMMUNITY PLANNING ACT

Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda
 Collier County, Everglades City, Marco Island, Naples
 Glades County, Moore Haven
 Hendry County, Clewiston, LaBelle
 Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel
 Sarasota County, Longboat Key, North Port, Sarasota, Venice

Attachment I

Comprehensive Plan Amendments

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

Regional Planning Council Review

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government.

After receipt of comments from the Regional Planning Council and other reviewing agencies, DEO has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.

**SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
LOCAL GOVERNMENT COMPREHENSIVE PLAN REVIEW
FORM 01**

LOCAL GOVERNMENT:

Town of Longboat Key

DATE AMENDMENT RECIEVED:

February 9, 2015

DATE AMENDMENT MAILED TO LOCAL GOVERNMENT AND STATE:

Pursuant to Section 163.3184, Florida Statutes, Council review of proposed amendments to local government Comprehensive Plans is limited to adverse effects on regional resources and facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any affected local government within the region. A written report containing the evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State land planning agency within 30 calendar days of receipt of the amendment.

March 9, 2015

1. AMENDMENT NAME:

Application Number: Town of Longboat Key, DEO 15-1 ESR (Ordinance 2015-02)

2. DESCRIPTION OF AMENDMENT(S):

The Town of Longboat Key is proposing to change their Comprehensive Plan by amending the Future Land Use Element (FLUE) to address the redevelopment issues related to nonconforming properties on Longboat Key. The acting Town of Longboat Key's Comprehensive Plan contains strict limitations on redevelopment of nonconforming properties in the event of voluntary or involuntary destruction. The changes proposed consolidate multiple policies into one policy and directs the standards for redevelopment of nonconforming properties to the Land Development Code (LDC).

The amendment sought would allow for reasonable economic redevelopment opportunities, including but not limited to, a possible increase in allowable density. The Town Commission directed this amendment as a result of a referendum in 2008 to determine if the nonconforming issues which are, properties having more dwelling or tourism units than currently allowed, but legal at the time of permitting, may be granted the right to rebuild to the original dwelling or tourism level of units in the event of a voluntary or involuntary destruction. The referendum was approved by a majority of registered voters of the Town. Revisions to the Comprehensive Plan and the LDC followed and included provisions for

reconstruction of nonconforming properties with the intent to allow those properties to redevelop at their existing densities. However it has been found that strict adherence to the Comprehensive Plan and the LDC render redevelopment to existing densities impossible, while trying to respond to market demands for higher ceilings, larger units or more outdoor space.

Recognizing the restrictive nature of the Town's regulations for redevelopment of nonconforming properties, The Town Commission and the Planning and Zoning Boards directed staff and consultants to resolve the issues and to provide flexibility. The result of an analysis by staff and consultants is to consolidate multiple policies into one and to direct the standards for redevelopment of nonconforming properties to the Land Development Code. To produce this the current amendment to the Comprehensive Plan Policies eliminates Policy 1.1.5(A), 1.1.5(B) and 1.1.6 of the Future Land Use Element and consolidates Policy 1.1.5 which states:

The Land Development Code will specify standards for redeveloping lawfully existing property that does not currently conform to the future land use density and building volume limits provided elsewhere in this Plan - and may establish standards to conform certain property with lawfully existing nonconforming density.

This amendment is the first revision to the Comprehensive Plan addressing nonconforming properties to be followed by additional proposed revisions to the Comprehensive Plan and to the LDC which will propose new tourism land use designations and provisions for legitimizing existing densities within the legal parameters of the 2008 referendum.

3. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN:

Council staff has reviewed the proposed changes and revisions to the Comprehensive Plan of the Town of Longboat Key and finds that the proposed amendments to the text in the Plan do not adversely affect any significant regional resources or facilities that are identified in the Strategic Regional Policy Plan. Additionally, staff's review found that the changes will assist the Town in economic stability and growth through development alternatives.

4. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

Request a copy of the adopted version of the amendment? X Yes No

Attachment III

Maps

Town of Longboat Key

DEO 15-1ESR

Comprehensive Plan Amendment



00.37575 1.5 2.25 Miles



www.swfpo.org



Agenda Item

12

12

Regional Issues

12

12

Agenda Item

12a

12a

Caloosahatchee Watershed

12a

12a

SWFRPC Resolution #2015-01

A RESOLUTION ACCEPTING AND ENDORSING THE “CALOOSAHATCHEE WATERSHED – REGIONAL WATER MANAGEMENT ISSUES” REPORT DATED DECEMBER 16, 2014, WHICH SETS FORTH SHORT TERM AND LONG TERM STRATEGIC PLANNING GOALS TO ADDRESS WATER STORAGE AND TREATMENT WITHIN THE KISSIMMEE, LAKE OKEECHOBEE AND CALOOSAHATCHEE WATERSHEDS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Lee County and the five municipalities within Lee County share common interests and concerns with respect to water quality within the Kissimmee, Lake Okeechobee and Caloosahatchee watersheds; and

