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RE: Rivergrass Village SRA Application #PL20190000044

Dear Ms. Gundlach, Mr. Schmidt, Ms. Wilkie, Mr. Brown, and Mr. Sawyer:

On behalf of the Conservancy of Southwest Florida (Conservancy) and our over 7,000 supporting families, we are writing this letter to express our concerns regarding the proposed Rivergrass Village Stewardship Receiving Area (SRA). Plans for Rivergrass Village and many of the proposed deviations are inconsistent with the guiding principles of the RLSA Overlay1 and Final Order2 and are contrary to several provisions of the land development code (LDC). Furthermore, development plans for Rivergrass Village are antithetical to the design standards provided in Collier County’s Community Character Plan,3 which is the community’s vision for how Collier County should grow. We are concerned that if this project is approved without significant modifications, a precedent would be set, paving the way for approval of other projects in the RLSA that are not within the public interest and that would have unacceptable impacts to natural resources.

We respectfully ask that you consider these issues during your review and evaluation of Rivergrass Village SRA application. This letter provides our analysis regarding why the project should be denied and where the plan violates the provisions of the Overlay, the LDC, the Final Order, and the Community Character Plan. Also, because the Conservancy strives to always offer solutions for a more sustainable plan, we provide an alternative footprint that would bring the applicant into compliance with the RLSA Overlay goal and the Final Order, by directing development away from listed species and their habitat.

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1 Collier County Future Land Use Element Rural Lands Stewardship Area (RLSA) Overlay
   https://www.colliercountyfl.gov/home/showdocument?id=77306
   https://www.colliercountyfl.gov/home/showdocument?id=72825
Our main concerns of Rivergrass Village include the following and will be addressed in this order:

**ISSUE 1:** Rivergrass Village would jeopardize the survival of the endangered Florida panther.

**ISSUE 2:** The design of Rivergrass Village is contrary to the Overlay’s design requirements for a compact walkable village.

**ISSUE 1**

**RIVERGRASS VILLAGE WOULD JEOPARDIZE THE SURVIVAL OF THE ENDANGERED FLORIDA PANTHER**

**A. Incompatible Site Location**

Over 70% of the proposed site for Rivergrass Village is within Primary Zone 4 habitat of the endangered Florida panther (Figure 1). In addition, 34% of the village’s site would impact Adult Breeding Habitat 5 of the panther (Figure 2). Allowing over 700 acres of residential neighborhoods, roads, and a golf course and clubhouse to be built within habitat that is essential to the Florida panther is irresponsible, egregious, and would directly threaten the species’ recovery and survival. Furthermore, locating Rivergrass Village within habitat of the endangered Florida panther also conflicts with the underlying principles of the Rural Lands Stewardship Area Overlay (RLSA). Here is why:

Directing development away from important natural resources, including listed species habitat, has been a primary objective of the RLSA since the program’s inception. In fact, the impetus for the program was a 1999 Final Order, 6 in which the State of Florida mandated that Collier County do a better job of protecting natural resources. The Final Order included several provisions, one of which required the county to create a plan that would “direct incompatible uses away from wetlands and upland habitat in order to protect water quality and quantity and maintain the natural water regime as well as protect listed animal and plant species and their habitat.” 7 8 Three years later, in 2002, the RLSA Overlay and policies were adopted to meet the requirements of the Final Order. Language in the RLSA mirrored that of the Final Order by stating that one of the goals of the program is to “direct incompatible uses away from wetlands and upland habitat.” 8 Even Florida’s Rural Lands Stewardship Act, which was enacted around the same time of Collier County’s program, states that receiving areas should “avoid conflict with significant environmentally sensitive areas, resources, and habitats.” 9 Based on the language from those three documents, it is obvious that the intent of the RLSA program was to encourage development patterns in an environmentally sustainable manner by directing development and intensification to locations that do not conflict with protection of listed species and their habitat. However, plans for Rivergrass Village would do the opposite as the applicant chooses to directly impact over 700 acres of habitat for the endangered panther.

