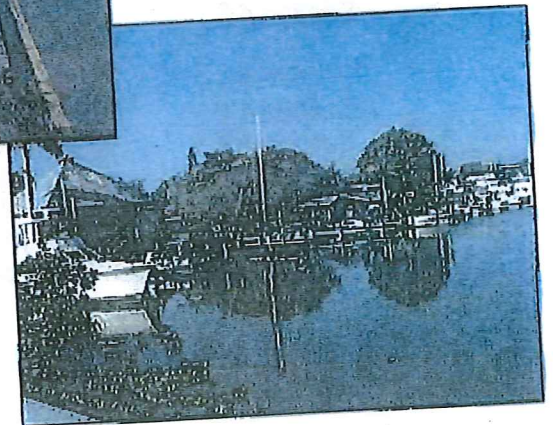
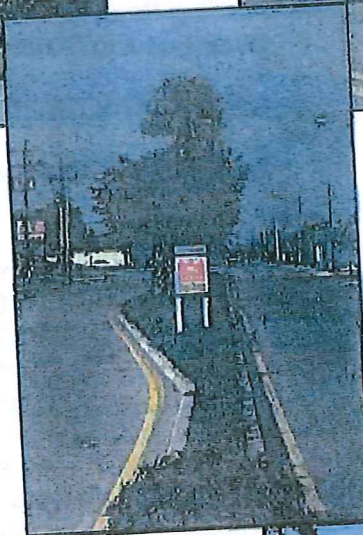


COLLIER COUNTY COMMUNITY REDEVELOPMENT PLAN



IMMOKALEE
BAYSHORE/GATEWAY TRIANGLE
SPRING 2000

COLLIER COUNTY COMMUNITY REDEVELOPMENT PLAN

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Section 1 PLAN OVERVIEW

Section 1.1 Introduction

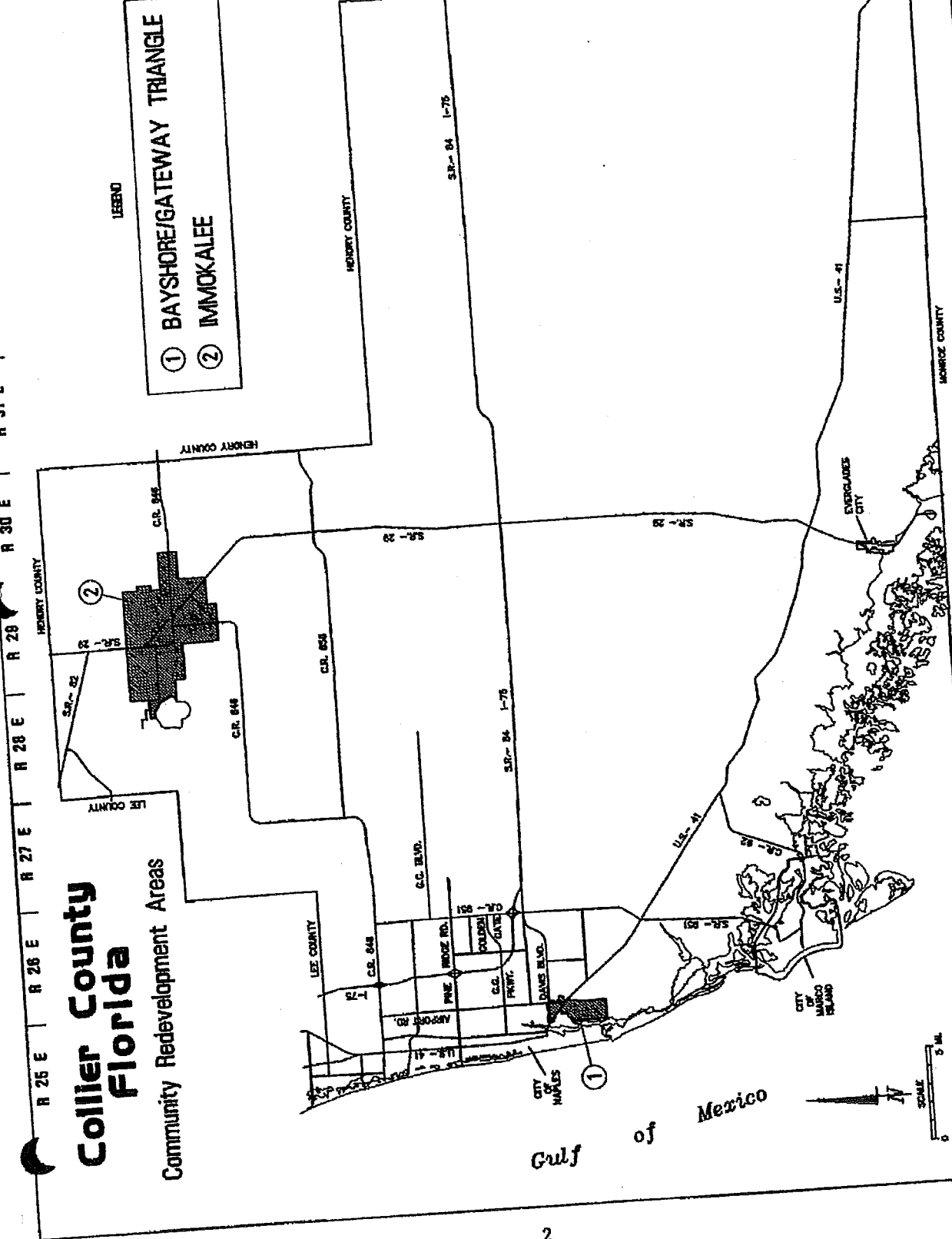
The Collier County Redevelopment Plan (CRA Plan) is a guide for the physical and economic revitalization and enhancement of the designated redevelopment areas. This plan, with its specific components, has been formulated in close cooperation with the members of each community and is based on the objectives identified by community members in a series of public workshops.

