

RESOLUTION NO. 2023- ____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS PROPOSING AN AMENDMENT TO THE COLLIER COUNTY GROWTH MANAGEMENT PLAN, ORDINANCE 89-05, AS AMENDED, SPECIFICALLY AMENDING THE FUTURE LAND USE ELEMENT AND FUTURE LAND USE MAP AND MAP SERIES TO ADD THE US 41 EAST OVERLAY TO ALLOW CERTAIN ECONOMIC DEVELOPMENT USES WITHIN THE CORRIDOR SEGMENTS; AND, ALLOW INCREASED HEIGHT AND DENSITY, AND CERTAIN ECONOMIC DEVELOPMENT USES IN REGIONAL CENTERS AND COMMUNITY CENTERS THROUGH INCENTIVES; AND AMENDING THE TRANSPORTATION ELEMENT AND MAPS TO EXPAND THE SOUTH US 41 TRANSPORTATION CONCURRENCY EXCEPTION AREA; AND FURTHERMORE DIRECTING TRANSMITTAL OF THE PROPOSED AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY. [PL20230000930]

WHEREAS, Collier County, pursuant to Section 163.3161, *et. seq.*, Florida Statutes, the Florida Local Government Comprehensive Planning and Land Development Regulation Act, was required to prepare and adopt a comprehensive plan; and

WHEREAS, the Collier County Board of County Commissioners adopted the Collier County Growth Management Plan on January 10, 1989; and

WHEREAS, the Community Planning Act of 2011 provides authority for local governments to amend their respective comprehensive plans and outlines certain procedures to amend adopted comprehensive plans; and

WHEREAS, Staff initiated an amendment to the Future Land Use Element and Future Land Use Map and Map Series to add the US 41 East Overlay; and

WHEREAS, on _____, 2023, the Collier County Planning Commission considered the proposed amendment to the Growth Management Plan pursuant to the authority granted to it by Section 163.3174, F.S., and has recommended approval of said amendment to the Board of County Commissioners; and

WHEREAS, on _____, 2023, the Board of County Commissioners at a public hearing approved the transmittal of the proposed amendment to the state land planning agency in accordance with Section 163.3184, F.S.; and

WHEREAS, upon receipt of Collier County's proposed Growth Management Plan Amendment, various State agencies and the Department of Economic Opportunity (DEO) have

[23-CMP-01147/1770759/1]78
US41 East Overlay
PL20230000930
02/13/23

Words underlined are additions, words ~~struck through~~ are deletions.

thirty (30) days to review the proposed amendment and DEO must transmit, in writing, to Collier County its comments within said thirty (30) days pursuant to Section 163.3184, F.S.; and

WHEREAS, Collier County, upon receipt of the written comments from DEO must adopt, adopt with changes or not adopt the proposed Growth Management Plan Amendment within one hundred and eighty (180) days of such receipt pursuant to Section 163.3184, F.S.; and

WHEREAS, the DEO, within five (5) days of receipt of Collier County's adopted Growth Management Plan Amendment, must notify the County of any deficiencies of the Plan Amendment pursuant to Section 163.3184(3), F.S.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:

The Board of County Commissioners hereby approves the proposed Growth Management Plan Amendment, attached hereto as Exhibit "A" and incorporated by reference herein, for the purpose of transmittal to the Department of Economic Opportunity and other reviewing agencies thereby initiating the required State evaluation of the Growth Management Plan Amendment prior to final adoption.

THIS RESOLUTION ADOPTED after motion, second and majority vote this _____ day of _____, 2023.

ATTEST:
CRYSTAL K. KINZEL, CLERK

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Rick LoCastro, Chairman

Approved as to form and legality:

Heidi Ashton-Cicko
Managing Assistant County Attorney

*HFAC
2-13-23A*

Attachment: Exhibit A – Proposed Text Amendment & Map Amendment

**Exhibit A
FUTURE LAND USE ELEMENT**

(As amended through Ordinance No. 2022-28, adopted June 28, 2022)

GOALS, OBJECTIVES AND POLICIES

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

OBJECTIVE 1:

Promote well planned land uses consistent with Future Land Use Designations, Districts and Subdistricts and the Future Land Use Map to ensure compatibility between the natural and human environments.

*** **

Policy 1.9: *[re-lettered to reflect merger of Ordinance No. 2002-32 and 2002-54]*

Overlays and Special Features shall include:

- A. Area of Critical State Concern Overlay
- B. North Belle Meade Overlay
- C. NC Square Mixed-Use Overlay
- D. Natural Resource Protection Area Overlays
- E. Rural Lands Stewardship Area Overlay
- F. Airport Noise Area Overlay
- G. Bayshore/Gateway Triangle Redevelopment Overlay
- H. Urban-Rural Fringe Transition Zone Overlay
- I. Coastal High Hazard Area Boundary
- J. Ventana Pointe Residential Overlay
- K. US 41 East Overlay
- ~~L. K.~~ Incorporated Areas

*** **

V. OVERLAYS AND SPECIAL FEATURES

*** **

K. US 41 East Overlay

This Overlay is located along portions of the US 41 East corridor from Palm Drive to Greenway Road. It is comprised of three Regional Centers, four Community Centers, and multiple Corridor segments between those Centers, all of which that are depicted on the Future Land Use Map and US 41 East Overlay Maps. The Overlay is intended to allow mixed use development and economic development and to encourage a pedestrian/transit-friendly development pattern. The Regional Centers allow medium to high intensity mixed use development, commercial, residential development, and certain economic development uses, and are located within Mixed Use Activity Center numbers 16, 17, and

18. The Community Centers allow moderate to low intensity mixed use development, commercial, residential development, hotel/motel at a maximum density of 26 units per acre, and certain economic development uses. The Corridor segments allow low density residential development, commercial development permitted by the underlying zoning districts, and certain economic development uses. A zoning overlay shall be established within one year of the effective date of this Overlay and include Regional Center, Community Center, and Corridor Subdistricts. The zoning overlay will provide for allowed uses, design standards, and increased density and/or height for projects in the Regional Centers and Community Centers that include certain design elements such as vertical mixed use, green building standards, and low impact development standards. Mixed use development within the Regional Centers and Community Centers of this Overlay will be eligible for increased density and/or height when utilizing incentives outlined in the zoning overlay, and is subject to the following limitations:

1. Mixed use development within the Regional Centers is eligible for up to twenty (20) dwelling units per acre when utilizing incentives outlined in the zoning overlay, and is not subject to the density rating system.
2. Mixed use development within the Community Centers is eligible for up to sixteen (16) dwelling units per acre when utilizing incentives outlined in the zoning overlay, and is not subject to the density rating system.
3. For a mixed use development pursuant to paragraph 1. or 2. above, only multi-family dwelling units are allowed.
4. The maximum height increase for properties within the Regional and Community Centers shall be limited to twenty (20) feet above that permitted by the underlying zoning district.

Residential-only development, mixed use development not utilizing incentives outlined in the zoning overlay, and commercial-only development other than certain economic development uses, shall be in accordance with the underlying future land use designation and applicable FLUE policies.