The following points substantiate the need to protect all Primary Zone habitat and Adult Breeding Habitat for the endangered Florida panther:

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6 Final Order AC-99-002 State of Florida Administrative Commission
8 Collier County Future Land Use Element RLSA Overlay Goal
B. **Importance of Protecting Primary Zone Panther Habitat (Figure 1)**

- Habitat of the Florida panther is extremely limited as the panther is restricted to less than 5% of its historic range\(^{10}\), all of which is located in south Florida. Primary Zone habitat is an essential part of the Florida panther’s range.
- Kautz et al. (2006)\(^{11}\) describes Primary Zone panther habitat as the minimum space needed to support a population that is barely viable as long the habitat base remains the same.
- The U.S. Fish and Wildlife Service (FWS) states the following in their Florida Panther Recovery Plan: “To prevent further loss of population viability, habitat conservation efforts should focus on maintaining the total available area, quality, and spatial extent of habitat within the Primary Zone.”\(^{12}\)
- During the five year review process of the RLSA, the Environmental Advisory Council (EAC) of Collier County stated in a report that “It is the obligation of the County to protect primary panther habitat and to direct development away from this area.”\(^{13}\) The EAC referenced Kautz et al. (2006) as best available science and that Primary Zone habitat should be protected.
- Because the Primary Zone habitat is so vital to the endangered Florida panthers’ survival and because the Overlay requires protection of listed species habitat, all Rivergrass Village lands within Primary Zone panther habitat should be retained in its current agricultural use and not be allowed to intensify to development.

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\(^{13}\) Collier County (2009, March 10). Comments of the Environmental Advisory Council (EAC) and RLSA Committee Responses. (Comments by the EAC related to their review of the January, 2009 report of the RLSA Advisory Committee and report entitled “Five Year Review of the Rural Lands Stewardship Program”), p. 2
C. **Importance of Protecting Adult Breeding Habitat within Rivergrass Village (Figure 2)**

- The Florida panther has one breeding population in southern Florida.\(^{14}\)
- About 93.8% of Adult Breeding Habitat is contained with Primary Zone.\(^{15}\)
- Frakes et al. (2015) recommends that *all* breeding habitat in south Florida is maintained.\(^{16}\)
- Over a third of lands within the proposed Rivergrass Village are within Adult Breeding Habitat of the Florida panther (Figure 2).
- Development in Rivergrass Village should be directed away from all Adult Breeding Habitat.

D. **The RLSA Program is Outdated**

Although the SRA boundary for Rivergrass Village is within the “Open” areas of the RLSA Overlay Map and not within the Habitat Stewardship Area (HSA) boundaries, this does not preclude the project from complying with the requirement of the Overlay and Final Order to direct development away from listed species habitat. In fact, the RLSA program is flawed because the program is woefully outdated since Collier County has not

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\(^{15}\) Ibid. p.15

\(^{16}\) Ibid. p. 15-16
updated the data and land cover maps with current best available science. Data collected in the year 2000 for WilsonMiller’s Stage 1 Report of the Immokalee Area Study\textsuperscript{17} (Report) was used to determine the Natural Resource Index Map, Listed Species Habitat Indices, and HSAs. It was the intent of the Overlay to be periodically updated with new data and to incorporate findings from recent studies. The Report states:

\begin{quote}
"The analysis involving panther habitat for the Study will be complemented by ongoing computer modeling of potential habitat and development of an updated panther recovery plan by interagency committees led by the U.S. Fish and Wildlife Service."
\end{quote}

However, the data and land cover that is the basis for the RLSA program is now nearly 20 years old. As previously stated, U.S. Fish and Wildlife Service \textit{did} determine in their panther recovery plan that conservation efforts should concentrate on protecting Primary Zone panther habitat.\textsuperscript{19} Yet the RLSA program ignores this fact. The Overlay must be updated so that future projects are reviewed using the current best available science for all listed species.

\section*{E. The Applicant Proposes to Receive Stewardship Credits for Impacting Areas of SSA17}

As part of the stormwater management system for Rivergrass Village, the applicant proposes to build water management ponds within the adjacent water retention area (WRA).\textsuperscript{20} Rivergrass’ Public Facilities Report states, “Areas of the WRA will be excavated to form parts of the internal buffer lake system. . . . The only fill areas within WRA’s will be berms associated with the surface management system.”\textsuperscript{21} This poses a problem because the WRA that is adjacent to Rivergrass is also a pending Stewardship Sending Area (SSA17), consisting of 2,716 acres of an ecologically important wetland system, called Shaggy Cypress, which provides habitat for 12 listed species, including the Florida panther.\textsuperscript{22}

The RLSA Overlay clearly defines the purpose of Stewardship Sending Areas as areas that are to be protected. Landowners are granted Stewardship Credits for protecting those areas. Policy 1.21 of the Overlay states: “The incentive based Stewardship Credit system relies on the projected demand for Credits as the primary basis for permanent protection of flowways, habitats and water retention areas.” It would logically follow that the applicant should not be allowed to earn Stewardship credits on the very lands within the SSA that are impacted by excavation and construction of the lake system.