The Collier County Community Redevelopment Agency consists of two areas designated by the Collier County Board of County commissioners as redevelopment areas under the authority of Florida Statutes, Chapter 163, Part III, Community Redevelopment Act. The two areas depicted on Figure 1, were identified by the presence of one or more conditions of blight as defined in the statutes. These findings is contained in Section 1.2 and further specified in the component section for each area.

The redevelopment program in Collier County provides the authority granted by the statutes, the means to achieve growth management objectives, by redirecting growth to areas where urban services currently are provided or are needed but currently inadequate, encourages revitalization of once viable neighborhoods and business districts and encourages the provision of affordable, good quality housing within centers of urban concentration.

The Collier County Comprehensive Plan policies provide the rationale for the establishment of redevelopment areas in the county. In addition, each community has formulated their own specific objectives. Each component section describes the history and process of community involvement in each respective community.

Figure 1



Section 1.2

Findings and Conditions of Blight

In 1969, the Florida State Legislature established Statute 163.00 enabling local units of government to set up Community Redevelopment Agencies (CRA). To assist in redevelopment efforts, these local agencies were mandated to establish Redevelopment Trust Funds, which would serve as the depository for tax increment revenues.

The overall goal of the legislature was to encourage local initiative in downtown and neighborhood revitalization. In 1984, the Florida Legislature amended Section 163.335 to include five primary objectives:

1. To address the physical, social, and economic problems associated with slums and blighted areas (F.S. 163.335 (1));
2. To encourage local units of government to improve the physical environment (i.e. buildings, streets, utilities, parks, etc.) by means of rehabilitation, conservation or clearance /redevelopment (F.S. 163.335(2));
3. To convey to local community redevelopment agencies the powers of eminent domain, expenditure of public funds, and all other general police powers as a means by which slums and blighted areas can be improved (F.S. 163.335 (3));
4. To enhance the tax base in the redevelopment area by encouraging private reinvestment in the area and by channeling tax increment revenues into public improvements within the area (F.S. 163.335 (4));
5. To eliminate substandard housing conditions and to provide adequate amounts of housing in good condition to residents of low or moderate income, particularly to the elderly (F.S. 163.335(5)).