L. K. Incorporated Areas

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FUTURE LAND USE MAP SERIES

Future Land Use Map

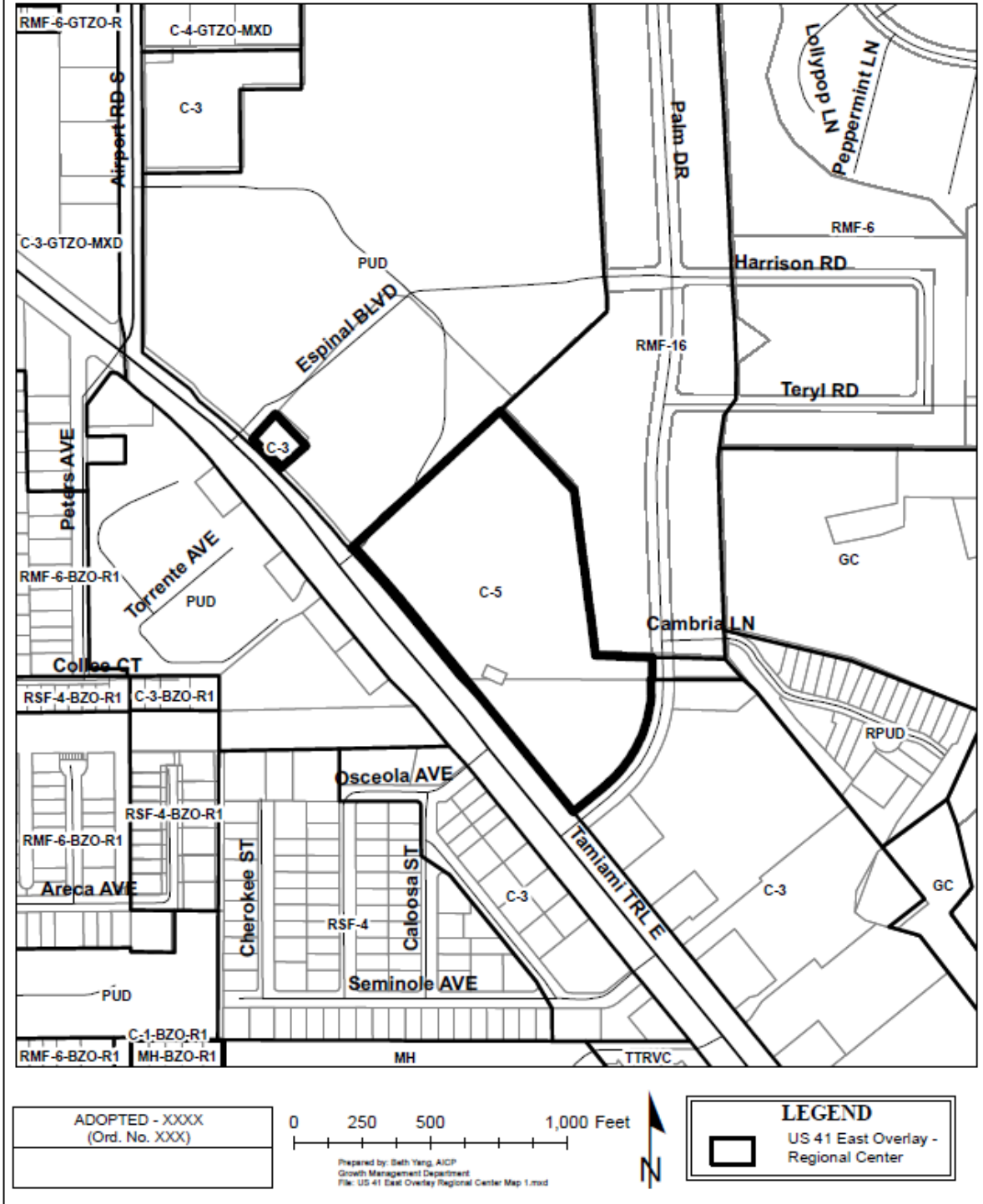
Activity Center Index Map

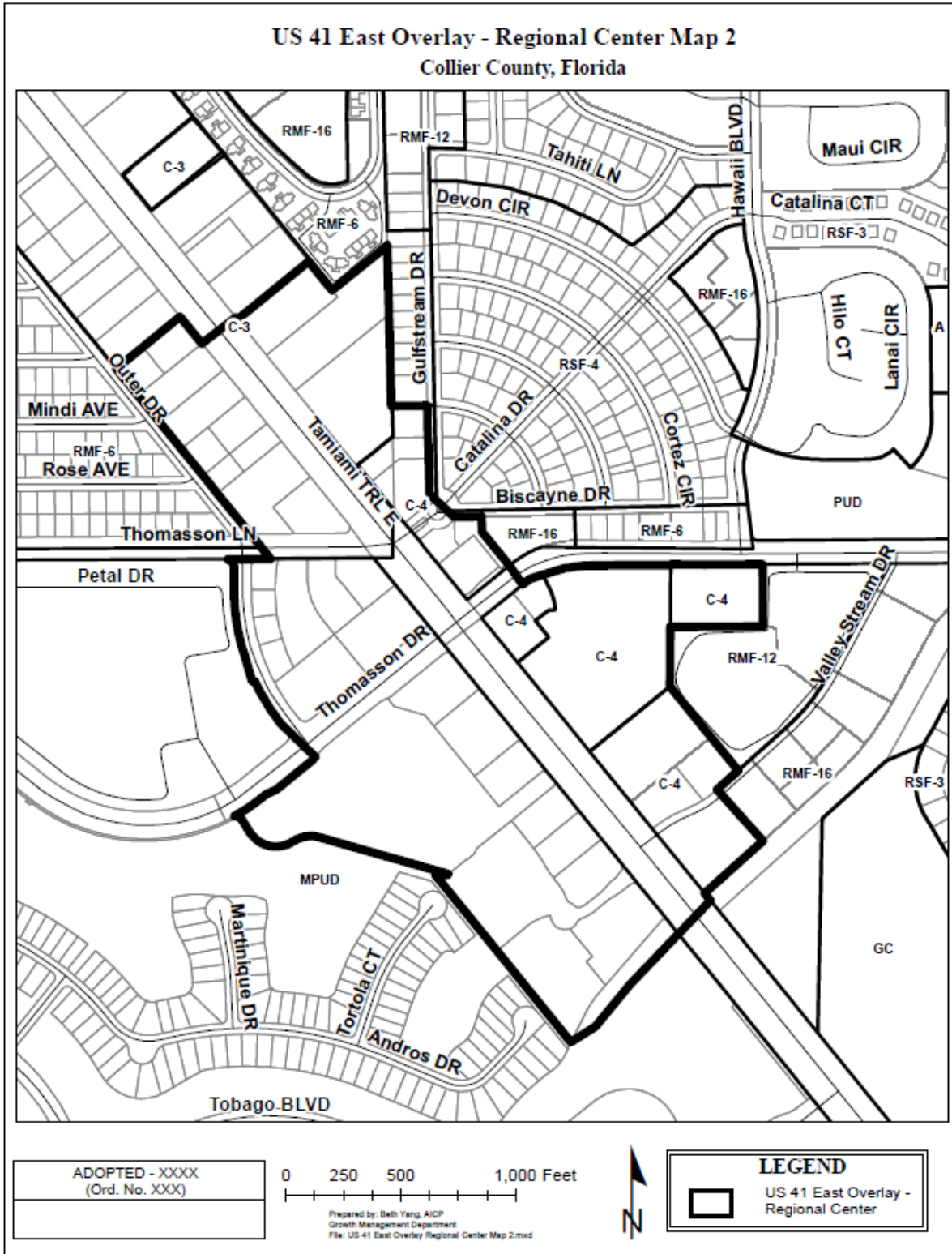
Mixed Use & Interchange Activity Center Maps