LDC 4.08.06.4.b clearly states that if WRAs are modified to serve an SRA that the modifications shall not impact habitat of listed species (highlights added):

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

\textsuperscript{17} WilsonMiller (2000, December) The Immokalee Area Study I Report
\textsuperscript{18} WilsonMiller (2000, December) The Immokalee Area Study I Report, p. 14
\textsuperscript{19} U.S. Fish and Wildlife Service (2008) Florida Panther Recovery Plan: 3rd Revision, p.89
\textsuperscript{20} Email July 8, 2019 from Agnoli Barber & Brundage confirmed that excavation and fill will be placed in SSA17.
\textsuperscript{21} Rivergrass’ Public Facilities Report, p. 3 of 12, 6-5-2019
\textsuperscript{22} Passarella and Associates. Stewardship Sending Area 17 Application (January 2016).
In response to the design requirements provided in LDC 4.08.06.4.b, the applicant’s consultant states the following in the Public Facilities Report:

"Several alterations to the WRA adjacent to the Village were proposed and approved by SFWMD with the Conceptual Approval Permit. Stormwater management/buffer lakes and their associated containment berms have been permitted in select locations in the existing WRA's. These modifications were confined to areas of the WRA that exhibited heavy exotic infestation and had no habitat function. All of these alterations have mitigation identified in the permit which will be made upon implementation of the impact."23

Not only does the applicant fail to provide compensating mitigation for loss of panther habitat to SSA17 as the LDC requires, but the applicant incorrectly asserts that “confined areas of the WRA had no habitat function.” Figure 3 shows that all areas of SSA17, which is the WRA in question, are within Primary Zone panther habitat and the majority of SSA17 consists of Adult Breeding Habitat. Therefore, construction of the buffer lakes within SSA17 would directly impact those habitat areas. Not only should the applicant be prohibited from earning Stewardship Credits for impacting those areas, but no construction should occur at all within the important habitat areas of the endangered Florida panther.

Also, lands within SSA 17 (WRA) consist of high quality Cypress strands with a high natural resource value ranging between 1.7 and 2.6.24 It is unclear how hydroperiods within the Shaggy Cypress system would be affected if the applicant is allowed to discharge stormwater from surrounding lakes into the wetland system.

23 Rivergrass SRA Public Facilities Impact Assessment 6-5-19, p. 3 of 12. (The consultant cites LDC Policy 4.08.04.A.4.b, but that policy does not exist. The correct policy that refers to impacts to WRAs is 4.08.06.A.4.b.
F. SOLUTION: Rivergrass Alternative Footprint

Impacts to essential panther habitat are both avoidable and unnecessary. The applicant has other options – by shifting the site plan north of the proposed Rivergrass site to other acreage owned by the same landowner, impacts to Primary Zone and Adult Breeding panther habitat could be avoided. The Conservancy's Rivergrass Village Alternative Footprint Map (Figure 4) provides an alternative site location which would protect 739 acres of primary zone habitat and 357 acres of adult breeding habitat, and is within acreage owned by the applicant. Although the alternative site is slightly smaller, by about 100 acres, the applicant could still build the same number of homes or even more. As currently planned, the SRA would average only 2.5 dwelling units per acre, which could easily be increased to four units per acre per the program. If so, the applicant could increase the total dwelling units from 2,500 to 3,600 homes and sell approximately 1,100 more homes.
ISSUE 2

THE DESIGN OF RIVERGRASS VILLAGE IS CONTRARY TO THE OVERLAY’S DESIGN REQUIREMENTS FOR A COMPACT WALKABLE VILLAGE

One of the goals of the RLSA Overlay is to discourage urban sprawl. One of the primary methods in which the overlay achieves this objective is to require that all SRAs are designed to be compact, include mixed-use development, have an interconnected street system, and encourage pedestrian and bicycle circulation. Policy 1.2 of the RLSA Overlay states, “The Overlay protects natural resources and retains viable agriculture by promoting compact rural mixed-use development as an alternative to low-density single use development.”

Policy 4.7.2 states, "Villages shall be designed to encourage pedestrian and bicycle circulation by including an interconnected sidewalk and pathway system serving all residential neighborhoods." Even though these are essential requirements of the program, the design of Rivergrass Village contradicts even these basic design principles of the program.

Rivergrass Village also contradicts fundamental design requirements provided in Collier County’s Community Character Plan. The main objective of the county’s community character plan is to stop the spread of low-density, gated PUDs, and cul-de-sac subdivisions which are ubiquitous and begin to build traditional neighborhood development consisting of walkable tree-lined streets, similar to what is found in downtown Naples. The authors of Collier County’s Community Character Plan state:

"The most successful neighborhoods generally exhibit design conventions that are absent in conventional sprawl. These include: a legible center and edge to the neighborhood, an integrated network of walkable streets, an overall size to the neighborhood suitable for walking, buildings set close enough to the streets to spatially define the streets as public spaces, and opportunities for shopping and workplaces close to home."26

Nonetheless, the design of Rivergrass Village lacks most of these design conventions that would counter sprawl. The following sections describe in greater detail how the design of the project contradicts both the RLSA program and the Community Character Plan.