To be designated as a redevelopment area, the area must meet the criteria outlined in Chapter 163.340 of the Florida Statute. The area in Collier county were designated as "Blighted" which is defined as the following:

"Blighted Area" means either:

- (a) An area in which there a substantial number of slum, deteriorated, or deteriorating structures and conditions which endanger life or property by fire or other causes or one or more of the following factors which substantially impairs or arrests the sound growth of a county or municipality and is a menace to the public health, safety, morals, or welfare in its present condition and use:
 1. Predominance of defective or inadequate street layout;
 2. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
 3. Unsanitary or unsafe conditions;
 4. Deterioration of site or other improvements
 5. Tax or special assessment delinquency exceeding the fair value of the land; and
 6. Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or
- (b) An area in which there exists faulty or inadequate street layout; inadequate parking facilities; or roadways, bridges, or public transportation facilities incapable of handling the volume of traffic flow into or through the area, either at present or following proposed construction.

On March 14, 2000, the Collier County Board of County Commissioners made finding of conditions of blight and adopted Resolution 2000-82 and adopted Resolution 2000-83 establishing the Community Redevelopment Agency. Both of these resolutions are contained in Appendix A.

Section 1.3

CONSISTENCY WITH THE COLLIER COUNTY GROWTH MANAGEMENT PLAN

The Collier County Growth Management Plan provides land use designations, which describe the intent and allowable density of appropriate uses for future development. The Growth Management Plan scheduled to be in effective as the basis for comparison with the Redevelopment Plan is the Growth Management Plan adopted in 1989 and revised in 1997 based on the 1996 Evaluation and Appraisal Report (EAR).

This section identifies the goals, objectives and policies that apply to both redevelopment areas. The goals, objectives and policies that apply to each area specifically are included the Section 4 – Immokalee Redevelopment Area Plan and Section 5 – Bayshore/Gateway Triangle Redevelopment Area Plan.

Both the Bayshore/Gateway Triangle Redevelopment Area and the Immokalee Redevelopment Area are located in the Urban Designation as identified on the Collier County Future Land Use Map. As stated in the Growth Management Plan:

Urban Designated Areas on the Future Land Use Map include two general portions of Collier County: areas with the greatest residential densities, and areas in close proximity, which have or are projected to receive future urban support facilities and services. It is intended that Urban Designated Areas accommodate the majority of population growth and that new intensive land uses be located within them. Accordingly, the Urban Area will accommodate residential uses and a variety of non-residential uses. The Urban Designated Area, which includes Immokalee and Marco Island, represents less than 10% of Collier County's land area.

The redevelopment plan allows for detailed planning that will encourage the coordination of activities as outlined in Objective 4 of the Growth Management Plan.

OBJECTIVE 4:

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

In addition to the Collier County GMP, the Immokalee Community is governed by the Immokalee Area Master Plan, a separate element of the Growth Management Plan adopted in 1991 and revised in 1997 based on the 1996 EAR. The Master Plan contains land use designations and policies applicable to the Immokalee area.

This redevelopment plan is consistent with the 1997 Collier County Growth Management Plan, and the Immokalee Area Master Plan. The Board of County Commissioners in 1999 directed staff to prepare an amendment to the GMP that would reflect the goals of redevelopment for the Bayshore/Gateway Triangle. This plan provides language, as identified in the Bayshore/Gateway Component Section, that will go into effect at such time as the Bayshore/Gateway Redevelopment Plan Amendment will be found in compliance.

A review of the land use designation and policies that apply for each area is contained in the individual component section of this document: Section 4 – Immokalee Redevelopment Area Plan and Section 5 – Bayshore/Gateway Triangle Redevelopment Area Plan.