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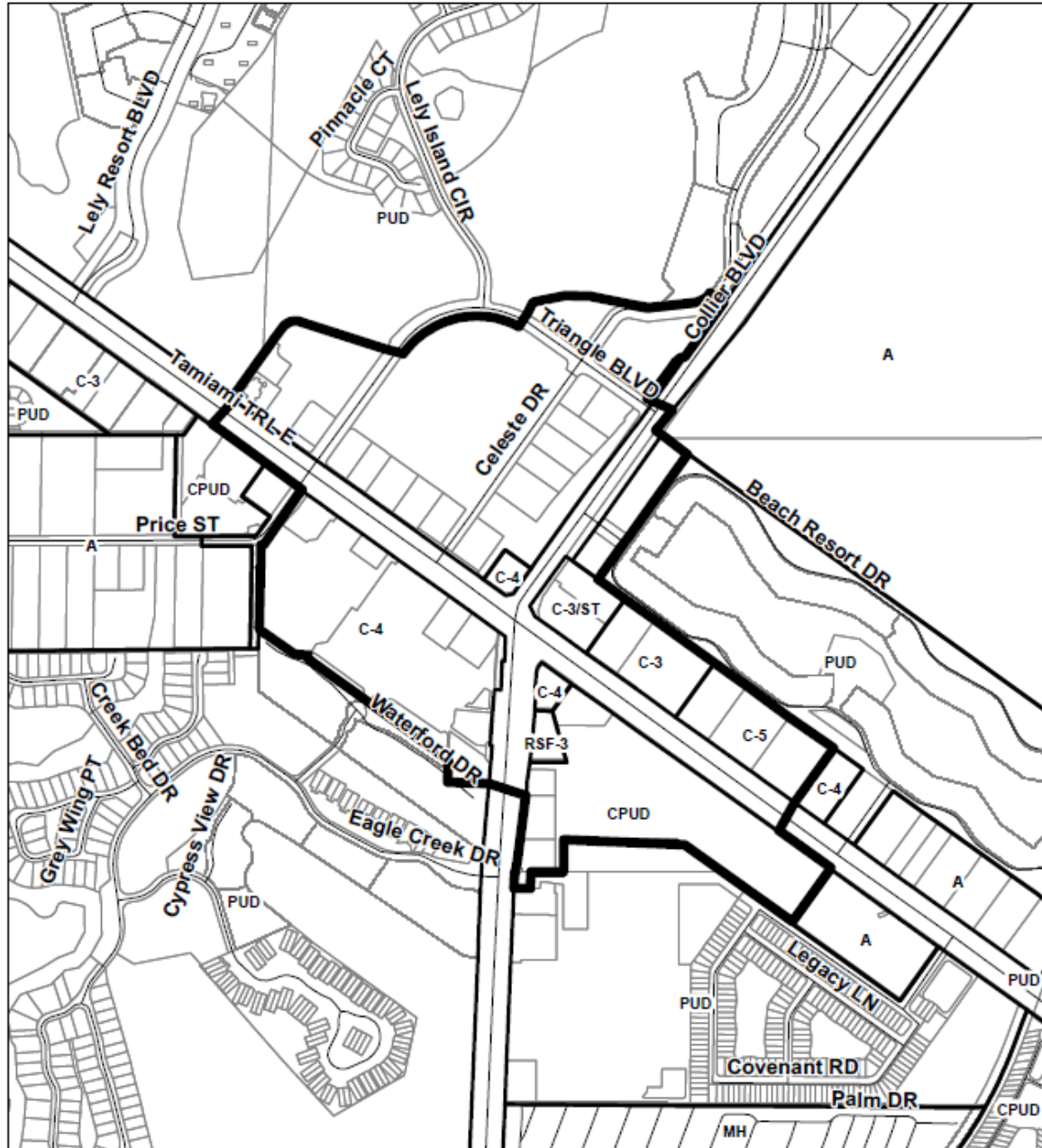
US 41 East Overlay Maps

US 41 East Overlay - Regional Center Map 1
Collier County, Florida

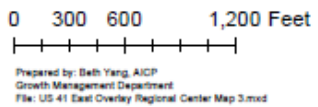





US 41 East Overlay - Regional Center Map 3
Collier County, Florida



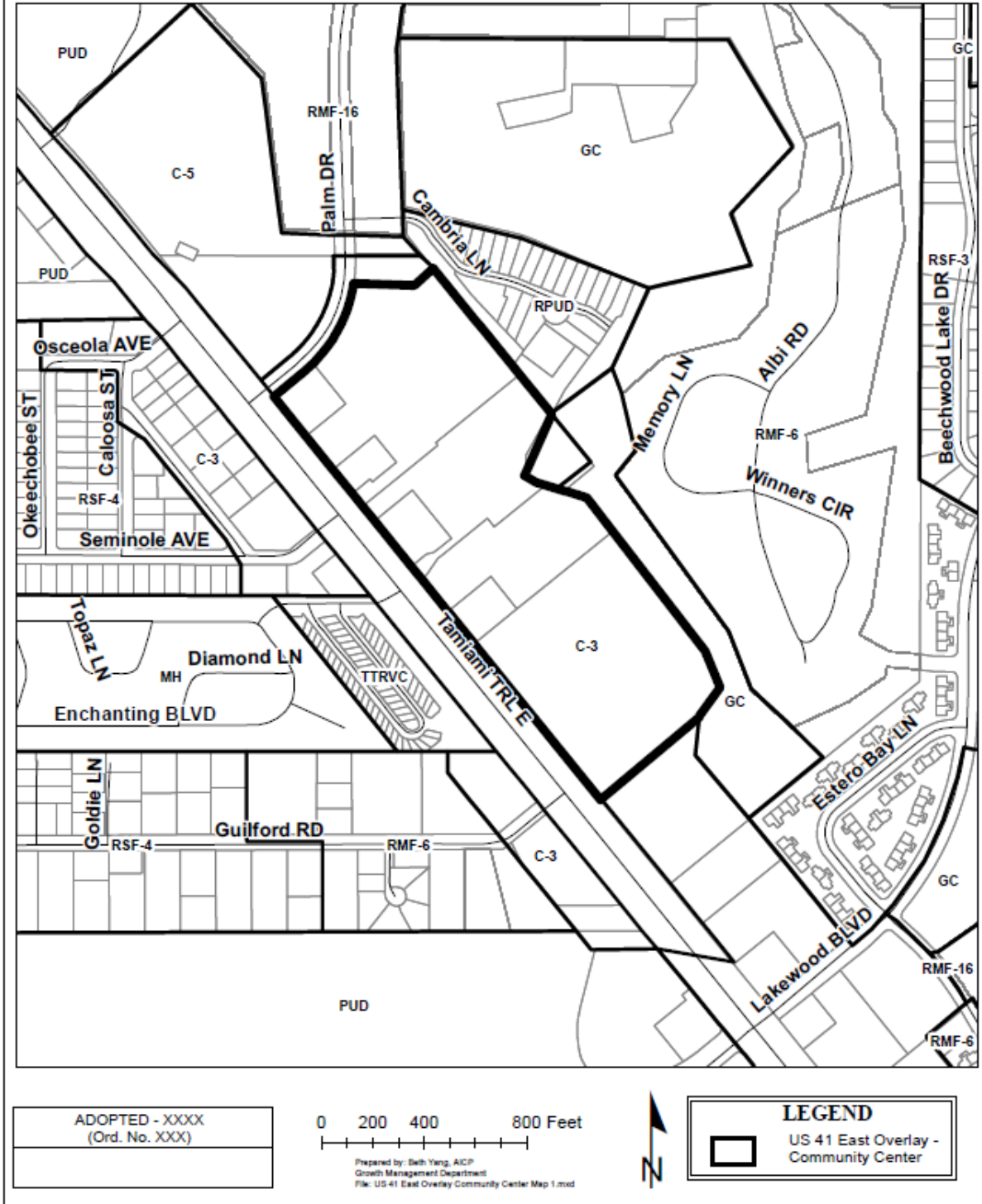
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(Ord. No. XXX)