WHEREAS, a document entitled “Caloosahatchee Watershed – Regional Water Management Issues” has been developed and prepared to concisely set forth a comprehensive strategy to address water storage and treatment within the Kissimmee, Lake Okeechobee and Caloosahatchee watersheds, as well as to identify land and infrastructure needed to convey excess water south into Everglades National Park and Florida Bay where it is needed; and

WHEREAS, it is essential for the governing bodies of Lee County and the five municipalities within Lee County to generally agree upon the comprehensive goals and strategies to address the Kissimmee, Lake Okeechobee and Caloosahatchee water resource issues;

NOW, THEREFORE, BE IT RESOLVED by the Southwest Florida Regional Planning Council, that:

SECTION 1. The Southwest Florida Regional Planning Council hereby accepts and endorses the “Caloosahatchee Watershed – Regional Water Management Issues” document dated December 16, 2014, a copy of which is attached hereto and incorporated herein as Attachment “A”, and which is intended to be revised and updated periodically to address current best practices and approaches with respect to water quality and water resource protection.

SECTION 2. The Southwest Florida Regional Planning Council encourages the governing bodies of Lee County, the City of Fort Myers, City of Cape Coral, Town of Fort Myers Beach, City of Bonita Springs and City of Sanibel to accept and endorse the “Caloosahatchee Watershed – Regional Water Management Issues” document attached hereto in order to provide general agreement on a collaborative and comprehensive approach to the Kissimmee, Lake Okeechobee and Caloosahatchee watershed resource issues that are of paramount importance to the residents and visitors to Lee County and Southwest Florida.

SECTION 3. Effective Date.

This Resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the Southwest Florida Planning Council, this **19th** day of **February**, 2015.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Robert Mulhere, Chair

ATTEST:

Margaret Wuerstle, Executive Director

--- Agenda --- Item

12b

12b

Regional Water Management
Issues Resolution Presentation –
Phil Flood

12b

Agenda Item

13

13

SWFRPC Committee Reports

13

13

Agenda Item

13a

13a

Budget & Finance Committee

13a

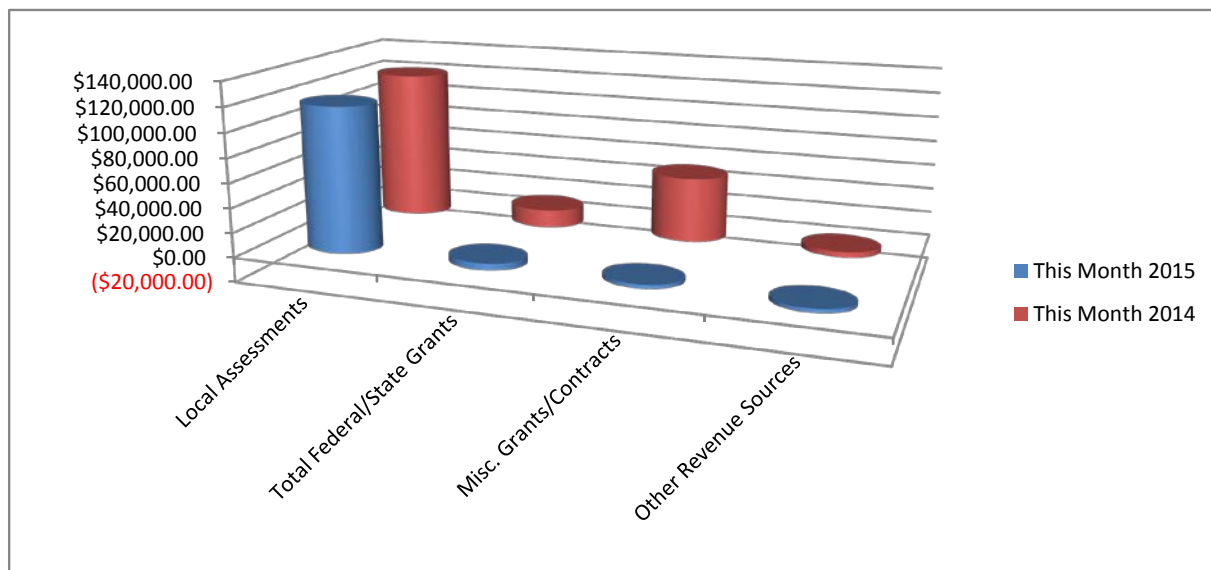
SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE THREE MONTHS ENDING JANUARY 31, 2015