A. The design of Rivergrass Village is dangerous for pedestrians and bicyclists

The Master Plan for Rivergrass Village shows that the village would be bisected by Oil Well Road with the Village Center located along the south side of Oil Well Road (shown in yellow in Figure 7). Oil Well Road is one of a few roads that are designated a “freight distribution route” by the Metropolitan Planning Organization.27 Currently 800 trucks a day travel through Oil Well Road carrying petroleum, coal, mining materials, agricultural products, and Arthrex medical products.28 Examples of other freight distribution routes include segments of SR29, US41, Collier Blvd (SR951 & CR951), Immokalee Road, Golden Gate Blvd, Pine Ridge Road, and Old 41.

The segment of Oil Well Road that would divide Rivergrass Village is located between Everglades Boulevard and Oil Well Grade Road. Currently that facility consists of two lanes and allows traffic to travel at 55-mph.29 However, Collier County has definite plans to widen that section of Oil Well Road from two to six lanes.30 That means pedestrians and bicyclists who reside north of Oil Well Road must cross the six lane freight road to get to the Village Center. Not only is it completely irresponsible to plan a village around a 6-lane freight distribution route as it poses extreme danger to pedestrians and bicyclists, but the design is completely contrary to several RLSA policies which require that SRAs are designed to facilitate safe travel for pedestrians and bicyclists. The following provides a list of policies within the LDC and Future Land Use Element (FLUE) that state SRAs must accommodate pedestrian and bicycle travel throughout the community:

(1) Village Design Criteria. General Criteria. "Villages shall be designed in a compact, pedestrian-friendly form." (LDC 4.08.07.J.3.a.ii);

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26 Dover, Kohl & Partners for Collier County (2001, April) "Toward Better Places, The Community Character Plan for Collier County, Florida" p 2.6
https://www.colliercountyfl.gov/home/showdocument?id=72825

27 Collier County MPO Technical Memorandum: Freight Congestion Considerations for the Collier 2040 Long Range Transportation Plan

28 Ibid. p. 13 of 20

29 Traffic Impact Statement for Rivergrass Village Stewardship Receiving Area, p 20. “The Oil Well Road from Desoto Boulevard to Oil Well Grade Road is currently a 2-lane undivided facility with a 55mph posted speed in the vicinity of proposed project.”

30 Ibid., p. 13 of 19; and Department of the Army- Jacksonville District Corp of Engineers Permit Application No. SAJ-2006-7018 (SP-GEC) (2019, July 2). Applicant: Collier County Board of Commissioners.
(2) Forms of SRA Developments. “Villages are comprised of residential neighborhoods and shall include a mixed-use village center to serve as the focal point for the community’s support services and facilities. Villages shall be designed to encourage pedestrian and bicycle circulation by including an interconnected sidewalk and pathway system serving all residential neighborhoods.” (LDC 4.08.07.C.2);

(3) Transportation Network. “The transportation network shall provide for a high level of mobility for all residents through a design that respects the pedestrian and accommodates the automobile.” (LDC4.08.07.J.3.b.1);

(4) “Villages shall be designed to encourage pedestrian and bicycle circulation by including an interconnected sidewalk and pathway system serving all residential neighborhoods.” (RLSA Policy 4.7.2);

(5) “To plan for, develop and operate a safe, efficient, and cost effective transportation system that provides for both the motorized and non-motorized movement of people and goods throughout Collier County.” (Goal of Transportation Element);

(6) “Encourage safe and efficient mobility for the rural public that remains consistent with the character of the rural areas of Collier County.” (Objective 10 Transportation Element); and

(7) “Develop and adopt standards for safe and efficient ingress and egress to adjoining properties and encourage safe and convenient on-site traffic circulation through the development process.” (Objective 7 of Transportation Element).