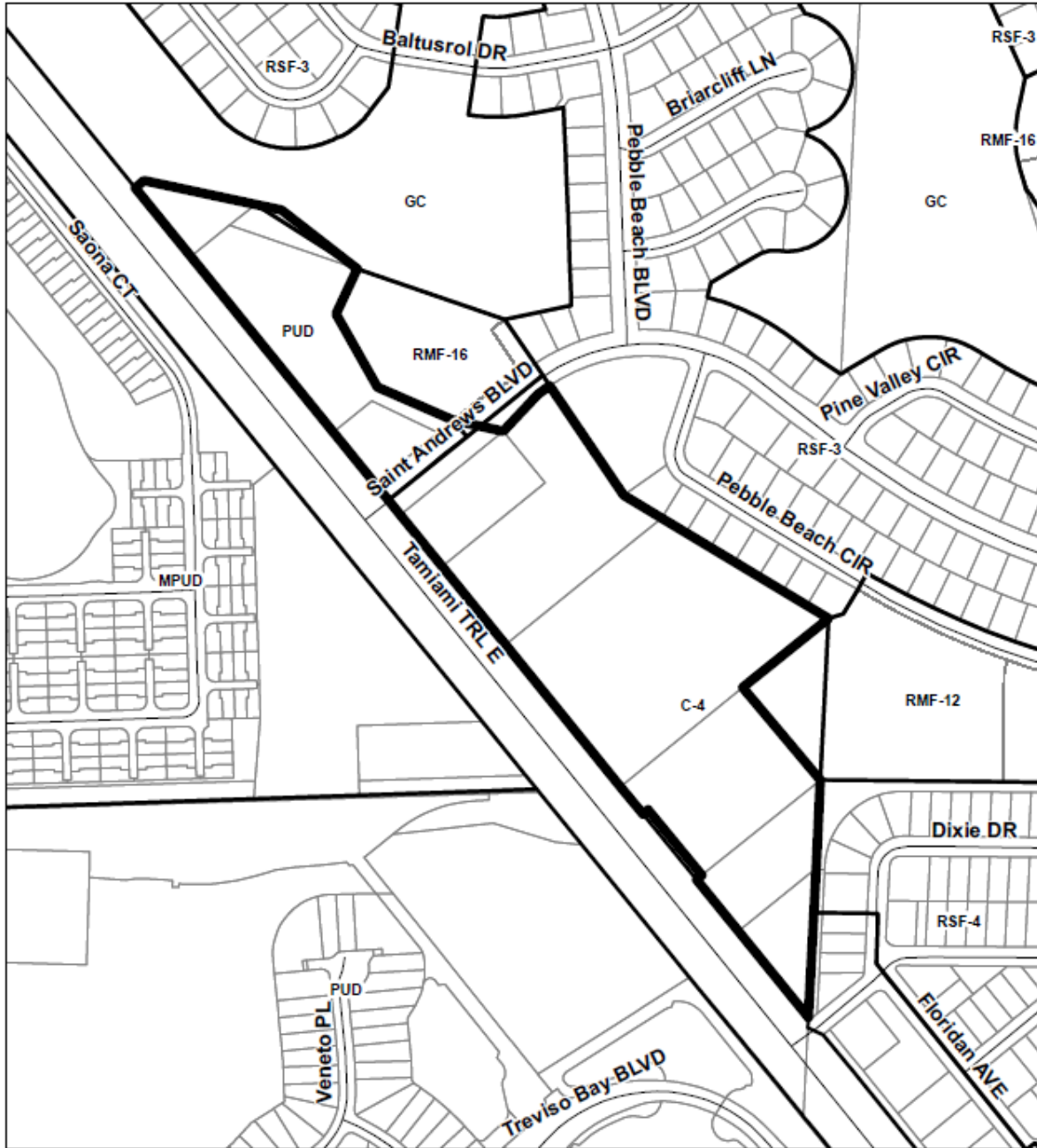
LEGEND

 US 41 East Overlay - Regional Center

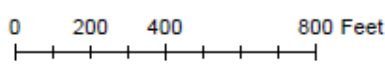
US 41 East Overlay - Community Center Map 1
Collier County, Florida



US 41 East Overlay - Community Center Map 2
Collier County, Florida



ADOPTED - XXXX (Ord. No. XXX)

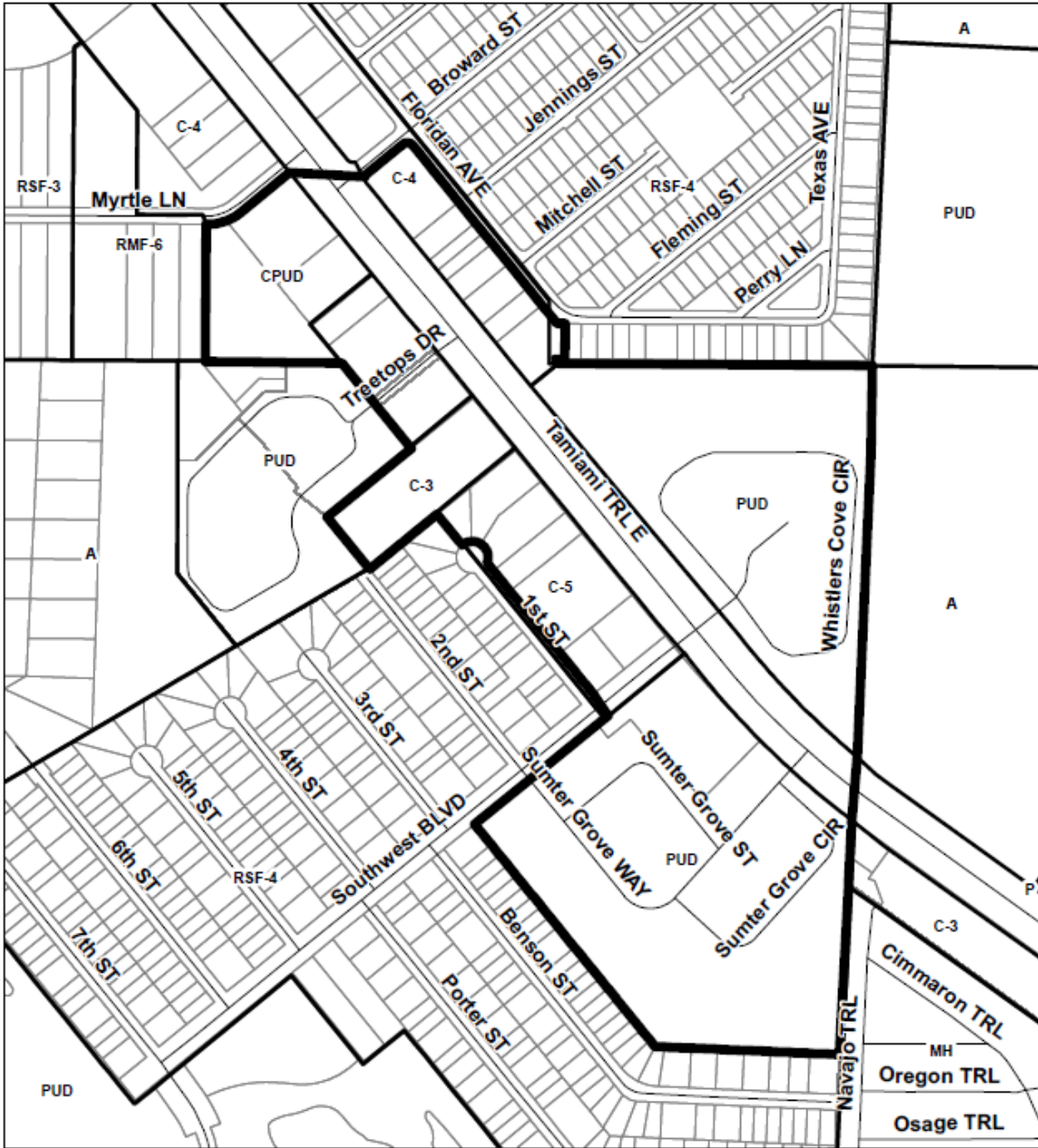


Prepared by: Beth Ying, AICP
 Growth Management Department
 File: US 41 East Overlay Community Center Map 2.mxd



LEGEND	
	US 41 East Overlay - Community Center

US 41 East Overlay - Community Center Map 3
Collier County, Florida



ADOPTED - XXXX
(Ord. No. XXX)

