

June 15, 2021

MINUTES OF THE COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE LAND DEVELOPMENT REVIEW
SUBCOMMITTEE

Naples, Florida, June 15, 2021

LET IT BE REMEMBERED, the Collier County Development Services Advisory
Committee – Land Development Review Subcommittee in and for the County of Collier,
having conducted business herein, met on this date at 3:00 PM in a REGULAR
SESSION at the Growth Management Department Building, Room 609/610 2800 N.
Horseshoe Drive, Naples, FL with the following persons present:

Chairman: Clay Brooker (Excused)
Blair Foley
Robert Mulhere
Jeff Curl
Mark McLean

ALSO PRESENT: Eric Johnson, Principal Planner
Sean Kingston, Senior Planner
Josey Medina, Principal Planner
Debrah Forester, CRA Director

Any persons in need of the verbatim record of the meeting may request a copy of the audio recording from the Collier County Growth Management Division – Planning and Regulation building.

1. Call to Order

Mr. Mulhere called the meeting to order at 3:00 p.m. and a quorum was established.

2. Approve agenda

The Subcommittee approved the Agenda.

3. Old Business

None

4. New Business

a. LDC Amendments

i. PL20210001033 – Limited Density Bonus Pool Allocation

LDC SECTION TO BE AMENDED

01.08.01 Abbreviations

04.02.16 Design Standards for Development in the Bayshore Gateway Triangle
Redevelopment Area

10.02.15 Requirements for Mixed Use Projects within the Bayshore Gateway Triangle
Redevelopment Area

10.03.06 Public Notice and Required Hearings for Land Use Petitions

Presenters: Marina Guirguis and Laura Spurgeon-DeJohn of Johnson Engineering
Eric Johnson, Principal Planner

The proposed amendment updates LDC section 4.02.16 by creating limited bonus density pool allocation provisions for the Bayshore Gateway Triangle Redevelopment Area (BGTRA). The bonus density pool allocation program, which grants additional dwelling units to qualifying projects, was originally established in 2003.

During Subcommittee discussions with Staff, the following was noted:

- That the changes were developed via discussions with staff, the CRA and others. There is a companion item for the necessary amendments to the Growth Management Plan.
- The proposed amendment provides greater opportunities for replenishing the density pool will incorporate parcels of 2 acres or less.
- There are currently 122 units remaining in the density pool with the CRA “17-acre parcel” accounting for 40 of them.
- A mixed-use project is not required for participating in the density pool and there is a 25 percent cap on the number of units which may be utilized within a project.

The Subcommittee reviewed the proposed amendment with the following noted:

- Section 4.02.16 C.12.a. – The Probable Cost requirements should be limited to an Engineers Opinion as it only includes the estimates of site development costs, not the building structure.

- Section 4.02.16 C.12.a. - Although there is a cost to the developer for participating in the pool via a monetary or physical contribution, they do derive a financial benefit for the extra number of units allowed to be constructed in association with their project.
- Section 4.02.16 C.12.b – A physical contribution of land or an easement may be used as an alternative to the monetary contribution, and consideration should be given to obtaining 2 appraisals for the value of the contribution as opposed to the one currently proposed.
- Subsequent to the proposed amendment being disseminated to the Subcommittee prior to today’s meeting, staff and the County Attorney’s office authored minor changes to clarify language, nomenclature and other references.

Mr. Foley moved for the Development Services Advisory Committee to recommend the Board of County Commissioners adopt the proposed amendment presented by Staff subject to the following changes:

1. Section 4.02.06 C.11 – language change from “... to those approved criteria...” to “...to those criteria...”
2. Section 4.02.06 C.12.a.iv – delete the entire Section.
3. Section 4.02.06 C.12.b.ii – Get Clarification from the CAO Office regarding proposed LDC section 4.02.03 C.12.b.ii.
4. The minor edits proposed by the County Attorney’s Office and Staff following its dissemination to the Subcommittee in advance of the meeting.

Second by Mr. Curl. Carried unanimously 4 – 0.

ii. PL20210001222 – Bayshore CRA Updates

- 01.08.02 Definitions
 - 2.03.07 Overlay Zoning Districts
 - 4.02.16 Design Standards for Development in the Bayshore Gateway Triangle Redevelopment Area
 - 10.02.15 Requirements for Mixed Use Projects within the Bayshore Gateway Triangle Redevelopment Area
 - 10.03.06 Public Notice and Required Hearings for Land Use Petitions
- Chapter 110, Article II, Division 1, Section 110-30 Enclosure of Swales in the Collier County Code of Laws and Ordinances.