Section 1.4

CONFORMANCE WITH STATUTORY REQUIREMENTS

Chapter 163, Part III of the Florida Statutes authorizes the creation of Community Redevelopment Agencies and the development of Community Redevelopment Plans. The legislation focuses primarily on the creation of Community Redevelopment Agencies, the powers granted to them and specific criteria of the development of Community Redevelopment Plans. As part of a Community Redevelopment Agency's formation, a Community Redevelopment Plan is created which provides the framework for effective redevelopment of the Community Redevelopment Area.

The Community Redevelopment Plan is a comprehensive document that provides the details for redevelopment of the area, including an extensive analysis required by Florida Statutes. In accordance with Florida Statutes, the governing body, in this case the Board of County Commissioners, may make subsequent changes, amendments or updates to the Community Redevelopment Plan upon recommendations of the Community Redevelopment Agency. Modifications to the plan require a public hearing process and appropriate public notification.

The Community Redevelopment Act requires redevelopment plans to be consistent with the comprehensive growth management plan. This plan is as a whole consistent with the Collier County Growth Management Plan. Certain provisions of this plan reflect language that will go into effect once/or if the amendments are found in compliance.

This plan establishes a vision for the community as a whole, the component areas and its neighborhoods. The CRA's vision will not be achieved overnight or even in the next five years. This plan is intended to provide a framework for policy decisions and public improvements over the next thirty years.

For the purposes of this plan, "encourage" means to support, recommend, endorse or approve any project, action, program or activity and can also mean to provide incentives and authorize, expend and allocate funds, assets and resources, including participation by staff, employees, contractors, consultants or others.

This plan contains provisions that contemplate actions to be taken by the Board of County Commissioners (BCC), including various agencies, departments or boards of the County. While the BCC has adopted this Plan, any recommendations requiring further BCC action will be taken separately to the BCC to approve and authorize implementation of any such actions.

The Private Sector

The Redevelopment Plan cannot be implemented without the predominant participation of the private sector. The role of the private sector is to evaluate the effectiveness of an investment risk in the Redevelopment Area and to pursue development opportunity consistent with the Redevelopment Plan.

Section 1.5

The Community Redevelopment Agency

The management structure established to undertake formal redevelopment activities within the Redevelopment Area is the Community Redevelopment Agency (CRA). Pursuant to the Community Redevelopment Act, the Collier County Board of County Commissioners declared itself the CRA. The CRA is a legal entity, separate and distinct from the Board of County Commissioners.

The Community Redevelopment Agency will use any and all methods of implementing the plan as authorized by law. The CRA will exercise the powers conferred by statute to take action within the Redevelopment Area such as will result in economic revitalization consistent with the Plan. The Board of County Commissioners has the following powers:

- The power to determine an area to be slum or blighted or a combination thereof; to designate such area as appropriate for a community redevelopment project; and to hold any public hearings required with respect thereto.
- The power to grant final approval to Community Redevelopment Plans and modifications thereof.
- The power to authorize the issuance of revenue bonds as set forth in Section 163.385, Florida Statutes.
- The power to approve the acquisition, demolition, removal or disposal of property and the power to assume the responsibility to bear loss as provided in Section 163.370, Florida Statutes.

Community Redevelopment Agency Authority

This Plan will be undertaken in accordance with the provisions of the Community Redevelopment Act of 1969. The County and the CRA may use any and all methods of achieving revitalization of the Redevelopment Area as authorized by law. The following sections generally describe the available development actions.

Property Acquisition

The Act authorizes the County and the Redevelopment Agency to acquire real property in the redevelopment area by purchase, condemnation, gift, exchange or other lawful means in accordance with this Plan. The County and CRA may acquire real property within the redevelopment area as may be necessary for public improvements. These acquisitions will provide sites for public facilities, eliminate unsafe conditions, removing non-conforming uses, or overcome diversity of ownership and faulty lot layout which prevent redevelopment and contribute to the perpetuation of blight in the area.

Whenever possible, the designated property will be acquired through negotiation with current owners. The property will be acquired through standard Community Redevelopment Agency procedures. In those instances where negotiation does not result in a mutually satisfactory agreement, the properties may be acquired by eminent domain proceedings and just compensation awarded in accordance with Chapter 170, Florida Statutes.