	Current Month Actual	Year to Date Actual A	FY 2014-2015 Approved Budget B	% Of Budget Year to Date	Budget Remaining
REVENUES					
CHARLOTTE COUNTY	\$ 12,276	\$ 24,552	\$ 49,104.00	50.00%	\$ 24,552
COLLIER COUNTY	25,025	50,050	100,100	50.00%	50,050
GLADES COUNTY	949	1,899	3,797	50.01%	1,898
HENDY COUNTY	2,836	5,671	11,342	50.00%	5,671
LEE COUNTY	38,868	77,736	155,480	50.00%	77,744
SARASOTA COUNTY	28,897	57,794	115,588	50.00%	57,794
CITY OF FORT MYERS	5,013	10,044	20,124	49.91%	10,080
TOWN OF FORT MYERS BEACH INC	474	948	1,897	49.97%	949
BONITA SPRINGS	3,392	6,784	13,569	50.00%	6,785
CITY OF SANIBEL	485	970	1,940	50.00%	970
TOTAL LOCAL ASSESSMENTS	\$ 118,215	\$ 236,448	\$ 472,941	50.00%	\$ 236,493
FEDERAL / STATE GRANTS					
EPA FAMWQ	\$ 1,017	\$ 7,571	\$ 36,000	21.03%	\$ 28,429
EPA-CONSERVATION	4,427	18,796	95,944	19.59%	77,148
DEM TITLE -LEPC	-	9,199	40,909	22.49%	31,710
HMEP-PLANNING & TRAINING	-	-	58,370	0.00%	58,370
ECONOMIC DEVELOPMENT	-	14,564	63,000	23.12%	48,436
EDA Technical	-	14,736	-		(14,736)
MARC	-	160	45,000	0.36%	44,840
GLADES HENDRY TD		5,123	38,573	13.28%	33,450
TOTAL FEDERAL / STATE GRANTS	\$ 5,444	\$ 70,149	\$ 377,796	18.57%	\$ 307,647
CONTRACTUAL					
GLADES SQG	\$ -	\$ -	\$ 3,900	0.00%	\$ 3,900
VISIT FLORIDA - 3174	-	-	5,000	0.00%	5,000
NEFRC	-	8,256	7,000	117.94%	(1,256)
CITY OF BONITA SPRINGS	-	-	20,000	0.00%	20,000
CHNEP	-	-	50,000	0.00%	50,000
DRI MONITORING FEES	500	1,250	4,000	31.25%	2,750
DRIS/NOPCS INCOME	2,727	17,183	56,000	30.68%	38,817
TOTAL CONTRACTUAL	\$ 3,227	\$ 26,689	\$ 145,900	18.29%	\$ 119,211

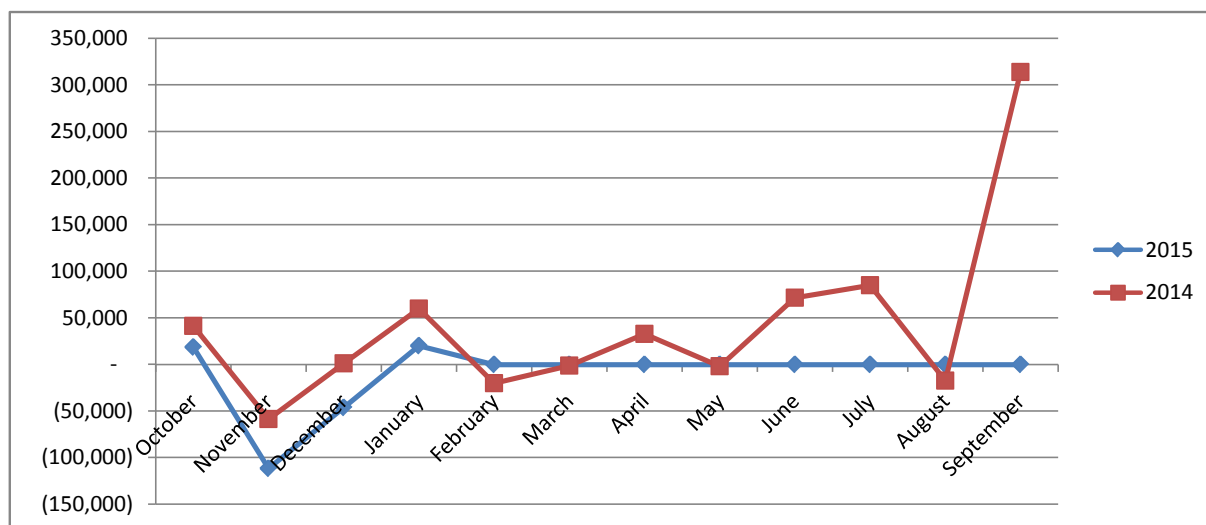
2014 - 2015 Workplan & Budget Financial Snapshot Jan-15