To make matters worse, traffic volumes are expected to rise dramatically along Oil Well Road. The segment of Oil Well Road that is accessed directly by the project is located just east of Everglades Blvd, between DeSoto Blvd and Oil Well Grade Road. Currently, the peak direction/peak hour volume of traffic on Oil Well Road between DeSoto Blvd and Oil Well Grade Rd is 350 cars.32 According to the applicant’s consultant, by 2030 that number will increase to 1,089 vehicles peak direction/peak hour volume (in the westbound direction).33 This equates to an average of 18 cars per minute that will be passing by the Village Center just in the westbound direction during the peak hour of the day, making it even more difficult for residents who live north of Oil Well Road to get to the Village Center to buy groceries, do errands or get to work. As bad as those numbers sound, Collier County Transportation Reviewer stated in their review of Rivergrass that “the impact of the project’s traffic on Oil Well Road is being underestimated/under-represented in the TIS [traffic impact statement].”34 Staff further states that it appears that the portion of Oil Well Road between Desoto Blvd and the project entrance, “will operate at an unacceptable level of service in 2030 due to the project.”35

31 LDC 4.08.07.J.3.b states that the transportation network for a Village shall adhere to the same standards provided for within a Town).
33 Traffic Impact Statement for Rivergrass Village Stewardship Receiving Area, p 18. Table 6A Roadway Link Level of Service (LOS) – With Project in the Year 2030.
34 Review Comments from Staff, July 8, 2019, RE: Stewardship Receiving Area Determination of Completeness, p. 11 of 20.
35 Ibid. p. 11 of 20
Collier County staff seems to agree that the design poses safety risks to pedestrians. The transportation reviewer for the county stated (highlights added):

"The single interconnection proposed for the Village Center to the residential areas is not acceptable. Using Oil Well as an internal access road between your only commercial area and most of your residential areas/units is not acceptable. Better interconnection must be provided, or your internal capture needs to be greatly reduced. "This is also a safety concern due to high potential short trip use conflicts on a major arterial-freight roadway. This item is not sufficient."\(^{36}\)

Even though the applicant added one more connection to the future Big Cypress Parkway, there is still no safe connection for pedestrians and bicyclists coming from neighborhoods in upper half of the project. They must still cross a dangerous street to get to the Village Center.

\(^{36}\)Submittal 2- Response Letter dated June 5, 2019. P. 12
B. The design lacks rural to urban continuum

A fundamental design requirement for both villages and towns within the RLSA is that development must be designed in a progressive rural to urban continuum where there is a gradient of densities. According to the RLSA the densities must be highest in the core and centers and gradually reduce to the lowest densities within the neighborhood edge. Dover Kohl, planners for the Community Character Plan calls this a “transect” (Figure 6).

![Gradient of densities (Transect). Source: Dover Kohl’s Toward Better Places: The Community Character Plan for Collier County Florida](image)

The following policies from the RLSA Overlay and the LDC require this type of design:

“The perimeter of each SRA shall be designed to provide a transition from higher density and intensity uses within the SRA to lower density and intensity uses on adjoining property. The edges of SRAs shall be well defined and designed to be compatible with the character of adjoining property. Techniques such as, but not limited to setbacks, landscape buffers, and recreation/open space placement may be used for this purpose. Where existing agricultural activity adjoins a SRA, the design of the SRA must take this activity into account to allow for the continuation of the agricultural activity and to minimize any conflict between agriculture and SRA uses.” (RLSA Policy 4.11); and

Village Design Criteria. General Criteria: “[Villages] Be developed in a progressive rural to urban continuum with the greatest density, intensity and diversity occurring within the village center, to the least density, intensity and diversity occurring within the Neighborhood Edge” (LDC 4.08.07.J.3.a.v)

Even though the policies clearly state there must be a continuum of densities, the Master Concept Plan for Rivergrass Village provides no continuum of densities and no information regarding location of housing types. The plan only provides information that there will be two context zones (Neighborhood General and Mixed-Use Village Center)37 and that the Neighborhood General south of Oil Well Road would be surrounded by an 18-hole golf course.38

Conservancy staff attended the June 6, 2019 Neighborhood Information Meeting (NIM) for Rivergrass Village. At the meeting the Conservancy staff asked the consultants for Rivergrass Village if their plan would include higher densities toward the town center and a variety of housing types that are walkable to the town center. The

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37 Rivergrass Village SRA Development Document (Submittal 2), p. 3
consultant for the applicant stated that they had not decided what types of housing and densities will be located and in which location. This is very concerning, because as previously stated a rural to urban continuum is a fundamental requirement of both RLSA policies and the Community Character Plan.

Rather than abiding by this fundamental design requirement for a continuum of densities within SRAs, the applicant requests a deviation from LDC 4.08.07.J.3.a.v (Deviation 7.1.1). The applicant’s justification for the deviation is stated as follows:

“The Village Center is located in the middle of the development along Oil Well Road. Locating the Village Center at the intersection of Oil Well Road is the only location that makes sense to ensure a viable market condition for these uses. Easy access for nearby residents from the surrounding neighborhood and for pass-by traffic on Oil Well Road is critical.”