Areas for potential land acquisition and relocation (if necessary) are indicated in the component sections of this plan. When necessary, as plans are further specified in Phase I (2001-2005) particular parcels will be identified for acquisition where applicable. Such plans will be subject to approval by the CRA Board. The following provides the policies which would govern acquisition, disposition, or relocation activities.

Land Acquisition Plan and Program

A land acquisition program will be designed to meet the goals and objectives of the redevelopment plan, while minimizing disruption of the neighborhood fabric to be retained and reinforced, and minimizing acquisition costs.

A land acquisition program could consist of the following components:

- Right of Way Acquisition
- Commercial Project Acquisitions
- Residential Acquisitions for Major Projects
- Residential Acquisitions for Infill

Demolition, Site Preparation and Public Improvement

The County and the CRA may each demolish, clear or move buildings, structures and other improvements from real property in the redevelopment area which it has acquired and as may be necessary to carry out the purpose of this plan. In addition, the County and /or the CRA may construct or cause to be constructed streets, sidewalks, curbs, utilities, lighting, open space, plazas, landscaping, water elements, and other amenities deemed necessary to implement this plan.

The County and CRA may change portions of the redevelopment area to be devoted to public uses, public improvements, and infrastructure.

Disposition Policy

The CRA is authorized under the Act to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property. To the extent permitted by law, the CRA is authorized to dispose of Real Property by negotiated sale or lease. All real property acquired by the CRA in the redevelopment area shall be sold or leased for development for the fair value to further the purpose of this plan and as determined pursuant to 163.380 (2), Florida Statute (1999).

The CRA may reserve such powers and controls through disposition and development document with the purchasers or lessees of real property from the CRA as may be necessary to ensure that development begins within a reasonable period of time and that such development is carried out pursuant to the purpose of this plan.

Interested developers will submit proposals in accordance with Section 163.380, Florida Statutes. Selected developers will be required to execute binding disposition agreements with the CRA which will safeguard that the provisions of this plan be implemented. The property may be transferred for fair value subject to the disposition agreement and other conditions or covenants necessary to ensure that the purpose of redevelopment will be effectuated.

The disposition of all publicly owned or assembled land will be subject to objective and clearly defined standards and procedures which will assure timely re-uses and improvements to property in accordance with the plan and its development controls. Guidelines may include but are not limited the following activities:

- Site Re-Use Guidelines
- Preferred Redeveloper Designation
- Competitive Private Developer Selection
- Terms of Property Conveyance
- Development Controls and Design Review
- Residential Relocation
- Commercial Relocation

The CRA's Relocation Procedures are described in Section 6 of this Plan.

Section 1.6**Duration, Modification and Severability of the Plan**

The plan shall be effective for 30 years from the date of adoption by the Board of County Commissioners. From time to time during the term of this plan, the CRA may amend or modify this Plan.

The provisions of this Plan are severable, and it is the intention of the County and the CRA to confer the whole or any part of the powers, goals, objectives and actions herein provided for and if any of the provisions of this Plan or any action implementing any provisions of this Plan shall be held unconstitutional, invalid or void by any court of competent jurisdiction, the decisions of said court shall not affect or impair any of the remaining provisions of this Plan. It is hereby declared to be the intent of the County and the CRA that this Plan would have been adopted and implemented had such unconstitutional, invalid or void provision or action not been included herein.

Section 2

FINANCIAL PLAN

A viable financing program for redevelopment requires a strong commitment from the public and private sector. The key to implementation the public actions called for in this plan is attracting private market investment and the additional ad valorem tax revenue it produces. To carry out redevelopment, the CRA will use all available sources of funding from local, state and federal government and the private sector.

It should be noted that the following Financial Plan is intended as a guide for funding redevelopment activities in the Redevelopment Area. Flexibility is essential. The timing, cost and tax revenue impact of private investment is, at best, a projection based upon existing knowledge. Interest rates, construction costs, and national economic conditions will vary and cause revisions in investment decisions.