Revenues

Local Assessments
Total Federal/State Grants
Misc. Grants/Contracts
Other Revenue Sources



Notes: Local Assessments billed at the beginning of each quarter: October, January, April and July
Federal Grants (EPA) billed monthly: EPA: FAMWQ and Conservation Easement
State/Federal Grants billed quarterly: LEPC, HMEP, TD, and ED
Misc. Grants/Contracts billed quarterly: MARC Solar Ready
Misc. Grants/Contracts billed by deliverable: SQG, Interagency PO'S
Other(DRI) billed /recorded monthly as cost reimbursement



YTD: Net Income \$(113,318) Unaudited

SWFRPC

Detail of Reserve

As of January 31, 2015

Cash and Cash Equivalents:

Petty Cash	\$ 200
Bank of America Operating Funds	125,558

<i>Total Cash and Cash Equivalents</i>	\$ 125,758
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Investments:

Iberia Bank CD	\$ 317,726
Local government Surplus Trust Fund Investment Pool (Fund A)	184,351
Local government Surplus Trust Fund (Fund B)	-

<i>Total Investments</i>	\$ 502,077
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Total Reserves	\$ 627,835
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SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE THREE MONTHS ENDING JANUARY 31, 2015

	Current Month Actual	Year to Date Actual A	FY 2014-2015 Approved Budget B	% Of Budget Year to Date	Budget Remaining
OTHER REVENUE SOURCES					
IT EVENT	\$ -	\$ 6,108	\$ -		\$ (6,108.00)
ABM SPONSERSHIPS	-	-	2,500	0.00%	2,500
RENTAL SPACE-SENATOR	-	1,250	15,000	8.33%	13,750
INTEREST INCOME	-	75	1,500	4.98%	1,425
MISC. INCOME	1	18	3,500	0.51%	3,482
TBRPC-GRAPHICS	1,825	1,825	-	0.00%	1,825
CHNEP-MANATEE	(5,000)	(5,000)	-	0.00%	(5,000)
TOTAL OTHER REVENUE SOURCES	\$ (3,174)	\$ 4,276	\$ 22,500	13.83%	\$ 18,224
BUDGETED CARRY OVER FB	-	-	708,484		\$ 708,484
TOTAL REVENUES	\$ 123,712	\$ 337,562	\$ 1,727,621	19.54%	\$ 681,575

EXPENSES

PERSONNEL EXPENSES					
SALARIES EXPENSE	\$ 55,533	\$ 219,983	\$ 729,525	30.15%	\$ 509,542
FICA EXPENSE	4,147	16,238	55,809	29.10%	39,571
RETIREMENT EXPENSE	7,088	17,009	58,766	28.94%	41,757
HEALTH INSURANCE EXPENSE	8,097	42,327	128,579	32.92%	86,252
WORKERS COMP. EXPENSE	369	1,476	2,329	63.37%	853
UNEMPLOYMENT	(59)	(59)	-	0.00%	(59)
TOTAL PERSONNEL EXPENSES	\$ 75,175	\$ 296,974	\$ 975,008	30.46%	\$ 677,916
OPERATIONAL EXPENSES					
CONSULTANTS	\$ 1,300	\$ 17,058	\$ 14,500	117.64%	\$ (2,558)
GRANT/CONSULTING EXPENSE	-	1,093	54,396	2.01%	53,303
AUDIT SERVICES EXPENSE	13,000	13,000	40,000	32.50%	27,000
AUDIT EXPENSE -CHNEP	(6,500)	(6,500)	-	0.00%	(6,500)
TRAVEL EXPENSE	3,880	13,526	25,170	53.74%	11,644
TELEPHONE EXPENSE	514	1,707	5,100	33.47%	3,393
POSTAGE / SHIPPING EXPENSE	-	1,725	2,787	61.89%	1,062
EQUIPMENT RENTAL EXPENSE	478	2,840	7,015	40.48%	4,175
INSURANCE EXPENSE	587	18,624	22,500	82.77%	3,876