0 250 500 1,000 Feet

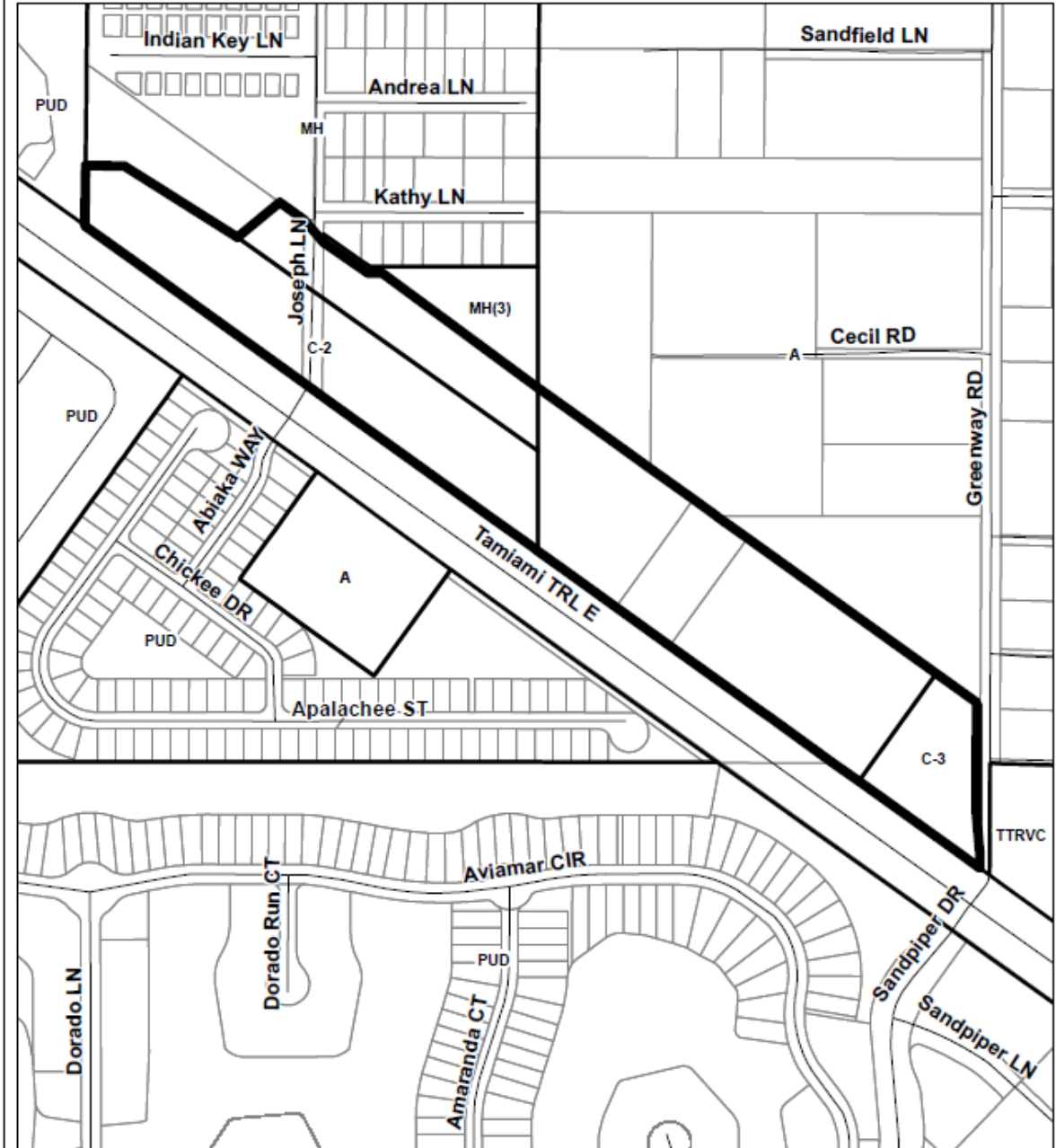
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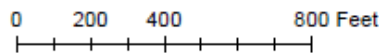
LEGEND

 US 41 East Overlay - Community Center

US 41 East Overlay - Community Center Map 4
Collier County, Florida



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(Ord. No. XXX)



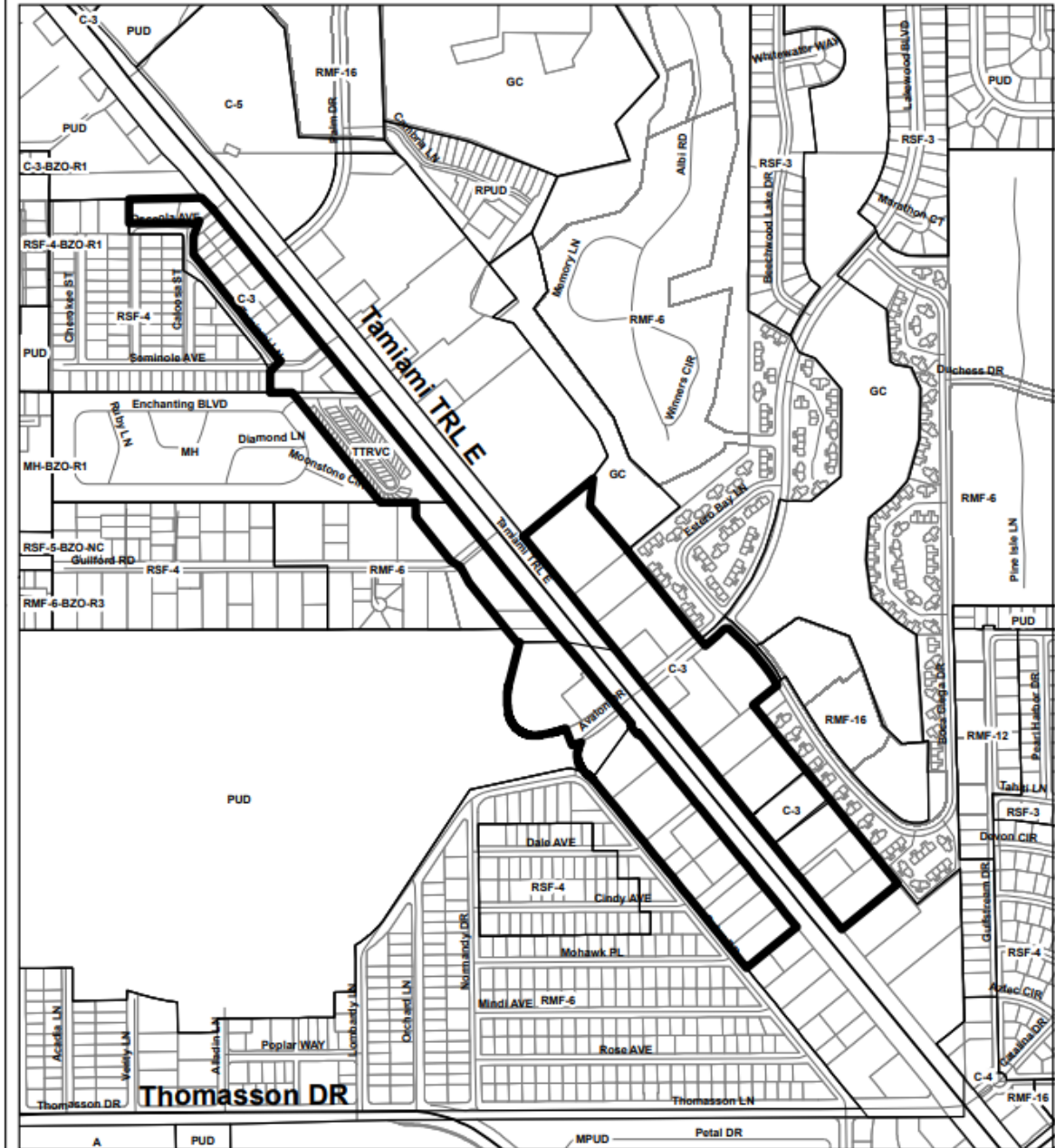
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Growth Management Department
File: US 41 East Overlay Community Center Map 4.mxd