The applicant’s justification makes no sense. First of all, they provide no justification for failing to provide a continuum of densities within the SRA. Second, the applicant’s argument that the village must be located on Oil Well Road to ensure marketability is not justified because Policy 4.2 states the following (highlights added):

“The Overlay requires SRAs to be compact, mixed-use and self-sufficient in the provision of services, facilities and infrastructure, traditional locational standards normally applied to determine development suitability are not relevant or applicable to SRAs.”

Therefore, the “need” to place the Village Center along a six-lane road due to marketability is not a valid excuse. As Policy 4.2 states “traditional locational standards” do not apply for SRAs.

Furthermore, the applicant’s request for this deviation does not conform to the Overlay’s “Request for Deviations Policy” (LDC 4.08.07.J.8), which states that requests for deviations must adhere to the following:

a. “The deviations are consistent with the RLSA Overlay; and

b. It can be demonstrated that the proposed deviation(s) further enhance the tools, techniques and strategies based on principles of innovative planning and development strategies, as set forth in §§ 163.3177 (11), F.S.” (now 163.3248)

The applicant’s request for the deviation is not consistent with the RLSA Overlay, as the policy requires, for the many reasons provided in the preceding sections. Also, the deviation fails to comply with the following section of Florida Statute §§ 163.3248, as the LDC requires: (highlights added):

“(5)(a) Criteria for the designation of receiving areas which shall, at a minimum, provide for the following: adequacy of suitable land to accommodate development so as to avoid conflict with significant environmentally sensitive areas, resources, and habitats; compatibility between and transition from higher density uses to lower intensity rural uses; and the establishment of receiving area service boundaries that provide for a transition from receiving areas and other land uses within the rural land stewardship area through limitations on the extension of services.”

Another example of how Deviation 7.1.1 fails to comply with Florida Statute §§ 163.3248 is provided in provision (5)(d) that states:

“The plan amendment or amendments designating a rural land stewardship area are subject to review pursuant to s. 163.3184 and shall provide for the following: (5)(d) A mix of densities and intensities that would not be characterized as urban sprawl through the use of innovative strategies and creative land use techniques.”

39 Rivergrass Village SRA Deviations and Justifications Submittal 2
40 Florida Statute §§ 163.3248
Finally, the plan exhibits several primary indicators of the proliferation of sprawl as listed in Florida Statute §§163.3177 including the following:

1. "Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses";  
2. "Fails to provide a clear separation between rural and urban uses"; and  
3. "Results in poor accessibility among linked or related land uses." \(^{41}\)

Therefore, it is unquestionable that Deviation 7.1.1 must be denied.

C. Rivergrass Village Mobility Plan fails to achieve compliance with RLSA policies

The RLSA program requires that all SRAs include an interconnected street system consisting of short walkable blocks, ample sidewalks and pathways, and limited cul-de-sacs. The program’s requirement for a well-connected street system is important for several reasons. First, as Dover Kohl argues, a well-connected street system “spreads traffic over an immense mileage of streets.” \(^{42}\) Therefore, there are multiple traffic routes to daily destinations such as to work, shopping, restaurants, and schools. This alleviates traffic congestion that seems to be worsening in Collier County. Second, “a well-connected network of local streets is one of the most effective measures that can be taken to accommodate travel by walking, bicycling, and transit.” \(^{43}\)

Below are some of the numerous policies within the RLSA Overlay, LDC and FLUE that illustrate this requirement for a highly interconnected street system, which includes sidewalks and paths (highlights added):

(1) "Villages are primarily residential communities with a diversity of housing types and mix of uses appropriate to the scale and character of the particular village. Villages shall be not less than 100 acres or more than 1,000 acres. Villages are comprised of residential neighborhoods and shall include a mixed-use village center to serve as the focal point for the community’s support services and facilities. Villages shall be designed to encourage pedestrian and bicycle circulation by including an interconnected sidewalk and pathway system serving all residential neighborhoods. Villages shall have parks or public green spaces within neighborhoods. Villages shall include neighborhood scaled retail and office uses, in a ratio as provided in Policy 4.15. Villages are an appropriate location for a full range of schools. To the extent possible, schools and parks shall be located adjacent to each other to allow for the sharing of recreational facilities. Design criteria for Villages shall be included in the LDC Stewardship District." (RLSA Policy 4.7.2)


(3) Village Design Criteria. General Criteria. “Create an interconnected street system designed to disperse and reduce the length of automobile trips.” (LDC 4.08.07.J.3.a.iii)

(4) Transportation Network. “The transportation network shall be designed in an interconnected system of streets, sidewalks, and pathways.” (LDC 4.08.07.J.3.b)