Presenters: Marina Guirguis and Laura Spurgeon-DeJohn of Johnson Engineering
Eric Johnson, Principal Planner

The proposed amendment updates, with multiple LDC sections, for the uses and standards of properties located within the Bayshore Gateway Triangle Redevelopment Area (BGTRA). At the hearing, staff presented a change to narrative, which had not been included in the packet, relating to GMP Consistency

During Subcommittee review, the following was noted:

- Section 4.02.16 C 7.g and Section 4.02.16 C 11.f – Concern limiting the access to the alley may be an issue if the alley is compromised by obstructions, utilities infrastructure, building configurations, etc.
- Section 4.02.16 D.10 – Staff should ensure that the language as written, does not preclude a side entrance to the mobile home as they are generally sited perpendicular

to the street – *Staff noted that an actual entrance is not required, but rather some type of façade treatment to provide the appearance of a typical front building entrance.*

- Section 4.02.16 F.3.a - The purpose of the language on swale enclosures requiring the design criteria, shall be in compliance with the County’s storm water management plan is to ensure comprehensive measures are instituted to control the activity undertaken by landowners redeveloping property.

Mr. Curl moved for the Development Services Advisory Committee to recommend the Board of County Commissioners adopt the proposed amendment subject to the following changes:

1. Section 4.02.16 C 7.g and Section 4.02.16 C 11.f (and any other Sections as necessary) – *Staff to review the text on the alley being a primary access to determine if any changes are required to the language, to address situations where there may be physical constraints in the alley hindering the access.*
2. Section 4.02.16 C 7.d - The underlined, strike through language be removed.
3. Section 4.02.16 C 11.f – correct scrivener’s error of Section lettering.

Second by Mr. McLean. Carried unanimously 4 – 0.

Mr. McLean left the meeting at 4:26 p.m.

iii. PL20210001291 – Community Housing Plan Initiatives Two through Five

- 1.08.01 Abbreviations
- 1.08.02 Definitions
- 2.03.03 Commercial Zoning Districts
- 2.07.00 Price Qualifying Program that is Affordable (NEW)
- 2.07.01 Purpose and Intent (NEW)
- 2.07.02 Program Criteria (NEW)
- 4.02.40 Housing that is Affordable by Right in Commercial Zoning Districts (NEW)
- 4.02.41 Housing that is Affordable within Activity Centers or Interchange Activity Centers (NEW)
- 4.02.42 Transit Oriented development (TOD) Design Standards (NEW)

Presenters: Marina Guirguis and Laura Spurgeon-DeJohn of Johnson Engineering
Eric Johnson, Principal Planner

The proposed amendment implements several initiatives from Collier County Community Housing Plan (CHP). The new provisions are intended to streamline the process for converting commercial zoning to residential zoning, increase density within Activity Centers and along bus/transit lines in connection with Transit Oriented Development (TOD).

During Subcommittee review it was noted there is a companion Growth Management Plan amendment to address the proposed LDC changes including density requirements.

Mr. Johnson reported:

- That staff is investigating the feasibility of extending the requirements of the proposed amendment to include the C-4 and C-5 zones.

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- As currently written, the housing standards only include those lands in the C-1, C-2 and C-3 zones.
- He sought Subcommittee input on whether they viewed the concept as favorable.

Following a brief discussion, the Subcommittee noted they support the concept.

Mr. Curl moved that the Development Services Advisory Committee recommend the Board of County Commissioners adopt the proposed amendment subject to staff revising the language on the standards applicable to the C-1, C-2 and C-3 zones and carry them forward to include the C-4 and C-5 zones. Staff also makes any required revisions to Section 4.02.38 of the Land Development Code to address the change. Second by Mr. Foley. Carried unanimously 3 – 0.

Mr. Johnson stated the Development Services Advisory Committee (DSAC) will be notified on any proposed changes for the Commercial Zones when the item is heard by them.

Administrative Code Revisions:

The Subcommittee requested that staff bring forward any required Administrative Code changes for the amendments presented to the DSAC today; at the time the proposed LDC amendments are heard by the Committee.

5. Public comments

None

There being no further business for the good of the County, the meeting was adjourned by the order of the Chair at 4:40 P.M.

**COLLIER COUNTY DEVELOPMENT SERVICES
ADVISORY COMMITTEE - LAND DEVELOPMENT
REVIEW SUBCOMMITTEE**

Blair Foley

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These Minutes were approved by the Subcommittee on _____, as presented _____, or as amended _____.