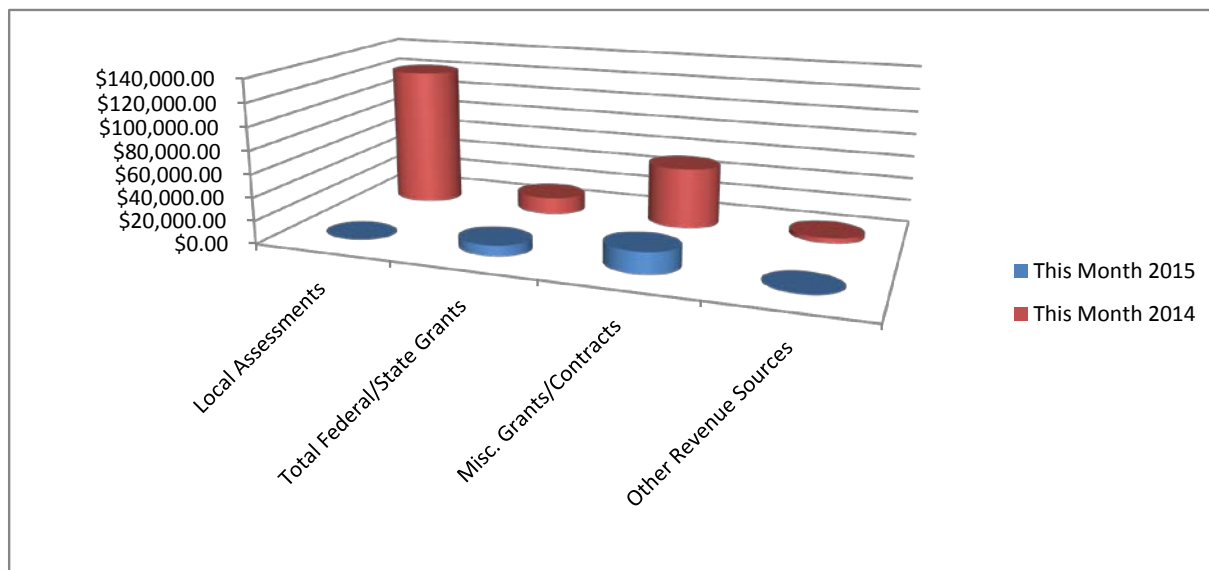
SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE THREE MONTHS ENDING JANUARY 31, 2015

	Current Month Actual	Year to Date Actual A	FY 2014-2015 Approved Budget B	% Of Budget Year to Date	Budget Remaining
REPAIR/MAINT. EXPENSE	1,559	4,153	15,000	27.69%	10,847
PRINTING/REPRODUCTION EXPENSE	171	934	2,190	42.65%	1,256
UTILITIES (ELEC, WATER, GAR)	513	6,243	23,200	26.91%	16,957
ADVERTISING/LEGAL NOTICES EXP	57	589	2,454	24.00%	1,865
OTHER MISC. EXPENSE	64	1,379	4,500	30.64%	3,121
BANK SERVICE CHARGES	-	765	2,700	28.33%	1,935
OFFICE SUPPLIES EXPENSE	-	2,256	5,175	43.59%	2,919
COMPUTER RELATED EXPENSE	364	12,186	27,070	45.02%	14,884
DUES AND MEMBERSHIP	725	9,842	29,700	33.14%	19,858
PUBLICATION EXPENSE	-	211	250	84.40%	39
PROF. DEVELOP.	1,025	2,755	10,256	26.86%	7,501
MEETINGS/EVENTS EXPENSE	14	6,936	3,453	200.87%	(3,483)
CAPITAL OUTLAY EXPENSE	-	-	7,500	0.00%	7,500
CAPITAL OUTLAY - BUILDING	-	-	35,150	0.00%	35,150
LONG TERM DEBT	10,646	42,584	128,000	33.27%	85,416
RESERVE FOR OPERATIONS EXPENSE	-	-	708,484	0.00%	708,484
ALLOCATION FRINGE/INDIRECT			(423,937)		(423,937)
TOTAL OPERATIONAL EXP.	\$ 28,397	\$ 153,906	\$ 752,613	20.45%	\$ 598,707
TOTAL CASH OUTLAY	\$ 103,572	\$ 450,880	\$ 1,727,621	26.10%	\$ 1,276,741
 NET INCOME (LOSS)	 \$ 20,140	 \$ (113,318)	 \$ -		