Section 2.1

Funding Sources

Tax Increment Financing

Redevelopment of the Redevelopment Area will require a substantial financial investment on the part of the Community Redevelopment Agency. As provided for under the Community Redevelopment Act of 1969, the principal source of funding for the Redevelopment Agency will be through the mechanism of Tax Increment Financing.

Tax Increment Financing (TIF) realizes the incremental increase in property tax revenues resulting from redevelopment, and uses it to pay for public improvements needed to support and encourage new development. TIF is designed to allow local government to finance, over a term of years, front-end costs involved in the redevelopment of blighted areas. By using this tool a local government can develop and adopt a redevelopment plan, repave or reroute streets, provide other public improvements and open space, provide housing, provide redevelopment assistance or incentives and acquire property within the redevelopment area for redevelopment. Eligible activities, under current law, include but are not limited to, the acquisition of land and improvements, relocation of displaced residents, demolition of deteriorated structures, site preparation, infrastructure improvements plus housing and commercial development and other activities implementing this plan.

Use of Tax Increment Revenues

Under Florida legislation, increment revenues can be used for the following purposes when directly related to redevelopment:

- \$ Administrative and overhead expenses incidental to a redevelopment plan.
- \$ Redevelopment planning and analysis.
- \$ Acquisition of real property in the redevelopment area.
- \$ Clearance and preparation of redevelopment sites, and relocation costs.
- \$ Repayment of indebtedness and payment of expenses incidental to indebtedness.
- \$ Development of affordable housing within the redevelopment area.
- \$ Development of community policing innovations.
- \$ Construction streets, utilities, parks, public areas, parking garages, and other improvements necessary to carrying out the redevelopment plan.

The greatest single source of funding for the Community Redevelopment Agency will come from tax increment revenues determined by growth in certain real property tax revenues within the Redevelopment Area. For the purpose of calculating the amount of tax increment revenues the frozen tax base is the final 1999 tax roll.

Projected tax increment revenues for each component area is included in the Component sections of this Plan.

Section 2.2

Other Funding Sources

To make the most effective use of Tax Increment Revenues, the CRA and the County will use other County, State and Federal funding sources as appropriate and available to carry out the provisions of this plan. The Financial Plan assume that funds for the public expenditures identified in the Redevelopment Plan will be obtained from several sources in addition to Tax Increment Financing.

Advances and Loans

The Community Redevelopment Agency shall have the power to borrow money and accept advances from any source, public or private, including the County for any lawful purpose in connection with the redevelopment program. Tax Increment Revenues or any other funds deposited into the Redevelopment Trust Fund, which are not otherwise obligated shall be available for repayment of such loans or advances.

Tax Increment Revenue Bonds

When authorized by the Board of County Commissioners, the CRA may issue redevelopment revenue bonds, notes or other obligations to finance the undertaking of any community redevelopment project activity, including the payment of principal and interest upon any loans and retirement of bonds or other obligations previously issued. The security for such bonds may be based upon the anticipated tax increment revenues and such other revenues as may be legally available.

Grants

The Community Redevelopment Agency may apply for local, state or federal grants that may be applicable to implementation of the redevelopment goals outlined in this Plan. Tax Increment revenues may be used to match grant dollars if necessary.

Section 3

NEIGHBORHOOD IMPACT ELEMENT

Since the redevelopment area contains low and moderate income housing, Section 163.362(3) Florida Statutes requires that the redevelopment plan contain a neighborhood impact element which...

describe in detail the impact of redevelopment upon the residents of the redevelopment area and the surrounding area in terms of relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population, and other matters affecting the physical and social quality of the neighborhood.

The structure of the Redevelopment Plan was specifically organized to minimize housing and residential neighborhood impacts while emphasizing neighborhood enhancement, particularly in those areas containing affordable housing stock. The intensive redevelopment activities recommended in the plan concentrate on existing commercial and semi-industrial areas. Each component section contains a Neighborhood Impact Element.