(5) Village Characteristics Table B. Transportation. Required Uses. “Auto - interconnected system of collector and local roads; required connection to collector or arterial.” And “Interconnected sidewalk and pathway system.” (LDC 4.08.07J.1.a)

\(^{41}\) Florida Statute §§ 163.3177


\(^{43}\) Ibid.
(6) The County shall encourage developers and property owners to connect their properties to fronting collector and arterial roads, except where no such connection can be made without violating intersection spacing requirements of the Land Development Code.” (Smart Growth Policy 7.1)

(7) “All new and existing developments shall be encouraged to connect their local streets and/or interconnection points with adjoining neighborhoods or other developments regardless of land use type. The interconnection of local streets between developments is also addressed in Policy 9.3 of the Transportation Element.” (Smart Growth Policy 7.3)

(8) “The County shall encourage new developments to provide walkable communities with a blend of densities, common open spaces, civic facilities and a range of housing prices and types.” (Smart Growth Policy 7.4)

(9) “The County shall require, wherever feasible, the interconnection of local streets between developments to facilitate convenient movement throughout the road network. The LDC shall identify the circumstances and conditions that would require the interconnection of neighboring developments, and shall also develop standards and criteria for the safe interconnection of such local streets.” (Transportation Element Policy 9.3)

When comparing Rivergrass’ Mobility Plan to a street network in downtown Naples, it becomes abundantly clear that Rivergrass does not meet the standards of the RLSA program. **Figure 8** shows an aerial photo of a well-connected street network in downtown Naples that offers a variety of traffic routes.

**Figure 8:** Naples, Florida. Example well-connect street network

However, when we look at plans for Rivergrass Village we see a very different street pattern consisting of fifteen dead-end cul-de-sacs and only one connection to the Village Center from all of the “Neighborhood General” areas (**Figure 9**). Furthermore, the project spans two and half miles, yet offers only one potential connection between neighborhoods north and south of Oil Well Road.
Figure 9: Rivergrass Village Mobility Plan

Bicycle and pedestrian circulation throughout the development would be difficult for a few reasons. First, the bicycle paths and sidewalks are not well connected in many places as there are multiple dead-end cul-de-sacs. Second, as mentioned previously, the development would be severed by Oil Well Road, making pedestrian and bicycle travel between the two halves difficult and dangerous.

County staff seems to agree that Rivergrass does not offer enough connections. In their response letter dated March 8, 2019, they state:

"The single interconnection proposed for the Village Center to the residential areas is not acceptable. Using Oil Well as an internal access road between your only commercial area and most of your residential areas/units is not acceptable. Better interconnection must be provided or your internal capture needs to be reduced."  

And from the Review Comment Letter dated July 8, 2019:

"Please show additional interconnections with your proposed Village Center and your residential developments. A single access internal is not adequate, as noted above."

And another comment from staff supports our point that Rivergrass’ mobility plan is inadequate:

"Reference, Exhibit A, Mobility Plan. SRA's are required as part of the transportation network...'...shall provide a high level of mobility for all residents through a design that respects the pedestrian and accommodates the automobile...shall be designed in an...

\[^44\] Collier County Review comment letter re: Stewardship Receiving Area Determination of Completeness Rivergrass Village SRA (March 8, 2019).
\[^45\] Collier County Review comment letter re: Stewardship Receiving Area Determination of Completeness Rivergrass Village SRA (July 8, 2019).
interconnection system of streets, sidewalks, and pathways.' It is not clear how a standardized series of roads, sidewalks, and the single proposed CAT bus stop meets this "high level of mobility." Again, perhaps staff simply does not understand the intent or higher level of interconnection proposed...however, Oil Well Road does present a challenge as noted above regarding access to the Village Center. Also, demonstrate how the proposed layout currently is consistent with Community Character Mobility recommendations, including but not limited to connected neighborhoods and roadway networks. See additional comments regarding walkability, interconnections, and walkability."46

This final comment from staff's review letter also supports our point that the project lacks a connected street network:

"There appear to be 3 potential interconnections, all located along the eastern edge of the development, and none appear to actually connect with your proposed internal road system. Additionally, there are no provisions to provide additional interconnection opportunities along any of the other three sides of the development. There are abundant undeveloped parcels surrounding this development. The SRA provisions of the LDC require that this development address effects of new roadway facilities planned as part of the SRA Master Plan on the surrounding transportation system."47

In fact, the applicant has requested a deviation from LDC 6.06.01.J to allow cul-de-sacs to exceed the 1,000 feet maximum to extend up to 1,200 feet in length (Deviation 7.3.1). This deviation should be denied not only to deter the use of cul-de-sacs as they impede the flow of traffic and connectivity, but because the 1,000 foot length is already too long to promote walkability. Florida Department of Transportation (FDOT) recommends that block lengths should not exceed 600 feet in order to be considered easy walking environments.48

For the many reasons stated above, Rivergrass' mobility plan is blatantly inconsistent with RLSA policies and the Community Character Plan, thus the application should be denied.