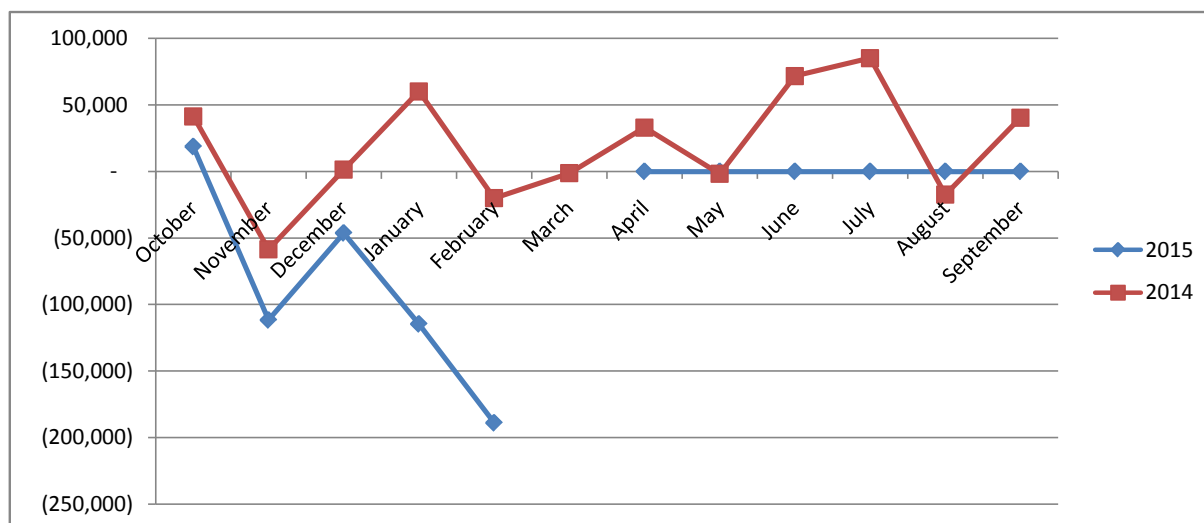
2014 - 2015 Workplan & Budget Financial Snapshot Feb-15

Revenues

Local Assessments
Total Federal/State Grants
Misc. Grants/Contracts
Other Revenue Sources



Notes: Local Assessments billed at the beginning of each quarter: October, January, April and July
Federal Grants (EPA) billed monthly: EPA: FAMWQ and Conservation Easement
State/Federal Grants billed quarterly: LEPC, HMEP, TD, and ED
Misc. Grants/Contracts billed quarterly: MARC Solar Ready
Misc. Grants/Contracts billed by deliverable: SQG, Interagency PO'S
Other(DRI) billed /recorded monthly as cost reimbursement



YTD: Net Income \$(188,836) Unaudited

SWFRPC
Balance Sheet
February 28, 2015

417 of 430

ASSETS

Current Assets		
Cash - Bank of America Oper.	\$	48,657.57
Cash - Iberia CDs		318,082.85
Cash - FL Local Gov't Pool		184,351.24
Petty Cash		200.00
Accounts Receivable		68,108.95
Employee Receivable		20.00
		<hr/>
Total Current Assets		619,420.61
Property and Equipment		
Property, Furniture & Equip		2,014,488.05
Accumulated Depreciation		(576,325.59)
		<hr/>
Total Property and Equipment		1,438,162.46
Other Assets		
Amount t.b.p. for L.T.L.-Leave		45,619.07
FSA Deposit		2,881.29
Amt t.b.p. for L.T.Debt-OPEP		61,797.00
Amount t.b.p. for L.T.Debt		923,804.65
		<hr/>
Total Other Assets		1,034,102.01
		<hr/>
Total Assets	\$	<u>3,091,685.08</u>

LIABILITIES AND CAPITAL

Current Liabilities		
Accounts Payable	\$	(0.01)
Deferred Income NEP Local		13,500.00
Deferred Income - FAMWQ		9,966.33
Deferred-Palmer Ranch XXII		12,276.60
Deferred Palmer XXIII-B		16,378.75
Deferred Palmer Park		2,500.00
Deferred Palmer Ranch DRI XX		2,500.00
FICA Taxes Payable		1,869.79
Federal W/H Tax Payable		1,692.60
United way Payable		256.00
Deferred Compensation Payable		275.00
FSA Payable		720.88
LEPC Contingency Fund		305.25
		<hr/>
Total Current Liabilities		62,241.19
Long-Term Liabilities		
Accrued Annual Leave		45,619.07
Long Term Debt - OPEB		61,797.00
Long Term Debt - Bank of Am.		923,804.65
		<hr/>
Total Long-Term Liabilities		1,031,220.72
		<hr/>
Total Liabilities		1,093,461.91