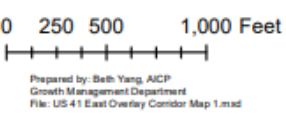
LEGEND

 US 41 East Overlay - Community Center

US 41 East Overlay - Corridor Map 1 Collier County, Florida

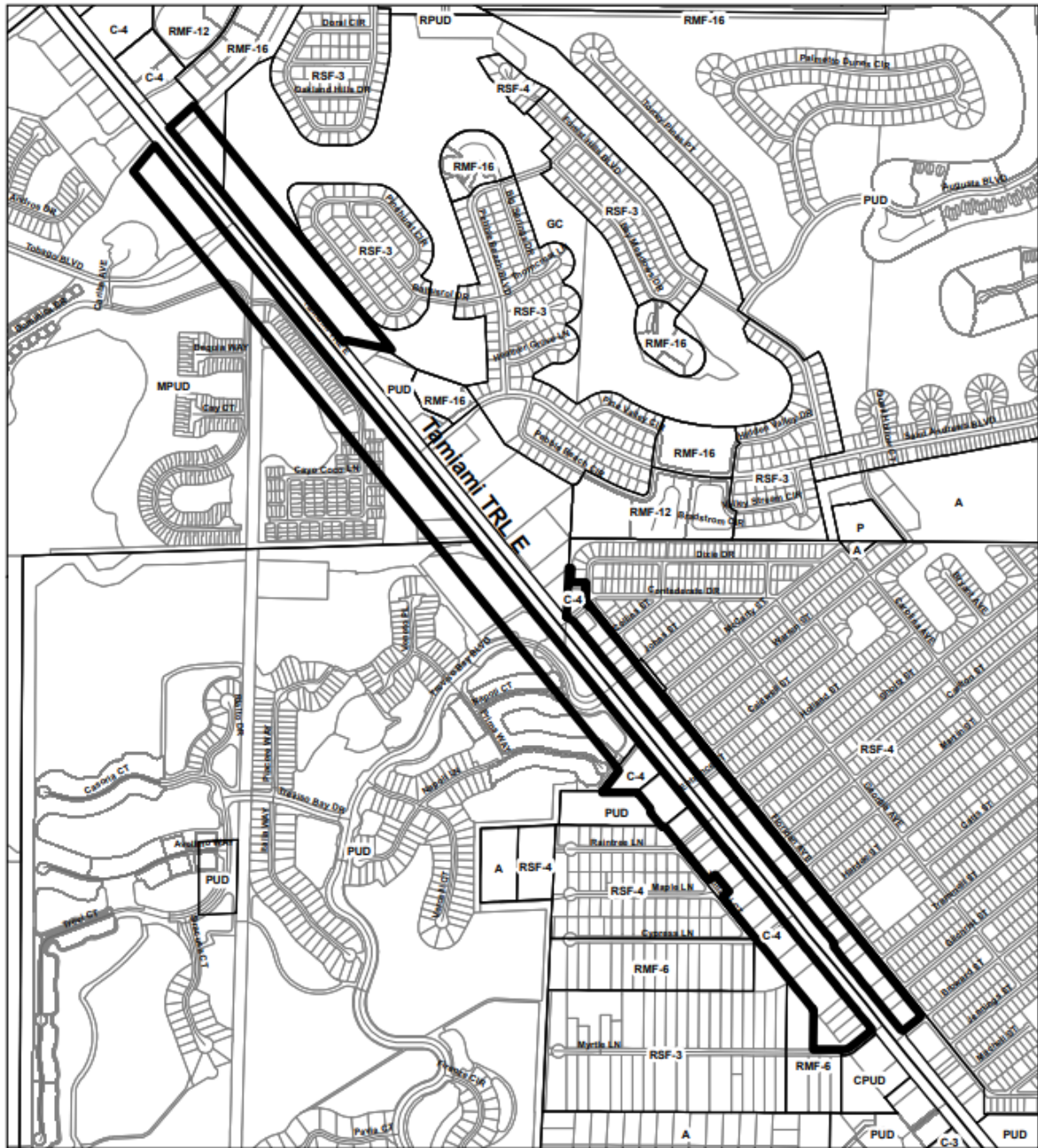


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(Ord. No. XXX)



LEGEND
 US 41 East Overlay - Corridor

US 41 East Overlay - Corridor Map 2 Collier County, Florida



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(Ord. No. XXX)

0 500 1,000 2,000 Feet



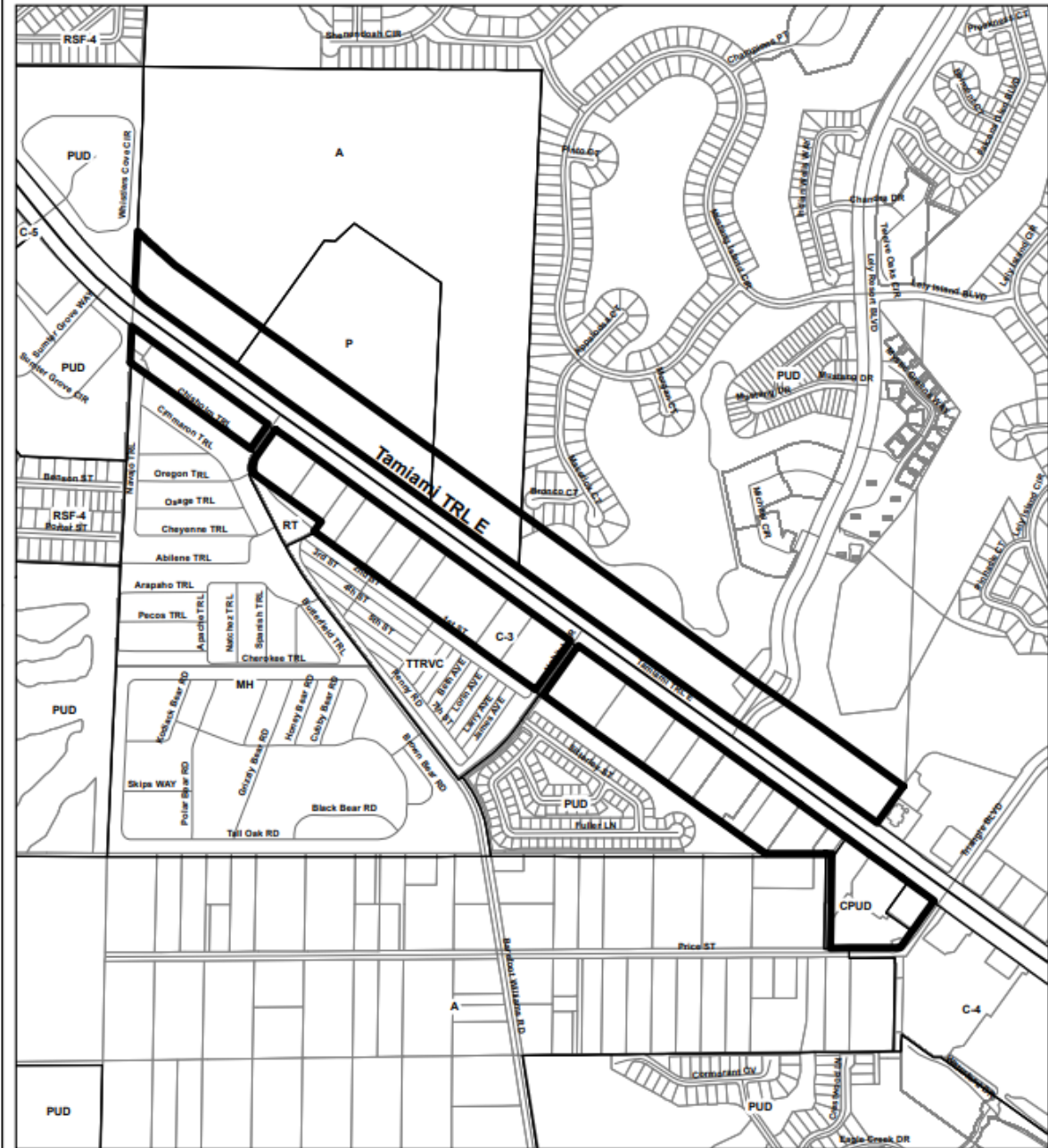
Prepared by: Beth Yang, AICP
Growth Management Department
File: US 41 East Overlay Corridor Map 2.mxd



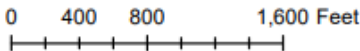
LEGEND

US 41 East Overlay - Corridor

US 41 East Overlay - Corridor Map 3 Collier County, Florida



ADOPTED - XXXX
(Ord. No. XXX)