D. The Plan Needlessly Converts Agricultural Lands to Golf Courses

In addition to protection of listed species and their habitat, the RLSA Overlay goal also aims to prevent the "premature conversion of agricultural land to non-agricultural uses" because agricultural lands are being converted to development in Florida and Collier County at alarming rates. The RLSA White Paper states that farmland in Collier County has decreased 46% in just 10 years from 2002 to 2012.49 Loss of farmland is not just a local issue. The Florida 2070 Report shows that if development trends in Florida continue on the same path of low-density sprawl development, Florida will lose 5.37 million acres of natural and working lands by 2070.50 That is an average loss of 10 acres of natural and working lands lost to development an hour.51

Although the RLSA program allows golf courses, the county should rethink its position on this. Agriculture is integral to Collier County's economy. Agriculture provides a $4 billion economic impact per year to Collier

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46 Collier County Review comment letter re: Stewardship Receiving Area Determination of Completeness Rivergrass Village SRA (July 8, 2019).
47 Ibid. p. 4
51 Ibid. 2070 trend of development minus 2010 baseline year shows increase of 5.37 million acres developed. 5.37M / 60 years / 365 / 24 = 10.2 acres per hour. p. 6 of 18.)
County.\textsuperscript{52} In addition to contributing to the local economy, farmlands are important for providing long term food security for the region, employment, water recharge, flood risk reduction, and habitat connections. Once farmlands are converted to homes, business, and roads they are gone forever.

Unfortunately, the applicant for Rivergrass Village does not consider the importance of farm lands as they propose to needlessly convert approximately 150 acres of agricultural lands to golf course acreage.\textsuperscript{53} Not only is this a waste of agricultural lands but it is a waste of essential habitat for the Florida panther. With over 75 golf courses in Collier County\textsuperscript{54} and Ave Maria’s public golf course only a little over two miles away, there is no need for another golf course at Rivergrass Village. Not only is there a sufficient supply of golf courses in the county, but data suggests golf memberships are declining.\textsuperscript{55}

To make matters worse, even though the development would convert over 150 acres of agricultural lands and listed species habitat to golf courses, the applicant is not required to apply Stewardship Credits toward the golf course acreage. That is because Policy 4.10 of the Overlay states that any open space within an SRA which exceeds 35% “shall not be required to consume credits.”\textsuperscript{56} The golf course for Rivergrass Village is acreage above and beyond the 35% requirement.\textsuperscript{57} This is an unfortunate policy because the applicant is not required to apply Stewardship credits toward the golf course acreage even though conversion to the golf course will destroy Primary Zone habitat and Adult Breeding Habitat of the endangered Florida panther and the lands will be taken out of agricultural production.

Conclusion

The Conservancy of Southwest Florida urges you to recommend denial of the SRA Application for Rivergrass Village as the project contradicts the fundamental goals of the RLSA Overlay to protect listed species habitat and to prevent sprawl. The proposed location of the development within 700 acres of essential habitat for the endangered Florida panther flies in the face of responsible environmental and rural land stewardship. Moreover, the design of the project—bisected by a 6 lane arterial-freight roadway—not only poses grave dangers to pedestrians and bicyclists, but defies smart growth design principles which are a fundamental element of the overlay. If approved, the project will set a precedent that low-density sprawling golf course communities located within listed species habitat are business-as-usual in the RLSA.

We urge you to require the applicant go back to the drawing board to drastically modify the development footprint and the design of the project in order to uphold the principles of the Overlay. If you have any questions or if you would like to discuss these matters further, you may reach me at (239) 262-0304, Ext 250 or AprilO@Conservancy.org.

Sincerely,

April Olson
Senior Environmental Planning Specialist

\textsuperscript{52} Collier County (2019, May 21). Rural Lands Stewardship Area Overlay Restudy White Paper. Prepared by the Growth Management Department, Community Planning Staff. (Quote from 2015 UF/IFAS study by Alan W. Hodges) p. 37 of 89.
\textsuperscript{53} Rivergrass SRA Submittal Plans Exhibit (A) Master Plan – Submittal 2 - May, 2019. (Total Golf Course Acreage within Rivergrass = 156.66)
\textsuperscript{56} Collier County Future Land Use Element (FLUE) as of Ordinance No. 2017-48.
\textsuperscript{57} Rivergrass Village SRA Development Document (Submittal 2), p. 3 provides open space calculations.