Unaudited - For Management Purposes Only

SWFRPC
Balance Sheet
February 28, 2015

418 of 430

Capital		
Fund Balance-Unassigned	234,897.08	
Fund Balance-Assigned	514,000.00	
FB-Non-Spendable/Fixed Assets	1,438,162.46	
Net Income	<u>(188,836.37)</u>	
Total Capital		<u>1,998,223.17</u>
Total Liabilities & Capital	\$	<u><u>3,091,685.08</u></u>

SWFRPC

Detail of Reserve

As of February 28, 2015

Cash and Cash Equivalents:

Petty Cash	\$ 200
Bank of America Operating Funds	46,658
<i>Total Cash and Cash Equivalents</i>	<u>\$ 46,858</u>

Investments:

Iberia Bank CD	\$ 318,083
Local government Surplus Trust Fund Investment Pool (Fund A)	184,351
Local government Surplus Trust Fund (Fund B)	-
<i>Total Investments</i>	<u>\$ 502,434</u>
Total Reserves	<u><u>\$ 549,292</u></u>

SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE THREE MONTHS ENDING FEBRUARY 28, 2015

	Current Month Actual	Year to Date Actual	FY 2014-2015 Approved Budget	% Of Budget Year to Date	Budget Remaining
REVENUES					
CHARLOTTE COUNTY		\$ 24,552	\$ 49,104.00	50.00%	\$ 24,552
COLLIER COUNTY		50,050	100,100	50.00%	50,050
GLADES COUNTY		1,899	3,797	50.01%	1,898
HENDY COUNTY		5,671	11,342	50.00%	5,671
LEE COUNTY		77,736	155,480	50.00%	77,744
SARASOTA COUNTY		57,794	115,588	50.00%	57,794
CITY OF FORT MYERS		10,025	20,124	49.82%	10,099
TOWN OF FORT MYERS BEACH INC		948	1,897	49.97%	949
BONITA SPRINGS		6,784	13,569	50.00%	6,785
CITY OF SANIBEL		970	1,940	50.00%	970
TOTAL LOCAL ASSESSMENTS	\$ -	\$ 236,429	\$ 472,941	49.99%	\$ 236,512
FEDERAL / STATE GRANTS					
EPA FAMWQ	\$ 1,295	\$ 8,867	\$ 36,000	24.63%	\$ 27,134
EPA-CONSERVATION	6,681	25,477	95,944	26.55%	70,467
DEM TITLE -LEPC	-	9,199	40,909	22.49%	31,710
HMEP-PLANNING & TRAINING	1,060	1,060	58,370	1.82%	57,310
ECONOMIC DEVELOPMENT	-	14,736	63,000	23.39%	48,264
EDA Technical	-	14,564	-		(14,564)
MARC	-	160	45,000	0.36%	44,840
GLADES HENDRY TD		5,123	38,573	13.28%	33,450
TOTAL FEDERAL / STATE GRANTS	\$ 9,037	\$ 79,186	\$ 377,796	20.96%	\$ 298,611
CONTRACTUAL					
GLADES SOG	\$ -	\$ -	\$ 3,900	0.00%	\$ 3,900
VISIT FLORIDA - 3174	-	-	5,000	0.00%	5,000
NEFRC	-	8,256	7,000	117.94%	(1,256)
CITY OF BONITA SPRINGS	-	-	20,000	0.00%	20,000
CHNEP	-	-	50,000	0.00%	50,000
DRI MONITORING FEES	750	2,000	4,000	50.00%	2,000

SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE THREE MONTHS ENDING FEBRUARY 28, 2015

	Current Month Actual	Year to Date Actual A	FY 2014-2015 Approved Budget B	% Of Budget Year to Date	Budget Remaining
DRIS/NOPCS INCOME	17,600	34,784	56,000	62.11%	21,216
TOTAL CONTRACTUAL	\$ 18,350	\$ 45,040	\$ 145,900	30.87%	\$ 100,860
OTHER REVENUE SOURCES					
IT EVENT	\$ -	\$ 6,108	\$ -		\$ (6,108.00)
ABM SPONSHERSHIPS	-	-	2,500	0.00%	2,500
RENTAL SPACE-SENATOR	-	1,250	15,000	8.33%	13,750
INTEREST INCOME	357	432	1,500	28.80%	1,068
MISC. INCOME		18	3,500	0.52%	3,482
TBRPC-GRAPHICS		1,825	-	0.00%	1,825
CHNEP-MANATEE		(5,000)	-	0.00%	(5,000)
TOTAL OTHER REVENUE SOURCES	\$ 357	\$ 4,633	\$ 22,500	37.65%	\$ 17,867
BUDGETED CARRY OVER FB	-	-	708,484		\$ 708,484
TOTAL REVENUES	\$ 27,744	\$ 365,287	\$ 1,727,621	21.14%	\$ 653,850