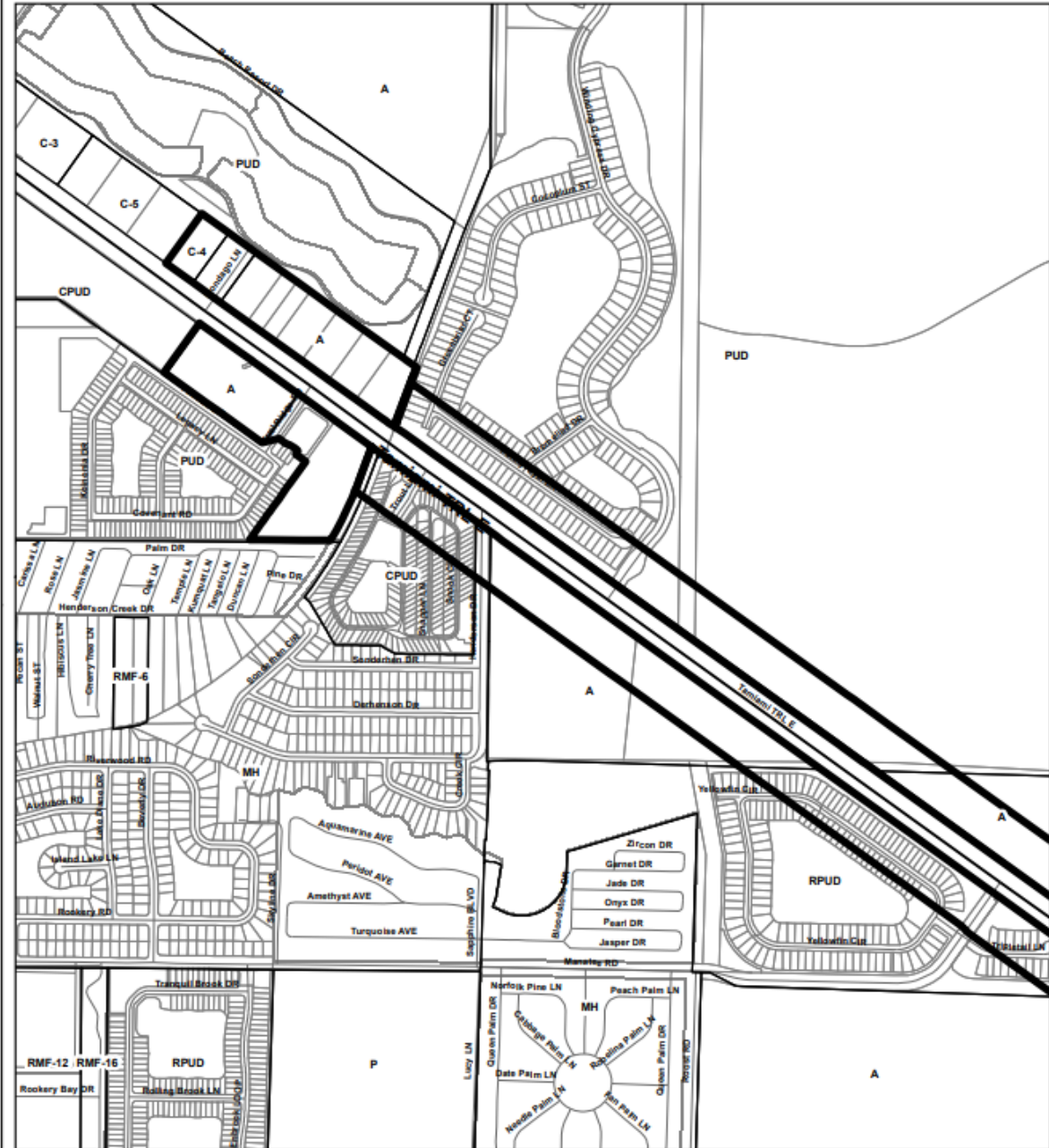


Prepared by: Beth Yang, AICP
Growth Management Department
File: US 41 East Overlay Corridor Map 3.mxd

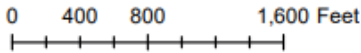


LEGEND
 US 41 East Overlay - Corridor

US 41 East Overlay - Corridor Map 4
Collier County, Florida



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(Ord. No. XXX)



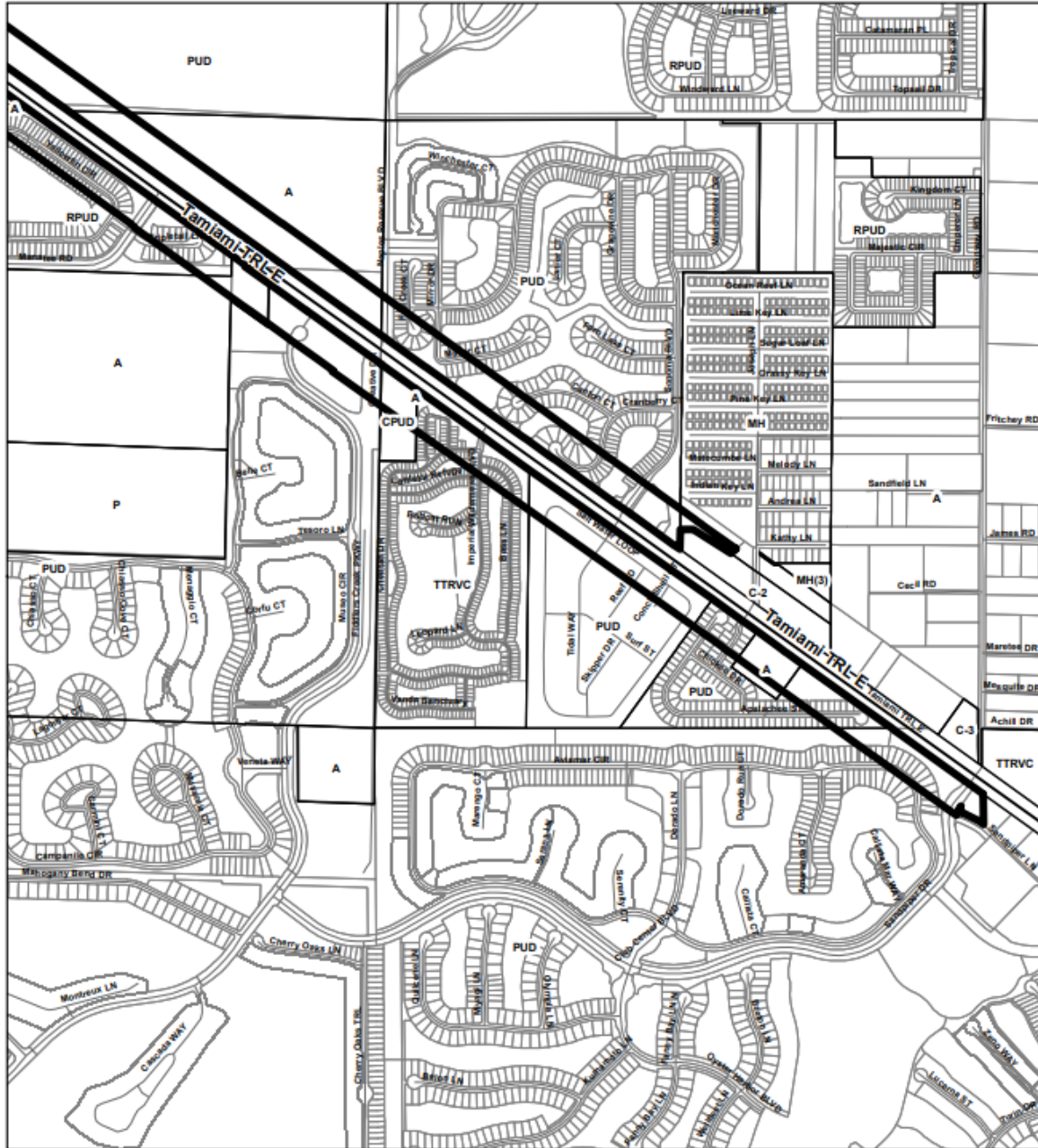
Prepared by: Beth Yang, AICP
Growth Management Department
File: US 41 East Overlay Corridor Map 4.mxd



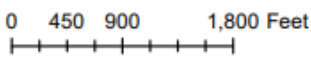
LEGEND

US 41 East Overlay - Corridor

US 41 East Overlay - Corridor Map 5
Collier County, Florida



ADOPTED - XXXX
(Ord. No. XXX)



Prepared by: Beth Yang AICP
Growth Management Department
File: US 41 East Overlay Corridor Map 5.mxd



LEGEND

US 41 East Overlay - Corridor

Exhibit A
TRANSPORTATION ELEMENT
(As amended through Ordinance No. 2017-25, adopted June 13, 2017)