EXPENSES

PERSONNEL EXPENSES					
SALARIES EXPENSE	\$ 57,531	\$ 277,514	\$ 729,525	38.04%	\$ 452,011
FICA EXPENSE	4,298	20,536	55,809	36.80%	35,273
RETIREMENT EXPENSE	5,633	22,704	58,766	38.63%	36,062
HEALTH INSURANCE EXPENSE	8,496	50,823	128,579	39.53%	77,756
WORKERS COMP. EXPENSE	369	1,845	2,329	79.22%	484
UNEMPLOYMENT		(59)	-	0.00%	(59)
TOTAL PERSONNEL EXPENSES	\$ 76,326	\$ 373,362	\$ 975,008	38.29%	\$ 601,528
OPERATIONAL EXPENSES					
CONSULTANTS	\$ 2,560	\$ 19,618	\$ 14,500	135.29%	\$ (5,118)
GRANT/CONSULTING EXPENSE	6,629	7,722	54,396	14.20%	46,674
AUDIT SERVICES EXPENSE	-	13,000	40,000	32.50%	27,000

SWFRPC
INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE THREE MONTHS ENDING FEBRUARY 28, 2015

	Current Month Actual	Year to Date Actual A	FY 2014-2015 Approved Budget B	% Of Budget Year to Date	Budget Remaining
AUDIT EXPENSE -CHNEP	-	(6,500)	-	0.00%	(6,500)
TRAVEL EXPENSE	3,073	16,599	25,170	65.95%	8,571
TELEPHONE EXPENSE	491	2,198	5,100	43.09%	2,902
POSTAGE / SHIPPING EXPENSE	43	1,767	2,787	63.41%	1,020
EQUIPMENT RENTAL EXPENSE	457	3,297	7,015	47.00%	3,718
INSURANCE EXPENSE	587	19,211	22,500	85.38%	3,289
REPAIR/MAINT. EXPENSE	446	4,599	15,000	30.66%	10,401
PRINTING/REPRODUCTION EXPENSE	80	1,014	2,190	46.29%	1,176
UTILITIES (ELEC, WATER, GAR)	873	8,033	23,200	34.63%	15,167
ADVERTISING/LEGAL NOTICES EXP	168	757	2,454	30.86%	1,697
OTHER MISC. EXPENSE	-	1,379	4,500	30.64%	3,121
BANK SERVICE CHARGES	-	1,032	2,700	38.21%	1,668
OFFICE SUPPLIES EXPENSE	454	2,711	5,175	52.38%	2,464
COMPUTER RELATED EXPENSE	-	12,186	27,070	45.02%	14,884
DUES AND MEMBERSHIP	(10)	9,832	29,700	33.10%	19,868
PUBLICATION EXPENSE	-	211	250	84.40%	39
PROF. DEVELOP.	(70)	2,685	10,256	26.18%	7,571
MEETINGS/EVENTS EXPENSE	(751)	6,185	3,453	179.11%	(2,732)
CAPITAL OUTLAY EXPENSE	-	-	7,500	0.00%	7,500
CAPITAL OUTLAY - BUILDING	-	-	35,150	0.00%	35,150
LONG TERM DEBT	10,646	53,230	128,000	41.59%	74,770
RESERVE FOR OPERATIONS EXPENSE	-	-	708,484	0.00%	708,484
ALLOCATION FRINGE/INDIRECT			(423,937)		(423,937)
TOTAL OPERATIONAL EXP.	\$ 25,675	\$ 180,762	\$ 752,613	24.02%	\$ 571,851
TOTAL CASH OUTLAY	\$ 102,001	\$ 554,124	\$ 1,727,621	32.07%	\$ 1,173,497
NET INCOME (LOSS)	\$ (74,257)	\$ (188,837)	\$ -		

--- Agenda --- Item

13b

13b

Economic Development
Committee

13b

Agenda Item

13c

13c

Energy & Climate Committee

13c

13c

Agenda Item

13d

13d

Estero Bay Agency on Bay
Management Committee

13d

Agenda Item

13e

13e

Executive Committee

13e

13e

Agenda Item

12f

12f

Legislative Affairs Committee

12f

12f

Agenda Item

13g

13g

Quality of Life & Safety
Committee

13g

Agenda Item

13h

13h

Regional Transportation
Committee

13h

Agenda Item

14

14

New Business

14

14