*** **

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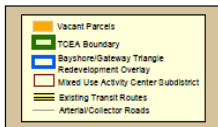
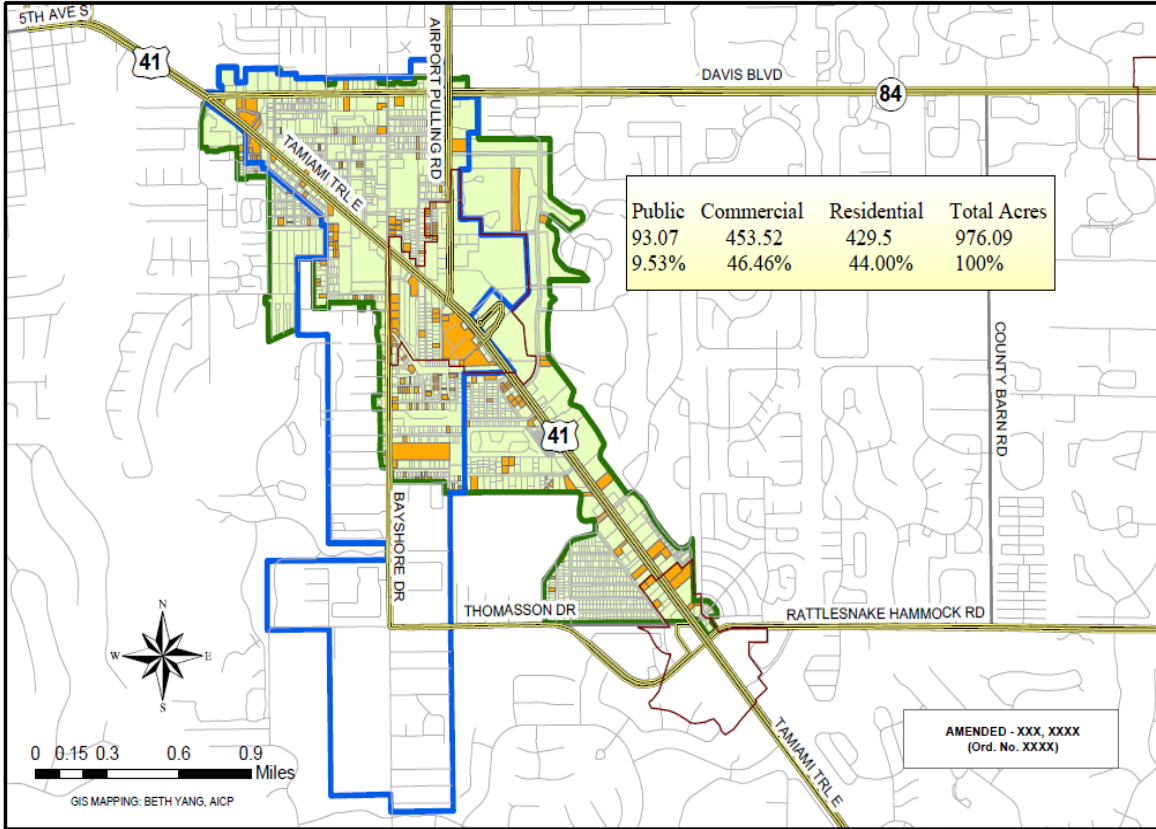
Policy 5.4:
Pursuant to Section 163.3180, Florida Statutes and the Urban Infill and Urban Redevelopment Strategy contained in the Future Land Use Element of this Plan, the South US 41 Transportation Concurrency Exception Area (TCEA) is hereby designated. Development located within the South US 41 TCEA (Maps TR-4 and TR-4.1) may be exempt from transportation concurrency requirements, so long as impacts to the transportation system are mitigated using the procedures established in Policies 5.5 and 5.6 below, and in consideration of the following:

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DRAFT

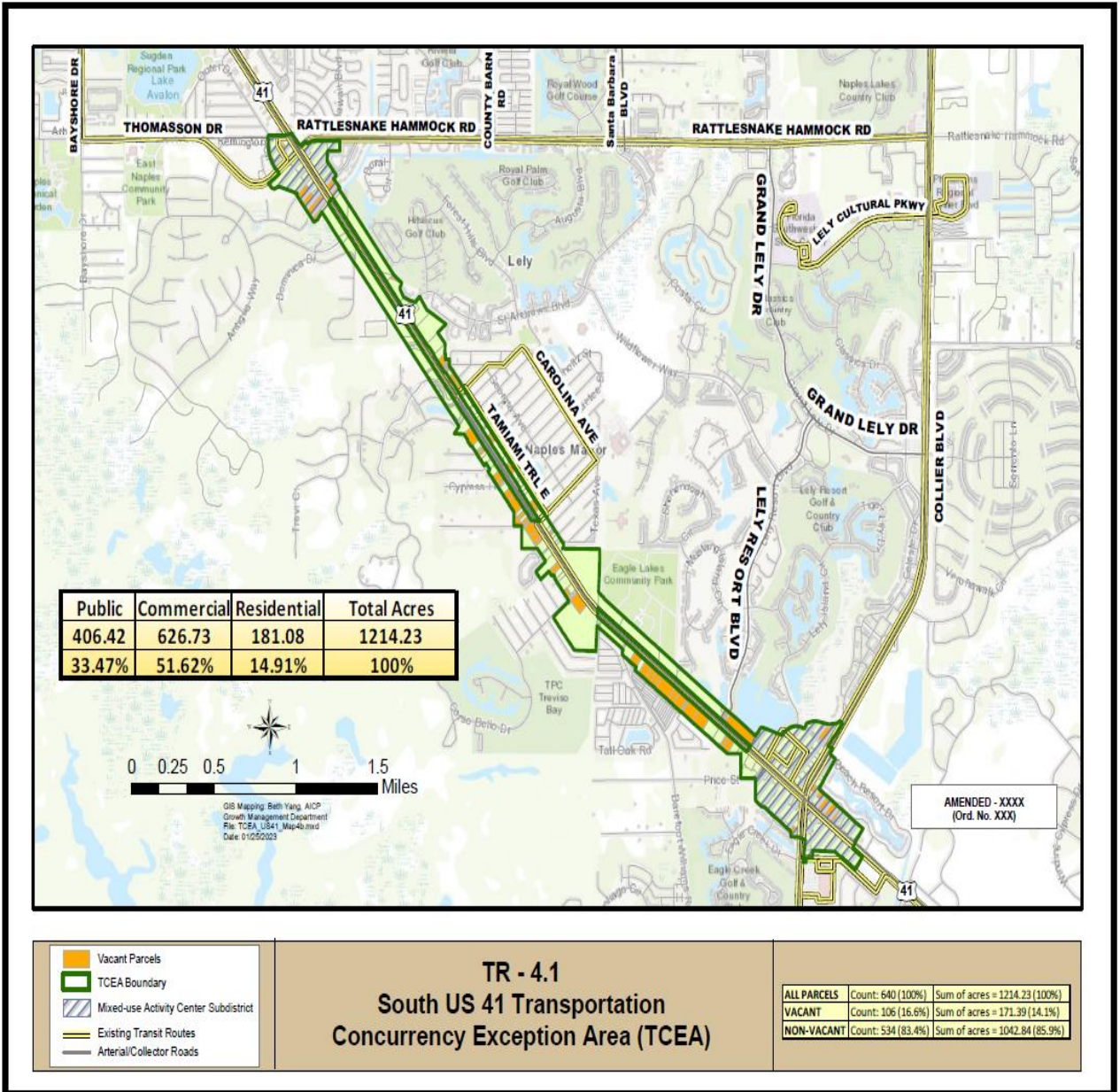
Exhibit A

PL 2023000930



TR - 4
South US 41 Transportation
Concurrency Exception Area (TCEA)

All Parcels: Count = 1725 (100%); Sum of acres = 976.09 (100%)
 Vacant: Count = 234 (13.6%); Sum of acres = 105.55 (10.8%)
 Non-Vacant: Count = 1491 (86.4%); Sum of acres = 870.54 (89.2%)



TR - 4.1
South US 41 Transportation
Concurrency Exception Area (TCEA)